WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 11

WEDNESDAY, 19 JUNE 2013, 2.00pm

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions without Notice, Motions Without Notice, Motions and Orders of the Day.

Electronic version available on the Parliament's Internet site at www.parliament.wa.gov.au

MOTIONS

1. Foetal Alcohol Spectrum Disorder *(Notice given 14 May 2013)*

Continuation of remarks Hon Nick Goiran — 27 mins (Wednesday, 12 June 2013) on the motion of Hon Sally Talbot as follows –

> That the Council condemns the Government for its failure to provide adequate resources for child protection workers and carers to deal with the prevalence of Foetal Alcohol Spectrum Disorder amongst children in the care of the Director General of the Department for Child Protection and for withdrawing legal support for children who are abused or injured while in care.

Total time remaining on motion – 1hr 14mins.

2. Mangles Bay Marina Development *(Notice given 14 May 2013)*

Hon Lynn MacLaren: To move –

> That the Council —
>
> (a) notes the mass opposition to the proposed Mangles Bay marina tourism precinct development as evidenced by the petition bearing more than 8,000 signatures; and
>
> (b) calls on the Barnett Government to honour the original 1964 agreement under which the land at Point Peron including the site of the proposed development was transferred by the Commonwealth to the State subject to the condition that its future use would be restricted to a reserve for recreation and/or park lands.

3. Carbon Tax *(Notice given 14 May 2013)*

Hon Liz Behjat: To move –

That the Council –

(a) notes that the carbon tax imposed by the Gillard Labor Government has significant adverse implications for Western Australia because as the single biggest cause of electricity price increases it is, and will continue, to –

(i) push up the cost of living and the cost of doing business in Western Australia; and

(ii) reduce our international competitiveness and cost jobs; and

(b) calls on the Gillard Government to scrap this job-destroying carbon tax immediately.

4. Legislative Council Prayer *(Notice given 14 May 2013)*

Hon Sally Talbot: To move –

That a revised form of Prayer, as contained in the Schedule to this motion, be adopted by the Council.

Schedule

Almighty God, we ask for your blessing upon this Parliament. Direct and prosper our deliberations to the true welfare of Western Australia and its people. *Amen*.

5. Browse Basin LNG Development — Inquiry *(Notice given 14 May 2013)*

Hon Robin Chapple: To move –

That an inquiry be established into all aspects of the West Australian Government's involvement in regard to all decisions associated with the proposed Browse Liquefied Natural Gas processing precinct at James Price Point.

6. Recreational Hunting Systems *(Notice given 11 June 2013)*

Hon Rick Mazza: To move –

That the Council —

(a) acknowledges the success in other States of regulated, licensed recreational hunting systems and the valuable environmental contribution made in controlling pest animals on public lands, together with the economic, cultural and recreational benefits to the community; and

(b) supports a government investigation of implementing and utilising a similar system in Western Australia.

7. Liberal Party — Election Claims *(Notice given 11 June 2013)*

Hon Ken Travers: To move –

That the Legislative Council condemns Premier Barnett and the Liberal Party for misleading the people of Western Australia during the March 2013 State Election, when they claimed they had a "fully funded, fully costed" plan for Western Australia.

8. Goods and Services Tax — Distribution *(Notice given 11 June 2013)*

Hon Peter Katsambanis: To move –

That the Council —

(a) notes the fundamental inequality in the current method of Goods and Services Tax (GST) distribution between the states, which sees Western Australia receive less than half of what it would receive on a per capita basis;

(b) supports the introduction of a set per capita basis of distributing GST revenue amongst the states; and

(c) calls for the balance of GST revenue, beyond the set per capita distribution, to be distributed in an agreed and target-based manner creating a competitive environment which would drive productivity reforms, driving future growth across the Federation.

9. Department for Child Protection and Family Support – Front-line Services *(Notice given 11 June 2013)*

Hon Sally Talbot: To move –

That this House condemns the Barnett Government for failing to quarantine essential front-line services from budget cuts, in particular the Department for Child Protection and Family Support.

10. Fremantle Redevelopment Authority — Establishment *(Notice given 11 June 2013)*

Hon Simon O'Brien: To move –

That this House requests the Government establish a Fremantle Redevelopment Authority to coordinate and manage the planning and development of the greater Fremantle area, including all of North Fremantle.

11. Gender Pay Gap — Pay Equity Inquiry *(Notice given 11 June 2013)*

Hon Alanna Clohesy: To move –

That the Legislative Council notes that Western Australia continues to have the widest gender pay gap in Australia and calls on the Government to conduct a pay equity inquiry as a matter of urgency and use the recommendations of that inquiry to formulate a two-year strategy to close the gender pay gap in Western Australia.

12. Marine Parks in Western Australia *(Notice given 11 June 2013)*

Hon Rick Mazza: To move –

That the Council —

(a) supports a moratorium on any further marine parks in Western Australia, and an investigation into the access to and management of the current marine parks in Western Australia; and

(b) supports the trial of seasonal and rotational opening of marine parks in Western Australia to allow licenced recreational fishers to fish in designated areas in marine parks in Western Australia.

13. Psychiatric Hospitals — Patient Protection *(Notice given 11 June 2013)*

Hon Sally Talbot: To move –

That this House notes the findings of the Victorian Mental Illness Awareness Council, that 45 per cent of women who are inpatients in psychiatric hospitals in that state are sexually assaulted while an inpatient, and calls on the Government to take urgent action to —

(a) establish the extent of similar problems in Western Australian psychiatric hospitals; and

(b) protect women in Western Australian psychiatric hospitals from sexual assault.

14. Review of the *Firearms Act 1973* *(Notice given 12 June 2013)*

Hon Rick Mazza: To move –

That the Council supports an investigation and review of the *Firearms Act 1973*, with particular reference to interstate visitor temporary permits, pensioner discounts, classification of ammunition components and the length of time it takes to process applications.

15. Fishing Rules in Western Australia — Review *(Notice given 12 June 2013)*

Hon Rick Mazza: To move –

That the Council supports an investigation and review of the fishing rules in Western Australia, with particular reference to bag limits, boat limits and transportation of possession limits.

16. Fox and Wild Dog Bounty *(Notice given 13 June 2013)*

Hon Rick Mazza: To move –

That the Council supports an investigation into the establishment of a fox and wild dog bounty in Western Australia, similar to the Victorian model.

17. Review of the RSPCA *(Notice given 13 June 2013)*

Hon Rick Mazza: To move –

That the Council supports an investigation into the operations of the RSPCA, including an examination of its government funding, objectives and use of its powers.

18. Climate Change *(Notice given 18 June 2013)*

Hon Lynn MacLaren: To move –

That this Council calls on the State Government to —

(a) note that on May 9, the daily mean concentration of carbon dioxide in the atmosphere surpassed 400 parts per million for the first time since measurements began in 1958;

(b) note that evidence of warming Western Australian oceans is indicated by the increased numbers of jellyfish, tropical fish and whale sharks observed further south than ever before; and

(c) explain the changes required to the State Government's climate change strategy to reduce the rate of carbon dioxide emissions and to protect Western Australia's unique biodiversity.

BILLS FOR INTRODUCTION

1. Free Range Eggs Labelling Bill 2013 *(Notice given 16 May 2013)*

Hon Lynn MacLaren: To move –

That a Bill for "An Act to secure the confidence of consumers and protect the market of free range egg producers by establishing regulations for the labelling and sale of free range eggs in Western Australia." be introduced and read a first time.

2. Restraining Orders Amendment Bill 2013 *(Notice given 13 June 2013)*

Attorney General: To move –

That a Bill for "An Act to amend the *Restraining Orders Act 1997* and to make consequential amendments to the *Children's Court of Western Australia Act 1988*." be introduced and read a first time.

3. Climate Change Readiness (Coastal Planning and Protection) Bill 2013 *(Notice given 18 June 2013)*

Hon Lynn MacLaren: To move –

That a Bill for "An Act about planning and development in the coastal zone, the management of the coastal zone, and for related purposes." be introduced and read a first time.

ORDERS OF THE DAY

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1. Shire of Kellerberrin Dogs Local Law (2012) – Disallowance

Moved *pro forma* (SO 66(3)) 18 June 2013 on the motion of Hon Ljiljanna Ravlich (Days remaining 16 after today (Indicative date — 17 September 2013))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kellerberrin Dogs Local Law (2012)* published in the *Gazette* on 5 November 2012 and tabled in the Legislative Council on 13 November 2012 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled paper 5351).

2. Address-in-Reply

Resumption of debate adjourned Leader of the House (Tuesday, 18 June 2013) on the motion of Hon Liz Behjat. [#]

3. Electoral Amendment Bill 2013 *[LC] Leader of the House*

Second reading (Thursday, 11 April 2013).

4. Supply Bill 2013 *[LA 7–1] Minister for Mental Health representing the Treasurer*

Second reading resumption of debate adjourned Leader of the House (Tuesday, 18 June 2013). [Ω]

5. Queen Elizabeth II Medical Centre Amendment Bill 2013 *[LA 5–1] Parliamentary Secretary representing the Minister for Health*

Second reading continuation of remarks Hon Sue Ellery (Tuesday, 18 June 2013).

6. Hospitals and Health Services Amendment Bill 2013 *[LA 3–1] Parliamentary Secretary representing the Minister for Health*

Second reading adjourned (Thursday, 23 May 2013).

7. Family Court Amendment (Family Violence and Other Measures) Bill 2013 *[LC 14–1] Attorney General*

Second reading adjourned (Wednesday, 12 June 2013).

8. Duties Legislation Amendment Bill 2013 *[LA 10–1] Leader of the House representing the Minister for Finance*

Second reading adjourned (Tuesday, 18 June 2013).

9. Rates and Charges (Rebates and Deferments) Amendment Bill 2013 *[LA 6–1B] Leader of the House representing the Minister for Finance*

Second reading adjourned (Tuesday, 18 June 2013).

10. Protection of the Identity of Journalists' Informants *(Notice given 12 June 2013)*

Leader of the House: To move –

That new Standing Order 201, as outlined in the Schedule to this motion, be adopted by the Council and that the Standing Orders be renumbered accordingly.

Schedule

201. Protection of the Identity of Journalists' Informants

(1) Where a journalist is examined before a Committee or the Council and, in the course of such examination, is asked to disclose the identity of the journalist's informant and refuses, the Council shall consider whether to excuse the answering of the question pursuant to section 7 of the *Parliamentary Privileges Act 1891*.

(2) In considering a matter under (1), the Council shall only order the disclosure of the identity of a journalist's informant if the Council is satisfied that, having regard to the issues to be determined in the proceeding, the public interest in the disclosure of the identity of the informant outweighs —

(a) any likely adverse effect of the disclosure of the identity on the informant or any other person; and

(b) the public interest in the communication of facts and opinions to the public by the news media and, accordingly also, in the ability of the news media to access sources of facts.

(3) Without limiting the matters that the Council may have regard to for the purposes of this Standing Order, the Council must have regard to the following matters —

(a) the probative value of the identifying evidence in the proceeding;

(b) the importance of the identifying evidence in the proceeding;

(c) the nature and gravity of the subject matter of the proceeding;

(d) the availability of any other evidence concerning the matters to which the identifying evidence relates;

(e) the likely effect of the identifying evidence, including the likelihood of harm, and the nature and extent of harm that would be caused to the informant or any other person;

(f) the means available to the Council to limit the harm or extent of the harm that is likely to be caused if the identifying evidence is given;

(g) the likely effect of the identifying evidence in relation to —

(i) a prosecution that has commenced but has not been finalised; or

(ii) an investigation, of which the Council is aware, into whether or not an offence has been committed;

(h) whether the substance of the identifying evidence has already been disclosed by the informant or any other person;

(i) the risk to national security or to the security of the State;

(j) whether or not there was misconduct on the part of the informant or the journalist in relation to obtaining, using, giving or receiving information.

BILLS REFERRED TO COMMITTEES

1. Fair Trading Amendment Bill 2013 *[LC 4–1] Minister for Commerce*

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review. (SO 126 applies until 29 June 2013).

Second reading adjourned (Wednesday, 15 May 2013).

2. Statutes (Repeals and Minor Amendments) Bill 2013 *[LC 8–1] Attorney General*

Discharged and referred to the Standing Committee on Uniform Legislation and Statutes Review (Tuesday, 21 May 2013).

Second reading adjourned (Tuesday, 21 May 2013).

[#] Hon Alyssa Hayden — 24 seconds *(by leave)*;
[Ω] Hon Ken Travers *(by leave)*.

***** For amendments see Supplementary Notice Paper and/or Committee Report
For a list of all Petitions tabled see cumulative Tabled Paper list.

MALCOLM PEACOCK
Clerk of the Legislative Council