

PETROLEUM AND ENERGY LEGISLATION AMENDMENT BILL 2009

Third Reading

MR R.F. JOHNSON (Hillarys — Leader of the House) [10.58 pm]: On behalf of the Minister for Commerce, I move —

That the bill be now read a third time.

MR C.J. TALLENTIRE (Gosnells) [10.58 pm]: I rise briefly to speak on the Petroleum and Energy Legislation Amendment Bill 2009.

Point of Order

Mr M. McGOWAN: Mr Speaker, we are debating the third reading of the petroleum bill, which is a bill of the Minister for Commerce. That is ordinarily an occasion in which the Minister for Commerce would address the Parliament and speak on it. The Minister for Commerce is not here. I request your ruling as to the appropriateness of a bill coming on for debate whilst the minister responsible for it is not present in the house. We are able to deal with this legislation tomorrow.

The SPEAKER: It is quite a simple ruling. The Leader of the House is entitled to move on behalf of another minister that the bill be read a third time, and he has done so. That is quite simply the procedure. I give the call to the member for Gosnells.

Debate Resumed

Mr C.J. TALLENTIRE: It is disappointing that the minister who has carriage of this bill is not present. A number of issues were raised during the second reading debate and during consideration in detail—a number of matters that the minister who has carriage of this bill needs to answer.

One of the main points that we have particular concern about is the granting of licences for an indefinite period of time. Presently, access to a pipeline is for a 21-year period, and the licence can be renewed. The proposal is that, in the future, organisations will be able to obtain a licence for access to a pipeline for an indefinite period. That suggests that we are in fact giving away a property right. I would have liked the minister who has carriage of the bill to address that matter. It is a very serious matter when we give away an opportunity to provide a check in the system by reviewing the operations of companies. We know that petroleum and resources companies sometimes disappoint us and let us down.

The SPEAKER: Order! Take your seat, member for Gosnells. Members, I want to hear the member for Gosnells. Other members of this place want to hear the member for Gosnells, but there are other members who want to have conversations. I suggest to those members who are having those conversations that they take them outside this place so that the member for Gosnells can be heard.

Mr C.J. TALLENTIRE: We know that resources companies have let us down badly in recent times. We know, of course, about PTTEP, which let us down so badly with the Montara oil leak. That company has a very poor track record. We should have the capacity to rein in the activities of such companies, perhaps by cancelling their licence. But, unfortunately, we have a situation here where the minister is not able to explain the reasoning behind this change that will enable companies to be given a licence to operate for an indefinite period. That is a very poor indication of how seriously the government is taking its legislative responsibilities on important matters relating to the petroleum and energy sector.

Some other issues were also raised. Many of the amendments were about bringing the state legislation into line with federal legislation. Obviously that will be a good thing. It will help streamline the process. But I do not think it is good enough when we see compromising and when we see a situation arise in which we will not be in a position to refuse to give a licence to companies that do not want to have adequate scrutiny of their activities based on their track record.

Those are some of the issues that the opposition raised during the second reading and consideration in detail stages of this bill. I had hoped that the minister who has carriage of this bill would have been able to answer those questions fully and in a way that he would be proud to see on the record in *Hansard*, so that we could show the Western Australian public the reality of this situation.

MR M. McGOWAN (Rockingham) [11.02 pm]: I will be brief. My point is that the third reading debate is an opportunity to go over what occurred in consideration in detail. It is an opportunity for opposition members, and government members if they wish, to raise issues of concern. It is also an opportunity for the minister responsible for the legislation to respond to those concerns as part of the consideration of the legislation.

I put on the record that I am disappointed and the opposition is disappointed that the minister representing the Minister for Mines and Petroleum is not in the chamber for this important part of the consideration of this legislation. The minister should be here. If the minister treated this Parliament with any sort of respect, he would be here. The Leader of the House needs to consider, and the public of Western Australia needs to consider, that we have a government in which ministers do not show up when their own legislation is being considered. It needs to be put on the record that that is this government's attitude towards legislation and accountability.

MR R.F. JOHNSON (Hillarys — Leader of the House) [10.04 pm] — in reply: I will quickly address the comments made by both the manager of opposition business and the member for Gosnells. Many times when members opposite were in government, and sometimes since we have been in government, the Leader of the House or another minister has been deputed to act on behalf of another minister. There is nothing unusual about that. It has happened many, many times. When the member for Balcatta was Leader of the House, I remember many times when he acted for one of the Labor Party's ministers. He may even have acted for the member for Rockingham when he was a minister, because he was not always around, I can assure him. That is the answer to the member's question. He did not touch on consideration in detail.

Several members interjected.

The SPEAKER: Thank you, members!

Mr R.F. JOHNSON: The member did not touch on consideration in detail, which of course correctly is what the third reading is about. I suggest to the member for Gosnells that every one of the comments that he made during the third reading debate were addressed during consideration in detail.

Mr C.J. Tallentire: No, they weren't.

Mr R.F. JOHNSON: I believe they were.

Ms J.M. Freeman: Show us the *Hansard*. Just because you say it, minister, doesn't make it true.

The SPEAKER: Member for Nollamara!

Mr R.F. JOHNSON: Of course it does.

The Minister for Commerce, whom I am representing at the third reading stage of this bill, answered every question put forward by members opposite. He had his advisers in the chamber. I believe he went over and above what ministers very often do in giving responses, because he takes it very seriously. We know that the opposition supports this bill, and it supported the bill at every stage.

Mr C.J. Tallentire interjected.

Mr R.F. JOHNSON: The member talked about licences during consideration in detail.

Mr C.J. Tallentire: Yes, and we didn't get answers.

Mr R.F. JOHNSON: Yes, the member did get answers. I remember the minister giving the member answers. The member may not have liked the answers —

Ms J.M. Freeman: What was the answer, minister?

Mr R.F. JOHNSON: The member for Nollamara should just go back to sleep.

The member for Gosnells may not have liked the answers—very often members do not like the answers—but, unfortunately, they are the answers that the member got. Rather than delay the house any longer, I thank members for their support through all stages of this bill, including the second reading stage and consideration in detail. On behalf of the Minister for Commerce, I thank them for their contributions.

Question put and passed.

Bill read a third time and returned to the Council with amendments.

House adjourned at 11.06 pm
