

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 59

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

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TUESDAY, 15 MARCH 2022

**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. Procedure and Privileges Committee**

Mr S.J. Price, as Deputy Speaker, presented the following report which was ordered to lie upon the Table of the House –

Procedure and Privileges Committee – Remote Participation in Legislative Assembly Proceedings, Report No. 3 (1014).

**3. Suspension of Standing Orders**

The Leader of the House, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable a motion to be moved forthwith for the House to adopt a Temporary Order in relation to remote participation by members.

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion to be carried with the concurrence of an absolute majority of the whole number of members of the House.

**4. Temporary Order – Remote Participation**

The Leader of the House, pursuant to the foregoing motion, moved, That the House adopt the following Temporary Order –

That, until the end of 2022, the House authorises remote participation by members in the following manner –

- (1) ‘Remote participation’ means participation by a member in the proceedings of the House via audio visual technology.
- (2) The Speaker will determine the proceedings, and the manner in which members may participate remotely.

- (3) Remote participation will follow the *Speaker's Remote Participation Rules* determined by the Speaker from time to time.
- (4) A member who participates remotely:
  - (a) cannot vote;
  - (b) cannot be counted for the purposes of a quorum; and
  - (c) cannot call for a division or a quorum.
- (5) A member who participates remotely is not to be regarded as having attended the House for the purposes of Standing Orders 26, 33 and 34, although they will be recorded in the Votes and Proceedings as having participated remotely.
- (6) The contributions of remote participants are a proceeding in Parliament and are to be included in the Votes and Proceedings of the Assembly and are to be incorporated in the *Hansard* record.
- (7) The *Speaker's Remote Participation Rules* have effect notwithstanding any Standing Order to the contrary.
- (8) Standing Orders are suspended accordingly to the extent necessary to effect these arrangements.

Debate ensued.

Question put and passed.

## **5. Speaker's Statement – Speaker's Remote Participation Rules**

The Speaker tabled a copy of the Speaker's Remote Participation Rules and advised that these rules appear in the report of the Procedure and Privileges Committee that was tabled earlier today.

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### *Paper*

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

By the Speaker –

Speaker – Speaker's Remote Participation Rules (1015).

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## **6. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Sport and Recreation on the death of Dr Jack Bendat AO.

The Minister for Sport and Recreation on the death of Rodney Marsh.

The Minister for Citizenship and Multicultural Interests on the launch of Harmony Week.

The Minister for Health on the government's consideration of the Final Report of the Ministerial Taskforce into Public Mental Health Services for Infants, Children and Adolescents aged 0-18 years in Western Australia.

## **7. Questions**

Questions without Notice were taken.

The Premier participated remotely.

Questions on Notice Nos 377 to 395 were asked.

Questions on Notice Nos 326, 353 and 354 were answered.

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Papers tabled by the Minister for Energy –

Question on Notice No. 354 – Dates, duration and causes of unplanned power outages in selected localities within the South West Interconnected Network since 1 November 2021 (1011).

Question on Notice No. 354 – Number of claims made with respect to unplanned extended power outages in selected localities within the South West Interconnected Network since 1 November 2021 (1012).

Paper tabled by the Minister for Health –

Question on Notice No. 326 – ‘Did not attend’ rates for medical and allied health appointments for children under the age of 18 listed by health service provider regions or sub regions (1013).

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## **8. Messages from the Governor**

Messages from His Excellency the Governor were reported assenting to the following bills –

No. 3 – 28 February 2022

Courts Legislation Amendment (Magistrates) Bill 2021, Act No. 2 of 2022.

No. 4 – 1 March 2022

Poseidon Nickel Agreement Amendment (Termination) Bill 2021, Act No. 3 of 2022.

## **9. Message from the Governor**

Message No. 5 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the Railway (METRONET) Amendment Bill 2022.

## **10. Papers**

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

By the Clerk –

Biosecurity and Agriculture Management Act 2007 – Regulations (Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2022 G.G. 25/02/2022) (975).

Building Act 2011; Electricity Act 1945; Plumbers Licensing Act 1995 – Regulations (Commerce Regulations Amendment (Work Health and Safety) Regulations 2022 G.G. 11/03/2022) (976).

Commission for Occupational Safety and Health – Revised Code of Practice – Excavation 2022 (977).

Commission for Occupational Safety and Health – Revoked Code of Practice – Excavation 2005 (978).

Conservation and Land Management Act 1984 – Lease No. 2966/97 between the Department of Biodiversity Conservation and Attractions and Ludlow Tuart Forest Restoration Group for heritage, educational, scientific, recreational and/or tourism purposes (979).

Criminal Procedure Act 2004; Freedom of Information Act 1992; Legal Profession Act 2008 – Regulations (Attorney General Regulations Amendment (Work Health and Safety) Regulations 2022 G.G. 11/03/2022) (980).

Dangerous Goods Safety Act 2004 – Regulations (Mines and Petroleum Regulations Amendment (Work Health and Safety) Regulations 2022 G.G. 11/03/2022) (981).

Dog Act 1976 – Local Laws (City of Canning Dog Amendment Local Law 2021 G.G. 25/02/2022) (982).

Electricity Industry (Pilbara Networks) Regulations 2021 – Pilbara Networks Rules Amendments (Tranche 2) 2021 (983).

Environmental Protection Act 1986; Waste Avoidance and Resource Recovery Act 2007 – Regulations (Environment Regulations Amendment (Work Health and Safety) Regulations 2022 G.G. 11/03/2022) (984).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Wire Trace) Order 2022 – Correction (2022) G.G. 25/02/2022) (986).

Fish Resources Management Act 1994 – Orders (Prohibition on Fishing (Wire Trace) Order 2022 G.G. 22/02/2022) (985).

Industrial Relations Act 1979 – Regulations (Industrial Relations Commission Amendment Regulations 2022 G.G. 11/03/2022) (987).

Land Administration Act 1997 – Proposal: Submission No. 05/2021 under the Act for the excision of Class A Reserve 47884 to rationalise the tenure of existing Canning Dam Road and McNess Drive (988).

Local Government Act 1995 – Local Laws (City of Wanneroo Fencing Local Law 2021 G.G. 04/03/2022) (989).

Local Government Act 1995 – Local Laws (Tamala Park Regional Council Meeting Procedures Local Law 2021 G.G. 04/03/2022) (990).

Magistrates Court (Civil Proceedings) Act 2004 – Rules (Magistrates Court (Civil Proceedings) Amendment Rules 2022 G.G. 25/02/2022) (991).

Mines Safety and Inspection Act 1994 – Regulations (Mines Safety and Inspection Levy Amendment Regulations 2022 G.G. 11/03/2022) (992).

Mines, Industry Regulation and Safety, Department of – Energy Safety Business Plan 2022–2023 and Explanatory Memorandum (993).

Petroleum (Submerged Lands) Act 1982 – Regulations (Petroleum (Submerged Lands) (Pipelines) Regulations 2022 G.G. 11/03/2022) (994).

Petroleum and Geothermal Energy Safety Levies Act 2011 – Regulations (Petroleum and Geothermal Energy Safety Levies Regulations 2022 G.G. 11/03/2022) (995).

Planning and Development Act 2005 – Ministerial Order and Reasons in accordance with section 76(1) of the Act relating to Lot 1003 (No. 1003) Verdelho Drive, The Vines (996).

Radiation Safety Act 1975 – Regulations (Radiation Safety (General) Amendment Regulations 2022 G.G. 11/03/2022) (997).

Rail Safety National Law (WA) Act 2015; Road Traffic (Vehicles) Act 2012; Transport (Road Passenger Services) Act 2018 – Regulations (Transport Regulations Amendment (Work Health and Safety) Regulations 2022 G.G. 11/03/2022) (998).

Road Traffic (Vehicles) Act 2012 – Regulations (Road Traffic (Vehicles) Amendment Regulations 2022 G.G. 25/02/2022) (999).

Salaries and Allowances Act 1975 – Regulations (Salaries and Allowances Amendment Regulations 2022 G.G. 11/03/2022) (1000).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Shire of Coolgardie Waste Amendment Local Law 2022 G.G. 11/03/2022) (1001).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Town of Port Hedland Waste Amendment Local Law 2022 G.G. 08/03/2022) (1002).

Western Australia Police Force – Statutory Review of the Terrorism (Extraordinary Powers) Act 2005 (1003).

Western Australian Future Health Research and Innovation Fund Act 2012 – Future Health Research and Innovation Fund Advisory Council Letter regarding the application of funding applied to the recommended Programs and Initiatives, 19 November 2021 (1005).

Western Australian Future Health Research and Innovation Fund Act 2012 – Minister for Health letter accepting the recommendations of the Western Australian Future Health Research and Innovation Fund, 18 January 2022 (1006).

Western Australian Future Health Research and Innovation Fund Act 2012 – Ministerial Direction under section 4D of the Act to the Future Health Research and Innovation Fund Advisory Council regarding funds for the current (2021–2022) and future financial years (1004).

Western Australian Meat Industry Authority Act 1976 – Regulations (Western Australian Meat Industry Authority Amendment Regulations 2022 G.G. 11/03/2022) (1007).

Work Health and Safety Act 2020 – Regulations (Work Health and Safety (General) Regulations 2022 G.G. 11/03/2022) (1008).

Work Health and Safety Act 2020 – Regulations (Work Health and Safety (Mines) Regulations 2022 G.G. 11/03/2022) (1009).

Work Health and Safety Act 2020 – Regulations (Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 G.G. 11/03/2022) (1010).

## 11. Additional Information

The Minister for Community Services provided additional information relating to Question without Notice No. 103 from Ms L. Mettam.

## 12. Notice of Motion

## 13. Matter of Public Interest – Minister for Child Protection

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 Minister for Child Protection to resign following the disgraceful Police raid on a Department of Communities' worker; her oversight of a Department with a toxic culture; and failure to act on two reports which state there is wide scale and endemic racism within the organisation.

Debate ensued.

Question put.

The Assembly divided.

Ayes (5)

Ms M.J. Davies

Mr R.S. Love

Mr P.J. Rundle (*Teller*)

Dr D.J. Honey

Ms L. Mettam

## Noes (42)

Mr S.N. Aubrey	Mr W.J. Johnston	Mr D.T. Punch
Mr G. Baker	Mr H.T. Jones	Mr J.R. Quigley
Dr A.D. Buti	Mr D.J. Kelly	Ms R. Saffioti
Mr J.N. Carey	Ms E.J. Kelsbie	Ms A. Sanderson
Mrs R.M.J. Clarke	Ms A.E. Kent	Mr D.A.E. Scaife
Ms C.M. Collins	Dr J. Krishnan	Ms R.S. Stephens
Mr R.H. Cook	Mr P. Lilburne	Mrs J.M.C. Stojkovski
Ms L. Dalton	Ms S.F. McGurk	Dr K. Stratton
Ms D.G. D'Anna	Mr D.R. Michael	Mr C.J. Tallentire
Mr M.J. Folkard	Mr K.J.J. Michel	Mr D.A. Templeman
Ms M.J. Hammat	Mr S.A. Millman	Mr P.C. Tinley
Ms J.L. Hanns	Mr Y. Mubarakai	Ms C.M. Tonkin
Mr T.J. Healy	Mrs L.M. O'Malley	Ms S.E. Winton
Mr M. Hughes	Mr P. Papalia	Ms E.L. Hamilton ( <i>Teller</i> )

Question thus negatived.

#### 14. Suspension of Standing Orders

The Leader of the House, without notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the *Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022* to be introduced forthwith without notice and to proceed through all stages without delay between the stages.

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion to be carried with the concurrence of an absolute majority of the whole number of members of the House.

#### 15. Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022

The Minister for Small Business, pursuant to the foregoing motion, moved,

That a bill for “An Act to amend the *Small Business Development Corporation Act 1983*.” be introduced and read a first time.

Question put and passed.

The Minister for Small Business presented an explanatory memorandum and bill read a first time.

The Minister for Small Business moved, That the bill be now read a second time.

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#### *Message from the Governor*

Message No. 6 from His Excellency the Governor was reported recommending that appropriations be made for the purposes of the *Small Business Development Corporation Amendment (COVID-19 Response) Bill 2022*.

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Debate ensued.  
 Question put and passed.  
 Bill read a second time.

### *CONSIDERATION IN DETAIL*

Clauses 1 to 7 agreed to.  
 Title agreed to.  
 Consideration in detail concluded.  
 The Minister for Small Business 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.

#### **16. Transport Legislation Amendment (Identity Matching Services) Bill 2021**

Message No. 40 dated 24 February 2022 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to amend the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Authorisation to Drive) Act 2008* and the *Western Australian Photo Card Act 2014* to give effect to an intergovernmental agreement on identity matching services, and for related purposes.”

The Parliamentary Secretary to the Minister for Transport, on behalf of the Minister for Transport, moved, That the bill be read a first time.

Question put and passed.

The Parliamentary Secretary to the Minister for Transport, on behalf of the Minister for Transport, presented an explanatory memorandum and bill read a first time.

Leave was granted to proceed forthwith to the second reading of the Bill.

The Parliamentary Secretary to the Minister Transport, on behalf of the Minister for Transport, moved, That the bill be now read a second time.

Mr P.J. Rundle moved, That the debate be adjourned.

Question put and passed.

#### **17. Firearms Amendment Bill 2021**

The Order of the Day for the third reading of the bill having been read, the Minister for Police 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.

**18. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 8.00 pm until Wednesday, 16 March 2022 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Ms L.L. Baker, Ms H.M. Beazley, Mr V.A. Catania, Ms K.E. Giddens, Mr M. McGowan, Ms L.A. Munday, Ms C.M. Rowe and Ms J.J. Shaw.

*Members participating remotely during any part of the day's proceedings* – Mr M. McGowan.

**KIRSTEN M. ROBINSON**  
Clerk of the Legislative Assembly

**HON. MICHELLE H. ROBERTS**  
Speaker of the Legislative Assembly