

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 174

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 16 APRIL 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. 8 from His Excellency the Governor was reported assenting to the following bills –

Sentence Administration Amendment (Monitoring Equipment) Bill 2023, Act No. 6 of 2024.

Rail Safety National Law Application Bill 2023, Act No. 7 of 2024.

Vocational Education and Training Amendment Bill 2023, Act No. 8 of 2024.

Land Tax Assessment Amendment (Residential Construction Exemptions) Bill 2023, Act No. 9 of 2024.

3. Message from the Governor

Message No. 9 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Sports and Entertainment Trust Bill 2024.

4. Papers

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

By the Speaker –

Inspector of Custodial Services, Office of the – 2023 Inspection of Eastern Goldfields Regional Prison, Report 152, February 2024 (Received by the Speaker of the Legislative Assembly on 27 February 2024 and held for a period of 30 days) (2730).

By the Clerk –

Auditor General, Office of the – Better Practice Guide, Digital Identity and Access Management, Report 12, 28 March 2024 (Received by the Clerk of the Legislative Assembly and deemed tabled on 28 March 2024) (2724).

Auditor General, Office of the – Information Systems Audit, State Government 2022-2023, Report 14, 12 April 2024 (Received by the Clerk of the Legislative Assembly and deemed tabled on 12 April 2024) (2729).

Auditor General, Office of the – Provision of Supplementary Information to the Standing Committee on Estimates and Financial Operations, Report 13, 5 April 2024 (Received by the Clerk of the Legislative Assembly and deemed tabled on 5 April 2024) (2728).

Australian Children’s Education and Care Quality Authority – Annual Report 2022-2023 (2731).

Community Titles Act 2018 – Proclamations (Land Legislation (Postponement of Expiry Proclamation 2024) (2732).

Edith Cowan University Act 1984 – Statutes (Edith Cowan University Amending Statute No. 5 of 2023 G.G. 26/03/2024) (2733).

Edith Cowan University Act 1984 – Statutes (Edith Cowan University Amending Statute No. 6 of 2023 G.G. 09/04/2024) (2734).

Energy Safety Act 2006 – Notices (Energy Safety Levy Notice 2024 G.G. 09/04/2024) (2735).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Attorney General in relation to Legislative Council Question without Notice No. 107 (Received by the Clerk of the Legislative Assembly and deemed tabled on 3 April 2024) (2727).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Attorney General in relation to Legislative Council Question without Notice No. 1301 (Received by the Clerk of the Legislative Assembly and deemed tabled on 3 April 2024) (2725).

Financial Management Act 2006 – Notice given under section 82 of the Act by the Attorney General in relation to Legislative Council Question without Notice No. 1444 (Received by the Clerk of the Legislative Assembly and deemed tabled on 3 April 2024) (2726).

Fines, Penalties and Infringement Notices Enforcement Act 1994 – Regulations (Fines, Penalties and Infringement Notices Amendment Regulations 2024) (2736).

Fishing Industry Promotion Training and Management Levy Act 1994 – Regulations (Fishing Industry Promotion Training and Management Levy Amendment Regulations 2024) (2737).

Guardianship and Administration Act 1990 – Regulations (Guardianship and Administration Amendment Regulations 2024) (2738).

Land Administration Act 1997 – Proposal: Submission No. 01/2024 under the Act for the easement in Class ‘A’ Reserve 27185 managed by the Shire of Plantagenet (2739).

Liquor Control Act 1988 – Regulations (Liquor Control (Weymul Restricted Area) Regulations 2024) (2740).

Local Government Act 1995 – Local Laws (City of Bayswater Health Amendment Local Law 2024 G.G. 12/04/2024) (2741).

Local Government Act 1995 – Local Laws (City of Gosnells Cat Amendment Local Law 2023 G.G. 27/03/2024) (2742).

Local Government Act 1995 – Local Laws (Shire of Esperance Cat Local Law 2024 G.G. 08/04/2024) (2743).

Local Government Act 1995 – Local Laws (Shire of Esperance Cemeteries Local Law 2024 G.G. 08/04/2024) (2744).

Local Government Act 1995 – Local Laws (Shire of Esperance Dog Local Law 2024 G.G. 08/04/2024) (2745).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2024 G.G. 22/03/2024) (2746).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Animals, Environment and Nuisance Amendment Local Law 2024 G.G. 22/03/2024) (2747).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Cats Amendment Local Law 2024 G.G. 22/03/2024) (2748).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Cemeteries Amendment Local Law 2024 G.G. 22/03/2024) (2749).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Dogs Amendment Local Law 2024 G.G. 22/03/2024) (2750).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Extractive Industries Amendment Local Law 2024 G.G. 22/03/2024) (2751).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Fencing Amendment Local Law 2024 G.G. 22/03/2024) (2752).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Health Amendment Local Law 2024 G.G. 22/03/2024) (2753).

Local Government Act 1995 – Local Laws (Shire of Mount Magnet Standing Orders Amendment Local Law 2024 G.G. 22/03/2024) (2754).

Local Government Act 1995 – Local Laws (Town of Victoria Park Amendment Local Law 2024 G.G. 05/04/2024) (2755).

State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations 2024) (2756).

Supreme Court Act 1935 – Rules (Supreme Court Amendment Rules 2024) (2757).

Swan and Canning Rivers Management Act 2006 – Regulations (Swan and Canning Rivers Management Amendment Regulations 2024) (2758).

Transport (Road Passenger Services) Act 2018 – Regulations (Transport (Road Passenger Services) Amendment Regulations 2024) (2759).

Western Australian Electoral Commission – Report on the operation of Part VI of the Electoral Act 1907 for the period ended 30 June 2023 (2760).

Workers Compensation and Injury Management Act 2023 – Directions (WorkCover WA Guidelines for the Evaluation of Permanent Impairment (2024) G.G. 05/04/2024) (2761).

Workers Compensation and Injury Management Act 2023 – Regulations (Workers Compensation and Injury Management Regulations 2024) (2762).

5. Correction to Tabled Paper

The Speaker announced that she had authorised corrections to the following Tabled Papers tabled on 10 October 2023 –

WA Country Health Service – Annual Report 2022-2023 (2411).

South Metropolitan Health Service – Annual Report 2022-2023 (2406).

Health, Department of – Annual Report 2022-2023 (2389).

Papers

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

WA Country Health Service – Annual Report 2022-2023, Erratum (2764).

South Metropolitan Health Service – Annual Report 2022-2023, Erratum (2765).

Health, Department of – Annual Report 2022-2023, Erratum (2766).

6. Notices of Motion

7. Removal of Order of the Day

The Speaker advised that Private Members' Business Order of the Day, Housing Crisis and Cost of Living Pressures on West Australian Households, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

8. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Premier offering condolences to those affected by the Bondi Junction tragedy.

Members and officers of the Assembly stood in their places as a mark of respect.

The Minister for State and Industry Development, Jobs and Trade on the Griffin Coal government assistance.

The Minister for Culture and the Arts on the new programs at the Western Australian Museum.

The Attorney General on the new members of the Victims of Crime Reference Group.

The Minister for Veterans Issues on the inaugural ANZAC Day Family and Mateship event.

The Minister for Education on the school internet upgrades.

The Minister for Industrial Relations on the engineered stone ban.

The Minister for Mental Health on the review of the Mental Health Act 2014.

Papers

The following papers were presented and ordered to lie upon the Table of the House –
By the Minister for Health –

Health, Minister for – Report on the Statutory Review of the Mental Health Act 2014 (WA) (2767).

Health, Minister for – Government response to the report on the Statutory Review of the Mental Health Act 2014 (2768).

The Minister for Housing on the affordable apartments in Midland.

The Minister for Seniors and Ageing on the seniors cost of living rebate.

9. Electricity Industry Amendment (Alternative Electricity Services) Bill 2023

The Order of the Day for the consideration in detail of Legislative Council Message No. 128 was read.

The Message was as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the Electricity Industry Amendment (Alternative Electricity Services) Bill 2023 subject to the amendments contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Electricity Industry Amendment (Alternative Electricity Services) Bill 2023

No. 1

Clause 2, Page 2, lines 8 and 9 — To delete the lines and insert:

Royal Assent (*assent day*);

- (b) section 26(2) —
 - (i) if the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024* section 5 comes into operation on or before assent day — on the day after assent day;
 - (ii) otherwise — immediately after the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024* section 5 comes into operation;
- (c) section 26(3) —
 - (i) if the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024* section 24 comes into operation on or before assent day — on the day after assent day;
 - (ii) otherwise — immediately after the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024* section 24 comes into operation;
- (d) the rest of the Act — on the day after assent day.

- (2) Subsection (1)(d) is subject to section 29.

No. 2

New Part 4, Page 38, after line 29 — To insert:

Part 4 — Amendments consequential to enactment of the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024*

26. *Electricity Industry Act 2004* amended

- (1) This section amends the *Electricity Industry Act 2004*.
- (2) After section 59X(2) insert:

(2A) The AES code of practice must be consistent with the State electricity objective.

(3) In section 59X(4) delete “section 39.” and insert:

section 39 or the electricity system and market rules.

27. *Electricity Industry Amendment (Distributed Energy Resources) Act 2024* amended

- (1) This section amends the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024*.
- (2) In section 4(1) in the insertion delete the definition of *Coordinator*.
- (3) Delete section 9.

28. *Act amended*

- (1) This section amends this Act.
- (2) In section 4 in the insertion delete the definition of *Coordinator*.
- (3) Delete section 15.

29. *Repeal of s. 27 or 28*

Despite section 2(1)(d) —

- (a) if the *Electricity Industry Amendment (Distributed Energy Resources) Act 2024* section 4 comes into operation on or before the day on which this section comes into operation — section 27 does not come into operation and is repealed; or
- (b) if paragraph (a) does not apply — section 28 does not come into operation and is repealed.

No. 3

Long Title, Page 1, line 8 — To delete “1945.” and insert:

1945 and the Electricity Industry Amendment (Distributed Energy Resources) Act 2024.

CONSIDERATION IN DETAIL

The Minister for Energy moved, That amendments Nos. 1 to 3 be agreed to.

Amendments agreed to.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

10. Road Traffic Legislation Amendment (Infringement Management Reform) 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 1063 to 1070 were asked.

Question on Notice Nos 989 to 1055 and 1061 were answered.

Paper

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

By the Minister for Regional Development –

Question on Notice No. 996 – WA Regional Development Framework (2763).

12. Matter of Public Interest – Management of METRONET

The Deputy Speaker informed the Assembly that he 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 for its complete and utter failure to properly manage the development and operation of METRONET.

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 (46)

Mr S.N. Aubrey	Mr M. Hughes	Mr S.J. Price
Mr G. Baker	Mr W.J. Johnston	Mr D.T. Punch
Ms L.L. Baker	Mr H.T. Jones	Mr J.R. Quigley
Ms H.M. Beazley	Mr D.J. Kelly	Ms R. Saffioti
Dr A.D. Buti	Ms E.J. Kelsbie	Ms A. Sanderson
Mr J.N. Carey	Ms A.E. Kent	Ms J.J. Shaw
Mrs R.M.J. Clarke	Dr J. Krishnan	Ms R.S. Stephens
Ms C.M. Collins	Mr P. Lilburne	Mrs J.M.C. Stojkovski
Mr R.H. Cook	Mrs M.R. Marshall	Dr K. Stratton
Ms L. Dalton	Ms S.F. McGurk	Mr C.J. Tallentire
Ms D.G. D'Anna	Mr D.R. Michael	Ms C.M. Tonkin
Mr M.J. Folkard	Mr K.J.J. Michel	Mr R.R. Whitby
Ms E.L. Hamilton	Mr S.A. Millman	Ms S.E. Winton
Ms M.J. Hammat	Mr Y. Mubarakai	Ms C.M. Rowe (<i>Teller</i>)
Ms J.L. Hanns	Mrs L.M. O'Malley	
Mr T.J. Healy	Mr P. Papalia	

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. Road Traffic Legislation Amendment (Infringement Management Reform) 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 24 agreed to.

Clause 25.

The Minister for Road Safety moved,

Page 41, lines 22 and 23 — To delete “knowingly give information that is” and substitute:

give information that the person knows to be

Amendment put and passed.

Clause 25, as amended, agreed to.

Clauses 26 to 77 agreed to.

Title agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

15. Residential Tenancies Amendment Bill 2023

Message No. 131 dated 16 April 2024 from the Legislative Council was reported agreeing to the bill without amendment.

16. Adjournment

The Minister for Mines and Petroleum moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 6.47 pm until Wednesday, 17 April 2024 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms M.M. Quirk.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly

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