

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 190

THURSDAY, 25 FEBRUARY 2016, 9.00 a.m.

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 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. Pilbara Port Assets (Disposal) Bill 2015 (Treasurer) (No. 161, 2r. – 25/11/15)

To be read a third time.

2. Anzac Day Amendment Bill 2015 (Minister for Veterans) (No. 158, 2r. – 11/11/15)

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

3. Anzac Day Amendment Bill (No. 2) 2015 (Minister for Veterans) (No. 159, 2r. – 11/11/15)

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

4. *Aquatic Resources Management Bill 2015 (Minister for Health)

(No. 52, 2r. – 24/2/15) (last debated – 23/2/16)

‡**Aquatic Resources Legislation Amendment Bill 2015** (Minister for Health)

(No. 51, 2r. – 24/2/15) (last debated – 23/2/16)

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

5. Noongar (Koorah, Nitja, Boordahwan) (Past, Present, Future) Recognition Bill 2015

(Premier) (No. 112, 2r. – 14/10/15)

Second reading. Adjourned debate (Mrs M.H. Roberts).

- 6. Land Administration (South West Native Title Settlement) Bill 2015** (Premier)
(No. 168, 2r. – 25/11/15)

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

- 7. Biodiversity Conservation Bill 2015** (Minister for Environment) (No. 166, 2r. – 25/11/15)

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

- 8. *Local Government Legislation Amendment Bill 2014** (Minister for Local Government)
(No. 108, 2r. – 27/11/14) (last debated – 25/11/15)

Further consideration in detail – Clause 9.

- 9. Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2015** (Minister for Training and Workforce Development) (No. 137, 2r. – 18/6/15)

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

- 10. Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015**
(Minister for Police) (LC No. 114, 1r. – 23/2/16)

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

- 11. Road Traffic Legislation Amendment Bill (No. 2) 2015** (Minister for Road Safety)
(No. 151, 2r. – 11/11/15)

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

- 12. Executive Officer Remuneration (Government Entities) Legislation Amendment Bill 2015** (Premier) (No. 148, 2r. – 12/11/15)

Second reading. Adjourned debate (Ms S. McGurk).

- 13. Main Roads Amendment Bill 2015** (Minister for Transport) (No. 154, 2r. – 12/11/15)

Second reading. Adjourned debate (Ms S. McGurk).

- 14. Licensing Provisions Amendment Bill 2015** (Minister for Finance) (No. 162, 2r. – 17/11/15)

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

- 15. Residential Tenancies Amendment Bill 2015** (Parliamentary Secretary to the Minister for Commerce) (No. 164, 2r. – 18/11/15)

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

- 16. Disposal of Uncollected Goods Amendment Bill 2015** (Parliamentary Secretary to the Minister for Commerce) (No. 163, 2r. – 19/11/15)

Second reading. Adjourned debate (Ms S. McGurk).

- 17. Land Acquisition Legislation Amendment (Compensation) Bill 2014** (Premier)
(No. 100, 2r. – 27/11/14) (restored 18/2/16)

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

- 18. *Aboriginal Heritage Amendment Bill 2014** (Minister for Health) (No. 81, 2r. – 27/11/14)
(restored 18/2/16)

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

19. Premier's Statement

Adjourned debate (Leader of the House) on the amendment moved by Ms J.M. Freeman –

That the following words be added after “noted”–

“That the Liberal National Government be condemned for failing to meet its election promise on Police numbers”

on the question, That the Premier's Statement be noted.

20. Health Services Bill 2016 (Minister for Health) (No. 175, 2r. – 23/2/16)

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

21. Emergency Management Amendment Bill 2016 (Minister for Emergency Services) (No. 174, 2r. – 23/2/16)

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

22. Motor Vehicle (Catastrophic Injuries) Bill 2016 (Treasurer) (No. 176, 2r. – 24/2/16)

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

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Anti-Methamphetamine Advertising (Notice given – 22/4/15, renewed 23/9/15)

Mr M. McGowan: To move –

That this House supports the use of funds designated for the Bigger Picture advertising campaign to be transferred to the creation and implementation of an anti-methamphetamine advertising and public education campaign.

2. RSPCA (Notice given – 7/5/15, renewed 15/10/15)

Mr M. McGowan: To move –

That this House endorses the good work of the RSPCA and supports its continued government funding and role in handling prosecutions. Further, that this House rejects Liberal Party calls for an inquiry into this worthy organisation.

3. Role of the Auditor General (Notice given – 20/10/15)

Mr W.J. Johnston: To move –

That this House:

- (1) acknowledges that the current requirement that the Auditor General submit his audit reports pursuant to Regulations 29 and 30 of the *Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013* with the Minister for Energy before tabling his reports with Parliament is in direct conflict with the role of the Auditor General as an independent officer of Parliament; and
- (2) calls on the Government to immediately amend Regulation 31 of the *Electricity Corporations (Electricity Generation and Retail Corporation) Regulations 2013* so that the Auditor General tables these reports first with Parliament.

4. Recent Acts of Terrorism (Notice given – 17/11/15)

Mr M. McGowan: To move –

That this House:

- acknowledges the horror that has occurred in Paris, Baghdad and Beirut in the past few days as a result of acts of terrorism;
- expresses our deepest sympathy and condolences to the victims and those who have lost loved ones;
- acknowledges the tragic number of civilians killed, injured, forced from their homes, displaced or at risk because of the organisation known as Islamic State (IS);
- recognises the humanitarian disaster unfolding in Iraq and Syria, fuelled by IS and other violent and extreme groups;
- condemns organisations including IS which use violence, sexual violence, terror and mass atrocity crimes against civilian populations;
- reaffirms our belief that Australia has a responsibility to contribute to humanitarian efforts to address this ongoing crisis; and
- calls on the Parliament of Western Australia to promote inclusion and freedom of religion for all Australians and to stand with the Muslim community in their condemnation of terrorist organisations.

5. Management of the House (Notice given – 26/11/15)

Mr M. McGowan: To move –

That this House condemns all Liberal and National Members for abandoning the House in the first session of parliament on 26 November 2015.

6. Management of the House and the Leader of the House (Notice given – 26/11/15)

Mrs M.H. Roberts: To move –

That this House condemns the Barnett Government for its shambolic management of the House and calls on the Leader of the House to resign his position due to incompetence.

7. Management of the House and the Government Whip (Notice given – 26/11/15)

Ms S. McGurk: To move –

That this House condemns the Barnett Government for its hopeless and chaotic management of the House and calls on the Government Whip to resign due to his incompetence.

8. Behaviour in the House (Notice given – 26/11/15)

Mr P.B. Watson: To move –

That this House condemns the Member for Dawesville for his obscene and unparliamentary behaviour in the House directed towards the Member for Hillarys on 26 November 2015.

9. Unemployment Rates in Western Australia (Notice given – 11/8/15, renewed 16/2/16)

Mr M. McGowan: To move –

That this House condemns the Barnett Government for the increasing rate of unemployment, and failing to diversify the economy to create more jobs for the more than 94,000 unemployed West Australians.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. **Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013** (Moved – 11/3/15)

Adjourned debate (Mr D.A. Templeman) on the motion moved by Mr C.J. Tallentire –

That the *Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013* under the *Environmental Protection Act 1986*, a copy of which was laid upon the table of the House on Tuesday, 18 February 2014, are hereby disallowed.

2. **TAFE Course Fees** (Moved – 25/2/15) (last debated – 11/3/15)

Adjourned debate (Ms S. McGurk – continuation of remarks) on the motion moved by Mr F.M. Logan –

That this House condemns the Barnett Government for its massive increase in TAFE course fees and its sustained undermining of TAFE.

3. **Remote Aboriginal Communities** (Moved – 25/3/15)

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

That the House condemns the Premier for the ongoing uncertainty, confusion and fear that he has created in remote Aboriginal communities since stating that he would close 150 remote communities and calls on the Premier to immediately:

- (a) seek to have the Commonwealth Government reverse or delay its decision to cease funding remote Aboriginal communities;
- (b) clarify on what basis the Government will base its decision on which communities are worthy of future Government investment;
- (c) outline the base line data that the Government has collected to justify the Premier's statement that remote communities have failed; and

outline the Government support that will be provided to those people currently living on remote communities to ensure that their closure will result in better social outcomes.

4. **Criminal Code Amendment (Interference with War Memorials) Bill 2015** (Mr P.B. Watson) (No. 130, 2r. – 22/4/15)

Second reading. Adjourned debate (Mr R.F. Johnson).

5. **Unemployment in Western Australia** (Moved – 18/3/15) (last debated – 6/5/15)

Adjourned debate (Mr F.M. Logan – continuation of remarks) on the motion moved by Ms J.M. Freeman –

That this House calls on the Barnett Government to immediately tackle the rising unemployment rate in Western Australia, with particular focus on those suburbs and towns of significantly high unemployment, which the Barnett Government has failed to address.

6. **Criminal Code Amendment (Criminal Damage to Places of Worship) Bill 2015** (Ms M.M. Quirk) (No. 120, 2r. – 18/3/15) (last debated – 13/5/15)

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

7. Suburban Planning (Moved – 17/6/15) (Amendment moved – 17/6/15)

Adjourned debate (Ms E. Evangel – continuation of remarks) on the amendment moved by the Minister for Planning –

To delete all words after “House” with the view to inserting:

“

- (1) acknowledges the population growth pressures and demographic changes which are occurring in Western Australia, including an aging population and an increasing number of single and two person households;
- (2) acknowledges that issues which need to be addressed through the planning system include:
 - (a) increasing the effective use of existing infrastructure;
 - (b) housing diversity and affordability; and
 - (c) transport costs; and
- (3) supports actions being taken by the Government to ensure increases in housing density and diversity occur in appropriately targeted areas, including a review of the changes which were made to the Residential Design Codes regarding multi-unit housing developments in 2010.

”.

on the motion moved by Ms R. Saffioti –

That this House calls on the Barnett Government to implement a more strategic approach to planning our suburbs to regain public confidence in density and to ensure local communities are heard.

8. Natural Resource Management Groups Funding (Moved – 24/6/15)

Adjourned debate (Minister for Environment – continuation of remarks) on the motion moved by Mr C.J. Tallentire –

That this House condemns the Barnett Government for its failure to fund natural resource management groups in a timely and adequate manner.

9. Taking of Property on Just Terms Bill 2014 (Mr M.J. Cowper) (No. 78, 2r. – 25/6/14)
(Restored – 13/8/15)

Second reading. Adjourned debate (Mr M.J. Cowper – continuation of remarks).

10. Emergency Services Levy (Moved – 9/9/15)

Adjourned debate (Mr A. Krsticevic) on the motion moved by Ms M.M. Quirk –

That this House condemns the Barnett Government for misappropriating funds collected by the Emergency Services Levy for purely administrative purposes instead of for frontline emergency needs, and calls for a system of independent allocation of ESL funds to be implemented as recommended in the first Keelty inquiry.

11. Major Events (Ticket Scalping) Bill 2014 (Mr M. McGowan) (No. 111, 2r. – 23/9/15)

Second reading. Adjourned debate (Mr A. Krsticevic).

12. Local Government Amendment (Regional Subsidiaries) Bill 2014 (Mr S. Love)
(No. 83, 2r. – 11/9/14) (restored – 24/9/15)

Second reading. Adjourned debate (Dr A.D. Buti).

13. Housing Supply (Moved – 16/9/15) (last debated – 14/10/15)

Adjourned debate (Mr F.M. Logan – continuation of remarks) on the motion moved by Ms R. Saffioti –

That this House expresses concern that the Government's Perth and Peel@3.5 million plan does not provide for an adequate level of housing supply for the future.

14. Attacks on the RSPCA (Moved – 21/10/15)

Adjourned debate (Ms S. McGurk – continuation of remarks) on the motion moved by Mr M. McGowan –

That this House condemns the Liberal, National and Shooters & Fishers parties for their attacks on the RSPCA.

15. Seniors in Western Australia (Moved – 11/11/15)

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

That this House condemns the Barnett Government for its lack of leadership and planning for the increase in Western Australia's ageing population, for its failure to consult seniors in the course of its concession review and for a range of decisions which disproportionately impact on seniors.

16. Limitation Amendment (Child Sexual Abuse Actions) Bill 2015 (Dr G.G. Jacobs) (No. 160, 2r. – 12/11/15)

Second reading. Adjourned debate (Mrs M.H. Roberts).

17. Increases in Land Tax (Moved – 18/11/15)

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

That this House condemns the Barnett Liberal National Government for its three consecutive increases in land tax which are significantly impacting land owners and small businesses at a time when businesses are experiencing an economic slowdown.

18. "Buy Local" Policies (Moved – 25/11/15)

Adjourned debate (Minister for Regional Development – continuation of remarks) on the motion moved by Mr F.M. Logan –

That this House condemns the Barnett Government over its failure to abide and enforce its own "Buy Local" policies on providing preferential treatment to regional and indigenous companies tendering for housing maintenance and building contracts in the Kimberley.

19. Sentence Administration Amendment Bill 2016 (Mr J.R. Quigley) (No. 171, 2r. – 24/2/16)

Second reading. Adjourned debate (Mr A. Krsticevic).

20. Crime in Suburbs and Towns (Moved – 24/2/16)

Adjourned debate (Mr P. Papalia – continuation of remarks) on the motion moved by Mrs M.H. Roberts –

That this House notes the Liberal National Government has failed to properly address the rising crime being experienced in our suburbs and towns.

* Denotes amendments appearing 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.

AWAITING GOVERNOR'S MESSAGE

1. **Peel-Harvey Catchment Management Bill 2014** (Mr C.J. Tallentire) (No. 82, 2r. – 25/6/14)
(Restored – 13/8/15) (last debated – 16/9/15)

Second reading.

COMMITTEES TO REPORT

Committee

Date Due

Joint Standing Committee on Audit:

Inquiry into the Budget, Organisational Structure and Resourcing Needs of the Office of the Auditor General

Joint Standing Committee on Delegated Legislation:

Inquiry into Access to Australian Standards Adopted in Delegated Legislation

Community Development and Justice Standing Committee:

7 April 2016

Inquiry into the Methods Employed by Western Australia Police to Evaluate Performance

Joint Standing Committee on the Commissioner for Children and Young People:

19 May 2016

Review of the Functions Exercised by the Commissioner for Children and Young People

Economics and Industry Standing Committee:

30 June 2016

Inquiry into Technological and Service Innovation in Western Australia

Public Accounts Committee:

25 August 2016

Inquiry into Information and Communications Technology (ICT) Procurement and Contract Management

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Community Development and Justice Standing Committee – Report No. 10: A Measure of Trust – How WA Police Evaluates the Effectiveness of its Response to Family and Domestic Violence	Minister for Police; Minister Representing the Attorney General	22 January 2016 (non-compliance reported 16/2/16)
Public Accounts Committee – Report No. 12: Improving Local Government Accountability	Minister for Local Government; Community Services; Treasurer	26 February 2016
Joint Standing Committee on the Commissioner for Children and Young People – Report No. 6: Listen to This: A Review of Listen to Us: a Report by the Commissioner for Children and Young People	Premier	26 February 2016

NOTICES AND AMENDMENTS

Aboriginal Heritage Amendment Bill 2014 (No. 81–1)

Clause 18.

The Minister for Health: To move –

Page 19, lines 16 to 20 – To delete the lines and substitute:

“

(3) In section 28(4):

(a) delete “Subject to subsection (3), the” and insert:

The

(b) delete “Minister from a panel of names submitted for the purposes of this Act by the Registrar.” and insert:

Minister.

”.

Clause 43.

The Minister for Health: To move –

Page 34, line 13 – To delete “5” and substitute:

“ 6 ”.

=====

Aquatic Resources Management Bill 2015 (No. 52–1)

Clause 145.

The Minister for Health: To move –

Page 105, Table item 5 in the 3rd column – To insert after “who”:

“ holds an aquaculture licence and ”.

=====

Local Government Legislation Amendment Bill 2014 (No. 108–1)

Clause 16.

The Minister for Local Government: To move –

Page 13, line 13 – To insert after “frivolous,”:

“ trivial, ”.

Clause 26.

The Minister for Local Government: To oppose the Clause.

Clause 27.

The Minister for Local Government: To oppose the Clause.

Clause 28.

The Minister for Local Government: To oppose the Clause.

Clause 36.

The Minister for Local Government: To move –

Page 25, line 19 – To insert after “section 125(2)”:

“ in the definition of *public body* ”.

Clause 53.

The Minister for Local Government: To move –

Page 29, lines 20 to 23 – To delete the lines.

Clause 54.

The Minister for Local Government: To oppose the Clause.

New Clause 54.

The Minister for Local Government: To move –

Page 30, after line 6 – To insert:

“

Division 11 — *Corruption, Crime and Misconduct Act 2003* amended

54. Act amended

This Division amends the *Corruption, Crime and Misconduct Act 2003*.

”.

Clause 55.

The Minister for Local Government: To oppose the Clause.

New Clause 55.

The Minister for Local Government: To move –

Page 30, after line 6 – To insert:

“

55. Section 3 amended

- (1) In section 3(1) in the definition of *minor misconduct* delete paragraph (c) and insert:

(c) conduct engaged in by —

- (i) a member of a local government or council of a local government; or
- (ii) a member of a council of a regional local government;

- (2) In section 3(1) in the definition of *public authority* paragraph (c) delete “regional local government” and insert:

regional local government, regional subsidiary

”.

New Clauses 75A and 75B.

The Minister for Local Government: To move –

Page 34, after line 16 – To insert:

“

Division 21A — *Medicines and Poisons Act 2014* amended

75A. Act amended

This Division amends the *Medicines and Poisons Act 2014*.

75B. Section 95 amended

Delete section 95(1)(c) and insert:

(c) a person employed by —

- (i) a local government or regional local government under the *Local Government Act 1995* section 5.36; or
- (ii) a regional subsidiary.

”.

New Clauses 75C and 75D.

The Minister for Local Government: To move –

Page 34, after line 16 – To insert:

“

Division 21B — *Mental Health Act 2014* amended

75C. Act amended

This Division amends the *Mental Health Act 2014*.

75D. Section 572 amended

In section 572(1) in the definition of *State authority* delete paragraph (d) and insert:

(d) a local government, regional local government or regional subsidiary;

”.

Long title.

The Minister for Local Government: To move –

Page 1, in the 3rd bullet point – To delete “**the *Botanic Gardens and Parks Authority Act 1998*,**”.

=====

KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly