

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 198

THURSDAY, 10 APRIL 2008

1. Meeting of Council

The Council assembled at 10.00am pursuant to Temporary Order.

The President, Hon Nick Griffiths, took the Chair and read prayers.

2. Statement by President - Parliament House Emergency Evacuation Alarm System Test

The President made the following Statement -

I advise Members that I have given permission for the proceedings of the House to be interrupted at 3.00 pm this afternoon for approximately five minutes. During this time, a demonstration of the Parliament House emergency evacuation alarm system will be conducted. This is intended to familiarise all Members with the alarm tones and the procedure to follow in the case of an actual emergency situation, such as a fire. Following the demonstration, should Members have any questions, they are invited to contact Mr Ken Craig, the Parliament House Security Manager.

3. Statement by President - Department of the Legislative Council Strategic Plan and 2008 Business Plan

The President made the following Statement -

The Clerk announced in the Department of the Legislative Council's first annual report in 2005 that he would develop strategic goals and operation plans as part of his administrative reform of the department. It is with pleasure that I table these plans today. Members should note some of the major goals that will directly impact on them. These include plans for a refurbishment of the Legislative Council chamber, establishing a drafting unit to provide legislative services to the House and committees, and the pursuit of financial equity in relation to the Legislative Assembly. The Clerk and I have already undertaken steps to achieve these and other objectives to ensure that this House is modernised to meet future requirements. I look forward to Members' comments.

4. Papers

The following Papers were laid on the Table by -

President

Reports -

Legislative Council Strategic Plan and 2008 Business Plan	3883
Legislative Council Strategic Plan and 2008 Business Plan - Overview	3884

Minister for Local Government on behalf of the Leader of the House*By-laws -*

Water Boards Act 1904 (Untitled by-laws G.G. 01/04/2008)	3885
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Regulations -

Rights in Water and Irrigation Act 1914 (Rights in Water and Irrigation Amendment Regulations 2008 G.G. 04/04/2008)	3886
Waterways Conservation Act 1976 (Waterways Conservation Amendment Regulations 2008 G.G. 04/04/2008)	3887

Minister for Local Government*Local Laws -*

Local Government Act 1995 (City of Armadale Environment, Animals and Nuisance Amendment Local Laws 2008 G.G. 04/04/2008)	3888
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Regulations -

State Superannuation Act 2000 (State Superannuation Amendment Regulations (No. 2) 2008 G.G. 01/04/2008)	3889
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Minister for Employment Protection*Regulations -*

Fire and Emergency Services Superannuation Act 1985 (Fire and Emergency Services (Superannuation Fund) Amendment Regulations 2008 G.G. 01/04/2008)	3890
Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 6) 2008 G.G. 04/04/2008)	3891

Minister for Child Protection*Annual Reports -*

Gender Reassignment Board (2006-2007) (Date received 09/04/2008)	3892
Radiological Council (Year ended 31 December 2007) (Date received 09/04/2008)	3893

Regulations -

Cremation Act 1929 (Cremation Amendment Regulations 2008 G.G. 04/04/2008)	3894
Health Act 1911 (Health (Food Hygiene) Amendment Regulations 2008 G.G. 04/04/2008, Health (Food Standards) (Administration) Amendment Regulations 2008 G.G. 04/04/2008, Health (Offensive Trades Fees) Amendment Regulations 2008 G.G. 04/04/2008, Health (Pet Meat) Amendment Regulations 2008 G.G. 04/04/2008, Health (Public Buildings) Amendment Regulations 2008 G.G. 04/04/2008 and Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Amendment Regulations 2008 G.G. 04/04/2008)	3895
Spent Convictions Act 1988 (Spent Convictions Amendment Regulations 2007 G.G. 01/04/2008)	3896

**Parliamentary Secretary representing the Minister for the Environment on behalf of the
Parliamentary Secretary representing the Minister for Planning and Infrastructure***Annual Reports -*

Painters' Registration Board 2007 (Date received 09/04/2008)	3897
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Reports -

Broome Port Authority - Statement of Corporate Intent (2007-2008)	3898
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5. Standing Committee on Environment and Public Affairs - Thirteenth Report - A Petition on Consumer Utility Hardship

Hon Sheila Mills presented the Thirteenth Report of the Standing Committee on Environment and Public Affairs in relation to A Petition on Consumer Utility Hardship. (Tabled paper 3899).

Hon Sheila Mills moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

6. Standing Committee on Estimates and Financial Operations - Special Report - Advising of the 2008-2009 Budget Estimates Hearings

Hon Giz Watson presented the Special Report of the Standing Committee on Estimates and Financial Operations in relation to the 2008-2009 Budget Estimates Hearings. (Tabled paper 3900).

Hon Giz Watson moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

7. Ministerial Statement - Ida Curtois Scholarships Program

The Minister for Child Protection made a Ministerial Statement with respect to the Ida Curtois Scholarships Program for young people in foster care.

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

8. Uranium Mining (Implementation of Government Commitments) Bill 2007

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

Debate ensued.

Question - put.

The House divided.

Ayes (2)

Hon Giz Watson

Hon Paul Llewellyn (*Teller*)

Noes (26)

Hon Ken Baston
Hon George Cash
Hon Vincent Catania
Hon Peter Collier
Hon Ed Dermer
Hon Kate Doust
Hon Wendy Duncan
Hon Sue Ellery
Hon Brian Ellis
Hon Donna Faragher
Hon Adele Farina
Hon Anthony Fels
Hon Jon Ford

Hon Graham Giffard
Hon Nigel Hallett
Hon Ray Halligan
Hon Barry House
Hon Sheila Mills
Hon Norman Moore
Hon Helen Morton
Hon Simon O'Brien
Hon Batong Pham
Hon Ljiljanna Ravlich
Hon Barbara Scott
Hon Sally Talbot
Hon Matt Benson-Lidholm (*Teller*)

Question thus negatived.

9. Regional Health Services

Pursuant to Temporary Order, Hon Wendy Duncan moved, without notice -

That the Legislative Council consider as a matter of urgency, the Government's failure to address the neglect of regional health services, which have been described by the former chief executive of the WA Country Health Service, Christine O'Farrell, as "blatantly bloody unsafe" and suffering "ongoing relentless chronic neglect" due to "metro-centric attitudes".

Debate ensued.

The Minister for Child Protection, by leave, tabled documents in relation to details of the Government's commitment to rebuild Country Health Services, and related newspaper articles. (Tabled paper 3901).

Interruption pursuant to Temporary Order.

10. Petition

Hon Simon O'Brien, by leave, presented a petition from 558 residents of Western Australia requesting the Legislative Council oppose the Subiaco Redevelopment Authority's December 2007 plan for the Subiaco China Green Site Development. (Tabled paper 3902).

11. Prisoners (Interstate Transfer) Amendment Bill 2007

The Acting President reported the receipt of Message No. 310 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Employment Protection representing the Minister for Corrective Services moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Employment Protection representing the Minister for Corrective Services moved, That the Bill be now read a second time.

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

12. Sentence Administration (Interstate Transfer of Community Based Sentences) Bill 2007

The Acting President reported the receipt of Message No. 313 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Employment Protection representing the Minister for Corrective Services moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Employment Protection representing the Minister for Corrective Services moved, That the Bill be now read a second time.

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

13. Mines Safety and Inspection Amendment Bill 2007

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

The Acting President left the Chair.

In Committee

(Hon Sheila Mills in the Chair)

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clause 5 agreed to.

Clause 6.

Debate ensued.

Clause agreed to.

Clause 7 agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clauses 9 to 17 agreed to.

Clause 18.

Debate ensued.

Clause agreed to.

Clause 19 agreed to.

Clause 20.

Debate ensued.

Clause agreed to.

Clauses 21 to 34 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

Leave was granted to proceed forthwith through all remaining stages of the Bill at this day's sitting.

The Minister for Employment Protection moved, That the report be adopted.

Question - put and passed.

The Minister for Employment Protection moved, That the Bill be now read a third time.

The Acting President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

14. Human Reproductive Technology Amendment Bill 2007

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

Debate resumed.

Hon Ed Dermer, by leave, tabled a document in relation to cloning. (Tabled paper 3903).

Hon Ed Dermer, by leave, tabled documents in relation to stem cells and an A to Z Health Guide 2007. (Tabled paper 3904).

Hon Ed Dermer, by leave, tabled documents in relation to iPS cell publications and timeline. (Tabled paper 3905).

Hon Ed Dermer, by leave, tabled documents in relation to the use of iPS cells for neural cell replacement. (Tabled paper 3906).

Debate resumed.

Statement by Deputy President

The Deputy President made the following Statement -

Members, you will recall that earlier today the President advised of a demonstration of the emergency evacuation alarm system at 3.00pm. I do not have to leave the chair, but we may have to wait a couple of minutes.

Debate resumed.

On the motion of Minister for Local Government the debate was adjourned to the next sitting.

15. Appropriation (Consolidated Account) Bill (No. 5) 2007 and Appropriation (Consolidated Account) Bill (No. 6) 2007

The Orders of the Day having been read for the adjourned debate on the second reading of these Bills.

Debate resumed.

Interruption pursuant to Temporary Order.

16. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for the Environment on behalf of the Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled, and by leave incorporated into Hansard, an answer in relation to funding allocated to the Recreational Boating Facilities Scheme, in response to a question without notice asked by Hon Barry House. (Tabled paper 3907).

The Parliamentary Secretary representing the Minister for the Environment on behalf of the Parliamentary Secretary representing the Minister for Disability Services tabled, and by leave incorporated into Hansard, an answer in relation to funding allocated to early childhood intervention services, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 3908).

The Parliamentary Secretary representing the Minister for the Environment on behalf of the Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled, and by leave incorporated into Hansard, an answer in relation to the number of Transit Officers employed by the Public Transit Authority, in response to a question without notice asked by Hon Simon O'Brien. (Tabled paper 3909).

The Minister for Local Government representing the Minister for Indigenous Affairs in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 5997 asked by Hon Giz Watson will be provided by 8 May 2008.

The Minister for Child Protection on behalf of the Parliamentary Secretary representing the Minister for State Development in accordance with Standing Order No 138(d), advised that an answer to questions on notice Nos 5987 and 5995 asked by Hon Giz Watson will be provided by 29 May 2008.

17. Appropriation (Consolidated Account) Bill (No. 5) 2007 and Appropriation (Consolidated Account) Bill (No. 6) 2007

Cognate debate resumed on the second reading of these Bills (cf item 15 above).

Debate resumed.

On the motion of Parliamentary Secretary representing the Treasurer the debate was adjourned to the next sitting.

18. Special Adjournment

The Minister for Employment Protection moved, without notice -

That the House at its rising adjourn until Tuesday, 6 May 2008.

Question - put and passed.

19. Medical Practitioners Bill 2006

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

Debate ensued.

On the motion of Hon Paul Llewellyn the debate was adjourned to the next sitting.

20. Casino (Burswood Island) Agreement Amendment Bill 2007

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 315

The Legislative Assembly acquaints the Legislative Council that it has agreed to the *Casino (Burswood Island) Agreement Amendment Bill 2007* without amendment.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 10 April 2008

21. Adjournment

The Minister for Employment Protection moved, That the House do now adjourn.

Question - put and passed.

The House adjourned at 5.55pm until 6 May 2008 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Shelley Archer, Hon Kim Chance, Hon Bruce Donaldson and Hon Robyn McSweeney.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council