

WESTERN AUSTRALIA

## LEGISLATIVE ASSEMBLY

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### NOTICES AND ORDERS OF THE DAY

No. 172

TUESDAY, 20 NOVEMBER 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 6.00 p.m. Wednesdays

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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*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 - ORDERS OF THE DAY

1. **Cross-border Justice Bill 2007** (Attorney General) (No. 236, 2r. - 17/10/07)

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

2. **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).

3. **Indigenous Conservation Title Bill 2007** (Deputy Premier) (No. 237, 2r. - 26/9/07)

Further consideration in detail - Clause 8.

4. **Security and Related Activities (Control) Amendment Bill 2007** (Minister for Police and Emergency Services) (No. 241, 2r. - 17/10/07)

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

5. **Bail Amendment Bill 2007** (Attorney General) (No. 217, 2r. - 20/6/07)

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

6. **Acts Amendment (Justice) Bill 2007** (Attorney General) (No. 231, 2r. - 27/9/07)

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

**7. Inheritance (Family and Dependants Provision) Amendment Bill 2007** (Attorney General) (No. 234, 2r. - 27/9/07)

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

**8. Legal Profession Bill 2007** (Attorney General) (No. 245, 2r. - 24/10/07)

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

**9. Premier's Statement**

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

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

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

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

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

**12. Appropriation (Consolidated Account) Bill (No. 5) 2007** (Treasurer) (No. 243, 2r. - 24/10/07)

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

**13. Appropriation (Consolidated Account) Bill (No. 6) 2007** (Treasurer) (No. 244, 2r. - 24/10/07)

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

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

**1. Parliamentary Standards Commissioner** (Notice given - 21/11/06, renewed - 21/6/07)

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.

**2. 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.

**3. 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.

**4. 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.

**5. 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.

**6. Retention of Small Police Stations in Country Western Australia** (Notice given - 20/6/07)

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.

**7. Select Committee into the Dairy Industry in Western Australia** (Notice given - 14/8/07)

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.

**8. 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.

**9. World Health Organisation Noise Parameters** (Notice given - 18/9/07)

Mr T.R. Sprigg: To move -

That this House condemns the Labor Government for ignoring World Health Organisation noise parameters when building the Perth-Mandurah railway, Roe Highway Stage 7 and various other roadworks in the South Eastern suburbs, thereby putting the health of residents at risk.

**10. 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.

**11. 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.

**12. 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.

**13. 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.

**14. 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.

**15. 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.

**16. 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.

**17. Greater Bunbury Regional Scheme** (Notice given - 13/11/07)

Dr S.C. Thomas: To move -

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.

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

Second reading. Adjourned debate (Mr P.D. Omodei in reply).

3. **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.

4. **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.

5. **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.

6. **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.

7. **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.

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

Second reading. Adjourned debate (Deputy Premier).

9. **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).

10. **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.

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

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

12. **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.

- 13. 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).

- 14. 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).

- 15. 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).

- 16. 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).

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

Second reading. Adjourned debate (Deputy Premier).

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

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

- 19. 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.

- 20. 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).

- 21. 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.

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## 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 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

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## GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Date Due</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 – Inquiry into the Cause and Extent of Lead Pollution in the Esperance Area	Minister for Health; Minister for the Environment; Minister for Health; Minister for Employment Protection	6 December 2007
Education and Health Standing Committee – An Examination of Indigenous Employment by the State	Premier, as Minister for Public Sector Standards	15 February 2008
Joint Standing Committee on the Corruption and Crime Commission – Inquiry into Legislative Amendments to the <i>Corruption and Crime Commission Act 2003</i>	Attorney General; Minister for Police and Emergency Services	15 February 2008

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**REFERENCES TO COMMITTEES**

<b><i>Committee</i></b>	<b><i>Reference</i></b>	<b><i>Date Due</i></b>
Community Development and Justice Standing Committee	Prosecution of Assaults and Sexual Offences	29 November 2007
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 ”.

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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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**PETER J. MCHUGH**

Clerk of the Legislative Assembly