

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 146

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 10 OCTOBER 2023

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. 24 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Electoral Amendment (Finance and Other Matters) Bill 2023.

3. Message from the Governor

Message No. 25 from His Excellency the Governor was reported assenting to the Abortion Legislation Reform Bill 2023, Act No. 20 of 2023.

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 Karnet Prison Farm, Report No. 151, August 2023 (Received by the Speaker of the Legislative Assembly on 31 August 2023 and held for a period of 30 days) (2367).

Register of Members' Financial Interests – Annual Returns as at 30 June 2023 and Additional Information for Returns from the Years 2022–2023 and Primary Returns of Members of the Legislative Assembly under the Members of Parliament (Financial Interests) Act 1992 (2368).

By the Clerk –

Administration Act 1903 – Statutory review of intestacy legacy amounts (2369).

Art Gallery of Western Australia – Annual Report 2022–2023 (2370).

Auditor General, Office of the – 2023 Transparency Report: Major Projects, Report No. 6, 2 October 2023 (Received by the Clerk of the Legislative Assembly and deemed tabled on 4 October 2023) (2366).

Auditor General, Office of the – Annual Report 2022–2023 (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 September 2023) (2365).

Auditor General, Office of the – Information Systems Application Audit – Triple Zero – Report No. 5, 22 September 2023 (Received by the Clerk of the Legislative Assembly and deemed tabled on 22 September 2023) (2364).

Biosecurity and Agriculture Management Act 2007 – Regulations (Biosecurity and Agriculture Management Regulations Amendment (Industry Funding Schemes) Regulations 2023) (2371).

Building Act 2011 – Regulations (Building Amendment Regulations (No. 2) 2023) (2372).

Bunbury Water Corporation (Aqwest) – Annual Report 2022–2023 (2373).

CBD Courts Project Contract – Annual Report 2022–2023 (2374).

Child and Adolescent Health Service – Annual Report 2022–2023 (2375).

Commissioner for Children and Young People, Joint Standing Committee on the – Government Response to Committee Report No. 6 – Hungry for Change. Addressing food insecurity for children and young people affected by poverty (2376).

Conservation and Land Management Act 1984 – Lease No. 894/97 between the Department of Biodiversity, Conservation and Attractions and Scout Association of Australia / Western Australian Branch for approved commercial short-stay temporary visitor accommodation in State Forest No. 23, Shire of Serpentine-Jarrahdale (2377).

Conservation and Land Management Act 1984 – Living Area Lease No. 2268/100 between the Department of Biodiversity, Conservation and Attractions and Billingjul Aboriginal Corporation for land within Purnululu National Park (2378).

Construction Training Fund – Annual Report 2022–2023 (2379).

Court Security and Custodial Services Contract – Annual Report 2022–2023 (2380).

Criminal Injuries Compensation, Office of the – Annual Report 2022–2023 (2381).

Criminal Investigation (Covert Powers) Act 2012 – Annual Report 1 July 2022–30 June 2023 by the Corruption and Crime Commission: Australian Crime Commission (2382).

East Metropolitan Health Service – Annual Report 2022–2023 (2383).

Fair Trading Act 2010 – Notices (Consumer Goods (Toys for Children up to and including 36 Months of Age) Safety Standard 2023 G.G. 29/09/2023) (2384).

Fair Trading Act 2010 – Standards (Consumer Goods (Care Labelling) Information Standard 2023 G.G. 22/09/2023) (2385).

Financial Management Act 2006 – Further notice given under Section 65 from the Attorney General; Minister for Electoral Affairs informing the House of a late tabling of the 2022–2023 Annual Reports from the Corruption and Crime Commission, Office of the Public Trustee, and Professional Standards Council (2386).

Gaming and Wagering Commission – Annual Report 2022–2023 (2387).

Gas Standards Act 1972 – Regulations (Commerce Regulations Amendment (Gas Standards) Regulations 2023) (2388).

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

Justice, Department of – Annual Report 2022–2023 (2390).

Legal Profession Uniform Law Application Act 2022 – Regulations (Legal Profession Uniform Law Application Amendment Regulations 2023) (2391).

Licensed Surveyors Act 1909 – Regulations (Licensed Surveyors (Licensing and Registration) Amendment Regulations 2023) (2392).

Liquor Commission of Western Australia – Annual Report 2022–2023 (2393).

Local Government Act 1995 – Local Laws (City of Swan Consolidated Amendment Local Law (No. 2) 2023 G.G. 29/09/2023) (2394).

Magistrates Court (Civil Proceedings) Act 2004; Magistrates Court Act 2004 – Rules (Magistrates Court Rules Amendment Rules 2023) (2395).

Mental Health Act 2014 – Regulations (Mental Health Amendment Regulations (No. 3) 2023) (2396).

Mental Health Advocacy Service – Annual Report 2022–2023 (2397).

Mining Act 1978 – Regulations (Mining Amendment Regulations (No. 3) 2023) (2398).

Misuse of Drugs Act 1981 – WA Police Force Annual Report 2022–2023 under Part 4A of the Act (2399).

National Rail Safety Regulator, Office of the – Annual Report 2022–2023 (2400).

North Metropolitan Health Service – Annual Report 2022–2023 (2401).

PathWest – Annual Report 2022–2023 (2402).

Premier and Cabinet, Department of – Advice from the Director General relating to the allocation of Ministerial Portfolio Responsibilities within the Transport portfolio and Planning portfolio (2403).

Prisoners Review Board – Annual Report 2022–2023 (2404).

Public Health Act 2016 – Regulations (Public Health Amendment Regulations (No. 4) 2023) (2405).

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

State Administrative Tribunal – Annual Report 2022–2023 (2407).

Supervised Release Review Board – Annual Report 2022–2023 (2408).

Surveillance Devices Act 1998 – Australian Criminal Intelligence Commission Annual Report 2022–2023 pursuant to section 43 of the Act (2409).

Surveillance Devices Act 1998 – WA Police Force Annual Report 2022–2023 (2410).

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

Western Australia Police Force – Annual Report 2022–2023 (2412).

5. Correction to Tabled Paper

The Speaker announced that she had authorised corrections to the following Tabled Paper deemed tabled on 4 October 2023 –

Auditor General, Office of the – 2023 Transparency Report: Major Projects (2366).

Paper

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

By the Speaker –

Auditor General, Office of the – 2023 Transparency Report: Major Projects – Erratum (2416).

6. Correction to Tabled Paper

The Speaker announced that she had authorised corrections to the following Tabled Paper tabled on 15 November 2022 –

Disability Services Commission – Annual Report 2021–2022 (1626).

Paper

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

By the Speaker –

Disability Services Commission – Annual Report 2021–2022 – Erratum (2417).

7. Notices of Motion

8. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Culture and the Arts on the passing of Professor Ted Snell, AM CitWA, one of Western Australia's champions of the visual arts.

The Minister for Sport and Recreation on the launch of the Rod Marsh Wicket Keeping Academy.

The Minister for Veterans Issues on a meeting of the Veterans' Ministerial Council.

The Minister for Energy on the State's readiness to transition from coal to a renewable energy future.

The Minister for Training on the Career Taster Program to enhance vocational education and training in high schools.

The Minister for Training on the 2023 WA Training Awards.

The Minister for Mental Health on the 2023 Mental Health Week.

9. Removal of Order of the Day

The Speaker advised that Private Members' Business Order of the Day, METRONET Projects, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

10. Electricity Industry Amendment (Distributed Energy Resources) Bill 2023

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 G. Baker speaking) and adjourned until a later stage of the sitting.

11. Questions

Questions without Notice were taken.

Questions on Notice Nos 913 to 934 were asked.

Questions on Notice Nos 856 to 860, 862 to 864, 866 to 868, 870 to 873, 875 and 876 were answered.

Paper tabled by the Minister for Transport –

Question on Notice No. 859 – Media Statement from the Former Liberal-National Government about reaffirming commitment to grain freight network investment strategy, 28 July 2011 (2413).

Paper tabled by the Minister for Mines and Petroleum –

Question on Notice No. 862 – Email and attachment sent by the London Bullion Market Association to The Perth Mint relating to the investigation of The Perth Mint (2414).

12. Matter of Public Interest – Perth Children’s Hospital

The Speaker informed the Assembly that she was in receipt of a notice from Ms L. Mettam that she intended to move a motion on a matter of public interest.

At least five members having risen in support,

Ms L. Mettam moved,

That this House condemns the Cook Labor Government for not ensuring Ward 5A in Perth Children's Hospital is a safe environment, almost two years after an alleged sexual assault within the unit and calls on the government to publicly release the reviews into the incident, without identifying information, as a priority to restore confidence in the hospital system.

Debate ensued.

Question put.

The Assembly divided.

Ayes (6)

Ms M.J. Davies
Dr D.J. Honey

Mr R.S. Love
Ms L. Mettam

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

Noes (44)

Mr S.N. Aubrey	Mr H.T. Jones	Ms M.M. Quirk
Mr G. Baker	Mr D.J. Kelly	Ms R. Saffioti
Ms H.M. Beazley	Ms E.J. Kelsbie	Ms A. Sanderson
Mr J.N. Carey	Ms A.E. Kent	Mr D.A.E. Scaife
Mrs R.M.J. Clarke	Dr J. Krishnan	Ms J.J. Shaw
Ms C.M. Collins	Mr P. Lilburne	Ms R.S. Stephens
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	Mr D.A. Templeman
Mr M.J. Folkard	Mr S.A. Millman	Mr P.C. Tinley
Ms M.J. Hammat	Mr Y. Mubarakai	Ms C.M. Tonkin
Ms J.L. Hanns	Ms L.A. Munday	Mr R.R. Whitby
Mr T.J. Healy	Mrs L.M. O'Malley	Ms S.E. Winton
Mr M. Hughes	Mr P. Papalia	Ms C.M. Rowe (<i>Teller</i>)
Mr W.J. Johnston	Mr S.J. Price	

Question thus negatived.

13. Workers Compensation and Injury Management Bill 2023

Message No. 109 dated 10 October 2023 from the Legislative Council was reported as follows – The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Workers Compensation and Injury Management Bill 2023* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Workers Compensation and Injury Management Bill 2023

No. 1

Clause 73, Page 70, lines 10 and 11 — To delete the lines.

No. 2

Clause 94, Page 82, lines 18 and 19 — To delete the lines.

No. 3

Clause 195, Page 153, lines 25 and 26 — To delete the lines.

No. 4

Clause 383, Page 271, lines 8 and 9 — To delete “in the *Gazette*” and insert:

in accordance with the *Interpretation Act 1984* section 41

No. 5

Clause 544, Page 358, lines 22 and 23 — To delete “in the *Gazette*,” and insert:

in accordance with the *Interpretation Act 1984* section 41;

No. 6

New Clause 551A, Page 363, after line 16 — To insert:

551A. Pending matters exclusion of injury: reasonable administrative action

If a pending matter relates to a disease caused by stress that is not an injury under this Act because of the operation of section 7 —

- (a) section 7 does not apply in respect of the pending matter; and
- (b) the definition of *injury* in section 5 of the former Act continues to apply in respect of the pending matter.

Ordered, That consideration in detail of Legislative Council Message No. 109 be made an Order of the Day for the next sitting of the Assembly.

14. Workers Compensation and Injury Management Amendment Bill 2023

Message No. 110 dated 10 October 2023 from the Legislative Council was reported agreeing to the bill without amendment.

15. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

16. Electricity Industry Amendment (Distributed Energy Resources) Bill 2023

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 83 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 Energy 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.

17. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 6:58 pm until Wednesday, 11 October 2023 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Ms K.E. Giddens, Mr K.J.J. Michel, Mr D.T. Punch and Mrs J.M.C. Stojkovski.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly

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