

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 106

SECOND SESSION OF THE THIRTY-SIXTH PARLIAMENT

TUESDAY, 2 MARCH 2004

1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Speaker's Statement - Media Photography

The Speaker advised members that he had approved a request from the media to take photographs of the Premier during the tabling of the Report of the Royal Commission Into Whether There Has Been Corrupt or Criminal Conduct By Any Western Australian Police Officers.

3. Death of Robert Marshall - a former Member of the Legislative Assembly

The Premier, without notice, moved,

That the House records its sincere regret of the death of Robert Marshall and tenders its deep sympathy to his family.

The motion was supported by Mr C.J. Barnett, Mr M.W. Trenorden and Mr J.L. Bradshaw.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

4. Ministerial Statement

The Premier was granted leave to make a Ministerial Statement on the Royal Commission Into Whether There Has Been Corrupt or Criminal Conduct By Any Western Australian Police Officer.

Papers

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

By the Premier -

Royal Commission Into Whether There Has Been Corrupt or Criminal Conduct By Any Western Australian Police Officer - Final Report, Volume 1, January 2004 (2131).

Royal Commission Into Whether There Has Been Corrupt or Criminal Conduct By Any Western Australian Police Officer - Final Report, Volume 2, January 2004 (2132).

5. Speaker's Statement - Resignation from the Liberal Party of Mr B.K. Masters

The Speaker advised members that he had received a letter dated 16 February 2004 from Mr B.K. Masters advising that Mr Masters had on that day resigned from the Liberal Party, and that he wished to be known as an Independent Liberal on official documentation. As a consequence, the Speaker advised members he had approved changes to the Assembly seating arrangements for the Opposition and Mr Masters.

6. Personal Explanation

Mr B.K. Masters made a personal explanation on his resignation from the Liberal Party.

7. Brief Ministerial Statements

The following brief Ministerial Statements were made by -

The Minister for Consumer and Employment Protection on the review of the *Labour Relations Reform Act 2002*.

The Minister for Planning and Infrastructure on the MetroRail City Project design and construct contract.

Papers

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

By the Minister for Planning and Infrastructure -

MetroRail City Project Design and Construct Contract - Maps (2133).

MetroRail City Project Design and Construct Contract - Scope of Works and Technical Criteria, Contract No. 27/03, 14 February 2004 (2134).

MetroRail City Project Design and Construct Contract - Design, Construct and Maintain Project Deed, Contract No. 27/03, February 2004 (2135).

MetroRail City Project Design and Construct Contract - Scope of Works and Technical Criteria, Volume 1, Appendices 1 to 11.01, Contract No. 27/03 (2136).

MetroRail City Project Design and Construct Contract - Scope of Works and Technical Criteria, Volume 2, Appendices 11.02 to 11.30, Contract No. 27/03 (2137).

MetroRail City Project Design and Construct Contract - Scope of Works and Technical Criteria, Volume 3, Appendices 12 to 26, Contract No. 27/03 (2138).

The Minister for Health on the final report of the Working Party on Drug Law Reform.

Paper

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

By the Minister for Health -

Drug Law Reform, Working Party on - Final Report entitled *Law Enforcement Measures to Reduce Harms Associated With Injecting Drug Use in Western Australia*, February 2004 (2139).

8. Questions

Questions without notice were taken.

Questions on notice Nos 2398 to 2649 were asked.

Questions on notice Nos 1935, 2063 to 2070, 2078, 2102, 2104, 2105, 2107, 2122, 2138, 2156, 2176, 2178, 2180, 2194, 2204, 2206 to 2209, 2234, 2251, 2257, 2275, 2283, 2287, 2298, 2299, 2314, 2321, 2331, 2332, 2339, 2343, 2344, 2363 to 2365, 2367 to 2381, 2384, 2386, 2389 to 2391 and 2394 to 2397 were answered.

Paper tabled by the Minister for the Environment –

Question on Notice No. 2379 – Mobile Telephone Service Provider – spreadsheet showing the monthly expenditure for all service providers for the Department of Environmental Protection and the Water and Rivers Commission from the 2000-2001 financial year to the 2002-2003 financial year inclusive (2129).

Paper tabled by the Parliamentary Secretary to the Minister for Agriculture, Forestry and Fisheries –

Question on Notice No. 2397 – Department of Fisheries Debtors Greater than \$10,000 – details relating to the amount of debt, cause of debt and recovery action where applicable (2130).

9. Messages from the Governor

Messages from His Excellency the Governor were reported assenting to the following Bills -

No. 135 of 2003 - 15 December 2003

Acts Amendment and Repeal (Competition Policy) Bill 2002, Act No. 70 of 2003.

Ports and Marine Legislation Amendment Bill 2003, Act No. 71 of 2003.

Taxi Amendment Bill 2003, Act No. 72 of 2003.

Motor Vehicle Dealers Amendment Bill (No.2) 2002, Act No. 73 of 2003.

Statutes (Repeals and Minor Amendments) Bill 2001, Act No. 74 of 2003.

Inspector of Custodial Services Bill 2003, Act No. 75 of 2003.

Acts Amendment (Reserves and Reserve Boards) Bill 2003, Act No. 76 of 2003.

Criminal Injuries Compensation Bill 2003, Act No. 77 of 2003.

No. 136 of 2003 - 22 December 2003

Corruption and Crime Commission Amendment and Repeal Bill 2003, Act No. 78 of 2003.

No. 137 of 2003 - 24 December 2003

Genetically Modified Crops Free Areas Bill 2003, Act No. 79 of 2003.

Messages from His Excellency the Governor were reported recommending that appropriations be made for the following Bills -

- Appropriation (Consolidated Fund) Bill (No. 5) 2003 (Message No. 1).
- Appropriation (Consolidated Fund) Bill (No. 6) 2003 (Message No. 2).
- Finance Brokers Control Amendment Bill 2003 (Message No. 3).
- Children and Community Development Bill 2003 (Message No. 4).
- Civil Judgments Enforcement Bill 2003 (Message No. 5).
- Magistrates Court Bill 2003 (Message No. 6).

10. Petitions

Woodbridge Primary School - Mrs M.H. Roberts presented a petition from 61 persons requesting that twelve commercial refrigerated airconditioning units be installed at the Woodbridge Primary School (P. 309).

Gorge Rock-Lake Grace Road - Mr R.A. Ainsworth presented a petition from 205 persons requesting that the Gorge Rock-Lake Grace Road be upgraded to double width bitumen (P. 310).

Fremantle Hospital - Dr J.M. Woollard presented a petition from 856 persons requesting that opposition to the closure of the heart survey unit at Fremantle Hospital be noted (P. 311).

11. Papers

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

By the Speaker -

Inspector of Custodial Services, Office of the - Report of an Announced Inspection of Non-Metropolitan Court Custody Centres, Report No. 20, July 2003 (Received by the Clerk of the Legislative Assembly on 30 January 2003 and held for a period of thirty days as directed by section 109N(4) of the *Prisons Act 1981*) (1979).

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

Agricultural Produce Commission Act 1988 - Regulations (Agricultural Produce (Beekeeping Industry) Regulations 2003 G.G. 09/01/2004) (1980).

Agriculture, Department of - Net Appropriation Determination, 2 February 2004 (Deemed Tabled 4 February 2004) (1981).

Animal Resources Authority - Annual Report 2002-2003 (1982).

Betting Control Act 1954 - Regulations (Betting Control Amendment Regulations 2004 G.G. 30/01/2004) (1983).

Botanic Gardens and Parks Authority - Annual Report 2002-2003 (1984).

Builders' Registration Act 1939 - Regulations (Builders' Registration Amendment Regulations (No. 2) 2003 G.G. 09/01/2004) (1985).

Building and Construction Industry Training Board - Annual Report 2002-2003 (1986).

Bunbury Port Authority - Statement of Corporate Intent 2003-2004 (1987).

Bush Fires Act 1954 - Local Laws (Shire of Boyup Brook - Bush Fire Brigades Local Law G.G. 03/02/2004) (1988).

Business Names Act 1962 - Regulations (Business Names Amendment Regulations 2004 G.G. 09/01/2004) (1989).

Cemeteries Act 1986 - Local Laws (Shire of Boyup Brook - Boyup Brook Cemetery Local Law 2003 G.G. 03/02/2004) (1990).

Centre for Pathology and Medical Research [PathCentre], The Western Australian - Annual Report 2002-2003 (1991).

- Coal Miners' Welfare Board of Western Australia - Annual Report 2001-2002 (1992).
- Construction Industry Portable Paid Long Service Leave Act 1985 - Regulations (Construction Industry Portable Paid Long Service Leave Amendment Regulations 2004 G.G. 20/02/2004) (1993).
- Country Health Service, WA - Annual Report 2002-2003 (1994).
- Criminal Injuries Compensation Act 2003 - Regulations (Criminal Injuries Compensation Regulations 2003 G.G. 30/12/2003) (1995).
- Dental Board of Western Australia - Annual Report 2002-2003 (1996).
- District Court of Western Australia Act 1969 - Regulations (District Court (Fees) Amendment Regulations 2003 G.G. 30/12/2003) (1997).
- Dog Act 1976 - Local Laws (City of Melville - Local Laws Relating to Dogs - Amendment No. 2 of 2003 G.G. 09/12/2003) (1998).
- Dog Act 1976 - Local Laws (Shire of Boyup Brook - Dogs Local Law G.G. 03/02/2004) (1999).
- East Perth Redevelopment Act 1991 - Regulations (East Perth Redevelopment (Subtracted Area) Amendment Regulations 2003 G.G. 23/01/2004) (2000).
- Economic Regulation Authority Act 2003 - Regulations (Economic Regulation Authority (Gas Pipelines Access Funding) Regulations 2003 G.G. 29/12/2003) (2001).
- Economic Regulation Authority Act 2003 - Regulations (Economic Regulation Authority (Transitional) Regulations 2003 G.G. 30/12/2003) (2002).
- Esperance Port Authority - Statement of Corporate Intent 2003-2004 (2003).
- Evidence Act 1906 - Regulations (Evidence (Admissible Reproductions) Regulations 2003 G.G. 12/12/2003) (2004).
- Evidence Act 1906 - Regulations (Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2003 G.G. 30/12/2003) (2005).
- Finance Brokers Supervisory Board - Annual Report 2002-2003 (2006).
- Fines, Penalties and Infringement Notices Enforcement Act 1994 - Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2003 G.G. 30/12/2003) (2007).
- Fines, Penalties and Infringement Notices Enforcement Act 1994 - Regulations (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2003 G.G. 12/12/2003) (2008).
- Fish Resources Management Act 1994 - Management Plans (Cockburn Sound Crab Fishery Management Plan Amendment 2003 G.G. 02/01/2004) (2009).
- Fish Resources Management Act 1994 - Management Plans (Kimberley Gillnet and Barramundi Fishery Management Plan Amendment 2003 G.G. 23/12/2003) (2010).
- Fish Resources Management Act 1994 - Management Plans (South Coast Purse Seine Fishery Management Plan Amendment (No. 2) 2003 G.G. 23/12/2003) (2011).
- Fish Resources Management Act 1994 - Management Plans (South Coast Purse Seine Fishery Management Plan Amendment 2004 G.G. 10/02/2004) (2012).
- Fish Resources Management Act 1994 - Management Plans (Warnbro Sound (Crab) Fishery Management Plan Amendment (No. 2) 2003 G.G. 23/12/2003) (2013).
- Fish Resources Management Act 1994 - Orders (Fish Traps Prohibition Amendment Order (No. 2) 2003 G.G. 23/12/2003) (2014).
- Fish Resources Management Act 1994 - Orders (Houtman Abrolhos Reef Observation Areas Amendment Order 2003 G.G. 23/12/2003) (2015).
- Fish Resources Management Act 1994 - Orders (Prohibition on Commercial Fishing for Crabs (Geographe Bay) Amendment Order 2003 G.G. 23/12/2003) (2016).
- Fish Resources Management Act 1994 - Orders (Prohibition on Fishing (Cottesloe Reef and Lancelin Island Lagoon) Revocation Order 2003 G.G. 23/12/2003) (2017).

- Fish Resources Management Act 1994 - Orders (Prohibition on Fishing (Rottnest Island) Order 2003 G.G. 23/12/2003) (2018).
- Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations (No. 14) 2003 G.G. 23/12/2003) (2019).
- Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations (No. 2) 2004 G.G. 17/02/2004) (2020).
- Fish Resources Management Act 1994 - Regulations (Fish Resources Management Amendment Regulations 2004 G.G. 09/01/2004) (2021).
- Fremantle Cemetery Board - Annual Report 2002-2003 (2022).
- Gaming Commission Act 1987 - Regulations (Gaming Commission Amendment Regulations 2004 G.G. 30/01/2004) (2023).
- Gas Pipelines Access (Western Australia) Act 1998 - Regulations (Gas Pipelines Access (Western Australia) (Funding) Amendment Regulations 2003 G.G. 30/12/2003) (2024).
- Government of Western Australia, The - Mid-Year Financial Projections Statement 2003-2004, December 2003 (2025).
- Government of Western Australia, The - Consolidated Financial Statement 2002-2003 (2026).
- Government Railways Act 1904 - By-Laws (Government Railways Amendment and Repeal By-Laws 2003 G.G. 12/12/2003) (2027).
- Hawthorn Hospital - Annual Report 2002-2003 (2028).
- Health Act 1911 - Local Laws (City of Armadale Health Amendment Local Laws 2003 (No. 2) G.G. 13/01/2004) (2029).
- Health Act 1911 - Local Laws (Shire of Boyup Brook Health Local Laws 2003 G.G. 03/02/2004) (2030).
- Health Act 1911 - Local Laws (Shire of Bridgetown-Greenbushes Health Amendment Local Laws 2003 G.G. 16/12/2003) (2031).
- Health Act 1911 - Local Laws (Shire of Victoria Plains Health Local Laws 2003 G.G. 20/01/2004) (2032).
- Health Act 1911 - Regulations (Health (Meat Hygiene) Amendment Regulations 2004 G.G. 27/01/2004) (2033).
- Health Act 1911 - Regulations (Health (Public Buildings) Amendment Regulations 2004 G.G. 11/02/2004) (2034).
- Health Act 1911 - Regulations (Health (Smoking in Enclosed Public Places) Amendment Regulations 2003 G.G. 10/12/2003) (2035).
- Hospitals and Health Services Act 1927 - Regulations (Hospitals (Services Charges) Amendment Regulations 2004 G.G. 13/02/2004) (2036).
- Justices Act 1902 - Regulations (Justices Act (Courts of Petty Sessions Fees) Amendment Regulations 2003 G.G. 30/12/2003) (2037).
- Legal Practice Board of Western Australia, The - Annual Report 2002-2003 (2038).
- Legal Practitioners' Complaints Committee Western Australia, The - Annual Report 2002-2003 (2039).
- Legal Practitioners' Disciplinary Tribunal, The - Annual Report 2002-2003 (2040).
- Litter Act 1979 - Regulations (Litter Amendment Regulations 2004 G.G. 09/01/2004) (2041).
- Local Courts Act 1904 - Rules (Local Court Amendment Rules 2003 G.G. 30/12/2003) (2042).
- Local Government Act 1995 - Local Laws (City of Nedlands Standing Orders Local Law 2003 G.G. 05/01/2004) (2043).
- Local Government Act 1995 - Local Laws (City of Perth Parking Amendment Local Law 2003 G.G. 19/12/2003) (2044).

