

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 180

THURSDAY, 28 FEBRUARY 2008, 9.00 a.m.

Prayers *

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements *

Questions Without Notice * – approximately 2.00 p.m. each day

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

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.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. Premier's Statement

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

2. Road Traffic (Authorisation to Drive) Bill 2007 (Minister for Planning and Infrastructure) (No. 249, 2r. – 28/11/07)

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

3. Road Traffic (Vehicles) Bill 2007 (Minister for Planning and Infrastructure) (No. 251, 2r. – 28/11/07)

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

4. Road Traffic (Administration) Bill 2007 (Minister for Planning and Infrastructure) (No. 252, 2r. – 28/11/07)

Second reading. Adjourned debate (Mr G. Snook).

5. Road Traffic (Consequential Provisions) Bill 2007 (Minister for Planning and Infrastructure) (No. 253, 2r. – 28/11/07)

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

6. Road Traffic (Vehicles) (Taxing) Bill 2007 (Minister for Planning and Infrastructure) (No. 254, 2r. – 28/11/07)

Second reading. Adjourned debate (Mr J.E. McGrath).

7. Duties Bill 2007 (Treasurer) (No. 259, 2r. – 28/11/07)

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

8. Duties Legislation Amendment Bill 2007 (Treasurer) (No. 260, 2r. – 28/11/07)

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

9. Children and Community Services Amendment (Reporting Sexual Abuse of Children) Bill 2007 (Attorney General) (No. 257, 2r. – 28/11/07)

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

10. Community Protection (Offender Reporting) Amendment Bill 2007 (Minister for Police and Emergency Services) (No. 256, 2r. – 28/11/07)

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

11. Prisoners (Interstate Transfer) Amendment Bill 2007 (Minister for Corrective Services) (No. 250, 2r. – 21/11/07)

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

12. Sentence Administration (Interstate Transfer of Community Based Sentences) Bill 2007 (Minister for Corrective Services) (No. 255, 2r. – 21/11/07)

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

13. Co-operatives Bill 2007 (Minister for Consumer Protection) (No. 160 2r. – 29/11/07)

Second reading. Adjourned debate (Ms K. Hodson–Thomas).

14. Mining Legislation Amendment and Validation Bill 2007 (Minister for Resources) (No. 232, 2r. – 21/11/07)

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

15. Real Estate and Business Agents Amendment Bill 2007 (Minister for Consumer Protection) (No. 247, 2r. – 14/11/07)

Second reading. Adjourned debate (Dr S.C. Thomas).

16. *Police Amendment Bill 2006 (Minister for Police and Emergency Services) (No. 184, 2r. – 29/11/06)

Consideration in detail of Legislative Council message No. 181.

17. *Public Trustee and Trustee Companies Legislation Amendment Bill 2006 (Attorney General) (No. 102, 2r. – 29/11/06)

Consideration in detail of Legislative Council message No. 182.

18. Casino (Burswood Island) Agreement Amendment Bill 2007 (Minister representing the Minister for Racing and Gaming) (No. 213, 1r. - 26/2/08)

To be read a second time.

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Conferring of Honourable Title for Members of the Legislative Council (Notice given – 22/3/07, renewed – 20/9/07)

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.

2. Disallowance of the Fish Resources Management Amendment Regulations (No. 8) 2006
(Notice given – 27/3/07, renewed – 25/9/07)

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.

3. Regulatory Constraints Imposed on Western Power (Notice given – 8/5/07, renewed – 23/10/07)

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.

4. Acting Principal and Deputy Principal Positions in Regional Schools (Notice given – 15/5/07, renewed – 13/11/07)

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.

5. Retention of Small Police Stations in Country Western Australia (Notice given – 20/6/07, renewed – 28/11/07)

Mr T.K. Waldron: To move –

That this House calls on the Government to retain existing two-person and three-person police stations in country Western Australia as a matter of providing safety and security for the residents of these communities.

6. Select Committee into the Dairy Industry in Western Australia (Notice given – 14/8/07, renewed – 26/2/08)

Mr P.D. Omodei: To move –

That a Select Committee of the Legislative Assembly be appointed to inquire into and report on:

- (a) the price of milk and beef in Western Australia and as to whether farmers are receiving a fair price for their produce;
- (b) whether processors and retailers are providing milk and beef at a fair price to consumers;
- (c) whether processors and retailers are engaging in unconscionable conduct in discounting milk in Western Australia;
- (d) whether abattoirs and retailers are engaging in unconscionable conduct in setting prices of beef in Western Australia;
- (e) why beef on the hoof is sold at significantly lower prices in Western Australia than in the eastern states of Australia;
- (f) whether retail prices of beef and milk are being passed on to farmers;
- (g) examine mechanisms to ensure farmers receive a fair proportion of retail revenue for milk and beef;
- (h) investigate the abattoir industry in Western Australia and make recommendations to improve this sector;
- (i) investigate the closure of saleyards in regional Western Australia and make recommendations as to their retention and location;

- (j) investigate the funding of the Federal Government's Dairy Adjustment Scheme and the 11.5 cents milk levy and as to which sector of the industry is paying the levy;
- (k) make recommendations as to which sector of the dairy industry should receive the 11.5 cents on the conclusion of the Dairy Adjustment Scheme; and
- (l) other matters where there is a perceived or actual negative impact on farmer returns in the dairy and beef industries.

That the Select Committee report back to this House no later than 31 January 2008.

7. Removal of the Member for Collie–Wellington as Parliamentary Secretary (Notice given – 28/8/07)

Mr C.J. Barnett: To move –

That this House calls on the Premier to stand down the Member for Collie–Wellington from his position as Parliamentary Secretary.

8. Distribution Headworks Scheme (Notice given – 18/9/07)

Mr D.T. Redman: To move –

That this House condemns the Minister for Energy for implementing a 'tax on geography' under the guise of the Distribution Headworks Scheme for new and upgraded power connections in regional areas, and:

- (a) calls on the Minister to acknowledge that the terms of this Scheme, in which regional small businesses will pay tens of thousands of dollars for new connections, will be a disaster for the future of business development in country Western Australia; and
- (b) calls on the Minister to acknowledge that the State Government has a responsibility to provide backbone power infrastructure in regional areas, and that distribution infrastructure in the SWIS should be fully funded through Community Service Obligation support from Government.

9. Consistency in Water Reform Agenda (Notice given – 18/9/07)

Mr D.T. Redman: To move –

That this House calls on the State Government to show consistency and equity across its water reform agenda by:

- (a) licensing the 165,000 domestic bores in Perth; and
- (b) charging a flat annual fee across all categories of licence holders to recover the administrative costs associated with water licensing.

10. Licensing of Farm Dams (Notice given – 25/9/07)

Mr P.D. Omodei: To move –

That this House –

- (1) condemns the Carpenter Labor Government for failure to consult with landholders in relation to proposals to licence farm dams and calls on the Government to conduct a series of public meetings to clearly outline the intentions of the Government; and
- (2) calls on the Carpenter Government to allow management, control and dispute resolution of water licensing to reside locally with water committees and not with Government bureaucracy.

11. Strategic Community Located Saleyards (Notice given – 25/9/07)

Mr P.D. Omodei: To move –

That this House calls on the Carpenter Labor Government to directly intervene and stop the closure of strategic community located saleyards to ensure that these yards continue to operate as both transit facilities and for the conducting of sales by auction.

12. High Voltage Overhead Power Lines to the Grange Resources Project in Wellstead
(Notice given – 23/10/07)

Dr G.G. Jacobs: To move –

That this Government, in its proposal to run high voltage overhead power lines to supply power to the Grange Resources Project in Wellstead (north east of Albany), undertake to power proof the communities of the region and to engage in a full consultation process with land owners as well as fair and just compensation.

13. Housing Strategy and State's Public Housing Waiting List (Notice given – 23/10/07)

Mr T.R. Buswell: To move –

That this House condemns the Government for its failure to adequately implement a housing strategy and for failing the thousands of Western Australians who have been forced onto the State's public housing waiting list as a result of the State's unprecedented housing crisis.

14. Trade Scheme for WA Grown Produce (Notice given – 13/11/07)

Mr D.T. Redman: To move –

That this House calls on the State Government to implement a fair trade scheme for WA grown produce to benefit WA producers, modelled on the successful Fair Trade Foundation Scheme.

15. Effective Leadership (Notice given – 27/11/07)

Mr P.D. Omodei: To move –

That this House condemns the Carpenter Government for failing to provide effective leadership for the people of Western Australia.

16. Rural Communities and Meat Producers (Notice given – 27/11/07)

Mr P.D. Omodei: To move –

That this House calls on the State Government to support rural communities and meat producers in Western Australia by:

- (1) Quarantining the \$70 million proceeds of the sale of the Midland saleyards for the construction of new yards in Katanning, Kemerton and other centres;
- (2) Allocating some of the funds for regional yards as either selling facilities or transit yards;
- (3) Allocating funds to upgrade yards to meet work safe guidelines;
- (4) Allocating funds to facilitate the upgrade and or development of at least three modern abattoirs;
- (5) Freeing up approval processes to allow Government Departments and Industry to quickly and decisively address the lack of killing facilities and saleyards; and
- (6) Supporting the commitment by the Treasurer in 2002 "That all funds from the sale of Midland saleyards be quarantined for the building of a new saleyard complex at Muchea and upgrading and other regional facilities.

17. Law and Order Portfolio (Notice given 27/11/07)

Mr R.F. Johnson: To move –

That this House condemns the Carpenter Government for its failures in the law and order portfolio and its lack of integrity in Government.

18. Financial Management (Notice given 27/11/07)

Mr T.R. Buswell: To move –

That this House condemns the Carpenter Government for its financial mismanagement and for wasting the opportunities presented by the economic boom.

19. Procedure and Privileges Committee Inquiry (Notice given 29/11/07)

Mr P.D. Omodei: To move –

- (1) That this House requires the Procedure and Privileges Committee to inquire into and report on allegations made by the Hon. Shelley Archer MLC that the Premier misled the House in regard to his actions in requesting the resignation of Hon. Shelley Archer MLC.
- (2) That the Committee report to the Legislative Assembly by 1 April 2008.

20. Rights in Water and Irrigation Amendment Regulation (No. 3) 2007 (Notice given - 26/2/08)

Mr P.D. Omodei: To move –

That the *Rights in Water and Irrigation Amendment Regulation (No. 3) 2007* gazetted on 28 December 2007 be disallowed.

21. Logue Brook Dam (Notice given - 27/2/08)

Mr M.J. Cowper: To move –

That this House:

- (1) refers to the Economics and Industry Standing Committee for its inquiry into the decision by the Minister for Water Resources to close the Logue Brook Dam to public access from May 2008 and to investigate and make recommendations on:
 - (a) the necessity of using the dam for potable water supplies;
 - (b) whether dual use of the dam for potable water supplies and recreation could be safely achieved and, if so, what options are available;
 - (c) the suitability of Lake Kepwari as an alternative recreation facility;
 - (d) whether sufficient funds have been allocated to develop alternative recreation facilities in the South West of Western Australia; and
 - (e) any other related matters,
 and report to the Legislative Assembly by 30 August 2008.
- (2) calls on the Government not to remove the public access to Logue Brook Dam until after the Committee reports to the House.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY
1. Daylight Saving Amendment Bill (No. 2) 2007 (Mr M.J. Birney) (No. 196, 2r. – 21/3/07)

Second reading. Adjourned debate (Deputy Premier).

2. 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.

3. 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.

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

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

5. Industrial Relations (Prohibition of Bargaining Services Fees) Amendment Bill 2007 (Mr M.J. Cowper) (No. 221, 1r. – 21/6/07)

To be read a second time.

6. Children and Community Services Amendment (Body Piercing) Bill 2007 (Dr J.M. Woollard) (No. 230, 2r. – 29/8/07)

Second reading. Adjourned debate (Minister for the Environment).

7. Development of Infrastructure to Allow Power Generation Out of Albany (Moved – 13/9/06)

Adjourned debate (Mr R.F. Johnson) 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.

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

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

9. Professional Combat Sports Amendment Bill 2007 (Mr T.R. Sprigg) (No. 235, 2r. – 26/9/07)

Second reading. Adjourned debate (Minister for Police and Emergency Services).

10. *Misuse of Drugs (Methylamphetamine) Amendment Bill 2007 (Mr M.J. Cowper) (No. 222, 2r. – 26/9/07)

Second reading. Adjourned debate (Mr M.J. Cowper – continuation of remarks on the motion moved by Mr M.J. Cowper).

11. *Botanic Gardens and Parks Amendment Bill 2006 (Ms S.E. Walker) (No. 157, 2r. – 23/8/06)

Second reading. Adjourned debate (Deputy Premier).

12. Lobbying Disclosure and Accountability Bill 2007 (Dr E. Constable) (No. 242, 2r. – 17/10/07)

Second reading. Adjourned debate (Minister for the Environment).

13. Health Service to Regional and Rural Western Australia (Moved – 24/10/07)

Adjourned debate (Mr M.W. Trenorden – continuation of remarks) on the motion moved by Mr T.K. Waldron –

That this House calls on the Minister for Health to:

- (a) disband the hub and spoke model which is failing to deliver an adequate health service to regional and rural Western Australia; and
- (b) return to a model that adequately funds and resources country hospitals and nursing posts.

14. Criminal Code Amendment (Sale of Spray Paint Cans) Bill 2007 (Mr T.R. Sprigg) (No. 248, 2r. – 14/11/07)

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

15. Law and Order (Moved – 14/11/07)

Adjourned debate (Mr R.C. Kucera – continuation of remarks) on the motion moved by Mr P.D. Omodei –

That the Opposition condemns the Government on its lack of commitment to the justice system and a failure to provide a level of law and order that is acceptable to the people of Western Australia.

