

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 221

TUESDAY, 14 AUGUST 2012, 3.00pm

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions to Introduce Bills, Notices of Motions for Disallowance, Notices of Motions, Motions Without Notice, Motions and Orders of the Day, Questions without Notice.

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MOTIONS

1. Redress WA - Payments (*Notice given 17 May 2011*)

Continuation of remarks Hon Alison Xamon – 42 mins (Wednesday, 27 June 2012) on the amendment of the Minister for Child Protection as follows –

To delete all the words after “decision” and insert —

to make the maximum payment available to Redress applicants was to be \$45,000, notes the extra \$30 million put into the scheme and congratulates the Government on delivering payments to all eligible Redress applicants.

to the motion of Hon Sue Ellery as follows –

That this House agrees with the comments by Premier Barnett that the Government’s decision to cut the maximum payment available to Redress WA applicants from \$80,000 to \$45,000 was “a bit too tough”, notes the devastating effect this second betrayal has had on many of the applicants and calls on the Government to re-visit this decision.

Total time remaining on motion – 1 hr 56 mins.

2. Pilbara Cities - Development Strategy and Plan (*Notice given 17 May 2011*)

Hon Jon Ford: To move -

That the Legislative Council calls on the Minister for Regional Development and the Premier to explain to the people of Western Australia the strategy and plan to develop the Pilbara Cities policy including -

- (a) how water will be supplied and how much it will cost;
- (b) how power will be supplied and how much it will cost;
- (c) how many new schools will be built and how the staff will be housed;

- (d) how many new ancillary health providers are required and how they will be housed; and
- (e) what the Government will do to ensure there is adequate affordable housing.

3. State Suicide Prevention Strategy (*Notice given 17 May 2011*)

Hon Ljiljanna Ravlich: To move -

That this House condemns the Barnett Government for its failure to honour its election commitment to spend \$13 million in the first two years of government to develop a comprehensive WA State Suicide Prevention Strategy with a particular emphasis on young people, young men, Aboriginal people and people who live in rural and regional Western Australia, and calls on the Government to support a coronial investigation into the rate of suicide.

4. Universal Child Health Checks (*Notice given 24 May 2011*)

Hon Linda Savage: To move -

That this House calls on the Government to implement the recommendations of the Auditor General's Report 11 – November 2010 'Universal Child Health Checks'.

5. Child and Adolescent Mental Health Service - Funding (*Notice given 24 May 2011*)

Hon Ljiljanna Ravlich: To move -

That this House notes the findings from the Commissioner for Children and Young People in the inquiry into the mental health and wellbeing of children and young people in Western Australia, and calls on the Minister for Mental Health to immediately implement the recommendations by providing extra funding for the Child and Adolescent Mental Health Service.

6. Public Housing - Financial Hardship for Western Australian Seniors (*Notice given 25 May 2011*)

Hon Sue Ellery: To move -

That this House notes that the decision of the Western Australian Government to end the moratorium on including increases in pension rates in its rental charges for public housing has created additional financial hardship for Western Australian seniors.

7. Mental Health Reforms (*Notice given 25 May 2011*)

Hon Ljiljanna Ravlich: To move -

That this House calls on the Minister for Mental Health to explain —

- (a) why the new Mental Health Act will not be introduced in Parliament until mid-2012; and
- (b) why the Barnett Government has failed to deliver reform in the area of Mental Health.

8. Mental Health Services (*Notice given 25 May 2011*)

Hon Ljiljanna Ravlich: To move -

That this House condemns the Barnett Government and the Minister for Mental Health for their cuts to Mental Health services and their failure to implement policy decisions.

