

1995-96

LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 60

WEDNESDAY, 28 AUGUST 1996

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1 The Assembly met at 10.30 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mr Cornwell) ordered the bells to be rung. A quorum having been formed the Speaker 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 Hird, from 30 residents, requesting that the lease and development application for the community sporting facilities in McKellar be approved.

3 **NOISE CONTROL (AMENDMENT) BILL 1996**

Ms Horodny, pursuant to notice, presented a Bill for an Act to amend the *Noise Control Act 1988*.

Title read by Clerk.

Ms Horodny moved - That this Bill be agreed to in principle.

Debate adjourned (Mr De Domenico - Minister for Urban Services) and the resumption of the debate made an order of the day for the next sitting.

4 **MEDICAL TREATMENT (AMENDMENT) BILL 1996**

Mr Moore, pursuant to notice, presented a Bill for an Act to amend the *Medical Treatment Act 1994*.

Title read by Clerk.

Mr Moore moved - That this Bill be agreed to in principle.

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

5 **PUBLIC HOUSING**

Ms Reilly, pursuant to notice, moved - Noting that changes to the funding of public housing programs by the Commonwealth Government for the ACT in the 1996-97 and following years will allow the ACT government to sell public housing without the requirements as contained in the previous Commonwealth State Housing Agreement that the revenue from such sales being returned to public housing programs for the development of further public housing programs;

this Assembly directs the Government to ensure that:

- (1) proceeds for the sale of public housing will be used for the purpose and construction of public housing and related programs which assist people in the Territory who are eligible to receive assistance for accommodation and the home purchase programs;
- (2) the mix of housing types and sizes including the location of public housing throughout the ACT community be maintained; and
- (3) public housing tenants are not subject to any diminution of the tenancy rights which they currently hold in the Territory.

Debate ensued.

Ms Tucker, by leave, was granted an extension of time.

Ms Tucker moved the following amendment: Paragraph (1), omit "and the home purchase programs".

Debate continued.

Amendment negatived.

Ms Tucker, by leave, moved the following amendment: Add the following new paragraphs:

- "(4) the current levels of public housing stock as a percentage of rental housing are maintained and the Government commits to further expansion of public and community housing.
- (5) that the Commonwealth State Housing Agreement funds are quarantined from use in meeting the ACT's fiscal contributions to the Commonwealth of \$10.8 million in 1997-98 and \$5.1 million in 1998-99."

Ordered - That the question be divided.

Question - That paragraph (4) be added to the motion - put and negatived.

Question - That paragraph (5) be added to the motion - put and negatived.

Mr Berry moved the following amendment: Add the following new paragraph:

- "(6) that the ACT Government use the forthcoming budget for 1996-97 to replace the \$10.4 million cut in public housing funding which Mrs Carnell has handed back to the Commonwealth."

Amendment negatived.

Debate continued on the question - That the motion be agreed to.

Ordered - That the question be divided.

Question - That the preamble and paragraphs (1) and (2) be agreed to - put and negatived.

Question - That the words "This Assembly directs the Government to ensure that" and paragraph (3) be agreed to - put and passed.

## 6 QUESTIONS

Questions without notice were asked.

## 7 PAPER

Mr Osborne, by leave, presented the following paper:

School bus cut - Article on page 7 of *The Chronicle*, dated 26 August 1996.

## 8 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 13 - CONSULTATION WITH ASSEMBLY COMMITTEES ON APPOINTMENTS TO

**TERRITORY OWNED CORPORATIONS - GOVERNMENT RESPONSE - PAPER NOTED**

Mrs Carnell (Chief Minister) presented the following paper:

Public Accounts - Standing Committee - Report No. 13 - Consultation with Assembly committees on appointments to Territory Owned Corporations, dated April 1996 - Government response, dated August 1996 -

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

Question - put and passed.

**9 COMMUNITY LAW REFORM COMMITTEE - REPORT NO. 9 - DOMESTIC VIOLENCE - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER**

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

Community Law Reform Committee - Report No. 9 - Domestic violence - Government response -

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

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

**10 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 12 - REVIEW OF AUDITOR-GENERAL'S REPORT NO. 6, 1995 - CONTRACT FOR COLLECTION OF DOMESTIC GARBAGE; NON-SALARY ENTITLEMENTS OF SENIOR GOVERNMENT OFFICERS - GOVERNMENT RESPONSE - PAPER NOTED**

Mr De Domenico (Minister for Urban Services) presented the following paper:

Public Accounts - Standing Committee - Report No. 12 - Review of Auditor-General's Report No. 6, 1995 - Contract for Collection of Domestic Garbage; Non-Salary Entitlements of Senior Government Officers, dated April 1996 - Government response -

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

Debate ensued.

Question - put and passed.

**11 MINISTERIAL MEETINGS - HOBART, JULY 1996 - MINISTERIAL STATEMENT - PAPER NOTED**

Mrs Carnell (Minister for Health and Community Care), by leave, made a ministerial statement concerning ministerial meetings in Hobart, July 1996 and presented the following paper:

Ministerial meetings - Hobart, July 1996 - Ministerial statement, 28 August 1996 -

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

Debate ensued.

Question - put and passed.

**12 MATTER OF PUBLIC IMPORTANCE - WITHDRAWAL**

The Speaker informed the Assembly that Mr Moore had withdrawn the matter of public importance submitted for discussion.

**13 PAPER**

Mrs Carnell (Minister for Health and Community Care) presented the following paper:

Drugs strategy - Ministerial Council on Drugs Strategy - Communique - Statement on illicit drug harm minimisation strategy, Hobart, dated 5 July 1996.

**14 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 16 - HEALTH, EDUCATION AND SOCIAL WELFARE SERVICES - PURCHASER-PROVIDER ARRANGEMENTS - NEW ZEALAND - REPORT - REPORT NOTED**

Mr Wood (Chair) presented the following report:

Public Accounts - Standing Committee - Report No. 16 - Purchaser-provider arrangements in health, education and social welfare services - A report on regional effects and outcomes under New Zealand economic and financial changes, May 1996, dated August 1996, together with extracts of the minutes of proceedings -

and moved - That the report be noted.

Debate ensued.

Question - put and passed.

**15 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 17 - REVIEW OF AUDITOR-GENERAL'S REPORT NUMBER 4, 1996 - LAND JOINT VENTURES - REPORT NOTED**

Mr Wood (Chair) presented the following report:

Public Accounts - Standing Committee - Report No. 17 - Review of Auditor-General's Report Number 4, 1996 - Land Joint Ventures, dated 26 August 1996 -

and moved - That the report be noted.

Question - put and passed.

**16 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 18 - REVIEW OF AUDITOR-GENERAL'S REPORT NUMBER 2, 1996 - TAXI PLATES AUCTION - MOTION THAT REPORT BE NOTED**

Mr Wood (Chair) presented the following report:

Public Accounts - Standing Committee - Report No. 18 - Review of Auditor-General's Report Number 2, 1996 - Taxi Plates Auction, dated 26 August 1996 -

and moved - That the report be noted.

Debate adjourned (Mr De Domenico - Minister for Urban Services) and the resumption of the debate made an order of the day for the next sitting.

**17 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 19 - REVIEW OF AUDITOR-GENERAL'S REPORT NUMBER 8, 1995 - FINANCIAL AUDITS WITH YEARS ENDING TO 30 JUNE 1995 - REPORT NOTED**

Mr Wood (Chair) presented the following report:

Public Accounts - Standing Committee - Report No. 19 - Review of Auditor-General's Report Number 8, 1995 - Financial audits with years ending to 30 June 1995, dated 27 August 1996 -

and moved - That the report be noted.

Debate ensued.

Question - put and passed.

**18 SUSPENSION OF STANDING ORDERS - CONSIDERATION OF PRIVATE MEMBERS' BUSINESS**

Ms Tucker moved - That so much of the standing orders be suspended as would prevent notice No. 4, private Members' business relating to proposed temporary order 77 to give precedence to private Members' business on Wednesday afternoon being called on forthwith.

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

## **19 TEMPORARY ORDER 77**

Ms Tucker, pursuant to notice, moved - That unless otherwise ordered:

- (1) paragraph (a) of standing order 77 be suspended from the next sitting day and the following temporary order operate until the last sitting day of 1996:
  - “(a) On sitting Wednesdays private Members' business shall have precedence of Executive business;” and

- (2) paragraph (d) of standing order 77 be suspended from the next sitting day and the following temporary order operate until the last sitting day of 1996:

“(d) when there is no question before the Chair during private Members’ business and at any time during the consideration of Assembly business any Member may move that Executive business be called on and such motion shall be put forthwith without amendment or debate.”.

Mr Humphries (Manager of Government Business) addressing the Assembly -

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*Adjournment negatived:* It being 5 p.m. - The question was proposed - That the Assembly do now adjourn.

Mr Humphries (Manager of Government Business) requiring the question to be put forthwith without debate -

Question - put and negatived.

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Debate continued.

Question - put and passed.

## **20 ADJOURNMENT MOVED**

Mr Humphries (Manager of Government Business) moved - That the Assembly do now adjourn.

Mr Humphries, by leave, withdrew his motion.

## **21 SUSPENSION OF STANDING ORDERS - CONSIDERATION OF ASSEMBLY BUSINESS**

Mr Humphries (Manager of Government Business) moved - That so much of the standing orders be suspended as would prevent notice No. 1, Assembly business establishing the Select Committee on Estimates 1996-97 being called on forthwith.

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

## **22 ESTIMATES 1996-97 - SELECT COMMITTEE - APPOINTMENT**

Mr Humphries (Manager of Government Business) on behalf of Mrs Carnell (Treasurer), pursuant to notice, moved - That:

- (1) a Select Committee on Estimates 1996-97 be appointed to examine the expenditure proposals contained in the Appropriation Bill 1996-97 and any revenue estimates proposed by the Government in the 1996 Budget, together with the 1995-96 Annual Reports;
- (2) the Committee be composed of:
  - (a) two Members to be nominated by the Government;
  - (b) two Members to be nominated by the Opposition; and
  - (c) two Members to be nominated by either the Independent Members or the ACT Greens;

to be notified in writing to the Speaker by 4.00pm, Thursday, 29 August 1996;
- (3) that 4 members of the Committee shall constitute a quorum of the Committee;
- (4) the Committee report by 6 November 1996;

- (5) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker who is authorised to give directions for its printing and circulation;
- (6) the Committee is authorised to release copies of its report, prior to the Speaker or Deputy Speaker authorising its printing and circulation and pursuant to embargo conditions and to persons to be determined by the Committee;
- (7) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Question - put and passed.

## **23 ADJOURNMENT**

Mr Humphries (Manager of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

It being 5.30 p.m. the Speaker interrupted the debate in accordance with standing order 34 and adjourned the Assembly until tomorrow at 10.30 a.m.

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

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**M.J. McRAE**  
Clerk of the Legislative Assembly