



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2004–2005–2006

MINUTES OF PROCEEDINGS

No. 60

WEDNESDAY, 3 MAY 2006

1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) 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 REGISTRATION OF RELATIONSHIPS BILL 2006

Mr Stefaniak, pursuant to notice, presented a Bill for an Act to provide for the registration of relationships.

Paper: Mr Stefaniak presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Stefaniak moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Corbell—Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

3 CHILDCARE IN THE A.C.T.

The order of the day having been read for the resumption of the debate on the motion of Dr Foskey—That this Assembly:

- (1) recognises the importance of high quality and affordable childcare being widely available across the ACT;
- (2) acknowledges that childcare:
 - (a) can be delivered through a range of models that include private, co-operative and community providers, and that there is a role for all types of models in the ACT; and
 - (b) may be accessed through a variety of situations such as stand-alone, work-based and other community facilities, and that there is a role for all types of situations in the ACT; and

- (3) calls on the ACT Government to:
- (a) provide the Assembly with information on the:
 - (i) level of demand for childcare;
 - (ii) existing number of childcare places;
 - (iii) distribution of existing places and demand for places across the ACT; and
 - (iv) number of TAFE and university qualified childcare workers in the ACT, including those not currently employed in childcare;
 - (b) develop a strategy to support the provision of high quality and affordable childcare by:
 - (i) looking for opportunities to work with private, co-operative and community childcare providers to ensure the level of supply for childcare is adequate and developed in areas with current shortages;
 - (ii) incorporating the use of schools and other community buildings for childcare where available;
 - (iii) ensuring an adequate supply of designated land and facilities, including direct sale to approved providers where appropriate; and
 - (iv) considering the development of a central childcare “waiting list” register to facilitate better information on childcare availability across the ACT; and
 - (c) report back to the Assembly in the sitting week in June 2006—

Debate resumed.

Ms Gallagher (Minister for Disability and Community Services) moved the following amendment: Omit all words after “situations in the ACT”, substitute:

- “(3) acknowledges that the ACT Government has:
- (a) incorporated the use of schools and other community buildings for childcare where available; and
 - (b) ensured an adequate supply of designated land and facilities, including direct sale to approved providers where appropriate;
- (4) calls on the Federal Government to:
- (a) look for opportunities to work with private, co-operative and community childcare providers to ensure the level of supply for childcare is adequate and developed in areas with current shortages;
 - (b) fund an increase in long day care and outside school care places;
 - (c) remove the ever-widening gap between the Child Care Benefit and childcare fees to ensure childcare does not become a luxury service available only to certain parents; and
 - (d) heed calls by the Australian Council of Social Services to make early childhood sector ‘simpler and fairer’; and

- (5) calls on the Chief Minister to write to the Federal Minister responsible for childcare communicating the Assembly's resolution on this issue."

Debate continued.

Question—That Ms Gallagher's amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Barr	Mr Gentleman	Mrs Burke	Mr Seselja
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Smyth
Mr Corbell	Ms Porter	Dr Foskey	Mr Stefaniak
Ms Gallagher	Mr Stanhope	Mr Pratt	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) recognises the importance of high quality and affordable childcare being widely available across the ACT;
- (2) acknowledges that childcare:
 - (a) can be delivered through a range of models that include private, co-operative and community providers, and that there is a role for all types of models in the ACT; and
 - (b) may be accessed through a variety of situations such as stand-alone, work-based and other community facilities, and that there is a role for all types of situations in the ACT;
- (3) acknowledges that the ACT Government has:
 - (a) incorporated the use of schools and other community buildings for childcare where available; and
 - (b) ensured an adequate supply of designated land and facilities, including direct sale to approved providers where appropriate;
- (4) calls on the Federal Government to:
 - (a) look for opportunities to work with private, co-operative and community childcare providers to ensure the level of supply for childcare is adequate and developed in areas with current shortages;
 - (b) fund an increase in long day care and outside school care places;
 - (c) remove the ever-widening gap between the Child Care Benefit and childcare fees to ensure childcare does not become a luxury service available only to certain parents; and
 - (d) heed calls by the Australian Council of Social Services to make early childhood sector 'simpler and fairer'; and
- (5) calls on the Chief Minister to write to the Federal Minister responsible for childcare communicating the Assembly's resolution on this issue.”—

be agreed to—put and passed.

4 A.C.T. BUDGET—FUNCTIONAL REVIEW

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

- (1) notes that:
 - (a) the Government has commissioned a functional and strategic review of Government structures and programs, referred to as the Functional Review of the ACT Budget in its terms of reference; and
 - (b) the report of the Functional Review has been presented to the Government; and
- (2) calls on the Government to table the report of the Functional Review by the close of business today.

Debate ensued.

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.

5 QUESTIONS

Questions without notice were asked.

6 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Study trip reports—

Mr Berry MLA—Improve Government Accountability in Queensland: the Upper House Solution Conference—Brisbane, 21 April 2006.

Mr Stefaniak MLA—Meeting of Shadow Ministers for Sport and Recreation—Melbourne, 15-17 March 2006.

7 PRESENTATION OF PAPER

Mr Corbell (Attorney-General) presented the following paper:

ACT Criminal Justice Statistical Profile—December 2005 quarter—Revised.

8 TERRORISM (EXTRAORDINARY TEMPORARY POWERS) BILL 2006—MEMORANDUM OF ADVICE—PAPER AND STATEMENT BY MINISTER

Mr Corbell (Attorney-General) presented the following paper:

Terrorism (Extraordinary Temporary Powers) Bill 2006—Compatibility with *Human Rights Act 2004*—Memorandum of advice, prepared for the Chief Solicitor, ACT Government Solicitor, by Ms Kate Eastman, dated 24 April 2006—

and, by leave, made a statement in relation to the paper.

9 A.C.T. BUDGET—FUNCTIONAL REVIEW

The order of the day having been read for the resumption of the debate on the motion of Mr Smyth (Leader of the Opposition) (*see* [Entry 4](#) above)—

Debate resumed.

Question—put.

The Assembly voted—

AYES, 7		NOES, 8	
Mrs Burke	Mr Seselja	Mr Barr	Mr Gentleman
Mrs Dunne	Mr Smyth	Mr Berry	Ms MacDonald
Dr Foskey	Mr Stefaniak	Mr Corbell	Ms Porter
Mr Pratt		Ms Gallagher	Mr Stanhope

And so it was negatived.

10 AGED CARE NURSES—PAY PARITY

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

- (1) recognises the valuable work of nurses in the aged care sector;
- (2) notes:
 - (a) the lack of pay parity between aged care nurses and ACT Government nurses; and
 - (b) the high turnover of staff in the Laged care sector;
- (3) recognises that these factors have negative impacts on health and care outcomes for residents of nursing homes; and
- (4) calls on the Federal Government to immediately inject funding into the aged care sector and specifically address the lack of pay parity for aged care nurses in the ACT.

Debate ensued.

Question—put and passed.

11 EDUCATION AMENDMENT BILL 2005

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate adjourned (Mr Barr—Minister for Education and Training) and the resumption of the debate made an order of the day for the next sitting.

12 CARDIOVASCULAR DISEASE

Ms MacDonald, pursuant to notice, moved—That this Assembly acknowledges that:

- (1) cardiovascular disease is the leading cause of death in Australia, responsible for more than 1 in 3 deaths;
- (2) the effects and treatment of cardiovascular disease cost the community millions of dollars every year;
- (3) poor nutrition, lack of exercise and smoking all increase the risk of cardiovascular disease;
- (4) the important role events, such as Heart Week, play in raising awareness about cardiovascular disease and promoting healthy living;
- (5) the valuable work the ACT Division of the Heart Foundation does to raise awareness and reduce incidences of cardiovascular disease in the ACT community;

- (6) initiatives such as Promoting Healthy Students, college health coordinators and the Kids at Play program will lead to a healthier ACT adult community in the future; and
- (7) the number of programs already implemented by the ACT Government and the importance of such programs in encouraging a healthy and active ACT community.

Debate ensued.

Question—put and passed.

13 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.22 p.m., adjourned until tomorrow at 10.30 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Mulcahy*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly