

# LEGISLATIVE COUNCIL

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## MINUTES OF PROCEEDINGS

No. 164

WEDNESDAY, 17 OCTOBER 2007

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### 1. Meeting of Council

The Council assembled at 4.00pm pursuant to order.

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

### 2. Message from His Excellency the Governor - Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills -

16 October 2007 - Message No. 33	Act No.
State Superannuation Amendment Bill 2007	25 of 2007
Taxi Amendment Bill 2007	26 of 2007

### 3. Petition

Hon Barbara Scott presented a petition from 572 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 3380).

### 4. Ministerial Statement - Carers Week

The Minister for Child Protection made a Ministerial Statement with respect to Carers Week.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

### 5. Ministerial Statement - Greater Bunbury Region Scheme

The Parliamentary Secretary representing the Minister for Planning and Infrastructure made a Ministerial Statement with respect to the Greater Bunbury Region Scheme.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled the following -

#### *Maps -*

Greater Bunbury Region Scheme - Maps, Sheets 1-23 ..... 3381A-W

#### *Reports -*

Greater Bunbury Region Scheme - Draft 7b ..... 3382A

Greater Bunbury Region Scheme - Volume 1, Report on Submissions, Strategic Minerals and Basic Raw Materials Resource Policy 2005, Strategic Agriculture Resource Policy 2005, Floodplain Management Policy 2005 and Map.....	3382B
Greater Bunbury Region Scheme - Volume 2, Submission Summaries and Determinations .....	3382C
Greater Bunbury Region Scheme - Volume 3, Responses to Environmental Issues .....	3382D
Greater Bunbury Region Scheme - Volume 5a, Submissions nos. 001-116 .....	3382E
Greater Bunbury Region Scheme - Volume 5b, Submissions nos. 117-184.....	3382F
Greater Bunbury Region Scheme - Volume 5c, Submissions nos. 185-231 .....	3382G
Greater Bunbury Region Scheme - Volume 5d, Submissions nos. 232-253 .....	3382H
Greater Bunbury Region Scheme - Volume 5e, Submissions nos. 254-272 .....	3382I
Greater Bunbury Region Scheme - Volume 6a, Transcripts of Public Hearings Days 1, 2, 3 and 4 of 7 days.....	3382J
Greater Bunbury Region Scheme - Volume 6b, Transcripts of Public Hearings Days 5, 6 and 7 of 7 days.....	3382K

Ordered - That consideration of the Ministerial Statement and Tabled papers be made an Order of the Day for the next sitting.

#### **6. Ministerial Statement - Metropolitan Regional Scheme Amendments 1115/33 to 1118/33 - Jandakot Structure Plan**

The Parliamentary Secretary representing the Minister for Planning and Infrastructure made a Ministerial Statement with respect to the Metropolitan Regional Scheme Amendment - Jandakot Structure Plan.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled the following -

##### *Maps -*

Metropolitan Regional Scheme Amendment 1115/33 - Jandakot Structure Plan, Cell 2 - Wandi .....	3383A
Metropolitan Regional Scheme Amendment 1116/33 - Jandakot Structure Plan, Cell 3 - Anketell .....	3383B
Metropolitan Regional Scheme Amendment 1117/33 - Jandakot Structure Plan, Cell 4 - Casuarina .....	3383C
Metropolitan Regional Scheme Amendment 1118/33 - Jandakot Structure Plan, Cell 5 - Wellard (East).....	3383D

##### *Reports -*

Metropolitan Regional Scheme Amendment 1115/33 - Jandakot Structure Plan, Cell 2 - Wandi .....	3384A
Metropolitan Regional Scheme Amendment 1116/33 - Jandakot Structure Plan, Cell 3 - Anketell .....	3384B
Metropolitan Regional Scheme Amendment 1117/33 - Jandakot Structure Plan, Cell 4 - Casuarina .....	3384C
Metropolitan Regional Scheme Amendment 1118/33 - Jandakot Structure Plan, Cell 5 - Wellard (East).....	3384D

Metropolitan Regional Scheme Amendment - Amendments within the Southwest District, Transcripts of Hearings - 1115/33, 1116/33, 1117/33, and 1118/33 .... 3384E

Ordered - That consideration of the Ministerial Statement and Tabled papers be made an Order of the Day for the next sitting.

## 7. Papers

The following Papers were laid on the Table by -

### **President**

#### *Addendums -*

Amendment to Premier and Cabinet Annual Report (2006-2007) ..... 3360

#### *Auditor General's Papers -*

Performance Examination - First Do No Harm: Reducing Adverse Events in Public Hospitals (Report No. 10) (October 2007) (Deemed tabled 17/10/2007) ..... 3361

### **Leader of the House**

#### *Annual Reports -*

Agriculture Produce Commission (2006-2007) (Date received 17/10/2007) ..... 3362

Agriculture Protection Board (2006-2007) (Date received 17/10/2007) ..... 3363

Energy, Office of (2006-2007) (Date received 17/10/2007) ..... 3364

Horizon Power (2006-2007) (Date received 17/10/2007) ..... 3365

Rural Business Development Corporation (2006-2007) (Dated received 17/10/2007) ..... 3366

Verve Energy (2006-2007) (Date received 17/10/2007) ..... 3367

### **Minister for Child Protection**

#### *Annual Reports -*

Drug and Alcohol Office (2006-2007) (Date received 16/10/2007) ..... 3368

Health, Department of (2006-2007) (Date received 16/10/2007) ..... 3369

Reproductive Technology Council (2006-2007) (Date received 16/10/2007) ..... 3370

#### *Annual Reports - Hospitals -*

Metropolitan Health Service (2006-2007) (Date received 16/10/2007) ..... 3371

Peel Health Service (2006-2007) (Date received 16/10/2007) ..... 3372

WA Country Health Service (2006-2007) (Date received 16/10/2007) ..... 3373

### **Parliamentary Secretary representing the Minister for Planning and Infrastructure**

#### *Annual Reports -*

Culture and the Arts, Department of (2006-2007) (Date received 16/10/2007) ..... 3374

#### *Reports -*

Albany Port Authority - Statement of Corporate Intent (July 2007-June 2008) ..... 3375

Bunbury Port Authority - Statement of Corporate Intent (2007-2008) ..... 3376

Dampier Port Authority - Statement of Corporate Intent (2007-2008) ..... 3377

Fremantle Ports - Statement of Corporate Intent (2007-2008) ..... 3378

Geraldton Port Authority - Statement of Corporate Intent (March 2007) ..... 3379

## **8. Leave of Absence - Hon Sally Talbot**

The Leader of the House moved without notice -

That leave of absence be granted to Hon Sally Talbot for five sitting days due to personal business.

Question - put and passed.

## **9. 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.

## **10. Questions Without Notice**

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled documents in relation to water tests conducted in the vicinity of the bypass discharge pipe located near the Wonnerup Beach, in response to a question without notice asked by Hon Nigel Hallett. (Tabled paper 3385).

The Minister for Child Protection tabled a document from the Department of Child Protection titled "Current Guideline Placement Procedures Manual - Pertaining to Young People Leaving the Premises" (revised section 2.3), in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 3386).

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled a list of names of members of advisory bodies and if any of these people received payments, under the Minister for Planning and Infrastructure's portfolio over the past two years, in response to question on notice No. 5060 asked by Hon Helen Morton. (Tabled paper 3387).

## **11. Commission on Government - Call for Establishment**

Debate resumed on the motion of Hon Giz Watson (cf item 9 above).

*Interruption of Debate* [SO 195].

## **12. 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).

**13. Curtin University of Technology - Statute No. 7 - The Council - Disallowance - Discharge from Notice Paper**

The Order of the Day having been read, Hon Ray Halligan moved, without notice -

That Order of the Day No. 488, *Curtin University of Technology - Statute No. 7 - The Council - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

**14. Fish Resources Management Amendment Bill 2006**

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

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

Debate ensued.

The Acting 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.

**15. Water Resources Legislation Amendment Bill 2006**

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Minister for Regional Development moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

**16. 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.

*Want of Quorum*

There not being a quorum present, the Acting President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

*Want of Quorum*

There not being a quorum present, the Acting President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

*Want of Quorum*

There not being a quorum present, the Acting President gave instructions for the ringing of the Bells.

A quorum being formed, the debate continued.

*Interruption of Debate* [SO 61(b)].

**17. Adjournment**

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

Question - put and passed.

The House adjourned at 10.00pm until Thursday, 18 October 2007 at 11.00am.

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

Attendance: Present all Members except Hon Vincent Catania.

Member granted leave: Hon Sally Talbot.

**MALCOLM PEACOCK**  
Clerk of the Legislative Council

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