

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 110

WEDNESDAY, 20 FEBRUARY 2019, 12 noon

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.

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

BILLS – NOTICES OF MOTION

1. Infrastructure Western Australia Bill 2019 (Notice given – 19/2/19)

The Premier: To move –

That a Bill for “An Act —

- to establish Infrastructure WA for the principal purpose of providing advice and assistance to the Government on matters relating to infrastructure; and
- to amend certain other Acts consequentially; and
- for related purposes.” be introduced and read a first time.

2. Criminal Appeals Amendment Bill 2019 (Notice given – 19/2/19)

The Attorney General: To move –

That a Bill for “An Act to amend the *Criminal Appeals Act 2004* to introduce rights of further appeal against conviction, and to make consequential amendments to —

- the *Bail Act 1982*; and
- the *Criminal Procedure Act 2004*; and
- the *Fines, Penalties and Infringement Notices Enforcement Act 1994*; and
- the *Supreme Court Act 1935*.” be introduced and read a first time.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. *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).

2. 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).

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

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

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

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

5. Taxation Administration Amendment Bill 2018 (Minister for Finance)
(No. 114, 2r. – 29/11/18)

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

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

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

7. Consumer Protection Legislation Amendment Bill 2018
(Minister for Commerce) (No. 96, 2r. – 10/10/18)

Consideration in detail.

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

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

9. Metropolitan Region Scheme (Beeliar Wetlands) Bill 2018 (Minister for Planning)
(No. 108, 2r. – 7/11/18)

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

10. Appropriation (Recurrent 2017-18) Supplementary Bill 2018 (Treasurer)
(No. 104, 2r. – 31/10/18)

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

11. Appropriation (Capital 2017-18) Supplementary Bill 2018 (Treasurer)
(No. 105, 2r. – 31/10/18)

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

12. Premier's Statement

Adjourned debate (Mr D.R. Michael) on the question, That the Premier's Statement be noted.

13. 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).

14. Road Traffic Amendment (Blood Alcohol Content) Bill 2019 (Minister for Road Safety)
(No. 117, 2r. – 19/2/19)

Second reading. Adjourned debate (Mr W.R. Marmion).

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. 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, bungles and broken promises.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. The Minister for Water; Fisheries; Forestry; Innovation and ICT; Science
(Notice given – 19/2/19)

Dr M.D. Nahan: To move –

That this House condemns the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science for:

1. His bungling of the reforms to the cray fishing industry, for which he was required to backflip;
2. His opposition to a comprehensive shark mitigation strategy including SMART drumlines, for which he was required to backflip, and for his failure to implement a rigorous, scientific trial;
3. His failure to adequately lobby for Commonwealth support and funding for an Australian Space Agency Headquarters in Western Australia; and
4. His mismanagement of the water portfolio, including increases to water charges.

15. Impact of a Federal Labor Government on Western Australia (Notice given – 19/2/19)

Dr M.D. Nahan: To move –

That this House notes the damage that a Federal Labor Government will have on Western Australia, including increases to the cost of living, reduced income for seniors and damage to the housing and construction sector.

16. Job Creation in Western Australia (Notice given – 19/2/19)

Dr M.D. Nahan: To move –

That this House condemns the Premier and Minister for Jobs for his failure to diversify the economy and create jobs in Western Australia, which was his main promise to Western Australians at the 2017 election.

17. Major Transport Projects (Notice given – 19/2/19)

Mrs L.M. Harvey: To move –

That this House condemns the Minister for Transport for her bungling of major projects, including Metronet and the Huawei Radio Replacement Contract.

18. Privatisation of Public Assets (Notice given – 19/2/19)

Mr D.C. Nalder: To move –

That this House condemns the McGowan Government for its dishonesty prior to the State election by saying it opposed privatisation of public assets, and then subsequently selling a range of public assets following the election.

19. Collie Coal Industry (Notice given – 19/2/19)

Mr D.C. Nalder: To move –

That this House condemns the Minister for Energy for abandoning the people of Collie by closing down the coal industry.

20. Tourism Industry Policies (Notice given – 19/2/19)

Ms L. Mettam: To move –

That this House condemns the McGowan Government, and in particular the Minister for Tourism, for overseeing a collapse in the tourism sector which has been a direct consequence of the Government's failed policies.

21. Frontline Services and the Western Australia Community (Notice given – 19/2/19)

Mr S. L'Estrange: To move –

That this House condemns the McGowan Government for its cuts to frontline services, resulting in the WA community and frontline staff being put at risk.

22. Minister for Correctives Services Performance (Notice given – 19/2/19)

Mr Z.R.F. Kirkup: To move –

That this House notes the ongoing failures of the Minister for Corrective Services, which are reminiscent of his failures when he was a Minister in the Gallop/Carpenter Governments, and calls on the Minister to make way for someone from the Government backbench with more talent and integrity.

23. Western Australia's Livestock Industry (Notice given – 19/2/19)

Mr I.C. Blayney: To move –

That this House:

1. Expresses its unequivocal support for Western Australia's livestock industry and the other industries associated with and reliant on a successful and vibrant livestock industry.
2. Condemns the actions of activists interfering with and interrupting businesses going about their legitimate business activities, contributing to the economy, creating jobs and supporting their local communities.

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 Vacsweb; 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
Economics and Industry Standing Committee: Inquiry into short-stay accommodation in Western Australia	27 June 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.	15 August 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

Waste Avoidance and Resource Recovery Amendment (Container Deposit) Bill 2018 (No. 115-1)

Clause 6.

The Parliamentary Secretary to the Minister for Environment: To move –
Page 16, lines 20 to 27 — To delete the lines and substitute:

“

- (2) The Minister may direct the Coordinator to act as a refund point operator in respect of a refund point —
 - (a) if —
 - (i) persons in part of the community do not have reasonable access to a refund point; and
 - (ii) the Coordinator has not identified another person with whom to enter into a refund point agreement to operate the refund point;
 - or
 - (b) if the achievement of the objects of this Part may be materially adversely affected without the provision of the refund point.

”.

The Parliamentary Secretary to the Minister for Environment: To move –
Page 16, lines 28 to 30 — To delete the lines.

The Parliamentary Secretary to the Minister for Environment: To move –
Page 30, after line 1 — To insert:

“

- (4) Regulations may deal with any matter in relation to the Minister’s approval under subsection (3)(a)(iv) and (e)(iv) and may (without limitation) deal with the grounds on which the Minister may refuse to approve a person.

”.

The Parliamentary Secretary to the Minister for Environment: To move –
Page 31, after line 8 — To insert:

“

- (3) Regulations may deal with any matter in relation to the Minister’s power to attach conditions under subsection (1) or amend or revoke or attach new conditions under section 47ZQ(1)(a) and may (without limitation) deal with the content of a condition or amendment.

”.

The Parliamentary Secretary to the Minister for Environment: To move –
Page 44, lines 10 to 17 — To delete the lines and substitute:

“

- (1) The Minister may —
 - (a) give written directions to the Coordinator with respect to the performance of its functions under this or any other Act, either generally or in relation to a particular matter; and
 - (b) amend or revoke a direction given under paragraph (a).
- (2) Regulations may deal with any matter in relation to a power of the Minister under subsection (1) and may (without limitation) deal with —
 - (a) the grounds on which the Minister may give, amend or revoke a direction; and
 - (b) the process that must be followed in relation to the giving, amending or revoking of a direction; and
 - (c) the content of a direction or amendment.

”.

KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly