

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 196

TUESDAY, 8 APRIL 2008

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### 1. Meeting of Council

The Council assembled at 3.00pm pursuant to Temporary Order.

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

### 2. Message from His Excellency the Governor - Assent to Bill

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bill -

**2 April 2008 - Message No. 9**

Security and Related Activities (Control) Amendment Bill 2007

**Act No.**

4 of 2008

### 3. Paper

The following Paper was laid on the Table by -

**President**

*Report -*

Parliamentary Inspector of the Corruption and Crime Commission - Report on the  
Corruption and Crime Commission's Opinion of "Inappropriate Conduct" by

Mr John D'Orazio ..... 3868

### 4. Standing Committee on Procedure and Privileges - Seventeenth Report - Referral of Letters by Resolution of the House on 20 February 2008 Regarding the Report of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations - Mr Noel Crichton-Browne

The President presented the Seventeenth Report of the Standing Committee on Procedure and Privileges in relation to the Referral of Letters by Resolution of the House on 20 February 2008 Regarding the Report of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations - Mr Noel Crichton-Browne. (Tabled paper 3869).

Hon George Cash moved, without notice -

That the Seventeenth Report of the Standing Committee on Procedure and Privileges in relation to the Referral of Letters by Resolution of the House on 20 February 2008 regarding the Report of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations with regard to Mr Noel Crichton-Browne be printed and the Recommendation contained in the report be adopted and agreed to.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

**5. Standing Committee on Procedure and Privileges - Eighteenth Report - Referral of Letters by Resolution of the House on 20 February 2008 Regarding the Report of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations - Hon Julian Grill**

The President presented the Eighteenth Report of the Standing Committee on Procedure and Privileges in relation to the Referral of Letters by Resolution of the House on 20 February 2008 Regarding the Report of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations - Hon Julian Grill. (Tabled paper 3870).

Hon George Cash moved, without notice -

That the Eighteenth Report of the Standing Committee on Procedure and Privileges in relation to the Referral of Letters by Resolution of the House on 20 February 2008 regarding the Report of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations with regard to Hon Julian Grill be printed and that Recommendation Nos 1 and 2 contained in the report be adopted and agreed to.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

**6. Papers**

The following Papers were laid on the Table by -

**Parliamentary Secretary representing the Minister for Planning and Infrastructure**

*Leases -*

CALM Lease No. 2248/100 - Between CALM and the City of Albany - Portion of Torndirrup National Park, for a Bush Fire Brigade shed ..... 3871

*Ministerial Approvals -*

Midland Redevelopment Act 1999 - To enter into a contract of value in excess of \$1 million in accordance with Section 20(3) - Clinton Long Project management for works being the Pattern Shop Extension ..... 3872

**7. Alumina Refinery (Wagerup) Agreement and Acts Amendment Act Agreement - Disallowance**

Hon Paul Llewellyn: To move on the next day of sitting -

That the *Alumina Refinery (Wagerup) Agreement and Acts Amendment Act Agreement* tabled in the Legislative Council on 11 March 2008 under the *Alumina Refinery (Wagerup) Agreement and Acts Amendment Act 1978*, be and is hereby disallowed.

**8. Select Committee into Homelessness**

Hon Robyn McSweeney: To move on the next day of sitting -

1. That a select committee of three members be appointed, any two of whom constitute a quorum.
2. The committee and the proceedings of the committee are subject to chapter XXII of Standing Orders and is to be regarded for all purposes as a committee appointed under that chapter.
3. The Committee is to inquire into and report on -
  - (a) a review of the State homelessness Taskforce recommendations that reported in May 2002;
  - (b) the capacity of the State to prevent homelessness which will include looking into -
    - (i) youth services for homeless youth;

- (ii) agencies that provide welfare services and accommodation for homeless people;
  - (iii) the amount of public housing available to meet the demand;
  - (iv) crisis accommodation;
  - (v) the adequacy of all existing services and programs; and
  - (vi) the funding that is given to agencies that provide welfare services to the homeless.
  - (c) the education levels of State Wards leaving care;
  - (d) the reasons for homelessness in this State;
  - (e) recommended actions that the Government can do to prevent homelessness; and
  - (f) any other related matter that the committee considers relevant.
4. The committee is to report by 23 October 2008.

### **9. Rights in Water and Irrigation Amendment Regulations (No. 3) 2007 - Disallowance**

Hon Barry House, pursuant to notice, moved -

That the *Rights in Water and Irrigation Amendment Regulations (No. 3) 2007 - Disallowance* published in the *Gazette* on 28 December 2007 and tabled in the Legislative Council on 21 February 2008 under the *Rights in Water and Irrigation Act 1914*, be and are hereby disallowed.

Debate ensued.

The Leader of the House, by leave, tabled lists of Water Licence Administration Fees Gazetted in June and December 2007. (Tabled paper No. 3873).

### **10. Questions Without Notice**

Questions without notice were taken.

