

WESTERN AUSTRALIA  
**LEGISLATIVE COUNCIL**  
**MINUTES OF PROCEEDINGS**  
**No. 117**  
**WEDNESDAY, 3 APRIL 2019**

**1. Meeting of Council**

The Council assembled at 1.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair.

Prayers and an Acknowledgement of Country were read.

**2. Ministerial Statement — Carnarvon Rangelands Barrier Fence**

The Minister for Agriculture and Food made a Ministerial Statement with respect to the Government's investment in a 362km Carnarvon Rangelands Barrier Fence to help sheep farmers deal with wild dog predation.

**3. Ministerial Statement — Opportunities for Western Australia's South Sudanese Community in the Goldfields**

The Minister for Regional Development made a Ministerial Statement with respect to opportunities for Western Australia's South Sudanese community in the Goldfields.

**4. Papers**

The following Papers were laid on the Table by —

**Minister for Regional Development**

*Codes —*

Commission for Occupational Safety and Health — Revised Code of Practice —  
Concrete and Masonry Cutting and Drilling (2019)..... 2552

Commission for Occupational Safety and Health — Revoked Code of Practice —  
Concrete and Masonry Cutting and Drilling (2004)..... 2553

**5. Access to Specialist Palliative Care**

Motion No. 1 having been called, Hon Jim Chown, pursuant to notice, moved —

That this House —

- (a) notes that access to inpatient specialist palliative care is limited and that this State has the lowest number of publicly funded inpatient palliative care beds per head of population;
- (b) acknowledges that access to hands-on inpatient and community based specialist palliative care is limited for metropolitan and non-metropolitan patients;
- (c) considers that access to specialist palliative care in the early stages of a diagnosis might improve remaining quality of life, mood, resilience, symptom management and allow for death in the patient's preferred location;
- (d) observes that more can be done to promote understanding of palliative care in the community to ensure that all patients who could benefit from palliative care

are receiving it, and that community palliative care is easily accessible for all patients at end of life who wish to die at home; and

- (e) calls on the Government to ensure palliative care is funded to meet demand.

Debate ensued.

Hon Dr Sally Talbot moved without notice —

To amend the motion at paragraph (a) to delete —

this State has the lowest number of publicly funded inpatient palliative care beds per head of population;

and insert —

Western Australia needs more publicly funded inpatient palliative care beds.

Debate ensued.

Amendment — put and passed.

Motion, as amended, agreed to.

## 6. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

### In Committee

(Hon Simon O'Brien in the Chair)

**Joint Standing Committee on the Corruption and Crime Commission — Report 7 — Unfinished business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms**

Debate resumed on the motion of Hon Jim Chown, That the Report be noted.

Question — put and passed.

**Select Committee into Elder Abuse — Final Report — 'I never thought it would happen to me': When trust is broken**

Debate resumed on the motion of Hon Nick Goiran, That the Report be noted.

Pursuant to Temporary Order 4, consideration of the report was postponed.

**Standing Committee on Environment and Public Affairs — Report 49 — Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material**

Debate resumed on the motion of Hon Matthew Swinbourn, That the Report be noted.

*Interruption pursuant to order.*

The Acting President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Joint Standing Committee on the Corruption and Crime Commission — Report 7 — *Unfinished business — The Corruption and Crime Commission's response to the Committee's report on Dr Cunningham and Ms Atoms* and had noted same.
- (2) Select Committee into Elder Abuse — Final Report — *'I never thought it would happen to me': When trust is broken*, made progress and seeks to sit again.
- (3) Standing Committee on Environment and Public Affairs — Report 49 — *Mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material*, made progress and seeks to sit again.

Report adopted.

## 7. Order of Business

Ordered — That Bills for Introduction No. 5, *Fair Trading Amendment Bill 2019*, be taken forthwith. (Minister for Regional Development).

## 8. Fair Trading Amendment Bill 2019

The Minister for Regional Development representing the Minister for Commerce, pursuant to notice, moved —

That a Bill for “An Act to amend the *Fair Trading Act 2019*.” be introduced and read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Regional Development representing the Minister for Commerce moved, That the Bill be read a second time.

## 9. Questions Without Notice

Questions without notice were taken.

The Minister for Education and Training tabled briefing documents in relation to the *Gender Reassignment Amendment Bill 2018* and the Respectful Relationships Program, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 2554).

The Minister for Education and Training, by leave, incorporated into *Hansard* information in relation to school closures in 2017 and 2018, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Regional Development representing the Minister for Racing and Gaming, by leave, incorporated into *Hansard* information in relation to the ‘Life’s better with horses’ advertising campaign, in response to a question without notice asked by Hon Colin Holt.

The Minister for Environment tabled documents in relation to flora and fauna in the three South-West forest regions with species category of threat from 1999 to 2019, in response to question on notice 1883 asked by Hon Diane Evers. (Tabled Paper 2555).

The Minister for Regional Development representing the Minister for Forestry tabled extracts from the Forest Products Commission’s annual reports relating to the biological valuations of native forests, in response to question on notice 1881 asked by Hon Diane Evers. (Tabled Paper 2556).

## 10. Fair Trading Amendment Bill 2019

The Minister for Regional Development representing the Minister for Commerce continued her remarks in moving that the Bill be read a second time (*see item 8 above*).

The Minister for Regional Development representing the Minister for Commerce tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2557).

Debate stands adjourned and Bill referred to the Standing Committee on Uniform Legislation and Statutes Review [SO 126].

**Order of Business**  
Ordered — That Orders of the Day Nos 1, *Health Practitioner Regulation National Law Regulation 2018 — Disallowance*, 2, *Prohibition on Fishing (Greens Pool) Order 2018 — Disallowance*, 3, *Shire of Morawa Cemeteries Local Law 2018 — Disallowance*, 4, *Biodiversity Conservation (Exemptions) Order 2018 — Disallowance* and 5, *Tobacco Products Control Amendment Regulations 2019 — Disallowance* be taken after Order of the Day No. 18, *Criminal Code Amendment (Child Marriage) Bill 2018*. (Leader of the House).

## 12. Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018

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

Debate resumed.

*Interruption pursuant to order.*

**13. Members' Statements**

Statements were taken.

**14. Administration Amendment Bill 2018**

The President reported the receipt of Message No. 118 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 2558).

Debate stands adjourned.

**15. Adjournment**

The Council adjourned at 6.52pm until Thursday, 4 April 2019 at 10.00am.

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

Attendance: Present all Members.

**NIGEL PRATT**  
Clerk of the Legislative Council

**HON KATE DOUST MLC**  
President of the Legislative Council