

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 135

THURSDAY, 26 MARCH 2015, 9.00 a.m.

Prayers ★

Petitions

Papers

Giving Notice of Motion

Brief Ministerial Statements ★

Questions Without Notice	–	approximately 2.00 p.m. each day
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Matter of Public Interest	–	one per week on any day
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Private Members' Business	–	4.00 p.m. to 7.00 p.m. Wednesdays
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Grievances	–	approximately 9.00 a.m. Thursdays
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Private Members' Statements	–	12.50 p.m. Thursdays
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** Note: On days when the Assembly meets at 2.00 p.m. Brief Ministerial Statements and Questions Without Notice will follow immediately after Prayers.*

Memorandum: 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.

BILLS – NOTICES OF MOTION

1. Taxation Legislation Amendment Bill 2015 (Notice given – 25/3/15)

The Minister for Finance: To move –

That a Bill for “An Act to amend the following Acts –

- the *Duties Act 2008*;
- the *Land Tax Assessment Act 2002*;
- the *Pay-roll Tax Assessment Act 2002*.”

be introduced and read a first time.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

- 1. Barrow Island Amendment Bill 2015** (Minister for State Development) (No. 87, 2r. – 18/3/15)

Second reading. Adjourned debate (Mr M.J. Cowper – continuation of remarks).

- 2. Associations Incorporation Bill 2014** (Parliamentary Secretary to the Minister for Commerce) (No. 90, 2r. – 11/9/14)

To be read a third time.

- 3. Public Health Bill 2014** (Minister for Health) (No. 103, 2r. – 26/11/14)

Second reading. Adjourned debate (Mr R.H. Cook).

- 4. Public Health (Consequential Provisions) Bill 2014** (Minister for Health) (No. 104, 2r. – 26/11/14)

Second reading. Adjourned debate (Mr R.H. Cook).

- 5. *Aboriginal Heritage Amendment Bill 2014** (Deputy Premier) (No. 81, 2r. – 27/11/14)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 6. Sentencing Amendment Bill 2014** (Minister for Police) (LC No. 88, 2r. – 24/2/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 7. Integrity (Lobbyists) Bill 2014** (Premier) (No. 98, 2r. – 26/11/14)

Second reading. Adjourned debate (Ms R. Saffioti).

- 8. Land Acquisition Legislation Amendment (Compensation) Bill 2014** (Premier) (No. 100, 2r. – 27/11/14)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 9. Local Government Legislation Amendment Bill 2014** (Minister for Local Government) (No. 108, 2r. – 27/11/14)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 10. Appropriation (Capital 2010-11 to 2013-14) Supplementary Bill 2014** (Treasurer) (No. 106, 2r. – 27/11/14)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 11. Appropriation (Recurrent 2010-11 to 2013-14) Supplementary Bill 2014** (Treasurer) (No. 105, 2r. – 27/11/14)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 12. *Joint Standing Committee on Delegated Legislation – Application of Standing Orders** (Leader of the House)

Consideration in detail of Legislative Council Message No. 67.

- 13. Premier's Statement**

Adjourned debate (Leader of the House) on the question, That the Premier's Statement be noted.

- 14. Aquatic Resources Management Bill 2015** (Deputy Premier) (No. 52, 2r. – 24/2/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

- 15. Aquatic Resources Legislation Amendment Bill 2015** (Deputy Premier) (No. 51, 2r. – 24/2/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

16. Conservation and Land Management Amendment Bill 2015 (Minister for Environment)
(No. 107, 2r. – 12/3/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

17. Partial Revocation of State Forest No. 16 (Moved – 12/3/15)

Adjourned debate (Mr D.A. Templeman) on the motion moved by the Minister for Environment –

That the proposal for the partial revocation of State Forest No. 16, laid on the table of the Legislative Assembly on Wednesday, 11 March 2015 by command of His Excellency the Administrator, be carried out.

18. Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015 (Minister for State Development) (No. 113, 2r. – 25/3/15)

Second reading. Adjourned debate (Mr M. McGowan).