The Minister for Local Government representing the Minister for Housing and Works tabled, and by leave incorporated into Hansard, an answer in relation to the Community Disability Housing Programme, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 3874).

The Leader of the House representing the Minister for Energy tabled, and by leave incorporated into Hansard, an answer in relation to performance details for the six months to 31 December 2007 for: Verve Energy; Western Power; Synergy; and Horizon Power, in response to a question without notice asked by Hon Norman Moore. (Tabled paper 3875).

The Leader of the House representing the Minister for Energy tabled a letter, dated 25 March 2008, from the Office of Energy and a letter, dated 3 April 2008, from Verve Energy in relation to the January domestic gas supply disruption, in response to question on notice No. 5984 asked by Hon Norman Moore. (Tabled paper 3876).

### **11. Rights in Water and Irrigation Amendment Regulations (No. 3) 2007 - Disallowance**

Debate resumed on the motion of Hon Barry House (cf item No. 9 above).

Question - put.

The House divided.

**Ayes (14)**

Hon Shelley Archer  
 Hon Ken Baston  
 Hon George Cash  
 Hon Wendy Duncan  
 Hon Brian Ellis  
 Hon Anthony Fels  
 Hon Nigel Hallett

Hon Ray Halligan  
 Hon Barry House  
 Hon Robyn McSweeney  
 Hon Norman Moore  
 Hon Helen Morton  
 Hon Barbara Scott  
 Hon Bruce Donaldson (*Teller*)

**Noes (13)**

Hon Vincent Catania  
 Hon Kim Chance  
 Hon Kate Doust  
 Hon Sue Ellery  
 Hon Adele Farina  
 Hon Graham Giffard  
 Hon Paul Llewellyn

Hon Sheila Mills  
 Hon Batong Pham  
 Hon Ljiljanna Ravlich  
 Hon Ken Travers  
 Hon Giz Watson  
 Hon Ed Dermer (*Teller*)

Question thus passed.

**12. Order of Business**

Ordered - That Order of the Day No. 571, *Shire of Harvey Local Law Relating to Signs and Other Advertising Devices 2007 - Disallowance*, be taken after Order of the Day No. 315, *Statutes (Repeals and Minor Amendments) Bill 2006*. (Leader of the House).

**13. Employment Dispute Resolution Bill 2007**

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

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

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

**14. Food Bill 2005**

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

Debate ensued.

The Leader of the House sought leave of the House to continue his remarks at a later stage of this day's sitting.

Leave granted.

On the motion of the Leader of the House the debate was adjourned to a later stage of this day's sitting.

**15. Hon Batong Pham - Inaugural Speech**

The Leader of the House moved, without notice -

That this House acknowledge the Member for the East Metropolitan Region, Hon Batong Pham.

Hon Batong Pham gave his inaugural speech.

Question - put and passed.

**16. Order of Business**

Ordered - That Order of the Day No. 273, *Food Bill 2005*, be taken forthwith. (Leader of the House).

**17. Food Bill 2005**

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

Debate ensued.

Question - put and passed.

Bill read a second time.

Ordered - That consideration of the Bill, in Committee, be made an Order of the Day for the next sitting.

**18. Order of Business**

Ordered - That Order of the Day No. 538, *Legal Profession Bill 2007*, be taken forthwith. (Leader of the House).

**19. Legal Profession Bill 2007**

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

On the motion of the Leader of the House the debate was adjourned to a later stage of this day's sitting.

**20. Children and Community Services Amendment (Reporting Sexual Abuse of Children) Bill 2007**

The Deputy President reported the receipt of Message No. 308 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Child Protection moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Child Protection moved, That the Bill be now read a second time.

Debate stands adjourned.

**21. Prostitution Amendment Bill 2007**

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 309

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Prostitution Amendment Bill 2007*.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 3 April 2008

**22. Order of Business**

Ordered - That Order of the Day No. 538, *Legal Profession Bill 2007*, be taken forthwith. (Leader of the House).

**23. Legal Profession Bill 2007**

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 the Parliamentary Secretary representing the Minister for Planning and Infrastructure the debate was adjourned to the next sitting.

**24. Cognate Debate - Appropriation (Consolidated Account) Bill (No. 5) 2007 and Appropriation (Consolidated Account) Bill (No. 6) 2007**

The Parliamentary Secretary representing the Treasurer sought leave of the House to debate Order of the Day No. 556, *Appropriation (Consolidated Account) Bill (No. 5) 2007* and Order of the Day No. 557, *Appropriation (Consolidated Account) Bill (No. 6) 2007* cognately [SO 228].

Leave granted.

**25. 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 ensued.

*Interruption pursuant to Temporary Order.*

**26. Members' Statements**

Statements were taken.

**27. Adjournment**

The House adjourned at 9.56pm until Wednesday, 9 April 2008 at 2.00pm.

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

Attendance: Present all Members.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

**HON NICK GRIFFITHS**  
President of the Legislative Council