

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 186

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

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WEDNESDAY, 19 MARCH 2008

### 1. Meeting of Assembly

The Assembly met at 12 noon pursuant to adjournment.

The Deputy Speaker took the Chair.

Prayers were read.

### 2. Petition

Logue Brook Dam - Mr M.J. Cowper presented a petition from 3,018 persons requesting that the Legislative Assembly support the campaign for the Government to review its decision to deprive many Western Australians of this valuable asset and continue to allow human interaction with the Logue Brook Dam and surrounds; and to fix the annual 2.2 gigalitres of water lost to leakage in the Perth metropolitan area (P. 294).

### 3. Papers

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

By the Deputy Speaker –

Auditor General, Office of the – Public Sector Performance Report, Report 1 No. 2008 (3708).

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 1891/100 between the Department of Conservation and Land Management and Western Power Corporation for Reserve 18987 - Porongurup National Park for a Radio Communication Base (3709).

### 4. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Energy on the Economic Regulation Authority's review of the effectiveness of the Wholesale Electricity Market.

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*Paper*

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

By the Minister for Energy -

Economic Regulation Authority – Annual Wholesale Electricity Market Report for the Minister for Energy, 21 December 2007 (3710).

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The Minister for Education and Training on the new selection and appointment process for principals in Western Australian schools.

The Minister for Industry and Enterprise on the decision by conveyor-belt manufacturer Fenner Dunlop Australia to build its new \$70 million plant in Western Australia.

The Deputy Premier on the signing of a Memorandum of Understanding between the State Government and the South West Aboriginal Land and Sea Council to progress native title negotiations in the south west corner of Western Australia.

The Minister for Police and Emergency Services on the Fire and Emergency Services Authority's "Don't be a fool! Change your smoke alarm battery on April 1" campaign.

## **5. Road Traffic Amendment (Confiscation and Disposal of Vehicles) Bill 2008**

Mr R.F. Johnson, pursuant to notice, moved,

That a bill for "An Act to amend the *Road Traffic Act 1974*." be introduced and read a first time.

Mr R.F. Johnson presented an explanatory memorandum and bill read a first time.

Mr R.F. Johnson moved, That the second reading be made an Order of the Day for the next sitting of the Assembly.

Question put and passed.

## **6. Criminal Law Amendment (Homicide) Bill 2008**

The Attorney General, pursuant to notice, moved,

That a bill for "An Act to reform the law about homicide and for related purposes." be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and bill read a first time.

The Attorney General moved, That the bill be now read a second time.

Dr G.G. Jacobs moved, That the debate be adjourned.

Question put and passed.

## **7. Consumer Credit (Bill Facilities) Amendment Regulation (No. 1) 2007**

The Minister for Consumer Protection, pursuant to notice, moved,

- (1) That this House approves the draft *Consumer Credit (Bill Facilities) Amendment Regulation (No. 1) 2007*, a copy of which was deemed tabled in this House on 17 January 2008.
- (2) That the Legislative Council be acquainted accordingly and be invited to pass a similar resolution.

Debate ensued.

Question put and passed.

## **8. Road Traffic (Vehicles) Bill 2007**

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

## **9. Road Traffic (Administration) Bill 2007**

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

### *CONSIDERATION IN DETAIL*

Clauses 28 to 54 agreed to.

Clause 55.

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

## **10. Questions**

Questions without notice were taken.

Questions on notice Nos 3164 to 3172 were asked.

## **11. Additional Information under Standing Order No. 82A**

In accordance with Standing Order No. 82A, the Premier provided additional information relating to a question without notice from Mr T.R. Buswell in relation to Mr Gary Narkle.

In accordance with Standing Order No. 82A, the Minister representing the Minister for Communities provided additional information relating to a question on notice No. 3073 from Dr E. Constable.

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### *Paper*

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

By the Minister representing the Minister for Communities -

Question on Notice No. 3073 – Corrected Answer to Question on Notice (3711).

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

Ordered, That Government Business Orders of the Day Nos 2, 3 and 4 be next considered.

## **13. Road Traffic (Administration) Bill 2007**

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

### *CONSIDERATION IN DETAIL*

Clause 55.

Mr D.F. Barron-Sullivan moved,

Page 49, line 28 to page 50, line 10 – To delete the lines.

Amendment put and negatived.

Clause agreed to.

Clauses 56 to 89 agreed to.

Clause 90.

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

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

Ordered, That Private Members' Business Order of the Day No. 20, Private Members' Business Notice of Motion No. 19 and Private Members' Business Order of the Day No. 21 be next considered.

#### **15. Acts Amendment (Assaults on Police Officers) Bill 2008**

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

Mr R.F. Johnson moved, That the bill be now read a second time.

Mr C.J. Barnett moved, That the debate be adjourned.

Question put and passed.

#### **16. Logue Brook Dam**

Mr M.J. Cowper, pursuant to notice, moved,

That this House:

- (1) refers to the Economics and Industry Standing Committee for its inquiry into the decision by the Minister for Water Resources to close the Logue Brook Dam to public access from May 2008 and to investigate and make recommendations on:
  - (a) the necessity of using the dam for potable water supplies;
  - (b) whether dual use of the dam for potable water supplies and recreation could be safely achieved and, if so, what options are available;
  - (c) the suitability of Lake Kepwari as an alternative recreation facility;
  - (d) whether sufficient funds have been allocated to develop alternative recreation facilities in the South West of Western Australia; and
  - (e) any other related matters,
 and report to the Legislative Assembly by 30 August 2008.
- (2) calls on the Government not to remove the public access to Logue Brook Dam until after the Committee reports to the House.

Debate ensued.

Question put.

The Assembly divided.

#### **Ayes (17)**

Mr D.F. Barron-Sullivan  
Mr M.J. Birney  
Mr G.M. Castrilli  
Mr M.J. Cowper  
Mr J.H.D. Day  
Ms K. Hodson-Thomas

Mr R.F. Johnson  
Mr J.E. McGrath  
Mr P.D. Omodei  
Mr C.C. Porter  
Mr A.J. Simpson  
Mr G. Snook

Dr S.C. Thomas  
Mr T.K. Waldron  
Ms S.E. Walker  
Mr G.A. Woodhams  
Dr G.G. Jacobs (*Teller*)

## Noes (25)

Mr P.W. Andrews  
 Mr A.J. Carpenter  
 Dr J.M. Edwards  
 Ms D.J. Guise  
 Mrs J. Hughes  
 Mr J.N. Hyde  
 Mr J.C. Kobelke  
 Mr R.C. Kucera  
 Mr F.M. Logan

Mr M. McGowan  
 Ms S.M. McHale  
 Mr A.D. McRae  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms J.A. Radisich

Mrs M.H. Roberts  
 Mr T.G. Stephens  
 Mr D.A. Templeman  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Mr B.S. Wyatt  
 Mr S.R. Hill (*Teller*)

Question thus negatived.

### 17. 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, 20 March 2008 at 9.00 a.m.

*Members present during any part of the day's proceedings* - All the members except Mr M.W. Trenorden.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. FRED RIEBELING**

Speaker of the Legislative Assembly