

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 165

THURSDAY, 18 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. Petition

Hon Barbara Scott presented a petition from 410 residents of Western Australia requesting the Legislative Council oppose the commercial sexual exploitation of women, men, girls and boys as proposed through the legalization of brothels by the *Prostitution Amendment Bill 2007*. (Tabled paper 3416).

3. Papers

The following Papers were laid on the Table by -

Leader of the House

By-laws -

Water Agencies (Powers) Act 1984 (Water Agencies (Water Use) By-laws 2007
G.G. 28/09/2007)..... 3388

Regulations -

Rights in Water and Irrigation Act 1914 (Rights in Water and Irrigation Amendment
Regulations (No. 2) 2007 G.G. 12/10/2007)..... 3389

Water Agencies (Powers) Act 1984 (Water Agencies (Infringements) Amendment Regulations
2007 G.G. 28/09/2007) 3390

Response to Reports -

Report of the Standing Committee on Environment and Public Affairs in relation to
chemical use by the Agriculture Protection Board 1970-1985 (Minister for
Agriculture and Food)..... 3391

Minister for Local Government

Local Laws -

Local Government Act 1995 (City of South Perth Parking Amendment Local Law 2007
G.G. 05/10/2007, Shire of Boddington - Local Law relating to Livestock in Public Places and
Wandering at Large 2007 G.G. 25/09/2007, and Shire of Manjimup - Landfill and Waste
Transfer Station Facilities Local Law 2006 G.G. 02/10/2007)..... 3392

Regulations -

Betting Control Act 1954 (Betting Control Amendment Regulations (No. 4) 2007 G.G. 09/10/2007) ..	3393
Casino Control Act 1984 (Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2007 G.G. 09/10/2007 and Casino Control Amendment Regulations 2007 G.G. 09/10/2007)	3394
Gaming and Wagering Commission Act 1987 (Gaming and Wagering Commission Amendment Regulations 2007 G.G. 09/10/2007)	3395
Liquor Control Act 1988 (Liquor Control Amendment Regulations (No. 2) 2007 G.G. 28/09/2007, Liquor Control Amendment Regulations (No. 3) 2007 G.G. 09/10/2007, and Liquor Control Amendment Regulations (No. 5) 2007 G.G. 02/10/2007)	3396
Local Government (Miscellaneous Provisions) Act 1960 (Building Amendment Regulations (No. 4) 2007 G.G. 05/10/2007)	3397
Racing and Wagering Western Australia Act 2003 (Racing and Wagering Western Australia Amendment Regulations (No. 3) 2007 G.G. 09/10/2007)	3398
Racing Penalties (Appeals) Act 1990 (Racing Penalties (Appeals) Amendment Regulations 2007 G.G. 09/10/2007)	3399

Rules -

Liquor Control Act 1988 (Liquor Commission Rules 2007 G.G. 05/10/2007)	3400
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Minister for Regional Development*Annual Reports -*

Court Security and Custodial Services (2006-2007) (Date received 17/10/2007)	3401
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Orders -

Fish Resources Management Act 1994 (Fishing for Invertebrates (Notice No. 366) Amendment Order 2007 [825] G.G. 28/09/2007, Prohibition on Fishing (Coral, 'Live Rock' and Algae) Order 2007 [816] G.G. 28/09/2007, and Prohibition on Fishing (Diving) Amendment Order (No. 2) 2007 [824] G.G. 28/09/2007)	3402
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Regulations -

Criminal Investigation (Identifying People) Act 2002 (Criminal Investigation (Identifying People) Amendment Regulations 2007 G.G. 02/10/2007)	3403
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Minister for Child Protection*Directions -*

Workers' Compensation and Injury Management Act 1981 (WorkCover WA Guides for the evaluation of Permanent Impairment - Second Edition G.G. 09/10/2007)	3404
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Notices -

Professional Standards Act 1997 (The Institute of Chartered Accountants in Australia (Western Australia) Scheme G.G. 28/09/2007)	3405
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Regulations -

Gas Standards Act 1972 (Gas Standards (Infringement Notices) Amendment Regulations 2007 G.G. 09/10/2007)	3406
Health Act 1911 (Health (Aquatic Facilities) Regulations 2007 G.G. 28/09/2007 and Health (Cervical Cytology Register) Amendment Regulations 2007 G.G. 02/10/2007)	3407
Occupational Safety and Health Act 1984 (Occupational Safety and Health Amendment Regulations (No. 4) 2007 G.G. 02/10/2007)	3408
Poisons Act 1964 (Poisons Amendment Regulations (No. 4) 2007 G.G. 02/10/2007)	3409

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Regulations -

Fair Trading Act 1987 (Fair Trading (Product Safety Standard) Amendment Regulations 2007 G.G. 12/10/2007).....	3410
Perth Parking Management Act 1999 (Perth Parking Management Amendment Regulations 2007 G.G. 28/09/2007).....	3411
Port Authorities Act 1999 (Port Authorities Amendment Regulations (No. 5) 2007 G.G. 02/10/2007).....	3412
Road Traffic Act 1974 (Road Traffic (Blood Sampling and Analysis) Amendment Regulations 2007 G.G. 11/10/2007, Road Traffic Code Amendment Regulations (No. 3) 2007 G.G. 02/10/2007, Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2007 G.G. 11/10/2007, Road Traffic (Drug Driving) Regulations 2007 G.G. 11/10/2007, Road Traffic (Freight Containers on Prohibited Roads) Regulations 2007 G.G. 02/10/2007, and Road Traffic (Urine Sampling and Analysis) Amendment Regulations 2007 G.G. 11/10/2007).....	3413

Parliamentary Secretary representing the Minister for Planning and Infrastructure on behalf of the Parliamentary Secretary representing the Minister for the Environment

Regulations -

Swan and Canning Rivers Management Act 2006 (Swan and Canning Rivers Management Regulations 2007 G.G. 25/09/2007)	3414
Swan and Canning Rivers (Consequential and Transitional Provisions) Act 2006 (Swan and Canning Rivers (Transitional) Regulations 2007 G.G. 25/09/2007 and Swan and Canning Rivers (Transitional) Regulations (No. 2) 2007 G.G. 26/09/2007).....	3415

4. Standing Committee on Uniform Legislation and Statutes Review - Twenty-Third Report - Human Reproductive Technology Amendment Bill 2007

Hon Simon O'Brien presented the Twenty-Third Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Human Reproductive Technology Amendment Bill 2007*. (Tabled paper 3417).

Hon Simon O'Brien moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Commission on Government - Call for Establishment

Motion No. 53 having been called, 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.

Interruption of Debate [SO 195].

6. Consideration of Committee Reports

Pursuant to Standing Orders for the consideration of Committee Reports.

In Committee

(Hon Ken Travers in the Chair)

Standing Committee on Environment and Public Affairs - Report No. 7 - A Petition into the Proposed Marina at Point Peron - Committee Report

The Order of the Day having been read, Hon Kate Doust continued her introductory remarks in moving, That the Report be noted.

Debate ensued.

Question - put and passed.

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

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

Want of Quorum

There not being a quorum present, the Deputy Chairman gave instructions for the ringing of the Bells. A quorum being formed, the debate continued.

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) Standing Committee on Environment and Public Affairs - Report No. 7 - A Petition into the Proposed Marina at Point Peron - Committee Report and had noted same.
- (2) Select Committee into the Department of Education and Training - Committee Report, made progress, and asked leave to sit again.

Report adopted.

7. 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* and 490, *Rights in Water and Irrigation Amendment Regulations 2007 - Disallowance*, be taken after Order of the Day No. 478, *Surrogacy Bill 2007*. (Leader of the House).

8. Water Resources Legislation Amendment Bill 2006

The Order of the Day having been read for the third reading of this Bill.

The Minister for Local Government moved, That the Bill be now read a third time.

The Deputy President having reported that the Deputy 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.

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

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

10. Questions Without Notice

Questions without notice were taken.

The Minister for Child Protection representing the Attorney General tabled documents in relation to the appointment and termination of tenure of Ms Wookey as Acting Freedom of Information Commissioner, in response to a question without notice asked by Hon Norman Moore. (Tabled paper 3418).

The Leader of the House representing the Minister for Energy tabled, and by leave incorporated into Hansard, an answer in relation to an announcement by Western Power, welcoming Grange Resources Limited's decision to proceed with its preferred Southdown transmission line, in response to a question without notice asked by Hon Paul Llewellyn. (Tabled paper 3419).

The Leader of the House representing the Minister for South West in accordance with Standing Order No. 138(d), advised that an answer to question on notice No. 5436 asked by Hon Barry House will be provided by 15 November 2007.

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

Debate resumed on the second reading of this Bill (cf item 9 above).

Interruption of Debate [SO 61(b)].

12. Adjournment

The Minister for Regional Development moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 5.08pm until Tuesday, 23 October 2007 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members.

Member granted leave: Hon Sally Talbot.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council