

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 125

TUESDAY, 27 MARCH 2007

1. Meeting of Council

The Council assembled at 3.30pm pursuant to order.

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

2. Petitions

Hon Helen Morton presented a petition from 239 residents of Western Australia requesting the Legislative Council preserve the dignity of people with a mental illness who wish to live in the community in supported residential units. (Tabled paper 2534).

Hon Peter Collier presented a petition from 31 residents of Western Australia requesting the Legislative Council to recommend that the appointment of a new Principal be overturned and that the current 'acting' Principal, Mrs Sally Bell, be allowed to continue in the position until such time as the substantive Principal Mr Steven Fielding resign his position. (Tabled paper 2535).

3. Papers

The following Papers were laid on the Table by -

Leader of the House

By-laws -

Hospitals and Health Services Act 1927 (Women's and Children's Hospitals Amendment By-laws 2006 G.G. 19/12/2006)..... 2417

Local Laws -

Health Act 1911 (Shire of Bruce Rock Health Local Laws 2006 G.G. 12/12/2006) 2418

Notices -

Health Act 1911 (City of Armadale - Fees and Charges G.G. 30/01/2007) 2419

Orders -

Conservation and Land Management Act 1984 (Barrow Island Marine Reserves Amendment Order 2005 G.G. 19/01/2007) 2420

Environmental Protection Act 1986 (Environmental Protection (Regional Power Stations Noise Emissions) Exemption Order 2006 G.G. 29/12/2006)..... 2421

Regulations -

Armadale Redevelopment Act 2001 (Armadale Redevelopment Amendment Regulations (No. 2) 2006 G.G. 29/12/2006)	2422
Associations Incorporation Act 1987 (Associations Incorporation Amendment Regulations (No. 2) 2006 G.G. 12/01/2007)	2423
Building and Construction Industry Training Levy Act 1990 (Building and Construction Industry Training Levy Repeal Regulations 2006 G.G. 29/12/2006)	2424
Business Names Act 1962 (Business Names Amendment Regulations (No. 3) 2006 G.G. 12/01/2007)	2425
Coal Industry Superannuation Act 1989 (Coal Industry Superannuation Amendment Regulations 2007 G.G. 20/02/2007)	2426
Commonwealth Places (Mirror Taxes Administration) Act 1999 (Commonwealth Places (Mirror Taxes Administration) Regulations 2007 G.G. 05/02/2007)	2427
Companies (Co-operative) Act 1943 (Companies (Co-operative) Amendment Regulations 2006 G.G. 22/12/2006)	2428
Conservation and Land Management Act 1984 (Forest Management Amendment Regulations (No. 2) 2006 G.G. 22/12/2006)	2429
Conservation and Land Management Act 1984 (Conservation and Land Management Amendment Regulations 2007 G.G. 27/02/2007)	2430
Country Areas Water Supply Act 1947 (Country Areas Water Supply (Clearing Licence) Amendment Regulations 2006 G.G. 22/12/2006)	2431
Credit Act 1984 (Credit Amendment Regulations (No. 3) 2006 G.G. 22/12/2006)	2432
Credit Act 1984 (Credit Amendment Regulations (No. 2) 2006 G.G. 12/01/2007)	2433
Debt Collectors Licensing Act 1964 (Debt Collectors Licensing Amendment Regulations (No. 3) 2006 G.G. 12/01/2007)	2434
Dental Prosthetists Act 1985 (Dental Prosthetists Amendment Regulations 2006 G.G. 15/12/2006) ...	2435
East Perth Redevelopment Act 1991 (East Perth Redevelopment Amendment Regulations (No. 2) 2006 G.G. 29/12/2006)	2436
Electricity Industry Act 2004 (Electricity Industry (Wholesale Electricity Market) Amendment Regulations (No. 2) 2006 G.G. 29/12/2006)	2437
Emergency Management Act 2005 (Emergency Management Amendment Regulations 2006 G.G. 12/01/2007)	2438
Fair Trading Act 1987 (Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2006 G.G. 29/12/2006)	2439
Fair Trading Act 1987 (Fair Trading (Infringement Notices) Amendment Regulations 2006 G.G. 12/01/2007 and Fair Trading (Retirement Villages Code) Amendment Regulations 2006 G.G. 12/01/2007)	2440
Fair Trading Act 1987 (Fair Trading (Infringement Notices) Amendment Regulations 2007 G.G. 20/02/2007 and Fair Trading (Product Information Standard) Amendment Regulations 2007 G.G. 13/03/2007)	2441
Finance Brokers Control Act 1975 (Finance Brokers Control (General) Amendment Regulations (No. 5) 2006 G.G. 05/01/2007)	2442
Finance Brokers Control Act 1975 (Finance Brokers Control (General) Amendment Regulations 2007 G.G. 02/02/2007)	2443
Financial Management Act 2006 (Financial Management Regulations 2007 G.G. 19/01/2007)	2444
Firearms Act 1973 (Firearms Amendment Regulations (No. 2) 2006 G.G. 12/01/2007)	2445

