

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 228

FIRST SESSION OF THE FORTIETH PARLIAMENT

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THURSDAY, 5 NOVEMBER 2020

### 1. Meeting of Assembly

The Assembly met at 9.00 am pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

### 2. Papers

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

By the Clerk –

Criminal Investigation (Covert Powers) Act 2012 – Annual Report 1 July 2019 – 30 June 2020 by the Corruption and Crime Commission regarding the Australian Crime Commission: Report for the Minister for Police (3949).

Housing Authority – Annual Report 2019–2020 (3950).

Terrorism (Preventative Detention) Act 2006 – Quarterly Report for the Quarter Ended 30 September 2020 (3951).

### 3. Correction to Tabled Paper

The Speaker announced that he had authorised corrections to the following Tabled Paper tabled on 29 October 2020 –

Auditor General, Office of the – Transparency Report: Major Projects, Report No. 6, October 2020 (3896).

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#### *Paper*

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

By the Speaker –

Auditor General, Office of the – Transparency Report: Major Projects, Report No. 6, October 2020, erratum (3952).

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#### 4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the Safer Baby Bundle Project initiative.

The Minister for Emergency Services on the State Government’s response to the coronial inquiry into the Esperance fires.

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#### *Paper*

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

By the Minister for Emergency Services –

Emergency Services, Minister for – Recommendations and State Government Response –  
Esperance Coronial Report (3953).

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The Minister for Industrial Relations on initiatives combating wage theft.

The Minister for Energy on virtual power plants in Western Australian schools.

The Minister for Women’s Interests on the Women in Technology WA 2020 Awards.

#### 5. Grievances

The Speaker called for grievances which were then made.

#### 6. 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.

Question put and passed.

Bill read a second time.

#### *CONSIDERATION IN DETAIL*

Clauses 1 to 3 agreed to.

Clause 4.

Mr R.S. Love moved,

Page 3, line 7 – To delete “18” and substitute:

“ 15 ”.

Amendment put.

The Assembly divided.

Ayes (15)

Mr I.C. Blayney

Mr V.A. Catania

Mrs L.M. Harvey

Dr D.J. Honey

Mr P.A. Katsambanis

Mr Z.R.F. Kirkup

Mr A. Krsticevic

Mr S.K. L’Estrange

Mr R.S. Love

Mr W.R. Marmion

Mr J.E. McGrath

Dr M.D. Nahan

Mr K.M. O’Donnell

Mr D.T. Redman

Mr P.J. Rundle (*Teller*)

## Noes (33)

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

Amendment thus negatived.

Clause 4 agreed to.

Clauses 5 to 8 agreed to.

Clause 9.

Mr R.S. Love moved,

Page 5, line 10 – To delete “October” and substitute:

“ July ”.

Amendment put and negatived.

Clause 9 agreed to.

Title agreed to.

Consideration in detail concluded.

The Minister for Emergency Services 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.

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

The Order of the Day for the consideration in detail of Legislative Council Message No. 142 was read.

The Message was 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.

*CONSIDERATION IN DETAIL*

The Minister for Transport moved, That amendment No. 1 be agreed to.

Amendment agreed to.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

**8. Building and Construction Industry (Security of Payment) 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 (Minister for Commerce speaking in reply) and adjourned until a later stage of the sitting.

**9. Members' Statements**

The Acting Speaker called for members' statements which were then made.

**10. Questions**

Questions without Notice were taken.

Question on Notice No. 6432 was answered.

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

Ordered, That Consideration of Government Business Order of the Day No. 3 be resumed.

**12. Building and Construction Industry (Security of Payment) 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 33 agreed to.

Clause 34.

The Minister for Commerce moved,

Page 37, line 16 – To delete “Division 1,” and insert:

“ this Part, ”.

Amendment agreed to.

Clause 34, as amended, agreed to.

Clauses 35 to 38 agreed to.

Clause 39.

The Minister for Commerce moved,

Page 44, line 21 – To delete “Division 1; and” and insert:

“ this Part; and ”.

Amendment agreed to.

Clause 39, as amended, agreed to.

Clauses 40 to 52 agreed to.

Clause 53.

The Minister for Commerce moved,

Page 59, after line 7 – To insert:

“

- (1A) The Building Commissioner cannot provide the claimant with a certified copy of the determination of an adjudicator if an adjudication review application in relation to the determination has been made but not determined.

”.

Amendment agreed to.

Clause 53, as amended, agreed to.

Clauses 54 to 138 agreed to.

Title agreed to.

Consideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

### **13. Message from the Governor**

Message No. 39 from His Excellency the Governor was reported assenting to the Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020, Act No. 35 of 2020.

### **14. Safety Levies Amendment Bill 2019**

Message No. 143 dated 5 November 2020 from the Legislative Council was reported agreeing to the bill without amendment.

### **15. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 3.45 pm until Tuesday, 10 November 2020 at 2.00 pm.

*Members present during any part of the day's proceedings* – All the members except Ms M.J. Davies, Mrs A.K. Hayden and Mrs J.M.C. Stojkovski.

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

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