



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2012–2013

MINUTES OF PROCEEDINGS

No. 42

WEDNESDAY, 27 NOVEMBER 2013

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mrs Dunne) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PETITION

The Clerk announced that the following Member had lodged a petition for presentation:

Mr Wall, from 156 residents, requesting that the Assembly call on the Minister for the Environment and Sustainable Development to encourage OneSun to move the site of the proposed solar farm at Uriarra to one which does not impact on the rural character of the village and to amend the Territory Plan to ensure a one kilometre buffer between installations and residential areas. (Pet 6-13)

3 LIGHT RAIL NETWORK PROJECT

Mr Gentleman, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) experience in over 400 cities and towns worldwide has demonstrated that light rail can transform cities into more sustainable and liveable places;
 - (b) an investment in light rail will be transformational for Canberra and an important first step in a city-wide rapid transit system; and
 - (c) since committing to light rail as the rapid transit mode for Canberra the Government has made significant progress in its Capital Metro project planning including:
 - (i) appointing industry leaders to the roles of both Project Director and Chair of the Board; and



- (ii) undertaking critical consultation with stakeholders in the light rail integration study to inform the evaluation of options for the location of bike and ride and park and ride locations, for light rail stop locations, and for integrating the light rail service with the ACTION bus network and bicycle and pedestrian paths; and
- (2) supports a light rail network as the best rapid transit option for the future of Canberra.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 8		NOES, 7	
Ms Berry	Ms Gallagher	Mr Doszpot	Ms Lawder
Dr Bourke	Mr Gentleman	Mrs Dunne	Mr Smyth
Ms Burch	Ms Porter	Mr Hanson	Mr Wall
Mr Corbell	Mr Rattenbury	Mrs Jones	

And so it was resolved in the affirmative.

4 EMERGENCY SERVICES AGENCY

Mr Smyth, pursuant to notice, moved—That this Assembly:

- (1) notes the various problems existing within the ESA and its component organisations:
 - (a) ACT Fire and Rescue;
 - (b) ACT Ambulance Service;
 - (c) ACT State Emergency Service; and
 - (d) ACT Rural Fire Service; and
- (2) calls on the Minister to establish a statutory authority to manage emergency services in the ACT.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 7		NOES, 8	
Mr Doszpot	Ms Lawder	Ms Berry	Ms Gallagher
Mrs Dunne	Mr Smyth	Dr Bourke	Mr Gentleman
Mr Hanson	Mr Wall	Ms Burch	Ms Porter
Mrs Jones		Mr Corbell	Mr Rattenbury

And so it was negatived.

5 QUESTIONS

Questions without notice were asked.

6 PLAYGROUNDS

Mrs Jones, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the importance of local suburban playgrounds to families;
 - (b) that they are a core municipal service and maintenance is paramount; and
 - (c) that they promote active lifestyles for children and adults; and
- (2) calls on the Government to publish progress of the playground upgrade strategy and the criteria used to assess playgrounds.

Mr Rattenbury (Minister for Territory and Municipal Services) moved the following amendment: Omit all words after paragraph (1)(c), substitute:

- “(d) that ACT playgrounds are inspected on a regular program consistent with Australian Standards which define requirements for maintenance inspections of playgrounds;
 - (e) that the ACT continues to manage and develop playgrounds that respond to diverse needs; and
 - (f) there is an on-going capital works program aligned with an asset management strategy that focuses on improving ACT play spaces, in line with Australian and ACT standards and best practice contemporary play space design, which aims to improve health and recreational outcomes; and
- (2) calls on the Government to:
 - (a) continue to publish updates on the Playground Safety Program; and
 - (b) publish further detail on the audits and inspection programs undertaken by the ACT Government on ACT playgrounds and play spaces.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the importance of local suburban playgrounds to families;
 - (b) that they are a core municipal service and maintenance is paramount;
 - (c) that they promote active lifestyles for children and adults;
 - (d) that ACT playgrounds are inspected on a regular program consistent with Australian Standards which define requirements for maintenance inspections of playgrounds;
 - (e) that the ACT continues to manage and develop playgrounds that respond to diverse needs; and

- (f) there is an on-going capital works program aligned with an asset management strategy that focuses on improving ACT play spaces, in line with Australian and ACT standards and best practice contemporary play space design, which aims to improve health and recreational outcomes; and
 - (2) calls on the Government to:
 - (a) continue to publish updates on the Playground Safety Program; and
 - (b) publish further detail on the audits and inspection programs undertaken by the ACT Government on ACT playgrounds and play spaces.”—
- be agreed to—put and passed.

7 UNIVERSITY OF CANBERRA—SPORTS COMMONS PROJECT

Dr Bourke, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) the ACT Government delivered \$5 million in the 2013-2014 Budget to accommodate community sport within the University of Canberra (UC) Sports Commons project;
 - (b) this commitment was joined by funding from UC and the Brumbies to bring stage one of the UC Sports Commons project to \$15 million;
 - (c) \$10 million from the Commonwealth’s Regional Development Fund was committed in August to accommodate regional sports infrastructure and health programs within the UC Sports Commons;
 - (d) this grant was budget funded; and
 - (e) the incoming Commonwealth Government has said that it will not honour Regional Development Fund commitments made by the former Government; and
- (2) supports the UC Sports Common project and continues to lobby the Federal Government to honour the Regional Development Fund commitment.

Debate ensued.

Mr Rattenbury moved the following amendment: Omit all words after paragraph (1)(b), substitute:

- “(c) \$10 million from the Commonwealth’s Regional Development Fund was announced in August to accommodate regional sports infrastructure and health programs within the UC Sports Commons; and
 - (d) the Commonwealth Government has said that it will not honour Regional Development Fund commitments made by the former Government where the contractual arrangements have not been finalised; and
- (2) supports the UC Sports Commons and continues to lobby the Federal Government to fund this project.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) the ACT Government delivered \$5 million in the 2013-2014 Budget to accommodate community sport within the University of Canberra (UC) Sports Commons project;
 - (b) this commitment was joined by funding from UC and the Brumbies to bring stage one of the UC Sports Commons project to \$15 million;
 - (c) \$10 million from the Commonwealth’s Regional Development Fund was announced in August to accommodate regional sports infrastructure and health programs within the UC Sports Commons; and
 - (d) the Commonwealth Government has said that it will not honour Regional Development Fund commitments made by the former Government where the contractual arrangements have not been finalised; and
- (2) supports the UC Sports Commons and continues to lobby the Federal Government to fund this project.”—

be agreed to—put and passed.

8 ELECTIVE SURGERY WAITING LISTS

Mr Hanson (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) in 2010 the Government denied that elective surgery lists were being manipulated after an elective surgery patient complained his priority was downgraded;
 - (b) as a result of an Assembly motion, the Auditor-General conducted a performance audit into elective surgery waiting lists and released a damning report in early 2011 that found “... considerable doubts about the reliability and appropriateness of the clinical classifications for patients on the waiting lists”; and
 - (c) doctors have recently raised concerns in the media that some patients are being ignored on elective surgery waiting lists while priority is given to others in order to make lists appear better; and
- (2) calls on the Health Minister to immediately initiate an independent inquiry into the allegations raised by the doctors that elective surgery waiting lists are being manipulated.

Ms Gallagher (Minister for Health) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes that:
- (a) the report of the Auditor-General in January 2011 *Waiting Lists for Elective surgery and Medical Treatment* concluded that:

‘management of the waiting lists for elective surgery and medical treatments is a complex process that be influenced by practices of

various parties within the system, including doctors, and by a number of factors, some of which are outside the control of ACT Health’;

- (b) in early 2012, The Canberra Hospital (TCH) and ACT Health reviewed the process used by TCH to schedule and manage its elective surgery waiting lists—to maximise the number of people who have their surgery on time, whilst continuing to reduce the number of people who wait too long for their surgery; and
 - (c) to ensure consistency across the public hospital system, Calvary has recently implemented the same elective surgery waiting list scheduling and management process as that that has been used by TCH since 2012;
- (2) further notes that:
- (a) in the 2012 reporting year, the ACT met all three components of the National Elective Surgery Targets (NEST) under the National Health Reform Agreement;
 - (b) in 2012-2013 ACT public hospitals performed 11,579 elective surgery procedures, the highest number of elective surgery procedures ever performed; and
 - (c) at the end of October 2013, the number of people waiting too long for their operation was the lowest on record with 618 patients—down from 922 recorded earlier this year;
- (3) acknowledges the complexity involved in delivering elective and emergency surgery services in major tertiary hospitals such as TCH and Calvary Hospital;
- (4) notes the role that Canberra’s public hospitals play in delivering complex surgical services to not only ACT residents, but also the residents of the southern NSW region; and
- (5) supports the continuing work of the ACT Government in meeting elective surgery targets under the National Health Reform agenda, and delivering high quality health services to the ACT and region.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 8	
Mr Barr	Ms Gallagher	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

And so it was resolved in the affirmative.

Debate continued.

Question—That this motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (b) the report of the Auditor-General in January 2011 *Waiting Lists for Elective surgery and Medical Treatment* concluded that:

‘management of the waiting lists for elective surgery and medical treatments is a complex process that be influenced by practices of various parties within the system, including doctors, and by a number of factors, some of which are outside the control of ACT Health’;
 - (b) in early 2012, The Canberra Hospital (TCH) and ACT Health reviewed the process used by TCH to schedule and manage its elective surgery waiting lists—to maximise the number of people who have their surgery on time, whilst continuing to reduce the number of people who wait too long for their surgery; and
 - (c) to ensure consistency across the public hospital system, Calvary has recently implemented the same elective surgery waiting list scheduling and management process as that that has been used by TCH since 2012;
- (2) further notes that:
 - (a) in the 2012 reporting year, the ACT met all three components of the National Elective Surgery Targets (NEST) under the National Health Reform Agreement;
 - (b) in 2012-2013 ACT public hospitals performed 11,579 elective surgery procedures, the highest number of elective surgery procedures ever performed; and
 - (c) at the end of October 2013, the number of people waiting too long for their operation was the lowest on record with 618 patients—down from 922 recorded earlier this year;
- (3) acknowledges the complexity involved in delivering elective and emergency surgery services in major tertiary hospitals such as TCH and Calvary Hospital;
- (4) notes the role that Canberra’s public hospitals play in delivering complex surgical services to not only ACT residents, but also the residents of the southern NSW region; and
- (5) supports the continuing work of the ACT Government in meeting elective surgery targets under the National Health Reform agenda, and delivering high quality health services to the ACT and region.”—

be agreed to—put and passed.

9 ALEXANDER MACONOCHIE CENTRE

Mr Hanson (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) in 2006, due to budget blowouts, the ACT Labor Government cut the capacity of the Alexander Maconochie Centre (AMC) to 300;

- (b) in 2007, the ACT Labor Government assured the community and the Assembly the AMC would have capacity for 25 years with 300 beds;
 - (c) four years after its opening in 2009, the AMC is overcrowded despite the retrofitting of additional beds; and
 - (d) the ACT Government was advised on a number of occasions prior to cutting the capacity to 300, that the capacity of the AMC would need to be significantly more than 300; and
- (2) condemns the ACT Labor Government for:
- (a) misleading the community about the true capacity requirements of the AMC; and
 - (b) building a jail that they knew was too small.

Mr Hanson addressing the Assembly—

Adjournment negatived: It being 6 p.m.—The question was proposed—That the Assembly do now adjourn.

Ms Gallagher (Chief Minister) requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Hanson continued.

Mr Rattenbury (Minister for Corrections) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes:
- (a) that the built capacity of the Alexander Maconochie Centre (AMC) was 300 when it opened in 2009;
 - (b) that several detainee population projections were considered in the design of the AMC;
 - (c) that population forecasting/modelling is an extremely difficult task, with all which jurisdictions struggle;
 - (d) that the detainee population of the AMC has increased by approximately 40 percent in the past 10 months;
 - (e) that an increase of this proportion in this timeframe is unprecedented;
 - (f) that the ACT Government allocated design funding for the expansion of the AMC in the 2013-2014 Budget; and
 - (g) the recent roundtable the Minister for Corrections held with representatives of the criminal justice system to better understand the significant and unexpected increase in detainees;
- (2) commends the exceptional professionalism and commitment of the ACT Corrective Services in responding to these increased pressures; and
- (3) calls on the Minister for Corrections to keep the Assembly informed regarding developments at the AMC.”.

Mr Rattenbury, by leave, moved the following amendment: omit the words “with all which” in paragraph 1(c), substitute: “with which all”.

Amendment to proposed amendment agreed to.

Debate continued.

Question—That the amendment, as amended, be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Barr	Ms Gallagher	Mr Coe	Mrs Jones
Ms Berry	Mr Gentleman	Mr Doszpot	Ms Lawder
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that the built capacity of the Alexander Maconochie Centre (AMC) was 300 when it opened in 2009;
 - (b) that several detainee population projections were considered in the design of the AMC;
 - (c) that population forecasting/modelling is an extremely difficult task, with which all jurisdictions struggle;
 - (d) that the detainee population of the AMC has increased by approximately 40 percent in the past 10 months;
 - (e) that an increase of this proportion in this timeframe is unprecedented;
 - (f) that the ACT Government allocated design funding for the expansion of the AMC in the 2013-2014 Budget; and
 - (g) the recent roundtable the Minister for Corrections held with representatives of the criminal justice system to better understand the significant and unexpected increase in detainees;
- (2) commends the exceptional professionalism and commitment of the ACT Corrective Services in responding to these increased pressures; and
- (3) calls on the Minister for Corrections to keep the Assembly informed regarding developments at the AMC.”—

be agreed to—put and passed.

10 ADJOURNMENT

Mr Barr (Deputy Chief Minister) moved—That the Assembly do now adjourn.

Debate ensued.

The time allotted for the debate having expired—

Question—put and passed.

And then the Assembly, at 7.04 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly