

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 108

THURSDAY, 14 FEBRUARY 2019, 9.00 am

Acknowledgement of Country

Prayers *

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements *

Questions Without Notice * – approximately 2.00 pm each day

Matter of Public Interest ** – one per week on any day

Private Members' Business ** – 4.00 pm to 7.00 pm Wednesday

Grievances ** – approximately 9.00 am Thursdays

Private Members' Statements ** – 12.50 pm Thursdays

* *Note:* When the Assembly meets at 2.00 pm Brief Ministerial Statements and Questions Without Notice will follow Prayers.

***Note:* These items will not be taken this week as debate on noting the Premier's Statement will have priority for the first three sitting days.

Memorandum: The Assembly's Questions on Notice booklet is available at www.parliament.wa.gov.au

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. Premiers' Statement

Adjourned debate (Leader of the House) on the question, That the Premier's Statement be noted.

2. *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018

(Minister for Prevention of Family and Domestic Violence)

(No. 67, 2r. – 15/5/18)

Consideration in detail of Legislative Council Message No. 72.

3. *Criminal Law Amendment (Intimate Images) Bill 2018 (Attorney General)

(No. 76, 2r. – 28/6/18)

Consideration in detail of Legislative Council Message No. 73.

4. Bail Amendment (Persons Linked to Terrorism) Bill 2018 (Attorney General)

(No. 112, 2r. – 28/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

5. Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill 2018

(Parliamentary Secretary to the Minister for Environment) (No. 115, 2r. – 29/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

6. Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill (No. 2)

2018 (Parliamentary Secretary to the Minister for Environment) (No. 116, 2r. – 29/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

7. Ticket Scalping Bill 2018 (Minister for Commerce) (No. 110, 2r. – 28/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

8. Revenue Laws Amendment Bill 2018 (Minister for Finance) (No. 113, 2r. – 29/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

9. Taxation Administration Amendment Bill 2018 (Minister for Finance)

(No. 114, 2r. – 29/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

10. Transfer of Land Amendment Bill 2018 (Minister for Lands) (No. 111, 2r. – 21/11/18)

Second reading. Adjourned debate (Mr P.A. Katsambanis).

11. Consumer Protection Legislation Amendment Bill 2018

(Minister for Commerce) (No. 96, 2r. – 10/10/18)

Consideration in detail.

12. Administration Amendment Bill 2018 (Attorney General) (No. 77, 2r. – 27/6/18)

Second reading. Adjourned debate (Ms L. Mettam).

13. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018 (Minister for Planning)

(No. 108, 2r. – 7/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

14. Appropriation (Recurrent 2017-18) Supplementary Bill 2018 (Treasurer)

(No. 104, 2r. – 31/10/18)

Second reading. Adjourned debate (Ms L. Mettam).

15. Appropriation (Capital 2017-18) Supplementary Bill 2018 (Treasurer)

(No. 105, 2r. – 31/10/18)

Second reading. Adjourned debate (Ms L. Mettam).

16. Mining Amendment (Procedures and Validation) Bill 2018

(Minister for Mines and Petroleum) (No. 83, 2r. – 28/11/18)

Second reading. Adjourned debate (Ms L. Mettam).

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Infrastructure Western Australia (Notice given – 20/2/18, renewed – 21/8/18)

Dr M.D. Nahan: To move –

That this House calls on the McGowan Labor Government to ensure its proposed Infrastructure Western Australia reports directly to Parliament, rather than the Premier, and that all future infrastructure projects be assessed by Infrastructure Western Australia.

2. Parliamentary Budget Office (Notice given – 20/2/18, renewed – 21/8/18)

Dr M.D. Nahan: To move –

That this House calls on the McGowan Labor Government to introduce a Parliamentary Budget Office to provide independent advice to all Members of Parliament on costings of policies.

3. Leadership in Government (Notice given – 20/2/18, renewed – 21/8/18)

Dr M.D. Nahan: To move –

That this House notes the failure of the Premier to show leadership in his Government, highlighted by his acceptance of a culture of bullying in his Government and his failure to require the highest standards of integrity from members of his Government.

4. Education Cuts (Notice given – 20/2/18, renewed – 21/8/18)

Mrs L.M. Harvey: To move –

That this House calls on the McGowan Labor Government to reverse all of its cuts to education, which are being used to fund Labor's unfunded and unaffordable election commitments and do not contribute to debt or deficit repair.

5. Roe 8 Project Funding (Notice given – 20/2/18, renewed – 21/8/18)

Mrs L.M. Harvey: To move –

That this House calls on the McGowan Labor Government to table all tender information and contracts associated with the redistribution of funding originally allocated to the Roe 8 project to other infrastructure projects.

6. Committees and Inquiries (Notice given – 20/2/18, renewed – 21/8/18)

Mr Z.R.F. Kirkup: To move –

That this House notes the McGowan Government has convened more than 70 committees, inquiries, reviews and the like in the 10 months since it was elected, showing it is a party that had a plan to get in to government, but no plan to govern.

7. McGowan Government's First Year (Notice given – 13/3/18, renewed – 11/9/18)

Dr M.D. Nahan: To move –

That this House condemns the McGowan Government for its failures in its first year of government, including its backflips, bumbles and broken promises.

8. Regional WA (Notice given – 13/3/18, renewed – 11/9/18)

Mr P.J. Rundle: To move –

That this House condemns the McGowan Labor Government for its attack on regional WA during their first year in office.

9. Referral to the Economics and Industry Standing Committee (Notice given – 11/9/18)

Mr D.T. Redman: To move –

That this House refers to the Economics and Industry Standing Committee an inquiry into the risks to consumers and operators of non-registered and non-compliant accommodation utilising online booking platforms such as Airbnb.

10. Outer Harbour Proposal (Notice given – 11/9/18)

Mrs L.M. Harvey: To move –

That this House condemns the McGowan Government for its ill-conceived Outer Harbour proposal that cannot be justified on economic, social or environmental grounds.

11. Education Portfolio (Notice given – 11/9/18)

Mrs L.M. Harvey: To move –

(1) That this House condemns the McGowan Government's bumbles and backflips in the education portfolio including:

- (a) the backflip on Moora Residential College;
- (b) the backflip on Perth Modern School;
- (c) the backflip on the high rise high school in Northbridge;
- (d) the backflip on School of the Air;
- (e) the backflip on the Gifted and Talented Program;
- (f) the backflip on Northam Residential College;
- (g) the backflip on freezing the intake of Level 3 teachers;
- (h) the backflip on Bunbury Baptist College;
- (i) the bungling of Canning and Tuart College;
- (j) the bungling of Landsdale Farm School;
- (k) the bungling of camp school funding; and
- (l) other bungling and backflips.

(2) That this House condemns the McGowan Government for its failure to properly fund:

- (a) Trust funds for agriculture schools;
- (b) Kidsport;
- (c) Herdsman Wildlife Education Centre;
- (d) Community Kindergartens; and
- (e) its mean-spirited increases to VacSwim.

12. First Responders (Notice given – 11/9/18)

Mr P.A. Katsambanis: To move –

That this House:

- (a) extends its support and gratitude to the officers of the Western Australian Police Force, our fire and emergency services personnel, our paramedics and all first responders for their ongoing support and protection of our community; and
- (b) in particular, acknowledges the many difficult and tragic incidents they must attend to on behalf of the community which would have a lasting toll on their mental health and wellbeing.

13. Minister for Corrective Services (Notice given – 11/9/18)

Mr Z.R.F. Kirkup: To move –

That this House condemns the Minister for Corrective Services for his consistent failures in leadership and public accountability, in particular ongoing corruption issues, prison breakouts, drugs entering the prison system and prison officer misconduct, including allowing paedophiles to be unsupervised in public.

14. Government Accountability (Notice given – 20/3/18, renewed – 18/9/18)

Mrs L.M. Harvey: To move –

That this House condemns the Premier of Western Australia for gagging Parliamentary debate and refusing to be open and accountable in relation to the rebadged Barnett Government Forrestfield Airport Link.

15. Landgate Sale (Notice given – 8/5/18, renewed – 16/10/18)

Mr V.A. Catania: To move –

That this House condemns the McGowan Labor Government's plan to sell Landgate to fund its extravagant election promises, posing a risk to Western Australia's \$36 billion property transaction market and the security of the public's land title registry.

16. Education Portfolio Management (Notice given – 6/11/18)

Mr R.S. Love: To move –

That this House condemns the chaotic management of the education portfolio by the McGowan Labor Government and calls for the immediate resignation of Minister Ellery to restore confidence in the sector.

17. Corrections Portfolio (Notice given – 27/11/18)

Mr Z.R.F. Kirkup: To move –

That this House condemns the Minister for Corrective Services for his failures in the Corrections portfolio.

18. Government Transparency (Notice given – 27/11/18)

Mr Z.R.F. Kirkup: To move –

That this House notes:

- 1. The Premier's commitment to gold standard transparency in Government; and
- 2. The failure of Ministers in the McGowan Government to meet the Premier's standard of gold standard transparency.

19. Tourism Industry Delivery (Notice given – 27/11/18)

Ms L. Mettam: To move –

That this House notes the poor performance of the McGowan Government for its failure to deliver for the tourism industry, evidenced by a decline in international visitor numbers, a reduction in international students and its failure to deliver additional direct flights to Western Australia.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Local Projects, Local Jobs (Moved – 21/2/18)

Adjourned debate (Mr R.R. Whitby – continuation of remarks) on the motion moved by Mr D.C. Nalder –

That this House notes the failures of the McGowan Labor Government in project and financial management including Local Projects, Local Jobs, proper tendering processes, and undermining the intent of its own Infrastructure WA initiative.

2. Education and Health Standing Committee Referral (Moved – 14/3/18)

Adjourned debate (Minister for Sport and Recreation – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House directs the Education and Health Standing Committee to inquire into the Labor Government's cuts to education, announced 13 December 2017, to determine:

- (1) The educational impacts of the closure of Moora Residential College, closure or privatisation of six camp schools, cuts to the WA Agricultural Colleges Trust Fund, and increased fees for Vacswim; and
- (2) The appropriateness of the decision-making process behind the cuts, including any consultation that was undertaken.

3. Minister for Transport's Portfolios (Moved – 21/3/18)

Adjourned debate (Mr D.C. Nalder – continuation of remarks) on the motion moved by Mrs L.M. Harvey –

That this House notes that after one year in office, the Minister for Transport has not progressed any of Labor's Metronet projects, has failed to fully disclose information to the public about the progress of the Forrestfield Airport Link, has failed to accept \$1.2 billion in federal funding to improve road safety and productivity, and has awarded contracts without going to tender and providing a fair opportunity for businesses to bid for work.

4. Management of the Tourism Portfolio (Moved – 11/4/18)

Adjourned debate (Minister for Tourism – continuation of remarks) on the motion moved by Ms L. Mettam –

That this House condemns the Minister for Tourism for his gross mismanagement of the tourism portfolio, including intentionally misleading the people of Western Australia on falling international visitor numbers, blaming bureaucrats for his poor decision-making and his range of policies that are causing long-term damage to this important sector.

5. Services in Regional Western Australia (Moved – 9/5/18)

Adjourned debate (Mr I.C. Blayney – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the McGowan Government for its cuts to Royalties for Regions, CRCs, regional health, regional policing, regional education and other essential regional services, leading to the loss of jobs and services in regional WA.

6. McGowan Government (Moved – 16/5/18)

Adjourned debate (Treasurer – continuation of remarks) on the motion moved by Mr S. L'Estrange –

That this House condemns the McGowan Government for its savage cuts to frontline services, its increases to cost of living imposed on struggling Western Australian households and its failure to deliver a comprehensive plan for delivering long term, full time jobs.

7. Cost of Living and Frontline Services (Moved – 13/6/18)

Adjourned debate (Mr S. L'Estrange – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House highlights the impact the McGowan Government is having on the people of Darling Range through massive increases to the cost of living, cuts to frontline services and for its failure to fund critical infrastructure.

8. Regional Development Agenda (Moved – 20/6/18)

Adjourned debate (Minister for Tourism – continuation of remarks) on the motion moved by Mr D.T. Redman –

That this House expresses its lack of confidence in the Minister for Regional Development for failing to stand up for regional WA, given the McGowan Government's continual undermining of the regional development agenda, including the demise of Royalties for Regions.