9. Select Committee into the Prolonged Detention Without Conviction of Mr Marlon Noble - Establishment (*Notice given 22 September 2011*)

Hon Alison Xamon: To move -

- (1) That a select committee of five members is appointed.
- (2) The committee is to inquire into and report on —
 - (a) the circumstances surrounding the laying of the original charges against Mr Marlon Noble;

- (b) the circumstances surrounding the making of the custody order against Mr Marlon Noble; and
 - (c) the Mentally Impaired Accused Review Board's handling of Mr Marlon Noble's case following the making of the custody order.
- (3) The committee is to report to the House no later than 1 December 2012.

10. Resources Boom - Access to Future Economic Benefits (*Notice given 19 October 2011*)

Hon Jon Ford: To move -

That this House condemns the Barnett Government for its lack of vision, investment and action in ensuring that Western Australia uses the resource boom to build its capacity to provide economic certainty for all citizens well beyond the boom years.

11. Uranium Mining Ban (*Notice given 22 November 2011*)

Hon Jon Ford: To move -

That this House condemns the Barnett Government's lifting of Western Australia's long standing ban on uranium mining, and asks the Government how it can ensure that Western Australians -

- (a) will not be encumbered with long term financial commitments to manage radioactive and heavy metal contaminated sites for over a thousand years of future generations;
- (b) interests can be protected with public sector advice that current approvals can be granted by accepting industry assertions that the environment will not be contaminated by mining waste over the next thousand years or more; and
- (c) that Occupational Safety and Health regulators and laws are now, and will in the future be, competent and adequate to ensure workers and their families are not endangered by this uranium industry?

12. Social Work Profession - Inclusion in National Registration and Accreditation Scheme (*Notice given 22 November 2011*)

Hon Alison Xamon: To move -

That this House calls on the Minister for Health to immediately take action to protect the health and wellbeing of the Australian public by working with other Australian Government, State and Territory Health Ministers to include the social work profession in the National Registration and Accreditation Scheme.

13. Planning for Children in Care (*Notice given 29 November 2011*)

Hon Sue Ellery: To move -

That this House notes the findings of the 'Planning for Children in Care: An Ombudsman's Own Motion Investigation into the administration of the care planning provisions of the *Children and Community Services Act 2004*' including widespread non-compliance with the Act and calls on the Minister for Child Protection to explain the discrepancy between that report and answers provided to the House.

14. Mr Neil Winzer (*Notice given 29 November 2011*)

Hon Max Trenorden: To move -

That the Legislative Council calls on the Public Sector Commissioner to -

- (a) conclude expeditiously the re-instatement of Mr Neil Winzer to the Western Australian Public Sector; and
- (b) apply to Mr Neil Winzer the rules of natural justice required when dealing with State public servants.

15. Gender Pay Gap (*Notice given 20 March 2012*)

Hon Linda Savage: To move –

That the Council notes that based on average weekly earnings, the gender pay gap in Western Australia in the August (2001) quarter was 28.7 per cent and calls on the Government to take urgent action, including conducting a Pay Equity Inquiry.

16. Royal Commission into Alleged Abuse in State Institutions (*Notice given 12 June 2012*)

Hon Alison Xamon: To move –

- (1) That this House calls upon the Premier to initiate a Royal Commission into alleged abuses committed in Institutions that housed Wards of the State during the period 1945 to 1975 inclusive, including (but not limited to) the following Institutions —
 - (a) Bindoon Boys Town;
 - (b) Bridgewater Care and Assessment Centre;
 - (c) Castledare;
 - (d) Clontarf;
 - (e) Fairbridge Farm School;
 - (f) Hillston;
 - (g) Home of the Good Shepherd;
 - (h) Longmore Remand and Assessment Centre;
 - (i) Mofflyn;
 - (j) Mt Lawley Receiving Home;
 - (k) Mogumber;
 - (l) Nazareth House;
 - (m) New Norcia;
 - (n) Ngala;
 - (o) Nyandi;
 - (p) Parkerville Children and Youth Care;
 - (q) Riverbank;
 - (r) Roelands Mission;
 - (s) Salvation Army Home at Seaforth;
 - (t) Sister Kate's;
 - (u) St Josephs Orphanage;
 - (v) Swan Girls Home;
 - (w) Swan Boys Orphanage;
 - (x) Swanleigh;
 - (y) Tardun Farm School; and
 - (z) Wanslea.
- (2) That the terms of reference for the Royal Commission include (but not be limited to) the following —
 - (a) to determine the long term impact any identified abuses have had upon the cohort of children subject to these abuses including mental, physical and financial costs;
 - (b) to address what services and compensation needs to be made available to address these impacts;
 - (c) to identify what circumstances and conditions enabled these abuses to occur and to identify where these circumstances and conditions still exist and how they can be addressed; and

- (d) to identify any perpetrators who may still be working with children and as such may still pose a risk to children.

17. Form of Prayer (*Notice given 13 June 2012*)

Hon Sally Talbot: To move –

That a revised form of Prayer, as contained in the Appendix to this motion, be adopted by the Council.

Appendix

Almighty God, we ask for your blessing upon this Legislative Council. Direct and prosper our deliberations to the true welfare of Western Australia and its people. *Amen.*

18. Fines, Penalties and Infringement Notices Enforcement Amendment (Taxation) Bill 2012 – Rescission of Vote (*Notice given 28 June 2012*)

Attorney General: To move –

That the vote passed by this Council on 27 June 2012 on the second reading of the *Fines, Penalties and Infringement Notices Enforcement Amendment (Taxation) Bill 2012* is hereby rescinded and consequent thereon that the Bill be restored to the Notice Paper.

MOTIONS FOR DISALLOWANCE

1. City of Bayswater Standing Orders Local Law 2012 (*Notice given 28 June 2012 moves pro forma on 16 August 2012*)

Hon Sally Talbot: To move –

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Bayswater Standing Orders Local Law 2012* published in the *Gazette* on 22 May 2012 and tabled in the Legislative Council on 12 June 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4573).

2. Shire of York Local Government Property Local Law 2012 (*Notice given 28 June 2012 moves pro forma on 16 August 2012*)

Hon Sally Talbot: To move –

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of York Local Government Property Local Law 2012* published in the *Gazette* on 1 May 2012 and tabled in the Legislative Council on 15 May 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4495).

3. Mindarie Regional Council Waste Facility Site Local Law 2012 (*Notice given 28 June 2012 moves pro forma on 16 August 2012*)

Hon Sally Talbot: To move –

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Mindarie Regional Council Waste Facility Site Local Law 2012* published in the *Gazette* on 11 May 2012 and tabled in the Legislative Council on 15 May 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4495).

BILLS FOR INTRODUCTION

1. **Beverage Container Deposit and Recovery Scheme Bill 2011** (*Notice given 31 August 2011*)

Hon Robin Chapple: To move -

That a Bill for “An Act to establish a Beverage Container Deposit and Recovery Scheme.” be introduced and read a first time.

2. **Climate Change Readiness (Coastal Planning and Protection) Bill 2012** (*Notice given 29 March 2012*)

Hon Lynn MacLaren: To move –

That a Bill for “An Act to provide for planning and development in the coastal zone, the management of the coastal zone, and for related purposes.” be introduced and read a first time.

3. **Retirement Villages Amendment Bill 2012** (*Notice given 19 June 2012*)

Minister for Commerce: To move –

That a Bill for “An Act to amend the *Retirement Villages Act 1992*.” be introduced and read a first time.

ORDERS OF THE DAY

1. **Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Women’s and Children’s Hospitals Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

2. **Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011* published in the *Gazette* on 9 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Queen Elizabeth II Medical Centre Act 1966*, be and are hereby disallowed. (Tabled paper 4222).

