

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 211

FIRST SESSION OF THE FORTIETH PARLIAMENT

WEDNESDAY, 19 AUGUST 2020

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Petition

Bus connectivity through Calleya Estate in Treeby – Mr Y. Mubarakai presented a petition from 114 people asking the Legislative Assembly to request the State Government and the Minister for Transport to continue to pursue the Public Transport Authority to improve bus connectivity through Calleya Estate in Treeby (P. 187).

3. Papers

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

By the Clerk –

Land Administration Act 1997 – Proposal: Submission No. 2/2020 under section 42(4) of the Act for an amendment of Class A Reserve 9106 (3582).

Local Government Advisory Board – Annual Report 2019–2020 (3583).

Premier and Cabinet, Department of – Ministerial Resourcing Report as at 23 July 2020 (3584).

4. Notice of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for State Development, Jobs and Trade on the Government's conditional support for the development of common-user infrastructure to facilitate major projects in the Pilbara.

The Minister for Mental Health on \$24.4 million in additional funding for mental health services at Fremantle Hospital.

The Minister for Police on a three-day mandatory rest period for any police officer involved in a critical incident.

The Minister for Corrective Services on the two-year anniversary of the Wandoo Rehabilitation Prison for women.

The Minister for Local Government on the results of an online survey, mapping community wellbeing and resilience during COVID-19.

The Minister for Heritage on the 10th anniversary of Fremantle Prison's inclusion on the World Heritage List by UNESCO.

The Attorney General on a new initiative to reduce barriers to bail and avoid unnecessary remand.

The Minister for Mines and Petroleum on the Reconciliation Action Plan launched by the Department of Mines, Industry Regulation and Safety.

6. Swan Valley Planning Bill 2020

The Minister for Planning, pursuant to notice, moved,

That a bill for "An Act to –

- provide for a Swan Valley Planning Scheme that will apply to the Swan Valley for the purposes of the *Planning and Development Act 2005*; and
- provide for the establishment and functions of a Swan Valley Strategic Leadership Group and a Swan Valley Statutory Planning Committee; and
- amend the *Planning and Development Act 2005* in relation to its application in the Swan Valley; and
- repeal the *Swan Valley Planning Act 1995*; and
- make consequential amendments to other Acts,

and for related purposes." be introduced and read a first time.

Question put and passed.

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

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

Mr Z.R.F. Kirkup moved, That the debate be adjourned.

Question put and passed.

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

The Order of the Day for the consideration in detail of Legislative Council Message No. 136 was read.

The Message was 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

CONSIDERATION IN DETAIL

The Minister for Health moved, That amendment Nos 1 and 2 be agreed to.

Amendments agreed to.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

8. Industrial Relations Legislation Amendment Bill 2020

The Order of the Day for the consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 1 to 13 agreed to.

Clause 14.

Mr P.A. Katsambanis moved,

Page 14, line 21 to page 15, line 22 – To delete the lines.

Amendment put.

The Assembly divided.

Ayes (17)

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

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

Noes (33)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Mr R.H. Cook
Mr M.J. Folkard
Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan
Mr M. McGowan

Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

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
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 14 agreed to.

Clauses 15 to 21 agreed to.

Clause 22.

Mr P.A. Katsambanis moved,

Page 24, lines 15 to 19 – To delete the lines.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

9. Questions

Questions without Notice were taken.

Question on Notice No. 6253 was answered.

10. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

11. Industrial Relations Legislation Amendment Bill 2020

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clause 22.

On the amendment moved by Mr P.A. Katsambanis (see Paragraph 8.),

Amendment put.

The Assembly divided.

Ayes (19)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden
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
Mr J.E. McGrath
Ms L. Mettam
Dr M.D. Nahan

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

Noes (33)

Ms L.L. Baker
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Mr M. Hughes
Mr W.J. Johnston
Mr D.J. Kelly
Mr F.M. Logan

Mr M. McGowan
Ms S.F. McGurk
Mr K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts

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
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Mr D.R. Michael (*Teller*)

Amendment thus negatived.

Clause 22 agreed to.

Clause 23.

Mr P.A. Katsambanis moved,

Page 25, lines 5 to 7 – To delete the lines and substitute:

“

- (3) The Commission may make the order only if it is satisfied that —
 - (a) the owner or occupier of the habitation premises has had a chance to make representations to the Commission relating to the entry to the habitation premises; and
 - (b) the information sought by the authorised representative cannot be obtained in any manner other than entry to the habitation premises.

Amendment put.

The Assembly divided.

Ayes (19)

Mr I.C. Blayney
Mr V.A. Catania
Ms M.J. Davies
Mrs L.M. Harvey
Mrs A.K. Hayden
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
Mr J.E. McGrath
Ms L. Mettam
Dr M.D. Nahan

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

Noes (31)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Mr R.H. Cook
Mr M.J. Folkard
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 K.J.J. Michel
Mr S.A. Millman
Mr Y. Mubarakai
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr J.R. Quigley
Mrs M.H. Roberts
Ms A. Sanderson

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

Amendment thus negatived.

Clause 23 agreed to.

Clauses 24 to 26 agreed to.

Clause 27.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

12. Variation to the Order of Business

Ordered, That Private Members' Business Notice of Motion No. 13 be next considered.

13. Western Australian Small Business – COVID-19 Assistance

Mrs A.K. Hayden, pursuant to notice, moved,

That this House calls on the McGowan Labor Government to stop neglecting our hardworking Western Australian small and family-run businesses by immediately providing a COVID-19 assistance grant to COVID-19 affected small businesses of up to \$10,000 like all other governments have done across Australia, because behind every small business is a family.

Debate ensued.

Debate interrupted by the Chair (Mr S.K. L'Estrange speaking) and adjourned until a later stage of the sitting.

14. Message from the deputy to the Governor

Message No. 32 from the deputy of the Governor was reported assenting to the Workers' Compensation and Injury Management Amendment (COVID-19 Response) Bill 2020, Act No. 31 of 2020.

15. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 7.00 pm until Thursday, 20 August 2020 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Ms J. Farrer, Mr M.P. Murray and Ms C.M. Rowe.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly