



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010–2011

MINUTES OF PROCEEDINGS

No. 103

WEDNESDAY, 4 MAY 2011

- 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 **CATHOLIC SCHOOLS—FUNDING**

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

 - (1) notes:
 - (a) that Catholic Schools Week is being celebrated throughout all ACT Catholic schools from 1 May to 7 May;
 - (b) that the Catholic school system is an integral component of the ACT's education system, educating 26 per cent of students in the ACT;
 - (c) that Catholic schools have the right to retain their autonomy to manage their schools in accordance with their values;
 - (d) the importance of the continuation of block funding so that funding can be distributed according to need;
 - (e) that parents have the right to choose the kind of education they want for their children; and
 - (f) that the Catholic school system educates a comprehensive demographic range of students; and
 - (2) calls on the:
 - (a) Minister for Education and Training and the Treasurer to make representations to the Commonwealth Government to ensure that funding for this sector does not decrease in real terms;

- (b) Commonwealth and ACT Governments to ensure that Catholic schools continue to be an accessible choice for parents to educate their children; and
- (c) ACT Government to provide disaggregation of per student total expenses paid in monetary terms from ACT and Commonwealth Government sources and to report this to the Assembly by the end of this current financial year.

Mr Barr (Minister for Education and Training) moved the following amendment: Omit all words after “demographic range of students; and” in subparagraph (1)(f), substitute:

- “(1) (g) that the MySchool website provides comprehensive disaggregated data of per student funding paid in monetary terms from ACT and Commonwealth Government sources to ACT schools; and
- (2) calls on the Government to:
- (a) work to ensure that the ACT schools sector continues to operate in a collaborative and co-operative fashion for the benefit of ACT students; and
 - (b) make representations to the Review of Funding for Schooling seeking to ensure:
 - (i) a fair share of funding for all ACT schools, including Catholic schools; and
 - (ii) that any school funding model is centred on student need.”.

Debate continued.

Question—That amendment be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 5
Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Ms Porter	Mr Hanson
Mr Corbell	Mr Rattenbury	Mr Seselja
Mr Hargreaves	Mr Stanhope	Mr Smyth

And so it was resolved in the affirmative.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that Catholic Schools Week is being celebrated throughout all ACT Catholic schools from 1 May to 7 May;
 - (b) that the Catholic school system is an integral component of the ACT’s education system, educating 26 per cent of students in the ACT;
 - (c) that Catholic schools have the right to retain their autonomy to manage their schools in accordance with their values;

- (d) the importance of the continuation of block funding so that funding can be distributed according to need;
 - (e) that parents have the right to choose the kind of education they want for their children;
 - (f) that the Catholic school system educates a comprehensive demographic range of students; and
 - (g) that the MySchool website provides comprehensive disaggregated data of per student funding paid in monetary terms from ACT and Commonwealth Government sources to ACT schools; and
- (2) calls on the Government to:
- (a) work to ensure that the ACT schools sector continues to operate in a collaborative and co-operative fashion for the benefit of ACT students; and
 - (b) make representations to the Review of Funding for Schooling seeking to ensure:
 - (i) a fair share of funding for all ACT schools, including Catholic schools; and
 - (ii) that any school funding model is centred on student need.”—

be agreed to—put and passed.

3 ANIMAL WELFARE LEGISLATION AMENDMENT BILL 2011

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 resumed.

Papers: Ms Le Couteur, by leave, presented the following papers:

Animal Welfare Legislation Amendment Bill 2010—Exposure draft—Copies of correspondence between Ms Le Couteur and the Minister for Territory and Municipal Services—

Dated 11 March 2011.

Dated 24 March 2011.

Debate continued.

Question—That this Bill be agreed to in principle—put.

The Assembly voted—

AYES, 4

Ms Bresnan
Ms Hunter
Ms Le Couteur
Mr Rattenbury

NOES, 11

Mr Barr
Ms Burch
Mr Coe
Mr Corbell
Mr Doszpot
Mr Hanson
Mr Hargreaves
Ms Porter
Mr Seselja
Mr Smyth
Mr Stanhope

And so it was negatived.

4 GUNGAHLIN DRIVE EXTENSION

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

- (1) notes:
 - (a) that the ACT Government first committed to building the Gungahlin Drive Extension (GDE) at a cost of \$53 million in 2001;
 - (b) that the total cost of the project is now estimated to be in excess of \$200 million;
 - (c) that the GDE was initially intended to be completed by 2004;
 - (d) that the current estimated timeframe for delivery is June 2012;
 - (e) the litany of problems associated with the delivery of the GDE project, including the collapse of the Barton Highway bridge; and
 - (f) that the residents of Belconnen and Gungahlin have been severely inconvenienced by the ongoing construction of the GDE; and
- (2) calls on the Government to:
 - (a) outline when each section of the GDE will be duplicated and open to the public;
 - (b) publish the total cost of the project since 2001;
 - (c) publish the additional cost of the project of building a single lane road, then duplicating it as opposed to building a two lane road in one construction project; and
 - (d) report back to the Assembly on the above by 30 June 2011.

