

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 167

WEDNESDAY, 24 OCTOBER 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 Helen Morton presented a petition from 1 398 residents of Western Australia requesting the Legislative Council oppose the closure of the Royal Perth Hospital and maintain its name. (Tabled paper 3433).

Hon Robyn McSweeney presented a petition from 342 residents of Western Australia requesting the Legislative Council review the departmental and government processes used in determining the proposed new site of the Busselton Hospital. (Tabled paper 3434).

3. Ministerial Statement - Forest Products Commission - Western Australia Biomass Pty Ltd - Contract

The Minister for Forestry made a Ministerial Statement with respect to a contract between the Forest Products Commission and WA Biomass Pty Ltd for the supply of plantation residues.

The Minister for Forestry tabled the Forest Products Commission and Western Australia Biomass Pty Limited - Timber Residue Agreement (Production Contract No. 2893). (Tabled paper 3435).

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

4. Papers

The following Papers were laid on the Table by -

Minister for Regional Development on behalf of the Minister for Local Government

Annual Reports -

Architects Board (2006-2007) (Date received 23/10/2007)	3428
Greyhound Racing Association (2006-2007) (Date received 23/10/2007)	3429
Racing and Wagering (2006-2007) (Date received 23/10/2007).....	3430

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Ministerial Approvals -

East Perth Redevelopment Act 1991 - Sale of land with value in excess of \$1 million -
 Sale of Lot 212 Lake Street, Northbridge 3431

Reports -

Landcorp - Statement of Corporate Intent (2007-2008)..... 3432

5. Daylight Saving Amendment Bill (No. 3) 2007

Hon Norman Moore: To move on the next day of sitting -

That a Bill for “An Act to amend the *Daylight Saving Act 2006*” be introduced and read a first time.

6. Joint Standing Committee on the Commissioner for Children and Young People - Establishment

Hon Barbara Scott: To move on the next day of sitting -

(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.

9.2 The Committee consists of four 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 one is a Member of the Council and one 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.

7. **Trans-Tasman Mutual Recognition (Western Australia) Bill 2005**

The Leader of the House: To move on the next day of sitting -

That it be an instruction to the committee of the whole House on the *Trans-Tasman Mutual Recognition (Western Australia) Bill 2005* that it have power to consider any amendments to the notes.

8. **Commission on Government - Call for Establishment**

Motion No. 53 having been read, debate resumed on the motion of Hon Giz Watson as follows -

That in the light of evidence presented to the Corruption and Crime Commission concerning lobbying and alleged public sector misconduct, this House calls upon the Government to establish a second Commission on Government to -

- (1) Audit the implementation of the first Commission on Government's recommendations and consider whether further implementation is required;
- (2) Consider whether alternative or additional reforms to those proposed by the first Commission on Government are required to prevent corrupt, illegal or improper conduct by public officials (including State Members of Parliament, Local Government Councillors and employees of State and Local Governments);
- (3) Carry out its inquiries in an open and participatory manner; and
- (4) Report to both Houses of Parliament within one year from establishment of the Commission.

Question - put.

The House divided.

Ayes (15)

Hon George Cash
 Hon Peter Collier
 Hon Murray Criddle
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Nigel Hallett
 Hon Barry House
 Hon Paul Llewellyn

Hon Robyn McSweeney
 Hon Norman Moore
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Barbara Scott
 Hon Giz Watson
 Hon Bruce Donaldson (*Teller*)

Noes (12)

Hon Shelley Archer
 Hon Matt Benson-Lidholm
 Hon Kim Chance
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina

Hon Jon Ford
 Hon Graham Giffard
 Hon Sheila Mills
 Hon Louise Pratt
 Hon Ken Travers
 Hon Ed Dermer (*Teller*)

Question thus passed.

9. Teacher Shortage

Motion No. 55 having been called, Hon Peter Collier pursuant to notice, moved -

That this House expresses its grave concern at the recent revelation of the Department of Education and Training that there will be a shortage of 3 000 teachers in Western Australia in five years unless some serious action is taken to remedy this significant problem.

10. Questions Without Notice

Questions without notice were taken.

The Minister for Regional Development on behalf of 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 number of students enrolled in Department of Education and Training primary and secondary schools in 2004, 2005 and 2006, in response to a question without notice asked by Hon Peter Collier. (Tabled paper 3436).

The Minister for Regional Development on behalf of the Minister for Local Government representing the Minister for Education and Training tabled, and by leave incorporated into Hansard, an answer in relation to a review unit established to assist schools that underperform in literacy and numeracy, in response to a question without notice asked by Hon Peter Collier. (Tabled paper 3437).

The Minister for Child Protection tabled, and by leave incorporated into Hansard, an answer in relation to reports by the Social Systems and Evaluation consultancy, for the Department since 2001, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 3438).

The Minister for Regional Development representing the Minister for Corrective Services in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 5461 asked by Hon Donna Faragher will be provided in due course.

11. Teacher Shortage

Debate resumed on the motion of Hon Peter Collier (cf item 9 above).

Interruption of Debate [SO 195].

12. Order of Business

Ordered - That Orders of the Day Nos 484, *Mooring Amendment Regulations 2007 - Disallowance*, 485, *Rights in Water and Irrigation Amendment Regulations 2007 - Disallowance*, 486, *City of Armadale - Signs Local Law 2007 - Disallowance*, 487, *Environmental Protection Amendment Regulations 2007 - Disallowance*, 489, *Rights in Water and Irrigation Amendment Regulations 2007 - Disallowance*, 490, *Rights in Water and Irrigation Amendment Regulations 2007 - Disallowance* and 505, *Settlement Agents Amendment Regulations (No. 2) 2007 - Disallowance* be taken after Order of the Day No. 6, *Constitution Amendment Bill 2005*. (Minister for Regional Development).

13. Road Traffic Amendment Bill (No. 2) 2007

The Order of the Day having been read for the consideration of the Committee's report upon this Bill. The Minister for Regional Development 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. Trans-Tasman Mutual Recognition (Western Australia) Bill 2005

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

Debate resumed.

Question - put and passed.

Bill read a second time.

Ordered - That consideration of the Bill, in Committee, be made an Order of the Day for the next sitting.

15. Public Trustee and Trustee Companies 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.

Interruption of Debate [SO 61(b)].

16. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 10.38pm until Thursday, 25 October 2007 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Vincent Catania, Hon Ray Halligan and Hon Ljiljanna Ravlich.

Member granted leave: Hon Sally Talbot.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council