- Local Government Act 1995 - Local Laws (City of South Perth Parking Local Law 2003 G.G. 23/12/2003) (2045).
- Local Government Act 1995 - Local Laws (City of South Perth Penalty Units Local Law Amendments 2003 G.G. 23/12/2003) (2046).
- Local Government Act 1995 - Local Laws (City of Stirling Outdoor Eating Areas Amendment Local Law 2003 G.G. 09/01/2004) (2047).
- Local Government Act 1995 - Local Laws (City of Wanneroo Animals (Amendment) Local Law 2003 G.G. 12/12/2003) (2048).
- Local Government Act 1995 - Local Laws (City of Wanneroo Parking and Parking Facilities Local Law 2003 G.G. 13/01/2004) (2049).
- Local Government Act 1995 - Local Laws (Shire of Boddington - Local Laws Relating to Pest Plants G.G. 20/02/2004) (2050).
- Local Government Act 1995 - Local Laws (Shire of Boyup Brook - Activities in Thoroughfares and Public Places and Trading Local Law G.G. 03/02/2004) (2051).
- Local Government Act 1995 - Local Laws (Shire of Boyup Brook - Local Government Property Local Law G.G. 03/02/2004) (2052).
- Local Government Act 1995 - Local Laws (Shire of Boyup Brook - Local Law relating to Fencing G.G. 03/02/2004) (2053).
- Local Government Act 1995 - Local Laws (Shire of Boyup Brook - Parking and Parking Facilities Local Law G.G. 03/02/2004) (2054).
- Local Government Act 1995 - Local Laws (Shire of Boyup Brook - Repeal Local Law 2003 G.G. 03/02/2004) (2055).
- Local Government Act 1995 - Local Laws (Shire of Bridgetown-Greenbushes - Local Law to repeal the Conduct of Proceedings and the Business of Council (Standing Orders) Local Law G.G. 03/02/2004) (2056).
- Local Government Act 1995 - Local Laws (Shire of Busselton Signs Local Law G.G. 09/02/2004) (2057).
- Local Government Act 1995 - Local Laws (Shire of Esperance Local Laws Relating to Signs 2004 G.G. 13/01/2004) (2058).
- Local Government Act 1995 - Local Laws (Shire of Kalamunda - Standing Orders Local Law Amendment 2003 G.G. 30/12/2003) (2059).
- Local Government Act 1995 - Local Laws (Shire of Northampton Local Law to Repeal Defunct and Obsolete Local Laws G.G. 16/12/2003) (2060).
- Local Government Act 1995 - Local Laws (Shire of Serpentine-Jarrahdale - Local Law relating to Kennel and Cattery Establishments G.G. 13/02/2004) (2061).
- Local Government Act 1995 - Local Laws (Shire of Serpentine-Jarrahdale - Local Law relating to Livestock in Public Places and Wandering at Large G.G. 13/02/2004) (2062).
- Local Government Act 1995 - Local Laws (Shire of Serpentine-Jarrahdale - Local Law relating to the Keeping of Dogs G.G. 13/02/2004) (2063).
- Local Government Act 1995 - Local Laws (Shire of Serpentine-Jarrahdale - Local Law relating to Unsightly Land and Refuse, Rubbish Disused Materials on Land G.G. 13/02/2004) (2064).
- Local Government Act 1995 - Local Laws (Shire of Serpentine-Jarrahdale - Parking Facilities Local Law G.G. 13/02/2004) (2065).
- Local Government Act 1995 - Local Laws (Town of Claremont - Amendments to Activities on Thoroughfares and Public Places Local Law 2004 G.G. 20/02/2004) (2066).
- Local Government Act 1995 - Local Laws (Town of Claremont - Parking and Parking Facilities Local Law 2003 (No. 2) G.G. 12/12/2003) (2067).
- Local Government Act 1995 - Local Laws (Town of Kwinana Local Government Property Local Law 2003 G.G. 23/12/2003) (2068).