19. Fire and Emergency Services Amendment Bill 2015 (Minister for Emergency Services)
(No. 116, 2r. – 25/3/15)

Second reading. Adjourned debate (Ms S. McGurk).

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Acquisition of the Guildford Hotel (Notice given – 6/5/14, renewed – 14/10/14)

Ms M.M. Quirk: To move –

That this House calls on the Barnett Government to end its prevarication and inaction and:

- (a) immediately take steps under section 73 of the *Heritage Act 1990* to compulsorily acquire the Guildford Hotel;
- (b) such measures are urgently required because the cultural heritage of the site is in jeopardy and the development approval granted to the owners expires in June 2014; and
- (c) any such compensation payable to the owners under section 73 should be the subject of independent valuation.

2. Select Committee to Review the Electoral Act 1907 (Notice given – 11/11/14)

Ms M.M. Quirk: To move –

That this House establishes a select committee to review the *Electoral Act 1907* with a focus on campaign donations, campaign donation disclosure, capturing all formal and non-formal organisations that currently are able to avoid disclosure reporting and assess the filing of electronic disclosure returns on a more regular basis to be accessible by the public.

3. Victoria Cross Recipients (Notice given – 10/6/14, renewed 11/11/14)

Mr M. McGowan: To move –

That the House calls on the Ministers for Heritage and Local Government to ensure that the graves and cremation plaques of Victoria Cross recipients are heritage listed.

4. Children and Young People in Western Australia (Notice given – 12/8/14, renewed – 17/2/15)

Ms L.L. Baker: To move –

That this House condemns the Government for failing to protect children in this State by:

- failing to table the Review, or a report of the Review, into the Office of the Commissioner for Children and Young People;
- failing to implement a key recommendation from the Katanning (Blaxell) Inquiry into improving the system for reporting child abuse; and
- failing to appoint a permanent Commissioner for Children and Young People.

5. Acknowledgement of Fire-fighters (Notice given – 17/2/15)

Ms M.M. Quirk: To move –

That this House records its appreciation and acknowledgement of volunteer and career fire-fighters who have tirelessly fought a succession of large fires in recent weeks. Without those extraordinary efforts the property losses would have been considerably larger and more lives put at peril. This House also expresses our thanks to interstate fire-fighters from New South Wales and Victoria who travelled to Western Australia to relieve weary local fire-fighters.

6. Ebola Virus (Notice given – 19/8/14, renewed – 24/2/15)

Ms M.M. Quirk: To move –

That this House convey its sympathy and concern to the peoples of Sierra Leone, Guinea, Liberia and Nigeria and other affected countries through the ambassadors to those countries in Australia following the recent outbreak of the Ebola virus and:

- (a) urges the Commonwealth to give all possible assistance and the provision of medical aid to arrest the spread of the disease and material support to the families of the bereaved on the long road to recovery; and
- (b) urges the State Government to make a financial donation to an internationally recognised charitable organisation in the region and to consider donating surplus or obsolete medical equipment and supplies to assist in the intervention and quarantine efforts.

7. Seniors in Western Australia (Notice given – 17/3/15)

Ms M.M. Quirk: To move –

That this House condemns the Barnett Government for its lack of leadership and planning for the increase in Western Australia's ageing population, for its failure to consult seniors in the course of its concession review and for a range of decisions which disproportionately impact on seniors.

8. The Italian Community in Western Australia (Notice given – 17/3/15)

Ms R. Saffioti: To move –

That this House condemns the Barnett Government for its cuts to the Italian Community Language Program and the lack of respect shown to the Italian community in Western Australia.

9. Select Committee on State Debt (Notice given – 16/9/14, renewed – 17/3/15)

Mr B.S. Wyatt: To move –

That this House appoints a select committee to inquire into and report on the level of increases to the State debt since 2000, particularly borrowings, which are growing State debt to extraordinary levels, and the effects that these and other borrowings may have on the future financial management of Western Australia, and in particular to –

- (a) ascertain the overall level of debt of the State, its agencies and business enterprises, and the amount of its increase since 2000;

- (b) estimate the level of likely borrowings over the next six years that will be needed to cover existing or foreseeable liabilities;
- (c) identify any contingent liabilities which may require borrowings during the next six years;
- (d) identify the contributions of individual Government departments, agencies and business enterprises to this level of debt and future or contingent liabilities;
- (e) ascertain whether the debt of individual Government departments, agencies or business enterprises is fully, partially or not matched by realistically valued assets;
- (f) assess the impact of the debt on the revenue and expenditure of the State over the next six years;
- (g) recommend strategies for management of the debt over the next six years, which will minimise the adverse effect of the debt on the revenues and expenditures of the State and on the taxpayers of the State; and
- (h) recommend a long-term policy approach to the management and reporting of Government debt.

10. Marriage Equality (Notice given – 24/3/15)

Ms L.L. Baker: To move –

That this House:

- (a) supports marriage equality; and
- (b) calls on the Parliament of the Commonwealth of Australia to amend the *Commonwealth Marriage Act 1961* to provide for marriage equality.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Local Government Reform Process (Moved – 9/4/14)

Adjourned debate (Minister for Local Government – continuation of remarks) on the motion moved by Mr F.M. Logan –

That this House condemns the Barnett Government for introducing a deceitful local government reform process that has created confusion across metropolitan Councils and despair for Mayors, Councillors, their staff and tens of thousands of ratepayers.

2. Section 18C of the Racial Discrimination Act 1975 (Moved – 7/5/14)

Adjourned debate (Mr F.A. Alban – continuation of remarks) on the motion moved by Ms M.M. Quirk –

That this House expresses its deep regret that the Barnett Government:

- (a) unlike the Governments of New South Wales and Victoria, failed to defend the interests of the residents of this the most multicultural state in the country by lodging a submission opposing the proposal by the Commonwealth to repeal section 18C of the *Racial Discrimination Act 1975*; and
- (b) failed to publicly acknowledge that the proposed changes threaten the social cohesion and well-being of Western Australia's culturally and religiously diverse communities.

3. Living Standards of Western Australians (Moved – 14/5/14)

Adjourned debate (Dr A.D. Buti – continuation of remarks) on the motion moved by Mr R.H. Cook –

That the Liberal and National Parties be condemned for their callous attacks on the living standards of Western Australians including through increases in the cost of living, the GP and hospital taxes, introduction of toll roads and further increases to fees, charges and taxes.

4. Peel-Harvey Catchment Management Bill 2014 (Mr C.J. Tallentire) (No. 82, 2r. – 25/6/14)

Second reading. Adjourned debate (Mr M. McGowan).

5. Taking of Property on Just Terms Bill 2014 (Mr M.J. Cowper) (No. 78, 2r. – 25/6/14)

Second reading. Adjourned debate (Mr M.J. Cowper – continuation of remarks).

6. Cost of Living for Seniors and Pensioners (Moved – 25/6/14)

Adjourned debate (Mr C.J. Tallentire – continuation of remarks) on the motion moved by Mr M. McGowan –

That this House condemns the State and Federal Liberal National Governments for making the lives of seniors and pensioners increasingly difficult through increased costs of living and the withdrawal of concessions.

7. Council Amalgamations (Moved – 10/9/14)

Adjourned debate on the motion, as amended, moved by Mr D.A. Templeman –

That this House –

- (1) notes the various inquiries and reports over the past 50 years which recommend reforms to the structure of local government in Western Australia, so as to ensure higher capacity and more sustainable local governments, including:
 - (a) *Metropolitan Local Government Review*, undertaken by the independent Metropolitan Local Government Review Panel (Robson Report); and
 - (b) *In Your Hands: Shaping the future of Local Government in Western Australia*, undertaken by the Systemic Sustainability Study Panel led by the WA Local Government Association (SSS Report);
- (2) notes that a range of proposals for reform in the metropolitan area are being considered by the Local Government Advisory Board;
- (3) supports the cooperative discussions which have been underway by local governments in the metropolitan area; and
- (4) supports the Minister for Local Government giving due consideration to the recommendations of the Local Government Advisory Board.

8. Local Government Amendment (Regional Subsidiaries) Bill 2014 (Mr S. Love) (No. 83, 2r. – 11/9/14)

Second reading. Adjourned debate (Dr A.D. Buti).

9. Kimberley Juvenile Justice Report (Moved – 17/9/14)

Adjourned debate (Leader of the House) on the motion moved by Ms J. Farrer –

That this House calls on the Government to adopt the Kimberley Juvenile Justice Report and implement its recommendations.

10. Public Secondary Schools (Moved – 17/9/14)

Adjourned debate (Mr C.D. Hatton – continuation of remarks) on the motion moved by Dr A.D. Buti –

That this House condemns the Barnett Government's decision to rip yet more money from public secondary schools.

11. State Budget Impact on Seniors and Vulnerable People (Moved – 15/10/14) (last debated – 22/10/14)

Adjourned debate (Mr P. Papalia – continuation of remarks) on the motion moved by Ms M.M. Quirk –

That this House condemns the Barnett Government for the impact its mismanagement of the State Budget is having on Seniors and vulnerable people in our community.

- 12. Constitution Amendment (Recognition of Aboriginal People) Bill 2014** (Ms J. Farrer)
(No. 77, 2r. – 11/6/14) (last debated – 19/11/14)

Second reading. Adjourned debate (Mr P. Papalia).

- 13. Council Amalgamation Process** (Moved – 13/11/13) (last debated 19/11/14)

Adjourned debate (Mr D.J. Kelly – continuation of remarks) on the motion moved by Mr D.A. Templeman –

That this House condemns the Barnett Government for creating chaos and confusion amongst Local Governments with its shambolic and dysfunctional Council amalgamation process.

- 14. Major Events (Ticket Scalping) Bill 2014** (Mr M. McGowan) (No. 111, 1r. – 26/11/14)

To be read a second time.

- 15. Radiation Safety Amendment Bill 2014** (Mr R.H. Cook) (No. 110, 2r. – 26/11/14)

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

- 16. Polling on Council Amalgamation Processes** (Moved – 26/11/14)

Adjourned debate (Minister for Local Government – continuation of remarks) on the motion moved by Mr D.A. Templeman –

That this House:

- (a) condemns the Premier and the Minister for Local Government for allowing, through its forced amalgamation process, some communities in the metropolitan area an opportunity to have a poll under the Dadour Provisions in the *Local Government Act 1995* about their local council's future, while others have not been given that democratic right; and
- (b) further supports all affected communities having a right to a poll on their council's future.

- 17. Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013** (Moved – 11/3/15)

Adjourned debate (Mr D.A. Templeman) on the motion moved by Mr C.J. Tallentire –

That the *Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013* under the *Environmental Protection Act 1986*, a copy of which was laid upon the table of the House on Tuesday, 18 February 2014, are hereby disallowed.

- 18. TAFE Course Fees** (Moved – 25/2/15) (last debated – 11/3/15)

Adjourned debate (Ms S. McGurk – continuation of remarks) on the motion moved by Mr F.M. Logan –

That this House condemns the Barnett Government for its massive increase in TAFE course fees and its sustained undermining of TAFE.

- 19. Criminal Code Amendment (Criminal Damage to Places of Worship) Bill 2015** (Ms M.M. Quirk) (No. 120, 2r. – 18/3/15)

Second reading. Adjourned debate (Mr S. L'Estrange).

- 20. Unemployment in Western Australia** (Moved – 18/3/15)

Adjourned debate (Ms L.L. Baker – continuation of remarks) on the motion moved by Ms J.M. Freeman –

That this House calls on the Barnett Government to immediately tackle the rising unemployment rate in Western Australia, with particular focus on those suburbs and towns of significantly high unemployment, which the Barnett Government has failed to address.

