

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 104

WEDNESDAY, 28 NOVEMBER 2018, 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. Bail Amendment (Persons Linked to Terrorism) Bill 2018 (Notice given – 27/11/18)

The Attorney General: To move –

That a Bill for “An Act to amend the *Bail Act 1982* to provide for a presumption against bail being granted to persons linked to terrorism.” be introduced and read a first time.

2. Ticket Scalping Bill 2018 (Notice given – 27/11/18)

The Minister for Commerce and Industrial Relations: To move –

That a Bill for “An Act to restrict the resale of event tickets and to prohibit the use of software designed to circumvent security measures on ticket selling websites, and for related purposes.” be introduced and read a first time.

3. Mining Amendment (Procedures and Validation) Bill 2018 (Notice given – 27/11/18)

The Minister for Mines and Petroleum: To move –

That a Bill for “An Act to amend –

- the *Mining Act 1978*; and
 - the *Mining Legislation Amendment Act 2014*.” be introduced and read a first time.
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GOVERNMENT BUSINESS – NOTICES OF MOTION

- 1. Suspension of Standing Orders – Consideration of Legislative Council Messages**
(Notice given – 27/11/18)

The Leader of the House: To move –

That, for the remainder of 2018, so much of the Standing Orders be suspended as is necessary to enable messages from the Legislative Council to be taken into consideration on the day on which they are received.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

- 1. *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018** (Attorney General) (No. 89, 2r. – 22/8/18)

Consideration in detail of Legislative Council Message No. 64.

- 2. Criminal Code Amendment (Child Marriage) Bill 2018** (Attorney General)
(No. 109, 2r. – 31/10/18)

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

- 3. Consumer Protection Legislation Amendment Bill 2018**
(Minister for Commerce and Industrial Relations) (No. 96, 2r. – 10/10/18)

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

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

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

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

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

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

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

- 7. Premier's Statement** (last debated 27/11/18)

Adjourned debate (Leader of the House) on the question, That the Premier's Statement be noted.

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

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

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

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

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

- 1. McGowan Government's Policy Decisions** (Notice given – 14/8/18)

Mr R.S. Love: To move –

That this House recognises the McGowan Labor Government's backflips on funding cuts to School of the Air, Gifted and Talented Education Programs, intake of level 3 teachers, Northam Residential College, the 'Follow the Dream' Program, Community Resource Centre Funding, and the implementation of SMART drum lines and calls on the Premier to reverse his cuts to Moora Residential College, Camp Schools and the Agricultural Farm Provisions Trust.

2. Infrastructure Western Australia (Notice given – 20/2/18, renewed – 21/8/18)

Dr M.D. Nahan: To move –

That this House calls on the McGowan Labor Government to ensure its proposed Infrastructure Western Australia reports directly to Parliament, rather than the Premier, and that all future infrastructure projects be assessed by Infrastructure Western Australia.

3. Parliamentary Budget Office (Notice given – 20/2/18, renewed – 21/8/18)

Dr M.D. Nahan: To move –

That this House calls on the McGowan Labor Government to introduce a Parliamentary Budget Office to provide independent advice to all Members of Parliament on costings of policies.

4. Leadership in Government (Notice given – 20/2/18, renewed – 21/8/18)

Dr M.D. Nahan: To move –

That this House notes the failure of the Premier to show leadership in his Government, highlighted by his acceptance of a culture of bullying in his Government and his failure to require the highest standards of integrity from members of his Government.

5. Education Cuts (Notice given – 20/2/18, renewed – 21/8/18)

Mrs L.M. Harvey: To move –

That this House calls on the McGowan Labor Government to reverse all of its cuts to education, which are being used to fund Labor's unfunded and unaffordable election commitments and do not contribute to debt or deficit repair.

6. Roe 8 Project Funding (Notice given – 20/2/18, renewed – 21/8/18)

Mrs L.M. Harvey: To move –

That this House calls on the McGowan Labor Government to table all tender information and contracts associated with the redistribution of funding originally allocated to the Roe 8 project to other infrastructure projects.

7. Committees and Inquiries (Notice given – 20/2/18, renewed – 21/8/18)

Mr Z.R.F. Kirkup: To move –

That this House notes the McGowan Government has convened more than 70 committees, inquiries, reviews and the like in the 10 months since it was elected, showing it is a party that had a plan to get in to government, but no plan to govern.

8. 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.

9. 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.

10. 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.

11. 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.

