

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 31

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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THURSDAY, 12 SEPTEMBER 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. Petition

Firearm Licence Fees – Ms L.L. Baker presented a petition from 477 persons requesting that the Legislative Assembly voice the case of gun owners and examine whether proposed firearm licence fees reflect the cost of providing licences and also that these fees are withdrawn until there has been a consultation period with industry and sporting bodies (P. 41).

### 3. Papers

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

By the Speaker –

Auditor General, Office of the – Annual Report 2012–2013 (762)

By the Clerk –

Building and Construction Industry Training Board – Annual Report 2012–2013 (763)

Water Corporation – Annual Report 2012–2013 (764)

### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Housing on the Urban Development Institute of Australia WA Awards for Excellence.

The Minister for Energy on the future of the Muja AB Power Station in Collie.

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#### *Papers*

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

By the Minister for Energy –

Energy, Minister for – Muja AB Power Station Refurbishment – Technical Review, 26 August 2013 (765).

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The Parliamentary Secretary representing the Minister for Mental Health on RU OK? Day.

## 5. Grievances

The Speaker called for grievances which were then made.

## 6. Community Development and Justice Standing Committee – Extension of Reporting Date

The Deputy Speaker advised the House that the Speaker had received a letter dated 11 September 2013 from the Chair of the Community Development and Justice Standing Committee advising that the Committee had resolved to extend its reporting date on its Inquiry into Custodial Arrangements in Police Lockups to 28 November 2013.

## 7. Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2013

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to amend the *Unclaimed Money (Superannuation and RSA Providers) Act 2003* and the *State Superannuation Act 2000* and for related purposes.” be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer moved, That the bill be now read a second time.

Ms S.F. McGurk moved, That the debate be adjourned.

Question put and passed.

## 8. Land Tax Amendment Bill 2013

The Order of the Day for the third reading of the bill having been read, the Leader of the House, on behalf of the Minister for Finance, moved, That the bill be now read a third time.

Debate ensued.

Question put.

The Assembly divided.

### Ayes (35)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
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  
Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr S.K. L'Estrange  
Mr R.S. Love  
Mr W.R. Marmion  
Mr J.E. McGrath

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*)

## Noes (18)

Ms L.L. Baker	Mr D.J. Kelly	Mrs M.H. Roberts
Dr A.D. Buti	Mr M. McGowan	Ms R. Saffioti
Mr R.H. Cook	Mr M.P. Murray	Mr C.J. Tallentire
Ms J. Farrer	Mr P. Papalia	Mr P.C. Tinley
Ms J.M. Freeman	Mr J.R. Quigley	Mr P.B. Watson
Mr W.J. Johnston	Ms M.M. Quirk	Ms S.F. McGurk ( <i>Teller</i> )

Question thus passed.

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

## 9. Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013

### Appropriation (Consolidated Account) Capital 2013-14 Bill 2013

The Order of the Day for the presentation of the reports and minutes of Estimates Committees A and B was read.

#### *Papers*

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

By the Deputy Speaker –

Estimates Committee A – Report and Minutes (770).

Estimates Committee B – Report and Minutes (771).

Question proposed, That the report of Estimates Committee A be adopted.

The report of Estimates Committee A was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013* and the *Appropriation (Consolidated Account) Capital 2013-14 Bill 2013* –

Division Nos    1 to 10;  
                          27 and 28;  
                          33 (Service 7);  
                          36 to 39;  
                          46 to 53;  
                          56 to 60; and  
                          64 (except Service 6).

and agreed to the clauses, schedules and titles of the Bills without amendment.

Debate ensued.

Question put and passed.

Question proposed, That the report of Estimates Committee B be adopted.

The report of Estimates Committee B was as follows –

The Estimates Committee has considered and recommended the Appropriations for the following Divisions of the Estimates of Expenditure under the *Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013* and the *Appropriation (Consolidated Account) Capital 2013-14 Bill 2013* –

Division Nos 11 to 26;  
 29 to 32;  
 33 (except Service 7);  
 34 and 35;  
 40 to 45;  
 54 and 55;  
 61 to 63;  
 64 (Service 6); and  
 65 to 76.

Debate ensued.

Debate interrupted by the Chair (Ms R. Saffioti speaking) and adjourned until a later stage of the sitting.

### **10. Members' Statements**

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

### **11. Message from the Governor**

Message No. 8 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2013.

### **12. Questions**

Questions without Notice were taken.

Questions on Notice Nos 1231 to 1237 were asked.

Questions on Notice Nos 305, 609, 621, 633, 645, 657, 669, 681, 693, 705, 971, 999, 1031 and 1045 were answered.

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

Question on Notice No. 305 – Copies of communication agreements signed by the Attorney General for each respective department, agency or government-owned corporation within the Attorney General's portfolio responsibilities (767).

Question on Notice No. 705 – Details of meetings or contact between the Attorney General, or staff from the Attorney General's office and representatives of GRA Everingham since 1 July 2012 (768).

Question on Notice No. 971 – Details of the Attorney General's use of the ministerial air-charter services since 1 January 2013 (769).

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### **13. Suspension of Standing Orders**

Mr M. McGowan, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved forthwith –

That this House condemns the Barnett Liberal Government for its failures in managing the Muja AB project, as detailed in the KPMG report tabled by the Minister for Energy today, and calls on the Premier to provide a full and comprehensive response to the report to the House, and explain his and the Cabinet's role in this taxpayer funded financial disaster.

Debate ensued.

The Deputy Premier moved, To add to the motion –

“

, subject to the debate being limited to 20 minutes for Government members and 20 minutes for non-Government members.

”.

Amendment put and passed.

On the question, That the motion to suspend Standing Orders, as amended, be agreed to,

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, as amended, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

#### 14. Muja AB Project

Mr M. McGowan, pursuant to the foregoing motion, moved,

That this House condemns the Barnett Liberal Government for its failures in managing the Muja AB project, as detailed in the KPMG report tabled by the Minister for Energy today, and calls on the Premier to provide a full and comprehensive response to the report to the House, and explain his and the Cabinet's role in this taxpayer funded financial disaster.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (18)

Dr A.D. Buti	Mr F.M. Logan	Ms R. Saffioti
Mr R.H. Cook	Mr M. McGowan	Mr C.J. Tallentire
Ms J. Farrer	Mr P. Papalia	Mr P.C. Tinley
Ms J.M. Freeman	Mr J.R. Quigley	Mr P.B. Watson
Mr W.J. Johnston	Ms M.M. Quirk	Mr B.S. Wyatt
Mr D.J. Kelly	Mrs M.H. Roberts	Ms S.F. McGurk ( <i>Teller</i> )

#### Noes (34)

Mr P. Abetz	Mrs G.J. Godfrey	Ms A.R. Mitchell
Mr F.A. Alban	Mr B.J. Grylls	Mr N.W. Morton
Mr C.J. Barnett	Dr K.D. Hames	Dr M.D. Nahan
Mr I.C. Blayney	Mrs L.M. Harvey	Mr D.C. Nalder
Mr I.M. Britza	Mr C.D. Hatton	Mr J. Norberger
Mr T.R. Buswell	Dr G.G. Jacobs	Mr D.T. Redman
Mr V.A. Catania	Mr R.F. Johnson	Mr A.J. Simpson
Mr M.J. Cowper	Mr S.K. L'Estrange	Mr M.H. Taylor
Ms M.J. Davies	Mr R.S. Love	Mr T.K. Waldron
Ms W.M. Duncan	Mr W.R. Marmion	Mr A. Krsticevic ( <i>Teller</i> )
Ms E. Evangel	Mr J.E. McGrath	
Mr J.M. Francis	Mr P.T. Miles	

Question thus negatived.

#### 15. Variation to the Order of Business

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

**16. Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013****Appropriation (Consolidated Account) Capital 2013-14 Bill 2013**

The Order of the Day for the resumption of the debate on the adoption of the reports of Estimates Committee B was read.

Debate ensued.

Question put and passed.

The Treasurer moved, That the Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013 be now read a third time.

Debate ensued.

The Minister for Health moved, That the debate be adjourned.

Question put and passed.

**17. Criminal Code Amendment Bill (No. 2) 2013**

Message No. 18 dated 12 September 2013 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend *The Criminal Code*.”

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

**18. Fair Trading Amendment Bill 2013**

Message No. 19 dated 12 September 2013 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Fair Trading Act 2010*.”

The Parliamentary Secretary representing the Minister for Commerce moved, That the bill be read a first time.

Question put and passed.

The Parliamentary Secretary representing the Minister for Commerce presented an explanatory memorandum and bill read a first time.

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

The Parliamentary Secretary representing the Minister for Commerce moved, That the bill be now read a second time.

Ms S.F. McGurk moved, That the debate be adjourned.

Question put and passed.

**19. Statutes (Repeals and Minor Amendments) Bill 2013**

Message No. 20 dated 12 September 2013 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the statute law by repealing or amending various enactments.”

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

**20. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 6.13 p.m. until Tuesday, 17 September 2013 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Mr G.M. Castrilli, Mr A.P. Jacob, and Mr D.A. Templeman.

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

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