

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 48

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

THURSDAY, 20 OCTOBER 2005

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Deputy Speaker took the Chair.

Prayers were read.

2. Personal Explanation

Mr M.J. Birney made a personal explanation on incorrect information provided by him during debate on Wednesday, 19 October 2005 regarding the disclosure of a sponsored tour undertaken by four Legislative Council members.

3. Petition

Domestic Hazardous Waste Collection Service - Dr J.M. Edwards presented a petition from 105 persons requesting that funding be provided for a service that collects hazardous waste directly from householders and that legislation for a deposit recovery scheme on each item of hazardous waste collected be introduced (P. 65).

4. Papers

The following papers were presented and ordered to lie upon the Table of the House -

Agriculture Protection Board of Western Australia - Annual Report 2004-2005 (929).

Conservation and Land Management, Department of [CALM] - Annual Report 2004-2005 (930).

Consumer and Employment Protection, Department of - Annual Report 2004-2005 (931).

Education and Training, Department of - Annual Report 2004-2005 (932).

Education Services, Department of - Annual Report 2004-2005 (933).

Gold Corporation - Annual Report 2004-2005 (934).

Health, Department of - Annual Report 2004-2005 (935).

Industry and Resources, Department of - Annual Report 2004-2005 (936).

Institute of Sport, The Western Australian - Annual Report 2004-2005 (937).

Members of Parliament Interstate and Overseas Travel - Report of Interstate and Overseas Travel Undertaken by Members of Parliament on Official Business funded by the Imprest System for the three months ended 30 September 2004 (938).

Parole Board, Western Australia - Annual Report 2004-2005 (939).

Premier and Cabinet, Department of - Annual Report 2004-2005 (940).

Public Education Endowment Trust - Annual Report 2004-2005 (941).

Public Trustee Western Australia - Annual Report 2004-2005 (942).

Small Business Development Corporation - Annual Report 2004-2005 (943).

Sport and Recreation, Department of - Annual Report 2004-2005 (944).

Water and Rivers Commission - Annual Report 2004-2005 (945).

Zoological Parks Authority - Annual Report 2004-2005 (946).

5. Notice of Motion Lapsed

The Speaker advised that Private Members' Notice of Motion No. 4 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

6. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Tourism on his official travel to Hong Kong, China, South Korea and Japan.

The Minister for Housing and Works on new Kimberley region programs aimed at improving health and living standards in Aboriginal communities.

7. Grievances

The Deputy Speaker called for grievances which were then made.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Minister for the Environment -

Canning Vale Wetlands - Conservation Category Wetlands, West Canning Vale Outline Development Plan, Glenariff Estate, 8 June 2005 (947).

8. Variation to the Order of Business

Ordered, That Bills Notice of Motion No. 6 be next considered.

9. Taxi Amendment Bill 2005

The Minister for Planning and Infrastructure, pursuant to notice, moved,

That a Bill for "An Act to amend the *Taxi Act 1994*." be introduced and read a first time.

Question put and passed.

The Minister for Planning and Infrastructure presented an explanatory memorandum and Bill read a first time.

The Minister for Planning and Infrastructure moved, That the Bill be now read a second time.
 Dr G.G. Jacobs moved, That the debate be adjourned.
 Question put and passed.

10. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 1 be next considered.

11. Consumer Protection Legislation Amendment and Repeal Bill 2005

The Order of the Day for the resumption of the debate upon the second reading of the Bill was read.
 Debate resumed.
 Question put and passed.
 Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 26 agreed to.

Clause 27.

The Minister for Consumer and Employment Protection moved,

Page 15, lines 16 to 20 - To delete the lines and substitute -

“

- (d) a person, other than a licensee, when performing a prescribed duty as an agent for the owner of premises ordinarily used for holiday accommodation, whether or not for consideration, in respect of the right of a person to occupy those premises for a period of not more than 3 consecutive months.

”.

Page 15, lines 22 to 28 — To delete the lines.

Amendments put and passed.

Clause, as amended, agreed to.

Clauses 28 to 38 agreed to.

Title agreed to.

Consideration in detail concluded.

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

12. Variation to the Order of Business

Ordered, That Bills Notices of Motion Nos 1 to 5 be next considered.

13. Criminal Code Amendment (Cyber Predators) Bill 2005

The Attorney General, pursuant to notice, moved,

That a Bill for “An Act to amend *The Criminal Code* and, in consequence, to amend the *Working With Children (Criminal Record Checking) Act 2004*.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and Bill read a first time.

The Attorney General moved, That the Bill be now read a second time.

Debate ensued.

Parliamentary Privilege - Allegations of breach of parliamentary privilege against the Chairman of the Joint Standing Committee on the Corruption and Crime Commission

Ms S.E. Walker raised a matter of privilege, in accordance with Standing Order No. 109.

The Speaker deferred the matter and undertook to report back to the House at a later stage of the sitting.

Debate resumed.

Mr M.J. Cowper moved, That the debate be adjourned.

Question put and passed.

14. Legal Aid Commission Amendment Bill 2005

The Attorney General, pursuant to notice, moved,

That a Bill for “An Act to amend the *Legal Aid Commission Act 1976*.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and Bill read a first time.

The Attorney General moved, That the Bill be now read a second time.

Mr M.J. Cowper moved, That the debate be adjourned.

Question put and passed.

15. Commonwealth Powers (De Facto Relationships) Bill 2005

The Attorney General, pursuant to notice, moved,

That a Bill for “An Act to refer certain superannuation matters arising out of the breakdown of de facto relationships to the Parliament of the Commonwealth for the purposes of section 51 (xxvii) of the Constitution of the Commonwealth.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and Bill read a first time.

The Attorney General moved, That the Bill be now read a second time.

Mr M.J. Cowper moved, That the debate be adjourned.

Question put and passed.

16. Medical Radiation Technologists Bill 2005

The Minister for Health, pursuant to notice, moved,

That a Bill for “An Act to –

- provide for the regulation of the practice of medical radiation technology and the registration of natural persons as medical radiation technologists;
- amend the *Radiation Safety Act 1975*;
- make consequential amendments to various Acts,

and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Health presented an explanatory memorandum and Bill read a first time.

The Minister for Health moved, That the Bill be now read a second time.

Mr M.J. Cowper moved, That the debate be adjourned.

Question put and passed.

17. Residential Parks (Long-stay Tenants) Bill 2005

The Minister for Consumer and Employment Protection, pursuant to notice, moved,

That a Bill for “An Act to regulate the relationship between the operators of residential parks and tenants who live in such parks for extended periods, to consequentially amend certain other Acts, and for related purposes.” be introduced and read a first time.

Question put and passed.

The Minister for Consumer and Employment Protection presented an explanatory memorandum and Bill read a first time.

The Minister for Consumer and Employment Protection moved, That the Bill be now read a second time.

Dr G.G. Jacobs moved, That the debate be adjourned.

Question put and passed.

18. Speaker's Statement - Matter of Privilege - Allegations of breach of parliamentary privilege against the Chairman of the Joint Standing Committee on the Corruption and Crime Commission

The Speaker advised members that the matters raised by the Member for Nedlands were sufficient to warrant consideration by the House so that the House can consider whether the matters should be referred to the Procedure and Privileges Committee. However, he was not satisfied that it should have priority as it was not raised at the earliest opportunity. Accordingly, he directed that the matter be placed on the Notice Paper for consideration at the next sitting of the Assembly.

19. Metropolitan Region Improvement Tax Amendment Bill 2005

Message No. 30 dated 19 October 2005 from the Legislative Council was reported agreeing to the Bill without amendment.

20. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 7 and 8 be next considered.

