

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 63

THURSDAY, 24 MARCH 2022, 9.00 am

Acknowledgement of Country

Prayers *

Petitions

Papers

Giving Notice 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 Wednesdays

Grievances – approximately 9.00 am Thursdays

Private Members' Statements – 12.50 pm Thursdays

*** Note:** *On days when the Assembly meets at 2.00 pm Brief Ministerial Statements and Questions Without Notice will follow immediately after Prayers.*

Memorandum: *An electronic version of the Assembly's Questions on Notice booklet is available on the Parliament's Internet site at www.parliament.wa.gov.au*

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. Mutual Recognition (Western Australia) Amendment Bill 2021 (Premier)
(LC No. 58, 2r – 23/3/22)

Second reading. Adjourned debate (Mr P.J. Rundle).

2. Railway (METRONET) Amendment Bill 2022 (Minister for Transport)
(No. 63, 2r. – 23/2/22)

Second reading. Adjourned debate (Minister for Transport – continuation of remarks in reply).

3. Soil and Land Conservation Amendment Bill 2021
(Minister for Culture and the Arts) (No. 55, 2r. – 11/11/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

4. Transport Legislation Amendment (Identity Matching Services) Bill 2021
(Minister for Transport) (LC No. 26, 2r. – 15/3/22)

Second reading. Adjourned debate (Mr P.J. Rundle).

5. Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021
(Minister for Child Protection) (No. 61, 2r. – 24/11/21)

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

6. Premier's Statement

Adjourned debate (Ms C.M. Rowe) on the question, That the Premier's Statement be noted.

7. Health Services Amendment Bill 2021 (Minister for Health) (No. 34, 2r. – 24/6/21)

Second reading. Adjourned debate (Leader of the House).

8. Motor Vehicle Repairers and Dealers Legislation Amendment Bill 2021

(Minister for Commerce) (No. 40, 2r. – 18/8/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

9. Iron Ore Agreements Legislation Amendment Bill 2021

(Minister for State Development, Jobs and Trade) (No. 41, 2r. – 18/8/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

10. Animal Welfare and Trespass Legislation Amendment Bill 2021

(Attorney General) (No. 21, 2r. – 23/6/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

11. Government Railways Amendment Bill 2021 (Minister for Transport)

(No. 42, 2r. – 8/9/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

12. Mining Amendment Bill 2021 (Minister for Mines and Petroleum)

(No. 49, 2r. – 20/10/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

13. Health and Disability Services (Complaints) Amendment Bill 2021

(Minister for Health) (No. 60, 2r. – 25/11/21)

Second reading. Adjourned debate (Mr P.J. Rundle).

14. *Legal Profession Uniform Law Application Bill 2021 (Attorney General)

(No. 31, 2r. – 23/6/21)

Consideration in detail of Legislative Council Message No. 44.

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Minister for Agriculture and Food's Policy Direction

(Notice given – 25/5/21, renewed – 19/10/21)

Mr P.J. Rundle: To move –

That this House condemns the Minister for Agriculture and Food for her inaction and contentious policy direction, including:

- (1) failing to develop a plan to grow our State's agricultural industry that supports all of its sectors;
- (2) pushing forward with an animal inspection regime not supported by industry;
- (3) failing to deliver an adequate solution to address worker shortages;

And calls on the Minister for Agriculture and Food to engage meaningfully with the sector to develop a unified vision for the growth and development of agriculture.

2. The Local Government Sector (Notice given – 25/5/21, renewed – 19/10/21)

Mr R.S. Love: To move –

That this House condemns the Minister for Local Government and his predecessor for failing to deliver appropriate regulation and support to the local government sector, and calls on the Minister for Local Government to:

- (1) explain whether the creation of a mega-department overseen by one Director General contributed to a critical lack of oversight and direction in the Local Government sector;
- (2) identify what steps the new Minister and the Department will take to rectify these critical performance failures;
- (3) reinstate a Director General for Department of Local Government to ensure transformative change within the Department and the sector.

3. Economic Diversification (Notice given – 15/6/21, renewed – 9/11/21)

Dr D.J. Honey: To move –

That this House condemns the WA Labor Government for failing to sufficiently diversify the Western Australian economy, including the mismanagement of the restructuring of the state government’s international investment and trade office network that is essential for international market diversification.

4. Worker and Skills Shortage (Notice given – 9/11/21)

Mr V.A. Catania: To move –

That this House condemns the Government’s lack of a clear plan for the WA economy while allowing its management of the COVID-19 to compound an acute worker and skills shortage putting businesses and industries at risk.

5. Midwifery and Maternity Services (Notice given – 9/11/21)

Ms L. Mettam: To move –

That this House condemns the Labor Government’s failure to recognise the health crisis of its own making, including leaving midwifery and maternity services at “imminent risk of service failure” in hospitals across the State.

6. Vaccination Mandates Review (Notice given – 22/2/22)

Ms M.J. Davies: To move –

That this House calls on the Labor Government to expedite a review of vaccination mandates to ensure all mandates remain proportionate and reasonable responses to the public health risks faced by West Australians.

7. School Communities (Notice given – 22/2/22)

Mr P.J. Rundle: To move –

That this House condemns the Minister for Education’s breach of West Australians’ trust by plunging families, teachers, and school communities into a state of chaos and confusion ahead of the 2022 school year.

8. Hydrogen Industries (Notice given – 8/9/21, renewed – 16/3/22)

Dr D.J. Honey: To move –

That this House condemns the WA Labor Government for failing to properly support the development of clean hydrogen industries, including a failure to construct the Mid-West Energy Project Stage 2 (330kV) and develop Oakajee Industrial Estate.

9. Critical Mineral Sector (Notice given – 8/9/21, renewed – 16/3/22)

Dr D.J. Honey: To move –

That this House condemns the WA Labor Government for failing to properly support the development of the critical mineral sector, including a failure to put in place common use power, water, road and other infrastructure in the Mid-West.

10. Energy Sectors (Notice given – 8/9/21, renewed – 16/3/22)

Dr D.J. Honey: To move –

That this House condemns the WA Labor Government for failing to provide a long-term plan for the Western Australian upstream and downstream energy sectors and at a time it needs clear direction to manage a rapid technology transition.

11. Violent Crime (Notice given – 8/9/21, renewed – 16/3/22)

Dr D.J. Honey: To move –

That this House condemns the WA Labor Government for failing to address record violent crime in Western Australia.

12. Cost of Living Pressures (Notice given – 22/3/22)

Mr R.S. Love: To move –

That this House condemns the McGowan Government for their inaction on alleviating cost of living pressures on West Australian families, while sitting on a record surplus built on Commonwealth funds rather than sound economic management.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Minister for Health Leadership (Moved – 26/5/21)

Adjourned debate on the motion moved by Ms L. Mettam –

That this House condemns the Minister for Health for his failure to deliver the required level of leadership and management across his current portfolios, resulting in a litany of failures that has and continues to place the lives of West Australians at risk, including:

- (1) Failure to address record ambulance ramping.
- (2) Failure to implement Malakai's Rule as promised in 2016.
- (3) Failure to build three Medihotels as promised in 2017.
- (4) Overseeing a series of failures in Western Australia's hotel quarantine system, culminating in the resignation of hotel quarantine chief Robyn Lawrence.
- (5) Presiding over cultural and resourcing issues at Perth Children's Hospital (PCH), culminating in the resignation of Children and Adolescent Health Service Chair Debbie Karasinski and attempted resignation of PCH chief, Dr Aresh Anwar.
- (6) Failure to secure proper resourcing for the WA health system more broadly; and
- (7) Failure to earn and maintain the respect and confidence of healthcare workers to properly lead and manage our important public health system.

2. Iron Ore Royalties Community Dividend (Moved – 2/6/21)

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

That this House condemns the McGowan Labor Government for failing to deliver a community dividend from record iron ore royalties collected on behalf of the people of Western Australia leading to failures in health, childcare, mental health, child protection, disability services and housing, and an increase in household fees and charges.

3. Housing in Western Australia (Moved – 16/6/21)

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

That this House condemns the inaction of the McGowan Labor Government in its failure to acknowledge the ongoing housing crisis and notes the specific lack of planning and implementation of support regarding:

- (1) The reduction of social housing availability and consequential long-term security;
- (2) strategic land release to allow for development of accessible housing;
- (3) decrease in affordable housing and land;
- (4) lack of funding for imperative transitional housing;
- (5) steep increase in homelessness;
- (6) unavailability of critical emergency accommodation for those affected by Cyclone Seroja;
- (7) establishment and availability of accommodation for critical and essential workers; and
- (8) ongoing mismanagement of the construction boom

and calls on the McGowan Labor Government to make use of its \$5 billion surplus to remedy the potentially devastating impacts of the housing crisis on West Australians.

4. 100 Days of Government (Moved – 23/6/21)

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

That this House condemns the WA Labor Government for its abject failure to deal with critical issues facing the state of Western Australia in its first 100 days.

5. Western Australian Health Service (Moved – 4/8/21)

Adjourned debate (Ms K.E. Giddens – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the Labor Government for its failure to prioritise a safe and efficient health service for West Australians, resulting in a broad range of economic and social impacts.

6. Public Housing (Moved – 11/8/21)

Adjourned debate (Ms S.E. Winton – continuation of remarks) on the motion moved by Mr V.A. Catania –

That this House condemns the Labor Government for its failure to prioritise housing in the last five years of government, creating a housing crisis the State has never seen before, triggering significant economic and social consequences.

7. Regional Representation in State Parliament (Moved – 18/8/21)

Adjourned debate (Attorney General – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the Labor Government's plan to reduce regional representation in the State Parliament and calls for a referendum to be held prior to any changes being legislated.

8. Treasurer – Performance (Moved – 8/9/21)

Adjourned debate (Minister for Local Government – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the Treasurer and his Government's inability to address the multiple crises of their own making, after four years of underinvestment and band-aid solutions.

9. Local Communities – Health, Housing and Skills (Moved – 15/9/21)

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

That this House condemns the Treasurer and the Labor government for delivering a budget which abandons our local communities while failing to rectify the ongoing health, housing and skills challenges plaguing our State.

10. Governmental Transparency (Moved – 13/10/21)

Adjourned debate (Minister for Mines and Petroleum – continuation of remarks) on the motion moved by Mr V.A. Catania –

That this House condemns the Premier and his Government for their failure to meet his promise of a ‘gold standard’ of transparency.

11. Critical Sectors Diversification and Growth (Moved – 20/10/21)

Adjourned debate (Mr S.A. Millman – continuation of remarks) on the motion moved by Dr D.J. Honey –

That this House condemns the Labor Government for allowing our State to miss opportunities for economic diversification and growth in critical sectors, impacting our long-term future.

12. Rail Safety (Moved – 27/10/21)

Adjourned debate (Mr D.R. Michael) on the motion moved by Ms M.J. Davies –

That this House calls upon the State Government to invest in initiatives to increase rail safety at all passive rail crossings across Western Australia and ensure adequate advocacy to the Federal Government is being made to improve this critical issue across Australia.

13. Forest Industry (Moved – 27/10/21)

Adjourned debate (Ms C.M. Rowe – continuation of remarks) on the motion moved by Dr D.J. Honey –

That this House condemns WA Labor for their short-sighted decision to unilaterally shutdown the native forest industry based on a deeply flawed justification.

14. WA Police (Moved – 10/11/21)

Adjourned debate (Ms C.M. Rowe) on the motion moved by Mr V.A. Catania –

That this House congratulates the WA Police for their outstanding effort to ensure the safe return of Cleo Smith and acknowledges the unrelenting effort of the family and friends of Cleo, Carnarvon community, SES Volunteers, WA and the country who never gave up, and calls on the Government to invest the \$1 million reward into the local community for services such as; counselling, increase CCTV across campsites, and fund a positive promotion of Carnarvon in recognition of these huge efforts.

15. WA Safe Transition Plan (Moved – 10/11/21)

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

That this House condemns the State Government for their failure to deliver a clear WA Safe Transition Plan which has impacted vaccination rates and rollout and failed to provide clarity for families, communities, and businesses.

16. The Planning Portfolio (Moved – 17/11/21)

Adjourned debate (Ms C.M. Rowe) on the motion moved by Dr D.J. Honey –

That this House condemns the Minister for Planning for failures in the planning portfolio including implementing the State Development Assessment Unit process that routinely rushes through developer approvals that ignores the concerns of local communities.

17. State Education System (Moved – 17/11/21)

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

That this House condemns the Government’s lack of planning and management of the State education system resulting in staff shortages, and unsafe conditions for staff and students.

18. Parliamentary Processes (Moved – 24/11/21)

Adjourned debate (Minister for Finance – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the Labor Government for their abuse of power, using their majority to manipulate parliamentary processes instead of focussing on and prioritising the needs of West Australians.

19. The International Education Sector (Moved – 23/2/22)

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

That this House condemns the Minister for International Education’s failure to protect the \$2 billion international education sector, placing at risk the welfare of students and more than 12,000 jobs whilst tarnishing the State’s reputation.

20. Department of Communities (Moved – 16/3/22)

Adjourned debate (Minister for Corrective Services – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the McGowan Government’s dangerous management of the Department of Communities, placing the health and welfare of the State’s most vulnerable people at risk.

21. State-Owned Electricity Networks (Moved – 23/3/22)

Adjourned debate (Ms J.J. Shaw – continuation of remarks) on the motion moved by Dr D.J. Honey

That this House condemns the McGowan Labor Government’s failure to properly maintain State-owned electricity networks, leading to major blackouts across WA and inflicting hardship and financial loss for thousands of Western Australians.

* 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
Economics and Industry Standing Committee: Inquiry into identified intergenerational challenges and opportunities for the Western Australian economy out to 2041.	24 March 2022
Community Development and Justice Standing Committee: Inquiry into sexual harassment against women in the FIFO mining industry.	28 April 2022
Education and Health Standing Committee: Inquiry into the response of Western Australian schools to climate change.	30 June 2022

REFERENCE TO COMMITTEES

Committee	Date Due
Public Accounts Committee: Inquiry into the Student Transport Assistance Policy framework.	31 August 2022

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

Committee	Ministers to Respond	Date Due
Joint Standing Committee on the Corruption and Crime Commission: Report No. 3: A Good Year: The work of the Parliamentary Inspector of the Corruption and Crime Commission	Attorney General	24 May 2022

NOTICES AND AMENDMENTS

Legal Profession Uniform Law Application Bill 2021 (No. 31 – 2)

Legislative Council Message No. 44

The Legislative Council acquaints the Legislative Assembly that it has agreed to the Legal Profession Uniform Law Application Bill 2021 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 Legal Profession Uniform Law Application Bill 2021

No. 1

Clause 2, page 2, after line 7 — To insert:

- (aa) section 356B(2) —
 - (i) if the *Industrial Relations Legislation Amendment Act 2021* section 69 comes into operation on or before the day fixed under paragraph (b) — on the day fixed under paragraph (b); or
 - (ii) otherwise — immediately after the *Industrial Relations Legislation Amendment Act 2021* section 69 comes into operation;

No. 2

New clause 10A, page 10, after line 12 — To insert:

10A. Tabling of amending Act taken to be publication for Standing Orders

- (1) In this section —
parliamentary committee means a committee established by either or both of the Houses of Parliament.
- (2) If a Standing Order of a House of Parliament provides that on the publication of an instrument under a written law the instrument is referred to a parliamentary committee for consideration, the laying of an amending Act before the House under section 8 is taken to be publication of the amending Act for the purposes of the Standing Order.
- (3) This section does not apply if the Standing Orders of the House provide specifically for an amending Act to be considered by a parliamentary committee.

No. 3

Clause 329, page 180, line 4 — To delete “of this” and insert:

to this

No. 4

New Part 17, Division 8A, page 187, after line 27 — To insert:

Division 8A — ***Industrial Relations Act 1979*** amended

356A. Act amended

This Division amends the *Industrial Relations Act 1979*.

356B. Section 112A amended

- (1) In section 112A(3) delete “For the purposes of section 12 of the *Legal Profession Act 2008*” and insert:

Despite the *Legal Profession Uniform Law (WA)* section 10,

- (2) Delete section 112A(3B) and insert:

- (3B) In subsection (3A) —

disqualified person —

- (a) means —

- (i) a disqualified person as defined in the *Legal Profession Uniform Law (WA)* section 6(1); or
- (ii) a person whose name has been removed from an official roll of lawyers (whether admitted, practising or otherwise) kept in a foreign country (a ***foreign roll***);

but

- (b) does not include —

- (i) a person whose name has, for reasons unconnected with disciplinary action, been removed from a foreign roll or a Supreme Court roll as defined in the *Legal Profession Uniform Law (WA)* section 6(1); or
- (ii) a person whose Australian practising certificate (as defined in the *Legal Profession Uniform Law (WA)* section 6(1)) has, for reasons unconnected with disciplinary action, been suspended or cancelled.

No. 5

Clause 421, page 211, the Table item 17 the 2nd row — To delete the row and insert:

<p>s. 5(1) def. of <i>independent children’s lawyer</i> s. 11(3a) def. of <i>legal experience</i> par. (a) s. 219AK(2)(b)</p>	<p>an Australian legal practitioner</p>	<p>a legal practitioner</p>
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No.6

Clause 421, page 213, the Table item 22 — To delete “s. 112A(3)”.

No. 7

Clause 421, page 221, the Table after item 50 — To insert:

50A. <i>Veterinary Practice Act 2021</i>		
s. 3	def. of <i>legal practitioner</i>	

KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly