

2004–2005

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 24

TUESDAY, 28 JUNE 2005

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 **LEGAL AFFAIRS—STANDING COMMITTEE (PERFORMING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE)—SCRUTINY REPORT 12—STATEMENT BY CHAIR**

Mr Stefaniak (Chair) presented the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 12, dated 27 June 2005, together with the relevant minutes of proceedings—

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

3 **LEGAL AFFAIRS—STANDING COMMITTEE—REPORT 1—REPORT ON ANNUAL REPORTS 2003-2004—PUBLICATION OF REPORT—REPORT NOTED**

Mr Stefaniak (Chair) presented the following report:

Legal Affairs—Standing Committee—Report 1—*Report on Annual Reports 2003-2004*, dated 10 May 2005, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, moved—That the report be authorised for publication.

Question—put and passed.

Mr Stefaniak moved—That the report be noted.

Question—put and passed.

4 ESTIMATES 2005-2006—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2005-2006—GOVERNMENT RESPONSE—PAPER AND STATEMENT BY MINISTER—MOTION TO TAKE NOTE OF PAPER

Mr Quinlan (Treasurer) presented the following paper:

Estimates 2005-2006—Select Committee—Report—*Appropriation Bill 2005-2006*—Government response, dated June 2005—

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

Mr Quinlan moved—That the Assembly takes note of the paper.

Debate ensued.

Debate adjourned (Mr Corbell—Minister for Planning) and the resumption of the debate made an order of the day for a later hour this day.

5 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF ASSEMBLY BUSINESS

Mr Corbell (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent order of the day No. 1, Assembly business—Report of the Select Committee on Estimates 2005-2006 and the Government response to the Select Committee on Estimates, to be called on and debated cognately with order of the day No. 1, Executive business—Appropriation Bill 2005-2006.

Question—put and passed, with the concurrence of an absolute majority.

6 APPROPRIATION BILL 2005-2006

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

Detail Stage

Schedule 1—Appropriations—

Proposed expenditure—Part 1.1—Legislative Assembly Secretariat, \$5 199 000 (net cost of outputs), \$800 000 (capital injection) and \$4 300 000 (payments on behalf of the Territory), totalling \$10 299 000—

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

Speaker's ruling: The Speaker ruled that Mr Mulcahy's amendment was out of order as it would infringe against the resolution of the Legislative Assembly of 23 November 1995.

Debate continued.

Proposed expenditure agreed to.

Proposed expenditure—Part 1.2—ACT Executive, \$4 749 000 (payments on behalf of the Territory), totalling \$4 749 000—debated and agreed to.

Proposed expenditure—Part 1.3—Auditor-General, \$1 380 000 (net cost of outputs), totalling \$1 380 000—debated and agreed to.

Proposed expenditure—Part 1.4—Chief Minister's Department, \$64 088 000 (net cost of outputs), \$32 822 000 (capital injection) and \$5 842 000 (payments on behalf of the Territory), totalling \$102 752 000—debated.

Mrs Dunne addressing the Assembly—

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 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACTS—PAPERS AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following papers:

Public Sector Management Act, pursuant to section 79—Copies of executive contracts or instruments—

Long-term contract:

Irene McKinnon, dated 4 May 2005.

Short-term contracts:

Jenelle Reading, dated 13 May 2005.

Sue Marriage, dated 23 May 2005—

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

9 PRESENTATION OF PAPER

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

ACT Property Crime Reduction Strategy 2004-2007—Building a safer community: First progress report.

10 PRESENTATION OF PAPERS

Mr Quinlan (Treasurer) presented the following papers:

Financial Management Act—

Pursuant to section 14—Instrument directing a transfer of funds within the Department of Disability, Housing and Community Services, including a statement of reasons, dated 24 June 2005.

Pursuant to section 18A—

Authorisation of Expenditure from the Treasurer's Advance to Chief Minister's Department, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Economic Development, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Economic Development, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Justice and Community Safety, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Education and Training, including a statement of reasons, dated 22 June 2005.

Authorisation of Expenditure from the Treasurer's Advance to Department of Economic Development, including a statement of reasons, dated 24 June 2005.

Summary of authorisation of expenditure from the Treasurer's Advance in 2004-05, as at 27 June 2005.

11 PRESENTATION OF PAPER

Mr Quinlan (Treasurer) presented the following paper:

Precinct Deed between the Australian Capital Territory and the Australian National University—ANU City West Integration Precinct, dated 21 December 2004.

12 PRESENTATION OF PAPERS

Mr Corbell (Minister for Health) presented the following papers:

Calvary Public Hospital—Information Bulletin—Patient Activity Data—External Distribution—April 2005.

The Canberra Hospital—Information Bulletin—Patient Activity Data—April 2005.

13 PRESENTATION OF PAPERS

Mr Corbell (Manager of Government Business) presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Children and Young People Act—Children and Young People Official Visitor Appointment 2005 (No. 1)—Disallowable Instrument DI2005-89 (LR, 16 June 2005).

Domestic Animals Act—Domestic Animals (Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-99 (without explanatory statement) (LR, 20 June 2005).

Education Act—

Education (Government Schools Education Council) Appointment 2005 (No. 1)—Disallowable Instrument DI2005-88 (LR, 21 June 2005).

Education (Government Schools Education Council) Appointment 2005 (No. 2)—Disallowable Instrument DI2005-104 (LR, 21 June 2005).

Hawkers Act—Hawkers (Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-97 (without explanatory statement) (LR, 20 June 2005).

National Exhibition Centre Trust Act—National Exhibition Centre Trust Appointment 2005 (No. 1)—Disallowable Instrument DI2005-103 (LR, 20 June 2005).

Nature Conservation Act—Nature Conservation (Threatened Ecological Communities and Species) Action Plan 2005 (No. 1)—Disallowable Instrument DI2005-84 (LR, 16 June 2005).

Public Place Names Act—Public Place Names (Griffith) Determination 2005 (No. 1)—Disallowable Instrument DI2005-86 (LR, 16 June 2005).

Public Sector Management Act—Public Sector Management Amendment Standard 2005 (No. 6)—Disallowable Instrument DI2005-83 (LR, 16 June 2005).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2005 (No. 2)—Disallowable Instrument DI2005-94 (LR, 20 June 2005).

Rehabilitation of Offenders (Interim) Act—

Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2005 (No. 3)—Disallowable Instrument DI2005-91 (LR, 20 June 2005).

Rehabilitation of Offenders (Interim) (Sentence Administration Board) Appointment 2005 (No. 4)—Disallowable Instrument DI2005-92 (LR, 20 June 2005).

Road Transport (General) Act—

Road Transport (General) (Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-93 (without explanatory statement) (LR, 20 June 2005).

Road Transport (General) (Numberplate Fees) Determination 2005 (No. 2)—Disallowable Instrument DI2005-100 (LR, 20 June 2005).

Road Transport (General) (Parking Permit Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-101 (LR, 20 June 2005).

Road Transport (General) (Vehicle Impounding and Seizure/Speed Tests) Determination 2005 (No. 1)—Disallowable Instrument DI2005-102 (LR, 20 June 2005).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Maximum Fares Determination 2005 (No. 3)—Disallowable Instrument DI2005-106 (LR, 21 June 2005).

Roads and Public Places Act—

Roads and Public Places (Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-90 (without explanatory statement) (LR, 21 June 2005).

Roads and Public Places (Fees) Determination 2005 (No. 2)—Disallowable Instrument DI2005-98 (without explanatory statement) (LR, 21 June 2005).

Tertiary Accreditation and Registration Act—Tertiary Accreditation and Registration Council Appointment 2005 (No. 1)—Disallowable Instrument DI2005-95 (LR, 16 June 2005).

Vocational Education and Training Act—Vocational Education and Training Authority Appointment 2005 (No. 2)—Disallowable Instrument DI2005-96 (LR, 16 June 2005).

14 FORDE JOINT VENTURE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Corbell (Minister for Planning), by leave, made a ministerial statement concerning the Forde Joint Venture and presented the following paper:

Forde Joint Venture—Ministerial statement, 28 June 2005—

and moved—That the Assembly takes note of the paper.

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

15 APPROPRIATION BILL 2005-2006

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

Detail Stage

Schedule 1—Appropriations –

Consideration resumed on proposed expenditure—Part 1.4—Chief Minister’s Department, \$64 088 000 (net cost of outputs), \$32 822 000 (capital injection) and \$5 842 000 (payments on behalf of the Territory), totalling \$102 752 000—

Debate continued.

Question—put.

The Assembly voted—

AYES, 16		NOES, 1
Mr Berry	Mr Mulcahy	Dr Foskey
Mrs Burke	Ms Porter	
Mr Corbell	Mr Pratt	
Mrs Dunne	Mr Quinlan	
Ms Gallagher	Mr Seselja	
Mr Gentleman	Mr Smyth	
Mr Hargreaves	Mr Stanhope	
Ms MacDonald	Mr Stefaniak	

And so it was resolved in the affirmative—Proposed expenditure agreed to.

Proposed expenditure—Part 1.5—ACT Workcover, \$6 868 000 (net cost of outputs) and \$536 000 (capital injection), totalling \$7 404 000—debated and agreed to.

Proposed expenditure—Part 1.6—Department of Treasury, \$40 116 000 (net cost of outputs), \$24 950 000 (capital injection) and \$38 156 000 (payments on behalf of the Territory), totalling \$103 222 000—debated and agreed to.

Proposed expenditure—Part 1.7—Central Financing Unit, \$214 000 (capital injection) and \$12 939 000 (payments on behalf of the Territory), totalling \$13 153 000—agreed to.

Proposed expenditure—Part 1.8—Home Loan Portfolio, nil expenditure—debated and agreed to.

Proposed expenditure—Part 1.9—InTACT, \$2 341 000 (net cost of outputs) and \$5 640 000 (capital injection), totalling \$7 981 000—agreed to.

Proposed expenditure—Part 1.10—Superannuation Unit, \$125 236 000 (capital injection), totalling \$125 236 000—debated and agreed to.

Proposed expenditure—Part 1.11—ACT Health, \$530 072 000 (net cost of outputs), \$19 964 000 (capital injection) and \$18 631 000 (payments on behalf of the Territory), totalling \$568 667 000—debated.

Dr Foskey addressing the Assembly—

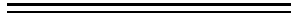
16 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.29 p.m., adjourned until tomorrow at 10.30 a.m.



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



Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

APPROPRIATION BILL 2005-2006

Amendments circulated by Mr Mulcahy

1
Schedule 1
Part 1.1
Page 5—

omit part 1.1, substitute

Part 1.1					
Legislative Assembly Secretariat	Legislative Assembly Secretariat	5 328 000	671 000	4 300 000	10 299 000

2
Schedule 1
Part 1.3
Page 5—

omit part 1.3, substitute

Part 1.3					
Auditor-General	Auditor-General	1 755 000			1 755 000

3
Schedule 1
Part 1.4
Page 5—

omit part 1.4, substitute

Part 1.4					
Chief Minister's Department	Chief Minister's	63 813 000	37 322 000	5 842 000	106 977 000

4
Schedule 1
Part 1.12
Page 6—

omit part 1.12, substitute

Part 1.12					
Department of Urban Services	Urban Services	214 511 000	70 499 000		285 010 000
