

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 184

TUESDAY, 29 NOVEMBER 2011, 2.00 p.m.

Prayers *

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements *

Questions Without Notice *

Matter of Public Interest

Private Members' Business

Grievances

Private Members' Statements

–	approximately 2.00 p.m. each day
–	one per week on any day
–	4.00 p.m. to 7.00 p.m. Wednesdays
–	approximately 9.00 a.m. Thursdays
–	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.*

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.*

BUSINESS OF THE ASSEMBLY – NOTICES OF MOTION

1. **Economics and Industry Standing Committee – Extension of Reporting Date** (Notice given – 24/11/11)

The Leader of the House: To move –

That the date for the presentation of the report of the Economics and Industry Standing Committee of its Inquiry into Ironbridge Holdings Pty Ltd and other matters regarding Residential Land and Property Developments be extended to 1 March 2012.

2. **Suspension of Standing Orders** (Notice given – 24/11/11)

The Leader of the House: To move –

That for the remainder of 2011, so much of Standing Orders be suspended as is necessary to enable –

- (a) bills to proceed without delay after the second reading has been moved or without delay between the stages; and

- (b) messages from the Legislative Council to be taken into consideration on the day on which they are received.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. **Local Government Amendment Bill 2011** (Minister for Local Government) (No. 241, 2r. – 19/10/11)

Consideration in detail.

2. **Water Services Bill 2011** (Minister for Water) (No. 202, 2r. – 26/5/11)
***‡Water Services Legislation Amendment and Repeal Bill 2011** (Minister for Water) (No. 201, 2r. – 26/5/11)

Second reading. Adjourned debate (Mr W.J. Johnston – continuation of remarks).

3. **Legal Deposit Bill 2011** (Minister for Culture and the Arts) (No. 244, 2r. – 9/11/11)

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

4. ***Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011** (Minister for Transport) (No. 192, 2r. – 16/3/11)

Consideration in detail of Legislative Council Message No. 192.

5. **Prostitution Bill 2011** (Attorney General) (No. 218, 2r. – 3/11/11)

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

6. **Community Protection (Offender Reporting) Amendment Bill (No. 2) 2011** (Minister for Police) (No. 236, 2r. – 9/11/11)

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

7. **Premier's Statement**

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

8. **Litter Amendment Bill 2011** (Minister for Environment) (No. 240, 2r. – 3/11/11)

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

9. **Lotteries Commission Amendment Bill 2011** (Premier) (No. 229, 2r. – 2/11/11)

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

10. **Integrity (Lobbyists) Bill 2011** (Premier) (No. 243, 2r. – 9/11/11)

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

11. ***Royal Perth Hospital Protection Bill 2008** (Minister for Health) (No. 008, 2r. – 11/11/08) (restored 22/2/11)

Further consideration in detail – Clause 1.

12. **Reserves (Wanjarri Nature Reserve) Bill 2011** (Minister for Lands) (No. 249, 2r. – 23/11/11)

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

13. **Criminal Organisations Control Bill 2011** (Attorney General) (No. 230, 2r. – 23/11/11)

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

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. **Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009** (Notice given – 17/6/09) (renewed – 23/2/10)

Mr M.P. Murray: To move –

That the *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009* under the *Genetically Modified Crops Free Areas Act 2003*, a copy of which was laid upon the Table of the House on 9 June 2009, is hereby disallowed.

2. **Police Resourcing** (Notice given – 9/8/11)

Ms M.M. Quirk: To move –

That this House condemns the Barnett Government on its failure to provide a visible, well-resourced police presence providing timely responses, a sense of safety in the community and inroads into the rapidly escalating methamphetamines manufacture.

3. **Fiona Stanley Hospital – Facilities Management Contract** (Notice given – 9/8/11)

Mr R.H. Cook: To move –

That this House condemns the Barnett Government on its failure to publish in full the details of the Facilities Management Services Contract between the Western Australian Government and Serco Pty Ltd for services provided at Fiona Stanley Hospital and calls on the Government to table the full contract without exemptions.

4. **Classroom First and Networking Strategy** (Notice given – 15/3/11) (renewed – 30/8/11)

Mr B. Wyatt: To move –

That the House calls on the Minister for Education to outline how the Classroom First and Networking Strategy will improve the educational outcomes of our State's children and improve the quality of teaching in Western Australia.

5. **Organ Donation** (Notice given – 22/3/11) (renewed – 6/9/11)

Mr V. Catania: To move –

That the State Government make available information that will assist community consideration of options for organ donation, including an 'opt out' option and to debate the motion in accordance with the time limits applying to a matter of public interest.

6. **Minister for Heritage** (Notice given – 8/9/11)

Mr J.N. Hyde: To move –

That this House condemns the Minister for Heritage for:

- (1) mismanaging the review of the *Heritage of Western Australia Act 1990*; and
- (2) failing to support adequate funding of regional heritage in Western Australia, including for such important heritage buildings as the Bill Sewell Complex in Geraldton.

7. **Minister for Police** (Notice given – 8/9/11)

Mr B.S. Wyatt: To move –

That this House condemns the Minister for Police; Emergency Services for:

- (a) his refusal to honour the Government's election promise to reinstate school-based police officers in consultation with local communities; and
- (b) his attempt to mislead this House on Wednesday, 7 September 2011 by asserting that 'school-based' no longer means 'based in schools'.

8. Minister for Planning – Concrete Batching Plants in East Perth (Notice given – 20/9/11)

Mr J.N. Hyde: To move –

That this House condemns the Minister for Planning for calling in the decision of the City of Vincent to refuse 24 hour operation and extension of concrete batching plants in the residential areas of East Perth, and notes that the City of Vincent's decision was supported by residents.

9. Taxi Amendment Regulations (No. 3) 2011 (Notice given – 27/9/11)

Mrs M.H. Roberts: To move –

That the *Taxi Amendment Regulations (No. 3) 2011* under the *Taxi Act 1994*, a copy of which was laid upon the Table of the Legislative Assembly on 10 August 2011, are hereby disallowed.

10. Economics and Industry Standing Committee Recommendations (Notice given – 12/4/11) (renewed – 27/9/11)

Mr M. McGowan: To move –

That the House endorses the findings of the Economics and Industry Standing Committee inquiry into domestic gas prices and in particular the recommendation that:

- (a) the Government establishes an independent gas market monitor;
- (b) introduce the gas market bulletin board and statement of opportunities;
- (c) separate marketing of gas from the North West be supported; and
- (d) the Government immediately begin negotiations with the North West Shelf partners to ensure gas continues to be supplied into the domestic market from the Karratha gas plant beyond 2014.

11. Anti-Israel Boycott, Divestment and Sanctions (BDS) Campaign (Notice given – 29/9/11)

Mr J.N. Hyde: To move –

That this House:

- (a) notes with concern the anti-Israel boycott, divestment and sanctions (BDS) campaign against legitimate businesses operating in Australia which provide jobs to hundreds of Australians;
- (b) calls on all members to condemn the targeting of Max Brenner Chocolate Cafes and other businesses by anti-Israel protesters;
- (c) notes that some of the rhetoric used by proponents of the BDS campaign has descended into anti-Semitism; and
- (d) condemns anti-Semitism in all its forms.

12. Waterfront Project (Notice given – 1/11/11)

Mr J.N. Hyde: To move –

That this House condemns the Barnett Government for –

- (1) failing to consult with its own departments and agencies over the impact of the Waterfront Project; and
- (2) failing to transparently consult with Western Australia's planning, environmental and heritage experts over the impact of the Waterfront Project.

13. Minister for Heritage (Notice given – 1/11/11)

Mr J.N. Hyde: To move –

That this House condemns the Minister for Heritage for –

- (1) misleading the Parliament over inaccurate information in the 2010–2011 Annual Report of the Heritage Council of Western Australia and failing to apologise for his mismanagement of information; and

- (2) failing to transparently account for funding allocations under the Goldfields Earthquake Restoration Fund.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. **Perth Theatre Trust Amendment Bill 2011** (Mr J.N. Hyde) (No. 209, 1r. – 25/5/11)

To be read a second time.

2. **Acts Amendment (Western Australia Day) Bill 2011** (Mr J.N. Hyde) (No. 216, 1r. – 15/6/11)

To be read a second time.

3. **Equal Opportunity Amendment Bill 2011** (Mr J.N. Hyde) (No. 212, 1r. – 22/6/11)

To be read a second time.

4. **Minister for Education** (Moved – 17/8/11)

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

That this House calls on the Minister for Education to explain what actions she has taken in respect of the findings of the Standing Committee on Estimates and Financial Operations (Report 27), tabled on 1 July 2010 and the Public Sector Commissioner's investigation into the Orchestrating Lives: An Evaluation of the Early Intervention Conductive Education Trial at Carson Street School report, in relation to the quality and accuracy of advice, including briefing notes provided by the Department of Education to the Minister.

5. **Indigenous Affairs** (Moved – 23/6/11) (last debated – 31/8/11)

Adjourned debate (Mr T.G. Stephens – continuation of remarks) on the motion moved by Mr J.J.M. Bowler –

That this House recognise the need for a bipartisan and new approach on the matter of Indigenous affairs.

6. **School Crossings** (Moved – 7/9/11)

Adjourned debate (Mr A. Krsticevic – continuation of remarks) on the amendment moved by Mr A.P. Jacob –

To delete all words after "House" and substitute:

congratulates the Minister for Police on his decision to put on hold any removal of Type A and Type B crossings until the Government and the Children's Crossing and Road Safety Committee have reviewed the current policy to ensure children's crossings are safe.

on the motion moved by Mr A.P. O'Gorman –

That the House condemns the Government for withdrawal of crossings that do not fit the warrant criteria for a type A crossing across the State and subsequently endangering the lives of many school children who use these crossings.

7. **Infrastructure Across Western Australia** (Moved – 6/4/11) (last debated – 21/9/11)

Adjourned debate (Minister for Transport – continuation of remarks) on the motion moved by Mr E.S. Ripper –

That this House condemns the Barnett Government for its failure to invest in basic infrastructure across Western Australia, in particular its failure to purchase additional trains and buses or to construct new road works to keep up with population growth.

8. **Liquor Control Amendment Bill 2011** (Dr J.M. Woollard) (No. 233, 2r. – 28/9/11)

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

9. Minister for Education – North Mandurah Primary School (Moved – 28/9/11)

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

That this House condemns the Minister for Education for her failures in relation to the North Mandurah Primary School and its loss of 17 permanent teaching positions and calls on her to immediately address this issue and other failures in her Education portfolio including the downgrading of a number of regional/district offices.

10. Container Deposit and Recovery Scheme Bill 2011 (Mr E.S. Ripper) (No. 234, 2r. – 19/10/11) (last debated – 23/11/11)

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

11. Human Tissue and Transplant Amendment Bill 2011 (Mr M.P. Whitely) (No. 252, 2r. – 23/11/11)

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

12. No Privatisation of Midland Health Campus Bill 2011 (Mr R.H. Cook) (No. 255, 2r. – 23/11/11)

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

MESSAGE RECEIVED FROM THE LEGISLATIVE COUNCIL

1. Joint Standing Committee on Audit (No. 179)

The Legislative Council acquaints the Legislative Assembly that it has passed the following motion:

