

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 188

WEDNESDAY, 12 MARCH 2008

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. Petitions

Hon Simon O'Brien presented a petition from 591 residents of Western Australia, requesting the Legislative Council to oppose the export of containerised lead concentrate through the port of Fremantle. (Tabled paper 3755).

Hon Ray Halligan presented a petition from 1 215 residents of Western Australia, requesting the Legislative Council to oppose the *Real Estate and Business Agents Amendment Bill 2007*. (Tabled paper 3756).

3. Paper

The following Paper was laid on the Table by -

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Leases -

CALM Lease No. 2236/100 - Between CALM and OPTUS Mobile Pty Ltd - Portion
of Reserve 11933, for a mobile telephone base station..... 3754

4. Terms of Reference - Standing Committee on Procedure and Privileges

The Leader of the House moved, without notice -

That Motion No. 74, *Terms of Reference - Standing Committee on Procedure and Privileges*
be made an Order of the Day for a later stage of this day's sitting.

Question - put and passed.

5. Health, Education and Law and Order - Crises

Motion No. 63 having been called, Hon Ray Halligan continued his introductory remarks in moving the following motion -

That this House condemns the Government for refusing to acknowledge that over its terms in office it has contributed to the crises continuing to plague our communities in the areas of health, education and law and order.

6. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure tabled documents in relation to a Memorandum of Understanding between the Governments of the State of Western Australia and the Democratic Republic of Timor-Leste, in response to a question without notice asked by Hon Simon O'Brien. (Tabled paper 3757).

The Minister for Local Government representing the Minister for Education and Training tabled, and by leave incorporated into Hansard, an answer in relation to details of the current remuneration bands applicable to the Western Australia Country Teaching Program in both rural and remote areas, in response to a question without notice asked by Hon George Cash. (Tabled paper 3758).

The Minister for Employment Protection representing the Minister for Police and Emergency Services tabled, and by leave incorporated into Hansard, an answer in relation to the details of the number of cannabis infringement notices that have been issued by police under sections 5(1), 6(1) and 7(1) of the *Cannabis Control Act 2003*, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 3759).

The Minister for Child Protection representing the Minister for Health tabled, and by leave incorporated into Hansard, documents in relation to a list of schools in the South West region that have nurses, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 3760).

The Minister for Child Protection representing the Minister for Health tabled details in relation to the Joondalup Health Campus, in response to a question on notice No. 5743 asked by Hon Ray Halligan. (Tabled paper 3761).

7. Health, Education and Law and Order - Crises

Continuation of introductory remarks by Hon Ray Halligan in moving the motion (cf item 5 above).

Interruption of Debate [SO 195].

8. Order of Business

That Order of the Day No. 547, *Prohibition on Commercial Fishing (Metropolitan Waters) Order 2007 - Disallowance* be made an Order of the Day for a later stage of this day's sitting. (Leader of the House).

Ordered - That Order of the Day No. 568, *Rights in Water and Irrigation Amendment Regulations (No. 3) 2007 - Disallowance*, be taken after Order of the Day No. 500, *Occupational Safety and Health Legislation Amendment Bill 2007*. (Leader of the House).

9. Prostitution Amendment Bill 2007

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

Debate ensued.

Hon Simon O'Brien moved, without notice -

That Order of the Day No. 530, the *Prostitution Amendment Bill 2007* be discharged and referred to the Standing Committee on Legislation for consideration and report.

Debate ensued.

Question - put.

The House divided.

Ayes (12)

Hon George Cash
 Hon Wendy Duncan
 Hon Brian Ellis
 Hon Donna Faragher
 Hon Anthony Fels
 Hon Ray Halligan

Hon Barry House
 Hon Robyn McSweeney
 Hon Norman Moore
 Hon Helen Morton
 Hon Simon O'Brien
 Hon Bruce Donaldson (*Teller*)

Noes (13)

Hon Shelley Archer
 Hon Kim Chance
 Hon Kate Doust
 Hon Sue Ellery
 Hon Adele Farina
 Hon Jon Ford
 Hon Paul Llewellyn

Hon Sheila Mills
 Hon Ljiljanna Ravlich
 Hon Sally Talbot
 Hon Ken Travers
 Hon Giz Watson
 Hon Graham Giffard (*Teller*)

Question thus negatived.

Debate resumed on the second reading of the Bill.

On the motion of the Leader of the House the debate was adjourned to the next sitting.

10. Order of Business

Ordered - That Order of the Day No. 547, *Prohibition on Commercial Fishing (Metropolitan Waters) Order 2007 - Disallowance*, be now taken. (Leader of the House).

11. Prohibition on Commercial Fishing (Metropolitan Waters) Order 2007 - Disallowance

Pursuant to SO 152(b) the following motion was moved *pro forma* by Hon Bruce Donaldson -

That the *Prohibition on Commercial Fishing (Metropolitan Waters) Order 2007* published in the *Gazette* on 13 November 2007 and tabled in the Legislative Council on 22 November 2007 under the *Fish Resources Management Act 1994*, be and is hereby disallowed. (Tabled paper 3528).

Debate ensued.

Question - put and negatived.

12. Adjournment

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

Question - put and passed.

The House adjourned at 9.58pm until Thursday, 13 March 2008 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ken Baston and Hon Matt Benson-Lidholm.

Member granted leave: Hon Barbara Scott.

MALCOLM PEACOCK
 Clerk of the Legislative Council

HON NICK GRIFFITHS
 President of the Legislative Council