

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 135

WEDNESDAY, 9 MAY 2007

1. Meeting of Council

The Council assembled at 4.00pm pursuant to order.

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

2. Petitions

Hon Matt Benson-Lidholm presented a petition, by delivery to the Clerk, [SO 130], from 850 residents of Western Australia requesting the Legislative Council oppose the persecution of Falun Gong Practitioners in China. (Tabled paper 2691).

Hon Robyn McSweeney presented a petition from 120 residents of Western Australia requesting the Legislative Council oppose the continuation of the three year daylight saving trial. (Tabled paper 2692).

3. Ministerial Statement - Foster Care Association - Annual Mothers' Day Morning Tea

The Minister for Child Protection made a Ministerial Statement with respect to increased funding to foster and relative carers.

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

4. Papers

The following Papers were laid on the Table by -

Leader of the House

Orders -

Genetically Modified Crops Free Areas Act 2003 (Genetically Modified Crops Free Areas
Exemption Order 2007 G.G. 01/05/2007 and Genetically Modified Crops Free Areas
Exemption Order (No. 2) 2007 G.G. 04/05/2007)..... 2677

Minister for Local Government

Local Laws -

Local Government Act 1995 (City of Perth - Parking Amendment Local Law 2006 G.G.
01/05/2007, Shire of Capel Standing Orders Local Law 2007 G.G. 30/04/2007, Shire of Harvey
Local Government Property Amendment Local Law 2007 G.G. 04/05/2007, and Town of
Cambridge Standing Orders Local Law 2007 G.G. 02/05/2007) 2678

Regulations -

Industrial Training Act 1975 (Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2007 G.G. 01/05/2007).....	2681
Liquor Licensing Act 1988 (Liquor Licensing Amendment Regulations 2007 G.G. 01/05/2007).....	2679
Local Government (Miscellaneous Provisions) Act 1960 (Building Amendment Regulations 2007 G.G. 04/05/2007)	2680

Minister for Regional Development*Regulations -*

Pawnbrokers and Second-hand Dealers Act 1994 (Pawnbrokers and Second-hand Dealers Amendment Regulations 2007 G.G. 30/04/2007)	2682
Water Services Licensing Act 1995 (Water Services Licensing (Plumbers Licensing and Plumbing Standards) Amendment Regulations 2007 G.G. 01/05/2007).....	2683

Minister for Child Protection*Reports -*

Carers Advisory Council - Recognition - Bringing Carers into Focus (for the year ending 30th June 2006) (Date received 08/05/2007).....	2684
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Parliamentary Secretary representing the Deputy Premier*Reports -*

Economic Regulation Authority - Final Report -Inquiry on Harvey Water Bulk Water Pricing (12 April 2007)	2685
Economic Regulation Authority - Final Report -Inquiry on Water Corporation's Tariffs (7 May 2007)	2686

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

CALM Extension of Lease No. 2020/100 - Between CALM and Chief Executive Officer of the Royal Australian Ornithologists Union Trading as Birds Australia - Portion of Reserve 41066	2687
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Proposals -

Land Administration Act 1997 - Excision of Lot 14002 from 'A' Class Reserve 12237 for the widening of Great Eastern Highway, Belmont	2688
Land Administration Act 1997 - Excision of portions from 'A' Class Reserves 15556 and 29241 for the upgrade of the intersection of Russell Road with Hammond Road in the City of Cockburn.....	2689

Parliamentary Secretary representing the Minister for the Environment*Annual Reports -*

National Environment Protection Council (2005-2006) (Date received 08/05/2007).....	2690
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5. Standing Committee on Legislation - Special Report - Criminal Law and Evidence Amendment Bill 2006 - Extension of Reporting Time

Hon Graham Giffard presented a Report of the Standing Committee on Legislation in relation to the *Criminal Law and Evidence Amendment Bill 2006* seeking an extension of time from Thursday, 28 June 2007 to Tuesday, 7 August 2007. (Tabled paper 2693).

Hon Graham Giffard moved, That the Report do lie upon the Table and be adopted and agreed to.
Question - put and passed.

6. City of Fremantle Parking Local Law 2006 - Disallowance

Hon Ray Halligan: To move on the next day of sitting -

That the *City of Fremantle Parking Local Law 2006* published in the *Gazette* on 29 November 2006 and tabled in the Legislative Council on 7 December 2006 under the *Local Government Act 1995*, be and are hereby disallowed.

7. Legal Practice Board Amendment Rules (No.2) 2006 - Disallowance

Hon Ray Halligan: To move on the next day of sitting -

That the *Legal Practice Board Amendment Rules (No.2) 2006* published in the *Gazette* on 1 December 2006 and tabled in the Legislative Council on 7 December 2006 under the *Legal Practice Act 2003*, be and are hereby disallowed.

8. The Principle of Integrity in Official Conduct - Report by the Commissioner for Public Sector Standards - Suspension of Standing Orders

Hon Norman Moore moved, without notice -

That so much of Standing Orders be suspended as would enable the Hon Helen Morton to move the following motion; to enable the motion to be debated; and if not resolved before 10.00pm for the question to be then put -

“

That this House expresses its deep concern at the revelations contained in the Report of the Commissioner for Public Sector Standards relating to the principle of integrity in official conduct tabled in the Legislative Council on Tuesday, 8 May 2007.

”.

Debate ensued.

9. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Deputy Premier on behalf of the Parliamentary Secretary representing the Minister for Culture and the Arts tabled, and by leave incorporated into Hansard, an answer in relation to details of staff employed at the State Library of Western Australia, in response to a question without notice asked by Hon Barbara Scott. (Tabled paper 2694).

The Minister for Child Protection representing the Minister for Health tabled, and by leave incorporated into Hansard, an answer in relation to details relating to rolling out a “major program of ambulatory care services” and funding in the South West Region, in response to a question without notice asked by Hon Nigel Hallett. (Tabled paper 2695).

The Leader of the House representing the Minister Assisting the Minister for Federal-State Relations in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 4695 asked by Hon George Cash on 27 March 2007 will be provided in due course.

The Parliamentary Secretary representing the Deputy Premier 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 details relating to Transperth’s Smart Rider Ticketing System, in response to a question without notice asked by Hon Simon O’Brien. (Tabled paper 2696).

The Minister for Local Government representing the Minister for Education and Training tabled, and by leave incorporated into Hansard, an answer in relation to the Australian Council of State School Organisations, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 2697).

The Minister for Regional Development representing the Minister for Corrective Services tabled, and by leave incorporated into Hansard, an answer in relation to prisoner voting rights, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 2698).

10. The Principle of Integrity in Official Conduct - Report by the Commissioner for Public Sector Standards - Motion to Suspend Standing Orders

Debate resumed on the motion of Hon Norman Moore (cf item 8 above).

Question - put.

There being a dissentient voice the President ordered the House to divide.

Ayes (13)

Hon Ken Baston
Hon George Cash
Hon Peter Collier
Hon Murray Criddle
Hon Anthony Fels
Hon Nigel Hallett
Hon Ray Halligan

Hon Robyn McSweeney
Hon Norman Moore
Hon Helen Morton
Hon Margaret Rowe
Hon Barbara Scott
Hon Bruce Donaldson (*Teller*)

Noes (12)

Hon Matt Benson-Lidholm
Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina
Hon Graham Giffard
Hon Paul Llewellyn

Hon Sheila Mills
Hon Louise Pratt
Hon Sally Talbot
Hon Ken Travers
Hon Giz Watson
Hon Ed Dermer (*Teller*)

The concurrence of an absolute majority of the whole number of Members not being met Standing Orders not suspended.

11. Order of Business

Ordered - That Orders of the Day Nos 379, *Clauses 3 and 10 of the Fish Resources Management Amendment Regulations (No. 8) 2006 - Disallowance*, 380, *Environmental Protection (Regional Power Stations Noise Emissions) Exemption Order 2006 - Disallowance* and 395, *Metropolitan Region Scheme Amendment No. 1027/33 - Whiteman Park and Environs - Disallowance*, be taken after Order of the Day No. 300, *Sunset Hospital Site Bill 2006*. (Leader of the House).

12. Local Government (Miscellaneous Provisions) Amendment Bill 2005

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

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.

13. Road Traffic Amendment (Drugs) 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.

14. Cognate Debate - Appropriation (Consolidated Fund) Bill (No. 5) 2006 and Appropriation (Consolidated Fund) Bill (No. 6) 2006

The Parliamentary Secretary representing the Treasurer sought leave of the House to debate Order of the Day No. 390, *Appropriation (Consolidated Fund) Bill (No. 5) 2006* and Order of the Day No. 391, *Appropriation (Consolidated Fund) Bill (No. 6) 2006* cognately [SO 228].

Leave granted.

15. Appropriation (Consolidated Fund) Bill (No. 5) 2006 and Appropriation (Consolidated Fund) Bill (No. 6) 2006

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

Question - put and passed.

Bills read a second time.

The Deputy President left the Chair.

In Committee

(Hon Ken Travers in the Chair)

Appropriation (Consolidated Fund) Bill (No. 5) 2006

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 and 3.

Clauses agreed to.

Schedule 1

Debate ensued.

Interruption of Debate [SO 61(c)].

16. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 10:31pm until Thursday, 10 May 2007 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Shelley Archer, Hon Donna Faragher and Hon Simon O'Brien.

Member granted leave: Hon Barry House.

MALCOLM PEACOCK
Acting Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council