

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 170

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

TUESDAY, 13 OCTOBER 2015

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 Local Government on the Corruption and Crime Commission report regarding the Lord Mayor of the City of Perth.

The Minister for Environment on the Western Australian firefighters return from deployment in the United States.

The Minister for Sport and Recreation on the initiative between Outdoors WA and the State Government, *Outdoors October*.

3. Questions

Questions without Notice were taken.

Questions on Notice Nos 4583 to 4619 were asked.

Questions on Notice Nos 4266, 4282, 4284, 4301 to 4308, 4400, 4474, 4477 to 4479, 4481, 4482, 4486, 4488, 4490 to 4493, 4495 to 4501, 4504 to 4522, 4524 to 4526, 4528, 4530 to 4544, 4547, 4548, 4550, 4552, 4565, 4567 to 4569, 4571 and 4576 were answered.

Paper tabled by the Premier –

Question on Notice No. 4490 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Premier's Portfolios (3491).

Paper tabled by the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development –

Question on Notice No. 4488 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3492).

Paper tabled by the Minister for Planning; Culture and the Arts –

Question on Notice No. 4486 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3493).

Paper tabled by the Minister Representing the Minister for Housing; Racing and Gaming –

Question on Notice No. 4474 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3494).

Paper tabled by the Minister Representing the Minister for Agriculture and Food; Fisheries –

Question on Notice No. 4481 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3495).

Paper tabled by the Minister for Finance; Mines and Petroleum –

Question on Notice No. 4482 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3496).

Paper tabled by the Minister for Local Government; Community Services; Seniors and Volunteering; Youth –

Question on Notice No. 4479 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3497).

Papers tabled by the Minister for Environment; Heritage –

Question on Notice No. 4514 – Details of Complaints Received in Relation to the 'Field Survey' Letter Dated 6 July 2015 (3498).

Question on Notice No. 4478 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3499).

Paper tabled by the Minister for Emergency Services; Corrective Services; Small Business; Veterans –

Question on Notice No. 4477 – Details of Gifts, Benefits, Hospitalities, Accommodation and Travel Received by Officers in Each Department, Agency and Government Trading Enterprise Within the Minister's Portfolios (3500).

Paper tabled by the Minister for Water –

Question on Notice No. 4400 – Details of the Effects of the \$600 Cap on Water Service Charge Rebates (3501).

4. Speaker's Statement – Visitors on the Floor of the House on Sitting Days

The Speaker advised members that there has been a long-standing practice of visitors not being permitted on the floor of the House on sitting days. Guests may not be taken onto the floor of the Chamber within three hours of commencement of a sitting or when a sitting is suspended for meal breaks or other purposes. At these times, however, it is permissible to take guests into the Speaker's Gallery but not past the Bar of the House.

5. Petition

Moratorium on Unconventional Gas Extraction in Western Australia – Mr C.J. Tallentire presented a petition from 4002 persons requesting the Legislative Assembly to recognise the unacceptable risk to the community and environment posed by hydraulic fracturing and unconventional gas and to call for a moratorium on all unconventional gas activities in Western Australia until the risks are fully understood and the industry can be proven safe (P. 298).

6. Papers

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

By the Clerk –

Auditor General, Office of the – Agency Gift Registers, Report 20: October 2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 8 October 2015) (3467).

Auditor General, Office of the – Opinions on Ministerial Notifications, Report 21: October 2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 8 October 2015) (3468).

Community Development and Justice Standing Committee – Minutes for the Period 15 May 2013 – 24 June 2015 (3490).

Corruption and Crime Commission – Annual Report 2014–2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 25 September 2015) (3465).

Corruption and Crime Commission – Report on an Investigation Into Acceptance and Disclosure of Gifts and Travel Contributions by the Lord Mayor of the City of Perth, 5 October 2015 (Received by the Clerk of the Legislative Assembly and deemed tabled on 5 October 2015) (3466).

Education and Health Standing Committee – Government Response to Report No. 5: The Impact of FIFO Work Practices on Mental Health: Final Report (3469).

Electricity Industry Act 2004 – Regulations (Australian Energy Market Operator (Functions) Regulations 2015 G.G. 2/10/2015) (3470).

Electricity Industry Act 2004 – Regulations (Electricity Industry (Independent Market Operator) Amendment Regulations 2015 G.G. 2/10/2015) (3471).

Electricity Industry Act 2004 – Regulations (Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2015 G.G. 2/10/2015) (3472).

Environmental Protection Authority – Annual Report 2014–2015 (3473).

Fair Trading Act 2010 – Regulations (Fair Trading (Retirement Villages Code) Amendment Regulations 2015 G.G. 6/10/2015) (3474).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Marmion Marine Park) Amendment Order 2015 [1247] G.G. 25/09/2015) (3475).

Fish Resources Management Act 1994 – Orders (Prohibition on Recreational Fishing (Marmion Marine Park) Amendment Order 2015 [1247] G.G. 25/09/2015) (3476).

Fish Resources Management Act 1994 – Regulations (Fish Resources Management Amendment Regulations (No. 6) 2015 G.G. 30/09/2015) (3477).

Gas Services Information Act 2012 – Regulations (Gas Services Information Amendment Regulations (No. 2) 2015 G.G. 2/10/2015) (3478).

Hospitals and Health Services Act 1927 – By-laws (Swan District Hospital (Eveline Road Site) Repeal By-laws 2015 G.G. 6/10/2015) (3479).

Local Government Act 1995 – Local Laws (City of Greater Geraldton Animals, Environment and Nuisance Amendment Local Law 2015 G.G. 2/10/2015) (3480).

Marine Parks and Reserves Authority – Annual Report 2014–2015 (3481).

Mines Safety and Inspection Act 1994 – Code of Practice – Safe Mobile Autonomous Mining in Western Australia (3482).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 5) 2015 G.G. 6/10/2015) (3483).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 6) 2015 G.G. 6/10/2015) (3484).

Radiation Safety Act 1975 – Regulations (Radiation Safety (General) Amendment Regulations (No. 2) 2015 G.G. 9/10/2015) (3485).

Rail Safety Act 2010 – Notices (Rail Safety (Australian Railway Historical Society) Exemption Notice 2015 G.G. 22/09/2015) (3486).

Rottneest Island Authority Act 1987 – Regulations (Rottneest Island Amendment Regulations (No. 2) 2015 G.G. 22/09/2015) (3487).

Waste Authority – Annual Report 2014–2015 (3488).

Water Services Regulations 2013 – Order – Local Government District of Denmark Water Restrictions (3489).

7. Notices of Motion

8. Notice of Motion Lapsed

The Speaker advised that Private Members' Business Notice of Motion No. 1 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

9. Matter of Public Interest – WA Electricity System

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

At least five members having risen in support,

Mr W.J. Johnston moved,

That this House condemns the Barnett Government for the continuing chaos and dysfunction in the WA electricity system, and in particular the Minister for Energy for his incompetence and secrecy in handling his responsibilities.

Debate ensued.

Question put.

The Assembly divided.

Ayes (16)

Ms L.L. Baker

Dr A.D. Buti

Mr R.H. Cook

Ms J.M. Freeman

Mr W.J. Johnston

Mr D.J. Kelly

Mr F.M. Logan

Mr M. McGowan

Mr P. Papalia

Ms M.M. Quirk

Mrs M.H. Roberts

Ms R. Saffioti

Mr C.J. Tallentire

Mr P.C. Tinley

Mr P.B. Watson

Mr D.A. Templeman (*Teller*)

Noes (32)

Mr P. Abetz

Mr F.A. Alban

Mr C.J. Barnett

Mr I.C. Blayney

Mr I.M. Britza

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 S.K. L'Estrange

Mr R.S. Love

Mr W.R. Marmion

Mr J.E. McGrath

Ms L. Mettam

Mr N.W. Morton

Dr M.D. Nahan

Mr J. Norberger

Mr D.T. Redman

Mr A.J. Simpson

Mr M.H. Taylor

Mr A. Krsticevic (*Teller*)

Question thus negatived.

10. Message from the Governor

Message No. 36 from Her Excellency the Governor was reported assenting to the following bills –

Land Tax Amendment Act 2015, Act No. 24 of 2015.

Criminal Law Amendment (Home Burglary and Other Offences) Act 2015, Act No. 25 of 2015.

11. Message from the Governor

Message No. 37 from Her Excellency the Governor was reported assenting to the following bills –
 Election of Senators Amendment Act 2015, Act No. 26 of 2015.
 Revenue Laws Amendment Act 2015, Act No. 27 of 2015.

12. Message from the Governor

Message No. 38 from Her Excellency the Governor was reported recommending that appropriations be made for the purposes of the Perth Market (Disposal) Bill 2015.

13. Conservation and Land Management Amendment Bill 2015

Message No. 104 dated 13 October 2015 from the Legislative Council was reported agreeing to the bill without amendment.

14. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 20 be next considered.

15. Graffiti Vandalism Bill 2015

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.

16. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 11.14 p.m. until Wednesday, 14 October 2015 at 12 noon.

Members present during any part of the day's proceedings – All the members except Ms J. Farrer, Mr M.P. Murray, Mr J.R. Quigley, Mr T.K. Waldron and Mr B.S. Wyatt.

KIRSTEN M. ROBINSON
 Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
 Speaker of the Legislative Assembly