

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 120

WEDNESDAY, 6 DECEMBER 2006

1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

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

2. Statement by President - Vince Pacecca - Retirement

The President made the following Statement -

Mr Vince Pacecca has announced his intention to retire in early 2007. Vince Pacecca commenced on 28 January 1985 as Executive Officer/House Controller of the Joint House Committee. Like his predecessors, Vince lived on the premises with his family, until April 1998, in a three-bedroom flat, which is now the Parliamentary Services Centre and part of the northern extension. Living on the premises saved much travel time but also meant that Vince was on call 24-7. For many former Members, Vince was the fount of knowledge and someone to have a coffee with at three o'clock in the morning. Vince was the last House Controller for the Western Australian Parliament.

As part of the parliamentary restructure, Vince was appointed Building Services Manager in 1998. In this role, and as part of the Parliamentary Services Department's corporate management team, Vince has been instrumental in the vast improvements to Parliament House facilities.

Vince Pacecca's retirement will see the end of an era that included six Premiers and three changes of government. Any person who can survive this many Members deserves a happy and healthy retirement. On behalf of all Members, I wish Vince and his family all the very best.

3. Statement by President - Joan Meaghan - Retirement

The President made the following Statement -

Joan Meaghan has announced her intention to retire before Christmas. Joan Meaghan commenced on 3 August 1982 as a clerical assistant. She became a member of the permanent staff as a junior reporter on 20 March 1984 and was promoted to senior reporter on 1 July 1986. On 17 July 2000 she became a subeditor. Joan's parliamentary career witnessed much change, including the introduction of the Parliament's daily *Hansard* and the abolition of typewriters with the introduction of computerisation.

Joan's reputation for hard work, support for her colleagues and unequivocal commitment to the tradition of *Hansard* saw her promoted again on 23 January 2004 to Reporting Services

Manager. The position of Reporting Services Manager is one of the eight unit managers of the Parliamentary Services Department. Joan is retiring as part of the Corporate Management Team of the Parliamentary Services Department. On behalf of all Members I wish Joan all the very best in her retirement.

4. Petitions

Hon Helen Morton presented a petition, by delivery to the Clerk, [SO 130], from 2 509 residents of Western Australia requesting the Legislative Council oppose the closure of Royal Perth Hospital and maintain the name. (Tabled paper 2314).

Hon Donna Faragher presented a petition from 272 residents of Western Australia requesting the Legislative Council support the delivery of policing to the Bullsbrook Community. (Tabled paper 2315).

5. Papers

The following Papers were laid on the Table by -

President

Reports -

Inspector of Custodial Services - Lodgement of Inspection Report No. 39 -
Announced Inspection of the Albany Regional Prison (November 2006)
(Date received 06/11/2006)..... 2310

Minister for Education and Training

Regulations -

Vocational Education and Training Act 1996 (Vocational Education and Training Amendment
Regulations (No. 2) 2006 G.G. 24/11/2006)..... 2311

Minister for Local Government and Regional Development

Local Laws -

Cemeteries Act 1986 (Shire of Murray Pinjarra Cemetery Local Law 2006 G.G. 24/11/2006)..... 2312

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Regulations -

Road Traffic Act 1974 (Road Traffic (Charges and Fees) Regulations 2006 G.G. 24/11/2006) 2313

6. Standing Committee on Environment and Public Affairs - Sixth Report - Overview of Petitions

Hon Louise Pratt presented the Sixth Report of the Standing Committee on Environment and Public Affairs in relation to an *Overview of Petitions*. (Tabled paper 2316).

Hon Louise Pratt moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

7. Community Development Employment Projects Scheme

Motion No. 45 having been read, debate resumed on the amendments of Hon Ken Baston as follows -

Line 1 — To delete “condemns” and insert instead —

“ expresses its concern to ”.

Line 1 — To delete “for their lack of appreciation of the” and insert instead —

“ about potential ”.

Line 4 — To insert after “Western Australia” —

“

but acknowledges that the changes have been implemented to address concerns with the scheme

”

to the motion of Hon Shelley Archer as follows -

That this House condemns the Federal Government for their lack of appreciation of the detrimental impacts that will arise from the changes to the Community Development Employment Projects Scheme (CDEP) on Aboriginal people and other members of the community in regional Western Australia.

Amendments - put and passed.

Motion, as amended, agreed to.

8. Home Ownership Affordability

Motion No. 46 having been called, Hon Ray Halligan pursuant to notice, moved as follows -

That this House condemns the Government for the undue anxiety created for the many first home buyers through its inability in a timely manner to -

- (1) Help reduce the cost pressures on residential land.
- (2) Help reduce the supply and cost pressures associated with skilled labour.
- (3) Meet its election commitments to -
 - (a) address housing affordability;
 - (b) increase social housing stock; and
 - (c) encourage and enable home ownership.

Hon Ray Halligan, by leave, tabled and incorporated into Hansard a document on Interstate rates of Stamp Duty on median priced homes. (Tabled paper 2317).

Debate resumed.

Interruption pursuant to Sessional Order.

9. Questions Without Notice

Questions without notice were taken.

The Leader of the House representing the Minister for Energy tabled, and by leave incorporated into Hansard, an answer in relation to details of outages of electricity supply in Gidgegannup, Chidlow, Stoneville and surrounding areas, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 2318).

The Minister for Local Government and Regional Development representing the Minister for Police and Emergency Services tabled, and by leave incorporated into Hansard, an answer in relation to Western Australian police officers being relocated to a new police facility at the previous Midland Railways Workshop, in response to a question without notice asked by Hon Helen Morton. (Tabled paper 2319).

The Parliamentary Secretary representing the Minister for Community Development in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 4313 asked by Hon Anthony Fels will be provided on 20 March 2007.

The Parliamentary Secretary representing the Attorney General tabled, and by leave incorporated into Hansard, an answer in relation to details of convicted paedophile John Anthony Alvisse, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 2320).

10. Consideration of Committee Reports and Ministerial Statements

Pursuant to Sessional Orders for the consideration of Committee Reports and Ministerial Statements.

In Committee

(Hon Louise Pratt in the Chair)

Joint Standing Committee on the Corruption and Crime Commission - Report No. 8 - Public Hearing With the Corruption and Crime Commission on 3 May 2006 - Committee Report

The Order of the Day having been read, Hon Ray Halligan continued his introductory remarks in moving, That the Report be noted.

Question - put and passed.

Additional Electorate Resources for Legislative Council Members - Ministerial Statement

The Order of the Day having been called, Hon Murray Criddle moved, That the Ministerial Statement be noted.

Debate ensued.

Question - put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 9 - Inquiry into the Future Operation of Witness Protection Programmes in Western Australia - Committee Report

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

Question - put and passed.

Review of Forest Products Act 2000 - Ministerial Statement

The Order of the Day having been called, Hon Nigel Hallett moved, That the Ministerial Statement be noted.

Debate ensued.

Question - put and passed.

Joint Standing Committee on Delegated Legislation - Report No. 17 - City of Subiaco Eating-House Local Law 2005 - Committee Report

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

Question - put and passed.

Reform of Western Australia's Apprenticeship System - Ministerial Statement

The Order of the Day having been called, Hon Peter Collier moved, That the Ministerial Statement be noted.

Question - put and passed.

Interruption pursuant to Sessional Order.

The Deputy President resumed the Chair.

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

- (1) Joint Standing Committee on the Corruption and Crime Commission - Eighth Report - Public Hearing With the Corruption and Crime Commission on 3 May 2006 - Committee Report and had noted same.
- (2) Additional Electorate Resources for Legislative Council Members - Ministerial Statement and had noted same.

- (3) Joint Standing Committee on the Corruption and Crime Commission - Ninth Report - Inquiry into the Future Operation of Witness Protection Programmes in Western Australia - Committee Report and had noted same.
- (4) Review of Forest Products Act 2000 - Ministerial Statement and had noted same.
- (5) Joint Standing Committee on Delegated Legislation - Seventeenth Report - *City of Subiaco Eating-House Local Law 2005* - Committee Report and had noted same.
- (6) Reform of Western Australia's Apprenticeship System - Ministerial Statement and had noted same.

Report adopted.

11. Fines Legislation Amendment Bill 2006

The Acting President reported the receipt of Message No. 201 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Attorney General moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Attorney General moved, That the Bill be now read a second time.

Debate stands adjourned.

12. Owner-Drivers (Contracts and Disputes) Bill 2006

The Acting President reported the receipt of Message No. 204 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure moved, That the Bill be now read a second time.

Debate stands adjourned.

13. Acts Amendment (Consent to Medical Treatment) Bill 2006

The Acting President reported the receipt of Message No. 207 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Minister for Health moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Minister for Health moved, That the Bill be now read a second time.

Debate stands adjourned.

14. Order of Business

Ordered - That Orders of the Day Nos 322, *Western Australian College of Teaching Election Rules 2006 - Disallowance*, 348, *Consumer Credit (Western Australia) (Infringement Notices) Regulations 2006 - Disallowance* and 349, *Fair Trading (Infringement Notices) Regulations 2006 - Disallowance*, be taken after Order of the Day No. 300, *Sunset Hospital Site Bill 2006*. (Leader of the House).

15. Liquor and Gaming Legislation Amendment Bill 2006

The Order of the Day having been read for the third reading of this Bill.

The Minister for Education and Training 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.

Debate ensued.

Question - put.

The House divided.

Ayes (24)

Hon Shelley Archer
 Hon Ken Baston
 Hon Matt Benson-Lidholm
 Hon George Cash
 Hon Vincent Catania
 Hon Kim Chance
 Hon Peter Collier
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Anthony Fels
 Hon Jon Ford

Hon Nigel Hallett
 Hon Ray Halligan
 Hon Barry House
 Hon Robyn McSweeney
 Hon Norman Moore
 Hon Helen Morton
 Hon Louise Pratt
 Hon Ljiljanna Ravlich
 Hon Barbara Scott
 Hon Sally Talbot
 Hon Ken Travers
 Hon Ed Dermer (*Teller*)

Noes (4)

Hon Murray Criddle
 Hon Paul Llewellyn

Hon Giz Watson
 Hon Bruce Donaldson (*Teller*)

Question thus passed.

Bill read a third time and passed.

16. Water Efficiency Labelling and Standards Bill 2006

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

The Leader of the House 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.

17. Auditor General Bill 2006, Financial Management Bill 2006 and Financial Legislation Amendment and Repeal Bill 2006

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

Debate resumed.

Interruption pursuant to Sessional Order.

18. Members' Statements

Members' statements were taken.

19. Adjournment

The House adjourned at 10.25pm until Thursday, 7 December 2006 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members.

Member granted leave: Hon Margaret Rowe.

MALCOLM PEACOCK
Acting Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council