

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 208

FIRST SESSION OF THE FORTIETH PARLIAMENT

WEDNESDAY, 12 AUGUST 2020

1. Meeting of Assembly

The Assembly met at 1.00 pm pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Petition

Malvern Springs Plan No. 6 – Ms J.J. Shaw presented a petition from 70 people in relation to the proposed amendment to Malvern Springs Plan No. 6 – Lot 9295 Elmridge Parkway, Ellenbrook asking that the WA Planning Commission support the community's desire to retain the site for its originally intended community purpose (P. 184).

3. Papers

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

By the Clerk –

State Emergency Management Committee – Emergency Preparedness Report 2019 (3551).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report for the Quarter Ended 30 June 2020 (3552).

4. Notices of Motion

5. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Mental Health providing an update on the Government's achievements in the mental health, alcohol and other drug sector.

The Minister for Police on the 117 recruits graduating on the same day in a Police super graduation ceremony.

The Minister for Emergency Services on the 2019 Emergency Preparedness Report published by the State Emergency Management Committee.

The Minister for Energy on the Government's response to Report No. 8 of the Economics and Industry Standing Committee.

Paper

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

By the Minister for Energy –

Energy, Minister for – Government Response to the Economics and Industry Standing Committee Report No. 8, Taking Charge: Western Australia’s Transition to a Distributed Energy Future (3555).

6. National Disability Insurance Scheme (Worker Screening) Bill 2020

The Parliamentary Secretary to the Minister for Disability Services, pursuant to notice, moved,

That a bill for “An Act to provide for the screening of workers in connection with the operation of the National Disability Insurance Scheme and to amend certain other Acts as a consequence of this Act.” be introduced and read a first time.

Question put and passed.

The Parliamentary Secretary to the Minister for Disability Services presented an explanatory memorandum and bill read a first time.

The Parliamentary Secretary to the Minister for Disability Services 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. Suspension of Standing Orders – Precedence of Private Members’ Business

The Leader of the House, pursuant to notice, as amended by leave, moved,

That so much of the Standing Orders be suspended as is necessary to enable Private Members’ Business to have priority from 4.00 pm to 5.00 pm on Wednesday 12 August 2020.

Debate ensued.

Question put and passed.

8. Suspension of Standing Orders – Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill 2020

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

That so much of the Standing Orders be suspended as is necessary to enable the *Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill 2020* to proceed through all remaining stages without delay between the stages.

Debate ensued.

Question put and passed.

9. Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement 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.

Debate interrupted by the Chair (Mrs L.M. Harvey speaking) and adjourned until a later stage of the sitting.

10. 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 – Letter dated 2 August 2020 in relation to Mineralogy Pty. Ltd. and International Minerals Pty. Ltd. v State of Western Australia (Arbitration) (3556).

Attorney General – Closing Submissions of the Attorney-General of the Commonwealth: Federal Court of Australia, No. QUD 183 of 2020, Applicants: Clive Frederick Palmer and another, Respondents: State of Western Australia and another (3557).

Questions on Notice Nos 6360 and 6361 were asked.

Questions on Notice Nos 6157, 6165, 6185, 6200, 6203, 6206, 6209, 6216, 6220, 6248, 6249, 6252, 6255, 6260, 6269, 6283, 6302, 6307 and 6309 to 6321 were answered.

Paper tabled by the Minister for Corrective Services –

Question on Notice No. 6185 – List detailing total number of prisoners serving a sentence and number on remand for each prison facility since March 2017 (3553).

Paper tabled by the Minister representing the Minister for Education and Training –

Question on Notice No. 6248 – Breakdown of average student attendance rates by school in Western Australia from 2016 to 2019 (3554).

11. Unanswered Questions on Notice

Ms M.J. Davies asked why no answers had been received in respect of her Questions on Notice Nos 6136 and 6148.

12. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

13. Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement 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.

Debate interrupted by the Chair (Mr P.A. Katsambanis speaking) and adjourned until a later stage of the sitting.

14. Variation to the Order of Business

Ordered, That Private Members' Business Notices of Motion Nos 13 and 14 be next considered.

15. Western Australia's Preparedness – COVID-19 Outbreak

Mr Z.R.F. Kirkup, pursuant to notice, moved,

That this House urges the government to commit to immediately establish a public and independent expert review to investigate, assess and report back to this House on Western Australia's preparedness to prevent and respond to a COVID-19 outbreak in Western Australia and, in particular, inquire into:

- (a) effectiveness of hotel quarantine processes and security protocols;
- (b) the exemption arrangements and associated restrictions and track and tracing for travellers and essential workers coming into WA;

- (c) the effectiveness of protocols and safeguards to protect aged care facilities, remote communities and other vulnerable Western Australians;
- (d) the capacity for an effective rapid response to a COVID-19 outbreak similar to that which has occurred in Victoria;
- (e) a comprehensive review of the hospital system and the capacity to manage an increase flow of COVID-19 patients;
- (f) any other matters that the inquiry sees fit to look into.

Debate ensued.

Debate interrupted by the Chair (Minister for Emergency Services speaking) and adjourned until a later stage of the sitting.

16. Message from the Legislative Council

Message No. 133 dated 12 August 2020 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that the Legislative Council –

- (a) notes the false and misleading claims of the Attorney General on 28 May 2020;
- (b) notes his repeated failure to provide full, frank and reliable information to the Parliament;
- (c) expresses its concern about the suitability of the Member for Butler to continue as Western Australia's first law officer; and
- (d) acquaints the Legislative Assembly accordingly.

17. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

18. Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement 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 paper was presented and ordered to lie upon the Table of the House –

By the Attorney General –

Attorney General – Comparative Table of Approximate Damages (Including Interest) Claimed (3558).

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 9 agreed to.

Title agreed to.

Consideration in detail concluded.

The Attorney General 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.

19. Workers' Compensation and Injury Management Amendment (COVID-19 Response) Bill 2020

Message No. 134 dated 12 August 2020 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Workers' Compensation and Injury Management 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 Workers' Compensation and Injury Management Amendment (COVID-19 Response) Bill 2020

No. 1

Clause 2, page 2, after line 7 — To insert:

- (b) sections 3 and 15A – on the day after this Act receives the Royal Assent;

No. 2

Clause 2, page 2, after line 9 — To insert:

- (2) However if a provision of this Act does not come into operation before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, the provision is repealed on the day after that period ends.

No. 3

New Clause 15A, page 9, after line 25 — To insert:

314B. Review of Act

- (1) The Minister must review the operation and effectiveness of this Act, and prepare a report based on the review –
 - (a) as soon as practicable after the 5th anniversary of the day on which the *Workers' Compensation and Injury Management Amendment (COVID-19 Response) Bill 2020* section 15A comes into operation; and
 - (b) after that, at intervals of not more than 5 years.
- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 5th anniversary or the expiry of the period of 5 years, as the case may be.
- (3) The Minister must transmit a copy of the report to the Clerk of a House of Parliament if –
 - (a) the report has been prepared; and
 - (b) the Minister is of the opinion that the House will not sit during the period of 21 days after the finalisation of the report.
- (4) A copy of the report transmitted to the Clerk of a House is taken to have been laid before that House.

- (5) The laying of a copy of a report that is taken to have occurred under subsection (4) must be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the receipt of the copy by the Clerk.

Ordered, That consideration in detail of Legislative Council Message No. 134 be made an Order of the Day for the next sitting of the Assembly.

20. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 9.42 pm until Thursday, 13 August 2020 at 9.00 am.

Members present during any part of the day's proceedings – All the members except Ms E.L. Hamilton, Mrs L.M. O'Malley and Ms C.M. Rowe.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly