

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 5

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

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TUESDAY, 11 MAY 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. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Attorney General on a deed of settlement between the State and Stephen Kaless.

The Minister for Police on the Western Australia Police Force Commissioner's Bravery Awards.

The Minister for Mines and Petroleum on record sales and employment in the Western Australian resources sector.

The Minister for Child Protection tabling the 2020 Progress Report on the Western Australian Government's implementation of the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

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#### *Paper*

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

By the Minister for Child Protection –

Child Protection, Minister for – A Safer WA for Children and Young People 2020 Progress Report (212).

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### 3. Questions

Questions without Notice were taken.

### 4. Messages from the Governor

Messages from His Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

Supply Bill 2021 (Message No. 1).

Treasurer's Advance Authorisation Bill 2021 (Message No. 2).

## 5. Papers

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

By the Clerk –

Cremation Act 1929 – Regulations (Cremation Amendment Regulations 2021 G.G. 07/05/2021) (203).

Jetties Act 1926; Shipping and Pilotage Act 1967 – Regulations (Transport Regulations Amendment (Ports) Regulations 2021 G.G. 07/05/2021) (204).

Port Authorities Act 1999 – Regulations (Port Authorities Amendment Regulations 2021 G.G. 07/05/2021) (205).

Public Health Act 2016 – Regulations (Public Health Amendment Regulations 2021 G.G. 07/05/2021) (206).

Road Traffic (Administration) Act 2008 – Regulations (Road Traffic (Administration) Amendment Regulations 2021 G.G. 07/05/2021) (207).

Soil and Land Conservation Act 1945 – Regulations (Soil and Land Conservation Council (Remuneration of Members) Amendment Regulations 2021 G.G. 07/05/2021) (208).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations 2021 G.G. 07/05/2021) (209).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report for the Quarter Ended 31 March 2021 (210).

Waste Avoidance and Resource Recovery Act 2007 – Local Laws (Shire of Waroona Waste Local Law 2021 G.G. 03/05/2021) (211).

## 6. Speaker's Statement – Correction to Explanatory Memorandum

The Speaker advised members that the Explanatory Memorandum for the Supply Bill 2021 introduced on 5 May 2021 contained an error for the explanation of clause 3.

The Speaker authorised the Explanatory Memorandum to be replaced with the correct document and for the website to be updated accordingly.

## 7. Notices of Motion

## 8. Suspension of Standing Orders – Priority of Bills

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the *Treasurer's Advance Authorisation Bill 2021* and the *COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021* to be dealt with while the Address-in-Reply has priority and to proceed through all remaining stages without delay between the stages.

Debate ensued.

Question put and passed.

## 9. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

# **10. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021**

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Mr R.S. Love moved, That the word “now” be deleted and the following words be added after the word “time”:

“

after the Government agrees to introduce provisions to ensure that section 78(1) of the *Emergency Management Act 2005* applies to any order under section 72A(2) to “direct a person or a class of person to take, any action that the officer considers is reasonably necessary to prevent, control or abate risks associated with the emergency” where that direction entails “the owner or occupier or the person apparently in charge of any place of business, worship or entertainment in the emergency area to close that place to the public for the period specified in the direction”, as specified under section 75(1)(i).

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Debate ensued.

Amendment put.

The Assembly divided.

## Ayes (6)

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

Dr D.J. Honey  
Mr R.S. Love

Ms L. Mettam  
Mr P.J. Rundle (*Teller*)

## Noes (44)

Mr S.N. Aubrey  
Mr G. Baker  
Dr A.D. Buti  
Mr J.N. Carey  
Ms C.M. Collins  
Mr R.H. Cook  
Ms L. Dalton  
Ms D.G. D’Anna  
Mr M.J. Folkard  
Ms K.E. Giddens  
Ms M.J. Hammat  
Ms J.L. Hanns  
Mr M. Hughes  
Mr W.J. Johnston  
Mr H.T. Jones

Mr D.J. Kelly  
Ms E.J. Kelsbie  
Dr J. Krishnan  
Ms S.F. McGurk  
Mr D.R. Michael  
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  
Ms J.J. Shaw  
Ms R.S. Stephens  
Mrs J.M.C. Stojkovski  
Dr K. Stratton  
Mr C.J. Tallentire  
Mr D.A. Templeman  
Mr P.C. Tinley  
Ms C.M. Tonkin  
Mr R.R. Whitby  
Ms S.E. Winton  
Ms E.L. Hamilton (*Teller*)

Amendment thus negatived.

On the question, That the bill be now read a second time,

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 Emergency Services 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. Variation to the Order of Business**

Ordered, That Government Business Order of the Day No. 3 be next considered.

# **12. Address in Reply**

The Order of the Day for the resumption of debate upon the Address in Reply to His Excellency the Governor's speech was read.

Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

# **13. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 7.43 pm until Wednesday, 12 May 2021 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Ms L.L. Baker, Ms A.E. Kent, Mr P. Lilburne and Ms C.M. Rowe.

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

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