

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 217

THURSDAY, 17 SEPTEMBER 2020, 9.00 am

Prayers *		
Petitions		
Papers		
Giving Notices of Motion		
Brief Ministerial Statements *		
Questions Without Notice *	–	approximately 2.00 pm each day
Matter of Public Interest	–	one per week on any day
Private Members' Business	–	4.00 pm to 7.00 pm Wednesdays
Grievances	–	approximately 9.00 am Thursdays
Private Members' Statements	–	12.50 pm Thursdays

* *Note:* On days when the Assembly meets at 2.00 pm Brief Ministerial Statements and Questions Without Notice will follow immediately after Prayers.

Memorandum: An electronic version of the Assembly's Questions on Notice booklet is available on the Parliament's Internet site at www.parliament.wa.gov.au.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

- *Animal Welfare and Trespass Legislation Amendment Bill 2020** (Attorney General)
(No. 196, 2r. – 24/6/20)
Second reading. Adjourned debate (Dr A.D. Buti – continuation of remarks).
- Conservation and Land Management Amendment Bill 2020**
(Parliamentary Secretary to the Minister for Environment) (No. 195, 2r. – 24/6/20)
Second reading. Adjourned debate (Dr D.J. Honey).
- Sunday Entertainments Repeal Bill 2019** (Minister for Commerce)
(No. 143, 2r. – 26/9/19)
Second reading. Adjourned debate (Dr D.J. Honey).
- Appropriation (Recurrent 2017-18) Supplementary Bill 2018** (Treasurer)
(No. 104, 2r. – 31/10/18) (last debated – 24/10/19)
‡Appropriation (Capital 2017-18) Supplementary Bill 2018 (Treasurer)
(No. 105, 2r. – 31/10/18)
Second reading. Adjourned debate (Mr D.R. Michael).
- Appropriation (Recurrent 2018-19) Supplementary Bill 2020** (Treasurer)
(No. 165, 2r. – 11/3/20)
Second reading. Adjourned debate (Mr A. Krsticevic).
- Appropriation (Capital 2018-19) Supplementary Bill 2020** (Treasurer)
(No. 164, 2r. – 11/3/20)
Second reading. Adjourned debate (Mr A. Krsticevic).
- *Corruption, Crime and Misconduct Amendment Bill 2020** (Attorney General)
(No. 189, 2r. – 16/4/20)
Consideration in detail.

8. Premier's Statement

Adjourned debate (Leader of the House) on the question, That the Premier's Statement be noted.

9. Commercial Tenancies (COVID-19 Response (Early Termination)) Bill 2020 (Minister for Commerce) (No. 188, 2r. – 16/4/20)

Second reading. Adjourned debate (Mr A. Krsticevic).

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Disallowance – *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Amendment Regulations 2019* (Notice given – 29/10/19)

Mr R.S. Love: To move –

That the *Petroleum and Geothermal Energy Resources (Hydraulic Fracturing) Amendment Regulations 2019*, a copy of which was laid upon the table of the House on Tuesday 17 September 2019, are hereby disallowed.

2. Policy Direction – **Agricultural Industry** (Notice given – 29/10/19, renewed – 14/5/20)

Mr R.S. Love: To move –

That this House condemns the McGowan Government for its inaction and lack of policy direction for the agricultural industry including the future of live export, addressing animal activism, glyphosate use and water security and response to drought-like conditions affecting our State.

3. **Anti-Social Behaviour in Local Communities**

(Notice given – 29/10/19, renewed – 14/5/20)

Mr P.A. Katsambanis: To move –

That this House condemns the McGowan Labor Government for failing to address out of control violence, theft and anti-social behaviour in local communities.

4. **Small Business Closures** (Notice given – 29/10/19, renewed – 14/5/20)

Mrs A.K. Hayden: To move –

That this House condemns the McGowan Labor Government for failing to adequately respond to the wave of small business closures across Western Australia.

5. **Delivery of Local Infrastructure Projects** (Notice given – 29/10/19, renewed – 14/5/20)

Ms L. Mettam: To move –

That this House condemns the McGowan Labor Government for failing to deliver on local infrastructure projects.

6. **Delays to Job Creating Infrastructure** (Notice given – 29/10/19, renewed – 14/5/20)

Ms L. Mettam: To move –

That this House condemns the McGowan Labor Government for axing Roe 8/9 which would create 10,000 direct and indirect jobs and for putting its foot on the hose of job-creating infrastructure, including Metronet rail lines which are yet to commence or create a single job.

7. **Western Australia's Economy** (Notice given – 29/10/19, renewed – 14/5/20)

Mr D.C. Nalder: To move –

That this House condemns the McGowan Labor Government for failing to stimulate the WA economy in the context of a domestic economic recession and windfall gains from the GST-fix, high iron ore prices and the privatisation of State's assets.

8. **State Government Responsibilities** (Notice given – 29/10/19, renewed – 14/5/20)

Mr W.R. Marmion: To move –

That this House condemns the McGowan Labor Government for forcing State Government responsibilities onto local governments, thereby shifting costs onto struggling Western Australian ratepayers.

9. **McGowan Government – Response to Homelessness**

(Notice given – 29/10/19, renewed – 14/5/20)

Mr A. Krsticevic: To move –

That this House condemns the McGowan Labor Government's woefully inadequate response to the homelessness crisis.

10. McGowan Government – Methamphetamine Response

(Notice given – 29/10/19, renewed – 14/5/20)

Mr Z.R.F. Kirkup: To move –

That this House condemns the McGowan Labor Government for failing to address the Meth crisis which it promised to do at the last State election.

11. The Community Services Sector (Notice given – 18/2/20, renewed – 11/8/20)

Mr A. Krsticevic: To move –

That this House condemns the McGowan Labor Government for abandoning the community services sector and causing economic and social vandalism for struggling Western Australians.

12. Homelessness and Social Housing Waitlists (Notice given – 18/2/20, renewed – 11/8/20)

Mr A. Krsticevic: To move –

That this House condemns the McGowan Labor Government for allowing homelessness and social housing waitlists to get out of control.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Western Australia's Health System (Moved – 18/9/19)

Adjourned debate (Minister for Health – continuation of remarks) on the motion moved by Mr Z.R.F. Kirkup –

That this House condemns the McGowan Labor Government for being asleep at the wheel when it comes to managing Western Australia's struggling health system.

2. Regional Health (Moved – 25/9/19)

Adjourned debate (Minister for Health – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the McGowan Government's ongoing failure to prioritise investment in regional health.

3. McGowan Labor Government Fiscal Policies (Moved – 16/10/19)

Adjourned debate (Mr D.T. Punch – continuation of remarks) on the motion moved by Mr D.C. Nalder –

That this House condemns the McGowan Labor Government for its failed fiscal policy settings which are causing ongoing damage to the Western Australian economy, including strongly negative State Final Demand last financial year.

4. Western Australia's Housing Sector (Moved – 23/10/19)

Adjourned debate (Minister for Housing – continuation of remarks) on the motion moved by Mr D.C. Nalder –

That this House condemns the McGowan Labor Government for plunging the housing sector into its longest and deepest crisis and calls on the Premier to immediately backflip on his ill-conceived Foreign Buyers Tax and migration changes.

5. Southern Rangelands – Drought Response (Moved – 30/10/19)

Adjourned debate (Minister for Water – continuation of remarks) on the motion moved by Mr V.A. Catania –

That this House calls on the Premier to implement an immediate response to the drought crisis affecting the Southern Rangelands in order to mitigate the enormous toll inaction is having on animal welfare, pastoralists and regional communities.

6. South West Tourism – Job Opportunities (Moved – 13/11/19)

Adjourned debate (Leader of the House) on the motion moved by Mr D.T. Redman –

That this House condemns the McGowan Government for risking job opportunities in the South West tourism and small business sectors by actively opposing the development of a new terminal building at the Busselton-Margaret River Airport.

7. Glyphosate – Western Australia’s Agricultural Sector (Moved – 13/11/19)

Adjourned debate (Mr D.R. Michael) on the motion moved by Mr P.J. Rundle –

That this House calls on the State Government to support Australian and global science backing the safe use of glyphosate for Western Australia’s agriculture sector.

8. Mid West Communities – Standard of Health Services (Moved – 13/11/19)

Adjourned debate (Minister for Health – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House calls on the McGowan Government to deliver an acceptable standard of health services to Mid West communities such as Leeman, Greenhead, Mullewa and Dongara.

9. Job Creating Projects (Moved – 27/11/19)

Adjourned debate (Mr S.A. Millman – continuation of remarks) on the motion moved by

Mrs L.M. Harvey –

That this House condemns the do-nothing McGowan Labor Government for failing to start any major job-creating projects by the end of three years in government, leading to lost jobs and ongoing domestic recession.

10. Metronet – Stage 1 Costing and Status (Moved – 19/2/20)

Adjourned debate (Mr S.J. Price – continuation of remarks) on the motion moved by Ms L. Mettam –

That this House calls on the McGowan Labor Government in its fourth parliamentary year, to finally outline the total cost of the Stage 1 Metronet, including taxpayer operating subsidies, and to outline to the House when Stage 1 will be fully operational.

11. Regional Health and Mental Health Services (Moved – 11/3/20)

Adjourned debate (Minister for Health – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the Labor McGowan Government’s failure to prioritise and address regional health and mental health services including its response to the growing threat of COVID-19.

12. The Impacts of Covid-19 (Moved – 18/3/20)

Adjourned debate (Treasurer – continuation of remarks) on the motion moved by Mr Z.R.F. Kirkup –

That this House calls on the McGowan Government to update the House on the health, economic and other impacts of Covid-19.

13. Support for Small Businesses, Regional Communities and Households

(Moved – 13/5/20)

Adjourned debate (Dr D.J. Honey – continuation of remarks) on the motion moved by Mrs L.M. Harvey –

That this House calls on the McGowan Government to provide greater support to small businesses, regional communities and struggling households to weather the Covid-19 crisis.

14. West Australian Small Businesses and Industries (Moved – 20/5/20)

Adjourned debate (Minister for Industrial Relations – continuation of remarks) on the motion moved by Mr V.A. Catania –

That this House calls upon the Labor Government to immediately address the shortfall in support for West Australian small businesses and industries suffering because they are unable to access relief and recovery measures.

15. Lifting of Covid Restrictions (Moved – 27/5/20)

Adjourned debate (Minister for Health – continuation of remarks) on the motion moved by Mrs L.M. Harvey –

That this House condemns the McGowan Labor Government for its handling of the lifting of Covid restrictions and causing unnecessary economic harm, small business closures and job losses.

16. The Local Government Sector (Moved – 17/6/20)

Adjourned debate (Minister for Local Government – continuation of remarks) on the motion moved by Mr W.R. Marmion –

That this House notes a range of concerning issues in the local government sector mostly perpetuated from mismanagement by the McGowan Labor Government.

17. The Community Services Sector – Funding and Capacity (Moved – 24/6/20)

Adjourned debate (Minister for Community Services – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House notes the increase in homelessness and vulnerable members of the community seeking assistance in regional Western Australia and calls on the McGowan Government to deliver an immediate funding increase to provide the community services sector with the capacity to respond appropriately to the additional pressures of COVID-19.

18. Western Australia’s Preparedness – COVID-19 Outbreak (Moved – 12/8/20)

Adjourned debate (Minister for Emergency Services – continuation of remarks) on the motion moved by Mr Z.R.F. Kirkup –

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.

19. Western Australian Small Businesses – COVID-19 Assistance (Moved – 19/8/20)

Adjourned debate (Mr S.K. L'Estrange – continuation of remarks) on the motion moved by Mrs A.K. Hayden –

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.

20. City of Melville Council – Establishment of Inquiry (Moved – 9/9/20)

Adjourned debate (Mr D.R. Michael) on the motion moved by Dr M.D. Nahan –

That this House calls on the Minister for Local Government to establish an inquiry into the City of Melville Council regarding conflicts of interest, and improper leasing and use of council property.

21. G2G Pass Approval Process (Moved – 9/9/20)

Adjourned debate (Minister for Police – continuation of remarks) on the motion moved by Mr P.A. Katsambanis –

That this House notes that the lack of transparency and consistency of the G2G Pass approval process has caused significant stress, anxiety and distress to Western Australians who are trying to legally return home; and calls on the government to create a clearer, simpler and more consistent process to allow local residents to return to Western Australia whilst continuing to protect our State from COVID-19.

22. Difficulties Facing Regional Western Australia (Moved – 16/9/20)

Adjourned debate on the motion moved by Ms M.J. Davies –

That this House acknowledges difficulties faced by industry, business, and not-for-profits and community organisations in accessing workers and volunteers, and calls on the State Government to outline a plan to ensure regional Western Australia is given the support it needs to recover from the COVID-19 pandemic.

* Denotes amendments appearing in the Notices and Amendments section of the Notice Paper.

‡ Denotes second reading debate on the Bill is being undertaken cognately with a principal Bill, and no further second reading debate will occur.

COMMITTEES TO REPORT

Committee	Date Due
Joint Standing Committee on the Corruption and Crime Commission: Inquiry into the CCC's oversight of police misconduct investigations.	24 September 2020
Education and Health Standing Committee: Examining the lessons from the delivery of education during COVID-19.	24 September 2020
Public Accounts Committee: Inquiry into the use of State funding by the Western Australian Football Commission.	4 November 2020
Economics and Industry Standing Committee: Inquiry into Western Australia's economic relationship with the Republic of India.	19 November 2020
Procedure and Privileges Committee: Inquiry into the Legislative Assembly's response to the COVID-19 pandemic.	19 November 2020

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

Committee	Ministers to Respond	Date Due
Public Accounts Committee: Report 14: Building Slowly: Department of Mines, Industry Regulation and Safety's regulation of builders and building surveyors	Minister for Commerce	18 September 2020
Community Development and Justice Standing Committee: Report 8: Opening Doors to Justice: Supporting victims by improving the management of family and domestic violence matters in the Magistrates Court of Western Australia	Premier; Attorney General; Minister for Police; Minister for Prevention of Family and Domestic Violence; Minister for Community Services; Minister for Mental Health; Minister for Citizenship and Multicultural Interests	13 November 2020
Joint Standing Committee on the Commissioner for Children and Young People: Report 5: From Words to Action: Fulfilling the obligation to be child safe	Premier	13 November 2020

NOTICES AND AMENDMENTS

Animal Welfare and Trespass Legislation Amendment Bill 2020 (No. 196-1)

Clause 1

Mr P.J. Rundle — To move:

Page 2, line 3 — To delete “*Animal Welfare and*”.

Clause 3

Mr P.J. Rundle — To oppose the clause.

Clause 4

Mr P.J. Rundle — To oppose the clause.

Clause 5

Mr P.J. Rundle — To oppose the clause.

Clause 6

Attorney General — To move:

Page 5, lines 2 to 6 — to delete the lines and substitute:

production, any animals involved in the production do not have an opportunity to graze or forage outside.

Clause 6

Mr P.J. Rundle — To oppose the clause.

Clause 7

Mr P.J. Rundle — To oppose the clause.

Clause 8

Mr P.J. Rundle — To oppose the clause.

Clause 10

Mr P.J. Rundle — To move:

Page 7, lines 7 and 8 — To delete the lines and substitute:

abattoir —

- (a) means any place used for or in connection with the slaughtering of animals for sale for human consumption; and

- (b) includes a holding yard or other place used for or in connection with the slaughtering of those animals;

Mr P.J. Rundle — To move:

Page 7, after line 26 — To insert:

- (d) a hobby farm;

Mr P.J. Rundle — To move:

Page 7, after line 26 — To insert:

animal source food supply means any of the following activities carried out at an animal source food supply place —

- (a) the processing, transport, distribution, marketing, promotion, storage, sale or supply of animal source food or of by-products of animal source food production; or
- (b) the provision of education or training in animal source food production;

animal food source supply place means —

- (a) a livestock market or saleyard;
- (b) a port at which animals or animal source food are handled;
- (c) a road train assembly area at which animals or animal source food are handled;
- (d) a warehouse, store, shop, restaurant, cafe or other place at which animal source food or by-products of animal source food production are stored, distributed or sold;
- (e) a school or college providing education in animal source food production;
- (f) a place at which an agricultural show is conducted;

Mr P.J. Rundle — To move:

Page 8, line 29 to page 9, line 19 — To delete the lines and substitute::

interfere with, in relation to animal source food production or animal source food supply, includes any of the following —

- (a) negatively impact biosecurity, as defined in the Biosecurity and Agriculture Management Act 2007 section 6, in relation to the animal source food production or animal source food supply;
- (b) create a risk to the welfare, safety or health of an animal involved in the animal source food production or animal source food supply;

- (c) in the course of the animal source food production or animal source food supply — create a risk to the integrity or safety of meat, eggs or dairy products;
- (d) release an animal involved in the animal source food production or animal source food supply, or cause it to escape, from an animal source food production place or an animal source food supply place, or from an enclosure at such a place;
- (e) destroy, damage, steal or otherwise interfere with property used in the animal source food production or animal source food supply;

Mr P.J. Rundle — To move:

Page 9, lines 20 and 21 — To delete the lines and substitute:

knackery —

- (a) means any place used for or in connection with the slaughtering and processing of animals for sale for animal consumption; and
- (b) includes a holding yard or other place used for or in connection with the slaughtering and processing of those animals;

Mr P.J. Rundle — To move:

Page 9, lines 23 to page 10, line 22 — To delete the lines and substitute:

(2) Delete section 70A(2) and insert:

- (2) A person who, without lawful excuse, trespasses on a place commits an offence.

Penalty for this subsection: imprisonment for 12 months and a fine of \$12 000.

- (2A) A person who, without lawful excuse, trespasses on an animal source food production place or an animal source food supply place in circumstances of aggravation commits an offence.

Penalty for this subsection: imprisonment for 2 years and a fine of \$24 000.

- (2B) A person trespasses on an animal source food production place in circumstances of aggravation if, in committing the trespass, the person —
 - (a) interferes with, or intends to interfere with, animal source food production; or
 - (b) in the context of another person's engagement in animal source food production — assaults, intimidates or harasses, or intends to assault, intimidate or harass —

- (i) the other person; or
 - (ii) a family member of the other person.
- (2C) A person trespasses on an animal source food supply place in circumstances of aggravation if, in committing the trespass, the person —
 - (a) intends to interfere with animal source food supply; or
 - (b) in the context of another person’s engagement in animal source food supply — assaults, intimidates or harasses, or intends to assault, intimidate or harass —
 - (i) the other person; or
 - (ii) a family member of the other person.
- (2D) If a court sentencing an adult offender for an offence under subsection (2A) does not impose a term of imprisonment then, except as provided in subsection (2E) and despite the Sentencing Act 1995, the court must impose —
 - (a) a community order under the Sentencing Act 1995 that includes —
 - (i) a supervision requirement with a direction that the offender must not enter or remain on an animal source food production place or animal source food supply place specified, or of a kind specified, in the order; and
 - (ii) a community service requirement;and
 - (b) a fine of at least \$2 400.
- (2E) Subsection 1 (2D) does not apply in a particular case if the court is satisfied that exceptional circumstances exist in that case.
- (3) In section 70A(3) delete “subsection (2),” and insert:
subsection (2) or (2A),

Clause 14

Mr P.J. Rundle — To move:

Page 12, line 2 — To delete “, as defined”, and substitute:

or animal source food supply, as those terms are defined

Long title

Mr P.J. Rundle — To move:

Page 1 — To delete the long title and substitute:

An Act to amend *The Criminal Code* and the *Restraining Orders Act 1997* to make provisions relating to trespass on a place where animal source food production or supply is carried out.

Corruption, Crime and Misconduct Amendment Bill 2020 (No. 189-1)

Clause 4

Attorney General — To move:

Page 2, lines 13 to 18 — To delete the lines and substitute:

- (1) In section 9(3a) delete “Except in the case of the first appointment,” and insert:

Except as provided in subsection (4A),

- (2) In section 9(4) delete “Except in the case of the first appointment,” and insert:

Except as provided in subsection (4A),

- (3) Delete section 9(4a) and insert:

- (4A) The Premier may, without consultation under subsection (4), recommend the reappointment of a person —

(a) who —

(i) holds the office of Commissioner; or

(ii) if no person holds the office of Commissioner — was the person to most recently hold the office of Commissioner;

and

(b) who has the support of the Premier and the Leader of the Opposition.

KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly

