

FIRST HOME OWNER GRANT AMENDMENT BILL 2009

Council's Amendments

Amendments made by the Council now considered.

Consideration in Detail

The amendments made by the Council were as follows —

No 1

Page 5, after line 7 — To insert —

- (4A) A ***class 6 eligible transaction*** is an eligible transaction the commencement date of which is not before 1 October 2009 and not after the cut-off date that is a contract for the purchase of an established home.
- (4B) A ***class 7 eligible transaction*** is an eligible transaction the commencement date of which is not before 1 October 2009 and not after the cut-off date that is —
 - (a) a contract for the purchase of a new home or a substantially renovated home; or
 - (b) a comprehensive home building contract for a new home if —
 - (i) the building work begins within 26 weeks after the commencement date; and
 - (ii) the contract provides to the effect that the building work must be completed within 18 months after it begins or, if the contract does not provide for a completion date for the building work, it is completed within 18 months after it begins;or
- (c) the building of a new home by an owner builder if the eligible transaction is completed before the relevant date.

No 2

Page 13, lines 1 to 4 — To delete the lines and insert —

- (b) in relation to a home north of the 26th parallel of South Latitude, \$1 000 000, except that the regulations may prescribe another amount as the cap amount for the purposes of paragraph (a) or (b).

[Quorum formed.]

Leave granted for the amendments to be considered together.

Mr T.R. BUSWELL: I move —

That the amendments made by the Council be agreed to.

Mr M. McGOWAN: I think at this point it would be usual for the relevant minister to come to the table so that we have a proper debate on the amendments. We have a few questions that we want to ask on the amendments. I am just wondering what process the Treasurer is adopting.

The ACTING SPEAKER (Ms L.L. Baker): I believe the Treasurer can do it from his seat if he wishes.

Mr M. McGOWAN: If he wishes to; it is up to him. He appears to be slightly discombobulated by the events that have occurred around him.

Mr P.B. Watson: He has the Minister for Police advising him!

Mr M. McGOWAN: A minister knows he has trouble when the Minister for Police is his adviser on a piece of legislation.

I think the upper house amendments relate to the fact that consequent to our passing of the original bill through this house or consequent to the drafting of the original legislation, some changes were made at a federal level that extended the inflated amount of money that was being provided for first home owner grants. The change in dates contained within these amendments might relate to that inflated amount provided by the commonwealth.

Of course, this legislation is administering commonwealth grants, which are not state money. It is a scheme run by the state that administers commonwealth money and provides money to people who are purchasing their first house. The legislation is quite technical and I was therefore going to ask the Treasurer why, for a class 6 eligible transaction, the commencement date is moved to 1 October 2009, and what that will mean for the eligibility of a first home buyer vis-à-vis what we passed through the house some months ago.

Mr W.J. JOHNSTON: I understand that it is not just a message but that amendments will be moved by the Treasurer. The Treasurer's advisers briefed me yesterday on this matter. The Treasurer is listening very intently. I am feeling desperately under pressure because I expect the Treasurer to know more than I do. I understood that we need to amend the message to take account of matters relating to section 46 of the Constitution Act, which provides that legislation dealing with money matters cannot begin in the other house. I think the Treasurer is looking for somebody. Based on the briefing that the opposition was given yesterday, I do not think that anybody has a particular problem with any of the amendments, but I do not think the Treasurer should expect us just to wave them through. They are quite extensive and technical in nature. I would expect the Treasurer to be able to provide an explanation for us so that readers of *Hansard* can see why we are doing what we are doing, rather than simply saying that the issue should be agreed to.

Mr M. McGOWAN: We can spend some time discussing this because there must be some parts that the Treasurer can answer without the assistance of his advisers. In particular, there was some extensive debate in this house prior to this legislation going through some months ago. The opposition moved an amendment to the original legislation to allow the cap to be increased to \$1 million for houses north of the twenty-sixth parallel, which I am pleased to say the government agreed with. It is probably the only amendment moved by the opposition during the year in office of this government that the government has agreed to.

Mr T.R. Buswell: You will recall that I acknowledged that it was a good amendment.

Mr M. McGOWAN: It is imprinted on my memory that the Treasurer did that. However, the upper house has amended the amendment. I am unsure why upper house members have amended the amendment and how they have amended the amendment, and the reasoning behind it. I assume that the Treasurer would be au fait with that, considering the extent of the debate, and that he might be able to answer questions on that so that we can get to the bottom of why the upper house amended our amendment.

Mr R.F. JOHNSON: May I just make a suggestion? The opposition said to me a few moments ago that it was happy to bring this business on because it was virtually ready to deal with it, and there was some delay with the message from the Council on the hoon legislation amendments. I agreed to that, but, unfortunately, I was not aware that the Treasurer has some amendments. Therefore, if members opposite want to make comments on and share their concerns about these amendments from the Legislative Council, I urge them to do it. That will give the Treasurer an opportunity to come back with his advisers at a later stage of this day's sitting and be able to respond to any of those comments.

Mr D.A. TEMPLEMAN: To ensure bipartisan support for the house to continue to function appropriately, I am very pleased to make some remarks on the message from the other place about the First Home Owner Grant Amendment Bill 2009, which was returned with amendments. Amendment (4B) states —

A class 7 eligible transaction is an eligible transaction the commencement date of which is not before 1 October 2009 and not after the cut-off date ...

(a) a contract for the purchase of a new home or a substantially renovated home ...

Definitions always interest me. The member for Rockingham, as former Minister for Racing and Gaming, introduced legislation relating to small bars, and I note that the now Minister for Racing and Gaming swallowed his pride in a media article a few weeks back and stated that he had been concerned about the changes to the small bar legislation and that he had expressed some concern about those at the time.

Mr T.K. Waldron: I did not say I swallowed my pride; I said I had some trepidation about them, and I was very pleased that it did not turn out that way.

Mr D.A. TEMPLEMAN: That is right. The Labor Party was lobbied very heavily by the Australian Hotels Association and others about those changes to the law, but as it has come to pass, there has been a renaissance of small bars.

Madam Acting Speaker may be very puzzled as to where I am going with this, and so am I! My contribution relates to the word "substantially" in the amendment. It used to be that if a person attended licensed premises, he or she had to have a substantial meal. I remember there was a definition of what comprised a substantial meal. I remember there was always a debate about whether a bowl of chips actually comprised a substantial meal; yes, it does if it has got a dollop of sour cream and chilli added to it!

Extract from *Hansard*

[ASSEMBLY - Thursday, 24 September 2009]

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Mr Troy Buswell; Mr Mark McGowan; Acting Speaker; Mr Bill Johnston; Mr Rob Johnson; Mr David Templeman

I will return to the amendment, which includes the words “substantially renovated”. I am not sure there is a definition of what constitutes a substantial renovation. Is it an alteration to 50 per cent of the house, 25 per cent of the house or 30 per cent of the house? I am interested to hear the Treasurer’s response about what is considered to be a substantial renovation, just as a substantial meal in licensed premises had to be defined. Some would say I am making a meal of this contribution!

Mr R.F. Johnson: But it’s the way the meal is presented!

Mr D.A. TEMPLEMAN: Quite likely! I am interested in the Treasurer’s response to my very, very important query when he has an opportunity to rise!

Debate adjourned, on motion by **Mr R.F. Johnson (Leader of the House)**.