That pursuant to section 43 of the *Auditor General Act 2006* —

- (a) a Joint Standing Committee on Audit be established, comprised of four members (including the Chairman) of the Legislative Council Standing Committee on Estimates and Financial Operations and four members of the Legislative Assembly Public Accounts Committee, two of whom from each House support the Government;
- (b) the members of the Legislative Council Standing Committee on Estimates and Financial Operations and the Legislative Assembly Public Accounts Committee not appointed to the Joint Standing Committee under section (1)(a) are appointed to the Joint Standing Committee as participating members in accordance with Legislative Council Standing Order 326. The requirement for leave of the committee under Standing Order 326 does not apply to these appointments;
- (c) the Chairman of the Standing Committee on Estimates and Financial Operations will be the Chairman of the Joint Standing Committee; and
- (d) the Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.

and invites the Legislative Assembly to pass a similar resolution.

COMMITTEES TO REPORT

<i>Committee</i>	<i>Date Due</i>
Economics and Industry Standing Committee:	1 December 2012
Inquiry into Ironbridge Holdings Pty Ltd and other matters regarding residential land and property developments	
Joint Standing Committee on the Corruption and Crime Commission:	1 March 2012
Inquiry into how the Corruption and Crime Commission deals with allegations and notifications of WA Police misconduct	
Public Accounts Committee:	29 March 2012
Inquiry into the contract for the provision of non-clinical services at Fiona Stanley Hospital	
Joint Standing Committee on the Corruption and Crime Commission:	29 March 2012
Inquiry into whether the Corruption and Crime Commission should continue to conduct public hearings in the exercise of its misconduct function	
Joint Standing Committee on the Corruption and Crime Commission:	29 March 2012
Inquiry into whether the Corruption and Crime Commission should have the jurisdiction to recover proceeds of crime and unexplained wealth	
Education and Health Standing Committee:	30 November 2012
Inquiry into improving educational outcomes for Western Australians of all ages	
Community Development and Justice Standing Committee:	1 December 2012
Inquiry into the well-being of State Government workers and volunteers involved in emergency responses	

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<i>Committee Report</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Joint Standing Committee on the Corruption and Crime Commission – Parliamentary Inspector’s Report Concerning the Procedures Adopted by the Corruption and Crime Commission when Dealing with Complaints of the Excessive Use of Force by Police	Attorney General	8 December 2011
Joint Standing Committee on the Corruption and Crime Commission – Closed Hearing with Gail Archer SC and Further Analysis of Proposed Reforms to the <i>Corruption and Crime Commission Act 2003</i>	Attorney General	29 December 2011

<i>Committee Report</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Economics and Industry Standing Committee – Response to House – Matter of Park Home Residents	Minister for Local Government; Minister for Planning; Minister for Tourism; Minister for Transport; Housing (representing the Minister for Commerce)	20 January 2012
Community Development and Justice Standing Committee – A Fading Dream – Affordable Housing in Australia	Minister for Housing; Treasurer; Minister for Local Government; Minister for Regional Development; Lands; Minister for Health; Minister for Planning; Minister representing the Minister for Mental Health; Minister representing the Minister for Seniors and Volunteering; Minister representing the Minister for Commerce	3 February 2012
Community Development and Justice Standing Committee – Inquiry into the State’s preparedness for this year’s coming fire season	Minister for Police; Emergency Services; Minister for Environment; Minister for Planning; Minister for Local Government	24 February 2012

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- * Denotes amendments appearing 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.

NOTICES AND AMENDMENTS

Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011 (No. 192—1B)

Legislative Council Message No. 192.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011* 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 Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011

No. 1

Page 8, line 14 — To delete “comparable”.

Royal Perth Hospital Protection Bill 2008 (No. 008—1)

Clause 1.

Mr R.H. Cook: To move –

Page 2, line 2 – To insert after “the”:

“ *Tertiary* ”.

Mr R.H. Cook: To move –

Page 2, line 2 – To delete “*Protection*” and substitute:

“ *Health Services* ”.

Clause 3.

Mr R.H. Cook: To move –

Page 2, after line 9 – To insert alphabetically:

“

continued operation means to remain in existence and provide ongoing health services at the current level at Royal Perth Hospital, other health institutions, hospitals and health services in Western Australia;

for the time being means at the time of the Act coming into operation;

Protection means the safeguarding of existing health services provided by Royal Perth Hospital and other health institutions, hospitals and health services in Western Australia;

tertiary means tertiary health care which may include but is not limited to, services provided by state-designated trauma centres, a burn centre, trauma surgery neurosurgery, cardiothoracic surgery, organ transplant, paediatric surgery, magnetic resonance imaging and positron emissions tomography, and include secondary, primary and emergency care;

the entity means the Board of a public hospital;

”.

Mr R.H. Cook: To move –

Page 2, line 11 – To insert after “being”:

“ any of the following ”.

Mr R.H. Cook: To move –

Page 2, line 15 – To insert after “whole”:

“ or part ”.

Clause 6.

Mr R.H. Cook: To move –

Page 2, line 26 – To insert before “tertiary”:

“ 400 bed ”.

Mr W.J. Johnston: To move –

Page 3, after line 2 – To insert:

“

- (2) For the purpose of maintaining Royal Perth Hospital, future annual appropriations shall not be reduced to levels below the allocation to the hospital as at 6 September 2008.

”.

Clause 7.

Mr R.H. Cook: To move –

Page 3, after line 8 – To insert:

“

- (2) No development is to take place at Royal Perth Hospital to the extent that development will impact on proposed services, resources and scope of services at the Fiona Stanley Hospital.

”.

Mr A.P. O’Gorman: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Joondalup Health Campus.

”.

Mr W.J. Johnston: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Armadale-Kelmscott Hospital.

”.

Mr P. Papalia: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Rockingham General Hospital.

”.

Mrs M.H. Roberts: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the new Midland Health Campus.

”.

Mr D.A. Templeman: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Peel Health Campus.

”.

Mr M.P. Murray: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the South West Regional Health Campus and Associated South West Hospitals.

”.

Mrs C.A. Martin: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Broome Regional Health Campus.

”.

Mr T.G. Stephens: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not negatively impact on the services, resources and scope of services at the Hedland Hospital (Hedland’s Regional Resource Centre), Newman Hospital, Tom Price Hospital, and Paraburdoo Hospital.

”.

Mr J.C. Kobelke: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Osborne Park Hospital.

”.

Ms J.M. Freeman: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on the development of planned or anticipated health services in the Mirrabooka area.

”.

Mr B.S. Wyatt: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on the development of planned or anticipated health services at the Bentley Hospital.

”.

Mr R.H. Cook: To move –

Page 3, lines 9 to 11 – To delete the lines and substitute:

“

- (2) **Development** means improving and advancing the health facilities at Royal Perth Hospital in a manner which ensures its continued operation as a tertiary hospital without undue interruption to service.

”.

Clause 9.

Ms J.M. Freeman: To move –

Page 3, lines 17 to 20 – To delete all words after “prescribing” and substitute:

“ medical and support services for the purpose of Section 6 ”.

Long title.

Mr R.H. Cook: To move –

Page 1, line 10 – To insert after “**Hospital**”:

“ **and other associated Western Australian hospitals** ”.

=====

Water Services Legislation Amendment and Repeal Bill 2011 (No. 201—1)

Clause 205.

The Minister for Water: To oppose the clause.

New clause 205.

The Minister for Water: To move –

Page 90, after line 27 – To insert:

“

205. *Building Services (Complaint Resolution and Administration) Act 2011 amended*

- (1) This section amends the *Building Services (Complaint Resolution and Administration) Act 2011*.
- (2) In section 3 in the definitions of ***building service Act*** paragraph (f), ***plumbing work*** and ***vocational regulatory body*** paragraph (b) delete “*Water Services*” and insert:

Plumbers

- (3) In section 92(5)(e) delete “*Water Services*” and insert:

Plumbers

”.

PETER J. MCHUGH

Clerk of the Legislative Assembly