

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 168

THURSDAY, 25 OCTOBER 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 -

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

Annual Reports -

Education and Training, Department of (2006-2007) (Date received 24/10/2007) 3439

Local Government Grants Commission (For the year ended 31 August 2007)
(Date received 24/10/2007) 3440

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Proposals -

Land Administration Act 1997 - Excision for Class A Reserve 38703 under Section 45
(4) - Intersection of Dowerin-Kelannie and Amery-Benjabbering Road, Shire
of Dowerin..... 3442

3. Standing Committee on Legislation - Tenth Report - Acts Amendment (Consent to Medical Treatment) Bill 2006

Hon Graham Giffard presented the Tenth Report of the Standing Committee on Legislation in relation to the *Acts Amendment (Consent to Medical Treatment) Bill 2006*. (Tabled paper 3441).

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

Question - put and passed.

4. Standing Committee on Public Administration - Special Report - Inquiry into the Management of Asbestos Containing Materials in Western Australian State Schools

Hon Barry House presented the Special Report of the Standing Committee on Public Administration in relation to the commencement of an inquiry into the management of asbestos containing materials in Western Australian state schools. (Tabled paper 3443).

Hon Barry House moved, That the Report do lie upon the Table.

Hon Barry House made a brief statement.

Question - put and passed.

5. Teacher Shortage

Motion No. 55 having been read, Hon Peter Collier continued his introductory remarks in moving the following motion -

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.

Interruption of Debate [SO 195].

6. Consideration of Committee Reports

Pursuant to Standing Orders for the consideration of Committee Reports.

In Committee

(Hon Louise Pratt in the Chair)

Select Committee into the Department of Education and Training - Committee Report

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

Question - put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 18 - Hearing with the Corruption and Crime Commission on 22 November 2006 - Committee Report

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

Interruption of Debate [SO 61A].

The Acting President resumed the Chair.

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

- (1) Select Committee into the Department of Education and Training - Committee Report and had noted same.
- (2) Joint Standing Committee on the Corruption and Crime Commission - Eighteenth Report - Hearing with the Corruption and Crime Commission on 22 November 2006 - Committee Report, made progress, and asked leave to sit again.

Report adopted.

7. Order of Business

Ordered - That Bill for Introduction No. 18, *Daylight Saving Amendment Bill (No. 3) 2007*, be now taken. (Leader of the House).

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

Hon Norman Moore pursuant to notice, moved -

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

Question - put and passed.

Bill read a first time.

Hon Norman Moore moved, That the Bill be now read a second time.

Debate stands adjourned.

9. 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).

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

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

The Order of the Day for the consideration of this Bill, in Committee, having been read.

The Leader of the House, pursuant to notice, moved -

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.

Question - put and passed.

The Deputy President left the Chair.

In Committee

(Hon George Cash in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3.

The Leader of the House moved -

Page 3, lines 11 and 12 — To delete the lines.

Debate ensued.

Amendment - put and passed.

Clause, as amended, agreed to.

Clause 4.

The Leader of the House moved -

Page 3, lines 26 and 27 — To delete “this Act receives the Royal Assent” and insert instead —
 “ 25 October 2007 ”.

Debate ensued.

The Leader of the House tabled a document titled “A Users’ Guide to the Mutual Recognition Agreement (MRA) and the Trans-Tasman Mutual Recognition Arrangement (TTMRA)”. (Tabled paper 3444).

Debate ensued.

The Leader of the House tabled a document titled “*Trans-Tasman Mutual Recognition Act 1997* (Commonwealth of Australia) - Statutory Rules - 2003 No. 72, 2002 No. 78, 2001 No. 221, 2001 No. 75, 2000 No. 51, and 1999 No. 60”. (Tabled paper 3445).

Debate ensued.

Amendment - put and passed.

Debate ensued.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Regional Development representing the Minister for Corrective Services tabled documents in relation to the Australian Bureau of Statistics review of the Drug Prevalence Testing Sample Design Review, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 3446).

The Parliamentary Secretary representing the Minister for Culture and the Arts tabled, and by leave incorporated into Hansard, an answer in relation to the 2007-08 budget for the State Library, in response to a question without notice asked by Hon Barbara Scott. (Tabled paper 3447).

The Minister for Regional Development on behalf of the Minister for Local Government in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 5509 asked by Hon Helen Morton will be provided by 15 November 2007.

The Minister for Child Protection tabled, and by leave incorporated into Hansard, documents in relation to the Western Australian Safety and Accountability Audit of the Armadale Domestic Violence Intervention Project (2007), in response to a question without notice asked by Hon Helen Morton. (Tabled paper 3448).

The Minister for Child Protection tabled, and by leave incorporated into Hansard, documents in relation to staffing levels in Karratha within the Department for the years 2005, 2006 and 2007, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 3449).

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

The President left the Chair.

In Committee

(Hon George Cash in the Chair)

Clause 4.

Debate resumed on the Clause, as amended.

The Leader of the House moved -

Page 4, after line 7 — To insert —

“

- (4) The Minister is to cause a copy of any regulations referred to in subsection (3) to be laid before each House of Parliament within 14 sitting days of that House after the registration of the regulations in the Federal Register of Legislative Instruments maintained under the *Legislative Instruments Act 2003* of the Commonwealth.

”

Debate ensued.

Amendment - put and passed.

Debate ensued.

Question, That the Clause, as amended, be agreed to - put.

The Committee divided.

Ayes (25)

Hon Shelley Archer
Hon Ken Baston
Hon Matt Benson-Lidholm
Hon George Cash
Hon Kim Chance
Hon Peter Collier
Hon Murray Criddle
Hon Bruce Donaldson
Hon Kate Doust
Hon Sue Ellery
Hon Brian Ellis
Hon Donna Faragher
Hon Adele Farina

Hon Anthony Fels
Hon Jon Ford
Hon Graham Giffard
Hon Nigel Hallett
Hon Barry House
Hon Sheila Mills
Hon Norman Moore
Hon Louise Pratt
Hon Barbara Scott
Hon Sally Talbot
Hon Ken Travers
Hon Ed Dermer (*Teller*)

Noes (2)

Hon Paul Llewellyn

Hon Giz Watson (*Teller*)

Question thus passed.

Clause, as amended, agreed to.

The Leader of the House moved, That progress be reported and leave asked to sit again.

Question - put and passed.

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

14. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 13 November 2007.

Question - put and passed.

15. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 5.03pm until Tuesday, 13 November 2007 at 3.30pm.

Members present during the day's proceedings

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

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council