

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

---

## MINUTES OF PROCEEDINGS

No. 114

WEDNESDAY, 15 NOVEMBER 2006

---

### 1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

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

### 2. Petition

Hon Sally Talbot presented a petition from 795 residents of Western Australia requesting the Legislative Council to support the Coalition to Investigate the Persecution of Falun Gong Practitioners in China (CIPFG) by making recommendations to the Federal and Western Australian Governments. (Tabled paper 2228).

### 3. Papers

The following Papers were laid on the Table by -

#### **Leader of the House**

##### *Regulations -*

Electricity Act 1945 (Electricity Amendment Regulations (No. 2) 2006 G.G. 31/10/2006) ..... 2222

Western Australian Meat Industry Authority Act 1976 (Western Australian Meat Industry  
Authority Amendment Regulations 2006 G.G. 03/11/2006)..... 2223

#### **Minister for Education and Training on behalf of Minister for Local Government and Regional Development**

##### *Local Laws -*

Local Government Act 1995 (Shire of Denmark Local Government Property Amendment Local  
Law 2006 G.G. 03/11/2006)..... 2224

#### **Parliamentary Secretary representing the Minister for Housing and Works on behalf of the Parliamentary Secretary representing the Minister for Planning and Infrastructure**

##### *By-laws -*

Aboriginal Communities Act 1979 (Parnpajinya Community By-laws 2006 G.G. 31/10/2006)..... 2225

##### *Regulations -*

Perry Lakes Redevelopment Act 2005 (Perry Lakes Redevelopment Regulations 2006  
G.G. 31/10/2006)..... 2226

**Parliamentary Secretary representing the Minister for Housing and Works**

*Rules -*

Lotteries Commission Act 1990 (Lotteries Commission (Super 66) Amendment Rules (No. 3)  
2006 G.G. 03/11/2006) ..... 2227

**4. Western Power Corporation and Mr Tony Iannello - Employment Agreement**

Hon George Cash: To move on the next day of sitting -

That -

- (1) Hon Kim Chance, Leader of the House representing the Minister for Energy table, within 3 days of this order, a true copy of the Executive Employment Agreement between Western Power Corporation and Mr Tony Iannello and any other contractual agreements between Western Power Corporation and Mr Tony Iannello.
- (2) If the House is not in session and sitting when the documents, the subject of the order, are due to be tabled, the Leader of the House 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 into the Department of Education and Training**

Motion No. 50 having been called.

Hon Norman Moore pursuant to notice, moved -

That -

- (1) A Select Committee of three Members is appointed, any two of whom constitute a quorum.
- (2) The Committee, and the proceedings of the Committee, are subject to Chapter XXII of Standing Orders and is to be regarded for all purposes as a committee appointed under that Chapter.
- (3) The Committee is to inquire into and report on -
  - (a) the circumstances surrounding the Management Initiated Retirements of Mr Paul Albert, former Director General and Mr Alby Huts, former Executive Director Human Resources, of the Department of Education and Training;
  - (b) the processes adopted by the Department of Education and Training in response to notification of inquiries by the Corruption and Crime Commission into allegations of sexual contact between departmental staff and children;
  - (c) the Department's response to the Corruption and Crime Commission Report into this matter; and
  - (d) such other relevant matters as the Committee considers appropriate.
- (4) The Committee may present interim reports without the requirement for leave.
- (5) The Committee is to report to the House no later than 30 June 2007.

Debate ensued.

Hon Giz Watson moved to amend the motion as follows -

“

- (1) To delete paragraphs 3(c) and (d) and insert instead -
 

“(c) the processes adopted by the Minister for Education and Training and her Office in relation to the inquiries referred to in the preceding paragraphs. “
- (2) To delete clause (4); and

- (3) In clause (5) to delete “30 June 2007” and insert instead -  
“7 December 2006”

”.

Debate ensued.

Amendments - put and passed.

Motion, as amended, agreed to.

## **6. Select Committee into the Department of Education and Training - Membership**

Hon Norman Moore moved, without notice -

That -

- (1) Hons Giz Watson, Graham Giffard and Norman Moore be appointed Members to the Select Committee into the Department of Education and Training.
- (2) Hon Giz Watson be appointed Chair.

Question - put and passed.

## **7. Community Development Employment Projects Scheme**

Motion No. 45 having been called, Hon Shelley Archer continued her introductory remarks in moving the motion as follows -

That this House condemns the Federal Government for their lack of appreciation of the detrimental impacts that will arise from the changes to the Community Development Employment Projects Scheme (CDEP) on Aboriginal people and other members of the community in regional Western Australia.

Debate ensued.

*Interruption pursuant to Sessional Order.*

## **8. Questions Without Notice**

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Health tabled, and by leave incorporated into Hansard, an answer in table format in relation to notifications of sexually transmitted infections in Western Australia of minors aged less than 14 years old, by area and age group for the period 1 January 2006 to 14 November 2006, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 2229).

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled a map of the current boundaries of the waters under the control of the Fremantle Port Authority, in response to a question without notice asked by Hon George Cash. (Tabled paper 2230).

The Parliamentary Secretary representing the Minister for Housing and Works tabled, and by leave incorporated into Hansard, an answer in relation to new affordable housing initiatives, in response to a question without notice asked by Hon Ray Halligan. (Tabled paper 2231).

The Parliamentary Secretary representing the Minister for Health tabled, and by leave incorporated into Hansard, an answer in relation to funding details for the Silver Chain Nursing Association from 2001-02 to 2006-07, in response to a question without notice asked by Hon Nigel Hallett. (Tabled paper 2232).

The Minister for Education and Training representing the Minister for the Environment in accordance with Standing Order No 138(d), advised that an answer to question on notice No. 4199 asked by Hon Giz Watson will be provided by 23 November 2006.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure in accordance with Standing Order No 138(d), advised that answers to questions on notice Nos 4201 and 4202 asked by Hon Giz Watson will be provided on 22 November 2006.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled a map in relation to proposed road realignment sketch, in response to a question on notice No. 3219 asked by Hon Paul Llewellyn. (Tabled paper 2233).

## **9. Consideration of Committee Reports and Ministerial Statements**

Pursuant to Sessional Orders for the consideration of Committee Reports and Ministerial Statements.

### **In Committee**

(Hon Louise Pratt in the Chair)

#### **Report on Official Travel to the United Kingdom of Great Britain and the Kingdom of Norway - Ministerial Statement and Tabled Paper**

The Order of the Day having been read, on the motion of Hon Bruce Donaldson, That the Ministerial Statement be noted.

Debate resumed.

Question - put and passed.

#### **Joint Standing Committee on the Corruption and Crime Commission - Report No. 7 - Report into Clarification Sought by the Joint Standing Committee on the Corruption and Crime Commission - Committee Report**

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

Debate ensued.

Question - put and passed.

*Interruption pursuant to Sessional Order.*

The Deputy President resumed the Chair.

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

- (1) Report on Official Travel to the United Kingdom of Great Britain and the Kingdom of Norway - Ministerial Statement and Tabled Paper and had noted same.
- (2) Joint Standing Committee on the Corruption and Crime Commission - Report No. 7 - Report into Clarification Sought by the Joint Standing Committee on the Corruption and Crime Commission - Committee Report and had noted same.

Report adopted.

## **10. Order of Business**

Ordered - That Orders of the Day Nos 321, *Contaminated Sites Regulations 2006 - Disallowance*, 322, *Western Australian College of Teaching Election Rules 2006 - Disallowance*, 330, *Fair Trading (Product Information Standard) Amendment Regulations 2006 - Disallowance*, 331, *Strata Titles General Amendment Regulations (No 4) 2006 - Disallowance*, be taken after Order of the Day No. 300, *Sunset Hospital Site Bill 2006*. (Leader of the House).

## **11. Family Court Amendment Rules 2006 - Disallowance - Discharge from Notice Paper**

Hon Ray Halligan moved, without notice -

That Order of the Day No. 316, *Family Court Amendment Rules 2006 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

**12. Daylight Saving Bill (No. 2) 2006**

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

Debate resumed.

*Interruption pursuant to Sessional Order.*

**13. Members' Statements**

Members' statements were taken.

**14. Adjournment**

The House adjourned at 10.08pm until Thursday, 16 November 2006 at 10.00am.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Jon Ford and Hon Margaret Rowe.

**MALCOLM PEACOCK**  
Acting Clerk of the Legislative Council

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