- Local Government Grants Commission, Western Australian - Annual Report 2002-2003 (2069).
- Medical Board of Western Australia - Annual Report 2002-2003 (2070).
- Mines Safety and Inspection Act 1994 - Regulations (Mines Safety and Inspection Amendment Regulations 2004 G.G. 13/02/2004) (2071).
- National Trust of Australia (WA) - Annual Report 2002-2003 (2072).
- Nurses Board of Western Australia - Annual Report 2002-2003 (2073).
- Occupational Safety and Health Act 1984 - Regulations (Occupational Safety and Health Amendment Regulations (No. 6) 2003 G.G. 30/12/2003) (2074).
- Osteopaths Act 1997 - Rules (Osteopaths Amendment Rules 2003 G.G. 16/01/2004) (2075).
- Osteopaths Registration Board of Western Australia - Annual Report 2003 (2076).
- Peel Health Services - Annual Report 2002-2003 (2077).
- Pharmacy Act 1964 - Regulations (Pharmacy Amendment Regulations 2003 G.G. 16/01/2004) (2078).
- Physiotherapists Registration Board of Western Australia - Annual Report 2003 (2079).
- Plant Diseases Act 1914 - Regulations (Plant Diseases Amendment Regulations (No. 8) 2003 G.G. 16/01/2004) (2080).
- Plant Diseases Act 1914 - Regulations (Plant Diseases Amendment Regulations 2004 G.G. 23/01/2004) (2081).
- Port Authorities Act 1999 - Regulations (Port Authorities Amendment Regulations 2004 G.G. 13/02/2004) (2082).
- Port Hedland Port Authority - Statement of Corporate Intent 2003-2004 (2083).
- Potato Marketing Corporation of Western Australia - Annual Report 2002-2003 (2084).
- Poultry Industry Trust Fund Committee, The - Annual Report 2002-2003 (2085).
- Public Sector Standards Commissioner, Office of the - Annual Compliance Report 2002-2003 (2086).
- Public Transport Authority Act 2003 - Regulations (Public Transport Authority Amendment Regulations 2003 G.G. 12/12/2003) (2087).
- Racing and Gambling Legislation Amendment and Repeal Act 2003 - Regulations (Racing and Gambling (Miscellaneous) Amendment Regulations 2004 G.G. 30/01/2004) (2088).
- Racing and Wagering Western Australia Act 2003 - Regulations (Racing and Wagering Western Australia Amendment Regulations 2004 G.G. 30/01/2004) (2089).
- Radiation Safety Act 1975 - Regulations (Radiation Safety (General) Amendment Regulations 2003 G.G. 02/01/2004) (2090).
- Real Estate and Business Agents Act 1978 - Regulations (Real Estate and Business Agents (General) Amendment Regulations 2004 G.G. 13/01/2004) (2091).
- Retail Trading Hours Act 1987 - Regulations (Retail Trading Hours Amendment Regulations 2004 G.G. 13/02/2004) (2092).
- Road Traffic Act 1974 - Regulations (Road Traffic (Drivers' Licences) Amendment Regulations (No. 6) 2003 G.G. 12/12/2003) (2093).
- Road Traffic Act 1974 - Regulations (Road Traffic Code Amendment Regulations (No. 5) 2003 G.G. 12/12/2003) (2094).
- Rural Business Development Corporation - Annual Report 2002-2003 (2095).
- Small Claims Tribunals Act 1974 - Regulations (Small Claims Tribunals Amendment Regulations 2003 G.G. 30/12/2003) (2096).
- South West Area Health Service - Annual Report 2002-2003 (2097).

Spent Convictions Act 1988 - Regulations (Spent Convictions (Act Amendment) Regulations 2003 G.G. 30/12/2003) (2098).

Stamp Act 1921 - Regulations (Stamp Amendment Regulations 2003 G.G. 30/12/2003) (2099).

State Superannuation Act 2000 - Regulations (State Superannuation Amendment Regulations (No. 4) 2003 G.G. 30/12/2003) (2100).

State Supply Commission - Annual Report 2002-2003 (2101).

Subiaco Redevelopment Act 1994 - Ministerial Approval under Section 22(2) of the Act for Final Approval for subdivision "SU 19" located within the "Price Street Precinct", and endorses the attached Deposited Plan 38775 (2102).

Subiaco Redevelopment Act 1994 - Ministerial Approval under Section 22(2)(a) of the Act for the proposed sale of Lot 545 Hay Street, Perth, Western Australia (2103).

Supreme Court Act 1935 - Regulations (Supreme Court (Fees) Amendment Regulations 2003 G.G. 30/12/2003) (2104).

Taxi Act 1994 - Regulations (Taxi Amendment Regulations (No. 2) 2004 G.G. 23/01/2004) (2105).

Taxi Act 1994 - Regulations (Taxi Amendment Regulations (No. 3) 2004 G.G. 20/02/2004) (2106).

Taxi Act 1994 - Regulations (Taxi Amendment Regulations 2004 G.G. 09/01/2004) (2107).

Town Planning and Development Act 1928 - Ministerial Direction to the Town Planning Appeal Tribunal to refer Appeal with recommendations to the Minister for Planning and Infrastructure Appeal No. 334 of 2003 between Perpetual Nominees Ltd, Emergency Services Superannuation Board and Colonial First State Property Limited, and the City of Rockingham dated 2 January 2004 (2108).

Transport Co-ordination Act 1966 - Regulations (Country Taxi-cars (Fares and Charges) Amendment Regulations 2003 G.G. 24/12/2003) (2109).

Travel Agents Act 1985 - Orders (Travel Agents (Exemption) Order 2003 G.G. 12/12/2003) (2110).

Treasury Corporation, Western Australian - Quarterly Report for the quarter ended 31 December 2003 (2111).

Veterinary Surgeons Act 1960 - Regulations (Veterinary Surgeons Amendment Regulations (No. 3) 2003 G.G. 16/12/2003) (2112).

Veterinary Surgeons Act 1960 - Regulations (Veterinary Surgeons Amendment Regulations (No.4) 2003 G.G. 16/01/2004) (2113).

Water Agencies (Powers) Act 1984 - By-Laws (Water Agencies (Charges) Amendment By-Laws (No. 4) 2003 G.G. 09/12/2003) (2114).

Water Corporation - Statement of Corporate Intent 2003-2004 (2115).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract with Western Australian Planning Commission (WAPC) to acquire 65 Hope Valley/Wattleup properties for \$9,550,897 (GST inclusive) and 80 properties for nil consideration. Particulars of the respective properties are set out in Schedule 1 and 2, which are attached hereto (2116).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to purchase 37.4983 hectares of industrial zoned land in Kalgoorlie from the Department for Planning and Infrastructure for the amount for \$1,160,000 (GST not applicable in accordance with Section 38-45 of the GST Act 1999) The Land is described as Lot 4788 corner of Great Eastern Highway and Anzac Drive, Kalgoorlie on Deposited Plan 195265 being contained in Crown Land Title Volume 3120 Folio 978 (2117).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract of sale with the Department for Planning and Infrastructure for 89 subdivided lots, ex amount of country centres, particulars of which are set out in the Schedule which is attached hereto (2118).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract of sale with Webberton Holdings to purchase Lot 201 Lakeside Drive, Joondalup (2119).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract with the City of Joondalup to sell a 4 hectare parcel of land. The parcel of land will be created pursuant to a subdivision application currently being processed relating to; a portion of Lot 902, the subject of Certificate of Title Volume 2212 Folio 600 and the balance being located in a portion of Swan Location 7898 and being subject to Certificate of Title Volume 1691 Folio 712. The land is situated at Hodges Drive, Joondalup. (2120).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract to sell Lot 5 Masson Mews, Minim Cove, Mosman Park to Joanna Mary Clements (2121).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract of sale with Blanalko Pty Ltd to purchase Lots 6, 7 and 12 Abernethy Road, Forrestfield (2122).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract with Landscape Australia to undertake landscaping works at Harvest Lakes, Atwell (2123).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract to sell Lot 404 Key Largo Drive, Clarkson to Stinson Nominees (2124).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract to sell Lot 405 Ocean Keys Boulevard, Clarkson to Reefking Pty Ltd (2125).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract to sell Lot 393 Pensacola Terrace to Brett Investments Pty Ltd (2126).

Western Australian Land Authority Act 1992 - Ministerial approval under Section 17A of the Act for the Authority to enter into a contract with the Department of Conservation and Land Management to acquire portion of Lot 502 Wellesley Road, Kemerton on Deposited Plan 28967, being portion of land in Certificate of Title Volume 2217 Folio 73, and the 991m of road encroachment into portion of Wellington Location 1 being portion of land in Certificate of Title Volume 1268 Folio 178 (2127).

Workers' Compensation and Rehabilitation Act 1981 - Regulations (Workers' Compensation and Rehabilitation (Scales of Fees) Amendment Regulations (No. 6) 2003 G.G. 09/01/2004) (2128).

12. Correction to Tabled Paper

The Speaker announced that he had authorised corrections under Standing Order No. 156 to the following Tabled Paper tabled on 16 December 2003 -

Fisheries, State of - Annual Report 2002-2003 (1940).

13. Speaker's Statement - Non Compliance with Direction to Respond to Procedure and Privileges Committee Recommendations

The Speaker reported that responses by the Leader of the House and the Attorney General to the recommendations of the Procedure and Privileges Committee's "Changes to Prorogation and Extended Sessions" had not been received by the required time.

14. Notices of Motion**15. Notice of Motion Withdrawal**

Mr Day withdrew his Private Members' Notice of Motion No. 33.

16. Questions - Additional Information under Standing Order No. 82A

In accordance with Standing Order No. 82A, the Minister for Planning and Infrastructure provided additional information relating to question on notice No. 2221 from Mrs C.L. Edwardes, regarding investigations or inquiries relating to serious staff grievances and/or allegations of misconduct.

Paper

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

By the Minister for Planning and Infrastructure -

Question on Notice No. 2221 – Department of Planning and Infrastructure: details relating to investigations or inquiries regarding serious staff grievances and/or allegations of misconduct since February 2001 (2140).

17. Matter of Public Interest - Want of Confidence in the Minister for Energy

The Speaker informed the Assembly that he was in receipt of a notice from Mr C.J. Barnett that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr C.J. Barnett moved,

That this House has no confidence in the Minister for Energy.

Debate ensued.

Paper

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

By the Minister for Energy -

Forecast of Energy Demand and Supply for Summer 2004 - Briefing Note dated 19 November 2003 from Dr Stephen van der Mye, Chief Executive Officer of Western Power, to the Minister for Energy (2141).

Debate resumed.

Question put.

The Assembly divided.

Ayes (22)

Mr R.A. Ainsworth
 Mr C.J. Barnett
 Mr D.F. Barron-Sullivan
 Mr M.J. Birney
 Mr M.F. Board
 Dr E. Constable
 Mr J.H.D. Day
 Mrs C.L. Edwardes

Mr J.P.D. Edwards
 Mr B.J. Grylls
 Ms K. Hodson-Thomas
 Mr R.F. Johnson
 Mr W.J. McNee
 Mr B.K. Masters
 Mr P.D. Omodei
 Mr P.G. Pandal

Mr R.N. Sweetman
 Mr M.W. Trenorden
 Mr T.K. Waldron
 Ms S.E. Walker
 Dr J.M. Woollard
 Mr J.L. Bradshaw (*Teller*)

Noes (28)

Mr P.W. Andrews
 Mr J.J.M. Bowler
 Mr A.J. Carpenter
 Mr A.J. Dean
 Mr J.B. D'Orazio
 Dr J.M. Edwards
 Dr G.I. Gallop
 Mr S.R. Hill
 Mr J.N. Hyde
 Mr J.C. Kobelke

Mr R.C. Kucera
 Mr F.M. Logan
 Ms A.J. MacTiernan
 Mr J.A. McGinty
 Mr M. McGowan
 Ms S.M. McHale
 Mr A.D. McRae
 Mr N.R. Marlborough
 Mrs C.A. Martin
 Mr M.P. Murray

Mr A.P. O'Gorman
 Ms J.A. Radisich
 Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Ms M.M. Quirk (*Teller*)

Question thus negatived.

18. Children and Community Development Bill 2003

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.

19. Firearms Amendment Bill 2003

The Order of the Day for the resumption of the debate upon the second reading of the Bill was read.
 Debate resumed.

Mr R.F. Johnson moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (11)

Mr D.F. Barron-Sullivan
 Mr M.J. Birney
 Mr M.F. Board
 Mr J.H.D. Day

Mr J.P.D. Edwards
 Ms K. Hodson-Thomas
 Mr R.F. Johnson
 Mr P.D. Omodei

Mr R.N. Sweetman
 Mr T.K. Waldron
 Mrs C.L. Edwardes (*Teller*)

Noes (25)

Mr P.W. Andrews
 Mr J.J.M. Bowler
 Mr A.J. Carpenter
 Mr A.J. Dean
 Mr J.B. D'Orazio
 Mr S.R. Hill
 Mr J.N. Hyde
 Mr J.C. Kobelke
 Mr R.C. Kucera

Mr F.M. Logan
 Ms A.J. MacTiernan
 Mr J.A. McGinty
 Mr M. McGowan
 Ms S.M. McHale
 Mr N.R. Marlborough
 Mrs C.A. Martin
 Mr M.P. Murray
 Mr A.P. O'Gorman

Ms J.A. Radisich
 Mr E.S. Ripper
 Mrs M.H. Roberts
 Mr D.A. Templeman
 Mr P.B. Watson
 Mr M.P. Whitely
 Ms M.M. Quirk (*Teller*)

Question thus negatived and 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.

20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 11.25 p.m. until Wednesday, 3 March 2004 at 12 noon.

Members present during any part of the day's proceedings - All the members except Mr C.M. Brown, Mr L. Graham, Mr M.G. House and Mr J.R. Quigley.

PETER J. McHUGH
 Clerk of the Legislative Assembly

HON. FRED RIEBELING
 Speaker of the Legislative Assembly