21. Remote Aboriginal Communities (Moved – 25/3/15)

Adjourned debate (Premier – continuation of remarks) on the motion moved by Mr B.S. Wyatt –

That the House condemns the Premier for the ongoing uncertainty, confusion and fear that he has created in remote Aboriginal communities since stating that he would close 150 remote communities and calls on the Premier to immediately:

- (a) seek to have the Commonwealth Government reverse or delay its decision to cease funding remote Aboriginal communities;
- (b) clarify on what basis the Government will base its decision on which communities are worthy of future Government investment;
- (c) outline the base line data that the Government has collected to justify the Premier's statement that remote communities have failed; and

outline the Government support that will be provided to those people currently living on remote communities to ensure that their closure will result in better social outcomes.

* Denotes amendments appearing in the Notices and Amendments section of the Notice Paper.

† Denotes second reading debate on the Bill is being undertaken cognately with a principal Bill, and no further second reading debate will occur.

COMMITTEES TO REPORT

Committee

Date Due

Joint Committee on Audit:

Inquiry into the Budget, Organisational Structure and Resourcing Needs of the Office of the Auditor General

Joint Committee on Audit:

Review of the *Auditor General Act 2006*

Joint Standing Committee on Delegated Legislation:

Inquiry into Access to Australian Standards Adopted in Delegated Legislation

Joint Select Committee on Aboriginal Constitutional Recognition:

26 March 2015

Inquiry into the Appropriate Wording to Recognise Aboriginal People in the Constitution of Western Australia

Economics and Industry Standing Committee:

23 April 2015

Inquiry into Safety-related Matters Relating to Floating Liquefied Natural Gas Projects in Australian Waters off the Western Australian Coast

Education and Health Standing Committee:

11 June 2015

Inquiry into Suicides of Fly-in, Fly-out Workers in Western Australia

Economics and Industry Standing Committee:

25 June 2015

Inquiry into the Economic Implications of Floating Liquefied Natural Gas Operations – Part 2

Joint Standing Committee on the Corruption and Crime Commission:

25 June 2015

Inquiry into Improving the Working Relationship Between the Corruption and Crime Commission and Western Australia Police

Joint Standing Committee on the Corruption and Crime Commission:

30 June 2015

Inquiry into the Corruption and Crime Commission being able to prosecute its own charges

Joint Standing Committee on the Commissioner for Children and Young People:

15 October 2015

Review of the Functions Exercised by the Commissioner for Children and Young People

Community Development and Justice Standing Committee:

26 November 2015

Inquiry into the Methods Employed by Western Australia Police to Evaluate Performance

NOTICES AND AMENDMENTS

Aboriginal Heritage Amendment Bill 2014 (No. 81-I)

Clause 18.

The Deputy Premier: To move –

Page 19, lines 16 to 20 – To delete the lines and substitute:

“

(3) In section 28(4):

(a) delete “Subject to subsection (3), the” and insert:

The

(b) delete “Minister from a panel of names submitted for the purposes of this Act by the Registrar.” and insert:

Minister.

”.

Clause 43.

The Deputy Premier: To move –

Page 34, line 13 – To delete “5” and substitute:

“ 6 ”.

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Joint Standing Committee on Delegated Legislation – Application of Standing Orders

Legislative Council Message No. 67.

The Legislative Council acquaints the Legislative Assembly that it has passed the following resolution and invites the Legislative Assembly to agree to same –

In relation to the constitution, powers and procedure of the Joint Standing Committee on Delegated Legislation –

- (1) The Standing Orders applicable to committees of the Legislative Council will apply to the Committee's proceedings except to the extent that they impinge upon the functioning of the Committee.
- (2) Legislative Assembly Standing Orders 249(1), (2) and (3), 252, 254, 262, 263 and 264 will apply to the Legislative Assembly Members of the Committee.
- (3) Any Member of the Legislative Council or Legislative Assembly may participate in the taking of oral evidence by the Committee, and by leave of the Committee, its deliberations and proceedings but may not vote, move any motion, or be counted for the purpose of a quorum.
- (4) Leave under (3) may be given only for a specific inquiry, but any Member of the Legislative Council or Legislative Assembly may be given leave in relation to more than one inquiry.

PETER J. McHUGH

Clerk of the Legislative Assembly