

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 201

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 15 OCTOBER 2024

1. Meeting of Assembly

The Assembly met at 1.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Message from the Governor

Message No. 29 from His Excellency the Governor was reported assenting to the following bills –

Births, Deaths and Marriages Registration Amendment (Sex or Gender Changes) Bill 2024, Act No. 31 of 2024.

Civil Liability Amendment (Provisional Damages for Dust Diseases) Bill 2024, Act No. 32 of 2024.

Police Legislation Amendment Bill 2024, Act No. 33 of 2024.

3. Message from the Governor

Message No. 30 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Keystart Bill 2024.

4. Papers

The following papers were presented and ordered to lie upon the Table of the House –

By the Speaker –

Register of Members' Financial Interests – Annual Returns as at 30 June 2024 and additional information for the Return from the year 2014–2015 of Members of the Legislative Assembly under the Members of Parliament (Financial Interests) Act 1992 (3222).

By the Clerk –

Auditor General, Office of the – Annual Report 2023–2024 (Received by the Clerk of the Legislative Assembly and deemed tabled on 26 September 2024) (3220).

Building Services (Registration) Act 2011 – Regulations (Building Services (Registration) Amendment Regulations 2024) (3223).

Busselton Water – Annual Report 2023–2024 (3224).

Cat Act 2011 – Local Laws (City of Wanneroo Cats Amendment Local Law 2024 G.G. 24/09/2024) (3225).

Child and Adolescent Health Service – Annual Report 2023–2024 (3226).

Corruption and Crime Commission – Report on the Western Australian Parliamentary Commissioner for Administrative Investigations (Ombudsman), 8th October 2024 (Received by the Clerk of the Legislative Assembly and deemed tabled on 8 October 2024) (3221).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report 1 July 2023–30 June 2024 Fisheries (3227).

Criminal Investigation (Covert Powers) Act 2012 – Department of Primary Industries and Regional Development, Assumed Identities 1 July 2023–30 June 2024 (3228).

Criminal Investigation (Covert Powers) Act 2012 – Department of Primary Industries and Regional Development, Witness Identity Protection Certificates 1 July 2023–30 June 2024 (3229).

Cross-border Justice Act 2008; Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Attorney General Regulations Amendment (Road Traffic Infringement Management Reform) Regulations 2024) (3230).

Disability Services Commission – Annual Report 2023–2024 (3231).

Financial Management Act 2006 – Section 65 notice from the Attorney General; Minister for Electoral Affairs advising the House of the late tabling of the 2023–2024 Annual Report for the Corruption and Crime Commission (3232).

Financial Management Act 2006 – Section 65 notice from the Attorney General; Minister for Electoral Affairs advising the House of the late tabling of the 2023–2024 Annual Report for the Department of Justice (3233).

Financial Management Act 2006 – Section 65 notice from the Minister for Aboriginal Affairs; Citizenship and Multicultural Interests advising the House of the late tabling of the 2023–2024 Annual Report for the Aboriginal Affairs Planning Authority (3235).

Financial Management Act 2006 – Section 65 notice from the Minister for Planning; Lands; Housing; Homelessness advising the House of the late tabling of the 2023–2024 Annual Report for the Department of Planning Lands and Heritage and the Western Australian Planning Commission (3234).

Fire and Emergency Services Superannuation Fund – Annual Report 2023–2024 (3236).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Wire Trace) Order 2024 G.G. 27/09/2024) (3237).

Government of Western Australia – Annual Report on State Finances 2023–2024 (3238).

Health (Miscellaneous Provisions) Act 1911 – Regulations (Health (Notifications by Midwives) Amendment Regulations 2024) (3239).

Health, Department of – Annual Report 2023–2024 (3240).

Insurance Commission of Western Australia – Statement of Corporate Intent 2024–2025 (3241).

Law Reform Commission of Western Australia – Annual Report 2023–2024 (3242).

Legal Costs Committee – Annual Report 2023–2024 (3243).

Liquor Control Act 1988 – Rules (Liquor Commission Amendment Rules 2024) (3244).

Local Government Act 1995 – Local Laws (City of Kwinana Animal, Environment and Amenity Local Law 2024 G.G. 14/10/2024) (3245).

Local Government Act 1995 – Local Laws (City of Mandurah Animals, Environment and Nuisance Amendment Local Law 2024 G.G. 07/10/2024) (3246).

Local Government Act 1995 – Local Laws (Shire of Westonia Fencing Local Law 2024 G.G. 04/10/2024) (3247).

Local Government Act 1995 – Local Laws (Shire of Westonia Historical Precinct Local Law 2024 G.G. 04/10/2024) (3248).

Local Government Act 1995 – Local Laws (Shire of Westonia Repeal Local Law 2024 G.G. 04/10/2024) (3249).

Local Government Act 1995 – Local Laws (Shire of Westonia Shipping and/or Sea Container Local Law 2024 G.G. 04/10/2024) (3250).

Magistrates Court Act 2004 – Rules (Magistrates Court (General) Amendment Rules 2024) (3251).

Mental Health Act 2014 – Regulations (Mental Health Amendment Regulations (No. 5) 2024) (3252).

Mental Health Advocacy Service – Annual Report 2023–2024 (3253).

Mines, Industry Regulation and Safety, Department of – Statutory review of the Commercial Tenancy (Retail Shops) Agreement Act 1985 (WA), April 2024 (3254).

North Metropolitan Health Service – Annual Report 2023–2024 (3255).

Office of the National Rail Safety Regulator – Annual Report 2023–2024 (3256).

Ombudsman Western Australia – Report on the monitoring activities of the Parliamentary Commissioner for Administrative Investigations under Part 4 of the Criminal Law (Unlawful Consorting and Prohibited Insignia) Act 2021 for the period ending 23 December 2023 (3257).

PathWest – Annual Report 2023–2024 (3258).

Planning and Development Act 2005 – Regulations (Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024) (3259).

Police Act 1892 – Regulations (Police (Fees and Charges) Amendment Regulations 2024) (3260).

Primary Industries and Regional Development, Department of – Annual Report 2023–2024 (3261).

Professional Standards Act 1997 – Schemes (The Law Society of New South Wales Professional Standards Scheme (2024) G.G. 04/10/2024) (3262).

Professional Standards Council of Western Australia – Annual Report 2023–2024 (3263).

Public Trustee – Annual Report 2023–2024 (3264).

Rail Safety National Law (WA) – Regulations (Rail Safety National Law National Regulations (Fees) Amendment Regulations 2024) (3265).

Rail Safety National Law Application Act 2024 – Regulations (Rail Safety National Law (WA) (Alcohol and Drug Testing) Regulations 2024) (3266).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations 2024) (3267).

Salaries and Allowances Act 1975 – Report of the Salaries and Allowances Tribunal for the remuneration of Judges, District Court Judges, Master of the Supreme Court, Magistrates and the Parliamentary Inspector of the Corruption and Crime Commission No. 1 of 2024 (3268).

Shipping and Pilotage Act 1967; Western Australian Marine Act 1982 – Regulations (Transport Regulations Amendment (Marine Safety Equipment) Regulations 2024) (3269).

Short-Term Rental Accommodation Act 2024 – Regulations (Short-Term Rental Accommodation Amendment Regulations 2024) (3270).

South Metropolitan Health Service – Annual Report 2023–2024 (3271).

State Administrative Tribunal – Annual Report 2023–2024 (3272).

State Solicitor’s Office – Annual Report 2023–2024 (3273).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations 2024) (3274).

Teacher Registration Act 2012 – Regulations (Teacher Registration (General) Amendment Regulations 2024) (3275).

Therapeutic Goods – Therapeutic Goods (Clinical Trial Inspections) Amendment Specification 2024 (3276).

Therapeutic Goods – Therapeutic Goods (Permissible Ingredients) Determination (No.3) 2024 (3277).

Therapeutic Goods – Therapeutic Goods (Serious Scarcity and Substitutable Medicine) (Insulin Degludec and Insulin Aspart) Instrument 2024 (3278).

Therapeutic Goods – Therapeutic Goods (Standard for Export Only Medicines) (TGO 114) Order 2024 (3279).

Transport, Department of – Annual Report 2023–2024 (3280).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (City of Mandurah Waste Local Law 2024 G.G. 07/10/2024) (3281).

Water and Environmental Regulation, Department of – Annual Report 2023–2024 (3282).

Western Australian Country Health Service – Annual Report 2023–2024 (3283).

Western Australian Electoral Commission – Annual Report 2023–2024 (3284).

Western Australian Treasury Corporation – Statement of Corporate Intent 2024–2025 (3285).

5. Notices of Motion

6. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier on the conduct of the former Ombudsman, Mr Chris Field, and the recruitment of a new Parliamentary Commissioner for Administrative Investigations (Ombudsman).

The Minister for Education on the 2025 Western Australian Rhodes Scholar, Ms Eden Rigo.

The Minister for Education acknowledging Lisa Rodgers, the former Director General of the Department of Education.

The Minister for Environment on the revised policy on greenhouse gas emissions for major projects that are assessed by the Environmental Protection Authority.

Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Environment –

Environment, Minister for – Greenhouse Gas Emissions Policy for Major Projects (3286).

7. Suspension of Standing Orders

The Leader of the House, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the Workers Compensation and Injury Management Amendment (Common Law Election Validation) Bill 2024 to be introduced forthwith without notice and to proceed through all stages without delay between the stages.

Question put.

The Acting Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion, to be carried with the concurrence of an absolute majority of the whole number of members of the House.

8. Workers Compensation and Injury Management Amendment (Common Law Election Validation) Bill 2024

The Minister for Industrial Relations, pursuant to the foregoing motion, moved,

That a bill for “An Act to amend the *Workers Compensation and Injury Management Act 2023*.” be introduced and read a first time.

Question put and passed.

The Minister for Industrial Relations presented an explanatory memorandum and bill read a first time.

The Minister for Industrial Relations moved, That the bill be now read a second time.

Mr P.J. Rundle moved, That the debate be adjourned.

Question put and passed.

9. Iron Ore Agreements Legislation Amendment Bill 2024

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for State and Industry Development, Jobs and Trade moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

10. Building Services (Complaint Resolution and Administration) Amendment Bill 2024

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Debate interrupted by the Chair (Mr R.S. Love speaking) and adjourned until a later stage of the sitting.

11. Questions

Questions without Notice were taken.

Question on Notice Nos 1396 to 1455 were asked.

Question on Notice Nos 1255, 1257 to 1263, 1265 to 1302, 1306 to 1345, 1347, 1349 to 1354, 1356 to 1360, 1362 to 1364, 1366, 1368 to 1373, 1375 to 1377, 1379 to 1385, 1390 and 1393 were answered.

12. Matter of Public Interest – Building and Construction Sector

The Speaker informed the Assembly that she was in receipt of a notice from Mr R.S. Love that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr R.S. Love moved,

That this House condemns the Cook Labor Government and the Commerce Minister for their failures in the building and construction sector, contributing to further instability in the industry and leaving West Australians vulnerable.

Debate ensued.

Question put.

The Assembly divided.

Ayes (6)

Ms M. Beard
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

Mr P.J. Rundle
Ms M.J. Davies (*Teller*)

Noes (42)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Ms C.M. Collins
Mr R.H. Cook
Ms L. Dalton
Mr M.J. Folkard
Ms E.L. Hamilton
Ms M.J. Hammat
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr H.T. Jones

Mr D.J. Kelly
Ms E.J. Kelsbie
Ms A.E. Kent
Dr J. Krishnan
Mrs M.R. Marshall
Ms S.F. McGurk
Mr D.R. Michael
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch

Ms M.M. Quirk
Ms R. Saffioti
Ms A. Sanderson
Mr D.A.E. Scaife
Ms J.J. Shaw
Ms R.S. Stephens
Dr K. Stratton
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Ms C.M. Tonkin
Mr R.R. Whitby
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Question thus negatived.

13. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

14. Speaker's Statement – Dinner Break

The Acting Speaker advised that the House is required to sit beyond 7.00 pm tonight and there will be a dinner break from 6.00 pm to 6.30 pm.

15. Building Services (Complaint Resolution and Administration) Amendment Bill 2024

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 10 agreed to.

Title agreed to.

Consideration in detail concluded.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Housing moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

16. Industrial Relations Legislation Amendment Bill 2021

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 43 agreed to.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

17. Removal of Orders of the Day

The Acting Speaker advised that Private Members' Business Orders of the Day, Primary Industries in WA and WA Cook Labor Government, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

18. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment –

15 October 2024

Queens Gardens Car Park (Inner City School) Bill 2024 (Message No. 155).

Community Protection (Offender Reporting) Amendment Bill 2024 (Message No. 156).

19. Adjournment

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 9.44 pm until Wednesday, 16 October 2024 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms H.M. Beazley, Ms D.G. D'Anna, Ms J.L. Hanns and Mr P. Lilburne.

MATHEW BATES

Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS

Speaker of the Legislative Assembly

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