3. **Royal Perth Hospital Amendment By-laws (No. 2) 2011 – Disallowance**

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Royal Perth Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

4. Metropolitan Health Service Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Metropolitan Health Service Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

5. Fremantle Hospital Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Fremantle Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

6. Osborne Park Hospital Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Osborne Park Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

7. Hospitals (Services Charges) Amendment Regulations (No. 7) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 22 March 2012 on the motion of Hon Ken Travers (Days remaining 5 after today)

That the *Hospitals (Services Charges) Amendment Regulations (No. 7) 2011* published in the *Gazette* on 30 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4236).

8. Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Queen Elizabeth II Medical Centre (Delegated Site) Amendment By-laws (No. 2) 2011* published in the *Gazette* on 9 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Queen Elizabeth II Medical Centre Act 1966*, be and are hereby disallowed. (Tabled paper 4222).

9. Fremantle Hospital Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Fremantle Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

10. Osborne Park Hospital Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Osborne Park Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

11. Royal Perth Hospital Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Royal Perth Hospital Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

12. Women's and Children's Hospitals Amendment By-laws (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Women's and Children's Hospitals Amendment By-laws (No. 2) 2011* published in the *Gazette* on 23 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 4221).

13. Liquor Control Amendment Regulations (No. 10) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Liquor Control Amendment Regulations (No. 10) 2011* published in the *Gazette* on 6 January 2012 and tabled in the Legislative Council on 6 March 2012 under the *Liquor Control Act 1988*, be and are hereby disallowed. (Tabled paper 4167).

14. Children's Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Children's Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Children's Court of Western Australia Act 1988*, be and are hereby disallowed. (Tabled paper 4247).

15. Civil Judgements Enforcement Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Civil Judgements Enforcement Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Civil Judgements Enforcement Act 2004*, be and are hereby disallowed. (Tabled paper 4248).

16. Coroners Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Coroners Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Coroners Act 1996*, be and are hereby disallowed. (Tabled paper 4249).

17. District Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *District Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *District Court of Western Australia Act 1969*, be and are hereby disallowed. (Tabled paper 4250).

18. Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Evidence Act 1906*, be and are hereby disallowed. (Tabled paper 4251).

19. Magistrates Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Magistrates Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Magistrates Court Act 2004*, be and are hereby disallowed. (Tabled paper 4253).

20. State Administrative Tribunal Amendment Regulations (No. 5) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *State Administrative Tribunal Amendment Regulations (No. 5) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *State Administrative Tribunal Act 2004*, be and are hereby disallowed. (Tabled paper 4256).

21. Supreme Court (Fees) Amendment Regulations (No. 2) 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Supreme Court (Fees) Amendment Regulations (No. 2) 2011* published in the *Gazette* on 20 December 2011 and tabled in the Legislative Council on 6 March 2012 under the *Supreme Court Act 1935*, be and are hereby disallowed. (Tabled paper 4257).

22. Town of Bassendean Repeal Local Law 2010 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Bassendean Repeal Local Law 2010* published in the *Gazette* on 20 January 2012 and tabled in the Legislative Council on 6 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4212).

23. Town of Bassendean Dust and Sand Local Law 2011 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Bassendean Dust and Sand Local Law 2011* published in the *Gazette* on 6 March 2012 and tabled in the Legislative Council on 21 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4329).

24. City of Busselton Busselton Regional Airport Local Law 2012 – Disallowance

Moved *pro forma* (SO 66(3)) 24 May 2012 on the motion of Hon Sally Talbot (Days remaining 7 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Busselton Busselton Regional Airport Local Law 2012* published in the *Gazette* on 24 February 2012 and tabled in the Legislative Council on 6 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4209).

25. City of Swan Standing Orders Local Law 2010 – Disallowance

Moved *pro forma* (SO 66(3)) 19 June 2012 on the motion of Hon Alyssa Hayden (Days remaining 11 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Swan Standing Orders Local Law 2010* published in the *Gazette* on 16 March 2012 and tabled in the Legislative Council on 21 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4329).