16. Greater Bunbury Regional Scheme (Moved – 21/11/07)

Adjourned debate (Mr M.P. Murray – continuation of remarks) on the motion moved by Dr S.C. Thomas –

That this House recognises the shortcomings of the Greater Bunbury Regional Scheme as tabled in October 2007, and calls on the Government to:

- (1) provide adequate resources as a matter of urgency to update the Scheme;
- (2) provide additional adequate resources to manage the current and additional lands acquired or listed as Regional Open Space;
- (3) extend the Scheme to include the Shires of Collie and Donnybrook–Balingup; and
- (4) address the concerns of private property owners more adequately.

17. Corruption and Crime Commission Amendment (Investigative Function) Bill 2007 (Mr P.D. Omodei) (No 262, 2r. – 27/11/07)

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

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

Second reading. Adjourned debate (Mr B.S. Wyatt – continuation of remarks).

19. 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.

20. Acts Amendment (Assaults on Police Officers) Bill 2008 (Mr R.F. Johnson) (No. 267, 1r. – 27/2/08)

To be read a second time.

WEDNESDAY, 12 MARCH 2008

BILL – NOTICE OF MOTION

1. **Criminal Code Amendment Bill 2008** (Notice given 28/11/07)

Ms S.E. Walker: To move –

That a Bill for “An Act to amend the *Criminal Code 1913*.” be introduced and read a first time

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.

COMMITTEES TO REPORT

Procedure and Privileges Committee – E-Petitions and E-Parliament Feasibility Study	– 28 March 2008
Joint Standing Committee on the Corruption and Crime Commission – Inquiry into the Efficacy of Public Hearings by the Corruption and Crime Commission	– March 2008
Procedure and Privileges Committee – Review of Legislative Assembly’s Committee System	– 10 April 2008
Public Accounts Committee – Funding Arrangements for Western Australian Infrastructure Projects	– 1 June 2008
Education and Health Standing Committee – Inquiry into Successful Initiatives in Remote Aboriginal Communities	– 20 November 2008
Community Development and Justice Standing Committee – Collaborative Approaches in Government	– 27 November 2008
Procedure and Privileges Committee – Inquiry into Allegations of Misconduct Referred to the Corruption and Crime Commission	– 16 October 2008

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Due Date</i>
Community Development and Justice Standing Committee – Inquiry into Western Australia’s Natural Disaster Relief Arrangements	Premier; Treasurer; Minister representing the Minister for Local Government; Minister representing the Minister for Regional Development; Minister for Heritage	10 August 2007 [non-compliance reported 15 August 2007]
Education and Health Standing Committee – A Successful Initiative – Family Income Management	Minister for Indigenous Affairs; Minister for Communities	29 February 2008
Education and Health Standing Committee – Initiatives in Remote Indigenous Communities of the Torres Strait Region	Minister for Federal-State Relations; Minister for Indigenous Affairs; Minister representing the Minister for Local Government	4 May 2008

REFERENCES TO COMMITTEES

<i>Committee</i>	<i>Reference</i>	<i>Date Due</i>
Community Development and Justice Standing Committee	Prosecution of Assaults and Sexual Offences	10 April 2008
Economics and Industry Standing Committee	Water Licensing and Services	28 February 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 ”.

Misuse of Drugs (Methylamphetamine) Amendment Bill 2007 (No .222—1)

Clause 3.

Mr M.J. Cowper: To move –

Page 3, line 3 – To delete “1979” and substitute –

“ 1981 ”.

Police Amendment Bill 2006 (No. 184—1)

Message No. 181.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Police Amendment 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 Police Amendment Bill 2006

No. 1

Clause 10, page 6, lines 27 to 31 — To delete the lines and insert instead —

“

- (2) An APLO's appointment is —
 - (a) for such period as the Commissioner decides; and
 - (b) on such terms and conditions of service, including remuneration, as the Commissioner decides from time to time; but they must not be less favourable than is provided for in —
 - (i) any applicable award, order or agreement under the *Industrial Relations Act 1979*; or
 - (ii) the *Minimum Conditions of Employment Act 1993*.
- (3) The Commissioner may at any time amend those terms of an APLO's appointment referred to in section 38C(3).

”.

No. 2

Clause 10, page 7, lines 6 and 7 — To delete the lines.

No. 3

Clause 10, page 8, line 1 — To delete “section 38B(2)” and insert —

“ section 38B(3) ”.

Public Trustee and Trustee Companies Legislation Amendment Bill 2006 (No. 102—2)

Message No. 182

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Public Trustee and Trustee Companies Legislation Amendment Bill 2006* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Public Trustee and Trustee Companies Legislation Amendment Bill 2006

No. 1

Clause 24, page 14, after line 24 — To insert —

“

- (5) The *Interpretation Act 1984* section 42 applies to and in relation to a scale of fees as if the scale of fees were regulations made under this Act.

”.

PETER J. MCHUGH

Clerk of the Legislative Assembly