

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 141

WEDNESDAY, 6 JUNE 2007

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### 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. Papers

The following Papers were laid on the Table by -

#### Leader of the House

##### *Codes -*

Public Sector Management Act 1994 (Western Australian Public Sector Code of Ethics (Repeal)  
2007 G.G. 25/05/2007) ..... 2768

#### Minister for Local Government

##### *Local Laws -*

Local Government Act 1995 (City of South Perth Standing Orders Local Law 2007  
G.G. 17/05/2007)..... 2769

##### *Regulations -*

Local Government (Miscellaneous Provisions) Act 1960 (Building Amendment Regulations  
(No. 2) 2007 G.G. 18/05/2007) ..... 2770

#### Minister for Child Protection

##### *Local Laws -*

Health Act 1911 (Shire of Dandaragan Health (Amendment) Local Law 2007 G.G. 22/05/2007) ..... 2771

##### *Regulations -*

Chiropractors Act 2005 (Chiropractors Regulations 2007 G.G. 15/05/2007)..... 2772

Fines, Penalties and Infringement Notices Enforcement Act 1994 (Fines, Penalties and  
Infringement Notices Enforcement Amendment Regulations 2007 G.G. 18/05/2007) ..... 2773

Health Act 1911 (Health (Food Hygiene) Amendment Regulations 2007 G.G. 18/05/2007, Health (Food Standards) (Administration) Amendment Regulations 2007 G.G. 18/05/2007, Health (Notification of Intussusception) Regulations 2007 G.G. 18/05/2007, Health (Offensive Trades Fees) Amendment Regulations 2007 G.G. 18/05/2007, Health (Pet Meat) Amendment Regulations 2007 G.G. 18/05/2007, Health (Public Buildings) Amendment Regulations 2007 G.G. 18/05/2007, and Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Amendment Regulations 2007 G.G. 18/05/2007) .....	2774
Pharmacy Act 1964 (Pharmacy Amendment Regulations 2007 G.G. 15/05/2007).....	2775

### **Parliamentary Secretary representing the Deputy Premier**

#### *Regulations -*

Pay-roll Tax Assessment Act 2002 (Pay-roll Tax Assessment Amendment Regulations 2007 G.G. 15/05/2007).....	2776
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### **3. Standing Committee on Procedure and Privileges - Special Report - Request for Power to Confer with a Select Committee**

The President presented a Special Report of the Standing Committee on Procedure and Privileges in relation to a Request for Power to Confer with a Select Committee. (Tabled paper 2767).

Hon George Cash moved, That the Report do lie upon the Table and be adopted and agreed to.

Question - put and passed.

### **4. Joint Sitting to fill Senate Vacancy**

The Leader of the House moved, without notice -

That with reference to the message reported to the House by the President on Tuesday, 5 June 2007 from His Excellency the Governor, the Honourable Mr President be requested to confer with the Honourable Mr Speaker in order to fix a day and place whereon and whereat the Legislative Council and the Legislative Assembly, sitting and voting together, shall choose a person to hold the place of the senator whose place has become vacant.

Question - put and passed.

### **5. Home Ownership Affordability**

Motion No. 46 having been read, debate resumed on the amendment, as amended, of Hon Louise Pratt as follows -

- (1) By deleting “condemns the Government for the undue anxiety created for the many first home buyers through its inability in a timely manner to” and insert instead -  
“ calls on the Government to ”
- (2) To delete paragraph (3) and insert instead -  
“
- (3) Continue to meet its commitments to -
  - (a) increase social housing stock;
  - (b) encourage and enable home ownership;
  - (c) improve housing sustainability and energy efficiency;
  - (d) alleviate pressure on private sector rents through measures such as the lifting of letting fees;
  - (e) targeted loan schemes included shared equity housing loans;
  - (f) improve access to affordable quality housing for Aboriginal Western Australians; and
  - (g) introduce new measures in the State Budget to address housing affordability

”,

to the motion of Hon Ray Halligan 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.

## **6. Questions Without Notice**

Questions without notice were taken.

The Minister for Regional Development representing the Minister for Corrective Services tabled, and by leave incorporated into Hansard, documents in relation to recommendations of the Royal Commission into Aboriginal Deaths in Custody, in response to a question without notice asked by Hon George Cash. (Tabled paper 2777).

The Parliamentary Secretary representing the Minister for Consumer Protection tabled documents in relation to the agreement details between IMF (Australia) Ltd and the State Government, in response to a question without notice asked by Hon Anthony Fels. (Tabled paper 2778).

The Minister for Child Protection tabled, and by leave incorporated into Hansard, documents in relation to scholarship recipients for the postgraduate program in child protection, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 2779).

The Minister for Local Government representing the Minister for Education and Training in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 4758 asked by Hon Giz Watson will be provided by 19 June 2007.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 4756 asked by Hon Norman Moore will be provided by 15 August 2007.

