

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 38

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

TUESDAY, 19 OCTOBER 2021

1. Meeting of Assembly

The Assembly met at 2.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Speaker's Statement – Death of British MP

The Speaker expressed her shock and sadness at the death of Sir David Amess, a British MP killed in his constituency office. On behalf of the House, the Speaker expressed her deepest sympathies to Sir David's family.

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the launch of the Parliamentary Friends of People with Rare and Undiagnosed Diseases.

The Attorney General on the dismissal of the High Court challenge to the *Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Act 2020*.

The Attorney General on the tabling of a report providing justification for the provisions of Part 3 of the Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021.

Paper

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

By the Attorney General –

Attorney General – Western Australian Police Force – Report by way of Justification of the Provisions of Part 3 of the Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021 (725).

The Minister for Water on National Water Week.

4. Questions

Questions without Notice were taken.

Question on Notice No. 235 was answered.

5. Children and Community Services Amendment Bill 2021

Message No. 25 dated 14 October 2021 from the Legislative Council was reported agreeing to the bill without amendment.

6. Papers

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

By the Clerk –

Auditor General, Office of the – Local Government COVID-19 Financial Hardship Support, Report No. 5, 15 October 2021 (Received by the Clerk of the Legislative Assembly and deemed tabled on 15 October 2021) (713).

Biodiversity Conservation Act 2016 – Orders (Biodiversity Conservation (Exemptions) Amendment Order 2021 G.G. 15/10/2021) (714).

Bush Fires Act 1954 – Local Laws (Shire of Meekatharra Bush Fire Brigades Repeal Local Law 2021 G.G. 12/10/2021) (715).

Cat Act 2011 – Local Laws (Town of Bassendean Cats Local Law 2021 G.G. 15/10/2021) (716).

Cemeteries Act 1986 – Local Laws (Shire of Meekatharra Cemeteries Local Law 2021 G.G. 12/10/2021) (717).

Conservation and Land Management Act 1984 – Proposal 2021 (Changes to State Forest Nos. 51, 52 and 53) Excision of Land Required to Facilitate the creation of a Class A National Park and two Class A Nature Reserves over the Dryandra Woodlands (718).

Dog Act 1976 – Local Laws (Shire of Meekatharra Dogs Local Law 2021 G.G. 12/10/2021) (719).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2021 G.G. 15/10/2021) (720).

Fish Resources Management Act 1994 – Orders (Prohibition on Commercial Fishing (Ningaloo Marine Park) Amendment Order 2021 G.G. 15/10/2021) (721).

Guardianship and Administration Act 1990 – Medical Research Candidates recruited under Part 9E of the Act, Summary Report 7 April 2020 to 6 April 2021 (722).

Mental Health Commission – Annual Report 2020–2021 (723).

Mental Health Tribunal – Annual Report 2020–2021 (724).

7. Notices of Motion Lapsed

The Deputy Speaker advised that Private Members' Business Notices of Motion Nos 1 to 4 had lapsed and, unless members indicated otherwise, would be removed from the Notice Paper.

8. Notices of Motion

9. Matter of Public Interest – Re-opening of State Borders

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

At least five members having risen in support,

Ms M.J. Davies moved,

That this House calls on the Premier to outline the State Government's roadmap to safely re-open State borders.

Debate ensued.

The Premier moved, To delete all the words after "House" and insert –
“

notes the State Government's plan to re-open Western Australia's borders to NSW, Victoria and the ACT when it is safe to do so.

”.

Debate ensued.

On the question, That the words to be deleted, be deleted,
Amendment put.

The Assembly divided.

Ayes (44)

Mr S.N. Aubrey
Mr G. Baker
Ms H.M. Beazley
Mr J.N. Carey
Mrs R.M.J. Clarke
Ms C.M. Collins
Mr R.H. Cook
Ms D.G. D'Anna
Mr M.J. Folkard
Ms K.E. Giddens
Ms E.L. Hamilton
Ms M.J. Hammat
Ms J.L. Hanns
Mr T.J. Healy
Mr M. Hughes

Mr W.J. Johnston
Mr H.T. Jones
Mr D.J. Kelly
Ms E.J. Kelsbie
Ms A.E. Kent
Dr J. Krishnan
Mr P. Lilburne
Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Ms L.A. Munday
Mrs L.M. O'Malley
Mr P. Papalia

Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Ms R. Saffioti
Ms A. Sanderson
Mr D.A.E. Scaife
Mrs J.M.C. Stojkovski
Dr K. Stratton
Mr C.J. Tallentire
Mr P.C. Tinley
Ms C.M. Tonkin
Ms S.E. Winton
Ms C.M. Rowe (*Teller*)

Noes (5)

Mr V.A. Catania
Ms M.J. Davies

Dr D.J. Honey
Ms L. Mettam

Mr P.J. Rundle (*Teller*)

Amendment thus passed.

On the question, That the words to be inserted, be inserted,
Amendment put and passed.

On the question, That the motion, as amended, be agreed to,
Question put and passed.

Motion, as agreed to by the House –

That this House notes the State Government's plan to re-open Western Australia's borders to NSW, Victoria and the ACT when it is safe to do so.

10. Industry and Technology Development Amendment Bill 2021

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.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for State Development, Jobs and Trade moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

11. Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill 2021

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 3 agreed to.

Clause 4.

The Attorney General moved,

Page 5, line 20 — To delete “(d) or (f); or” and substitute:

“ (d), (e) or (g); or ”.

Page 5, line 23 — To delete “(f) or (g);” and substitute:

“ (f), (g) or (h); ”.

Amendments put and passed.

Clause 4, as amended, agreed to.

Clauses 5 to 29 agreed to.

Clause 30.

The Attorney General moved,

Page 29, line 31 — To delete “(d) or (f); or” and substitute:

“ (d), (e) or (g); or ”.

Page 30, line 3 — To delete “(f) or (g);” and substitute:

“ (f), (g) or (h); ”.

Amendments put and passed.

Clause 30, as amended, agreed to.

Clauses 31 to 36 agreed to.

Clause 37.

The Attorney General moved,

Page 41, line 11 — To delete “16B” and substitute:

“ 16B, 16C ”.

Amendment put and passed.

Clause 37, as amended, agreed to.

Clauses 38 to 45 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.

12. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 8.57 pm until Wednesday, 20 October at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms L.L. Baker, Ms L. Dalton, Mr R.S. Love, Ms J.J. Shaw, Ms R.S. Stephens and Mr R.R. Whitby.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly