

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 2

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 16 APRIL 2013

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 – Acting Speakers

The Speaker announced the appointment of the following members as Acting Speakers for the present session –

Ms L.L. Baker

Ms J.M. Freeman

Mr I.M. Britza

Mr I.C. Blayney

Mr P. Abetz

3. Speaker's Statement – Casting and Deliberative Votes

The Speaker advised members that only the Speaker can exercise a casting vote and other members, when in the Chair as either Deputy Speaker or Acting Speaker, retain their deliberative vote. It was only when the Speaker was absent through illness or other unavoidable cause that the Deputy Speaker filled the office and performed the duty of the Speaker, including exercising a casting vote only.

4. Speaker's Statement – Divisions

The Speaker advised members that the current numbers in the House meant that in the event of a division being called, there may be insufficient seats available for all government members to sit on one side of the House or the other. Members would still need to be on the right of the Chair to vote 'Aye' or on the left to vote 'No'. Any member who was unable to take a seat during a division would be required to occupy a position which was clearly visible but which did not block the view of the Tellers or the Clerks.

5. Speaker's Statement – Questions

The Speaker advised members that questions should not contain lengthy preambles or opinion, unless it was necessary to render the question intelligible. Nor should they contain argument, imputations or hypothetical matter. Answers need to be relevant and should be succinct.

6. Speaker's Statement – Media Arrangements

The Speaker advised members that a press photographer would be taking photographs from the press and public galleries for the first ten minutes of Question Time.

7. Death of Raymond James O'Connor – a former Premier of Western Australia

The Premier, without notice, moved,

That the House records its sincere regret at the death of Raymond James O'Connor and tenders its deep sympathy to his family.

The motion was supported by Mr M. McGowan and Mr D.T. Redman.

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

8. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Environment on the contribution made by the late Kieran McNamara, former Director General of the Department of Environment and Conservation.

The Minister for Health on his attendance at the first National Summit on Female Genital Mutilation.

9. Questions

Questions without Notice were taken.

Questions on Notice Nos 1 to 6 were asked.

10. Speaker's Statement – Portfolio Responsibilities of Standing Committees

The Speaker advised members that he is required to determine and table a schedule showing the portfolio responsibilities of the standing committees.

The determination is as follows:

Public Accounts Committee:

Premier; Treasurer; Finance.

Community Development and Justice Standing Committee:

Aboriginal Affairs; Electoral Affairs; Women's Interests; Disability Services; Police; Emergency Services; Road Safety; Sport and Recreation; Culture and the Arts; Attorney General; Corrective Services; Child Protection; Community Services; Seniors and Volunteering; Local Government; Environment; Youth; Veterans; Citizenship and Multicultural Interests.

Economics and Industry Standing Committee:

State Development; Mines and Petroleum; Fisheries; Regional Development; Lands; Tourism; Transport; Commerce; Small Business; Science; Housing; Racing and Gaming; Planning; Energy; Water; Heritage; Agriculture and Food; Forestry.

Education and Health Standing Committee:

Education; Training; Health; Mental Health.

Paper

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

By the Speaker –

Legislative Assembly – Portfolio Responsibilities for Standing Committees of the Legislative Assembly, Determination by the Speaker, 16 April 2013 (42).

11. Papers

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

Papers received after 15 November 2012 and deemed tabled in the 38th Parliament –

By the Clerk –

Education and Health Standing Committee – Committee Minutes, 1 January 2012 to 14 November 2012 (Received by the Clerk of the Legislative Assembly and deemed tabled on 20 November 2012) (5600).

Education and Health Standing Committee – Submissions to the Inquiry into Improving Educational Outcomes for Western Australians of all Ages (Received by the Clerk of the Legislative Assembly and deemed tabled on 20 November 2012) (5601).

Community Development and Justice Standing Committee – Higher Risk. Better Prepared? WA's Preparedness for the 2012-13 Bushfire Season, Report No. 12 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 November 2012) (5602).

Community Development and Justice Standing Committee – Submissions to Report No. 12 – Higher Risk. Better Prepared? (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 November 2012) (5603).

Public Sector Commission – State of the Sector 2012 (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 November 2012) (5604).

Delegated Legislation, Joint Standing Committee on – Report 62: City of Nedlands Parking and Parking Facilities Local Law 2012 (Received by the Clerk of the Legislative Assembly and deemed tabled on 4 December 2012) (5605).

Broome Port Authority – Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5606).

Bunbury Port Authority – Statement of Corporate Intent 2012–2013 (Amended 29 August 2012) (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5607).

Dampier Port Authority – Draft Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5608).

Esperance Port Authority – Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5609).

Fremantle Ports – Draft Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5610).

Geraldton Port Authority – Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5611).

Port Hedland Port Authority – Statement of Corporate Intent 2012–2013 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 December 2012) (5612).

Community Development and Justice Standing Committee – Committee Minutes 2012 (Received by the Clerk of the Legislative Assembly and deemed tabled on 14 December 2012) (5613).

Papers received after 14 December 2012 and deemed tabled in the 39th Parliament –

By the Speaker –

Auditor General, Office of the – Management of the Rail Freight Network Lease: Twelve Years Down the Track, Report 1 – January 2013 (Received by the Clerk of the Legislative Assembly on 3 January 2013) (15).

Corruption and Crime Commission of Western Australia – Report on the Review of the Capacity of Local Governments in the Pilbara to Prevent, Identify and Deal With Misconduct (16).

Inspector of Custodial Services, Office of the – Report No. 81: Report of an Announced Inspection of Hakea Prison, November 2012 (Received by the Clerk of the Legislative Assembly on 17 December 2012) (17).

Inspector of Custodial Services, Office of the – Report No. 82: Report of an Announced Inspection of Pardelup Prison Farm, December 2012 (Received by the Clerk of the Legislative Assembly on 20 December 2012) (18).

Inspector of Custodial Services, Office of the – The Flow of Prisoners to Minimum Security, Section 95 and Work Camps in Western Australia, Audits Reviews and Thematics December 2012 (Received by the Clerk of the Legislative Assembly on 21 December 2012) (19).

By the Clerk –

Architects Board of Western Australia – Annual Report 2011–2012 (20).

Australian Crime Commission, Board of the – Chair Annual Report 2011–2012 (21).

Challenger Institute of Technology – Annual Report 2012 (22).

Commerce, Department of – Energy Safety Division Business Plan 2013–2014 (Explanatory Memorandum) (Received by the Clerk of the Legislative Assembly on 30 January 2013) (24).

Commerce, Department of – Energy Safety Division Business Plan 2013–2014 (Received by the Clerk of the Legislative Assembly on 30 January 2013) (23).

Economic Regulation Authority – Inquiry Into the Efficient Costs and Tariffs of the Water Corporation, AQWEST and the Busselton Water Board, Final Report (Received by the Clerk of the Legislative Assembly on 2 January 2013) (25).

Fire and Emergency Services Authority – Final Report to 31 October 2012 (26).

Forest Products Commission – Statement of Corporate Intent 2012–2013 (27).

Goldfields Institute of Technology – Annual Report 2012 (28).

Government of Western Australia – Mid-Year Financial Projections Statement December 2012 (Received by the Clerk of the Legislative Assembly on 29 January 2013) (29).

Government of Western Australia – Quarterly Financial Results Report September 2012 (30).

Kimberley Training Institute – Annual Report 2012 (31).

Pilbara Institute – Annual Report 2012 (33).

Polytechnic West – Annual Report 2012 (34).

Planning and Development Act 2005 – Improvement Plan No. 37 Browse Liquefied Natural Gas Precinct (Received by the Clerk of the Legislative Assembly on 5 February 2013) (35).

Planning and Development Act 2005 – Ministerial Order Relating to Lot 3367 Latham Road and Lot 500 Karri Way, Ferndale (Received by the Clerk of the Legislative Assembly on 7 February 2013) (36).

Salaries and Allowances Act 1975 – Report on the Remuneration of Judges, District Court Judges, Master of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission, 23 November 2012 (37).

State Emergency Management Committee – Annual Report 2011–2012 (38).

Western Australian Treasury Corporation – Quarterly Report for the Quarter Ended 31 December 2012 (39).

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 25 October 2012 (40).

Trans-Tasman Mutual Recognition Act 1997 – Trans-Tasman Mutual Recognition (Amendment of Act) Regulation 2012 (41).

12. Message from the Governor – Vacancy in the Senate

The following Message from his Excellency the Governor was read by the Speaker –

The Governor transmits to the Legislative Assembly a copy of a despatch which he has received today from the Honourable the President of the Senate of the Commonwealth of Australia, notifying that a vacancy has happened in the representation of the State of Western Australia in the said Senate.

His Excellency Malcolm McCusker AC CVO QC
Governor of Western Australia
Government House
St Georges Terrace
Perth WA 6000

Your Excellency

Vacancy in the Representation of Western Australia

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that a vacancy has happened in the representation of the State of Western Australia through the resignation of Senator the Honourable Chris Evans on 12 April 2013.

Yours sincerely
John Hogg

The Premier, pursuant to the Message from His Excellency the Governor, moved –

That Mr Speaker be requested to confer with the President of the Legislative Council, in order to fix a day and place whereon and whereat the Legislative Assembly and the Legislative Council, sitting and voting together, shall choose a person to hold the place of the Senator whose place has become vacant.

Question put and passed.

13. Address in Reply

The Order of the Day for the resumption of debate upon the Address in Reply to His Excellency the Governor's speech was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.24 p.m. until Wednesday, 17 April 2013 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Mr W.R. Marmion.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly