

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 72

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

WEDNESDAY, 10 MARCH 2010

1. Meeting of Assembly

The Assembly met at 12.00 noon pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Commercial Growing of Genetically Modified Canola – Petitions requesting that the Legislative Assembly reverse the decision to allow commercial growing of genetically modified canola in Western Australia were presented by –

Mr G.M. Castrilli from 61 persons (P. 238);

Mr A.J. Simpson from 17 persons (P. 239);

Mrs L.M. Harvey from 20 persons (P. 240);

Mr C.J. Tallentire from 101 persons (P. 241); and

Mr A.J. Waddell from 20 persons (P. 243).

Urban Development South of the Moore River – Ms A.S. Carles presented a petition from 78 persons requesting that the Legislative Assembly support the recommendation that the land adjoining the proposed Wilbinga Conservation Park be protected from future development (P. 242).

3. Paper

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

By the Speaker –

Auditor General, Office of the [OAG] – The Planning and Management of Perth Arena, Report No. 1, March 2010 (1900).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Attorney General on the appointment of Mr Joseph McGrath as the State's new Director of Public Prosecutions.

The Minister for Sport and Recreation on the increase in the Government's funding to the Community Sporting and Recreation Facility Fund.

The Minister for Regional Development on the launch of the CowParade event at Margaret River in February 2010.

5. Treasurer's Advance Authorisation Bill 2010

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to authorise expenditure in the financial year ending on 30 June 2010 to make payments in respect of extraordinary or unforeseen matters or to make advances for certain purposes.” be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

6. Revenue Laws Amendment and Repeal Bill 2010

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to –

- amend the *Duties Act 2008*; and
- amend the *First Home Owner Grant Act 2000*; and
- amend the *State Trading Concerns Act 1916*; and
- amend the *Taxation Administration Act 2003*; and
- repeal the *Debits Tax Act 2002*; and
- repeal the *Debits Tax Assessment Act 2002*,

and to provide for related and consequential matters.” be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

7. Revenue Laws Amendment Bill 2010

The Treasurer, pursuant to notice, moved,

That a bill for “An Act to –

- amend the *Duties Act 2008*; and
- amend the *Duties Legislation Amendment Act 2008*,

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

Question put and passed.

The Treasurer presented an explanatory memorandum and bill read a first time.

The Treasurer moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

8. Grain Marketing Repeal Bill 2010

The Minister for Agriculture and Food, pursuant to notice, moved,

That a bill for “An Act to repeal the *Grain Marketing Act 2002* and to make a consequential amendment.” be introduced and read a first time.

Question put and passed.

The Minister for Agriculture and Food presented an explanatory memorandum and bill read a first time.

The Minister for Agriculture and Food moved, That the bill be now read a second time.

Mr D.A. Templeman moved, That the debate be adjourned.

Question put and passed.

9. Aboriginal Housing Legislation Amendment Bill 2009

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.

Ordered, That the consideration in detail of the bill be made an Order of the Day for a later stage of the sitting.

10. Railway (Butler to Brighton) Bill 2009

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 (Mr J.R. Quigley speaking) and adjourned until a later stage of the sitting.

11. Questions

Questions without Notice were taken.

Papers

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

By the Premier –

Premier and Cabinet, Department of – Letter from Peter Conran, Director General of the Department of the Premier and Cabinet to Colin Edwardes, Principal Policy Adviser in the Office of Premier; Minister for State Development, dated 17 February 2010, regarding Mr Edwardes' disclosure of a potential conflict of interest (1901).

By the Minister for Police –

Western Australia Police – Statistics on Offences in Western Australia involving Weapons (1902).

Questions on Notice Nos 2419 to 2450 were asked.

12. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

13. Aboriginal Housing Legislation Amendment Bill 2009

The Order of the Day for the consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 1 to 8 agreed to.

Clause 9.

The Minister for Housing and Works moved,

Page 7, lines 3 and 4 — To delete the lines and substitute:

“

Aboriginal land means —

- (a) Crown land; or
- (b) freehold land that is owned by AAPA, ALT or the State, over which an Aboriginal entity has power to grant a lease;

”

Page 10, line 10 — To delete “agreement;” and substitute:

“ agreement, but only if the parties to the agreement agree to the early termination; ”.

Amendments agreed to.

Clause, as amended, agreed to.

Clauses 10 and 11 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.

14. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

15. Railway (Butler to Brighton) Bill 2009

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 (Ms R. Saffioti speaking) and adjourned until a later stage of the sitting.

16. Message from the Governor

Message No. 85 from His Excellency the Governor was reported recommending the purpose of the appropriation for the Treasurer's Advance Authorisation Bill 2010.

17. Variation to the Order of Business

Ordered, That Private Members' Business Order of the Day Nos 17 and 19 be next considered.

18. Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009

Mr M.P. Murray, pursuant to notice, moved,

That the *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009* under the *Genetically Modified Crops Free Areas Act 2003*, a copy of which was laid upon the Table of the House on 9 June 2009, is hereby disallowed.

Debate ensued.

The Minister for Regional Development moved, That the question be now put.

Question put and passed.

On the question, That the motion be agreed to,

Question put.

The Assembly divided.

Ayes (24)

Ms L.L. Baker	Mr M. McGowan	Mrs M.H. Roberts
Ms A.S. Carles	Mrs C.A. Martin	Ms R. Saffioti
Mr R.H. Cook	Mr M.P. Murray	Mr T.G. Stephens
Ms J.M. Freeman	Mr A.P. O’Gorman	Mr C.J. Tallentire
Mr W.J. Johnston	Mr P. Papalia	Mr P.C. Tinley
Mr J.C. Kobelke	Mr J.R. Quigley	Mr A.J. Waddell
Mr F.M. Logan	Ms M.M. Quirk	Mr M.P. Whitely
Ms A.J.G. MacTiernan	Mr E.S. Ripper	Mr D.A. Templeman (<i>Teller</i>)

Noes (26)

Mr P. Abetz	Mr M.J. Cowper	Mr W.R. Marmion
Mr F.A. Alban	Mr J.M. Francis	Mr P.T. Miles
Mr I.C. Blayney	Mr B.J. Grylls	Ms A.R. Mitchell
Mr J.J.M. Bowler	Dr K.D. Hames	Dr M.D. Nahan
Mr I.M. Britza	Mrs L.M. Harvey	Mr C.C. Porter
Mr T.R. Buswell	Mr A.P. Jacob	Mr D.T. Redman
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr M.W. Sutherland
Mr V.A. Catania	Mr R.F. Johnson	Mr A.J. Simpson (<i>Teller</i>)
Dr E. Constable	Mr A. Krsticevic	

Question thus negatived.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 6.57 p.m. until Thursday, 11 March 2010 at 9.00 a.m.

Members present during any part of the day's proceedings – All the members except Mr B.S. Wyatt.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. GRANT WOODHAMS

Speaker of the Legislative Assembly