

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 153

THURSDAY, 30 AUGUST 2007

1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

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

2. Papers

The following Papers were laid on the Table by -

President

Annual Reports -

Auditor General, Office of the (2006 - 2007) (Date received 29/08/2007) 3079

Leader of the House

Joint Standing Committee on Treaties (Commonwealth of Australia) -

Report No. 86 - Treaties tabled on 27 March and 9 May 2007 3080

Report No. 87 - Treaties tabled on 13 June 2007 3081

Leader of the House on behalf of the Minister for Fisheries

Regulations -

Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations
(No. 6) 2007 G.G. 14/08/2007) 3082

Parliamentary Secretary representing the Deputy Premier on behalf of the Minister for Child Protection

Local Laws -

Health Act 1911 (City of Bayswater Health Amendment Local Law 2007 G.G. 14/08/2007) 3083

Rules -

Legal Practice Act 2003 (Legal Practice Board Amendment Rules 2007 G.G. 14/08/2007) 3084

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Proposals -

Land Administration Act 1997 - Excision of Land from Class "A" Reserve 16245
under section 45 (4) - Link road between the Koorda-Wongan Hills Road and
Dowerin-Koorda Road, Koorda 3085

3. Standing Committee on Legislation - Ninth Report - Criminal Law and Evidence Amendment Bill 2006

Hon Graham Giffard presented the Ninth Report of the Standing Committee on Legislation in relation to the *Criminal Law and Evidence Amendment Bill 2006*. (Tabled paper 3086).

Hon Graham Giffard moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

4. Select Committee into Public Obstetric Services - Report

Hon Helen Morton presented the Report of the Select Committee into Public Obstetric Services. (Tabled paper 3087).

Hon Helen Morton moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Leave of Absence - Hon Shelley Archer

The Leader of the House moved, without notice -

That leave of absence be granted to Hon Shelley Archer for four sitting days due to ill health.

Question - put and passed.

6. Building Industry Sustainability Index

Motion No. 47 having been read, Hon Ray Halligan continued his introductory remarks in moving the following motion -

That this House insists that, before the Five Star Plus scheme is introduced as a regulatory regime in Western Australia, the Government -

- (1) Listens to the housing industry in Western Australia.
- (2) Provides an audited cost-benefit analysis of the proposed regime.
- (3) Includes in that analysis the additional costs to taxpayers to administer the scheme.
- (4) Identifies other regimes that have been examined and why Five Star Plus is preferred.
- (5) Explains why it wishes to add to the financial burden already being experienced by first-home buyers.

Debate ensued.

Hon Paul Llewellyn moved, without notice to delete -

“

- (5) Explains why it wishes to add to the financial burden already being experienced by first-home buyers.

”.

Debate ensued.

Interruption of Debate [SO 195].

7. Consideration of Committee Reports

Pursuant to Standing Orders for the consideration of Committee Reports.

In Committee

(Hon Louise Pratt in the Chair)

Standing Committee on Public Administration - Report No. 2 - Compliance of the Department of Health with Recommendations of the Auditor General's 2001 Report on Life Matters - Management of Deliberate Self-Harm in Young People - Committee Report

The Order of the Day having been read, debate resumed on the motion of Hon Barry House, That the Report be noted.

On the motion of Hon Ed Dermer, debate was adjourned until the next sitting.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 13 - Ombudsman's Redress Guidelines - Information for Complainants - Committee Report

The Order of the Day having been called, Hon Ray Halligan moved, That the Report be noted.

Question - put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 14 - Public Hearing with the Corruption and Crime Commission on 30 August 2006 - Committee Report

The Order of the Day having been called, Hon Ray Halligan moved, That the Report be noted.

Interruption of Debate [SO 61A].

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Standing Committee on Public Administration - Second Report - Compliance of the Department of Health with Recommendations of the Auditor General's 2001 Report on Life Matters - Management of Deliberate Self-Harm in Young People - Committee Report, made progress, and asked leave to sit again.
- (2) Joint Standing Committee on the Corruption and Crime Commission - Thirteenth Report - Ombudsman's Redress Guidelines - Information for Complainants - Committee Report and had noted same.
- (3) Joint Standing Committee on the Corruption and Crime Commission - Fourteenth Report - Public Hearing with the Corruption and Crime Commission on 30 August 2006 - Committee Report, made progress, and asked leave to sit again.

Report adopted.

8. Order of Business

Ordered - That Orders of the Day Nos 456, *Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2007 - Disallowance*, 457 and *Motor Vehicle Drivers Instructors Amendment Regulations (No. 2) 2007 - Disallowance*, be taken after Order of the Day No. 371, *Police Amendment Bill 2006*. (Leader of the House).

9. Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Bill 2006 and Biosecurity and Agriculture Management Rates and Charges Bill 2006

The Orders of the Day having been read for the consideration of the Committee's report upon these Bills.

The Minister for Agriculture and Food moved, That the report be adopted.

Question - put and passed.

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

10. Election of Senators Amendment Bill 2007

The Order of the Day for the further consideration of this Bill, in Committee, having been read.
The Deputy President left the Chair.

In Committee

(Hon George Cash in the Chair)

Clause 2.

Debate resumed.

Clause agreed to.

Clauses 3 and 4 agreed to.

Title agreed to.

The Acting President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Leader of the House 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.

11. Eastern Goldfields Transport Board Repeal Bill 2007

The Acting President reported the receipt of Message No. 238 from the Legislative Assembly forwarding the Bill for concurrence.

The Leader of the House moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House moved, That the Bill be now read a second time.

Debate stands adjourned.

12. Water Resources Legislation Amendment Bill 2006

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

Debate resumed.

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells.
A quorum being formed, the debate continued.

Want of Quorum

There not being a quorum present, the Deputy President gave instructions for the ringing of the Bells.
A quorum being formed, the debate continued.

13. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Deputy Premier on behalf of the Minister for Child Protection representing the Minister for Health tabled an answer in table format in relation to the funding of mental health, in response to a question without notice asked by Hon Helen Morton. (Tabled paper 3088).

14. Water Resources Legislation Amendment Bill 2006

Debate resumed on the second reading of this Bill (cf item 12 above).

Interruption of Debate [SO 61(b)].

15. Adjournment

The Leader of the House moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 5.28pm until Tuesday, 4 September 2007 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ken Baston, Hon Murray Criddle, Hon Sue Ellery, Hon Jon Ford and Hon Nigel Hallett.

Member granted leave: Hon Shelley Archer.

MIA BETJEMAN
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council