26. Mindarie Regional Council Standing Orders Amendment Local Law 2012 – Disallowance

Moved *pro forma* (SO 66(3)) 21 June 2012 on the motion of Hon Sally Talbot (Days remaining 13 after today)

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Mindarie Regional Council Standing Orders Amendment Local Law 2012* published in the *Gazette* on 20 March 2012 and tabled in the Legislative Council on 27 March 2012 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 4368).

27. *Criminal Investigation Amendment Bill 2009 [LA 089-1] Minister for Education representing the Minister for Police

Second reading adjourned (Tuesday, 17 November 2009). See *Standing Committee on Legislation Report No. 16* (Tabled 21 October 2010). cf *SNP 89 Issue 3 - 11 November 2010*.

28. *Occupational Licensing National Law (WA) Bill 2010 [LA 166-2] Minister for Commerce

Second reading adjourned (Thursday, 25 November 2010). See *Standing Committee on Uniform Legislation and Statutes Review Report No. 61* (Tabled 14 April 2011).

29. *Evidence and Public Interest Disclosure Legislation Amendment Bill 2011 [LC 232-1B] Attorney General

Committee (Thursday, 10 November 2011). *See Standing Committee on Procedure and Privileges Report No. 23 (Tabled 29 November 2011). cf SNP 232 Issue 2 - 1 December 2011.*

30. *Criminal Investigation (Covert Powers) Bill 2011 [LA 210-2] Minister for Education representing the Minister for Police

Committee progress clause 5 (Thursday, 14 June 2012). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 69 (Tabled 6 March 2012). cf SNP 210 Issue 8 – 12 June 2012.*

31. *Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2012 [LA 266-1] Attorney General

Committee. (Wednesday, 27 June 2012). *cf SNP 266 Issue 2 – 12 June 2012.*

32. Lotteries Commission Amendment Bill 2011 [LA 229-2] Leader of the House representing the Premier

Second reading continuation of remarks Hon Sally Talbot – 21 mins (Thursday, 28 June 2012).

33. *Fire and Emergency Services Legislation Amendment Bill 2012 [LA 276-2] Minister for Education representing the Minister for Emergency Services

Second reading adjourned (Thursday, 21 June 2012). *cf SNP 276 Issue 1 – 28 June 2012.*

34. *Water Services Bill 2011 [LA 202-2] Minister for Mental Health representing the Minister for Water

Second reading adjourned (Thursday, 21 June 2012). *cf SNP 202 Issue 1 – 28 June 2012.*

35. Water Services Legislation Amendment and Repeal Bill 2011 [LA 201-2] Minister for Mental Health representing the Minister for Water

Second reading adjourned (Thursday, 21 June 2012).

36. *Wills Amendment (International Wills) Bill 2012 [LC 269-1] Attorney General

Second reading adjourned (Wednesday, 16 May 2012). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 72 (Tabled 28 June 2012).*

37. Standing Committee on Public Administration – Special Report – Special Report in relation to Report 14 – Unassisted Failure – Committee Report (Tabled 3 May 2012)

Resumption of debate adjourned Leader of the House (Wednesday, 3 May 2012), on the motion of Hon Max Trenorden as follows -

That the Report be adopted and agreed to. *See Tabled paper No. 4776.*

38. Standing Committee on Uniform Legislation and Statutes Review - Letter of Appointment pursuant to Standing Order 159(2) (1 May 2012)

Consideration. *See Tabled paper No. 4388.*

39. *Water Services Licensing (Water Conservation Target) Amendment Bill 2008 [LC 025-1] Hon Alison Xamon

Second reading continuation of remarks Hon Ljiljanna Ravlich - mins 38 (Thursday, 11 November 2010). *cf SNP 25 Issue 1 - 15 September 2010.*

40. Perth Hills Planning Bill 2010 [LC 111-1B] Hon Alison Xamon

Second reading adjourned (Tuesday, 21 September 2010).

41. *Occupational Safety and Health Amendment Bill 2010 [LC 143-1] Hon Alison Xamon

Second reading resumption of debate adjourned (Thursday, 1 December 2011), on the motion of Hon Jon Ford as follows -

That -

- (1) The *Occupational Safety and Health Amendment Bill 2010* be discharged and referred to the Standing Committee on Legislation for consideration and report.
- (2) The committee is to inquire into and report on the policy of the Bill.

cf SNP 143 Issue 1 - 15 March 2011.

42. Industrial Relations (Equal Remuneration) Amendment Bill 2011 [LC 237-1] Hon Alison Xamon

Second reading adjourned (Thursday, 20 October 2011).

43. Franchise Agreements Bill 2011 [LC 256-1] Hon Ljiljanna Ravlich

Second reading adjourned (Thursday, 24 November 2011).

44. Mining (Community Protection) Amendment Bill 2012 [LC 281-1] Hon Giz Watson

Second reading adjourned (Thursday, 24 May 2012).

45. Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament (Tabled 7 May 2009)

Continuation of remarks Leader of the House (Thursday, 14 May 2009) on the motion of Hon George Cash as follows -

That Recommendations one to six of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament, be adopted and agreed to.

See Tabled paper No. 719.

46. Procedure and Privileges Committee - Report No. 19 - Petition for Relief - Noel Crichton-Browne (Moved 3 December 2008)

Resumption of debate adjourned Hon Bruce Donaldson (Wednesday, 3 December 2008), on the motion of Hon George Cash as follows -

That the Report do lie upon the Table and be printed and adopted and agreed to.

See Tabled paper No. 400.

47. Joint Standing Committee on the Corruption and Crime Commission - Report No. 2 - Report on the Relationship Between the Parliamentary Inspector and the Commissioner of the Corruption and Crime Commission (Tabled 19 March 2009)

Consideration of recommendations. (Moved 20 August 2009)

See Tabled paper No. 598.

48. Standing Committee on Estimates and Financial Operations - Report No. 31 - Report on the 2008/2009 Agency Annual Reports: Request for a Member of the Legislative Assembly to Appear Before the Committee (Moved 18 November 2010)

Resumption of debate adjourned Leader of the House (Thursday, 18 November 2010), on the motion of Hon Ken Travers as follows -

That the Report do lie upon the Table and be printed and adopted and agreed to.

See Tabled paper No. 2835.

49. Standing Committee on Estimates and Financial Operations - Report No. 34 - Interim Report of the Inquiry into the Western Australian Tourism Commission's Involvement in Major Tourism Events: Request for a Member of the Legislative Assembly to appear before the Committee (*Moved 12 April 2011*)

Resumption of debate adjourned Leader of the House (Tuesday, 12 April 2011), on the motion of Hon Giz Watson as follows -

That the Report do lie upon the Table and be printed and adopted and agreed to.

See Tabled paper No. 3225.

50. Standing Committee on Estimates and Financial Operations – Special Report – 2012/13 Budget Estimates Hearings (*2 May 2012*)

Consideration. *See Tabled paper No. 4455.*

51. Government Election Promises (*Moved 1 April 2010*)

Continuation of remarks adjourned (Temporary Order 7(2)) Hon Wendy Duncan - mins 6 (Thursday, 1 April 2010) on the motion of Hon Kate Doust as follows -

Noting the WA economy is continuing to grow, that this House condemns the Barnett Government for failing WA families by breaking election promises and imposing huge increases in family bills.

Total time remaining on motion – 9 mins.

52. Jandakot Airport (*Moved 20 May 2010*)

Resumption of debate adjourned (Temporary Order 7(2)) (Thursday, 20 May 2010), on the motion of Hon Lynn MacLaren as follows -

That this House calls on the Rudd Government to reconsider its 19 March 2010 approval of the Jandakot Airport Master Plan, and its 26 March 2010 environmental approval of future development at Jandakot Airport, particularly in view of -

- (a) the current lack of proper integration between the proposed new development within the Jandakot Airport land, and State and local planning in surrounding areas, including in relation to the important issue of protecting communities from excessive aircraft noise;
- (b) the unacceptable risks to the quality and quantity of groundwater, and the environmental values of the Jandakot mound; and
- (c) the loss of yet more bush Forever land with the promise of offsets unlikely to adequately compensate for that loss.

Total time remaining on motion – 31 mins.

53. Greenhouse Emissions (*Moved 1 July 2010*)

Continuation of remarks adjourned (Temporary Order 7(2)) Hon Peter Collier - mins 7 (Thursday, 1 July 2010) on the motion of Hon Robin Chapple as follows -

That this Council calls on the State Government to —

- (a) detail current annual greenhouse emissions from all sources in Western Australia;
- (b) detail the projected level of annual greenhouse emissions from all sources in Western Australia annually until 2020, including currently approved new proposals; and
- (c) explain the State Government's strategies, if any, to attempt to constrain or reduce these projected levels of emissions.

Total time remaining on motion – 30 mins.

54. Review and Allocation Funding of District High Schools (*Moved 18 November 2010*)

Continuation of remarks adjourned (Temporary Order 7(2)) Hon Brian Ellis - mins 1 ((Thursday, 18 November 2010)) on the motion of Hon Matt Benson-Lidholm as follows -

That this House expresses its disappointment in the lack of strategic direction in school education, and calls on the Government to reinstate the senior school allocation funding to the 21 District High Schools, from which it was removed for the 2011 academic year and at the same time, commence a complete review into the delivery of year 11 and 12 programs at all District High Schools.

Total time remaining on motion – 6 mins.

55. Kimberley - Sustainable Economic Development (*Moved 23 June 2011*)

Continuation of remarks adjourned (Temporary Order 7) Hon Donna Faragher - 8 mins (Thursday, 23 June 2011) on the motion of Hon Robin Chapple as follows -

That this Council criticises the Barnett-Grylls Government for failing to commit to genuine protection of the Kimberley, and for demonstrating that they clearly prioritise industrialisation over the appropriate protection and the sustainable economic development of the Kimberley.

Total time remaining on motion – 14 mins.

56. Smoking Bans in Mental Health Facilities (*Moved 3 November 2011*)

Continuation of remarks adjourned (Temporary Order 7) Hon Alison Xamon - 2 mins (Thursday, 3 November 2011) on the motion of Hon Ljiljanna Ravlich as follows -

That this House expresses its concern about the adverse impact of smoking bans in secure mental health facilities on the occupational health and safety of mental health workers and patients and calls on the Barnett Government to lift the smoking ban in secure mental health facilities and introduce instead designated smoking areas.

Total time remaining on motion – 32 mins.

57. Asbestos in Western Australia (*Moved 24 November 2011*)

Continuation of remarks adjourned (Temporary Order 7) Hon Adele Farina - 8 mins (Thursday, 24 November 2011) on the motion of Hon Jon Ford as follows -

The Legislative Council notes that it is National Asbestos Disease Awareness Week and the devastating effect that the long term mining and use this deadly substance has had on many Western Australians and will continue to in the future and calls on the Barnett Government to detail what plans and actions it will implement to clean up and to mitigate the effects of asbestos in Western Australia.

Total time remaining on motion – 7 mins.

58. Mental Health Patient Facilities (*Moved 22 March 2012*)

Continuation of introductory remarks adjourned (SO 23(1)(c)) Hon Ljiljanna Ravlich - 8 mins (Thursday, 22 March 2012) in moving the motion as follows -

That this Council calls on the Minister for Mental Health to explain why the Government is failing to provide adequate facilities and supervision for mental health patients, particularly those at the Mental Health Unit at Rockingham Hospital.

Total time remaining on motion – 1hr 8 mins.

CONSIDERATION OF COMMITTEE REPORTS

1. **Joint Standing Committee on the Corruption and Crime Commission – Report No. 25 – The use of Public Examinations by the Corruption and Crime Commission – Committee Report** (*Tabled 27 March 2012*)

On the motion of Hon Nick Goiran (Wednesday, 27 June 2012) debate was adjourned to the next sitting. *See Tabled paper No. 4369.*

2. **Joint Standing Committee on the Corruption and Crime Commission – Report No. 27 – Discontinuance of Contempt Proceedings against Members of the Coffin Cheaters Motorcycle Club – Committee Report** (*Tabled 14 June 2012*)

On the motion of Hon Nick Goiran (Wednesday, 27 June 2012) debate was adjourned to the next sitting. *See Tabled paper No. 4611.*

3. **Standing Committee on Environment and Public Affairs – Report No. 26 – Petition No. 145 – The Closure of Tier 3 Rail Lines in the Central Wheatbelt – Committee Report** (*Tabled 21 June 2012*)

On the motion of the Minister for Finance (Wednesday, 27 June 2012) debate was adjourned to the next sitting. *See Tabled paper No. 4667.*

4. **Standing Committee on Public Administration – Special Report – Committee Report** (*Tabled 27 June 2012*)

Consideration. *See Tabled paper No. 4706.*

5. **Joint Standing Committee on the Corruption and Crime Commission – Report No. 28 – Proceeds of crime and unexplained wealth: A role for the Corruption and Crime Commission? – Committee Report** (*Tabled 28 June 2012*)

Consideration. *See Tabled paper No. 4714.*

BILLS REFERRED TO COMMITTEES

1. **Community Protection (Offender Reporting) Amendment Bill 2011** [*LA 235–2*] *Minister for Energy representing the Minister for Police*

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review. (SO 126 applies until 1 July 2012).

Second reading adjourned (Thursday, 17 May 2012).

GOVERNMENT RESPONSES

<i>Committee</i>	<i>Minister</i>	<i>Due Date</i>
<p>Standing Committee on Estimates and Financial Operations</p> <p><i>Report 32. Budget of the Office of the Auditor General and Review of Auditor General's Audit Results Report - Annual 2009/10 Assurance Audits</i></p> <p>Tabled 9 August 2011. TP#3487</p>	Premier	9 December 2011
<p># Joint Standing Committee on the Corruption and Crime Commission</p> <p><i>Report 25. The use of Public Examinations by the Corruption and Crime Commission</i></p> <p>Tabled 27 March 2012. TP#4369</p>	Attorney General	27 June 2012
<p>Joint Standing Committee on Delegated Legislation</p> <p><i>Report 49. Annual Report 2011</i></p> <p>Tabled 3 May 2012. TP#4479</p>	Leader of the House	3 July 2012
<p># Joint Standing Committee on the Corruption and Crime Commission</p> <p><i>Report 27. Discontinuance of Contempt Proceedings against Members of the Coffin Cheaters Motorcycle Club</i></p> <p>Tabled 14 June 2012. TP#4611</p>	Attorney General	14 September 2012
<p>Standing Committee on Environment and Public Affairs</p> <p><i>Report 26. Petition No. 145 – The Closure of Tier 3 Rail Lines in the Central Wheatbelt</i></p> <p>Tabled 21 June 2012. TP#4667</p>	Minister for Transport	21 August 2012

<i>Committee</i>	<i>Minister</i>	<i>Due Date</i>
# Joint Standing Committee on the Corruption and Crime Commission <i>Report 28. Proceeds of crime and unexplained wealth: A role for the Corruption and Crime Commission?</i> Tabled 28 June 2012. <i>TP#4714</i>	Attorney General	28 September 2012

* For amendments see Supplementary Notice Paper and/or Committee Report

Note: Legislative Assembly Standing Order 277(1) applies.

For a list of all Petitions tabled see cumulative Tabled Paper list.

MALCOLM PEACOCK

Clerk of the Legislative Council