

# LEGISLATIVE ASSEMBLY

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## NOTICES AND ORDERS OF THE DAY

No. 213

TUESDAY, 28 JUNE 2016, 2.00 p.m.

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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.*

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**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](http://www.parliament.wa.gov.au).*

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### GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. **\*Dangerous Sexual Offenders Legislation Amendment Bill 2015** (Minister for Police)  
(LC No. 171, 2r. – 17/5/16)

Second reading. Adjourned debate (Mr R.H. Cook).

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

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

3. **Biodiversity Conservation Bill 2015** (Minister for Environment) (No. 166, 2r. – 25/11/15)  
To be read a third time.

4. **Electoral Amendment Bill 2016** (Premier) (LC No. 180, 2r. – 11/5/16)

Second reading. Adjourned debate (Ms J.M. Freeman).

5. **Taxi Amendment Bill 2016** (Minister for Transport) (No. 195, 2r. – 19/5/16)

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

- 6. Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2015** (Minister for Training and Workforce Development) (No. 137, 2r. – 18/6/15)  
(last debated – 16/6/16)

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

- 7. Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015** (Deputy Premier)  
(LC No. 114, 2r. – 24/2/16)

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

- 8. 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).

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

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

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

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

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

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

- 12. 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).

- 13. 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).

- 14. 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).

- 15. \*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).

- 16. 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.

- 17. Bush Fires Amendment Bill 2016** (Minister for Emergency Services) (No. 170, 2r. – 6/4/16)

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

- 18. Terrorism (Preventative Detention) Amendment Bill 2016** (Minister for Police) (No. 192, 2r. – 11/5/16)

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

- 19. Firefighters and Emergency Volunteers Legislation Amendment (Compensation) Bill 2016** (Minister for Emergency Services) (No. 188, 2r. – 11/5/16)

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

- 20. Fremantle Port Assets (Disposal) Bill 2016** (Treasurer) (No. 186, 2r. – 18/5/16)

Second reading. Adjourned debate (Mr W.J. Johnston).

**21. Universities Legislation Amendment Bill 2016** (Deputy Premier) (No. 172, 2r. – 19/5/16)

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

**22. Road Traffic Amendment (Impounding and Confiscation of Vehicles) Bill 2016**  
(Minister for Police) (No. 197, 2r. – 23/6/16)

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

**23. Sale of Land Amendment Bill 2016** (Minister for Lands) (No. 198, 2r. – 23/6/16)

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

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**PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION**

**1. 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.

**2. 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.

**3. 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.

**4. 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.

**5. 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.

**6. Road Safety Summit** (Notice given – 15/3/16)

Mr R.F. Johnson: To move –

That this House calls on the Government, as a matter of urgency, to establish a road safety summit with invitations to attend to experts in the field from both Australia and overseas, relevant road safety stakeholders and representatives of the community directly affected by road trauma.

**7. Aged Care Facilities** (Notice given – 5/4/16)

Ms M.M. Quirk: To move –

That this House condemns the Barnett Government for its failure to plan and provide for suitable sites for aged care accommodation; to negotiate with the Commonwealth for the necessary number of aged care licenses to meet the needs of this State; and to suitably manage the transition of elderly patients from tertiary hospitals to other settings for recuperation and rehabilitation.

**8. Recent Acts of Terrorism** (Notice given – 17/11/15, renewed 21/6/16)

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.

**9. State Government's Expenditure Management** (Notice given – 21/6/16)

Mr R.F. Johnson: To move –

That this House notes with the gravest concern that the following have been caused by the State Government's reckless approach to expenditure management:

- (a) the downgrade of the State's credit rating;
- (b) a sizable annual interest bill;
- (c) pressures to privatise a number of the State's assets;
- (d) a significant increase in land tax and consequent hardship on:
  - (i) tenants; and
  - (ii) investors with unlet properties;
- (e) the abandonment of key public transport projects;
- (f) the breaking of the Government's promise to keep utility bill increases to CPI; and
- (g) the diversion of resources away from law and order and road safety.