9. Darling Range By-Election Result (Moved – 27/6/18)

Adjourned debate (Minister for Mines and Petroleum – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House calls on the McGowan Government to listen to the loud message sent by the people of Darling Range, including a commitment to lower the cost of living for struggling households, reverse the cuts to regional education and to commit to funding its infrastructure commitments, including Tonkin Highway Extension and the Byford Rail Line

10. Minister for Agriculture and Food (Moved – 15/8/18)

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

That this House condemns the Premier for his continued support of the Minister for Agriculture and Food, despite her lack of knowledge of the industry and refusal to support WA's farmers.

11. McGowan Government's Economic and Financial Policies (Moved – 22/8/18)

Adjourned debate (Minister for Mines and Petroleum – continuation of remarks) on the motion moved by Mr D.C. Nalder –

That this House condemns the McGowan Government for their short-sighted economic and financial policies that have damaged the economy by undermining business and investment confidence, reducing consumer discretionary expenditure and hurting international education and tourism.

12. Cost of Living in Western Australia (Moved – 12/9/18)

Adjourned debate (Minister for Mines and Petroleum – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House condemns the McGowan Government's crippling cost of living increases on struggling Western Australian households at a time of stagnant wages and for its failure to lower electricity prices through introducing retail competition and for using the Water Corporation as a taxing mechanism.

13. Major Events (Ticket Scalping) Bill 2018 (Mr J.E. McGrath) (No. 97, 2r. – 19/9/18)

Second reading. Adjourned debate (Ms L. Mettam).

14. Frontline Services and Critical Service Delivery (Moved – 19/9/18)

Adjourned debate (Minister for Tourism – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House condemns the McGowan Government's budget cuts to frontline services and the associated impact on critical service delivery to the people of Western Australia.

15. Health Portfolio (Moved – 10/10/18)

Adjourned debate (Ms L. Mettam – continuation of remarks) on the motion moved by Mr S. L'Estrange –

That this House condemns the Health Minister's handling of the health portfolio, placing our health system on a trajectory of cost cutting that is stripping away frontline health and mental health services in a similar manner to that which led to the chaos experienced under the last State Labor Government.

16. Fly-in Fly-out Work Practices (Moved – 17/10/18)

Adjourned debate (Mr R.S. Love – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House recognises that fly in fly out work practices can be detrimental to regional communities through the reduction of economic and social opportunities for development and calls on the McGowan Government to:

- (1) acknowledge the positive impact the Liberal-National Government made in improving the liveability of the Pilbara through Royalties for Regions investment;
- (2) ensure that all fly-in fly-out work arrangements are limited to genuinely remote and temporary operations and that workers are provided with genuine choice over where they live; and
- (3) ensure that key stakeholders, including Local Government, are engaged where the project will be located to address social and community infrastructure requirements.

17. Parliamentary Budget Officer Bill 2018 (Dr M.D. Nahan) (No. 106, 2r. – 31/10/18)

Second reading. Adjourned debate (Mr D.R. Michael).

18. Trust in the McGowan Government (Moved – 31/10/18)

Adjourned debate (Mr T.J. Healy – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House confirms the McGowan Government cannot be trusted because of its lack of accountability, broken promises, new taxes and failure to deliver on gold standard transparency.

19. McGowan Government's Decision-Making (Moved – 7/11/18)

Adjourned debate (Mr R.S. Love – continuation of remarks) on the motion moved by Mr V.A. Catania –

That this House condemns the Ministers of the McGowan Government whose inconsistent, mean-spirited, reactionary and politically-fuelled decision-making has undermined the trust and goodwill of Western Australians.

20. Housing Industry in Western Australia (Moved – 21/11/18)

Adjourned debate (Mr S. L'Estrange – continuation of remarks) on the motion moved by Mr D.C. Nalder –

That this House condemns the McGowan Government for its attack on the housing industry, home values and construction jobs, including reducing demand by introducing the foreign investment tax and cuts to the first home owner grant boost.

21. McGowan Government's First Two Parliamentary Years (Moved – 28/11/18)

Adjourned debate (Ms L. Mettam – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House condemns the McGowan Government for its failures in delivering on its election promises, cuts to frontline services, cost of living increases and failure to be open and accountable to the people of Western Australia in its first two parliamentary years.

* 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.

COMMITTEES TO REPORT

Committee	Date Due
Community Development and Justice Standing Committee: Inquiry into the protection of crowded places in Western Australia from terrorist acts.	28 March 2019
Economics and Industry Standing Committee: Inquiry into the emergence and impact of electricity microgrids and associated technologies in Western Australia.	28 March 2019
Education and Health Standing Committee: Inquiry into Type 2 diabetes.	30 April 2019
Joint Standing Committee on the Corruption and Crime Commission: Inquiry into public sector procurement of goods and services and its vulnerability to corrupt practice.	16 May 2019
Economics and Industry Standing Committee: Inquiry into short-stay accommodation in Western Australia	27 June 2019
Public Accounts Committee: Inquiry into public sector contract management practices	28 November 2019
Joint Standing Committee on the Commissioner for Children and Young People: Inquiry into the monitoring and enforcing of Child Safe Standards	28 November 2019
Joint Standing Committee on Audit: Review of the Treasurer's Review of the <i>Financial Management Act 2006</i> .	

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

Committee	Ministers to Respond	Date Due
Public Accounts Committee: Report No. 3: PCH – A long wait	Premier; Minister for Finance; Minister for Commerce and Industrial Relations	22 June 2018 [non-compliance reported 26/6/18]
Public Accounts Committee: Report No. 8: Setting the Stage for Improvement: Department of Education's management of student attendance	Minister representing the Minister for Education and Training	1 March 2019
Economics and Industry Standing Committee: Report No. 4: Western Australia's Smash Repair Industry: structural challenges	Treasurer; Minister for Commerce and Industrial Relations	1 March 2019

NOTICES AND AMENDMENTS

Criminal Law Amendment (Intimate Images) Bill 2018 (No. 76–1)

Legislative Council Message No. 73.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Criminal Law Amendment (Intimate Images) Bill 2018* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Criminal Law Amendment (Intimate Images) Bill 2018

No. 1

Clause 4, page 8, after line 29 — To insert:

221BF. Review of amendments made by *Criminal Law Amendment (Intimate Images) Act 2018*

- (1) The Minister must review the operation and effectiveness of the amendments made to this Code, the *Restraining Orders Act 1997* and the *Working with Children (Criminal Record Checking) Act 2004* by the *Criminal Law Amendment (Intimate Images) Act 2018*, and prepare a report based on the review, as soon as practicable after the 3rd anniversary of the day on which the *Criminal Law Amendment (Intimate Images) Act 2018* section 4 comes into operation.
- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 3rd anniversary.

Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 (No. 67–1)

Legislative Council Message No. 72.

The Legislative Council acquaints the Legislative Assembly that in reply to Message No. 109 from the Legislative Assembly on the *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018*, that the Legislative Council:

1. does not insist on its amendments Nos 1, 15 and 23;
2. insists on its amendments Nos 7 and 21; and
3. does not insist on, but has made alternative amendments in substitution for its amendments Nos 8 and 22, as set forth in the schedule annexed in which amendments the Legislative Council requests the concurrence of the Legislative Assembly.

Schedule indicating the alternative amendments made in substitution for Legislative Council amendments Nos 8 and 22 in the Residential Tenancies Legislation Amendment (Family Violence) Bill 2018, in which amendments the Legislative Council requests the concurrence of the Legislative Assembly.

Amendment No. 8

Amendment not insisted on, but substituted with the following amendment –

Clause 12, page 11, line 2 — To delete “so.” and insert:

so and, where restoration work has been undertaken by a tradesperson, must provide to the lessor a copy of that tradesperson’s invoice within 14 days of that work having been performed.

Amendment No. 22

Amendment not insisted on, but substituted with the following amendment –

Clause 35, page 34, line 32 — To delete “so.” and insert:

so and, where restoration work has been undertaken by a tradesperson, must provide to the park operator a copy of that tradesperson’s invoice within 14 days of that work having been performed.

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KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly