

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 162

WEDNESDAY, 30 OCTOBER 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. Papers

The following Papers were laid on the Table by —

President

Auditor General's Papers —

Opinions on Ministerial Notifications (Report No. 11) (October 2019) 3346

Minister for Environment

Reports —

Treasury Corporation — Quarterly Report (for the quarter ended 30 September 2019) ... 3347

Minister for Regional Development

Reports —

Department of Mines, Industry Regulation and Safety, Building and Energy — Report of the Building Commissioner (for the financial year to 30 June 2019) under section 52 of the Construction Contracts Act 2004..... 3348

3. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of the Standing Orders be suspended as to enable the consideration of item No. 6, *Standing Committee on Public Administration — Report No. 29 — Consultation with Statutory Office Holders* only, during today's *Consideration of Committee Reports*, and that the *Consideration of Committee Reports* concludes at the end of debate on that item.

The motion requiring the concurrence of an absolute majority.

Question — put.

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

4. Government Business Management

Motion No. 1 having been called, Hon Michael Mischin, pursuant to notice, moved —

That this House expresses its concern about the Government's legislative and other priorities, given the time available to the 40th Parliament.

Debate ensued.

Hon Dr Steve Thomas, by leave, tabled a graph highlighting mean house price, mean annual income and house growth with wage growth from 1970 to 2019. (Tabled Paper 3349).

Debate resumed.

Question — put.

The Council divided.

Ayes (18)

Hon Martin Aldridge
Hon Jacqui Boydell
Hon Jim Chown
Hon Peter Collier
Hon Colin de Grussa
Hon Donna Faragher
Hon Nick Goiran
Hon Colin Holt
Hon Rick Mazza

Hon Michael Mischin
Hon Simon O'Brien
Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith
Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Noes (13)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Sue Ellery
Hon Adele Farina
Hon Laurie Graham
Hon Alannah MacTiernan
Hon Kyle McGinn

Hon Martin Pritchard
Hon Samantha Rowe
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Pierre Yang (*Teller*)

Motion thus passed.

5. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Simon O'Brien in the Chair)

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

Hon Alison Xamon moved, That the Report be noted.

Debate ensued.

Hon Alison Xamon moved, That further consideration of the report be postponed to the next sitting.

Question — put and passed.

The Acting President resumed the Chair.

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

Standing Committee on Public Administration — Report 29 — *Consultation with Statutory Office Holders*, made progress, and seeks to sit again.

Report adopted.

6. Order of Business

Ordered — That Orders of the Day Nos 1, *Transport Regulations Amendment (Road Passenger Services) Regulations (No. 2) 2019 — Disallowance*, and 2, *Public Health Amendment Regulations 2019 — Disallowance*, be taken after Order of the Day No. 19, *High Risk Offenders Bill 2019*. (Leader of the House).

7. Voluntary Assisted Dying Bill 2019

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The Acting President left the Chair.

In Committee

(Hon Simon O'Brien in the Chair)

Clause 1.

Debate resumed.

8. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Culture and the Arts tabled a list of successful grant applicants in relation to an Arts Organisation Investment Program, in response to a question without notice asked by Hon Colin Holt. (Tabled Paper 3350).

The Minister for Agriculture and Food tabled letters from Hon Alannah MacTiernan to Senator Hon Bridget McKenzie, Hon David Littleproud and Hon David McCormack regarding drought resilience in the farming landscape and future drought a fund, in response to a question without notice asked by Hon Robin Scott. (Tabled Paper 3351).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* information in relation to Western Australia Country Health Service areas and the public awareness campaign on increased funding to stop hospital violence and aggression, in response to a question without notice asked by Hon Martin Aldridge.

The Minister for Environment representing the Minister for Lands tabled documents in relation to a management order for Mullocullop Native Reserve in the City of Albany, in response to a question without notice asked by Hon Diane Evers. (Tabled Paper 3352).

The Minister for Environment representing the Minister for Emergency Services tabled documents in relation to Emergency Services employee benefits for 2019–20 including details of position title, pay level and the location from which each employee works, in response to question on notice 2506 asked by Hon Colin de Grussa. (Tabled Paper 3353).

The Minister for Regional Development representing the Minister for Water, in accordance with Standing Order 108(2), advised that an answer to question on notice 2507 asked by Hon Dr Steve Thomas will be provided on 19 November 2019.

The Minister for Regional Development representing the Minister for Fisheries, in accordance with Standing Order 108(2), advised that an answer to question on notice 2510 asked by Hon Colin de Grussa will be provided on 19 November 2019.

9. Voluntary Assisted Dying Bill 2019

Resumption of consideration of this Bill in Committee of the Whole House (*see item 7 above*).

The President left the Chair.

In Committee

(Hon Martin Aldridge in the Chair)

Clause 1.

Debate resumed.

Hon Nick Goiran moved —

Page 2, line 4 — To delete “*Assisted Dying*” and insert:

Euthanasia and Assisted Suicide

Debate ensued.

Amendment — put.

The Committee divided.

Ayes (5)

Hon Rick Mazza
Hon Charles Smith
Hon Aaron Stonehouse

Hon Colin Tincknell
Hon Nick Goiran (*Teller*)

Noes (28)

Hon Martin Aldridge
Hon Ken Baston
Hon Jacqui Boydell
Hon Robin Chapple
Hon Jim Chown
Hon Tim Clifford
Hon Alanna Clohesy
Hon Peter Collier
Hon Stephen Dawson
Hon Colin de Grussa
Hon Sue Ellery
Hon Diane Evers
Hon Donna Faragher
Hon Adele Farina

Hon Laurie Graham
Hon Colin Holt
Hon Alannah MacTiernan
Hon Kyle McGinn
Hon Michael Mischin
Hon Simon O'Brien
Hon Martin Pritchard
Hon Samantha Rowe
Hon Robin Scott
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Alison Xamon
Hon Pierre Yang (*Teller*)

Amendment thus negatived.

Debate resumed.

Question — That the clause stand as printed — put.

The Committee divided.

Ayes (25)

Hon Martin Aldridge
Hon Jacqui Boydell
Hon Robin Chapple
Hon Jim Chown
Hon Tim Clifford
Hon Alanna Clohesy
Hon Stephen Dawson
Hon Colin de Grussa
Hon Sue Ellery
Hon Diane Evers
Hon Adele Farina
Hon Laurie Graham
Hon Colin Holt

Hon Alannah MacTiernan
Hon Kyle McGinn
Hon Martin Pritchard
Hon Samantha Rowe
Hon Robin Scott
Hon Aaron Stonehouse
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Dr Steve Thomas
Hon Darren West
Hon Alison Xamon
Hon Pierre Yang (*Teller*)

Noes (9)

Hon Peter Collier
Hon Donna Faragher
Hon Nick Goiran
Hon Rick Mazza
Hon Michael Mischin

Hon Simon O'Brien
Hon Charles Smith
Hon Colin Tincknell
Hon Ken Baston (*Teller*)

Question thus passed.

Clause agreed to.

Clause 2.

Debate ensued.

Hon Nick Goiran moved —

Page 2, after line 8 — To insert:

- (aa) Part 1 (other than Division 1) and section 161A — on the day after the day on which this Act receives the Royal Assent;

Debate ensued.

Hon Aaron Stonehouse moved, That the further consideration of Clause 2 be postponed until after the consideration of Clause 184.

Debate ensued.

Question, That Clause 2 be postponed — put.

The Committee divided.

Ayes (3)

Hon Nick Goiran
Hon Colin Tincknell

Hon Aaron Stonehouse (*Teller*)

Noes (30)

Hon Martin Aldridge
Hon Ken Baston
Hon Jacqui Boydell
Hon Robin Chapple
Hon Jim Chown
Hon Tim Clifford
Hon Alanna Clohesy
Hon Peter Collier
Hon Stephen Dawson
Hon Colin de Grussa
Hon Sue Ellery
Hon Diane Evers
Hon Donna Faragher
Hon Adele Farina
Hon Laurie Graham

Hon Colin Holt
Hon Alannah MacTiernan
Hon Rick Mazza
Hon Kyle McGinn
Hon Michael Mischin
Hon Simon O'Brien
Hon Martin Pritchard
Hon Samantha Rowe
Hon Robin Scott
Hon Charles Smith
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West
Hon Alison Xamon
Hon Pierre Yang (*Teller*)

Question thus negatived.

Debate resumed.

Interruption pursuant to order.

The President resumed the Chair.

The Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

10. Members' Statements

Statements were taken.

11. Adjournment

The Council adjourned at 10.03pm until Thursday, 31 October 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