**10. Liberal Party Candidates** (Notice given – 21/6/16)

Mr R.F. Johnson: To move –

That this House express its concern that the Liberal Party is unable to select enough capable candidates for Parliament with the necessary skills to tackle this State's continued economic challenges because of the influence of factional powerbrokers and religious sects.

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**PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY**

**1. 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).

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

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

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

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

**4. 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.

**5. 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.

**6. 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.

**7. 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).

**8. 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.

**9. "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.

**10. 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.

**11. Private Sector Deals** (Moved – 6/4/16)

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

That this House condemns the Liberal National Government for its bad deals with the private sector which results in costing taxpayers significant sums of money, and notes the poor return the Government has received from its current sale of government land.

- 12. Criminal Laws (Domestic Violence) Amendment Bill 2016** (Mr M. McGowan) (No. 196, 2r. – 11/5/16)

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

- 13. Sentence Administration Amendment Bill 2016** (Mr J.R. Quigley) (No. 177, 2r. – 24/2/16) (last debated – 11/5/16)

To be read a third time.

- 14. Taxi Industry Concerns** (Moved – 11/5/16) (last debated – 18/5/16)

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

That this House calls on the Minister for Transport to immediately address the concerns and hardship being faced by the taxi industry.

- 15. Road Traffic Legislation Amendment (Disqualification for Life) Bill 2016** (Mr R.F. Johnson) (No. 199, 2r. – 15/6/16)

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

- 16. Training Sector Management** (Moved – 15/6/16)

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

That this House condemns the Liberal National Government for its mismanagement of the state training providers resulting in significant job losses, fee increases, reductions in student contact hours and the increasing privatisation of the training sector.

- 17. Health Care Provision** (Moved – 22/6/16)

Adjourned debate (Mr C.J. Tallentire – continuation of remarks) on the motion moved by Mr R.H. Cook –

That this House reaffirms its support for free, accessible universal health care and also calls on the Commonwealth Government to reject any proposal to implement a co-payment for GP and pathology test services or the privatisation of Medicare, which would result in increased pressure on hospital emergency departments.

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\* 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.

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## 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.

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## COMMITTEES TO REPORT

<i>Committee</i>	<i>Date Due</i>
<b><i>Joint Standing Committee on Audit</i></b> Review of the Department of Treasury's Report: Review of the <i>Financial Management Act (2006)</i>	
<b><i>Economics and Industry Standing Committee:</i></b> Inquiry into Technological and Service Innovation in Western Australia	30 June 2016
<b><i>Community Development and Justice Standing Committee:</i></b> Inquiry into Building Resilience and Engagement for At-Risk Youth Through Sport and Culture	16 August 2016
<b><i>Education and Health Standing Committee:</i></b> Inquiry into the Department of Education's Independent Public School Initiative	16 August 2016
<b><i>Public Accounts Committee:</i></b> Inquiry into Information and Communications Technology (ICT) Procurement and Contract Management	25 August 2016
<b><i>Education and Health Standing Committee:</i></b> Inquiry into Aboriginal Youth Suicide	17 November 2016
<b><i>Procedure and Privileges Committee:</i></b> Inquiry into the Terms of Reference of the Joint Standing Committee on the Corruption and Crime Commission	17 November 2016
<b><i>Joint Standing Committee on the Corruption and Crime Commission:</i></b> Inquiry into the Efficiency and Timeliness of the Current Appointment Process for Commissioners and Parliamentary Inspectors of the Corruption and Crime Commission	17 November 2016

## 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. 12: How do they manage? An investigation of the measures WA Police has in place to evaluate management of personnel	Minister for Police	24 June 2016
Joint Standing Committee on the Commissioner for Children and Young People – Report No. 7: Everybody's Business. An examination into how the Commissioner for Children and Young People can enhance WA's response to child abuse	Minister Representing the Attorney General	16 September 2016
Public Accounts Committee – Report No. 13: Report on the Housing Authority's Failure to Follow Through on Undertakings Made to the Committee	Minister representing the Minister for Housing	23 September 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 ”.

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### *Dangerous Sexual Offenders Legislation Amendment Bill 2015 (LC No. 171-2)*

Clause 17.

Mr J.R. Quigley: To move –

Page 15, after line 19 – To insert:

“

- (4) A court may only make an order under subsection (1)(b) if the court is satisfied that the offender will comply with the conditions stated in the order.
- (5) The offender has the onus of satisfying the court as described in subsection (4) and the court has to be satisfied —
  - (a) by acceptable and cogent evidence; and
  - (b) to a high degree of probability.
- (6) In deciding whether to make an order under subsection (1)(b), the court must disregard the fact that the person will be subject to electronic monitoring if an order under subsection (1)(b) is made.

”.

New Clause 18A.

Mr J.R. Quigley: To move –

Page 17, after line 3 – To insert:

“

**18A. Section 21 replaced**

Delete section 21 and insert:

**21. Warrant because of contravention**

- (1) A member of the police force or community corrections officer who reasonably suspects that a person who is subject to a supervision order is likely to contravene, is contravening, or has contravened, a condition of the order may apply to a magistrate for the issue of a warrant under subsection (3).
- (2) A person who makes an application under subsection (1) must advise the DPP as soon as practicable that the application has been made.
- (3) If the magistrate is satisfied that there are reasonable grounds for the suspicion described in subsection (1), the magistrate has to issue, in the form approved under section 46, a warrant directed to all members of the police force for the person who is subject to the supervision order to be arrested and brought before the Supreme Court for it to consider the suspected or anticipated contravention.
- (4) The warrant may state the suspected or anticipated contravention in general terms.
- (5) A magistrate cannot issue a warrant under subsection (3) for the arrest of a person unless the application for the warrant is supported by evidence on oath.
- (6) A person arrested pursuant to a warrant issued under subsection (3) for a suspected contravention shall not be released on bail, and shall be remanded in custody until the suspected contravention has been the subject of a determination by the Supreme Court.

”

Clause 20.

Mr J.R. Quigley: To oppose the clause.

New Clause 20.

Mr J.R. Quigley: To move –

Page 18, after line 16 – To insert:

“

**20. Section 23 replaced**

Delete clause 23 and insert:

**23. Court shall order detention**

- (1) If the court is satisfied, on the balance of probabilities, that the person who is subject to the supervision order is contravening, or has contravened, a condition of the supervision order, the court shall make a continuing detention order in relation to the person.
- (2) Subject to (1), if the court is satisfied, on the balance of probabilities, that the person who is subject to the supervision order is likely to contravene a condition of the supervision order, the court may —
  - (a) make an order amending the conditions of the supervision order, or extending the period for which the offender is to be subject to the conditions of the supervision order, or both; or
  - (b) if the court is also satisfied that there is an unacceptable risk that, if an order under this paragraph were not made, the person would commit a serious sexual offence, make a continuing detention order in relation to the person; or
  - (c) make no order.
- (3) In considering whether it is satisfied as required in subsection (2)(b), the court must disregard the possibility that the person might temporarily be prevented from committing a serious sexual offence by imprisonment, by remand in custody or by the imposition of bail conditions.
- (4) In deciding whether to make an order under subsection (2) the paramount consideration is to be the need to ensure adequate protection of the community.

”

Clause 28.

Mr J.R. Quigley: To move –

Page 21, after line 21 – To insert:

“

- (2A) A court may only make a supervision order under subsection (1)(b)(ii) if the court is satisfied that the offender will comply with the conditions stated in the order.
- (2B) The offender has the onus of satisfying the court as described in subsection (2).
- (2) In considering whether to make a supervision order under subsection (1)(b)(ii), the court must disregard the fact that the person will be subject to electronic monitoring if a supervision order under subsection (1)(b)(ii) is made.

”

***Emergency Management Amendment Bill 2016 (No. 174-1)***

New Clause 10A.

Ms M.M. Quirk: To move –

Page 10, after line 27 – To insert:

“

**10A. Section 25A inserted**

After section 24 insert:

**25A. Report on review to be laid before Parliament**

The Minister must cause a copy of any report received by the Minister under section 14(fa) to be laid before each House of Parliament within 30 sitting days of the House after the day on which the Minister receives the report.

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**KIRSTEN M. ROBINSON**

Clerk of the Legislative Assembly