

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 11

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 21 MAY 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. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Tourism on the 2013 Fremantle to Bali Yacht Race.

The Minister for Housing on the *Living Space* complex at Cockburn Central.

The Minister for Environment on the annual migration of humpback whales along the Western Australian coast.

3. Questions

Questions without Notice were taken.

Paper

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

By the Minister for Housing –

Housing, Minister for – Disruptive Behaviour Management Unit (340).

Questions on Notice Nos 3, 30 to 32, 38, 42 to 45, 47, 49 to 52, 56, 73, 75, 77 to 84, 86 to 89, 91 to 101, 103 to 109, 113 to 116, 118, 119, 121 to 128, 137, 138, 141 and 181 were answered.

Paper tabled by the Premier; Minister for State Development; Science –

Question on Notice No. 42 – Details relating to employees engaged in media, communications, marketing or speechwriting for each department and agency under the Premier's control as at 15 April 2013 (333).

Paper tabled by the Deputy Premier; Minister for Health; Tourism –

Question on Notice No. 43 – Details relating to employees engaged in media, communications, marketing or speechwriting for each department and agency under the Deputy Premier's control as at 15 April 2013 (334).

Paper tabled by the Minister for Regional Development; Lands –

Question on Notice No. 44 – Details relating to employees engaged in media, communications, marketing or speechwriting for each department and agency under the Minister for Regional Development's control as at 15 April 2013 (335).

Papers tabled by the Minister for Mines and Petroleum; Housing –

Question on Notice No. 52 – Details relating to employees engaged in media, communications, marketing or speechwriting for each department and agency under the Minister for Mines and Petroleum's control as at 15 April 2013 (336).

Question on Notice No. 38 – Details relating to planned future public housing dwellings in the Kwinana electorate (337).

Paper tabled by Minister representing the Minister for Education; Aboriginal Affairs; Electoral Affairs –

Question on Notice No. 45 – Details relating to employees engaged in media, communications, marketing or speechwriting for each department and agency under the Minister for Education's control as at 15 April 2013 (338).

Paper tabled by the Minister representing the Attorney General; Minister for Commerce –

Question on Notice No. 51 – Details relating to employees engaged in media, communications, marketing or speechwriting for each department and agency under the Attorney General's control as at 15 April 2013 (339).

4. Additional Information

The Minister for Mines and Petroleum provided additional information relating to his Brief Ministerial Statement made on 15 May 2013 regarding the state of the Western Australian minerals and petroleum resources sector.

5. Petition

Alcoa Waste Residue Storage – Mr M.J. Cowper presented a petition from 87 persons requesting that the Legislative Assembly supports the campaign to make Alcoa's application for the expansion of its waste residue storage at Pinjarra a substantial amendment, rather than a minor amendment (P. 7).

6. Papers

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

By the Clerk –

Conservation and Land Management Act 1984 – Lease No. 2162/97 between the Department of Environment and Conservation and the West Australian Rifle Association for the purpose of a rifle range and club rooms including any associated and incidental activity thereto within a portion of State Forest No. 65 (324).

Conservation and Land Management Act 1984 – Lease No. 2398/100 between the Department of Environment and Conservation and Synergise Pty Ltd trading as Wharncliffe Mill for the purpose of tourism accommodation, commercial public camping facility and eco-education facility within a portion of Bramley National Park (325).

Energy Coordination Act 1994 – Regulations (Energy Coordination (Gas Tariffs) Amendment Regulations 2013 G.G. 17/05/2013) (326).

Fire and Emergency Services Act 1998 – Regulations (Fire and Emergency Services Amendment Regulations 2013 G.G. 14/05/2013) (327).

First Home Owner Grant Act 2000 – Regulations (First Home Owner Grant Amendment Regulations 2013 G.G. 17/05/2013) (328).

Professional Standards Act 1997 – Schemes (Law Institute of Victoria Limited Scheme G.G. 17/05/2013) (329).

Spent Convictions Act 1988 – Regulations (Spent Convictions (Act Amendment) Regulations 2013 G.G. 17/05/2013) (330).

State Administrative Tribunal Act 2004 – Rules (State Administrative Tribunal Amendment Rules 2013 G.G. 14/05/2013) (331).

Taxation Administration Act 2003 – Regulations (Taxation Administration Amendment Regulations (No. 2) 2013 G.G. 17/05/2013) (332).

7. Notices of Motion

8. Matter of Public Interest – Budget Management by Premier and Treasurer

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

At least five members having risen in support,

Mr M. McGowan moved,

That this House condemns the Premier and Treasurer for their dishonest budget management and for misleading the people of Western Australia in the lead up to the 2013 State election.

Debate ensued.

Question put.

The Assembly divided.

Ayes (20)

Ms L.L. Baker

Dr A.D. Buti

Mr R.H. Cook

Ms J. Farrer

Ms J.M. Freeman

Mr W.J. Johnston

Mr D.J. Kelly

Mr F.M. Logan

Mr M. McGowan

Ms S.F. McGurk

Mr M.P. Murray

Mr P. Papalia

Mr J.R. Quigley

Mrs M.H. Roberts

Ms R. Saffioti

Mr C.J. Tallentire

Mr P.C. Tinley

Mr P.B. Watson

Mr B.S. Wyatt

Mr D.A. Templeman (*Teller*)

Noes (36)

Mr P. Abetz

Mr F.A. Alban

Mr C.J. Barnett

Mr I.C. Blayney

Mr I.M. Britza

Mr T.R. Buswell

Mr G.M. Castrilli

Mr V.A. Catania

Mr M.J. Cowper

Ms M.J. Davies

Mr J.H.D. Day

Ms W.M. Duncan

Ms E. Evangel

Mr J.M. Francis

Mrs G.J. Godfrey

Mr B.J. Grylls

Dr K.D. Hames

Mrs L.M. Harvey

Mr C.D. Hatton

Mr A.P. Jacob

Dr G.G. Jacobs

Mr R.F. Johnson

Mr S.K. L'Estrange

Mr R.S. Love

Mr W.R. Marmion

Mr P.T. Miles

Ms A.R. Mitchell

Mr N.W. Morton

Dr M.D. Nahan

Mr D.C. Nalder

Mr J. Norberger

Mr D.T. Redman

Mr A.J. Simpson

Mr M.H. Taylor

Mr T.K. Waldron

Mr A. Krsticevic (*Teller*)

Question thus negatived.

9. Variation to the Order of Business

Ordered, That Business of the Assembly Orders of the Day Nos 1 and 2 be adjourned to a later stage of the day's sitting.

10. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

11. Natural Gas (Canning Basin Joint Venture) Agreement Bill 2013

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.

Sitting suspended from 7.30 p.m. to 8.01 p.m.

CONSIDERATION IN DETAIL

Clauses 1 to 3 agreed to.

Clause 4.

Mr W.J. Johnston moved,

Page 2, line 18 – To insert after “authorised” the following:

“

, subject to the Premier immediately commencing negotiations with the Traditional Owners of the approximately 17,000 square kilometres covered by the Agreement to settle a native title package of at least \$1.5 billion for the indigenous people of the Kimberley to be paid during the life of the Agreement

”.

Amendment put and negatived.

Clause agreed to.

Clauses 5 and 6 agreed to.

New Clause.

Mr W.J. Johnston moved,

Page 3, after line 6 – To insert:

“

7. Documents to be tabled

Every report, plan or document provided to the Minister in accordance with Clause 7 of the Agreement, will be tabled in each House of Parliament within 6 sitting days of that House after receipt by the Minister.

”.

New clause put and negatived.

Schedule 1 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Premier moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

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

12. Message from the Legislative Council

Message No. 3 dated 21 May 2013 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the following resolution –

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 2, the Legislative Council agrees to the Legislative Assembly's resolution and appoints the following Members to the Joint Standing Committee on the Corruption and Crime Commission —

- Hon Nick Goiran; and
- Hon Adele Farina.

Ordered, That consideration in detail of Legislative Council Message No. 3 be made an Order of the Day for the next sitting of the Assembly.

13. Message from the Legislative Council

Message No. 4 dated 21 May 2013 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 3, the Legislative Council agrees to the Legislative Assembly's resolution and appoints the following Members to the Joint Standing Committee on the Commissioner for Children and Young People —

- Hon Robyn McSweeney; and
- Hon Sally Talbot.

Ordered, That consideration in detail of Legislative Council Message No. 4 be made an Order of the Day for the next sitting of the Assembly.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.44 p.m. until Wednesday, 22 May 2013 at 12 noon.

Members present during any part of the day's proceedings – All the members except Mr J.E. McGrath.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly