

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 155

TUESDAY, 15 OCTOBER 2019

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### 1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

### 2. Message from His Excellency the Governor — Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills —

8 October 2019 — Message No. 19	Act No.
Terrorism (Preventative Detention) Amendment Bill 2019	23 of 2019
Reserves (Marmion Marine Park) Bill 2019	24 of 2019

### 3. Statement by President — Photography in the Chamber

The President made the following Statement —

Members, I have approved the presence of a photographer in the press gallery for the first 15 minutes of proceedings today to enable the media to obtain up-to-date images of the Legislative Council.

### 4. Petition

Hon Aaron Stonehouse presented a petition from 2,358 petitioners requesting the Legislative Council to exempt the sport of Airsoft and the use of Airsoft replicas from the provisions of the Western Australian firearms legislation and allow for self-regulation under governance of a dedicated sporting association. (Tabled Paper 3258).

### 5. Ministerial Statement — National Environment Protection Council

The Minister for Environment made a Ministerial Statement with respect to the Annual Report of the National Environment Protection Council.

The Minister for Environment tabled the *National Environment Protection Council Annual Report 2017–18*. (Tabled Paper 3259).

### 6. Ministerial Statement — Pregnancy and Infant Loss Day

The Parliamentary Secretary to the Deputy Premier made a Ministerial Statement with respect to Pregnancy and Infant Loss Day and related news including Federal Government investment of \$52.4 million, an initiative to reduce stillbirth, Safer Baby Bundle, and confirmation that the Memorial Rose Garden at King Edward Memorial Hospital will be protected through the hospital relocation process.

## 7. Papers

The following Papers were laid on the Table by —

### President

#### *Auditor Generals Papers —*

Opinions on Ministerial Notifications (Report No. 8) (October 2019)  
(Deemed tabled 8/10/2019) ..... 3228

An Analysis of the Department of Health's Data Relating to State-Managed Adult Mental  
Health Services from 2013–2019 (Report No. 9) (October 2019)  
(Deemed tabled 9/10/2019) ..... 3229

#### *Financial Statements —*

Members of Parliament (Financial Interest) Act 1992 — Annual Returns (2018–19) ..... 3230

### Leader of the House

#### *Local Laws —*

Dog Act 1976 (City of Rockingham Dogs and Parking Amendment Local Law  
2019 G.G. 11/10/2019 and Town of Victoria Park Amendment (Dogs) Local Law  
2019 G.G. 27/09/2019) ..... 3231

Local Government Act 1995 (City of Kalamunda Parking and Parking Facilities Local Law  
2019 G.G. 11/10/2019, City of Kalamunda Repeal Local Law 2019 (No. 2) G.G. 27/09/2019 and  
Shire of Gingin Granting of Long Service Leave to Employees Repeal Local Law  
2019 G.G. 24/09/2019) ..... 3232

#### *Regulations —*

State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment  
Regulations (No. 2) 2019 G.G. 27/09/2019) ..... 3233

### Minister for Environment

#### *Annual Reports —*

Australian Crime Commission — Criminal Investigation (Covert Powers) Act 2012  
(WA) — Assumed Identities (2018–19) (Date received 11/10/2019) ..... 3234

Australian Criminal Intelligence Commission — Surveillance Devices Act 1998 (WA)  
(2018–19) (Date received 11/10/2019) ..... 3235

Bankwest and Commonwealth Bank of Australia (2019) (Date received 14/10/2019) ..... 3236

Chief Advocate for Residents of Declared Places under the Declared Places  
(Mentally Impaired Accused) Act 2015 (2018–19) (Date received 15/10/2019) ..... 3237

Environmental Protection Authority (2018–19) (Date received 15/10/2019) ..... 3238

Landgate (2018–2019) (Date received 14/10/2019) ..... 3239

Police Force Western Australia — Criminal Investigation (Covert Powers) Act 2012 —  
Witness Identity Protection Certificates (2018–19) (Date received 11/10/2019) ..... 3240

Police Force Western Australia — Surveillance Devices Act 1998 (2018–19)  
(Date received 11/10/2019) ..... 3241

State Finances (2018–2019) (Date received 14/10/2019) ..... 3242

Treasury, Department of (2018–2019) (Date received 14/10/2019) ..... 3243

Waste Authority (2018–19) (Date received 15/10/2019) ..... 3244

#### *Leases —*

CALM Lease No. 2487/97 Between the Conservation and Land Management Executive  
Body and Mr Dean Rodney Ryan of Quininnup for the purpose of a dam site in  
State Forest No. 39 near Northcliffe ..... 3245

#### *Regulations —*

Duties Act 2008 (Duties Amendment Regulations 2019 G.G. 08/10/2019) ..... 3246

Police Act 1892 (Police Force Amendment Regulations 2019 G.G. 01/10/2019) ..... 3247

*Reports —*

Terrorism (Preventative Detention) Quarterly Report (30 September 2019)..... 3248

**Minister for Regional Development***Annual Reports —*

Chief Commissioner of Western Australian Industrial Relations Commission (2018–2019) (Date received 15/10/2019)..... 3249

*Notices —*

Financial Management Act 2006 (section 82) — Notice from the Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development in regards to Legislative Council Question on Notice No. 2187 asked by the Hon Martin Aldridge ..... 3250

*Regulations —*

Fair Trading Act 2010 (Fair Trading (Retirement Villages Interim Code) Regulations (No. 2) 2019 G.G. 27/09/2019)..... 3251

Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations 2019 G.G. 04/10/2019)..... 3252

Retirement Villages Act 1992 (Retirement Villages Amendment Regulations (No. 2) 2019 G.G. 27/09/2019)..... 3253

Rights in Water and Irrigation Act 1914 (Rights in Water and Irrigation Amendment Regulations 2019 G.G. 08/10/2019)..... 3254

Western Australian Jobs Act 2017 (Western Australian Jobs Amendment Regulations 2019 G.G. 08/10/2019)..... 3255

**Parliamentary Secretary to the Deputy Premier***Orders —*

Health Services Act 2016 (Health Services (Fees and Charges) Amendment Order (No. 5) 2019 G.G. 27/09/2019)..... 3256

*Regulations —*

Mental Health Act 2014 (Mental Health Amendment Regulations 2019 G.G. 08/10/2019)..... 3257

**8. Standing Committee on Public Administration — Report 29 — Consultation with Statutory Office Holders**

Hon Adele Farina presented Report 29 of the Standing Committee on Public Administration, *Consultation with Statutory Office Holders*. (Tabled Paper 3260).

**9. Select Committee into Local Government — Interim Report — Inquiry into Local Government**

Hon Simon O'Brien presented the Interim Report of the Select Committee into Local Government, *Inquiry into Local Government*. (Tabled Paper 3261).

**10. Order of Business**

Ordered — That Orders of the Day Nos 1, *Health Regulations Amendment (Fees and Charges) Regulations 2019 — Disallowance*, 2, *Transport Regulations Amendment (Road Passenger Services) Regulations (No. 2) 2019 — Disallowance*, 3, *City of Bunbury — Fees Notice 2019 — Disallowance*, and 4, *Public Health Amendment Regulations 2019 — Disallowance*, be taken after Order of the Day No. 21, *High Risk Offenders Bill 2019*. (Leader of the House).

**11. Voluntary Assisted Dying Bill 2019**

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. Debate ensued.

## 12. Questions Without Notice

Questions without notice were taken.

The Minister for Environment representing the Minister for Housing tabled documents in relation to the number of Keystart clients and loans during each month of 2017, 2018 and 2019 to date, in response to a question without notice asked by Hon Peter Collier. (Tabled Paper 3262).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to funding for regional palliative care services for the years 2019–20 to 2022–23 inclusive, in response to a question without notice asked by Hon Colin Holt.

The Leader of the House representing the Minister for Local Government tabled a list of local governments the Minister visited in the current term of Government, in response to a question without notice asked by Hon Simon O'Brien. (Tabled Paper 3263).

The Minister for Environment, by leave, incorporated into *Hansard* information in relation to contaminated soil excavated from the Forrestfield Airport Link, in response to a question without notice 1052 asked by Hon Dr Steve Thomas.

The Minister for Environment representing the Minister for Housing tabled investment plan details for social housing in the Goldfields, Kimberley and Pilbara Regions from 2014–15 to 2019–20 inclusive, in response to question on notice 2425 asked by Hon Jacqui Boyde. (Tabled Paper 3264).

The Minister for Environment representing the Minister for Police tabled exit surveys of Western Australia Police officers with aggregated data for 2017–17, 2017–18 and 2018–19, in response to question on notice 2452 asked by Hon Martin Aldridge. (Tabled Paper 3265).

The Minister for Regional Development tabled documents in relation to staff employed by Regional Development Commissions for 2017, 2018 and 2019, in response to question on notice 2454 asked by Hon Martin Aldridge. (Tabled Paper 3266).

## 13. Voluntary Assisted Dying Bill 2019

Debate resumed on the second reading of this Bill (*see item 11 above*).

Hon Robin Chapple, by leave, tabled the Senate Legal and Constitutional Legislation Committee report on the *Euthanasia Laws Bill 1996*. (Tabled Paper 3267).

Debate resumed.

*Interruption pursuant to order.*

## 14. Members' Statements

Statements were taken.

## 15. Civil Procedure (Representative Proceedings) Bill 2019

The President reported the receipt of Message No. 141 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House representing the Attorney General moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Leader of the House representing the Attorney General moved, That the Bill be read a second time.

The Leader of the House representing the Attorney General tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 3268).

Debate stands adjourned.

**16. Consumer Protection Legislation Amendment Bill 2018**

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 143

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Consumer Protection Legislation Amendment Bill 2018*.

Ms M.M. Quirk

Acting Speaker

Legislative Assembly Chamber

Perth, 15 October 2019

**17. Fair Trading Amendment Bill 2018**

The following Message from the Legislative Assembly was reported —

Madam President

Message No. 144

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Fair Trading Amendment Bill 2018* without amendment.

Ms L.L. Baker

Acting Speaker

Legislative Assembly Chamber

Perth, 15 October 2019

**18. Adjournment**

The Council adjourned at 10.29pm until Wednesday, 16 October 2019 at 1.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Rick Mazza.

**NIGEL PRATT**

Clerk of the Legislative Council

**HON KATE DOUST MLC**

President of the Legislative Council