

WESTERN AUSTRALIA

## LEGISLATIVE ASSEMBLY

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### VOTES AND PROCEEDINGS

No. 121

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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THURSDAY, 18 NOVEMBER 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. Petitions**

Land clearing permit assessment process – Mr C.J. Tallentire presented a petition from 68 persons requesting that the land clearing permit assessment process be reviewed and amended (P. 344).

Local Structure Plan 57 – East Wanneroo Cell 9 – Ms R. Saffioti presented a petition from 427 persons requesting that Local Structure Plan 57 – East Wanneroo Cell 9 be opposed (P. 345).

Urban Development South of the Moore River – Ms L.L. Baker presented a petition from 100 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 346).

**3. Paper**

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

By the Clerk –

Economics and Industry Standing Committee – Government Response to Report No. 4: The Department of Environment and Conservation's Management of Former Pastoral Leases (2867).

**4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Premier on the review of the entitlements of Members of Parliament and the Imprest Account.

The Minister for Commerce on the 2010 Statutory Report of the Review of Retirement Villages Legislation.

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*Paper*

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

By the Minister for Commerce –

Commerce, Department of – 2010 Statutory Review of Retirement Villages Legislation, Final Report, November 2010 (2868).

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The Minister for Culture and the Arts on the Fremantle and Albany Welcome Walls projects.

## **5. Grievances**

The Speaker called for grievances which were then made.

## **6. Public Accounts Committee**

Mr J.C. Kobelke, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Public Accounts Committee – Inquiry into Project Planning and Funding Applications for Major Western Australian Infrastructure Projects: Report No. 9, 2010 (2869).

Public Accounts Committee – Inquiry into Project Planning and Funding Applications for Major Western Australian Infrastructure Projects: Submissions, 2010 (2870).

Mr J.C. Kobelke, Mr A. Krsticevic, Mr C.J. Tallentire, Ms R. Saffioti and Mr J.M. Francis spoke on the report.

## **7. Joint Standing Committee on the Corruption and Crime Commission**

Mr J.N. Hyde, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Report of the Parliamentary Inspector concerning Procedures adopted by the Corruption and Crime Commission relating to Surveillance Devices: Report No. 12, 2010 (2871).

Mr J.N. Hyde spoke on the report.

## **8. Iron Ore Agreements Legislation Amendment Bill (No. 2) 2010**

The Minister for State Development, pursuant to notice, moved,

That a bill for “An Act to amend these Acts –

- the *Iron Ore (Hamersley Range) Agreement Act 1963*;
- the *Iron Ore (Robe River) Agreement Act 1964*;
- the *Iron Ore (Mount Bruce) Agreement Act 1972*;
- the *Iron Ore (Hope Downs) Agreement Act 1992*;
- the *Iron Ore (Yandicoogina) Agreement Act 1996*;
- the *Iron Ore (Mount Newman) Agreement Act 1964*;
- the *Iron Ore (Mount Goldsworthy) Agreement Act 1964*;
- the *Iron Ore (Goldsworthy-Nimingarra) Agreement Act 1972*;
- the *Iron Ore (McCamey’s Monster) Agreement Authorisation Act 1972*;
- the *Iron Ore (Marillana Creek) Agreement Act 1991*.” be introduced and read a first time.

Question put and passed.

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

The Minister for State Development moved, That the bill be now read a second time.

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*Paper*

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

By the Minister for State Development –

Iron Ore Agreements Legislation Amendment Bill (No. 2) 2010 – Consolidated Copies of State Agreements incorporating proposed variations the subject of the Iron Ore Agreements Legislation Amendment Bill (No. 2) 2010, November 2010 (2872).

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

Question put and passed.

**9. Suspension of Standing Orders – Referral of Bill to Economics and Industry Standing Committee**

The Leader of the House, pursuant to 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 Franchising Bill 2010 is hereby immediately referred to the Economics and Industry Standing Committee for consideration and report no later than 26 May 2011.

Debate ensued.

Question put and passed.

**10. Referral of Bill to Economics and Industry Standing Committee**

The Leader of the House, pursuant to the foregoing motion, moved,

That the Franchising Bill 2010 is hereby immediately referred to the Economics and Industry Standing Committee for consideration and report no later than 26 May 2011.

Debate ensued.

Mr F.M. Logan moved, That the motion be amended by deleting all words after ‘Franchising Bill 2010’ and substituting –

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be immediately debated and taken through all remaining stages at this day’s sitting, including the existing capacity for any member to move after the second reading has been agreed to, that the bill be referred to a committee.

”.

Debate ensued.

Question put.

The Assembly divided.

Ayes (24)

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  
Mrs M.H. Roberts

Ms R. Saffioti  
Mr T.G. Stephens  
Mr C.J. Tallentire  
Mr P.C. Tinley  
Mr A.J. Waddell  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr D.A. Templeman (*Teller*)

## Noes (29)

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

Amendment thus negatived.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

## Ayes (29)

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

## Noes (24)

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

Question thus passed.

### 11. Criminal Investigation 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.

Debate interrupted by the Chair (Ms M.M. Quirk speaking) and adjourned until a later stage of the sitting.

### 12. Members’ Statements

The Acting Speaker called for members’ statements which were then made.

### 13. Questions

Questions without Notice were taken.

Questions on Notice Nos 4337 to 4353 were asked.

Questions on Notice Nos 4153, 4178, 4182 to 4200, 4202, 4203, 4210 to 4216, and 4219 to 4221 were answered.

Paper tabled by the Minister for Regional Development; Lands –

Question on Notice No. 4210 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Regional Development's department (2873).

Paper tabled by the Minister for Education; Tourism –

Question on Notice No. 4211 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Education's department (2874).

Paper tabled by the Minister for Police; Emergency Services; Road Safety –

Question on Notice No. 4213 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Police's department (2875).

Paper tabled by the Minister for Sport and Recreation; Racing and Gaming –

Question on Notice No. 4214 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Sport and Recreation's department (2876).

Paper tabled by the Minister for Planning; Culture and the Arts –

Question on Notice No. 4215 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Planning's department (2877).

Paper tabled by the Minister for Agriculture and Food; Forestry –

Question on Notice No. 4221 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Agriculture and Food's department (2878).

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

Question on Notice No. 4216 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Energy's department (2879).

Paper tabled by the Minister representing the Minister for Transport; Disability Services –

Question on Notice No. 4212 – Details of officers in the Senior Executive Service as at June 2008, 2009, and 2010 for each department and agency in the Minister for Transport's department (2880).

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

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

#### **15. Criminal Investigation 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 Attorney General moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

**16. Appropriation (Consolidated Account) Recurrent 2009-10 (Supplementary) Bill 2010  
Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) 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 the next sitting of the Assembly.

**17. Appropriation (Consolidated Account) Capital 2009-10 (Supplementary) Bill 2010**

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

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 the next sitting of the Assembly.

**18. Premier's Statement**

The Order of the Day for the resumption of the debate upon the question, That the Premier's Statement be noted, was read.

Debate resumed.

Question put and passed.

**19. Messages from the Legislative Council**

Messages from the Legislative Council were reported returning the following bills without amendment –

17 November 2010

Children and Community Services Amendment Bill 2010 (Message No. 119).

Misuse of Drugs Amendment Bill (No. 2) 2010 (Message No. 120).

**20. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 3.49 p.m. until Tuesday, 23 November 2010 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Ms A.S. Carles, Dr E. Constable, Mrs C.A. Martin and Mr P.B. Watson.

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

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