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

“notes:

- (1) that, in relation to the Gungahlin Drive Extension (GDE) Stage 2:
 - (a) it was scheduled to be completed by June 2012 at a cost of \$85 million; and
 - (b) construction is progressing well, is ahead of program, within budget, and is currently scheduled to be completed by the end of 2011;
- (2) that the following information about the completion of GDE Stage 2 is on the www.gde.act.gov.au website:
 - (a) the Belconnen Way section is now complete;
 - (b) the bridges over Ginninderra Drive, Belconnen Way and Ellenborough Street are now complete;
 - (c) the Glenloch Interchange is under construction with completion expected in June/July 2011; and
 - (d) the remainder of the road duplication between Aranda and the Barton Highway is under construction with completion expected late 2011. Landscaping upgrades will follow;
- (3) the total cost of the GDE, Stages 1 and 2 will be \$194 million; and

- (4) that this new road has been delivered similar to many other new roads to be built in the ACT under self-government, as a single carriageway to be duplicated later as funds permitted.”.

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 QUESTION ON NOTICE NO. 1589—ANSWER—EXPLANATION

Ms Hunter, pursuant to standing order 118A, asked Ms Gallagher (Treasurer) for an explanation concerning the answer to question on notice No. 1589.

Ms Gallagher gave an explanation.

7 GUNGAHLIN DRIVE EXTENSION

The order of the day having been read for the resumption of the debate on the motion of Mr Coe, and on the amendment moved by Mr Stanhope (Minister for Transport) (*see entry 4*)—

Debate resumed.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 5
Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Ms Porter	Mr Hanson
Mr Corbell	Mr Rattenbury	Mr Seselja
Mr Hargreaves	Mr Stanhope	Mr Smyth

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly notes:

- (1) that, in relation to the Gungahlin Drive Extension (GDE) Stage 2:
 - (a) it was scheduled to be completed by June 2012 at a cost of \$85 million; and
 - (b) construction is progressing well, is ahead of program, within budget, and is currently scheduled to be completed by the end of 2011;
- (2) that the following information about the completion of GDE Stage 2 is on the www.gde.act.gov.au website:
 - (a) the Belconnen Way section is now complete;
 - (b) the bridges over Ginninderra Drive, Belconnen Way and Ellenborough Street are now complete;
 - (c) the Glenloch Interchange is under construction with completion expected in June/July 2011; and

- (d) the remainder of the road duplication between Aranda and the Barton Highway is under construction with completion expected late 2011. Landscaping upgrades will follow;
 - (3) the total cost of the GDE, Stages 1 and 2 will be \$194 million; and
 - (4) that this new road has been delivered similar to many other new roads to be built in the ACT under self-government, as a single carriageway to be duplicated later as funds permitted.”—
- be agreed to—put and passed.

8 SUSTAINABILITY OF THE A.C.T.—GOVERNMENT STRATEGIES, POLICIES AND LEGISLATIVE REFORMS

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

- (1) notes:
 - (a) that the Government has not delivered a number of key Government strategies, policies and legislative reforms that related to improving the sustainability of the ACT in a timely manner, including:
 - (i) the Sustainable Energy Policy for the ACT;
 - (ii) *Weathering the Change*—Action Plan 2;
 - (iii) the ACT Sustainable Waste Strategy;
 - (iv) the Sustainable Transport Action Plan/Transport for Canberra Plan; and
 - (v) the Review of the Nature Conservation Act;
 - (b) that the Government has not met a number of public commitments about when these strategies would be finalised;
 - (c) that the Government has undertaken little follow-up consultation during the ongoing development of these strategies and reviews;
 - (d) that the development and implementation of these strategies are essential to ensure the ACT Government meets its commitment to a 40 per cent reduction in greenhouse gas emissions on 1990 levels by 2020; and
 - (e) that the *NoWaste by 2010* strategy expired last year; and
- (2) calls on the Government to:
 - (a) table in the Assembly, by the first sitting day in June 2011, timelines for the public consultation, finalisation and public release of these strategies, policies and legislative reforms listed in paragraph (1)(a); and
 - (b) complete the strategies, policies and legislative reforms within the timelines tabled pursuant to paragraph (2)(a).

Debate ensued.

Mr Corbell (Minister for the Environment, Climate Change and Water), by leave, moved the following amendments together:

- (1) Omit subparagraphs (1)(a) to (e), substitute:
- “(a) the Government has a comprehensive and continuing program to deliver on a range of key Government strategies, policies and legislative reforms to improve the sustainability of the ACT, including:
- (i) *Weathering the Change* Action Plan 1;
 - (ii) the ACT *NoWaste 2010* Strategy; and
 - (iii) Sustainable Transport Plan;
- (b) these have resulted in a continuing and comprehensive suite of programs that are increasing the sustainability of the ACT;
- (c) the Government is progressing onto the next stages needed to establish a more sustainable city, including:
- (i) *Weathering the Change* Action Plan 2;
 - (ii) Sustainable Energy Policy;
 - (iii) ACT Sustainable Waste Strategy; and
 - (iv) Transport for Canberra;
- (d) the Government has engaged the community on each significant area of sustainability policy through invitations for submissions, public meetings and information sessions and uses these to inform final policies; and
- (e) the Government continues community engagement and consultation at each stage of policy implementation; and”.
- (2) Omit subparagraphs (2)(a) and (b), substitute:
- “(a) continue its programs for a sustainable Canberra and its processes for ensuring community consultation.”.

Debate continued.

Question—That the amendments be agreed to—put.

The Assembly voted—

AYES, 6		NOES, 9	
Mr Barr	Mr Stanhope	Ms Bresnan	Ms Le Couteur
Ms Burch		Mr Coe	Mr Rattenbury
Mr Corbell		Mr Doszpot	Mr Seselja
Mr Hargreaves		Mr Hanson	Mr Smyth
Ms Porter		Ms Hunter	

And so it was negatived.

Mr Smyth, by leave, moved the following amendment: In paragraph (2), omit “calls on”, substitute “directs”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 6	
Ms Bresnan	Ms Le Couteur	Mr Barr	Mr Stanhope
Mr Coe	Mr Rattenbury	Ms Burch	
Mr Doszpot	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Mr Hargreaves	
Ms Hunter		Ms Porter	

And so it was resolved in the affirmative.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that the Government has not delivered a number of key Government strategies, policies and legislative reforms that related to improving the sustainability of the ACT in a timely manner, including:
 - (i) the Sustainable Energy Policy for the ACT;
 - (ii) *Weathering the Change*—Action Plan 2;
 - (iii) the ACT Sustainable Waste Strategy;
 - (iv) the Sustainable Transport Action Plan/Transport for Canberra Plan; and
 - (v) the Review of the Nature Conservation Act;
 - (b) that the Government has not met a number of public commitments about when these strategies would be finalised;
 - (c) that the Government has undertaken little follow-up consultation during the ongoing development of these strategies and reviews;
 - (d) that the development and implementation of these strategies are essential to ensure the ACT Government meets its commitment to a 40 per cent reduction in greenhouse gas emissions on 1990 levels by 2020; and
 - (e) that the *NoWaste by 2010* strategy expired last year; and
- (2) directs the Government to:
 - (a) table in the Assembly, by the first sitting day in June 2011, timelines for the public consultation, finalisation and public release of these strategies, policies and legislative reforms listed in paragraph (1)(a); and
 - (b) complete the strategies, policies and legislative reforms within the timelines tabled pursuant to paragraph (2)(a).”—

be agreed to—put and passed.

9 SECONDARY WATER USES IN THE A.C.T.

Notice No. 4, Private Members’ business having been called on—

Mr Hanson, by leave, in the absence of the proposer, moved—That this Assembly:

- (1) notes:
 - (a) the progress being made towards completion of the major water security projects;

- (b) the potential impact on the availability of water for use in the ACT under the proposed Murray-Darling Basin Plan;
 - (c) the advances being made in the technology being offered commercially for the management, treatment and reuse of grey water in both commercial and domestic applications; and
 - (d) the ACT Government's continuing development of urban waterways;
- (2) calls on the Executive to commission the Independent Competition and Regulatory Commission (ICRC) to undertake an inquiry into and assessment of secondary water uses in the ACT, including, but not limited to:
- (a) opportunities for a commercial market in grey water in both commercial and domestic applications and in new construction and retro-fits; and
 - (b) the Government's urban waterways and stormwater harvesting programs and their associated built wetlands;
- (3) without limiting the scope of the inquiry, calls on the inquiry to include consideration of the following matters:
- (a) the net economic benefit of paragraphs (2)(a) and (b), with and without:
 - (i) the impact of the major water security projects; and
 - (ii) the potential impact of the proposed Murray-Darling Basin Plan;
 drawing conclusions in relation thereto;
 - (b) the economic, environmental and social impact of paragraphs (2)(a) and (b) on the community generally; and
 - (c) the options and alternatives available for the Government to consider in terms of water conservation initiatives that have the potential to deliver better and more viable economic, environmental and social outcomes; and
- (4) calls on the Executive to table the ICRC's final report on its inquiry by the last sitting day in 2011.

Debate ensued.

Mr Rattenbury, by leave, moved the following amendments together:

- (1) Omit paragraph (1)(b), substitute:
- “(b) the potential impact on the availability of water for use in the ACT under the *Guide to the Proposed Basin Plan* and that the final impacts of the Plan in the ACT will not be definitively known until after the Basin Plan is finalised in accordance with the *Water Act 2007* (Cwlth);”.
- (2) Omit paragraph (3), substitute:
- “(3) without limiting the scope of the inquiry, calls on the inquiry to include consideration of:
- (a) the economic, environmental and social costs and benefits of (2)(a) and (b), with and without the Plan, to the extent it is possible to do so given (1)(b); and
 - (b) any water conservation initiatives other than (2)(a) and (b) that also have the potential to deliver economic, environmental and social outcomes; and”.

(3) Omit the word “2011” in paragraph (4), substitute “March 2012”.

Debate continued.

Amendments agreed to.

Mr Hanson addressing the Assembly—

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

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

Question—put and negatived.

Mr Hanson continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the progress being made towards completion of the major water security projects;
 - (b) the potential impact on the availability of water for use in the ACT under the *Guide to the Proposed Basin Plan* and that the final impacts of the Plan in the ACT will not be definitively known until after the Basin Plan is finalised in accordance with the *Water Act 2007* (Cwlth);
 - (c) the advances being made in the technology being offered commercially for the management, treatment and reuse of grey water in both commercial and domestic applications; and
 - (d) the ACT Government’s continuing development of urban waterways;
- (2) calls on the Executive to commission the Independent Competition and Regulatory Commission (ICRC) to undertake an inquiry into and assessment of secondary water uses in the ACT, including, but not limited to:
 - (a) opportunities for a commercial market in grey water in both commercial and domestic applications and in new construction and retro-fits; and
 - (b) the Government’s urban waterways and stormwater harvesting programs and their associated built wetlands;
- (3) without limiting the scope of the inquiry, calls on the inquiry to include consideration of:
 - (a) the economic, environmental and social costs and benefits of (2)(a) and (b), with and without the Plan, to the extent it is possible to do so given (1)(b); and
 - (b) any water conservation initiatives other than (2)(a) and (b) that also have the potential to deliver economic, environmental and social outcomes; and

- (4) calls on the Executive to table the ICRC’s final report on its inquiry by the last sitting day in March 2012.”—

be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 6	
Ms Bresnan	Ms Le Couteur	Mr Barr	Mr Stanhope
Mr Coe	Mr Rattenbury	Ms Burch	
Mr Doszpot	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Mr Hargreaves	
Ms Hunter		Ms Porter	

And so it was resolved in the affirmative.

10 NATIONAL VOLUNTEER WEEK 2011

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

- (1) notes that:
 - (a) 9 to 15 May is National Volunteer Week 2011;
 - (b) each day volunteers provide a vital service to the ACT community;
 - (c) community organisations such as Volunteering ACT are important in promoting volunteering and supporting volunteers in the ACT;
 - (d) according to the most recent available data from the Australian Bureau of Statistics, approximately 94 000 Canberrans volunteer each year; and
 - (e) all ACT public servants are entitled to three days paid community service leave per year; and
- (2) calls on the ACT Government to:
 - (a) promote this existing community service leave entitlement to all staff within ACT Government agencies;
 - (b) support all ACT public servants to utilise their community service leave each year; and
 - (c) seek the support of the Assembly to have all Members of the Legislative Assembly lead by example and undertake at least three days of volunteering each year, auspiced by a community sector organisation.

Mr Doszpot, by leave, moved the following amendments together:

- (1) Insert new subparagraph (1)(f):

“(f) the importance of Members in this Assembly in supporting volunteer organisations in the ACT; and”.
- (2) Omit paragraph (2), substitute:

“(2) calls on:

 - (a) the ACT Government to promote this existing community service leave entitlement to all staff within ACT Government agencies;

- (b) the ACT Government to support all ACT public servants to utilise their community service leave each year; and
- (c) the Members of this Assembly to voluntarily take an active role in supporting and taking part in volunteer opportunities in the ACT.”.

Debate continued.

Amendments negatived.

Debate continued.

Question—put and passed.

11 ADJOURNMENT

Ms Burch (Minister for Disability, Housing and Community Services) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 7.07 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