

WESTERN AUSTRALIA

# **LEGISLATIVE ASSEMBLY**

---

## **VOTES AND PROCEEDINGS**

**No. 46**

**FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT**

---

**THURSDAY, 31 OCTOBER 2013**

### **1. Meeting of Assembly**

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### **2. Petitions**

Firearm Licence Fees – Ms L.L. Baker presented a petition from 158 persons requesting that the Legislative Assembly voices the case of gun owners and examines whether proposed firearm licence fees reflect the cost of providing licences and also that these fees are withdrawn until there has been a consultation period with industry and sporting bodies (P. 62).

Restricted Dog Breed Regulations in Western Australian Laws – Ms L.L. Baker presented a petition from 22 persons requesting that the Legislative Assembly abolishes all types of dog breed regulations (P. 63).

### **3. Papers**

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

By the Clerk –

Albany Port Authority – Statement of Corporate Intent 2013–2014 (1107).

Broome Port Authority – Statement of Corporate Intent 2013–2014 (1108).

Bunbury Port Authority – Statement of Corporate Intent 2013–2014 (1109).

CBD Courts Project Contract – Annual Report 2012–2013 (1110).

Esperance Ports – Statement of Corporate Intent 2013–2014 (1111).

Fremantle Ports – Statement of Corporate Intent 2013–2014 (1112).

Geraldton Port Authority – Statement of Corporate Intent 2013–2014 (1113).

Port Hedland Port Authority – Statement of Corporate Intent 2013–2014 (1114).

Waste Authority – Annual Report 2012–2013 (1115).

#### **4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the *Aurelio Costarella* and *Frock Stars: Inside Australian Fashion Week* Exhibitions at the Western Australia Museum.

The Minister for Sport and Recreation on the Queen's Baton Relay and the Glasgow Commonwealth Games.

The Premier on his visit to Zhejiang Province and Shanghai in China.

#### **5. Grievances**

The Speaker called for grievances which were then made.

#### **6. Public Accounts Committee**

Mr D.C. Nalder, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Public Accounts Committee – Budget Briefing 2013–14, Report No. 2 (1116).

Mr W.J. Johnston spoke on the report.

#### **7. Joint Standing Committee on Delegated Legislation**

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Report Seeking Clarification of the Application of Standing Orders to the Joint Standing Committee on Delegated Legislation, Report 69 (1117).

#### **8. Joint Standing Committee on Delegated Legislation**

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Explanatory Report in Relation to the Firearms Amendment Regulations 2013, Report 68 (1118).

Ms S.F. McGurk and, by leave, Mr P. Papalia spoke on the report.

#### **9. Sunset Reserve Transformation Bill 2013**

The Minister for Heritage, pursuant to notice, moved,

That a bill for “An Act to provide for reserve and planning changes to expedite the transformation of the former Sunset Hospital site into an arts, cultural and community asset, and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Heritage presented an explanatory memorandum and bill read a first time.

The Minister for Heritage moved, That the bill be now read a second time.

---

#### *Paper*

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

By the Minister for Heritage –

Heritage, Minister for – Former Claremont Old Men's Home (Sunset Hospital) Site Chronology (1119).

---

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

# **10. Criminal Investigation (Identifying People) Amendment Bill 2013**

The Order of the Day for the consideration in detail of Legislative Council Message No. 27 was read.

The Message was as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Criminal Investigation (Identifying People) Amendment Bill 2013* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

*Schedule indicating the amendments made by the Legislative Council in the Criminal Investigation (Identifying People) Amendment Bill 2013*

## **No. 1**

Page 6, lines 11 to 13 — To delete the lines and insert —

*face covering* means an item of clothing, hat, helmet, mask or sunglasses, or any other thing worn by a person, that totally or partially covers the person's face;

## **No. 2**

Page 6, line 25 — To delete “any headwear” and insert —

or adjust any face covering

## **No. 3**

Page 6, line 27 — To delete “head” and insert —

face

## **No. 4**

Page 7, line 1 — To delete “headwear” and insert —

face covering

## **No. 5**

Page 7, line 2 — To delete “head is removed.” and insert —

face is removed or adjusted.

**No. 6**

Page 12, line 1 — To insert after “51(2)” —

and (3)

*CONSIDERATION IN DETAIL*

The Minister for Planning, on behalf of the Minister for Police moved, That amendments Nos 1 to 5 be agreed to.

Question put and passed.

The Minister for Planning, on behalf of the Minister for Police moved, That amendment No. 6 be agreed to.

Question put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

**11. Electricity Corporations Amendment Bill 2013**

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

Debate resumed.

---

*Paper*

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

By the Minister for Energy —

Energy, Minister for — Letter regarding the cost of electricity reform, dated 11 March 2004 (1120).

---

Debate interrupted by the Chair (Minister for Energy speaking in reply) and adjourned until a later stage of the sitting.

**12. Members' Statements**

The Acting Speaker called for members' statements which were then made.

**13. Questions**

Questions without Notice were taken.

---

*Paper*

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

By the Premier —

Premier — Letter regarding Verve Energy and Synergy merger, dated 30 March 2012 (1121).

---

Questions on Notice Nos 1414 to 1563 were asked.

Questions on Notice Nos 1266 and 1267 were answered.

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

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

**15. Electricity Corporations Amendment 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.

The Assembly divided.

## Ayes (32)

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 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  
Mr C.D. Hatton  
Mr A.P. Jacob  
Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr R.S. Love  
Mr W.R. Marmion

Mr P.T. Miles  
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 J.E. McGrath (*Teller*)

## Noes (17)

Ms L.L. Baker  
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  
Mr M.P. Murray  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Mrs M.H. Roberts  
Mr C.J. Tallentire  
Mr P.C. Tinley  
Mr P.B. Watson  
Mr D.A. Templeman (*Teller*)

Question thus passed.

Bill read a second time.

*CONSIDERATION IN DETAIL*

Clause 1.

*Referral to Committee*

Mr W.J. Johnston, without notice, moved –

That the Electricity Corporations Amendment Bill 2013 be referred to the Economics and Industry Standing Committee for consideration and report to the House by 5 December 2013.

Debate ensued.

The Premier moved, That the question be now put.

Question put.

The Assembly divided.

## Ayes (32)

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 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  
 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  
 Mr N.W. Morton  
 Dr M.D. Nahan  
 Mr D.C. Nalder  
 Mr J. Norberger  
 Mr A.J. Simpson  
 Mr M.H. Taylor  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

## Noes (15)

Ms L.L. Baker  
 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  
 Mr M.P. Murray  
 Mr P. Papalia

Mr J.R. Quigley  
 Mrs M.H. Roberts  
 Mr C.J. Tallentire  
 Mr P.C. Tinley  
 Mr D.A. Templeman (*Teller*)

Question thus passed.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

## Ayes (16)

Ms L.L. Baker  
 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  
 Mr M.P. Murray  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk

Mrs M.H. Roberts  
 Mr C.J. Tallentire  
 Mr P.C. Tinley  
 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 T.R. Buswell  
 Mr G.M. Castrilli  
 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  
 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  
 Mr N.W. Morton  
 Dr M.D. Nahan  
 Mr D.C. Nalder  
 Mr J. Norberger  
 Mr A.J. Simpson  
 Mr M.H. Taylor  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

Question thus negatived.

On the question, That clause 1 be agreed to,

Clause put and passed.

Clauses 2 to 7 agreed to.

Clause 8.

Mr W.J. Johnston moved,

Page 4, lines 15 to 20, To delete the words.

The Minister for Energy moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (29)

Mr P. Abetz  
Mr F.A. Alban  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr M.J. Cowper  
Ms M.J. Davies  
Mr J.H.D. Day  
Ms W.M. Duncan

Mr J.M. Francis  
Mrs G.J. Godfrey  
Mr B.J. Grylls  
Dr K.D. Hames  
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 P.T. Miles  
Mr N.W. Morton  
Dr M.D. Nahan  
Mr D.C. Nalder  
Mr J. Norberger  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr J.E. McGrath (*Teller*)

Noes (16)

Ms L.L. Baker  
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  
Mr M.P. Murray  
Mr P. Papalia  
Mr J.R. Quigley  
Mrs M.H. Roberts

Mr C.J. Tallentire  
Mr P.C. Tinley  
Mr P.B. Watson  
Ms M.M. Quirk (*Teller*)

Question thus passed.

On the question, That the words to be deleted, be deleted,

Amendment put.

The Assembly divided.

Ayes (16)

Ms L.L. Baker  
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  
Mr M.P. Murray  
Mr P. Papalia  
Mr J.R. Quigley  
Mrs M.H. Roberts

Mr C.J. Tallentire  
Mr P.C. Tinley  
Mr P.B. Watson  
Ms M.M. Quirk (*Teller*)

Noes (29)

Mr P. Abetz  
Mr F.A. Alban  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr M.J. Cowper  
Ms M.J. Davies  
Mr J.H.D. Day  
Ms W.M. Duncan

Mr J.M. Francis  
Mrs G.J. Godfrey  
Mr B.J. Grylls  
Dr K.D. Hames  
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 P.T. Miles  
Mr N.W. Morton  
Dr M.D. Nahan  
Mr D.C. Nalder  
Mr J. Norberger  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

On the question, That clause 8 be agreed to,

Clause put and passed.

Clause 9.

Clause put.

The Assembly divided.

Ayes (27)

Mr F.A. Alban  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Ms M.J. Davies  
Mr J.H.D. Day  
Ms W.M. Duncan  
Mr J.M. Francis

Mrs G.J. Godfrey  
Mr B.J. Grylls  
Dr K.D. Hames  
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 P.T. Miles  
Mr N.W. Morton  
Dr M.D. Nahan  
Mr D.C. Nalder  
Mr J. Norberger  
Mr A.J. Simpson  
Mr M.H. Taylor  
Mr T.K. Waldron  
Mr J.E. McGrath (*Teller*)

Noes (14)

Ms L.L. Baker  
Mr R.H. Cook  
Ms J. Farrer  
Mr W.J. Johnston  
Mr D.J. Kelly

Mr F.M. Logan  
Mr M. McGowan  
Mr M.P. Murray  
Mr P. Papalia  
Mr J.R. Quigley

Mrs M.H. Roberts  
Mr C.J. Tallentire  
Mr P.C. Tinley  
Ms M.M. Quirk (*Teller*)

Clause thus agreed to.

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

Question put and passed.

## 16. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 12 November 2013 at 2.00 p.m.

Question put and passed.

## 17. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 5.29 p.m. until Tuesday, 12 November 2013 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Mrs L.M. Harvey, Mr A. Krsticevic, Ms A.R. Mitchell and Mr B.S. Wyatt.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**  
Speaker of the Legislative Assembly