

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 210

FIRST SESSION OF THE FORTIETH PARLIAMENT

TUESDAY, 18 AUGUST 2020

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 Premier on the timeline for the planned easing of COVID-19 restrictions in Western Australia.

The Premier on changes to the WA Domestic Gas Policy.

The Minister for Police on the expansion of the Police Force's aerial capacity in the form of new drones.

The Minister for Corrective Services on the establishment of a Suicide Prevention Taskforce to oversee Corrective Services responses to incidents of self-harm and suicide.

The Minister for Veterans Issues on Vietnam Veterans' Day 2020.

3. Questions

Questions without Notice were taken.

Papers

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

By the Attorney General –

Attorney General – In the matter of an arbitration under the Commercial Arbitration Act 2012 (WA): Between the Applicants: Mineralogy Pty. Ltd. and International Minerals Pty. Ltd. and Respondent: the State of Western Australia – Applicants' amended statement of issues, facts and contentions (3576).

Attorney General – Schedule of Approximate Damages (Including Interest) Claimed (3577).

Premier – Family Violence Legislation Reform Act 2020: Headline amendments, Government of Western Australia, Department of Justice (3578).

Questions on Notice Nos 6176, 6193, 6210, 6263, 6298 and 6304 were answered.

4. Petition

Town of Binningup – Mrs R.M.J. Clarke presented a petition from 303 people asking the Legislative Assembly for support in opposing the development of any further limestone extraction from the town of Binningup and its surrounds and to protect the community from the noise, dust and aesthetic impact (P. 186).

5. Message from the Governor

Message No. 30 from His Excellency the Governor was reported assenting to the Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill 2020, Act No. 32 of 2020.

6. 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 (Agricultural Chemical Record Keeping) Regulations 2020 G.G. 14/08/2020) (3568).

Environmental Protection Act 1986 – Regulations (Environmental Protection Amendment Regulations 2020 G.G. 14/08/2020) (3569).

Land Administration Act 1997 – Proposal: Submission No. 6/2020 under section 45(4) of the Act to amend Class A Reserve 26650 to facilitate upgrades to South Coast Highway, City of Albany (3570).

Local Government Act 1995 – Regulations (Local Government (Rules of Conduct) Amendment Regulations 2020 G.G. 14/08/2020) (3571).

Pearling Act 1990 – Regulations (Pearling (General) Amendment Regulations 2020 G.G. 14/08/2020) (3572).

Plumbers Licensing Act 1995 – Regulations (Plumbers Licensing and Plumbing Standards Amendment Regulations 2020 G.G. 14/08/2020) (3573).

State Administrative Tribunal Act 2004 – Regulations (State Administrative Tribunal Amendment Regulations (No. 2) 2020 G.G. 14/08/2020) (3574).

State Superannuation Act 2000 – Regulations (State Superannuation Amendment Regulations 2020 G.G. 14/08/2020) (3575).

7. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper deemed tabled on 23 April 2020 –

Corruption and Crime Commission – Report into misconduct risks with access to confidential information in the Office of the Auditor General (3347).

Paper

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

By the Speaker –

Corruption and Crime Commission – Report into misconduct risks with access to confidential information in the Office of the Auditor General: Version 2, August 2020 (3579).

8. Notice of Motion

9. Matter of Public Interest – COVID-19 Exemptions for Entry to Western Australia

The Speaker informed the Assembly that he was in receipt of a notice from Mr Z.R.F. Kirkup that he intended to move a motion on a matter of public interest.

At least five members having risen in support,
Mr Z.R.F. Kirkup moved,

That this House calls on the Labor Government to undertake a detailed risk assessment of international and interstate entry exemptions, and implement an adequate testing and tracking regime.

Debate ensued.

The Minister for Transport moved, That all the words after “House” be deleted, and the following words be inserted:

“

notes the strong and rigorous measures taken by the State Government to stop the spread of COVID-19 including its firm decision to retain WA’s hard border despite repeated calls by the Leader of the Opposition and the Liberal Party to bring the hard border down.

”.

Debate ensued.

On the question, That the words to be deleted, be deleted,

Amendment put.

The Assembly divided.

Ayes (30)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mr R.H. Cook
Ms J.M. Freeman
Mr T.J. Healy
Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan

Mr M. McGowan
Ms S.F. McGurk
Mr S.A. Millman
Mrs L.M. O’Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Mrs M.H. Roberts
Ms C.M. Rowe

Ms R. Saffioti
Ms A. Sanderson
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Noes (16)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Dr D.J. Honey
Mr P.A. Katsambanis

Mr Z.R.F. Kirkup
Mr S.K. L’Estrange
Mr R.S. Love
Mr W.R. Marmion
Ms L. Mettam
Mr D.C. Nalder

Mr K.M. O’Donnell
Mr D.T. Redman
Mr P.J. Rundle
Mr A. Krsticevic (*Teller*)

Amendment thus passed.

On the question, That the words to be inserted, be inserted,

Amendment put.

The Assembly divided.

Ayes (29)

Ms L.L. Baker
 Dr A.D. Buti
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr T.J. Healy
 Mr M. Hughes
 Mr W.J. Johnston
 Mr D.J. Kelly
 Mr F.M. Logan
 Mr M. McGowan

Ms S.F. McGurk
 Mr S.A. Millman
 Mrs L.M. O'Malley
 Mr P. Papalia
 Mr S.J. Price
 Mr D.T. Punch
 Mr J.R. Quigley
 Mrs M.H. Roberts
 Ms C.M. Rowe
 Ms R. Saffioti

Ms A. Sanderson
 Ms J.J. Shaw
 Mrs J.M.C. Stojkovski
 Mr C.J. Tallentire
 Mr D.A. Templeman
 Mr P.C. Tinley
 Ms S.E. Winton
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Noes (16)

Mr I.C. Blayney
 Mr V.A. Catania
 Ms M.J. Davies
 Mrs L.M. Harvey
 Dr D.J. Honey
 Mr P.A. Katsambanis

Mr Z.R.F. Kirkup
 Mr S.K. L'Estrange
 Mr R.S. Love
 Mr W.R. Marmion
 Ms L. Mettam
 Mr D.C. Nalder

Mr K.M. O'Donnell
 Mr D.T. Redman
 Mr P.J. Rundle
 Mr A. Krsticevic (*Teller*)

Amendment thus passed.

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

The Assembly divided.

Ayes (27)

Ms L.L. Baker
 Dr A.D. Buti
 Mr J.N. Carey
 Mr R.H. Cook
 Ms J.M. Freeman
 Mr T.J. Healy
 Mr M. Hughes
 Mr W.J. Johnston
 Mr D.J. Kelly

Mr F.M. Logan
 Mr M. McGowan
 Ms S.F. McGurk
 Mr S.A. Millman
 Mrs L.M. O'Malley
 Mr P. Papalia
 Mr S.J. Price
 Mr D.T. Punch
 Mr J.R. Quigley

Mrs M.H. Roberts
 Ms C.M. Rowe
 Ms R. Saffioti
 Ms J.J. Shaw
 Mr C.J. Tallentire
 Mr D.A. Templeman
 Mr P.C. Tinley
 Mr B.S. Wyatt
 Mr D.R. Michael (*Teller*)

Noes (15)

Mr I.C. Blayney
 Mr V.A. Catania
 Ms M.J. Davies
 Mrs L.M. Harvey
 Dr D.J. Honey

Mr Z.R.F. Kirkup
 Mr S.K. L'Estrange
 Mr R.S. Love
 Mr W.R. Marmion
 Ms L. Mettam

Mr D.C. Nalder
 Mr K.M. O'Donnell
 Mr D.T. Redman
 Mr P.J. Rundle
 Mr A. Krsticevic (*Teller*)

Question thus passed.

The Motion, as agreed to by the House –

That this House notes the strong and rigorous measures taken by the State Government to stop the spread of COVID-19 including its firm decision to retain WA's hard border despite repeated calls by the Leader of the Opposition and the Liberal Party to bring the hard border down.

10. Removal of Order of the Day

The Deputy Speaker advised that Private Members' Business Order of the Day, McGowan Government Law and Order, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

11. Road Traffic Amendment (Immobilisation, Towing and Detention of Vehicles) Bill 2020

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 27 agreed to.

Title agreed to.

Consideration in detail concluded.

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

The Minister for Transport 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.

12. Industrial Relations Legislation Amendment Bill 2020

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

Debate resumed.

Paper

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

By the Minister for Industrial Relations –

Industrial Relations, Minister for – Be Slavery Free and Freedom United document providing information about an informal petition calling on the Parliament to amend the Industrial Relations Legislation Amendment Bill 2020 (3580).

Industrial Relations, Minister for – Be Slavery Free and Freedom United informal petition calling on the Parliament to pass changes to the Industrial Relations Legislation Amendment Bill 2020 (3581).

Question put and passed.

Bill read a second time.

Ordered, That the consideration in detail of the bill be made an Order of the Day for the next sitting of the Assembly.

13. Public Health Amendment (COVID-19 Response) Bill 2020

Message No. 136 dated 18 August 2020 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Public Health Amendment (COVID-19 Response) Bill 2020* 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 Public Health Amendment (COVID-19 Response) Bill 2020

No. 1

Clause 2, page 2, after line 8 — To insert:

- (2) However, if no day is fixed under subsection (1)(b) before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, this Act is repealed on the day after that period ends.

No. 2

Clause 14, page 12, line 25 — To delete “the date of” and insert:

receiving

Ordered, That consideration in detail of Legislative Council Message No. 136 be made an Order of the Day for the next sitting of the Assembly.

14. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 10.39 pm until Wednesday, 19 August 2020 at 12.00 noon.

Members present during any part of the day's proceedings – All the members except Ms J. Farrer, Mr M.J. Folkard, Ms E.L. Hamilton, Mrs A.K. Hayden, Mr J.E. McGrath, Mr M.P. Murray, Dr M.D. Nahan and Ms M.M. Quirk.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly