

WESTERN AUSTRALIA

## LEGISLATIVE ASSEMBLY

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### NOTICES AND ORDERS OF THE DAY

No. 145

TUESDAY, 19 JUNE 2007, 2.00 p.m.

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Prayers \*

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements \*

Questions Without Notice \* - approximately 2.00 p.m. each day

Matter of Public Interest - one per week on any day

Private Members' Business - 4.00 p.m. to 7.00 p.m. Wednesdays

Grievances - approximately 9.00 a.m. Thursdays

Private Members' Statements - 12.50 p.m. Thursdays

*\*Note: On days when the Assembly meets at 2.00 p.m. Brief Ministerial Statements and Questions Without Notice will follow immediately after Prayers.*

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**Memorandum:** *A Joint Sitting to fill a casual vacancy in the Senate will be held at 12 noon in the Legislative Council Chamber.*

*An electronic version of the Assembly's Questions on Notice booklet is available on the Parliament's Internet site at [www.parliament.wa.gov.au](http://www.parliament.wa.gov.au).*

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#### GOVERNMENT BUSINESS - NOTICES OF MOTION

**1. Economic Regulation Authority Act 2003 Review** (Notice given - 12/6/07)

The Treasurer: To move -

- (1) That in accordance with section 64 of the *Economic Regulation Authority Act 2003*, the Joint Standing Committee on Audit be appointed to undertake the required legislative review.
  - (2) That the Legislative Council be invited to pass a similar resolution.
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#### GOVERNMENT BUSINESS - ORDERS OF THE DAY

**1. Local Government Amendment Bill (No. 2) 2006** (Minister representing the Minister for Local Government) (LC No. 180, 2r. - 8/5/07)

Second reading. Adjourned debate (Minister representing the Minister for Local Government).

2. **\*Fiona Stanley Hospital Construction Account Bill 2007** (Treasurer) (No. 202, 2r. - 16/5/07)

Second reading. Adjourned debate (Leader of the House).

3. **Western Australian College of Teaching Amendment Bill 2007** (Minister for Education and Training) (No. 216, 2r. - 13/6/07)

Second reading. Adjourned debate (Mr T.R. Sprigg).

4. **Eastern Goldfields Transport Board Repeal Bill 2007** (Minister for Planning and Infrastructure) (No. 199, 2r. - 16/5/07)

Second reading. Adjourned debate (Mr T.R. Sprigg).

5. **Rottneest Island Authority Amendment Bill 2007** (Minister for Tourism) (No. 201, 2r. - 16/5/07)

Second reading. Adjourned debate (Mr G.M. Castrilli).

6. **\*Local Government (Miscellaneous Provisions) Amendment Bill 2005** (Minister for Housing and Works) (No. 89, 2r. - 10/11/05)

Consideration in detail of Legislative Council message No. 150.

7. **\*Chemistry Centre (WA) Bill 2006** (Minister for Science) (No. 121, 2r. - 5/4/06)

Consideration in detail of Legislative Council message No. 152

8. **\*Parental Support and Responsibility Bill 2005** (Minister representing the Minister for Child Protection) (No. 41, 2r. - 1/6/05)

Consideration in detail of Legislative Council message No. 146.

9. **Premier's Statement**

Adjourned debate (Leader of the House) on the question, That the statement be noted.

10. **\*Surrogacy Bill 2007** (Minister for Health) (No. 190, 2r. - 1/3/07)

Adjourned debate (Minister for Health) on the motion moved by Dr G.G. Jacobs, That the Bill be referred to the Education and Health Standing Committee.

11. **Human Reproductive Technology Amendment Bill 2007** (Minister for Health) (No. 194, 2r. - 28/3/07)

Second reading. Adjourned debate (Mr T.R. Sprigg).

12. **Medical Practitioners Bill 2006** (Minister for Health) (No. 183, 2r. - 30/11/06)

Further consideration in detail - Clause 58.

13. **Freedom of Information Amendment Bill 2007** (Attorney General) (No. 191, 2r. - 28/3/07)

Second reading. Adjourned debate (Mr A.J. Simpson).

14. **Information Privacy Bill 2007** (Attorney General) (No. 193, 2r. - 28/3/07)

Second reading. Adjourned debate (Mr T.R. Sprigg).

15. **National Environment Protection Council (Western Australia) Amendment Bill 2007** (Minister for the Environment) (No. 188, 2r. - 28/3/07)

Second reading. Adjourned debate (Mr A.J. Simpson).

16. **Child Support (Adoption of Laws) Amendment Bill 2007** (Attorney General) (No. 200, 2r. - 16/5/07)

Second reading. Adjourned debate (Mr G.M. Castrilli).

17. **Local Government (Miscellaneous Provisions) Amendment (Smoke Alarms) Bill 2007** (Minister for Housing and Works) (No. 203, 2r. - 13/6/07)

Second reading. Adjourned debate (Mr T.R. Sprigg).

**18. Mines Safety and Inspection Amendment Bill 2007** (Minister for Employment Protection)  
(No. 210, 2r. - 13/6/07)

Second reading. Adjourned debate (Mr A.J. Simpson).

**PRIVATE MEMBERS' BUSINESS - NOTICES OF MOTION**

**1. Support to Build Educational Campuses in Kununurra and the Kimberley** (Notice given - 28/6/06, renewed 22/11/06)

Mr G.A. Woodhams: To move -

That this House supports –

- (a) the building of a campus of the WA College of Agriculture at Kununurra; and
- (b) the creation and development of a Christian Aboriginal Parent directed school in the Kimberley.

**2. The Auditor-General's Funding Requests** (Notice given - 28/6/06, renewed 22/11/06)

Mr M.W. Trenorden: To move -

That this House –

- (a) recognises the value of the work of the Auditor-General, despite Cabinet's refusal to provide increased funding in 2006-2007 (for early reporting and labour market factors) and therefore putting the accounting process at risk;
- (b) calls on the State Government to table the Auditor-General's funding requests for the last three years; and
- (c) refers this matter to the Public Accounts Committee and requests that the Committee interview the Auditor-General's office as to the requirements of these unfunded submissions.

**3. Sunset Site Class A Reserve No. 1667** (Notice given - 15/8/06, renewed - 28/11/06)

Ms S.E. Walker: To move -

That the Government moves immediately to amend the *Botanic Gardens and Parks Authority Act 1998* to ensure that the Authority takes immediate control of the Sunset Site Class A Reserve No. 1667 to prevent its further deterioration and waste of taxpayers' funds and restore it to the recreational amenity envisioned by the State's first Premier, Sir John Forrest.

**4. South West Yarragadee Aquifer** (Notice given - 29/8/06, renewed - 1/3/07)

Mr D.T. Redman: To move -

That this House –

- (a) recognises the social and environmental value, and regional use, of the South West Yarragadee aquifer;
- (b) acknowledges the vehement opposition by shire councils and residents in the State's south to the Water Corporation's plan to draw 45 gigalitres for piping to the metropolitan area; and
- (c) calls on the Water Corporation to abandon its plans to draw 45 gigalitres of water to supply Perth's water needs.

**5. Review of the Western Australian Tourism Commission (Tourism WA)** (Notice given - 29/8/06, renewed - 1/3/07)

Ms K. Hodson-Thomas: To move -

That this House –

- (a) condemns the Minister for Tourism for –
  - (i) failure to recognise the crisis in the WA tourism industry;

- (ii) neglecting and mismanaging the WA tourism industry;
- (iii) failure to exercise any direction or leadership of her department; and
- (iv) the continued underperformance of her department; and
- (b) calls on the Government to establish an independent review of the Western Australian Tourism Commission (Tourism WA) and the governing Act, including –
  - (i) the performance and productivity of Tourism WA;
  - (ii) the situation surrounding the damaging closure of offices across Asia, the extent of the damage, and who, if anyone, was held accountable for this decision;
  - (iii) the true extent of the current tourism slump;
  - (iv) how many tourism operations have gone out of business under the Labor Government;
  - (v) why the major Labor tourism marketing strategy, Pathways Forward: Strategic Plan 2003-2008 has so far been a shocking failure;
  - (vi) accountability of Tourism WA and the ineffectiveness of existing KPI's;
  - (vii) the function of Tourism WA; and
  - (viii) the continued loss of national tourism market share.

**6. Plight of the Sri Lankan Tamil Community** (Notice given - 13/9/06, renewed - 27/3/07)

Mr T.R. Sprigg: To move -

That this House –

- (a) recognises the plight of the Sri Lankan Tamil community living in the north and east of the country;
- (b) condemns the Sri Lankan Government for the killing of innocent civilians in an attempt to suppress the Tamil ethnic minority; and
- (c) supports the Norwegian Government's peace efforts so that the Tamil people can live with dignity and in peace.

**7. Contamination of Off-site Properties by the South Cardup Landfill Operation** (Notice given - 13/9/06, renewed - 27/3/07)

Mr A.J. Simpson: To move -

That this House calls on the Government to immediately investigate and report on repeated allegations that the south Cardup landfill operation is contaminating off-site properties.

**8. Launch of the State of the World Population Report** (Notice given - 19/9/06, renewed - 29/3/07)

Mr J.N. Hyde: To move -

That this House -

- (a) recognises that -
  - (i) a report from the United Nations Population fund (UNFPA) State of the World Population 2006 - A Passage to Hope: Women and International Migration - was released on 6 September 2006; and
- (b) encourages -
  - (i) governments and multilateral institutions to establish, implement and enforce policies and measures that will protect migrant women from exploitation and abuse; and

- (ii) all efforts that help reduce poverty, bring about gender equality and enhance development, thereby reducing the 'push' factors that compel many migrants, particularly women, to leave their own countries, and at the same time helping achieve a more orderly migration program.

**9. Parliamentary Standards Commissioner** (Notice given - 21/11/06)

Mr M.W. Trenorden: To move -

- (1) The Parliament of Western Australia approves in principle the creation of an independent Commission for Parliamentary Standards (the Commission) and the appointment of an officer, to be known as the Parliamentary Standards Commissioner (the Commissioner), to a permanent position as part of the parliamentary service.
- (2) The functions of the Commission are to -
  - (a) examine and report as the Commissioner sees fit on the standards of conduct of holders of public office;
  - (b) investigate complaints in relation to standards of propriety in public life in Western Australia;
  - (c) make recommendations to Parliament on the optimum standards of conduct to be adopted; and
  - (d) any other matter it considers relevant these functions.
- (3) The Commission will have jurisdiction over the standards applicable to the performance of the public duties of -
  - (a) members of parliament;
  - (b) ministers and parliamentary secretaries in their role as part of the Executive;
  - (c) public servants;
  - (d) local government councillors and officers; and
  - (e) members and senior officers of any bodies that receive public funds.
- (4) The Commission will have powers of a parliamentary committee for the purposes of its inquiry functions and all those persons in paragraph (3) will be obliged to attend and answer questions if so required by the Commissioner.
- (5) The Commissioner will be appointed as follows -
  - (a) nominations will be put forward by the Parliamentary Oversight Committee referred to in paragraph (8);
  - (b) a secret ballot will be conducted in each House and the person who receives the majority of votes of all those members of the Legislative Assembly and the Legislative Council present and voting in their respective Chambers will be declared by the Speaker of the Legislative Assembly to be appointed. If no candidate achieves such a majority, the name of the candidate with the least number of votes will be withdrawn and fresh ballots taken until such time as a candidate achieves a majority of the total number of votes; and
  - (c) appointment will be for a term of five years, the Commissioner will be eligible for reappointment, and may only be dismissed by a majority vote of both Houses in a secret ballot determined in the same manner as the appointment.
- (6) The Commissioner is an officer of the Parliament answerable directly to each House of Parliament.
- (7) The appropriations for -
  - (a) the Commission for Parliamentary Standards;
  - (b) the Freedom of Information Commissioner;

- (c) the Office of Public Service Sector Standards and its Commissioner;
- (d) the Office of the Auditor General;
- (e) the Parliamentary Commissioner for Administrative Investigations (the Ombudsman); and
- (f) the Parliamentary Inspector for the oversight of the Crime and Corruption Commission,

will form separate divisions of the parliamentary appropriation, and will be determined after fully taking into account any recommendations by the Parliamentary Oversight Committee on the resources necessary for the effective execution of their respective functions.

- (8) A committee to be known as the Parliamentary Oversight Committee will be established, consisting of three members elected by a two-thirds majority of members of both Houses, present and voting in their respective Chambers in a secret ballot. Presiding Officers, Deputy Presiding Officers, Ministers, Parliamentary Secretaries and the Leaders and Deputy Leaders of Parliamentary Parties are ineligible to be members of the Committee.
- (9) The Legislative Council be acquainted accordingly and its concurrence sought herein.

**10. Referral to the Joint Standing Committee on the Corruption and Crime Commission**  
(Notice given - 1/3/07)

Mr M.W. Trenorden: To move -

That this House refers to the Joint Standing Committee on the Corruption and Crime Commission for consideration and report by 30 June 2007 the claims made by Mr Kevin Reynolds that the Left faction of the Australian Labor Party (ALP) had been tipped off about the telephone tapping activities of the Corruption and Crime Commission, and in particular -

- (a) who was in a position to know that the telephone tapping was taking place;
- (b) why Mr Reynolds believed that some members of the ALP knew that telephone tapping was taking place;
- (c) whether any State parliamentary members of the ALP were aware, prior to revealing evidence being adduced in the Corruption and Crime Commission, that the telephone tapping was taking place, and if so, how they came by that information; and
- (d) whether State Parliamentary members of the Left faction of the ALP were advised to stop calling Mr Brian Burke prior to the revealing evidence being adduced in the Corruption and Crime Commission, that the telephone tapping was taking place, and if so, why?

**11. Conferring of Honourable Title for Members of the Legislative Council** (Notice given - 22/3/07)

Dr J.M. Woollard: To move -

That this House calls on the Premier to advise His Excellency the Governor that the conferring of the title "The Honourable" on Members of the Legislative Council by virtue alone of being a member of that House, should be discontinued.

**12. Disallowance of the Fish Resources Management Amendment Regulations (No. 8) 2006**  
(Notice given - 27/3/07)

Mr G. Snook: To move -

That regulations 3 and 10 of the *Fish Resources Management Amendment Regulations (No. 8) 2006* under the *Fish Resources Management Act 1994*, a copy of which was laid upon the Table of the House on 21 November 2006, are hereby disallowed.

**13. Regulatory Constraints Imposed on Western Power** (Notice given - 8/5/07)

Mr D.T. Redman: To move -

That this House calls on the State Government to immediately review the regulatory constraints imposed on Western Power, especially as they apply to capital contributions to increase capacity in growing regional centres, where upgrades do not meet the “economic” test of the Electricity Network Access Code 2004.

**14. Acting Principal and Deputy Principal Positions in Regional Schools** (Notice given - 15/5/07)

Mr G.A. Woodhams: To move -

That in light of the considerable number of Acting Principal and Deputy Principal positions in regional schools, that this House calls on the Government to make urgent changes to appointment processes to secure improved continuity of leadership in rural and regional education.

**15. Water Licenses and Fees** (Notice given - 15/5/07)

Mr D.T. Redman: To move -

That this House calls on the Government to immediately review its water licenses and water licence fees as described under the Government’s response to the blueprint for water reform, with the view to licensing all private and commercial bores and charging a flat fee to recover administrative costs.

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**PRIVATE MEMBERS’ BUSINESS - ORDERS OF THE DAY**
**1. Budget Allocation for Infrastructure in Regional Western Australia** (Moved - 31/5/06)

Adjourned debate (Mr B.J. Grylls - continuation of remarks) on the amendment moved by Mr G.A. Woodhams, To insert after “in our regions” the following -

“by ensuring that the equivalent of 25 per cent of all mining and petroleum royalties collected each year by the State Government is placed into a special fund to be reinvested each year in regional Western Australia to provide for further economic and social development”.

in the motion moved by Mr B.J. Grylls -

That this House condemns the Labor Government for its failure to recognise the infrastructure needs of Regional Western Australia in the 2006/07 Budget, given –

- (a) the majority of the State Government’s record \$2 billion surplus has been generated courtesy of the booming regional-based resources sector – but there is evidence that the regional economies have not benefited from this activity; and
- (b) the Government has set aside \$1.3 billion (65 per cent) of the \$2 billion budget surplus to pay off the Perth to Mandurah rail project at the expense of much needed investment in Regional Western Australia,

and calls on the State Government to provide a significant funding boost to regional development in this State to fundamentally re-adjust the prospects for long-term sustainable growth in our regions.

**2. \*Road Traffic (Smoking in Motor Vehicles) Amendment Bill 2006** (Dr K.D. Hames) (No. 151, 1r. - 22/6/06)

To be read a second time.

### 3. **Development of Biofuels Industry in Western Australia** (Moved - 28/6/06)

Adjourned debate (Mr G. Snook - continuation of remarks) on the motion moved by Mr D.T. Redman -

That this House calls on the State Government to –

- (a) register its disappointment with the Federal Government regarding the passage of the Fuel Tax Bill 2006 through Federal Parliament, given the legislation's treatment of biofuels producers in particular;
- (b) acknowledge the need to provide certainty to the Western Australian biofuels industry to encourage its development; and
- (c) consider the introduction of other incentives for local biofuels producers to encourage regional biofuels production in Western Australia.

### 4. **\*Botanic Gardens and Parks Authority Amendment Bill 2006** (Ms S.E. Walker) (No. 157, 2r. - 23/8/06)

Second reading. Adjourned debate (Deputy Premier).

### 5. **Review of the Road Safety System** (Moved - 16/8/06)

Adjourned debate (Mr M.J. Cowper - continuation of remarks) on the amendment moved by the Minister for Police and Emergency Services, To delete all words after "House" and substitute the following –

“ acknowledges the public interest in and concern about the road toll. ”.

in the motion moved by Mr J.E. McGrath -

That this House –

- (a) acknowledges the public interest in and concern about the road toll;
- (b) notes that there has been a plethora of suggestions about how road safety concerns might be addressed, including –
  - (i) better road design;
  - (ii) more use of in-vehicle technologies to improve safety;
  - (iii) more and better driver education programmes;
  - (iv) severe curfew conditions on young drivers;
  - (v) 30km/h speed limits not just on local roads but, to quote the head of the Government's Office of Road Safety, "any road where there was a chance a car could hit a pedestrian";
  - (vi) 90km/h speed limits on most of the State's country roads, and a maximum limit on all the State's highways of 100km/h; and
  - (vii) generally higher fines and penalties,
 and notes that while some of these ideas have merit, others are impractical and ineffective and represent a level of desperation and lack of new ideas from the existing authorities;
- (c) notes community concerns about the funding arrangements for the Office of Road Safety, and particularly the obvious contradiction that funding from the Office comes from traffic fines and it must therefore emphasise this area in order to sustain its operations, notwithstanding that non-revenue options such as education, road and vehicle design have as much a role to play in the road safety arena as penalty provisions;
- (d) notes that the current road safety strategy for Western Australia, Arriving Safely: Road Safety Strategy for Western Australia 2003-2007, has almost run its course and a new strategy is needed;



- (e) calls on the Government to undertake a thorough and comprehensive review of the road safety system, to develop an integrated and evidence-based approach to road safety;
- (f) notes that the Opposition offers its full co-operation in terms of bipartisan involvement in this review and support for any worthwhile initiatives that arise from the review;
- (g) enables membership of the review committee to include the following: a chairperson, being a member of the community with some knowledge of road safety; a member of Government; a member of the Opposition; a representative of the Office of Road Safety; and a fifth member to be decided by the Minister; and
- (h) that the inquiry report to the Minister for Police and Emergency Services by 31 December 2007, and that the Minister present the report to the Legislative Assembly within three months of receiving the report, together with a report on what action, if any, is proposed to be taken by the Government with respect to the recommendations of the inquiry.

**6. Uranium Mining Ban (Moved - 23/8/06)**

Adjourned debate (Mrs J. Hughes - continuation of remarks) on the motion moved by Mr C.J. Barnett -

That this House calls on all Labor Members to support their federal leader, Hon. Kim Beazley MP, in his new approach to uranium mining in which he is quoted –

- (a) “I will seek a change to Labor Party’s platform to replace the no new mines policy with a new approach based on the world’s strongest export safeguards.” (Australian Labor Party Media Statement, 24 July 2006)
- (b) “The real issue is what we do with the uranium we mine, not how many places we mine it.” (*Sydney Morning Herald*, 25 July 2006)
- (c) “Banning new uranium mines would not limit the export of Australian uranium to the world, it would simply favour incumbent producers.” (*Sydney Morning Herald*, 25 July 2006)

**7. \*Children and Community Services (Mandatory Reporting) Amendment Bill 2006**  
(Mr P.D. Omodei) (No. 162, 2r. - 1/11/06)

Second reading. Adjourned debate (Mr R.C. Kucera).

**8. Development of Infrastructure to Allow Power Generation Out of Albany (Moved - 13/9/06)**

Adjourned debate (Dr G.G. Jacobs - continuation of remarks) on the motion moved by Dr G.G. Jacobs -

That this Government develop infrastructure to allow power generation out of Albany to ‘power proof’ the Great Southern Region.

**9. Daylight Saving Bill 2006 (Mr J.B. D’Orazio) (No. 174, 2r. - 25/10/06)**

Second reading. Adjourned debate (Mr T.R. Sprigg).

**10. Childcare Services in Regional Western Australia (Moved - 25/10/06)**

Adjourned debate (Mr G. Snook - continuation of remarks) on the motion moved by Mr T.K. Waldron -

That this House calls on the State Government to take immediate steps to address the appalling state of childcare services in regional Western Australia, particularly in relation to –

- (a) the shortage of suitable childcare services in regional areas of Western Australia;

- (b) the problems caused by the introduction of unworkable regulations governing the operation of childcare centres in country areas; and
- (c) the need for a more flexible model for childcare arrangements in regional Western Australia, while still providing for the safety and well-being of all children in care.

**11. Electricity Industry (Western Australian Renewable Energy Targets) Amendment Bill 2005** (Dr E. Constable) (LC No. 97, 2r. - 1/11/06)

Second reading. Adjourned debate (Dr S.C. Thomas - continuation of remarks).

**12. CEO Recruitment and Selection - Report by the Public Sector Standards Commissioner** (Moved - 22/11/06)

Adjourned debate (Mr B.S. Wyatt - continuation of remarks) on the motion moved by Mr R.F. Johnson, on behalf of Mr T.R. Buswell -

That this House acknowledges the report on CEO recruitment and selection presented by the Commissioner for Public Sector Standards and calls on the Government to restore independence and integrity to the Western Australian public service.

**13. Heritage of Western Australia (Crown Acquisition of Registered Places) Amendment Bill 2006** (Ms S.E. Walker) (No. 182, 1r. - 23/11/06)

To be read a second time.

**14. Director of Public Prosecutions (Standing Committee) Amendment Bill 2006** (Ms S.E. Walker) (No. 181, 1r. - 29/11/06)

To be read a second time.

**15. Suspension of Standing Orders** (Moved - 27/2/07)

Adjourned debate until the Member for Murchison-Eyre has completed his evidence today at the CCC (Deputy Premier), on the motion moved by Mr P.D. Omodei, That so much of the Standing Orders be suspended as to allow the House to consider the following motion -

That this House calls on the Premier to immediately dismiss the Minister for Local Government; Employment Protection; Racing and Gaming; Goldfields-Esperance and Great Southern for his failure to uphold the integrity required of a Minister of the Crown.

**16. Daylight Saving Amendment Bill (No. 2) 2007** (Mr M.J. Birney) (No. 196, 2r. - 21/3/07)

Second reading. Adjourned debate (Deputy Premier).

**17. Western Australian Resources Heritage Fund Bill 2007** (Mr J.H.D. Day) (No. 197, 2r. - 4/4/07)

Second reading. Adjourned debate (Leader of the House).

**18. Suspension of Standing Orders - Taxi Amendment Bill 2007** (Moved - 9/5/07)

Adjourned debate (Dr J.M. Woollard - continuation of remarks) on the motion moved by Dr J.M. Woollard, That so much of the Standing Orders be suspended as is necessary to enable the following motion to be moved without notice -

That the scope of the *Taxi Amendment Bill 2007* be extended to allow amendments to be moved requiring all new taxis to be run on LPG or renewable fuels or to be hybrid vehicles, thereby reducing greenhouse gas emissions.

**19. Electricity Corporations Amendment Bill 2006** (Mr M.W. Trenorden) (No. 132, 2r. - 10/5/06)

Second reading. Adjourned debate (Mr M.P. Whitely).

## AWAITING GOVERNOR'S MESSAGE

### 1. **Police (Compensation for Injured Officers) Amendment Bill 2006** (Mr M.J. Cowper) (No. 159, 2r. - 23/8/06)

Second reading.

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## COMMITTEES TO REPORT

Procedure and Privileges Committee – E-Petitions and E-Parliament Feasibility Study	–	28 June 2007
Joint Standing Committee on the Corruption and Crime Commission – Inquiry into Legislative Amendments to the <i>Corruption and Crime Commission Act 2003</i>	–	27 September 2007
Procedure and Privileges Committee – Review of Legislative Assembly's Committee System	–	25 October 2007
Education and Health Standing Committee – Inquiry into Successful Initiatives in Remote Aboriginal Communities	–	29 November 2007
Public Accounts Committee - Funding Arrangements for Western Australian Infrastructure Projects	–	
Joint Standing Committee on the Corruption and Crime Commission - Inquiry into the Efficacy of Public Hearings by the Corruption and Crime Commission	–	March 2008
Community Development and Justice Standing Committee - Collaborative Approaches in Government	–	27 November 2008

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## GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<b><i>Committee</i></b>	<b><i>Ministers to Respond</i></b>	<b><i>Date Due</i></b>
Community Development and Justice Standing Committee - Inquiry into Western Australia's Natural Disaster Relief Arrangements	Premier; Treasurer; Minister for Police and Emergency Services; Minister representing the Minister for Local Government; Minister representing the Minister for Regional Development; Minister for Heritage	10 August 2007
Joint Standing Committee on the Corruption and Crime Commission - Interim Report on Amendments to the Corruption and Crime Commission Act 2003 - A Public Interest Monitor	Attorney General	17 August 2007
Joint Standing Committee on the Corruption and Crime Commission - Inquiry into the Future Operation of Witness Protection Programmes in Western Australia	Attorney General; Minister for Police and Emergency Services	14 September 2007

Economics and Industry Standing  
Committee - Inquiry into the State  
Government's Role in Developing and  
Promoting Information Communications  
Technology (ICT) in Western Australia

Minister for Energy; Resources;  
Industry and Enterprise

14 September 2007

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## REFERENCES TO COMMITTEES

<i><b>Committee</b></i>	<i><b>Reference</b></i>	<i><b>Date Due</b></i>
Education and Health Standing Committee	Cause and Extent of Lead Pollution in the Esperance Area	16 August 2007
Community Development and Justice Standing Committee	Prosecution of Assaults and Sexual Offences	29 November 2007
Procedure and Privileges Committee	Inquiry into the Member for Murchison-Eyre's early release of Committee documents	1 March 2008

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- \* Denotes amendments appear in the Notices and Amendments section of the Notice Paper.  
† Denotes time allocated for Bill appears in the Notices and Amendments section of the Notice Paper.  
‡ Denotes second reading debate on the Bill was undertaken cognately with a principal Bill, and no further second reading debate will occur.
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## NOTICES AND AMENDMENTS

### ***Botanic Gardens and Parks Amendment Bill 2006 (No. 157—1)***

Clause 4.

Ms S.E. Walker: To move –

Page 2, line 16 – To delete “1720” and substitute –

“ 1667 ”.

### ***Chemistry Centre (WA) Bill 2006 (No. 121—1)***

Message No. 152.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Chemistry Centre (WA) Bill 2006* 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 Chemistry Centre (WA) Bill 2006*

#### **No. 1**

Clause 12, page 11, lines 10 and 11 — To delete “*Financial Administration and Audit Act 1985* section 66” and insert instead —

“ *Financial Management Act 2006* Part 5 ”.

#### **No. 2**

Clause 22, page 17, lines 7 and 8 — To delete “*Financial Administration and Audit Act 1985* section 66” and insert instead —

“ *Financial Management Act 2006* Part 5 ”.

#### **No. 3**

Clause 27, page 19, line 10 — To insert after “Account” —

“ , which is to be established ”.

#### **No. 4**

Clause 27, page 19, lines 11 to 13 — To delete the lines and insert instead —

“

- (a) as an agency special purpose account under the *Financial Management Act 2006* section 16; or

”.

**No. 5**

Clause 27, page 19, lines 15 and 16 — To delete “the *Financial Administration and Audit Act 1985* section 3(1)” and insert instead —

“ section 3 of that Act ”.

**No. 6**

Clause 29, page 20, line 15 — To delete “Fund” and insert instead —

“ Account ”.

**No. 7**

Clause 29, page 20, line 20 — To delete “Fund” and insert instead —

“ Account ”.

**No. 8**

Clause 30, page 20, line 24 — To delete “Fund” and insert instead —

“ Account ”.

**No. 9**

Heading for Division 3, page 21, line 1 — To delete “*Financial Administration and Audit Act 1985*” and insert instead —

“ *Financial Management Act 2006 and Auditor General Act 2006* ”.

**No. 10**

Clause 31, page 21, lines 3 and 4 — To delete “*Financial Administration and Audit Act 1985*” and insert instead —

“ *Financial Management Act 2006 and the Auditor General Act 2006* ”.

**No. 11**

Clause 34, page 24, lines 2 and 3 — To delete “*Financial Administration and Audit Act 1985*” and insert instead —

“ *Financial Management Act 2006 Part 5* ”.

**No. 12**

Clause 34, page 24, lines 11 and 12 — To delete “*Financial Administration and Audit Act 1985*” and insert instead —

“ *Financial Management Act 2006 Part 5* ”.

**No. 13**

Clause 34, page 24, lines 19 and 20 — To delete “*Financial Administration and Audit Act 1985* section 69” and insert instead —

“ *Financial Management Act 2006* section 64 ”.

**No. 14**

New Clause 31, page 20, after line 28 — To insert the following new clause —

“

**31.        *Liability for duties, taxes and other statutory imposts***

- (1) Despite any other written law but except as stated in subsection (2) —
  - (a) the Chemistry Centre; and
  - (b) deeds or other instruments to which it is a party,
 are liable to and chargeable with duties, taxes or other imposts under any written law.
- (2) Despite subsection (1) but subject to subsection (3), the Chemistry Centre is not liable to pay any local government rate or charge.
- (3) Subsection (2) does not apply to the liability to pay any rate or charge in respect of land held under a lease or tenancy agreement from the Chemistry Centre.
- (4) The Chemistry Centre is to pay to the Treasurer in respect of each financial year an amount equivalent to the sum of all local government rates and charges that, but for subsection (2) and the *Local Government Act 1995* section 6.26(2)(a)(i), the Chemistry Centre would have been liable to pay in respect of that financial year.
- (5) Subsection (4) does not apply in relation to rates and charges in respect of land referred to in subsection (3).
- (6) An amount payable under subsection (4) —
  - (a) is to be determined in accordance with such principles as the Treasurer may direct; and
  - (b) is to be paid at such time or times as the Treasurer may direct.
- (7) The first payment under subsection (4) is to be in respect of the next full financial year after the commencement of this Act.

”.

**No. 15**

Schedule 2, page 37, line 7 — To delete “*Financial Administration and Audit Act 1985*” and insert instead —

“ *Financial Management Act 2006* ”.

**No. 16**

Schedule 2, page 39, line 31 to page 40, line 1 — To delete “*Financial Administration and Audit Act 1985* section 66” and insert instead —

“ *Financial Management Act 2006* Part 5 ”.

**No. 17**

Schedule 3, page 42, lines 16 and 17 — To delete “*Financial Administration and Audit Act 1985*” and insert instead —

“ *Financial Management Act 2006* ”.

**No. 18**

Schedule 3, page 42, lines 18 to 22 — To delete the lines and insert instead —

“

[\* *Act No. 76 of 2006.*

*For subsequent amendments see Act No. 77 of 2006.*]

”.

**No. 19**

Long Title, page 1, line 9 — To delete “to” in the first place where it occurs.

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***Children and Community Services (Mandatory Reporting) Amendment Bill 2006 (No. 162—1)***

Clause 4.

Mr P.D. Omodei: To move –

Page 4, line 31 – To insert after the word “suspicion” the following –

“ to ”.

Mr P.D. Omodei: To move –

Page 5, line 2 – To delete the word “Officer” where it occurs a second time.

Mr P.D. Omodei: To move –

Page 8, line 12 – To delete “30(B)(2)” and substitute -

“ 30B(2) ”.

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***Fiona Stanley Hospital Construction Account Bill 2007 (No. 202—1)***

Clause 3.

Dr J.M. Woollard: To move –

Page 2, line 13 – To insert after “equipment” the following –

“ including the installation of 1000 beds ”.

---

***Local Government (Miscellaneous Provisions) Amendment Bill 2005 (No. 89—1)***

Message No. 150.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Local Government (Miscellaneous Provisions) Amendment Bill 2005* 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 Local Government (Miscellaneous Provisions) Amendment Bill 2005*



**No. 1**

Clause 7, page 9, line 28 — To delete “a committee; and” and insert instead —

“ the committee; ”.

**No. 2**

Clause 7, page 9, after line 28 — To insert —

“

- (e) provide for applications to be made to the State Administrative Tribunal for the review of decisions of the committee; and

”.

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***Parental Support and Responsibility Bill 2005 (No. 41—1)***

Message No. 146.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Parental Support and Responsibility Bill 2005* 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 Parental Support and Responsibility Bill 2005*

**No. 1**

Clause 3, page 2, line 13 — To delete “**(Community Development)**” and insert instead —

“ **(Child Protection)** ”.

**No. 2**

Clause 3, page 2, line 15 — To delete “*Community Services Act 1972*” and insert instead —

“ *Children and Community Services Act 2004* ”.

**No. 3**

Clause 3, page 2, line 19 — To delete “**(Justice)**” and insert instead —

“ **(Corrective Services)** ”.

**No. 4**

Clause 3, page 2, line 23 — To delete the line.

**No. 5**

Clause 3, page 3, line 8 — To delete “*Community Services Act 1972*” and insert instead —

“ *Children and Community Services Act 2004* ”.

**No. 6**

Clause 3, page 3, lines 26 and 27 — To delete the lines.

**No. 7**

Clause 3, page 4, lines 11 and 12 — To delete the lines.

**No. 8**

Clause 4, page 4, line 18 — To delete “, government agency or court” and insert instead —  
“ or government agency ”.

**No. 9**

Clause 5, page 5, after line 9 — To insert —

“  
For the purposes of this section, “**responsibility**” includes but is not limited to all  
the duties, powers, responsibilities and authority which, by law, parents have in  
relation to children.

”.

**No. 10**

Clause 6, page 5, line 12 — To delete “or a court”.

**No. 11**

Clause 7, page 5, lines 24 and 25 — To delete “or any responsible parenting order directed towards them”.

**No. 12**

Clause 8, page 5, line 28 — To delete “or a court”.

**No. 13**

Clause 9, page 6, after line 26 — To insert —

“  
(6) The *Interpretation Act 1984* sections 41, 42, 43 and 44 apply to the guidelines as if  
the guidelines were regulations.

”.

**No. 14**

Clause 9, page 7, line 5 — To delete ‘or responsible parenting order’.

**No. 15**

Clause 12, page 10, lines 3 to 16 — To delete the clause.

**No. 16**

Clause 13, page 10, line 17 to page 11, line 12 — To delete the clause.

**No. 17**

Clause 14, page 11, line 13 to page 12, line 13 — To delete the clause.

**No. 18**

Clause 15, page 12, lines 14 to 18 — To delete the clause.

**No. 19**

Clause 16, page 12, lines 19 to page 13, line 2 — To delete the clause.

**No. 20**

Clause 17, page 13, lines 3 to 27 — To delete the clause.

**No. 21**

Clause 18, page 13, line 28 to page 15, line 22 — To delete the clause.

**No. 22**

Clause 19, page 15, line 23 to page 16, line 3 — To delete the clause.

**No. 23**

Clause 20, page 16, lines 4 to 28 — To delete the clause.

**No. 24**

Clause 21, page 17, lines 2 to 13 — To delete the clause.

**No. 25**

Clause 22, page 17, lines 14 to 28 — To delete the clause.

**No. 26**

Clause 23, page 18, lines 1 to 11 — To delete the clause.

**No. 27**

Clause 24, page 18, lines 12 to 30 — To delete the clause.

**No. 28**

Clause 25, page 19, lines 2 to 8 — To delete the clause.

**No. 29**

Clause 26, page 19, lines 9 to 12 — To delete the clause.

**No. 30**

Clause 27, page 19, lines 13 to 22 — To delete the clause.

**No. 31**

Clause 28, page 19, line 23 to page 20, line 3 — To delete the clause.

**No. 32**

Clause 29, page 20, lines 4 to 21 — To delete the clause.

**No. 33**

Clause 30, page 20, line 22 to page 21, line 7 — To delete the clause.

**No. 34**

Clause 31, page 21, lines 8 to 20 — To delete the clause.

**No. 35**

Clause 32, page 21, line 21 to page 22, line 4 — To delete the clause.

**No. 36**

Clause 33, page 22, lines 5 to 7 — To delete the clause.

**No. 37**

Clause 34, page 23, line 3 — To delete “(Community Development)” and insert instead —  
“ (Child Protection) ”.

**No. 38**

Clause 34, page 23, line 4 — To delete “(Justice)” and insert instead —  
“ (Corrective Services) ”.

**No. 39**

Clause 35, page 23, line 9 to page 24, line 3 — To delete the clause.

**No. 40**

Clause 36, page 24, lines 11 to 15 — To delete the lines.

**No. 41**

Clause 41, page 28, line 4 to page 29, line 26 — To delete the clause.

**No. 42**

Clause 42, page 30, line 11 — To delete “provide —” and insert instead —

“

provide an appointed person or body with information relating to a person who is,  
or was, a young offender or detainee, for the purposes of section 37 of the *Parental  
Support and Responsibility Act 2005*.

”.

**No. 43**

Clause 42, page 30, line 12 to line 20 — To delete the lines.

**No. 44**

Clause 42, page 30, line 21 — To delete “(b)”.

**No. 45**

Clause 42, page 30, line 31 to page 31, line 5 — To delete the lines.

**No. 46**

Clause 43, page 31, line 8 to page 32, line 17 — To delete the clause.

**No. 47**

New Clause 9, page 5, after line 30 — To insert the following new clause —

“

**9. Principle of shared responsibility**

In performing a function or exercising a power under this Act in relation to a child, a person or a court must have regard to the shared responsibility that parents, family and the community have for the wellbeing of the child.

”.

**No. 48**

New Clause 37, page 24, after line 29 — To insert the following new clause —

“

**37. Restriction on publication of certain information or material**

- (1) A person must not, except in accordance with a written authorisation given under this section, publish information or material that identifies, or is likely to lead to the identification of, another person (the “**identified person**”) as —
  - (a) a person who is or was a parent who entered into a responsible parenting agreement;
  - (b) a person who is or was a child in respect of whom a responsible parenting agreement was entered into; or
  - (c) a person who the parent of a child is to ensure, or take all reasonable steps to ensure, the child avoids contacting, under a responsible parenting agreement.

Penalty: \$12 000 and imprisonment for one year.

- (2) If the identified person is under 18 years of age, written authorisation for the publication of information or material to which subsection (1) applies may be given by both the CEO and a parent of the identified person.
- (3) If the identified person has reached 18 years of age, written authorisation for the publication of information or material to which subsection (1) applies may be given —
  - (a) by the identified person; or

- (b) if the identified person is dead or cannot be found after reasonable inquiries, by the CEO.
- (4) In this section —
- “**CEO**” means the CEO of the department of which the authorised officer who entered into the agreement is a public service officer;
- “**publish**” means to bring to the notice of the public or a section of the public by means of newspaper, television, radio, the internet or any other form of communication.

”.

**No. 49**

Long Title, page 1, lines 5 and 6 — To delete “and responsible parenting orders”.

**No. 50**

Long Title, page 1, line 7 — To delete “the *Children’s Court of Western Australia Act 1988* and”.

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***Road Traffic (Smoking in Motor Vehicles) Amendment Bill 2006 (No. 151—1)***

Clause 3.

Dr K.D. Hames: To move —

Page 3, line 3 — To delete “1994” and substitute —  
 “ 1974 ”.

Long title.

Dr K.D. Hames: To move —

Page 1, line 7 — To delete “1994” and substitute —  
 “ 1974 ”.

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***Surrogacy Bill 2007 (No. 190—1)***

Clause 17.

The Minister for Health: To move —

Page 8, line 5 — To insert before “the child” —  
 “ except in circumstances identified in subsection (5), ”.

The Minister for Health: To move —

Page 8, line 25 — To insert before “if” —  
 “ In circumstances identified in subsection (5) or ”.

The Minister for Health: To move –

Page 9, after line 4 – To insert –

“

- (5) The circumstances this subsection identifies are that –
- (a) the birth mother is not the child’s genetic parent; and
  - (b) at least one arranged parent is the child’s genetic parent.

”

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**PETER J. MCHUGH**

Clerk of the Legislative Assembly