21. Oaths, Affidavits and Statutory Declarations Bill 2005

The Attorney General, pursuant to notice, moved,

That a Bill for “An Act about oaths, affidavits and statutory declarations and for related purposes.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and Bill read a first time.

Leave was granted to proceed forthwith to the second reading of the Bill.

The Attorney General moved, That the Bill be now read a second time.

Dr G.G. Jacobs moved, That the debate be adjourned.

Question put and passed.

22. Oaths, Affidavits and Statutory Declarations (Consequential Provisions) Bill 2005

The Attorney General, pursuant to notice, moved,

That a Bill for “An Act to –

- repeal the *Declarations and Attestations Act 1913* and various adopted Imperial Acts; and
- amend various Acts,

as a consequence of the enactment of the *Oaths, Affidavits and Statutory Declarations Act 2005*, and for related purposes.” be introduced and read a first time.

Question put and passed.

The Attorney General presented an explanatory memorandum and Bill read a first time.

Leave was granted to proceed forthwith to the second reading of the Bill.

The Attorney General moved, That the Bill be now read a second time.

Dr G.G. Jacobs moved, That the debate be adjourned.

Question put and passed.

23. Planning and Development Bill 2005

Message No. 28 dated 19 October 2005 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Planning and Development Bill 2005* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Planning and Development Bill 2005

No. 1

Clause 145, page 98, after line 19 - To insert -

“

- (3) If a subdivision is being carried out in stages, a diagram or plan of survey of the subdivision may be submitted to the Commission under subsection (1) in relation to a stage of subdivision.

”.

No. 2

Clause 145, page 98, line 20 - To insert before “If” -

“ Subject to subsection (5), ”.

No. 3

Clause 145, page 98, line 23 - To delete “conditions,” and insert instead -

“

conditions —

- (i)

”.

No. 4

Clause 145, page 98, after line 26 - To insert -

“

or

- (ii) in the case of a diagram or plan of survey submitted in relation to a stage of subdivision, the conditions imposed in relation to that stage of subdivision, or that in the opinion of the Commission are relevant to that stage of subdivision or the subdivision as a whole, have been complied with or will be complied with at the time a certificate of title is created or registered,

”.

No. 5

Clause 145, page 98, after line 28 - To insert -

“

- (5) If, in the case of a diagram or plan of survey submitted in relation to a stage of subdivision, the Commission is of the opinion that, because of planning considerations, it is not appropriate to approve the diagram or plan of survey, the Commission may refuse to endorse its approval on the diagram or plan of survey.

”.

No. 6

Clause 173, page 124, line 5 - To insert after “compensation” -

“ on just terms ”.

No. 7

Clause 249, page 179, lines 8 and 9 - To delete “under section 103(2)” and insert -

“ to carry out development under an interim development order ”.

No. 8

Clause 249, page 179, after line 21 - To insert -

“

- (3) The Commission is to be taken to have refused an application for approval to carry out development under a regional interim development order, and a local government is to be taken to have refused an application for approval to carry out development under a local interim development order, if the Commission or the local government, as the case requires, has not given its decision on that application to the applicant —
 - (a) within a period of 60 days after the receipt by the local government or Commission of the application; or
 - (b) in the case of land in relation to which the application has been referred to the Heritage Council in accordance with the interim development order, within a period of 60 days after referring the application.

”.

No. 9

Clause 250, page 179, line 24 - To delete “has under section 115” and insert -

“ under section 115 has ”.

No. 10

Clause 250, page 180, after line 6 - To insert -

“

- (3) If the Commission has not within 60 days of receiving an application forwarded to it under section 115(3) given its decision on that application to the applicant, the application is to be taken to have been refused.

”.

Ordered by leave, That consideration in detail of Legislative Council message No. 28 be made an Order of the Day for a later stage of the sitting.

