

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 31

TUESDAY, 17 SEPTEMBER 2013, 2.00 p.m.

Prayers *

Petitions

Papers

Giving Notice 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 7.00 p.m. Wednesdays

Grievances

— approximately 9.00 a.m. Thursdays

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.

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.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. **Criminal Code Amendment Bill (No. 2) 2013** (Parliamentary Secretary to the Minister for Mental Health; Disability Services; Child Protection) (LC No. 16)

To be read a first time.

2. **Statutes (Repeals and Minor Amendments) Bill 2013** (Parliamentary Secretary to the Minister for Mental Health; Disability Services; Child Protection) (LC No. 08)

To be read a first time.

3. **Appropriation (Consolidated Account) Recurrent 2013-14 Bill 2013** (Treasurer) (No. 28, 2r. – 8/8/13)

Third reading. Adjourned debate (Deputy Premier).

4. **Appropriation (Consolidated Account) Capital 2013-14 Bill 2013** (Treasurer) (No. 27, 2r. – 8/8/13)

To be read a third time.

5. ***Dog Amendment Bill 2013** (Minister for Local Government) (No. 19, 2r. – 26/6/13)

Further consideration in detail – on Clause 4.

6. **Coal Industry Superannuation Amendment Bill 2013** (Minister for Mines and Petroleum) (No. 21, 2r. – 26/6/13)
 Second reading. Adjourned debate (Ms S. McGurk).
7. ***Workers' Compensation and Injury Management Amendment Bill 2013** (Minister for Emergency Services) (No. 25, 2r. – 7/8/13)
 Second reading. Adjourned debate (Mr D.A. Templeman).
8. **Medicines, Poisons and Therapeutic Goods Bill 2013** (Minister for Health) (No. 23, 2r. – 7/8/13)
 Second reading. Adjourned debate (Mr D.A. Templeman).
9. **Family Court Amendment (Family Violence and Other Measures) Bill 2013** (Deputy Premier) (LC No. 014, 2r. – 14/8/13)
 Second reading. Adjourned debate (Mr D.A. Templeman).
10. **Restraining Orders Amendment Bill 2013** (Deputy Premier) (LC No. 12, 2r. – 14/8/13)
 Second reading. Adjourned debate (Mr D.A. Templeman).
11. **Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2013** (Treasurer) (No. 22, 2r. – 12/9/13)
 Second reading. Adjourned debate (Ms S. McGurk).
12. **Fair Trading Amendment Bill 2013** (Parliamentary Secretary to the Minister for Commerce) (LC No. 04, 2r. – 12/9/13)
 Second reading. Adjourned debate (Ms S. McGurk).

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. **Browse and Oakajee Projects** (Notice given – 7/5/13)
 Mr M. McGowan: To move –
 That this House condemns the Premier for his loss of the Browse and Oakajee Projects.
2. **Offer of Assistance to Western Australian Farmers** (Notice given – 7/5/13)
 Mr D.A. Templeman: To move –
 That this House condemns the Premier and the Liberal National Government for its totally inadequate offer of assistance to Western Australian farmers.
3. **Review of the *Forest Products Act 2000*** (Notice given – 7/5/13)
 Mr M.P. Murray: To move –
 That this House urges the Government to review as a matter of priority the implications of section 67 of the *Forest Products Act 2000* which is being deployed to evade the payment of compensation to plantation owners in Nannup who in March 2012 suffered a loss as a result of a Forest Products Commission contractor igniting a fire.
4. **Appointment of a Select Committee into the Increases of State Debt** (Notice given – 9/5/13)
 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 of the 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 which 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.

5. Introduction of Seniors Identification Cards (Notice given – 14/5/13)

Ms M.M. Quirk: To move –

That this House calls on the Government to introduce a seniors identification card for those elderly Western Australians who no longer have a driver's licence, and that such a card should be established by legislation to ensure it will be accepted as part of the 100 points check and will in all respects be given the same status as a licence.

6. Implementation of Significant Taxation Reform (Notice given – 18/6/13)

Mr B.S. Wyatt: To move –

That this House condemns the Barnett Government for its comprehensive failure to implement any significant taxation reform and to deliver on its taxation election commitments.

7. Basic Standards of Transparency (Notice given – 18/6/13)

Ms R. Saffioti: To move –

That this House condemns the Barnett Government for its lack of accountability and openness, and disregard of basic standards of transparency to the Parliament, Auditor General and through the Freedom of Information Act and to the people of Western Australia.

8. Financial Management (Notice given – 20/6/13)

Mr B.S. Wyatt: To move –

That the House condemns the Barnett Government for its woeful financial management since 2008 and for being unable to meet the standards of financial management it demanded when in Opposition.

9. Appointment of a Select Committee into the *Freedom of Information Act 1992* (Notice given – 6/8/13)

Ms M.M. Quirk: To move –

- (1) That this House appoints a select committee to inquire into and report on the effectiveness of the operation of the *Freedom of Information Act 1992* and, in particular to consider:
 - (a) the purposes and principles of freedom of information and whether the Freedom of Information Act satisfies those purposes and principles namely:
 - (i) the objects clauses in the Freedom of Information Act;

- (ii) the ambit of the application of the Act, including the appropriateness of the definition of “document” (Glossary – Freedom of Information Act) and the operation of Schedule 2 (bodies to which the Freedom of Information Act does not apply); and
 - (iii) the exemption provisions in Schedule 1 of the Freedom of Information Act.
 - (b) the effectiveness of processes under the Freedom of Information Act (including application and review processes) and ways in which those processes can be streamlined and made more efficient and user-friendly, including the utilisation of current and future technologies;
 - (c) the time and costs involved in providing access to government documents, having regard to the need to achieve a balance between facilitating legitimate and timely access to government documents and ensuring proper and efficient government administration. In considering this issue, the committee is to specifically consider:
 - (i) the appropriateness of the existing fees regime;
 - (ii) the appropriateness of current time limits contained in the Act; and
 - (iii) dealing with voluminous and/or vexatious requests; and
 - (d) the effectiveness and adequacy of current reporting and data collection requirements, to inform public understanding about the operation and administration of the Freedom of Information Act.
- (2) In identifying ways to improve and modernise the freedom of information regime, the committee is to consider (but not limit itself to):
- (a) relevant existing and proposed Commonwealth, State and Territory laws and practices;
 - (b) other recent reviews of freedom of information legislation, nationally and internationally;
 - (c) information or data from agencies that will assist in the identification of issues relating to the administration of the Freedom of Information Act;
 - (d) the operation of the freedom of information regime in an evolving technological environment;
 - (e) specific issues relating to access by individuals to personal information, including the interaction between Western Australia’s freedom of information regime and the protection of privacy interests;
 - (f) balancing the public interest in access to information with the need to preserve the integrity and confidentiality of deliberative processes for Ministers and other decision makers; and
 - (g) the interaction of the Freedom of Information Act with other mechanisms (including non-legislative mechanisms) for assessing information held by government.

10. Insurance Commission of Western Australia (Notice given – 11/9/13)

Mr B.S. Wyatt: To move –

That the House condemns the Premier for misleading the Parliament and the people of Western Australia in respect of:

- (1) The Government’s decision to require the Insurance Commission of Western Australia to pay a dividend; and
- (2) Failing to disclose the Government’s decision to require the Insurance Commission of Western Australia to pay a dividend in the 2012-13 Mid-Year Financial Projections Statement.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Land Supply and Land Approvals (Moved – 15/5/13)

Adjourned debate (Mr D.A. Templeman – continuation of remarks) on the motion moved by Ms R. Saffioti –

That this House condemns the Barnett Government on its failure to provide adequate land supply and land approvals in Western Australia to meet increasing housing demand.

2. Liquor Control Amendment Bill 2013 (Mr M.P. Murray) (No. 18, 2r. – 12/6/13)

Second reading. Adjourned debate (Minister for Emergency Services).

3. Amalgamation of Verve and Synergy (Moved – 19/6/13)

Adjourned debate (Minister for Energy – continuation of remarks) on the motion moved by Mr W.J. Johnston –

That this House condemns the Premier and the Liberal State Government for deciding to amalgamate Verve and Synergy without having a plan for any of the consequences of this decision.

4. Closing the Gap COAG Agreement on Indigenous Health (Moved – 19/6/13)

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

That this House calls on the Barnett Government to re-commit to the Closing the Gap COAG agreement on indigenous health to provide certainty and continuity of the indigenous health services who will cease being funded when the current agreement expires.

5. Gonski Reform Package (Moved – 26/6/13)

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

That this House calls on the Government to resolve issues with the Federal Government so that public schools can benefit from the Gonski reform package.

6. Council Amalgamations in the Metropolitan Area (Moved – 7/8/13)

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

That this House condemns the Barnett Government for breaking another promise and totally misleading the people of Western Australia with regard to forced council amalgamations in the metropolitan area.

7. Public Education (Moved – 11/9/13)

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 for its attacks on public education, in particular:

- (a) cuts to school support program resource allocation;
 - (b) cuts to teaching and education staff;
 - (c) loss of Gonski Better Schools funding; and
 - (d) a failure to adequately fund the moving of Year 7s to high school.
-

COMMITTEES TO REPORT

Committee		Date Due
<i>Community Development and Justice Standing Committee:</i>	Inquiry into Custodial Arrangements in Police Lock-ups	28 November 2013
<i>Joint Committee on Audit:</i>	Inquiry into the Budget, Organisational Structure and Resourcing Needs of the Office of the Auditor General	
<i>Joint Standing Committee on the Corruption and Crime Commission:</i>	Inquiry into the use of Part 4 powers under the <i>Corruption and Crime Commission Act 2003</i>	12 December 2013
<i>Joint Committee on Audit:</i>	Review of the <i>Auditor General Act 2006</i>	
<i>Joint Standing Committee on the Corruption and Crime Commission:</i>	Role of the Corruption and Crime Commission within the State's Integrity Coordinating Group	30 April 2014
<i>Economics and Industry Standing Committee:</i>	Inquiry into the Economic Implications of Floating Liquefied Natural Gas Operations	29 May 2014

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

Committee	Ministers to Respond	Date Due
Joint Standing Committee on the Corruption and Crime Commission – Proceeds of Crime and Unexplained Wealth: A Role for the Corruption and Crime Commission?	Minister representing the Attorney General	20 September 2013
Joint Standing Committee on the Corruption and Crime Commission – How the Corruption and Crime Commission Handles Allegations and Notifications of Police Misconduct	Minister representing the Attorney General	20 September 2013

* 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 is being undertaken cognately with a principal Bill, and no further second reading debate will occur.

NOTICES AND AMENDMENTS

Dog Amendment Bill 2013 (No. 19–1)

Clause 4.

Ms L. Baker: To move –

Page 4, after line 22 – To insert:

“

industry accredited dog trainer means a person who has attained, as a minimum requirement, the nationally recognised Certificate III in Companion Animal Services;

”

Clause 6.

The Minister for Local Government: To move –

Page 9, lines 29 to 31 – To delete the lines and substitute:

“

written law;

or

(b) delete paragraphs (d) and (e) and insert:

(d) a greyhound that is registered under the *Racing and Wagering Western Australia Act 2003* section 41 while the registration is in effect.

”

Clause 13.

The Minister for Local Government: To move –

Page 17, after line 17 – To insert:

“

(6) Delete section 15(6) and insert:

(6) The registration fee payable in relation to a dog’s first registration —

(a) that takes effect after 31 May and before 1 November in the year of the first registration; and

(b) that is to have effect until 31 October in that year,

is one half of the fee that would otherwise be payable.

”

Clause 30.

Ms L. Baker: To move –

Page 42, line 2 – To insert after “programme”:

“ provided by an industry accredited dog trainer ”.

Clause 31.

Ms L. Baker: To move –

Page 42, after line 28 – To insert:

“

(2A) After section 33A(2)(b) insert:

; or

(c) under the supervision of and on a premises used by an industry accredited dog trainer.

”

Clause 33.

Ms J. Freeman: To move –

Page 44, after line 34 – To insert:

“

(2C) Where a person liable for the control of a dog has been convicted of an offence and paid a penalty under subsection (1) where the dog has attacked or chased a person or animal and physical injury has been caused to that person or physical injury or death of that animal, the court imposing the penalty may order that the amount of the penalty, or part of that amount, be paid to the person attacked or the owner of the attacked animal.

”

Clause 38.

Ms L. Baker: To move –

Page 56, after line 28 – To insert:

“

(1A) In section 33H(2) insert after “training”:

provided by an industry accredited dog trainer

”

Clause 46.

Ms J. Freeman: To move –

Page 62, after line 31 – To insert:

“

(4A) In order to be satisfied that a dog is a nuisance as alleged in a complaint in subsection (3), the authorised person must establish that –

(a) the person who lodged the complaint has attempted to resolve the issue directly with the owner; and

- (b) the allegation is not frivolous or vexatious and is made in good faith; and
 - (c) the complaint is legitimate.
- ”

Ms J. Freeman: To move –

Page 62, after line 31 – To insert:

“

- (4B) Where an order is issued under subsection (3), the person to whom the order is issued may, within not more than 7 days after the giving of the order, either –
 - (a) lodge a written objection with the local government, with a subsequent right to apply to the State Administrative Tribunal for a review of the decision made by the local government on the objection; or
 - (b) apply directly to the State Administrative Tribunal for a review of the order.
- ”

Clause 53.

Ms L. Baker: To move –

Page 67, line 24 – To insert after “course”:

“ provided by an industry accredited dog trainer ”.

Ms L. Baker: To move –

Page 67, line 29 – To insert after “course”:

“ provided by an industry accredited dog trainer ”.

New Clause.

Ms L. Baker: To move –

Page 74, after line 2 – To insert:

“

59A. Review of Act

- (1) The Minister must carry out a review of the operation and effectiveness of this Act as soon as practicable after the fifth anniversary of its commencement.
- (2) The Minister must prepare a report based on the review and, as soon as is practicable after the report is prepared, cause it to be laid before each House of Parliament.

”.

Workers' Compensation and Injury Management Amendment Bill 2013 (No. 25–1)

Clause 4.

Ms M. Quirk: To move –

Page 4, line 5 – To insert after “1942”:

“

, or was employed in prescribed burning and firefighting activities by the Department of Parks and Wildlife or the Department of Environment and Conservation

”.

PETER J. McHUGH

Clerk of the Legislative Assembly