

LEGISLATIVE COUNCIL
WEDNESDAY, 14 MAY 2008

2.00pm

Prayers

2.00PM - ORDER OF BUSINESS

Petitions

Papers for Tabling

(Minister for Child Protection)

(Parliamentary Secretary representing the Deputy Premier)

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

(Hon Ray Halligan) x 1

Notices of Motions

Motions on Notice

4.30pm Questions without Notice

5.00pm Committee Reports and Ministerial Statements

7.30pm Orders of the Day

9.45pm Members' Statements

10.25pm House adjourns

MOTIONS ON NOTICE

57. Aboriginal Child Health Survey (*Notice given 3 April 2007*)

Continuation of remarks Hon Shelley Archer - mins 23 (Wednesday, 7 May 2008) on the motion of Hon Barbara Scott as follows -

That this House -

- (1) Urges the State Government to take seriously the Western Australian Aboriginal Child Health Survey - Strengthening the Capacity of Aboriginal Children, Families and Communities (Volume 4);
- (2) Set some realistic and achievable time frames for the implementation of the recommended actions;
- (3) Establish an inter-government agency approach to prioritising the recommended actions; and
- (4) Ensure programs build capability in families and communities with Aboriginal and Torres Strait Islander children.

62. Alcoa - Supplementary Property Purchase Plan (*Notice given 19 June 2007*)

Hon Robyn McSweeney: To move -

That given the serious concern expressed by landholders regarding the compensation processes related to the current Alcoa expansion, the Standing Committee on Environment and Public Affairs be required to conduct an inquiry into the fairness and just terms of the *Supplementary Property Purchase Program* (SPPP) and to report back by 14 August 2007.

64. Joint Standing Committee on the Commissioner for Children and Young People - Establishment (*Notice given 24 October 2007*)

Hon Barbara Scott: To move -

- (1) pursuant to section 51 of the *Commissioner for Children and Young People Act 2006*, a Joint Standing Committee on the Commissioner for Children and Young People be appointed by the Legislative Council and the Legislative Assembly; and
- (2) the terms of reference of the Joint Standing Committee be as contained in the Schedule annexed,

and seeks the concurrence of the Legislative Assembly.

SCHEDULE

9. Joint Standing Committee On The Commissioner For Children And Young People

- 9.1 A Joint Standing Committee on the Commissioner for Children and Young People is established.

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- 9.2 The Committee consists of 4 members, two of whom are appointed from each House. The Chairman must be a member of the Legislative Council.
- 9.3 A quorum is two members of whom at least 1 is a Member of the Council and 1 a Member of the Assembly.
- 9.4 A report of the Committee is to be presented to each House appointed for the purpose by the Committee.
- 9.5 The Committee will not meet while either the Assembly or the Council are actually sitting unless leave is granted by the relevant House(s).
- 9.6 Without limiting the effect of anything contained in these terms of reference, Chapter XXII of Standing Orders, the Standing Orders of the Council relating to standing committees will be followed as far as they can be applied.
- 9.7 It is the function of the Committee to —
- (a) monitor and review the performance of the functions of the Commissioner for Children and Young People established under the *Commissioner for Children and Young People Act 2006*;
 - (b) monitor the relationship between the Commissioner for Children and Young People and the Minister;
 - (c) monitor the effectiveness or otherwise of Commissioner for Children and Young People;
 - (d) examine such annual and other reports of the Commissioner for Children and Young People as the Committee thinks fit and all public sector offices, agencies and authorities for any matter which appears in, or arises out of, any such report and is relevant to the other functions of the Committee;
 - (e) examine the annual budget of the Commissioner for Children and Young People and make recommendations to the Treasurer in relation to that budget; and
 - (f) report to Parliament in relation to:
 - (i) whether any changes should be made to the *Commissioner for Children and Young People Act 2006* or any other legislation;
 - (ii) any review of the Act; and
 - (iii) any other matter relevant to its terms of reference.

COMMITTEE REPORTS AND MINISTERIAL STATEMENTS

- 496. Standing Committee on Public Administration - Report No. 6 - Interim Report in Relation to the Inquiry Into the Governance of Western Australia's Water Resources - Committee Report** (*Tabled 27 September 2007*)

Continuation of introductory remarks Hon Barry House (Wednesday, 7 May 2008) on the motion that the report be noted. *See Tabled paper No. 3257.*

Total time remaining on motion - 52 mins.

- 285. 2005 Election Statistics Adjustment - Response by Acting Electoral Commissioner - Ministerial Statement** *Parliamentary Secretary representing the Minister for Electoral Affairs (Given 22 August 2006)*

Consideration.

- 562. Joint Standing Committee on the Corruption and Crime Commission - Report No. 31 - Inquiry into Legislative Amendments to the Corruption and Crime Commission Act 2003 - The Role of the Corruption and Crime Commission in Investigating Serious and Organised Crime in Western Australia - Committee Report** (*Tabled 13 November 2007*)

Consideration. *See Tabled paper No. 3462.*

- 297. Finalists in the Western Australian Inventor of the Year Award - Ministerial Statement** *Minister for Agriculture and Food (Given 31 August 2006)*

Consideration.

- 561. Standing Committee on Legislation - Report No. 11 - Annual Report 2007 - Committee Report** (*Tabled 6 December 2007*)

Consideration. *See Tabled paper No. 3603.*

- 309. Natural Resource Management Arrangements - Review - Ministerial Statement and Tabled Papers** *Minister for Agriculture and Food (Given 28 September 2006)*

Consideration. *See Tabled paper Nos. 2036 and 2037.*

- 564. Joint Standing Committee on Delegated Legislation - Report No. 24 - Town of Claremont Standing Orders Local Law 2007 - Committee Report** (*Tabled 19 February 2008*)

Consideration. *See Tabled paper No. 3644.*

- 311. Annual Reports - Delay in Tabling - Ministerial Statement** *Minister for Education and Training (Given 28 September 2006)*

Consideration.

- 566. Standing Committee on Estimates and Financial Operations - Report No. 11 - Budget of the Office of the Auditor General - Committee Report** (*Tabled 20 February 2008*)

Consideration. *See Tabled paper No. 3654.*

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312. Department of Education and Training - Findings by Corruption and Crime Commission - Ministerial Statement *Minister for Education and Training (Given 17 October 2006)*

Consideration.

567. Standing Committee on Environment and Public Affairs - Report No. 11 - Annual Report 2007 - Committee Report *(Tabled 27 February 2008)*

Consideration. *See Tabled paper No. 3729.*

ORDERS OF THE DAY

600. Architects Amendment Regulations 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 6 May 2008) on the motion of Hon Ray Halligan (Days remaining 7 after today)

That the *Architects Amendment Regulations 2007* published in the *Gazette* on 28 December 2007 and tabled in the Legislative Council on 21 February 2008 under the *Architects Act 2004*, be and are hereby disallowed. (Tabled paper 3661).

607. State Superannuation Amendment Regulations 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *State Superannuation Amendment Regulations 2008* published in the *Gazette* on 28 December 2007 and tabled in the Legislative Council on 27 February 2008 under the *State Superannuation Act 2000*, be and are hereby disallowed. (Tabled paper 3707).

608. City of Nedlands - Fencing Local Laws 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *City of Nedlands - Fencing Local Laws 2007* published in the *Gazette* on 1 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Local Government Act 1995*, be and are hereby disallowed. (Tabled paper 3705).

609. City of Nedlands - Signs Local Law 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *City of Nedlands - Signs Local Law 2007* published in the *Gazette* on 13 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 3705).

610. Swan Districts Hospital (Eveline Road Site) Amendment By-Laws 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Swan Districts Hospital (Eveline Road Site) Amendment By-Laws 2008* published in the *Gazette* on 12 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 3712).

611. Peel Health Services By-Laws 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Peel Health Services By-Laws 2008* published in the *Gazette* on 12 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 3712).

612. Metropolitan Health Service By-Laws 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Metropolitan Health Service By-Laws 2008* published in the *Gazette* on 12 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 3712).

613. Fremantle Hospital Amendment By-Laws 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Fremantle Hospital Amendment By-Laws 2008* published in the *Gazette* on 12 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 3712).

614. Bentley Hospital Amendment By-Laws 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Bentley Hospital Amendment By-Laws 2008* published in the *Gazette* on 12 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 3712).

615. Armadale Kelmscott District Memorial Hospital Amendment By-Laws 2008 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Armadale Kelmscott District Memorial Hospital Amendment By-Laws 2008* published in the *Gazette* on 12 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Hospitals and Health Services Act 1927*, be and are hereby disallowed. (Tabled paper 3712).

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616. City of Fremantle - Local Law Relating to Outdoor Eating Areas Amendment Local Law 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *City of Fremantle - Local Law Relating to Outdoor Eating Areas Amendment Local Law 2007* published in the *Gazette* on 1 February 2008 and tabled in the Legislative Council on 27 February 2008 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 3705).

617. Conservation and Land Management Amendment Regulations (No. 2) 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *Conservation and Land Management Amendment Regulations (No. 2) 2007* published in the *Gazette* on 29 January 2008 and tabled in the Legislative Council on 27 February 2008 under the *Conservation and Land Management Act 1984*, be and are hereby disallowed. (Tabled paper 3728).

618. City of Joondalup - Local Government and Public Property Amendment Local Law (No. 2) 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Tuesday, 13 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *City of Joondalup - Local Government and Public Property Amendment Local Law (No. 2) 2007* published in the *Gazette* on 11 January 2008 and tabled in the Legislative Council on 27 February 2008 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 3705).

619. City of Cockburn - Parking and Parking Facilities Local Law 2007 - Disallowance

Moved *pro forma* (SO 152(b)) (Friday, 9 May 2008) on the motion of Hon Ray Halligan (Days remaining 9 after today)

That the *City of Cockburn - Parking and Parking Facilities Local Law 2007* published in the *Gazette* on 11 January 2008 and tabled in the Legislative Council on 27 February 2008 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 3705).

604. Select Committee into the Police Raid on the *Sunday Times* (Notice given 8 May 2008)

Resumption of debate adjourned (Temporary Order 7(2)) Minister for Local Government (Thursday, 8 May 2008), on the motion of Hon Norman Moore as follows -

- (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 all circumstances surrounding the police raid on “*The Sunday Times*” on 30 April 2008.
- (4) The committee is to report by 12 August 2008.

605. Fatal Accidents Amendment Bill 2008 [LA 274-2] Minister for Child Protection representing the Attorney General

Second reading adjourned (Thursday, 8 May 2008).

***273. Food Bill 2005 [LA 110-2] Minister for Agriculture and Food**

Consideration of report (Tuesday, 13 May 2008). (Standing Order 230A no longer applies). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 14 (Tabled 27 September 2006). cf SNP 110 Issue 4 - 13 May 2008.*

***538. Legal Profession Bill 2007 [LA 245-1] Minister for Child Protection representing the Attorney General**

Consideration of report (Tuesday, 13 May 2008). (Standing Order 230A no longer applies). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 26 (Tabled 19 February 2008). cf SNP 245 Issue 2 - 13 May 2008.*

***595. Community Protection (Offender Reporting) Amendment Bill 2007 [LC 256-1] Minister for Employment Protection representing the Minister for Police and Emergency Services**

Second reading continuation of remarks Hon Peter Collier (Tuesday, 13 May 2008). *cf SNP 256 Issue 3 - 8 May 2008.*

***362. Acts Amendment (Consent to Medical Treatment) Bill 2006 [LA 149-2] Minister for Child Protection representing the Minister for Health**

Committee progress clause 11 (section 110S) (Thursday, 8 May 2008) on the amendment of Hon Barbara Scott (Amendment reference No. 26/11) as follows -

Page 17, after line 15 — To insert after “circumstances” —

“ clearly ”.

See Standing Committee on Legislation Report No. 10 (Tabled 25 October 2007). cf SNP 149 Issue 10 - 13 May 2008.

***591. Children and Community Services Amendment (Reporting of Sexual Abuse of Children) Bill 2007 [LA 257-1] Minister for Child Protection representing the Attorney General**

Second reading adjourned (Tuesday, 8 April 2008). *cf SNP 257 Issue 4 - 13 May 2008.*

***279. Minerals and Energy Research Amendment Bill 2006 [LA 122-1] Leader of the House representing the Minister for Science and Innovation**

Second reading adjourned (Thursday, 29 June 2006). *cf SNP 122 Issue 1 - 29 March 2007.*

532. Nuclear Facilities Prohibition Bill 2007 [LA 212-1] Leader of the House representing the Minister for Energy

Second reading adjourned (Thursday, 15 November 2007).

500. Occupational Safety and Health Legislation Amendment Bill 2007 [LA 223-1] Minister for Employment Protection

Second reading adjourned (Tuesday, 16 October 2007).

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469. Eastern Goldfields Transport Board Repeal Bill 2007 [LA 199-1]
Parliamentary Secretary representing the Minister for Planning and Infrastructure

Second reading adjourned (Thursday, 30 August 2007).

***315. Statutes (Repeals and Minor Amendments) Bill 2006 [LC 170-1]** *Leader of the House*

Second reading adjourned (Wednesday, 18 October 2006). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 21 (Tabled 16 October 2007). cf SNP 170 Issue 1 - 8 May 2008.*

372. Equal Opportunity Amendment Bill 2006 [LA 173-1] *Minister for Child Protection representing the Attorney General*

Second reading adjourned (Wednesday, 21 March 2007).

***397. Pharmacists Bill 2006 [LA 185-2]** *Minister for Child Protection representing the Minister for Health*

Second reading adjourned (Thursday, 3 May 2007). cf SNP 185 Issue 2 - 19 March 2008.

161. ANZAC Day Amendment Bill 2005 [LA 066-1] *Leader of the House*

Second reading adjourned (Tuesday, 8 November 2005).

* For amendments see Supplementary Notice Paper and/or Committee Report

MALCOLM PEACOCK
 Clerk of the Legislative Council