Freedom of Information Act 1992 (Freedom of Information Amendment Regulations 2006 G.G. 22/12/2006).....	2446
Grain Marketing Act 2002 (Grain Marketing Amendment Regulations 2006 G.G. 29/12/2006)	2447
Health Act 1911 (Health (Section 112(2) Prohibition) Regulations 2006 G.G. 12/12/2006, Health (Meat Hygiene) Amendment Regulations (No. 2) 2006 G.G. 12/12/2006, Health (Asbestos) Amendment Regulations 2006 G.G. 15/12/2006, Health (Cervical Cytology Register) Amendment Regulations (No. 2) 2006 G.G. 15/12/2006, Health (School Dental Therapists) Amendment Regulations 2006 G.G. 15/12/2006, and Health Laboratory Service (Fees) Amendment Regulations 2006 G.G. 15/12/2006)	2448
Health Act 1911 (Health (Meat Hygiene) Amendment Regulations 2007 G.G. 30/01/2007)	2449
Health Act 1911 (Registration, Enforcement and Discharge of Local Authority Charges on Land Amendment Regulations 2006 G.G. 29/12/2006)	2450
Hope Valley-Wattleup Redevelopment Act 2000 (Hope Valley-Wattleup Redevelopment Amendment Regulations 2006 G.G. 29/12/2006)	2451
Hospitals and Health Services Act 1927 (Hospitals (Administration of Public Hospitals) Amendment Regulations 2006 G.G. 15/12/2006, Hospitals (Licensing and Conduct of Private Hospitals) Amendment Regulations 2006 G.G. 15/12/2006, Hospitals (Licensing and Conduct of Private Psychiatric Hostels) Amendment Regulations 2006 G.G. 15/12/2006, and Hospitals (Services Charges) Amendment Regulations (No. 4) 2006 G.G. 15/12/2006)	2452
Hospitals and Health Services Act 1927 (Hospitals (Services Charges) Amendment Regulations (No. 6) 2006 G.G. 23/01/2007)	2453
Human Reproductive Technology Act 1991 (Human Reproductive Technology (Licences and Registers) Amendment Regulations 2006 G.G. 15/12/2006)	2454
Industrial Training Act 1975 (Industrial Training (Apprenticeship Training) Amendment Regulations 2007 G.G. 31/01/2007)	2455
Land Administration Act 1997 (Land Administration Amendment Regulations (No. 3) 2006 G.G. 29/12/2006).....	2456
Land Information Authority Act 2006 (Land Information Authority (Policy Instruments) Regulations 2006 G.G. 29/12/2006)	2457
Licensed Surveyors Act 1909 (Licensed Surveyors (Guidance of Surveyors) Amendment Regulations (No. 2) 2006 G.G. 29/12/2006 and Licensed Surveyors (Transfer of Land Act 1893) Amendment Regulations 2006 G.G. 29/12/2006).....	2458
Midland Redevelopment Act 1999 (Midland Redevelopment Amendment Regulations 2006 G.G. 29/12/2006).....	2459
Mining Act 1978 (Mining Amendment Regulations 2007 G.G. 09/03/2007)	2460
Motor Vehicle Dealers Act 1973 (Motor Vehicle Dealers (Infringements) Amendment Regulations 2006 G.G. 12/01/2007)	2461
Motor Vehicle Repairers Act 2003 (Motor Vehicle Repairers Regulations 2007 G.G. 09/02/2007)...	2462
Optometrists Act 2005 (Optometrists Regulations 2006 G.G. 13/12/2006)	2463
Osteopaths Act 2005 (Osteopaths Regulations 2006 G.G. 13/12/2006)	2464
Pay-roll Tax Assessment Act 2002 (Pay-roll Tax Assessment Amendment Regulations (No. 6) 2006 G.G. 22/12/2006)	2465
Perry Lakes Redevelopment Act 2005 (Perry Lakes Redevelopment Amendment Regulations 2006 G.G. 29/12/2006)	2466
Physiotherapists Act 2005 (Physiotherapists Regulations 2006 G.G. 12/01/2007)	2467
Plant Diseases Act 1914 (Plant Diseases Amendment Regulations 2007 G.G. 06/03/2007).....	2468
Podiatrists Act 2005 (Podiatrists Regulations 2006 G.G. 13/12/2006)	2469
Poisons Act 1964 (Poisons Amendment Regulations (No. 2) 2006 G.G. 15/12/2006).....	2470

Police Act 1892 (Police Appeal Board (Election) Regulations 2007 G.G. 16/03/2007).....	2471
Police Act 1892 (Police Force Amendment Regulations 2006 G.G. 15/12/2006)	2472
Police Act 1892 (Police Force Amendment Regulations (No. 4) 2006 G.G. 22/12/2006)	2473
Police Act 1892 (Police Force Amendment Regulations 2007 G.G. 02/02/2007)	2474
Professional Standards Act 1997 (Professional Standards Amendment Regulations 2006 G.G. 29/12/2006).....	2475
Psychologists Act 2005 (Psychologists Regulations 2007 G.G. 20/02/2007).....	2476
Public Sector Management Act 1994 (Public Sector Management (General) Amendment Regulations 2006 G.G. 29/12/2006)	2477
Public Transport Authority Act 2003 (Public Transport Authority Amendment Regulations 2007 G.G. 09/01/2007).....	2478
Real Estate and Business Agents Act 1978 (Real Estate and Business Agents (General) Amendment Regulations 2007 G.G. 06/02/2007)	2479
Real Estate and Business Agents Act 1978 (Real Estate and Business Agents (General) Amendment Regulations (No. 2) 2007 G.G. 09/03/2007).....	2480
Road Traffic Act 1974 (Road Traffic (Charges and Fees) Amendment Regulations 2006 G.G. 22/12/2006, Road Traffic (Charges and Fees) Amendment Regulations (No. 2) 2006 G.G. 22/12/2006, and Road Traffic Code Amendment Regulations (No. 4) 2006 G.G. 22/12/2006).....	2481
Road Traffic Act 1974 (Road Traffic Code Amendment Regulations (No. 3) 2006 G.G. 29/12/2006)...	2482
Road Traffic Act 1974 (Road Traffic Code Amendment Regulations 2007 G.G. 09/03/2007 and Road Traffic (Written-Off Vehicle Register) Amendment Regulations 2007 G.G. 09/03/2007)	2483
Salaries and Allowances Act 1975 (Salaries and Allowances Amendment Regulations 2007 G.G. 16/01/2007).....	2484
Sandalwood Act 1929 (Sandalwood Amendment Regulations 2007 G.G. 27/02/2007).....	2485
Sentence Administration Act 2003 (Sentence Administration Amendment Regulations 2006 G.G. 29/12/2006).....	2486
Settlement Agents Act 1981 (Settlement Agents Amendment Regulations (No. 4) 2006 G.G. 22/12/2006).....	2487
Settlement Agents Act 1981 (Settlement Agents Amendment Regulations 2007 G.G. 06/02/2007)	2488
Standard Survey Marks Act 1924 (Standard Survey Marks Amendment Regulations 2006 G.G. 29/12/2006).....	2489
State Enterprises (Commonwealth Tax Equivalents) Act 1996 (State Enterprises (Commonwealth Tax Equivalents) (Application) Amendment Regulations 2006 G.G. 22/12/2006).....	2490
State Trading Concerns Act 1916 (State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2006 G.G. 22/12/2006).....	2491
Strata Titles Act 1985 (Strata Titles General Amendment Regulations (No. 5) 2006 G.G. 29/12/2006).....	2492
Street Collections (Regulation) Act 1940 (Street Collections Amendment Regulations (No. 2) 2006 G.G. 12/01/2007)	2493
Subiaco Redevelopment Act 1994 (Subiaco Redevelopment Amendment Regulations (No. 2) 2006 G.G. 29/12/2006)	2494
Swan River Trust Act 1988 (Swan River Trust Amendment Regulations 2006 G.G. 22/12/2006).....	2495
Swan River Trust Act 1988 (Swan River Trust Amendment Regulations (No. 2) 2006 G.G. 29/12/2006).....	2496

Taxation Administration Act 2003 (Taxation Administration Amendment Regulations 2006 G.G. 22/12/2006).....	2497
Taxation Administration Act 2003 (Taxation Administration Amendment Regulations 2007 G.G. 28/02/2007).....	2498
Taxi Act 1994 (Taxi Amendment Regulations (No. 6) 2006 G.G. 22/12/2006)	2499
Tobacco Products Control Act 2006 (Tobacco Products Control Amendment Regulations 2007 G.G. 28/02/2007).....	2500
Transfer of Land Act 1893 (Transfer of Land Amendment Regulations (No. 2) 2006 G.G. 29/12/2006 and Transfer of Land (Surveys) Amendment Regulations 2006 G.G. 29/12/2006).....	2501
Valuation of Land Act 1978 (Valuation of Land Amendment Regulations 2006 G.G. 29/12/2006).....	2502
Veterinary Surgeons Act 1960 (Veterinary Surgeons Amendment Regulations 2006 G.G. 12/12/2006).....	2503
War Service Land Settlement Scheme Act 1954 (War Service Land Settlement Scheme Amendment Regulations 2006 G.G. 29/12/2006)	2504
Workers' Compensation and Injury Management Act 1981 (Workers' Compensation and Injury Management (Scales of Fees) Amendment Regulations (No. 3) 2006 G.G. 22/12/2006).....	2505
Workers' Compensation and Injury Management Act 1981 (Workers' Compensation and Injury Management Amendment Regulations (No. 2) 2006 G.G. 15/12/2006)	2506
<i>Rules -</i>	
Electricity Industry Act 2004 (Wholesale Electricity Market Rules - Amending Rules (March 2007) G.G. 09/03/2007).....	2507
Electricity Industry Act 2004 (Wholesale Electricity Market Rules - Amending Rules No. 2 (December 2006) G.G. 12/12/2006 and Wholesale Electricity Market Rules - Amending Rules No. 3 (December 2006) G.G. 15/12/2006).....	2508
Medical Act 1894 (Medical Amendment Rules 2007 G.G. 23/01/2007)	2509
Supreme Court Act 1935 (Supreme Court Amendment Rules 2007 G.G. 21/02/2007).....	2510
<i>Statutes -</i>	
Curtin University of Technology Act 1966 (Curtin University of Technology - Miscellaneous Statutes Amendment Statute 2006 G.G. 16/03/2007)	2511
Edith Cowan University Act 1984 (Edith Cowan University - Amending Statute No. 4 of 2006 G.G. 16/03/2007, Edith Cowan University - Amending Statute No. 5 of 2006 G.G. 16/03/2007, and Edith Cowan University - Amending Statute No. 6 of 2006 G.G. 16/03/2007)	2512
Murdoch University Act 1973 (Murdoch University - Statute No. 18 - Intellectual Property Amendment G.G. 16/03/2007).....	2513
Minister for Local Government	
<i>Local Laws -</i>	
Dog Act 1976 (Shire of Capel - Local Laws Relating to Dogs Amendment Local Law 2007 G.G. 13/03/2007).....	2514
Local Government Act 1995 (Town of Bassendean Standing Orders Local Law 2006 G.G. 15/12/2006).....	2515
Local Government Act 1995 (City of Rockingham Parking and Parking Facilities Amendment Local Law 2006 G.G. 29/12/2006).....	2516
Local Government Act 1995 (Town of Cambridge Amendment Local Law 2006 G.G. 09/01/2007 and Town of Victoria Park Signs Local Law 2006 G.G. 22/01/2007).....	2517

Local Government Act 1995 (Shire of Kalamunda - Sand Drift and Litter Control Local Law 2006 G.G. 30/01/2007, City of Perth - Parking Amendment Local Law 2006 G.G. 30/01/2007, Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006 G.G. 07/02/2007, Shire of Tammin Repeal Local Law 2006 G.G. 07/02/2007, Shire of Tammin Local Government Property Local Law 2006 G.G. 07/02/2007, Shire of Tammin Parking and Parking Facilities Local Law 2006 G.G. 07/02/2007, Shire of Tammin Dogs Local Law 2006 G.G. 07/02/2007, Shire of Tammin Management and Control of Tammin Cemetery Local Law 2006 G.G. 07/02/2007, Shire of Tammin Fencing Local Law 2006 G.G. 07/02/2007, and Shire of Kellerberrin Local Government Property Local Law 2006 G.G. 14/02/2007)	2518
--	------

Local Government Act 1995 (Shire of Bridgetown-Greenbushes - Local Laws Relating to Fencing Amendment Local Law 2006 G.G. 23/02/2007, City of Albany Signs Local Law 2006 G.G. 23/02/2007, Shire of Mundaring - Repeal Local Law 2006 G.G. 02/03/2007, City of Perth - Thoroughfares and Public Places Local Law 2007 G.G. 02/03/2007, Town of Vincent Parking Facilities Local Law - Amendment No. 1, 2007 G.G. 06/03/2007, Shire of Capel - Parking and Parking Facilities Local Law 2007 G.G. 13/03/2007, and Shire of Boddington Local Law Relating to Parking and Parking Facilities 2007 G.G. 14/03/2007)	2519
---	------

Regulations -

Local Government Act 1995 (Local Government (Functions and General) Amendment Regulations 2007 G.G. 02/02/2007)	2520
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Minister for Regional Development

Management Plans -

Fish Resources Management Act 1994 (Mackerel Fishery (Interim) Management Plan Amendment (No. 2) 2006 G.G. 13/12/2006, Joint Authority Demersal Gillnet and Demersal Longline Fishery Management Plan Amendment (No. 2) 2006 G.G. 15/12/2006, and Mackerel Fishery (Interim) Management Plan Amendment (No. 3) 2006 G.G. 15/12/2006)	2521
Fish Resources Management Act 1994 (Shark Bay Snapper Management Plan Amendment 2006 G.G. 29/12/2006)	2522
Fish Resources Management Act 1994 (South Coast Purse Seine Fishery Management Plan Amendment 2007 G.G. 09/03/2007)	2523
Fish Resources Management Act 1994 (West Coast Deep Sea Crab Fishery (Interim) Management Plan Amendment 2006 G.G. 22/12/2006)	2524
Fish Resources Management Act 1994 (West Coast Rock Lobster Management Plan Amendment (No. 3) 2006 G.G. 05/01/2007)	2525

Orders -

Fish Resources Management Act 1994 (Prohibition on Commercial Fishing for Crabs (Cockburn Sound) Order 2006 G.G. 15/12/2006 and Prohibition on Recreational Fishing for Crabs (Cockburn Sound) Order 2006 G.G. 15/12/2006)	2526
Fish Resources Management Act 1994 (Prohibition on Fishing (Cockburn Sound and Warnbro Sound) Amendment Order 2006 G.G. 20/12/2006)	2527
Fish Resources Management Act 1994 (Prohibition on Fishing (Shannon River) Order 2007 G.G. 25/01/2007)	2528
Fish Resources Management Act 1994 (Prohibition on Fishing ("Lena" Wreck Site) Order 2007 G.G. 02/02/2007)	2529

Regulations -

Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations (No. 7) 2006 G.G. 29/12/2006)	2530
Fish Resources Management Act 1994 (Fish Resources Management Amendment Regulations (No. 2) 2007 G.G. 16/02/2007)	2531

Minister for Child Protection

Regulations -

Working with Children (Criminal Record Checking) Act 2004 (Working with Children
(Criminal Record Checking) Amendment Regulations (No. 4) 2006 G.G. 29/12/2006)..... 2532

Parliamentary Secretary representing the Deputy Premier

Annual Reports -

Anzac Day Trust (2006) (for the year ending 31 December 2006)
(Date received 26/03/2007) 2533

4. Water Services Licensing (Water Conservation Targets) Amendment Bill 2007

Hon Paul Llewellyn: To move on the next day of sitting -

That a Bill for “An Act to amend the *Water Services Licensing Act 1995*” be introduced and read a first time.

5. Nuclear Facilities (Prohibition) Bill 2007

Hon Giz Watson: To move on the next day of sitting -

That a Bill for “An Act to prohibit the establishment of certain nuclear facilities in Western Australia, and for related purposes” be introduced and read a first time.

6. Uranium Mining (Implementation of Government Commitments) Bill 2007

Hon Giz Watson: To move on the next day of sitting -

That a Bill for “An Act to prohibit the mining of uranium in Western Australia” be introduced and read a first time.

7. Broadband Internet - Use of Future Fund

Hon Vincent Catania: To move on the next day of sitting -

That this House urges the Federal Government to support the use of the Future Fund in order to provide the necessary public investment in broadband internet access throughout Australia.

In particular, this House urges the Federal Government to acknowledge that -

- (a) the urban broadband network is inadequate to meet current or future demands;
- (b) Western Australia’s mining companies, pastoralists, farmers and communities function in regions that are as remote from administrative centres as any in the world;
- (c) Tele-health capacity would enable quality health services to be delivered via a broadband network to areas where such services are currently impossible; and
- (d) the use of the Future Fund to enable public investment in the national broadband network is a valid and essential means of achieving the aims of the Fund by investing in Australia’s future in commerce, education and health.

8. Matter of Urgency - South West Yarragadee

The President read the following letter -

Dear Mr President

Pursuant to Standing Order 72 I intend to move that the Council consider as a matter of urgency the following motion -

That this House calls on the Western Australian Government to abandon plans to tap 45 gegalitres of water from the South West Yarragadee and to urgently adopt widespread water efficiency, recycling and conservation measures.

Yours sincerely

Hon Paul Llewellyn MLC
Member for South West Region

Four members having risen in support.

Hon Paul Llewellyn moved the motion.

Debate ensued.

The Hon Paul Llewellyn by leave, tabled a letter from Dr John Bailey to the Minister for the Environment - South West Yarragadee Water Supply Development (Assessment No./1552) (Tabled paper No.2536).

Motion lapsed.

9. Fair Trading (Infringement Notices) Regulations 2006 - Disallowance - Discharge from Notice Paper

The Order of the day having been called, Hon Ray Halligan moved, without notice -

That Order of the day No. 349, *Fair Trading (Infringement Notices) Regulations 2006 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

10. Transport Co-ordination Amendment Regulations 2006 - Disallowance - Discharge from Notice Paper

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

That Order of the Day No. 357, *Transport Co-ordination Amendment Regulations 2006 - Disallowance*, be discharged from the Notice Paper.

Question - put and passed.

11. Owner-Drivers (Contracts and Disputes) Bill 2006

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

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Child Protection tabled two reports from the Department for Community Development entitled "Identifying and Responding to Child Abuse and Neglect (A Guide for Professionals)" and "Child Protection (A Policy for Safeguarding and Promoting the Wellbeing of Children and Young People in Need for Protection", in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 2537).

The Minister for Regional Development tabled, and by leave incorporated into Hansard, documents in relation to placement of children in adult prisons, in response to a question without notice asked by Hon Barbara Scott. (Tabled paper 2538).

The Minister for Racing and Gaming tabled a schedule of Racing and Wagering Western Australia grants by the Government of Western Australia, in response to a question without notice asked by Hon Donna Faragher. (Tabled paper 2539).

The Minister for Child Protection tabled, and by leave incorporated into Hansard, details of children in the CEO's care (State Wards) who are currently in the Juvenile Detention Centre, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 2540).

13. Owner-Drivers (Contracts and Disputes) Bill 2006

Debate resumed on the second reading of this Bill (cf item 11 above).

Question - put.

The House divided.

Ayes (14)

Hon Matt Benson-Lidholm
Hon Vincent Catania
Hon Kim Chance
Hon Murray Criddle
Hon Kate Doust
Hon Adele Farina
Hon Jon Ford

Hon Graham Giffard
Hon Sheila Mills
Hon Louise Pratt
Hon Ljiljanna Ravlich
Hon Sally Talbot
Hon Giz Watson
Hon Ed Dermer (*Teller*)

Noes (12)

Hon Ken Baston
Hon George Cash
Hon Peter Collier
Hon Donna Faragher
Hon Nigel Hallett
Hon Barry House

Hon Robyn McSweeney
Hon Norman Moore
Hon Simon O'Brien
Hon Margaret Rowe
Hon Barbara Scott
Hon Bruce Donaldson (*Teller*)

Question thus passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Graham Giffard in the Chair)

Clause 1.

Debate ensued.

Question - put.

The Committee divided.

Ayes (14)

Hon Vincent Catania
Hon Murray Criddle
Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina
Hon Jon Ford
Hon Graham Giffard

Hon Paul Llewellyn
Hon Louise Pratt
Hon Ljiljanna Ravlich
Hon Sally Talbot
Hon Ken Travers
Hon Giz Watson
Hon Matt Benson-Lidholm (*Teller*)

Noes (12)

Hon Ken Baston
Hon George Cash
Hon Peter Collier
Hon Donna Faragher
Hon Nigel Hallett
Hon Ray Halligan

Hon Robyn McSweeney
Hon Norman Moore
Hon Simon O'Brien
Hon Margaret Rowe
Hon Barbara Scott
Hon Bruce Donaldson (*Teller*)

Question thus passed.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clause 3.

Debate ensued.

Clause agreed to.

Clause 4.

Debate ensued.

Clause agreed to.

Clauses 5 agreed to.

Clause 6

Debate ensued.

Clause agreed to.

Clause 7.

Debate ensued.

Clause agreed to.

Clauses 8 to 10 agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clause 12 agreed to.

Clause 13.

Debate ensued.

Clause agreed to.

Clauses 14 to 17 agreed to.

Clause 18.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure moved -

Page 9, lines 19 to 20 — To delete the lines and insert instead —

“

- (d) any other person or body from which the Minister considers it appropriate to seek nominations and will specifically seek nominations from persons able to represent the interests of regional Western Australia.

”.

Debate ensued.

Amendment - put and passed.

Clause, as amended, agreed to.

Clause 19 agreed to.

Clause 20.

Debate ensued.

Clause agreed to.

Clauses 21 to 23 agreed to.

Clause 24.

Debate ensued.

Clause agreed to.

Clauses 25 to 26 agreed to.

Clause 27.

The Parliamentary Secretary representing the Minister for Planning and Infrastructure moved -

Page 13, line 14 — To delete “may” and insert instead —

“ are to ”.

Amendment - put and passed.

Debate ensued.

Clause, as amended, agreed to.

Clause 28.

Debate ensued.

Clause agreed to.

Clause 29.

Debate ensued.

Interruption of Debate [SO 61(c)].

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

14. Adjournment

The Minister for Local Government moved, That the House do now adjourn.

Debate ensued.

The Hon Peter Collier, by leave, tabled a letter to the Minister for Education and Training from the English Teachers Forum regarding proposed assessment process for Year 12 English in 2007 (Tabled paper No.2541).

Question - put and passed.

The House adjourned at 10.35pm until Wednesday, 28 March 2007 at 4.00pm.

Members present during the day's proceedings

Attendance: Present all Members.

MIA BETJEMAN
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council