

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 227

FIRST SESSION OF THE FORTIETH PARLIAMENT

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WEDNESDAY, 4 NOVEMBER 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. Death of Hon Kevin John Leahy – a former Member of the Legislative Assembly

The Premier, without notice, spoke on the following motion,

That the House records its sincere regret at the death of Hon Kevin John Leahy and tenders its deep sympathy to his family.

The motion was supported by Mrs L.M. Harvey, Mr V.A. Catania, Mrs M.H. Roberts and Mr D.A. Templeman.

Question put and passed unanimously with members and officers of the Assembly standing in their places as a mark of respect.

### 3. Papers

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

By the Clerk –

Acacia Prison Services Agreement – Annual Report 2019–2020 (3941).

CBD Courts Project Contract – Annual Report 2019–2020 (3942).

ChemCentre – Statement of Corporate Intent 2020–2021 (3943).

Court Security and Custodial Services Contract – Annual Report 2019–2020 (3944).

Melaleuca Remand and Reintegration Facility Services Agreement – Annual Report 2019–2020 (3945).

Public Advocate, Office of the – Annual Report 2019–2020 (3946).

Supervised Release Review Board – Annual Report 2019–2020 (3947).

Waste Authority – Annual Report 2019–2020 (3948).

#### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the expansion of telehealth services in support of rural breast cancer patients.

The Minister for Police on the death of Bobby Pepper.

The Minister for Emergency Services on the handover of the former Carnarvon Fire Station to the Gascoyne RSL Sub-Branch.

The Minister for Corrective Services on prison engagement programs at West Kimberley Regional Prison.

The Attorney General on the Community Service Law Awards.

The Minister for Housing on the delivery of affordable apartments in Claremont.

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

Message No. 142 dated 3 November 2020 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Road Traffic Amendment (Immobilisation, Towing and Detention of Vehicles) Bill 2020* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

*Schedule indicating the amendment made by the Legislative Council in the Road Traffic Amendment (Immobilisation, Towing and Detention of Vehicles) Bill 2020*

##### No. 1

Clause 2, page 2, after line 9 — 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.

Ordered, That consideration in detail of Legislative Council Message No. 142 be made an Order of the Day for the next sitting of the Assembly.

#### 6. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2020

The Minister for Emergency Services, pursuant to the COVID–19 Temporary Order, moved,

That a bill for “An Act to amend the following to extend the operation of provisions relating to the COVID–19 pandemic –

- *The Criminal Code*;
- the *Criminal Code Amendment (COVID-19 Response) Act 2020*;
- the *Emergency Management Amendment (COVID-19 Response) Act 2020*.” be introduced and read a first time.

Question put and passed.

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

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

Debate ensued.

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

## 7. Questions

Questions without Notice were taken.

Questions on Notice Nos 6265, 6339, 6430, 6431 and 6433 were answered.

## 8. Matter of Public Interest – Health Preparedness Strategy

The Speaker informed the Assembly that he was in receipt of a notice from Ms M.J. Davies that she intended to move a motion on a matter of public interest.

At least five members having risen in support,

Ms M.J. Davies moved,

That this House calls on the Government to assure Western Australians the State has a robust health preparedness strategy in place in advance of the relaxation of State borders, including plans and resources to manage outbreaks of COVID-19 in regional WA.

Debate ensued.

The Premier moved, To delete all words after “House” and insert –

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acknowledges the hard work undertaken by all West Australians, including our dedicated public servants, to stop the spread of COVID-19 and ensure the State is well prepared to respond to any potential outbreaks, noting this would not have been possible had the WA Liberal Party been successful in bringing down the hard border.

”.

Debate ensued.

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

Amendment put.

The Assembly divided.

### Ayes (36)

Ms L.L. Baker	Mr F.M. Logan	Mrs M.H. Roberts
Dr A.D. Buti	Mr M. McGowan	Ms C.M. Rowe
Mr J.N. Carey	Ms S.F. McGurk	Ms R. Saffioti
Mrs R.M.J. Clarke	Mr K.J.J. Michel	Ms A. Sanderson
Mr R.H. Cook	Mr S.A. Millman	Ms J.J. Shaw
Ms J. Farrer	Mr M.P. Murray	Mr C.J. Tallentire
Mr M.J. Folkard	Mrs L.M. O’Malley	Mr D.A. Templeman
Ms J.M. Freeman	Mr P. Papalia	Mr P.C. Tinley
Mr T.J. Healy	Mr S.J. Price	Mr R.R. Whitby
Mr M. Hughes	Mr D.T. Punch	Ms S.E. Winton
Mr W.J. Johnston	Mr J.R. Quigley	Mr B.S. Wyatt
Mr D.J. Kelly	Ms M.M. Quirk	Mr D.R. Michael ( <i>Teller</i> )

### Noes (18)

Mr I.C. Blayney	Mr P.A. Katsambanis	Dr M.D. Nahan
Mr V.A. Catania	Mr Z.R.F. Kirkup	Mr D.C. Nalder
Ms M.J. Davies	Mr S.K. L’Estrange	Mr K.M. O’Donnell
Mrs L.M. Harvey	Mr R.S. Love	Mr D.T. Redman
Mrs A.K. Hayden	Mr W.R. Marmion	Mr P.J. Rundle
Dr D.J. Honey	Ms L. Mettam	Mr A. Krsticevic ( <i>Teller</i> )

Amendment thus passed.

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

Amendment put and passed.

On the question, That the motion, as amended, be agreed to,

Question put and passed.

Motion, as agreed to by the House –

That this House acknowledges the hard work undertaken by all West Australians, including our dedicated public servants, to stop the spread of COVID-19 and ensure the State is well prepared to respond to any potential outbreaks, noting this would not have been possible had the WA Liberal Party been successful in bringing down the hard border.

**9. Variation to the Order of Business**

Ordered, That consideration of Government Business Order of the Day for the second reading of the COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2020 be resumed.

**10. COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) 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 D.T. Redman speaking) and adjourned until a later stage of the sitting.

**11. Variation to the Order of Business**

Ordered, That Private Members' Business Notice of Motion No. 3 be next considered.

**12. Service Delivery and Major Project Construction**

Mrs L.M. Harvey, pursuant to notice, moved,

That this House condemns the WA Labor Government for its failures in service delivery and major project construction in its four years of government.

Debate ensued.

Debate interrupted by the Chair (Mr K.M. O'Donnell speaking) and adjourned until a later stage of the sitting.

**13. Adjournment**

Mr D.R. Michael moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 7.00 pm until Thursday, 5 November 2020 at 9.00 am.

*Members present during any part of the day's proceedings* – All the members except Mr Y. Mubarakai and Mrs J.M.C. Stojkovski.

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

**HON. PETER WATSON**  
Speaker of the Legislative Assembly