

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 114

WEDNESDAY, 22 SEPTEMBER 2010

1. Meeting of Council

The Council assembled at 2.00pm pursuant to Temporary Orders.

The President, Hon Barry House, took the Chair and read prayers.

2. Ministerial Statement - Department Of Transport - Response to Corruption and Crime Commission Report

The Minister for Transport made a Ministerial Statement with respect to the implementation of recommendations relating to the Department of Transport contained in the Corruption and Crime Commission *Report on the Investigation of Alleged Public Sector Misconduct by Employees of the Department for Planning and Infrastructure in Relation to the Inspection, Licensing and Registration of Motor Vehicles*.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

3. Ministerial Statement - Electricity Supply

The Minister for Energy made a Ministerial Statement with respect to ensuring a secure and reliable supply of electricity for Western Australia.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

4. Papers

The following Papers were laid on the Table by -

President

Annual Reports -

Parliamentary Inspector of the Corruption and Crime Commission (2009-2010)
(Date received 22/09/2010)..... 2495

Auditor General's Papers -

Environmental Management of Cockburn Sound (Report No. 8) (September 2010) 2496

Leader of the House*Annual Reports -*

ChemCentre Expert Solutions (2009-2010) (Date received 21/09/2010)	2497
Coal Industry Superannuation Board (2009-2010) (Date received 21/09/2010).....	2498
Commerce, Department of (2009-2010) (Date received 21/09/2010).....	2499
Economic Regulation Authority (2009-2010) (Date received 21/09/2010)	2500
Equal Opportunity in Public Employment, Director of (2009-2010) (Date received 21/09/2010).....	2501
Gold Corporation (2009-2010) (Date received 21/09/2010).....	2502
Government Employees Superannuation Board [GESB] (2009-2010) (Date received 21/09/2010).....	2503
Governor's Establishment (2009-2010) (Date received 21/09/2010)	2504
Housing Authority (2009-2010) (Date received 21/09/2010)	2505
Housing, Department of (2009-2010) (Date received 21/09/2010).....	2506
Industrial Relations Commission, Chief Commissioner of the (2009-2010) (Date received 21/09/2010).....	2507
Insurance Commission (2009-2010) (Date received 21/09/2010).....	2508
Mines and Petroleum (2009-2010) (Date received 21/09/2010)	2509
Motor Vehicle Industry Board (2009-2010) (Date received 21/09/2010).....	2510
Premier and Cabinet, Department of (2009-2010) (Date received 21/09/2010)	2511
Public Sector Commission (2009-2010) (Date received 21/09/2010).....	2512
Public Sector Standards Commissioner, Office of the [OPSSC] (2009-2010) (Date received 21/09/2010).....	2513
Small Business Development Corporation (2009-2010) (Date received 21/09/2010).....	2514
State Development - Department of (2009-2010) (Date received 21/09/2010)	2515
State Government Insurance Corporation (2009-2010) (Date received 21/09/2010).....	2516
WorkCover (2009-2010) (Date received 21/09/2010)	2517

Minister for Transport*Annual Reports -*

Albany Port Authority (2009-2010) (Date received 21/09/2010)	2518
Disability Services Commission (2009-2010) (Date received 21/09/2010).....	2519
Health Review, Office of (2009-2010) (Date received 21/09/2010).....	2520

Minister for Energy*Annual Reports -*

Western Australian College of Teaching (1 April 2009 - 31 March 2010) (Date received 21/09/2010).....	2521
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Minister for Child Protection*Annual Reports -*

Child Protection, Department for (2009-2010) (Date received 21/09/2010).....	2522
Communities, Department for (2009-2010) (Date received 21/09/2010)	2523

Notices -

Financial Management Act 2006, Under Section 82 - Question Without Notice No. 476 asked in the Legislative Assembly on 8 September 2010, in relation to Monsanto Australia Limited..... 2524

Minister for Environment*Annual Reports -*

Botanic Gardens and Parks Authority (2009-2010) (Date received 21/09/2010) 2525
 Environment and Conservation, Department of (2009-2010) (Date received 21/09/2010) 2526
 Keep Australia Beautiful (2009-2010) (Date received 21/09/2010) 2527
 Swan River Trust (2009-2010) (Date received 21/09/2010) 2528

Parliamentary Secretary representing the Attorney General*Annual Reports -*

CBD Courts Project Services Agreement (2009-2010) (Date received 21/09/2010)..... 2529

5. Bush Forever Sites - Metropolitan Region Scheme Amendment

Hon Alison Xamon: To move on the next day of sitting -

That this House notes the finalisation of the *Bush Forever* Metropolitan Region Scheme Amendment and the associated State Planning Policy 2.8, *Bushland Policy for the Perth Metropolitan Area*, and calls on the Barnett Government to go further and protect Perth's unique urban bushland in perpetuity by -

- (a) guaranteeing statutory protection for those same *Bush Forever* sites;
- (b) legislating, or introducing regulations, which assure an appropriate standard of management for those sites; and
- (c) appropriately funding that management.

6. Suspension of Standing and Temporary Orders

The Leader of the House moved, without notice -

That so much of the Standing and Temporary Orders be suspended as to enable Orders of the Day to be taken forthwith, and for the House to sit beyond 9.45pm for the purposes of completing the second reading debate on the *Voluntary Euthanasia Bill 2010*.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question - put.

The President having counted the House, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

7. Order of Business

Ordered - That Orders of the Day Nos 1, *Shire of Capel - Keeping and Welfare of Cats Amendment Local Law 2009 - Disallowance*, 2, *Road Traffic Code Amendment Regulations (No. 2) 2010 - Disallowance*, 3, *Shire of Koorda Standing Orders Local Law 2009 - Disallowance*, and 4 *Shire of Dowerin Waste Local Law 2010 - Disallowance*, be taken after Order of the Day No. 8, *Environmental Protection Amendment Bill 2010*; and That Order of the Day No. 5, *Cannabis Law Reform Bill 2009*, be taken after Order of the Day No. 19, *Voluntary Euthanasia Bill 2010*. (Leader of the House).

8. Voluntary Euthanasia Bill 2010

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

Debate resumed.

Hon Alison Xamon, by leave, tabled a media statement dated 21 September 2010, entitled *Uniting Church calls for Compassion in the Euthanasia Debate* (Tabled paper 2530).

9. Questions Without Notice

Questions without notice were taken.

10. Voluntary Euthanasia Bill 2010

Debate resumed on the second reading of this Bill (cf item 8 above).

Hon Lynn MacLaren, by leave, tabled a euthanasia study (October 2009) prepared by Newpoll Market and Social Research. (Tabled paper 2531).

Hon Robin Chapple, by leave, tabled a research paper entitled *End-of-Life decisions in Australian medical practice* (Medical Journal of Australia, Vol 166, 17 February 1997). (Tabled paper 2532).

Hon Robin Chapple, by leave, tabled a research paper entitled *Legal physician-assisted dying in Oregon and the Netherlands: evidence concerning the impact on patients in "vulnerable" groups* (Journal of Medical Ethics, 2007). (Tabled paper 2533).

The House having continued to sit until 12 midnight

Thursday, 23 September 2010

Debate continued.

Question - put.

The House divided.

Ayes (11)

Hon Robin Chapple
Hon Sue Ellery
Hon Adele Farina
Hon Jon Ford
Hon Philip Gardiner
Hon Lynn MacLaren

Hon Linda Savage
Hon Sally Talbot
Hon Ken Travers
Hon Alison Xamon
Hon Giz Watson (*Teller*)

Noes (24)

Hon Liz Behjat
Hon Matt Benson-Lidholm
Hon Helen Bullock
Hon Jim Chown
Hon Peter Collier
Hon Mia Davies
Hon Ed Dermer
Hon Kate Doust
Hon Wendy Duncan
Hon Phil Edman
Hon Brian Ellis
Hon Donna Faragher

Hon Nick Goiran
Hon Nigel Hallett
Hon Alyssa Hayden
Hon Col Holt
Hon Robyn McSweeney
Hon Michael Mischin
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Ljiljanna Ravlich
Hon Max Trenorden
Hon Ken Baston (*Teller*)

Question thus negatived.

Bill defeated.

11. Petroleum and Energy Legislation Amendment Bill 2009

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 135

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Petroleum and Energy Legislation Amendment Bill 2009* subject to the amendments contained in the Schedule annexed, in which amendments the Legislative Assembly desires the concurrence of the Legislative Council.

Schedule indicating the amendments made by the Legislative Assembly in the Petroleum and Energy Legislation Amendment Bill 2009.

No. 1

Clause 61.

Page 46, line 22 to page 47, line 3 — To delete the lines.

No. 2

Clause 169.

Page 129, lines 6 to 16 — To delete the lines.

Hon G.A. Woodhams

Speaker

Legislative Assembly Chamber

Perth, 21 September 2010

Ordered - That consideration, in Committee, of Message No. 135 be made an Order of the Day for the next sitting.

12. Adjournment

The House adjourned at 12.44am until Thursday, 23 September 2010 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members.

NIGEL LAKE

Acting Clerk of the Legislative Council

HON BARRY HOUSE

President of the Legislative Council