



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2008–2009–2010–2011–2012

MINUTES OF PROCEEDINGS

No. 146

WEDNESDAY, 2 MAY 2012

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mr Rattenbury) 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 PLANNING, PUBLIC WORKS AND TERRITORY AND MUNICIPAL SERVICES—STANDING COMMITTEE—REPORT 13—INQUIRY INTO THE TIDBINBILLA REVISED DRAFT PLAN OF MANAGEMENT 2011—REPORT NOTED

Ms Porter (Chair) presented the following report:

Planning, Public Works and Territory and Municipal Services—Standing Committee—Report 13—*Inquiry into the Tidbinbilla Revised Draft Plan of Management 2011*, dated 4 April 2012, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

3 EDUCATION, TRAINING AND YOUTH AFFAIRS—STANDING COMMITTEE—REPORT 8—FUTURE USE OF THE FITTERS' WORKSHOP, KINGSTON—MOTION THAT REPORT BE NOTED

Ms Bresnan (Chair) presented the following report:

Education, Training and Youth Affairs—Standing Committee—Report 8—*Future Use of the Fitters' Workshop, Kingston*, dated 13 April 2012, including dissenting comments (*Ms Porter*), together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Ms Burch (Minister for the Arts) moved—That debate be adjourned.

Question—put and negatived.

Debate continued.

Debate adjourned (Ms Burch) and the resumption of the debate made an order of the day for the next sitting.

4 OFFICIAL VISITOR BILL 2012 (NO. 2)

Ms Bresnan, pursuant to notice, presented a Bill for an Act to provide for the appointment of official visitors, and for other purposes.

Paper: Ms Bresnan presented an explanatory statement to the Bill.

Title read by Clerk.

Ms Bresnan moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Burch—Minister for Community Services) and the resumption of the debate made an order of the day for the next sitting.

5 FINANCIAL MANAGEMENT (COST OF LIVING) AMENDMENT BILL 2012

The Assembly, according to order, resumed consideration at the detail stage.

Detail Stage

Clause 1 agreed to.

Remainder of Bill, by leave, taken as a whole—

Mr Barr (Treasurer) moved his amendment No. 1 (*see* [Schedule 1](#)).

Paper: Mr Barr presented a supplementary explanatory statement to the Government amendment.

Debate continued.

Mr Smyth moved his amendment No. 1 to Mr Barr's proposed amendment (*see* [Schedule 2](#)).

Debate continued.

Question—That the amendment to the proposed amendment be agreed to—put.

The Assembly voted—

AYES, 5

Mr Coe
Mrs Dunne
Mr Hanson
Mr Seselja
Mr Smyth

NOES, 10

Mr Barr	Mr Hargreaves
Dr Bourke	Ms Hunter
Ms Bresnan	Ms Le Couteur
Ms Burch	Ms Porter
Mr Corbell	Mr Rattenbury

And so it was negatived.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 5
Mr Barr	Mr Hargreaves	Mr Coe
Dr Bourke	Ms Hunter	Mrs Dunne
Ms Bresnan	Ms Le Couteur	Mr Hanson
Ms Burch	Ms Porter	Mr Seselja
Mr Corbell	Mr Rattenbury	Mr Smyth

And so it was resolved in the affirmative.

Remainder of Bill, as a whole, as amended, agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

6 BUSINESS DEVELOPMENT STRATEGY

Ms Porter, pursuant to notice, moved—That this Assembly notes:

- (1) the Government released the Business Development Strategy (BDS) on 30 April 2012 following extensive consultation with the business community;
- (2) this strategy is focussed on ensuring jobs growth, economic growth and diversification of the Canberra economy;
- (3) the BDS has three strategic imperatives—creating the right business environment; supporting business investment and accelerating business innovation;
- (4) that under each of these themes, key actions the Government commits to take include:
 - (a) establishing a red tape reduction panel;
 - (b) payroll tax reform;
 - (c) better government compliance support;
 - (d) advice and business mentoring;
 - (e) acknowledging local small to medium sized enterprises in procurement decisions;
 - (f) reinvigorating the branding of Canberra;
 - (g) establishing an investment facilitation function within government;
 - (h) support for indigenous enterprise development;
 - (i) expanding grants programs;
 - (j) specific supports for clean tech development;
 - (k) investing in National Information Communication Technology Australia; and
 - (l) establishing the My Digital City Innovation Prize;
- (5) this strategy is important to address some of the short-term and medium-term challenges that our economy will face; and

- (6) this strategy represents a fundamentally positive view of the ACT economy and business community, and seeks to promote its strengths rather than denigrate its performance and thereby damage confidence.

Debate ensued.

Ms Le Couteur moved the following amendment: Insert, before paragraph (1):

“(1A) the importance of moving the ACT economy towards a clean economy and fostering the growth of green business;”.

Debate continued.

Amendment agreed to.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

7 QUESTIONS

Questions without notice were asked.

8 BUSINESS DEVELOPMENT STRATEGY

The order of the day having been read for the resumption of the debate on the motion of Ms Porter, as amended (*see entry 6*)—

Debate resumed.

Question—That the motion, as amended, viz:

“That this Assembly notes:

- (1) the importance of moving the ACT economy towards a clean economy and fostering the growth of green business;
- (2) the Government released the Business Development Strategy (BDS) on 30 April 2012 following extensive consultation with the business community;
- (3) this strategy is focussed on ensuring jobs growth, economic growth and diversification of the Canberra economy;
- (4) the BDS has three strategic imperatives—creating the right business environment; supporting business investment and accelerating business innovation;
- (5) that under each of these themes, key actions the Government commits to take include:
 - (a) establishing a red tape reduction panel;
 - (b) payroll tax reform;
 - (c) better government compliance support;
 - (d) advice and business mentoring;
 - (e) acknowledging local small to medium sized enterprises in procurement decisions;
 - (f) reinvigorating the branding of Canberra;
 - (g) establishing an investment facilitation function within government;

- (h) support for indigenous enterprise development;
 - (i) expanding grants programs;
 - (j) specific supports for clean tech development;
 - (k) investing in National Information Communication Technology Australia; and
 - (l) establishing the My Digital City Innovation Prize;
- (6) this strategy is important to address some of the short-term and medium-term challenges that our economy will face; and
- (7) this strategy represents a fundamentally positive view of the ACT economy and business community, and seeks to promote its strengths rather than denigrate its performance and thereby damage confidence.”—

be agreed to—put and passed.

9 CATHOLIC SCHOOLS WEEK

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

- (1) notes that:
- (a) Catholic Schools Week is being celebrated across all NSW and ACT Catholic schools from 29 April to 5 May with the theme *Faith in Every Student*;
 - (b) Catholic schools educate 20 percent of students Australia wide and 29 percent of children in ACT schools in 23 primary schools and six high schools and colleges and this represents nearly one third of all school students in the ACT;
 - (c) the ACT Government has continued to deliver fewer resources to Catholic schools with the ACT having twice the resource gap between government and Catholic schools compared to the national average;
 - (d) Commonwealth Government funding is the lowest in the country to ACT Catholic schools and Territory funding is among the lowest; and
 - (e) recent efforts by the ACT Catholic Education Office to provide additional facilities in the Gungahlin area with the construction of a new senior college at Throsby has been subject to Government tardiness and bureaucratic bungles that have delayed construction of the school; forced relocation to another site and increased costs in planning and construction; and
- (2) calls on the ACT Government to:
- (a) acknowledge the significant contribution, in both financial investment and educational outcomes, that ACT schools make to the education of ACT children;
 - (b) apologise to ACT families for the unnecessary delays and additional costs that failure to progress the construction of John Paul College has caused;
 - (c) explain the variation between ACT public school funding which is higher than any jurisdiction in Australia and funding to ACT Catholic and independent schools which is among the lowest of all States; and

- (d) provide assurances that no ACT school will be disadvantaged if the recommendations of the Gonski Review are implemented.

Dr Bourke (Minister for Education and Training), by leave, moved the following amendments together:

- (1) Omit subparagraph (1)(c).
- (2) Omit subparagraph (1)(d).
- (3) In subparagraph (1)(e), omit all words after “Throsby has been subject to”, substitute “government delays in environmental approval with associated issues around relocation and implications for further planning and construction”.
- (4) Omit subparagraph (2)(b).
- (5) Omit subparagraph (2)(c), substitute:
“(c) continue to work with the Catholic Education Office to deliver new schools and services, including John Paul College;”.
- (6) Omit subparagraph (2)(d), substitute:
“(d) call on the Commonwealth Government to provide assurances that no ACT school will be disadvantaged if the recommendations of the Gonski Review are implemented.”.

Ms Hunter moved the following amendment to Dr Bourke’s proposed amendments: In subparagraph (2)(d), after “implemented”, insert “and provide fair and equitable funding to all schools.”.

Debate continued.

Paper: Mr Seselja (Leader of the Opposition), by leave, presented the following paper:

Non-government schools—Funding—Copy of press release by Mrs Dunne, dated 31 July 2006.

Debate continued.

Amendment to amendments agreed to.

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

The Assembly voted—

AYES, 11

NOES, 6

Mr Barr	Mr Hargreaves	Mr Coe
Dr Bourke	Ms Hunter	Mr Doszpot
Ms Bresnan	Ms Le Couteur	Mrs Dunne
Ms Burch	Ms Porter	Mr Hanson
Mr Corbell	Mr Rattenbury	Mr Seselja
Ms Gallagher		Mr Smyth

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) Catholic Schools Week is being celebrated across all NSW and ACT Catholic schools from 29 April to 5 May with the theme *Faith in Every Student*;
 - (b) Catholic schools educate 20 percent of students Australia wide and 29 percent of children in ACT schools in 23 primary schools and six high schools and colleges and this represents nearly one third of all school students in the ACT; and
 - (c) recent efforts by the ACT Catholic Education Office to provide additional facilities in the Gungahlin area with the construction of a new senior college at Throsby has been subject to government delays in environmental approval with associated issues around relocation and implications for further planning and construction; and
- (2) calls on the ACT Government to:
 - (a) acknowledge the significant contribution, in both financial investment and educational outcomes, that ACT schools make to the education of ACT children;
 - (b) continue to work with the Catholic Education Office to deliver new schools and services, including John Paul College; and
 - (c) call on the Commonwealth Government to provide assurances that no ACT school will be disadvantaged if the recommendations of the Gonski Review are implemented and provide fair and equitable funding to all schools.”—

be agreed to—put and passed.

10 DISABLED PARKING

Ms Le Couteur, by leave, having amended her notice, pursuant to notice, moved—
That this Assembly:

- (1) notes:
 - (a) that there is a high need for disabled parking spaces in Canberra as Australian Bureau of Statistics statistics show that around 20 percent of Canberrans have some form of disability and the ACT has a growing ageing population;
 - (b) that although there is a national Building Code of Australia standard for the number of spaces designated for disabled parking, this standard does not meet the needs of Canberrans;
 - (c) that a 2008 Territory and Municipal Services commissioned study found the national standard on minimum spaces insufficient for the ACT’s needs, and found an average need for a minimum of 3 percent of all parking spaces in shopping centres to be disabled parking; and
 - (d) the Territory Plan *Parking and Vehicular Access Code* has been increased to require 3 percent minimum disability parking spaces; and
- (2) calls for the ACT Government to:

- (a) increase the minimum disabled carpark provisions in the Territory Plan *Parking and Vehicular Access Code* for town, group and local centre parking, as well as parking at hospitals and other public facilities which the Government is responsible for, to a ratio of 4-5 percent disability parking;
- (b) review the design of the disability parking spaces which are being implemented in accordance with the *Australian Standard for Off-street parking for people with disabilities*, in thorough consultation with the ACT disability sector, to develop an appropriate standard for the ACT;
- (c) finalise scheduled works to bring all town and group centre carparks to the new reviewed standard for parking for people with disabilities;
- (d) ensure that all local centres meet the revised standard for parking for people with disabilities;
- (e) increase enforcement of illegal parking in disability parking spaces, including after hours; and
- (f) report to the Assembly by the August sittings on:
 - (i) progress on the 2008 ACT Disabled Parking Study recommendations; and
 - (ii) progress on the issues in this motion.

Ms Gallagher (Minister for Territory and Municipal Services), by leave, moved the following amendments together:

- (1) Omit subparagraph (1)(b), and insert after subparagraph (1)(d):
 - “(e) that Transport for Canberra, the Government’s policy and strategy for transport 2012-2031, introduces a strategic parking framework, one commitment of which is that ‘parking for people with disabilities will be improved to ensure people with mobility restrictions are able to park easily and ensure priority parking and drop off points are safe, sufficient and conveniently located’;
 - (f) that, consistent with the Transport for Canberra strategy, the Government will develop a strategic parking framework, which will include an action to review parking requirements for people with disabilities;
 - (g) that the Government, through Parking Operations, treats the matter of enforcement of illegal parking in disability parking spaces as a priority as part of its normal and out-of-hours patrols, and that these efforts will continue, to ensure the spaces are available to those who are entitled to use them; and
 - (h) that the parking infringement notice penalty for stopping in a parking area for the disabled is \$180, which is considerably higher than the \$81 penalty imposed for overstaying a parking meter or exceeding the time limit;”.
- (2) Omit all words after paragraph (2), substitute:

“report to the Assembly during the August sittings on progress on the 2008 ACT Disabled Parking Study recommendations.”.

Debate continued.

Mr Doszpot, by leave, moved the following amendments to Ms Gallagher's proposed amendments together.

(1) Omit subparagraph (1)(g).

(2) After subparagraph (1)(h), insert:

“(i) this Government has actively restricted access to car parking of all kinds;”.

Debate continued.

Question—That the amendments to the proposed amendments be agreed to—put.

The Assembly voted—

AYES, 4	NOES, 9
Mr Coe	Mr Barr
Mr Doszpot	Dr Bourke
Mrs Dunne	Ms Bresnan
Mr Seselja	Ms Burch
	Mr Hargreaves
	Ms Hunter
	Ms Le Couteur
	Ms Porter
	Mr Rattenbury

And so it was negatived.

Question—That the amendments be agreed to—put.

The Assembly voted—

AYES, 9	NOES, 4
Mr Barr	Ms Bresnan
Dr Bourke	Ms Hunter
Ms Burch	Ms Le Couteur
Mr Coe	Mr Rattenbury
Mr Doszpot	
Mrs Dunne	
Mr Hargreaves	
Ms Porter	
Mr Seselja	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

(1) notes:

- (a) that there is a high need for disabled parking spaces in Canberra as Australian Bureau of Statistics statistics show that around 20 percent of Canberrans have some form of disability and the ACT has a growing ageing population;
- (b) that a 2008 Territory and Municipal Services commissioned study found the national standard on minimum spaces insufficient for the ACT's needs, and found an average need for a minimum of three percent of all parking spaces in shopping centres to be disabled parking;
- (c) the Territory Plan *Parking and Vehicular Access Code* has been increased to require 3 percent minimum disability parking spaces;
- (d) that Transport for Canberra, the Government's policy and strategy for transport 2012-2031, introduces a strategic parking framework, one commitment of which is that ‘parking for people with disabilities will be improved to ensure people with mobility restrictions are able to park easily and ensure priority parking and drop off points are safe, sufficient and conveniently located’;

- (e) that, consistent with the Transport for Canberra strategy, the Government will develop a strategic parking framework, which will include an action to review parking requirements for people with disabilities;
 - (f) that the Government, through Parking Operations, treats the matter of enforcement of illegal parking in disability parking spaces as a priority as part of its normal and out-of-hours patrols, and that these efforts will continue, to ensure the spaces are available to those who are entitled to use them; and
 - (g) that the parking infringement notice penalty for stopping in a parking area for the disabled is \$180, which is considerably higher than the \$81 penalty imposed for overstaying a parking meter or exceeding the time limit; and
- (2) calls for the ACT Government to report to the Assembly during the August sittings on progress on the 2008 ACT Disabled Parking Study recommendations.”—

be agreed to—put and passed.

11 FADDEN, MACARTHUR AND RICHARDSON—COYNE STREET AND CLIFT CRESCENT—TRAFFIC CALMING MEASURES

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

- (1) notes that:
 - (a) there are considerable safety concerns from Fadden and Macarthur residents regarding speeding motorists on Coyne Street;
 - (b) the Government has erected signs last year to address this issue, but they have proven to be ineffective;
 - (c) residents have witnessed a high number of accidents and near misses; and
 - (d) this is an important road for families with children attending Holy Family Primary School and Fadden Primary School as well as an important road for people living in the area; and
- (2) calls on the ACT Government to:
 - (a) immediately address community concerns by initiating traffic calming measures; and
 - (b) report to this Assembly on measures taken by the last day of the June 2012 sitting week.

Ms Bresnan moved the following amendment: Omit paragraphs (1) and (2), substitute:

- (1) notes:
 - (a) that there are considerable safety concerns from Fadden, Macarthur and Richardson residents regarding speeding motorists on Coyne Street and Clift Crescent;

- (b) that the Government has erected signs and added some street reflectors and traffic islands to address this issue, but they have proven to be ineffective;
 - (c) that residents have witnessed a high number of accidents and near misses, and there have previously been fatalities on Clift Crescent;
 - (d) that these are important roads for families with children attending Holy Family Primary School, Fadden Primary School and Richardson Primary, as well as important roads for people living in the area; and
 - (e) traffic calming and slower speed limits are important in Canberra neighbourhoods to improve road safety, opportunities for riding and walking, and community interaction; and
- (2) calls on the ACT Government to:
- (a) immediately consult with local residents of Coyne Street and Clift Crescent concerning traffic calming measures;
 - (b) following consultation, initiate agreed traffic calming measures as a priority;
 - (c) give greater priority to traffic calming in Canberra's neighbourhoods by:
 - (i) reviewing and revising relevant design standards to favour the safety of pedestrians, cyclists, children and the elderly;
 - (ii) tabling a list of locations where residents have asked for traffic calming or complained about persistent speeding; and
 - (iii) producing and tabling a list of Canberra streets prioritised for traffic calming improvements; and
 - (d) report to this Assembly on measures taken by the last day of the June 2012 sitting week."

Debate continued.

Mr Smyth moved the following amendment to Ms Bresnan's proposed amendment: In subparagraph (2)(a), after "Crescent" insert "and their feeder streets".

Amendment to amendment agreed to.

Amendment, as amended, agreed to.

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

Ms Burch (Minister for Community Services) requiring the question to be put forthwith without debate—

Question—put and negated.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that there are considerable safety concerns from Fadden, Macarthur and Richardson residents regarding speeding motorists on Coyne Street and Clift Crescent;
 - (b) that the Government has erected signs and added some street reflectors and traffic islands to address this issue, but they have proven to be ineffective;
 - (c) that residents have witnessed a high number of accidents and near misses, and there have previously been fatalities on Clift Crescent;
 - (d) that these are important roads for families with children attending Holy Family Primary School, Fadden Primary School and Richardson Primary, as well as important roads for people living in the area; and
 - (e) traffic calming and slower speed limits are important in Canberra neighbourhoods to improve road safety, opportunities for riding and walking, and community interaction; and
- (2) calls on the ACT Government to:
 - (a) immediately consult with local residents of Coyne Street and Clift Crescent and their feeder streets concerning traffic calming measures;
 - (b) following consultation, initiate agreed traffic calming measures as a priority;
 - (c) give greater priority to traffic calming in Canberra's neighbourhoods by:
 - (i) reviewing and revising relevant design standards to favour the safety of pedestrians, cyclists, children and the elderly;
 - (ii) tabling a list of locations where residents have asked for traffic calming or complained about persistent speeding; and
 - (iii) producing and tabling a list of Canberra streets prioritised for traffic calming improvements; and
 - (d) report to this Assembly on measures taken by the last day of the June 2012 sitting week."—

be agreed to—put and passed.

12 DENTAL HEALTH

Ms Bresnan, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) oral diseases continue to be among the most costly yet preventable health problems;
 - (b) 44 percent of respondents to the ACT General Health Survey reported to have delayed using a dentist because they could not afford it;
 - (c) children and young people aged under 14 years, and people older than 14 issued with a Centrelink issued Pension Concession or Healthcare card, are eligible for ACT Health's dental services; and
 - (d) the mean waiting time for adults on ACT Health's dental services waiting list is 12 months; and

- (2) calls on the:
- (a) Australian Government to accept the recommendations of the National Advisory Council on Dental Health and make a significant investment in State dental programs in the 2012-13 budget, and make this the first step towards universal Commonwealth-funded dental care for all Australians;
 - (b) Speaker of the ACT Legislative Assembly to write to the Federal Minister for Health and other party political spokespeople for Health advising them of paragraph (2)(a); and
 - (c) ACT Minister for Health to explain what reasons, in addition to a lack of funding, cause the mean waiting time for adults on ACT Health's dental services waiting list to be 12 months.

Debate ensued.

Mr Hanson moved the following amendment: Omit all words after paragraph (2), substitute:

- “(a) Speaker to write to the Federal Minister for Health, and other political party spokespeople for health, and advise them that:
- (i) the ACT Legislative Assembly is concerned about the level of federal funding for dental services; and
 - (ii) the ACT Legislative Assembly supports Medicare-funded dentistry as an aspiration; and
- (b) Minister for Health to provide to the Assembly the reasons why, including possible funding issues, that the mean waiting time for adults on the ACT dental services waiting list is currently 12 months.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 3	NOES, 8	
Mr Coe	Dr Bourke	Ms Hunter
Mr Doszpot	Ms Bresnan	Ms Le Couteur
Mr Hanson	Ms Burch	Ms Porter
	Mr Hargreaves	Mr Rattenbury

And so it was negatived.

Question—That the motion be agreed to—put and passed.

13 ADJOURNMENT

Dr Bourke (Minister for Education and Training) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.58 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

SCHEDULES OF AMENDMENTS

Schedule 1

FINANCIAL MANAGEMENT (COST OF LIVING) AMENDMENT BILL 2012

Amendment circulated by the Treasurer

1

Clause 4

Proposed new section 11 (1) (f)

Page 2, line 13—

omit proposed new section 11 (1) (f), substitute

- (f) a statement about the effect of the following on an ACT household for the financial year:
 - (i) Territory taxes and fees that have a direct effect on the household;
 - (ii) Territory concessions that offset the taxes and fees mentioned in subparagraph (i).
-

Schedule 2**FINANCIAL MANAGEMENT (COST OF LIVING) AMENDMENT
BILL 2012**

Amendment circulated by Mr Smyth to the Treasurer's amendment

1

Clause 4**Proposed new section 11 (1) (f) (i)****Page 2, line 13—**

omit

direct
