

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 36

WEDNESDAY, 17 JUNE 2009, 12 noon

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 – NOTICE OF MOTION

1. Suspension of Standing Orders – Government Business (Notice given – 16/6/09)

The Leader of the House: To move –

That, up to and including 18 June 2009, so much of Standing Orders be suspended as is necessary to enable Bills to proceed through all stages in one day and to enable messages from the Legislative Council to be taken into consideration on the day on which they are received.

BILLS – NOTICES OF MOTION

1. Retail Trading Hours Amendment Bill 2009 (Notice given – 16/6/09)

The Premier: To move –

That a Bill for “An Act to amend the *Retail Trading Hours Act 1987*.” be introduced and read a first time.

2. Road Traffic Amendment (Hoons) Bill 2009 (Notice given – 16/6/09)

The Minister for Police: To move –

That a Bill for “An Act to amend the *Road Traffic Act 1974* and, in consequence, to amend the *Road Safety Council Act 2002*.” be introduced and read a first time.

3. Royalties for Regions Bill 2009 (Notice given – 16/6/09)

The Minister for Regional Development: To move –

That a Bill for “An Act to –

- provide for the operation of the Royalties for Regions Fund; and
- establish the Western Australian Regional Development Trust, and for related purposes.” be introduced and read a first time.

4. Transfer of Incorporation (HBF and HIF) Bill 2009 (Notice given – 16/6/09)

The Minister for Commerce: To move –

That a Bill for “An Act to provide for the registration of each of the following –

- the HBF Health Funds Inc.;
- the Health Insurance Fund of W.A. (Inc.),

as a public company limited by guarantee under the *Corporations Act 2001* (Commonwealth), and for related purposes.” be introduced and read a first time.

5. Cross-border Justice Amendment Bill 2009 (Notice given – 16/6/09)

The Attorney General: To move –

That a Bill for “An Act to amend the *Cross-border Justice Act 2008*.” be introduced and read a first time.

6. Busselton Water Board (Supply of Water to Dunsborough) Bill 2009 (Notice given – 16/6/09)

The Minister for Water: To move –

That a Bill for “An Act to facilitate the supply of water to the Dunsborough area by –

- enabling the Busselton Water Board to supply water to the Water Corporation; and
- extending the application of the *Water Boards Act 1904* in respect of that supply, and for related purposes.” be introduced and read a first time.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. Revenue Laws Amendment (Taxation) Bill 2009 (Treasurer) (No. 051, 2r. – 20/5/09)

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

2. Local Government Amendment Bill 2009 (Minister for Local Government) (LC No. 028, 2r. – 8/4/09)

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

- 3. Occupational Safety and Health Legislation Amendment Bill 2009** (Minister for Commerce) (LC No. 027, 2r. – 7/5/09)

Second reading. Adjourned debate (Mr J.C. Kobelke).

- 4. Acts Amendment (Bankruptcy) Bill 2009** (Attorney General) (LC No. 037, 2r. – 12/5/09)

Second reading. Adjourned debate (Mr B.S. Wyatt).

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

Further consideration in detail – Clause 1.

- 6. Interpretation and Reprints Amendment Bill 2008** (Premier) (No. 003, 2r. – 3/12/08)

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

- 7. Professional Standards Amendment Bill 2009** (Attorney General) (No. 044, 2r. – 13/5/09)

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

- 8. Premier's Statement**

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

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

- 1. Burmese Constitution and Planned 2010 Elections** (Notice given – 11/11/08, renewed – 9/6/09)

Mr J.N. Hyde: To move –

That this House rejects the Burmese junta's newly adopted Constitution and planned 2010 elections and notes:

- (1) The Constitution was designed to institutionalise military rule; was drafted by the junta's hand-picked delegates rather than elected representatives; and was approved by coercion in a sham referendum held in the midst of devastation caused by Cyclone Nargis in May 2008.
- (2) The 2010 elections will be held only in accordance with the catastrophically flawed 2008 Constitution; will go ahead with the strict intention to nullify the 1990 democratic general elections, which Suu Kyi's party won by a landslide; and will guarantee a military-dominated parliament and military-controlled government.

- 2. Education and Health Standing Committee – Inquiry into Nickel Loading** (Notice given – 2/12/08)

Ms A.J.G. MacTiernan: To move –

- (1) That the House direct the Education and Health Standing Committee to enquire into and report on:
 - (a) the health effects of nickel exposure resulting from nickel loading operations at the Esperance Port Authority;
 - (b) the capacity of nickel exposure to be kept within recognised safe limits during bulk operations; and
 - (c) any other matter relating to safety of nickel loading operations.
- (2) That the Committee report by 30 April 2009.

3. **Liberal Party Law and Order Election Promises** (Notice given – 2/12/08)

Ms M.M. Quirk: To move –

That this House condemns the Premier for his failure to deliver on key law and order promises outlined in the *Liberal Plan for the First 100 Days of Government* which include:

- (a) the passing of laws for mandatory sentences for thugs who assault police and public officers;
- (b) the introduction of additional powers for the Courts to impose restrictions on anti-social behaviour;
- (c) the re-establishment of the Graffiti Taskforce and increased penalties for graffiti vandals and those who sell spray cans to minors;
- (d) an increase in penalties for hoons – including the confiscation of the vehicles of repeat offenders;
- (e) legislation for tougher penalties for cannabis and other drug possession, cultivation, the sale of drugs to children, and the sale of drug paraphernalia;
- (f) the commencement of work on a new juvenile prison facility for 18–22 year old offenders in the metropolitan area;
- (g) commencement of work on the installation of CCTV at locations across the state in cooperation with local communities as part of a \$6 million Community Crime Prevention Program; and
- (h) the repeal of Labor's prostitution legislation to stop the spread of brothels in our suburbs and towns.

4. **Liberal Party Health Promises and Plan for Better Health Services** (Notice given – 2/12/08)

Mr R.H. Cook: To move –

That this House condemns the Minister for Health for his failure to act on issues as detailed in the *Liberal Plan for the First 100 Days of Government* and the Government's policy on health, *Liberal Plan for Better Health Services*.

5. **Western Australian Jobs and Economic and Financial Management** (Notice given – 31/3/09)

Mr M. McGowan: To move –

That this House condemns the Barnett Government for its failure to protect Western Australian jobs and its poor economic and financial management.

6. **Employment-generating Iconic Capital Works Projects** (Notice given – 31/3/09)

Mr M. McGowan: To move –

That this House condemns the Barnett Government for its lack of vision in the development of employment-generating, iconic capital works projects.

7. **State Underground Power Program** (Notice given – 1/4/09)

Mr J.N. Hyde: To move –

That this House condemns the Minister for Energy for stalling the State Underground Power Program (SUPP) and failing to fund any new underground power projects in Western Australia.

8. **Ellenbrook Rail Line** (Notice given – 5/5/09)

Ms R. Saffioti: To move –

That this House condemns the Barnett Liberal Government for abandoning its election commitment to start building a rail line to Ellenbrook in 2012.

9. Demolition of the Merredin Railway Institute Hall (Notice given – 6/5/09)

Mr J.N. Hyde: To move –

That this House demands the Minister for Heritage support a stop work order on demolition of the Merredin Railway Institute Hall, built in 1930 and the only timber Railway Institute Hall remaining in Western Australia.

10. Education and Health Standing Committee – Inquiry into the Fresh Start Illicit Drug Program and Naltrexone Implants (Notice given – 12/5/09)

Mr R.H. Cook: To move –

- (1) That the Legislative Assembly supports the Education and Health Standing Committee establishing an inquiry into the Fresh Start Illicit Drug Program and the use of Naltrexone implants in the treatment of opiate and alcohol dependent patients with the following terms of reference:
 - (a) to examine the merits of the program and progress towards the registration of Naltrexone implants with the Therapeutic Goods Administration and other trials of Naltrexone implants in Australia and overseas;
 - (b) the efficacy and safety of the program;
 - (c) the appropriate level and type of government support that should be provided to the program; and
 - (d) the Fresh Start Clinic and its practices.
- (2) That the Committee make recommendations and report to the Legislative Assembly no later than 13 August 2009.

11. Australian Abruzzo Earthquake Appeal (Notice given – 12/5/09)

Mr J.N. Hyde: To move –

That this Parliament calls on the Western Australian Government to donate \$100,000 to the Western Australian-based Australian Abruzzo Earthquake Appeal, in line with the South Australian Government's \$100,000 to the South Australian-based appeal.

12. Retention of Fremantle Inner Harbour as a Working Port (Notice given – 9/6/09)

Ms A.J.G. MacTiernan: To move –

That this House calls on the Government to recognise the strategic need to retain Fremantle Inner Harbour as a working port to ensure adequate well-placed container capacity for Western Australia.

13. Funding of the Arts in Fremantle (Notice given – 9/6/09)

Mr J.N. Hyde: To move –

That this House condemns the Barnett Government for its defunding and denuding of the arts in Fremantle, through the closure of the Fremantle History Museum, the Fremantle Light and Sound Discovery Centre and the World of Energy Museum, Western Australia's premier energy and environmental education centre.

14. Sitting Hours of the Legislative Assembly (Notice given – 9/6/09)

Dr J.M. Woollard: To move –

- (1) That the following term of reference be referred to the Procedure and Privileges Committee for its investigation and report to the House:
 - (a) that the sitting hours of the House be reviewed to ensure the House sits more appropriate business hours; and
 - (b) that recommendations be made to amend the Standing Order for the days and times of the meeting of the Assembly.
- (2) That the Committee report to the Legislative Assembly by 13 August 2009.

15. Closure of Grain Rail Network Lines (Notice given – 16/6/09)

Ms A.J.G. MacTiernan: To move –

That this House condemns the Barnett Government's inaction which has led to the closure this week of four lines of the grain rail network and calls upon the Government to take immediate action to reopen these lines and to match the Federal Government's \$135 million budget allocation for the Rail Rescue Package from the \$281 million unallocated Royalties to Regions money.

16. Towards Zero Road Safety Strategy (Notice given – 16/6/09)

Ms M.M. Quirk: To move –

That this House condemns the Minister for Road Safety for his failure to take any measures to stem the tide of fatalities and serious critical injuries on Western Australian roads and to implement and fund the Towards Zero road safety strategy targeted specifically at reducing the levels of road trauma suffered by Western Australians.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY
1. Implementation of Government's Hundred Day Plan (Moved – 3/12/08)

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

That the House condemns the Barnett Government for its failure to implement the election promises contained within its first 100-day plan document.

2. Perth Theatre Trust Amendment Bill 2009 (Mr J.N. Hyde) (No. 035, 1r. – 11/3/09)

To be read a second time.

3. Local Government Amalgamation Policy (Moved – 1/4/09)

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

That this House condemns the Premier and the Minister for Local Government for their confusing, destructive and non-consultative local government amalgamation policy.

4. Independent Mental Health and Wellbeing Commissioner (Moved – 8/4/09)

Adjourned debate (Ms L.L. Baker – continuation of remarks) on the motion moved by Mr R.H. Cook –

That this House condemns the Minister for Mental Health for his failure to act on issues as detailed in the *Liberal Plan for the First 100 Days of Government* which says the Government will appoint an independent Mental Health and Wellbeing Commissioner.

5. Equal Opportunity Amendment Bill 2009 (Mrs M.H. Roberts) (No. 046, 2r. – 13/5/09)

Second reading. Adjourned debate (Attorney General – continuation of remarks).

6. Weapons (Supply to Minors and Enhanced Police Powers) Amendment Bill 2008 (Ms M.M. Quirk) (No. 022, 2r. – 3/12/08)

Second reading. Adjourned debate (Mr A.P. O'Gorman – continuation of remarks).

7. Regional Projects and Programmes (Moved – 20/5/09)

Adjourned debate (Minister for Regional Development – continuation of remarks) on the motion moved by Ms A.J.G. MacTiernan –

That this House condemns the Minister for Regional Development for axing and deferring significant projects and programmes across regional Western Australia in defiance of his promise that Royalties for Regions funding would be over and above existing budget commitments.

8. Criminal Code (Identity Theft) Amendment Bill 2009 (Mr J.R. Quigley) (No. 045, 2r. – 6/5/09)

Second reading. Adjourned debate (Attorney General – continuation of remarks).

COMMITTEES TO REPORT

Community Development and Justice Standing Committee:

Inquiry into the Adequacy of Services to Meet the
Developmental Needs of Western Australia's Children – 31 July 2009

Economics and Industry Standing Committee:

Inquiry into the Provision, Use and Regulation of Caravan
Parks (and Camping Grounds) in Western Australia – 24 September 2009

Education and Health Standing Committee:

Review of Western Australia's Current and Future Hospital
and Community Health Services – 19 November 2009

Education and Health Standing Committee:

Inquiry into the Adequacy and Appropriateness of
Prevention and Treatment Services for Alcohol and Illicit
Drug Problems in Western Australia – 30 March 2010

GOVERNMENT RESPONSE TO COMMITTEE RECOMMENDATIONS

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Education and Health Standing Committee: Inquiry into the Tobacco Products Control Amendment Bill 2008	Minister for Health Minister for Mental Health Minister for Corrective Services Minister for Indigenous Affairs	12 June 2009
Joint Standing Committee on the Corruption and Crime Commission: Report on the Relationship Between the Parliamentary Inspector and the Commissioner of the Corruption and Crime Commission	Premier	19 June 2009
Joint Standing Committee on the Commissioner for Children and Young People: Report on the Review of the 2007–2008 Annual Report of the Commissioner for Children and Young People	Attorney General	14 August 2009

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Education and Health Standing Committee: Report on Healthy Child – Healthy State: Improving Western Australia's Child Health Screening Programs	Minister for Health Minister for Mental Health Minister for Education	21 August 2009
Public Accounts Committee: Report of the Inquiry into the Implications of the New Structure and Functions of the Department of Premier and Cabinet and the Public Sector Commission	Premier	11 September 2009

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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

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 V.A. Catania: 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 Nickol Bay Hospital.
- ”.

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 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** ”.

PETER J. MCHUGH

Clerk of the Legislative Assembly