The Parliamentary Secretary representing the Minister for the Environment tabled documents in relation to a list of statements of environmental conditions, in response to question on notice 4770 asked by Hon Paul Llewellyn. (Tabled paper 2780).

## **7. Home Ownership Affordability**

Debate resumed on the amendment, as amended, of Hon Louise Pratt to the motion of Hon Ray Halligan (cf item 5 above).

*Interruption of Debate* [SO 195].

## **8. Order of Business**

Ordered - That Orders of the Day Nos 395, *Metropolitan Region Scheme Amendment No. 1027/33 - Whiteman Park and Environs - Disallowance*, 401, *Electricity Networks Access Code Amendments (No. 2) 2006 - Disallowance* and 406, *Legal Practice Board Amendment Rules (No. 2) 2006 - Disallowance*, be taken after Order of the Day No. 300, *Sunset Hospital Site Bill 2006*. (Leader of the House).

## **9. Estimates of Revenue and Expenditure - Consolidated Fund Estimates 2007-2008**

The Order of the Day having been read for the adjourned debate on the motion of the Parliamentary Secretary representing the Treasurer, That the Consolidated Fund Estimates 2007-2008 be noted.

Debate resumed.

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

**10. Chemistry Centre (WA) Bill 2006**

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

The Minister for Agriculture and Food 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.

**11. Biosecurity and Agriculture Management Bill 2006, 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 for the further consideration of these Bills, in Committee, having been read.

The Deputy President left the Chair.

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**In Committee**

(Hon George Cash in the Chair)

***Biosecurity and Agriculture Management Bill 2006***

Clauses 148 and 149 agreed to.

Division 1 Heading.

The Minister for Agriculture and Food moved -

Page 107, lines 2 and 3 — To delete “**Minister and the Western Australian Agriculture Ministerial Body**” and insert instead —

“ **Western Australian Agriculture Authority** ”.

Amendment - put and passed.

Heading, as amended, agreed to.

Clause 150.

The Minister for Agriculture and Food moved -

Page 107, line 5 — To delete “Ministerial Body” and insert instead —

“ Authority ”.

Page 107, line 7 — To delete “Ministerial Body” and insert instead —

“ Authority ”.

Page 107, line 9 — To delete “Ministerial Body” and insert instead —

“ Authority ”.

Page 107, line 11 — To delete “Ministerial Body” and insert instead —

“ Authority ”.

Page 107, line 12 — To delete “Ministerial Body” and insert instead —

“ Authority ”.

Amendments - put and passed.

Clause, as amended, agreed to.

Clause 151.

The Minister for Agriculture and Food moved -

Page 107, lines 14 to 24 — To delete the Clause and substitute the following new Clause —

“

**151. Purpose of Western Australian Agriculture Authority**

The Authority is established —

- (a) to further and promote the best interests of biosecurity and agriculture management; and
- (b) to perform such other functions as are conferred on it under this or any other Act.

”.

Debate ensued.

On the question, That the Clause stand as printed - put and negatived.

On the question, That the new Clause to be inserted, be inserted - put and passed.

Clause 152

The Minister for Agriculture and Food moved -

Page 108, line 4 — To insert after “arrangement” —

“ but does not include a research body ”.

Debate ensued.

Amendment - put and passed.

The Minister for Agriculture and Food moved -

Page 108, after line 14 — To insert —

“

**“research body”** means a body, whether incorporated or not, which —

- (a) has its principal office within the Commonwealth; and
- (b) has among its principal objects the carrying out of research, investigation, inquiries or studies into biosecurity, agricultural activities or management or related matters within the Commonwealth.

”.

Amendment - put and passed.

The Minister for Agriculture and Food moved -

Page 108, before line 15 — To insert —

“

- (2) The Authority has all the powers it needs to perform its functions.

”.

Amendment - put and passed.

The Minister for Agriculture and Food moved -

Page 108, lines 15 and 16 — To delete “Minister may, for the purpose of furthering the best interests of biosecurity or agriculture management” and insert instead —

“ Authority may ”.

Page 108, line 29 — To delete “Minister” and insert instead —

“ Authority ”.

Amendments - put and passed.

The Minister for Agriculture and Food moved -

Page 108, line 20 — To insert after “concern” —

“ or research body ”.

Page 108, line 21 — To insert after “concern” —

“ or research body ”.

Debate ensued.

Amendments - put and passed.

The Minister for Agriculture and Food moved -

Page 108, lines 24 and 25 — To delete “that relates to that purpose” and insert instead —

“ and, for that purpose, apply for, hold, receive, exploit and dispose of any intellectual property ”.

Debate ensued.

Amendment - put and passed.

*Interruption of Debate* [SO 61(c)].

## **12. Adjournment**

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

Debate ensued.

Question - put and passed.

The House adjourned at 10.10pm until Thursday, 7 June 2007 at 11.00am.

### **Members present during the day’s proceedings**

Attendance: Present all Members except Hon Sheila Mills, Hon Louise Pratt and Hon Margaret Rowe.

**MIA BETJEMAN**  
Clerk of the Legislative Council

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