24. Planning and Development (Consequential and Transitional Provisions) Bill 2005

Message No. 29 dated 19 October 2005 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Planning and Development (Consequential and Transitional Provisions) Bill 2005* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Planning and Development (Consequential and Transitional Provisions) Bill 2005

No. 1

New Part, page 15, after Clause 30 - To insert the following new Part -

“

Part 4 — Validation provision**31. Validation of certain endorsed approvals**

Any approval of the Commission endorsed on a diagram or plan of survey of a stage of a subdivision under the *Town Planning and Development Act 1928* before the coming into operation of this section is taken to be, and always to have been, as valid and effective as it would have been if section 145 of the *Planning and Development Act 2005* had been in operation at the time of the endorsement and the approval had been endorsed under that section.

”.

No. 2

Schedule 2, page 27, after line 23 - To insert -

“

19. Electricity Corporations Act 2005

- (1) Section 60(3) is amended as follows —
- (a) by deleting “*Town Planning and Development Act 1928* sections 7B(7) and 10AB(1)” and inserting instead —

“ *Planning and Development Act 2005* sections 221 and 218 ”.

(b) in paragraph (b) by deleting “town” and inserting instead —

“ local ”.

(2) Section 60(5) is amended by deleting “*Town Planning and Development Act 1928*” and inserting instead —

“ *Planning and Development Act 2005* ”.

”.

Ordered by leave, That consideration in detail of Legislative Council message No. 29 be made an Order of the Day for a later stage of the sitting.

25. Railway Discontinuance Bill 2005

The Order of the Day for the resumption of the debate upon the second reading of the Bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Minister for Planning and Infrastructure moved, That the Bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

26. Anzac Day Amendment Bill 2005

The Order of the Day for the resumption of the debate upon the second reading of the Bill was read.

Debate resumed.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

27. Members' Statements

The Speaker called for members' statements which were then made.

28. Questions

Questions without notice were taken.

Question on notice No. 441 was asked.

Questions on notice Nos 237, 440, 441, 448 and 458 were answered.

29. Matter of Public Interest - Management of Ministerial Portfolios

The Speaker informed the Assembly that he was in receipt of a notice from Mr T.R. Buswell that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr T.R. Buswell moved,

That this House condemns the Gallop Government for its inability to effectively manage for all Western Australians in the portfolios of -

(a) Industrial Relations;

(b) Local Government;

- (c) Environment;
- (d) Justice; and
- (e) Planning.

Debate ensued.

Question put.

The Assembly divided.

Ayes (17)

Mr D.F. Barron-Sullivan	Ms K. Hodson-Thomas	Dr S.C. Thomas
Mr T.R. Buswell	Mr R.F. Johnson	Mr T.K. Waldron
Mr G.M. Castrilli	Mr J.E. McGrath	Ms S.E. Walker
Mr M.J. Cowper	Mr A.J. Simpson	Dr J.M. Woollard
Mr J.H.D. Day	Mr G. Snook	Dr G.G. Jacobs (<i>Teller</i>)
Mr B.J. Grylls	Mr T.R. Sprigg	

Noes (24)

Mr P.W. Andrews	Mr R.C. Kucera	Mr M.P. Murray
Mr A.J. Carpenter	Mr F.M. Logan	Mr A.P. O’Gorman
Mr J.B. D’Orazio	Ms A.J.G. MacTiernan	Ms M.M. Quirk
Dr J.M. Edwards	Mr J.A. McGinty	Ms J.A. Radisich
Dr G.I. Gallop	Mr M. McGowan	Mr E.S. Ripper
Mrs J. Hughes	Ms S.M. McHale	Mrs M.H. Roberts
Mr J.N. Hyde	Mr A.D. McRae	Mr P.B. Watson
Mr J.C. Kobelke	Mrs C.A. Martin	Mr M.P. Whitely (<i>Teller</i>)

Question thus negated.

30. Papers

The following papers were presented and ordered to lie upon the Table of the House -

Main Roads Western Australia - Annual Report 2004-2005 (948).

Planning and Infrastructure, Department for - Annual Report 2004-2005 (949).

31. Limitation Bill 2005

Message No. 31 dated 20 October 2005 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Limitation Bill 2005* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Limitation Bill 2005

No. 1

Clause 4, page 6, line 27 - To delete “section 7” and insert instead -

“ sections 7 and 8 ”.

No. 2

Clause 14, page 10, line 4 - To insert after “if” -

“ one year has ”.

No. 3

Clause 14, page 10, lines 5 and 6 - To delete the lines.

No. 4

Clause 14, page 10, line 7 - To delete “6 years have”.

No. 5

Clause 15, page 10, line 11 - To delete the line.

No. 6

Clause 15, page 10, line 14 - To delete the line.

No. 7

Clause 33, page 18, line 14 - To delete “Subject to subsection (2),”.

No. 8

Clause 33, page 18, line 14 - To insert after “32” -

“ do not ”.

No. 9

Clause 33, page 18, lines 16, 17 and 18 - To delete the lines.

No. 10

Clause 36, page 20, line 5 - To delete “Subject to subsection (2),”.

No. 11

Clause 36, page 20, line 5 - To insert after “35” -

“ do not ”.

No. 12

Clause 36, page 20, lines 7 and 8 - To delete the lines.

No. 13

Clause 37, page 20, line 13 - To delete “any” and insert instead -

“ a ”.

No. 14

Clause 37, page 20, line 21 - To delete “33, 36” and “39,”.

No. 15

Clause 37, page 20, after line 23 - To insert -

“

- (4) This section does not apply to an action relating to the publication of defamatory matter.

”.

No. 16

Clause 39, page 22, line 15 - To delete “6 months have” and insert instead -

“ one year has ”.

No. 17

Clause 39, page 22, lines 15 and 16 - To delete “the person alleged to be defamed became aware of”.

No. 18

Clause 39, page 22, lines 17 and 18 - To delete “it thinks it just to do so, may” and insert instead -

“

satisfied that it was not reasonable in the circumstances for the plaintiff to have commenced an action in relation to the matter complained of within one year from the publication, must

”.

No. 19

Clause 39, page 22, lines 19 to 24 - To delete the lines after “commenced”.

No. 20

Clause 39, page 22, line 26 - To delete “6” and insert instead -

“ 3 ”.

No. 21

Clause 39, page 22, lines 28 to 32 and page 23 lines 1 and 2 - To delete the lines.

No. 22

Clause 40, page 23, line 9 - To delete “subsections (3) and (4)” and insert instead -

“ subsection (3) ”.

No. 23

Clause 40, page 23, line 16 - To insert before “An” -

“ This section does not apply to ”.

No. 24

Clause 40, page 23, lines 17 and 18 - To delete the lines.

No. 25

Clause 41, page 23, line 25 - To delete “subsections (3) and (4)” and insert instead -

“ subsection (3) ”.

No. 26

Clause 41, page 24, line 1 - To insert before “An” -

“ This section does not apply to ”.

No. 27

Clause 41, page 24, lines 2 and 3 - To delete the lines.

No. 28

New Clause 8, page 8, after Clause 7 - To insert the following new Clause -

“

8. Special provisions for certain defamation actions

- (1) Section 14 applies to the publication of defamatory matter on or after commencement day unless subsection (2) provides otherwise.

- (2) Section 14 does not apply to a cause of action relating to the publication of defamatory matter that accrues on or after commencement day (the “**post-commencement action**”) if —
- (a) the post-commencement action is one of 2 or more causes of action in proceedings commenced by the plaintiff;
 - (b) each cause of action in the proceedings accrues because of the publication of the same, or substantially the same, matter on separate occasions (whether by the same defendant or another defendant);
 - (c) one or more of the other causes of action in the proceedings accrued before commencement day (a “**pre-commencement action**”); and
 - (d) the post-commencement action accrued no later than 12 months after the day on which the earliest pre-commencement action in the proceedings accrued.

”.

Ordered, That consideration in detail of Legislative Council message No. 31 be made an Order of the Day for the next sitting of the Assembly.

32. Limitation Legislation Amendment and Repeal Bill 2005

Message No. 32 dated 20 October 2005 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Limitation Legislation Amendment and Repeal Bill 2005* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Limitation Legislation Amendment and Repeal Bill 2005

No. 1

Clause 4, page 3, after line 8 - To insert -

“

- (4) The *Limitation Act 1935* applies, despite its repeal and the enactment of the *Limitation Act 2005* (the “**new Act**”), to a post-commencement action, as defined in section 8(2) of the new Act, to which section 14 of the new Act does not apply because of section 8(2) of the new Act.

”.

No. 2

Clause 4, page 3, lines 9, 10 and 11 - To delete “in relation to causes of action that accrued before commencement day and”.

No. 3

Clause 4, page 3, line 12 - To insert after “1935” -

“

in relation to a cause of action —

- (a) that accrued before commencement day; or
- (b) of a kind mentioned in subsection (4).

”.

Ordered, That consideration in detail of Legislative Council message No. 32 be made an Order of the Day for the next sitting of the Assembly.

33. Standard Time Bill 2005

Message No. 33 dated 20 October 2005 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Standard Time Bill 2005* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Standard Time Bill 2005

No. 1

Clause 2, page 2, line 5 - To delete "1 September 2005" and insert instead -

" the day after the day on which it receives the Royal Assent ".

Ordered, That consideration in detail of Legislative Council message No. 33 be made an Order of the Day for the next sitting of the Assembly.

34. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 3 be resumed.

35. Anzac Day Amendment Bill 2005

The Order of the Day for the resumption of the debate upon the second reading of the Bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the Bill.

The Parliamentary Secretary to the Premier moved, That the Bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

36. Variation to the Order of Business

Ordered, That Government Business Order of the Day for the consideration in detail of Legislative Council Message Nos 28 and 29 be next considered.

37. Planning and Development Bill 2005

The Order of the Day for the consideration in detail of Legislative Council Message No. 28 was read [see paragraph No. 23].

CONSIDERATION IN DETAIL

Speaker's Ruling - Amendment ruled out of order

The Speaker made the following ruling -

I refer to Legislative Council amendments made to the *Planning and Development Bill 2005*, and in particular amendment No 6.

That amendment No. 6 inserts the words “on just terms” after the word “compensation”.

I have looked at the effect of the amendment and have some advice that the amendment would increase the levels of compensation payable by responsible authorities as defined in section 4 of the Act.

I rule that amendment No. 6 is out of order as it is contrary to the requirements of section 46 (3) of the *Constitution Acts Amendment Act 1899*.

The Minister for Planning and Infrastructure moved, That amendments Nos 1 to 5 be agreed to.

The Minister for Planning and Infrastructure moved, That amendments Nos 7 to 10 be agreed to.

Questions put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

38. Planning and Development (Consequential and Transitional Provisions) Bill 2005

The Order of the Day for the consideration in detail of Legislative Council Message No. 29 was read [see paragraph No. 24].

CONSIDERATION IN DETAIL

The Minister for Planning and Infrastructure moved, That amendments Nos 1 and 2 be agreed to.

Question put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

39. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 8 November 2005 at 2.00 p.m.

Question put and passed.

40. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 4.31 p.m. until Tuesday, 8 November 2005 at 2.00 p.m.

Members present during any part of the day's proceedings - All the members except Mr C.J. Barnett, Mr J.J.M. Bowler, Dr K.D. Hames, Mr P.D. Omodei, Mr D.T. Redman, Mr T.G. Stephens, Mr M.W. Trenorden and Mr G.A. Woodhams.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. FRED RIEBELING
Speaker of the Legislative Assembly