

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 142

THURSDAY, 7 JUNE 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 Local Government

Local Laws -

Local Government Act 1995 (City of Belmont - Dust and Liquid Waste Local Law 2007
G.G. 29/05/2007)..... 2781

Minister for Regional Development

Management Plans -

Fish Resources Management Act 1994 (Pilbara Fish Trawl Fishery (Interim) Management Plan
Amendment 2007 G.G. 29/05/2007) 2782

Regulations -

Community Protection (Offender Reporting) Act 2004 (Community Protection (Offender
Reporting) Amendment Regulations 2007 G.G. 01/06/2007) 2783

Trade Measurement Act 2006 (Trade Measurement Regulations 2007 G.G. 29/05/2007)..... 2784

Water Services Licensing Act 1995 (Water Services Licensing (Plumbers Licensing and
Plumbing Standards) Amendment Regulations (No. 2) 2007 G.G. 29/05/2007)..... 2785

Minister for Child Protection

Local Laws -

Health Act 1911 (The Municipality of the City of Melville - Local Laws relating to Eating Houses -
Health (Eating Houses) Local Laws 2001 G.G. 01/06/2007) 2786

**Parliamentary Secretary representing the Deputy Premier on behalf of the
Parliamentary Secretary representing the Minister for Planning and Infrastructure**

Regulations -

Road Traffic Act 1974 (Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2007
G.G. 29/05/2007)..... 2787

3. Joint Standing Committee on Delegated Legislation - Twenty-Third Report - Issues of Concern raised by the Committee between 1 May 2006 and 30 April 2007 with respect to Local Laws

Hon Ray Halligan presented the Twenty-Third Report of the Joint Standing Committee on Delegated Legislation in relation to the Issues of Concern raised by the Committee between 1 May 2006 and 30 April 2007 with respect to Local Laws. (Tabled paper 2788).

Hon Ray Halligan moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

4. Fair Employment Advocate - Helen Creed

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

That the Minister for Child Protection representing the Minister for Employment Protection table, within three days of this order, the following documents in relation to the appointment of Ms Helen Creed as Fair Employment Advocate -

- (a) advice provided by the Department of Consumer and Employment Protection to the Director General of the Department of Premier and Cabinet; and
- (b) the recommendation of the Director General of the Department of Premier and Cabinet to the Minister for Public Sector Management.

If the House is not in session and sitting when the documents the subject of the order are due to be tabled, the Minister for Child Protection is to transmit the documents to the Clerk of the Legislative Council and the documents are to be taken to have been laid before the House.

5. Select Committee on Memorandum of Understanding between Balga Senior High School and Manufacturing Industry Training Services - Establishment

Hon Peter Collier moved, without notice -

That pursuant to Standing Order 128, Motion No. 58 *Select Committee on Memorandum of Understanding Between Balga Senior High School and Manufacturing Industry Training Services Pty Ltd - Establishment* be made Motion No. 1 for Wednesday, 20 June 2007.

Question - put and passed.

6. 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.

Interruption of Debate [SO 195].

7. Consideration of Committee Reports and Ministerial Statements

Pursuant to Standing Orders for the consideration of Committee Reports.

In Committee

(Hon Ken Travers in the Chair)

Select Committee on the Adequacy of Foster Care Assessment Procedures by the Department for Community Development - Committee Report

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

Question - put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 12 - Annual Report 2005-2006 - Committee Report

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

Debate ensued.

Interruption of Debate [SO 61A].

The Acting President resumed the Chair.

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

- (1) Select Committee on the Adequacy of Foster Care Assessment Procedures by the Department for Community Development - Committee Report and had noted same.
- (2) Joint Standing Committee on the Corruption and Crime Commission - Report No. 12 - Annual Report 2005-2006 - Committee Report, made progress, and asked leave to sit again.

Report adopted.

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*, 406, *Legal Practice Board Amendment Rules (No. 2) 2006 - Disallowance*, 415, *Health (Section 112(2) Prohibition) Regulations 2006 - Disallowance*, 416, *Town of Victoria Park Signs Local Law 2006 - Disallowance*, 417, *Supreme Court Amendment Rules 2007 - Disallowance*, 418, *Tobacco Products Control Amendment Regulations 2007 - Disallowance*, 419, *Town of Vincent Parking Facilities Local Law - Amendment No. 1 2007 - Disallowance*, 420, *Mining Amendment Regulations 2007 - Disallowance*, 421, *Murdoch University - Statute No. 18 - Intellectual Property Amendment - Disallowance*, 422, *Agriculture Produce (Chemical Residues) Amendment Regulations 2007 - Disallowance*, 423, *City of Fremantle - Dog (Exercise Areas) Amendment Local Law 2007 - Disallowance*, 424, *Electricity Amendment Regulations (No. 2) 2007 - Disallowance*, 425, *Energy Coordination (Designation of Inspectors) Amendment Regulations 2007 - Disallowance*, 426, *First Home Owner Grant Amendment Regulations 2007 - Disallowance*, 427, *Land Tax Assessment Amendment Regulations 2007 - Disallowance*, 428, *Veterinary Surgeons Amendment Regulations (No. 2) 2007 - Disallowance*, 429, *Gas Standards (Infringement Notices) Regulations 2007 - Disallowance*, 430, *Shire of Broome - Health (Eating Houses) Local Laws 2006 - Disallowance* and 431, *Shire of Broome - Health Local Laws 2006 - Disallowance*, be taken after Order of the Day No. 300, *Sunset Hospital Site Bill 2006*. (Minister for Regional Development).

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.

Hon Peter Collier, by leave, tabled and incorporated into Hansard a document in relation to the Curriculum Framework, Curriculum Guides and Statements of Learning (Tabled paper 2789).

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 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.

Debate ensued.

Question - put and passed.

Bill read a third time and passed.

11. Standing Committee on Legislation - State Administrative Tribunal

The Order of the Day having been called, the Leader of the House pursuant to notice moved -

That under the *State Administrative Tribunal Act 2004*, section 173(b), the function of conducting an inquiry into the jurisdiction and operation of the State Administrative Tribunal be conferred upon the Standing Committee on Legislation.

Debate ensued.

Question - put and passed.

12. Racing, Wagering and Betting Legislation Amendment and Repeal Bill 2007

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.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Minister for Racing and Gaming moved, That the Bill be now read a third time.

Question - put and passed.

Bill read a third time and passed.

13. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Treasurer tabled the 2007-08 Review of Government Tariffs, Fees and Charges (Guidance for Agencies), in response to a question without notice asked by Hon Norman Moore. (Tabled paper 2790).

The Minister for Child Protection representing the Minister for Health tabled, and by leave incorporated into Hansard, an answer in relation to details of children born at King Edward Memorial Hospital between the years 2003 and 2006, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 2791).

The Minister for Government Enterprises tabled a list of the Lotteries Commission approved grants since February 2005, in response to a question without notice asked by Hon Norman Moore. (Tabled paper 2792).

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. 4764 asked by Hon Ken Baston will be provided by 15 August 2007.

14. 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.

In Committee

(Hon Graham Giffard in the Chair)

Biosecurity and Agriculture Management Bill 2006

Clause 152.

Debate resumed.

The Minister for Agriculture and Food moved -

Page 109, lines 3 and 4 — To delete the lines.

Amendment - put and passed.

Debate ensued.

Clause, as amended, agreed to.

Clause 153.

The Minister for Agriculture and Food moved -

Page 109, line 6 — To delete “Minister” and insert instead —

“ Authority ”.

Page 109, line 7 — To delete “the Minister” and insert instead —

“ in relation to a business concern, the Authority ”.

Page 109, line 13 — To delete “Minister” and insert instead —

“ Authority ”.

Page 109, line 16 — To delete “Minister” and insert instead —

“ Authority ”.

Debate ensued.

Amendments - put and passed.

The Minister for Agriculture and Food moved -

Page 109, line 11 — To delete “or is of a kind referred to in section 155”.

Debate ensued.

Amendment - put and passed.

Clause, as amended, agreed to.

Clause 154.

Interruption of Debate [SO 61(c)].

15. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 19 June 2007 at 3.30pm.

Debate ensued.

Question - put and passed.

16. Adjournment

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

Question - put and passed.

The House adjourned at 5.00pm until Tuesday, 19 June 2007 at 3.30pm.

Members present during the day’s proceedings

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

MIA BETJEMAN
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council