12. Education Portfolio (Notice given – 11/9/18)

Mrs L.M. Harvey: To move –

- (1) That this House condemns the McGowan Government's bungles 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. McGowan Government's First Two Parliamentary Years (Notice given – 27/11/18)

Dr M.D. Nahan: To move –

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.

19. 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.

20. 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.

21. 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.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY
1. First Parliamentary Year of the McGowan Government (Moved – 29/11/17)

Adjourned debate (Mr I.C. Blayney – continuation of remarks) on the motion moved by Dr M.D. Nahan –

That this House expresses concern over the failures of the McGowan Government in its first parliamentary year.

2. 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.

3. 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 Vacs Swim; and
- (2) The appropriateness of the decision-making process behind the cuts, including any consultation that was undertaken.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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

11. 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.

12. 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.

13. 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.

14. Major Events (Ticket Scalping) Bill 2018 (Mr J.E. McGrath) (No. 97, 2r. – 19/9/18)

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

15. 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.

16. 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.

17. 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.

18. Parliamentary Budget Officer Bill 2018 (Dr M.D. Nahan) (No. 106, 2r. – 31/10/18)

Second reading. Adjourned debate (Mr D.R. Michael).

19. 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.

20. 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.

21. 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.

* 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 Western Australia's automotive smash repair industry.	29 November 2018
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
Joint Standing Committee on the Corruption and Crime Commission: Inquiry into public sector procurement of goods and services and its vulnerability to corrupt practice.	30 April 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 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]
Joint Standing Committee on the Commissioner for Children and Young People: Report No. 2: Talking to the Experts	Minister representing the Minister for Education and Training	13 December 2018
Joint Standing Committee on the Corruption and Crime Commission: Report No. 8: The More Things Change...: Matters arising from the Corruption and Crime Commission's report on Operation Aviemore: Major Crime Squad Investigation into the Unlawful Killing of Mr Joshua Warneke	Minister for Police	20 December 2018
Public Accounts Committee: Report No. 6: No (More) Time to Waste: The ongoing implementation of Western Australia's Waste Strategy	Parliamentary Secretary representing the Minister for Environment	11 January 2019
Public Accounts Committee: Report No. 7: Further Along the Path: The development and implementation of the Western Australian Bicycle Network Plan	Minister for Transport	1 February 2019

NOTICES AND AMENDMENTS

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 (No. 89–1)

Legislative Council Message No. 64.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018* 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 National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

No. 1

Clause 13, page 10, lines 16 to 19 — To delete the lines.

No. 2

Clause 14, page 10, lines 20 to 26 — To delete the clause.

No. 3

Clause 16, page 12, lines 6 to 8 — To delete the lines.

No. 4

New Part 6, page 13, after line 6 — To insert:

Part 6 — Tabling particular documents

18. Tabling documents relating to scheme reviews

(1) In this section —

intergovernmental agreement means the Intergovernmental Agreement on the National Redress Scheme for Institutional Child Sexual Abuse between the Commonwealth of Australia, the State of New South Wales, the State of Victoria, the State of Queensland, the State of Western Australia, the State of South Australia, the State of Tasmania, the Australian Capital Territory and the Northern Territory of Australia as in force from time to time;

scheme review means —

- (a) a review under the National Redress Act section 192(1) or (3); or
- (b) a review of the operation and objectives of the intergovernmental agreement carried out under clause 36 of that agreement.

(2) Subsection (3) applies if —

- (a) a scheme review is carried out; and
- (b) a report is prepared by the person carrying out the review; and
- (c) the Minister receives the report.

- (3) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after the Minister receives the report, but not later than 6 sitting days of the House after the Minister received it.
- (4) If a report to which subsection (3) applies contains sensitive, confidential or personal information, the Minister may comply with subsection (3) by removing the sensitive, confidential or personal information from the report before causing the document to be laid before each House.

No. 5

New Part 7, page 13, after line 6 — To insert:

Part 7 — *Criminal Injuries Compensation Act 2003* amended

19. Act amended

This Part amends the *Criminal Injuries Compensation Act 2003*.

20. Section 42 amended

- (1) In section 42(3) delete “received by way of compensation or damages, or under a contract of insurance,” and insert:
received, whether under a contract of insurance or otherwise,
- (2) In section 42(4) delete “amount by way of compensation or damages, or under a contract of insurance,” and insert:
amount, whether under a contract of insurance or otherwise,

No. 6

Long Title, page 1, after the 2nd bullet point — To insert:

- **to amend the *Criminal Injuries Compensation Act 2003*; and**

KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly