1992

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 5

TUESDAY, 12 MAY 1992

1 The Assembly met, at 2.30 p.m., pursuant to adjournment. The Speaker (Ms McRae) took the Chair, and read the Prayer.

2 PETITIONS: The Clerk announced that the following Members had lodged petitions for presentation:
   Ms Ellis, from 1,051 residents, requesting that the Assembly reject any attempt to permit the establishment of a free-standing abortion clinic.
   Mr Stevenson, from 575 residents, requesting that the Assembly immediately switch off the apparatus used to artificially fluoridate the water supply.
   Mr Wood, from 10,986 residents, requesting that the Assembly ban the battery cage system and encourage and foster the establishment of free range egg production.
   Mr Wood, from 1,422 residents, requesting that the Assembly reject proposed land use changes to the following sections in Hughes:
     Section 58, block 1 (part), Kent/Carruthers Streets;
     Section 10, block 73/74 (part), Kitchener Street;
     Section 28, block 6, Webster Street; and
     Section 57, block 2, Kent Street;
   and direct the Planning Authority that the areas are to remain urban open space/buffer areas and that section 28, block 5, Webster Street be rezoned from residential to urban open space.
   Petitions received.

3 PAPER: Mr Wood, by leave, presented the following paper:
   Petition which does not conform with standing orders - Battery hen farming (148 residents).

4 QUESTIONS: Questions without notice were asked.

5 DECLARATION OF PRIVATE INTERESTS OF MEMBERS AND IMMEDIATE FAMILIES - RESIDENTIAL PROPERTY - STATEMENT BY SPEAKER: The Speaker made a statement concerning the identification of Members' residences in the declaration of private interests that Members are required to provide to the Speaker.

6 CONSTITUTIONAL RECOGNITION OF THE SUPREME COURT AND JUDICIAL TENURE - PAPER: The Speaker presented the following paper:
Constitutional recognition of the Supreme Court and judicial tenure - Letter from the Deputy President and Chairman of Committees, Australian Senate, to the Speaker, Legislative Assembly, dated 29 April 1992 enclosing an extract from the *Journals of the Senate* relating to the tabling of the Assembly's resolution of 9 April 1992.
7 SUBORDINATE LEGISLATION - PAPERS: The following papers were presented:

8 MINISTERIAL STATEMENT - LEAVE NOT GRANTED: Ms Follett (Chief Minister) sought leave to make a ministerial statement. Objection being raised, leave not granted.

9 SUSPENSION OF STANDING AND TEMPORARY ORDERS - MINISTERIAL STATEMENT: Mr Berry (Deputy Chief Minister) moved - That so much of the standing and temporary orders be suspended as would prevent Ms Follett making a statement on the Heads of Government Meeting. Debate ensued. Question - put and passed, with the concurrence of an absolute majority.

10 HEADS OF GOVERNMENT MEETING - MINISTERIAL STATEMENT AND PAPER - PAPER NOTED: Ms Follett (Chief Minister) made a ministerial statement concerning the Heads of Government Meeting in Canberra on 11 May 1992 and presented the following papers:
   Ministerial statement, 12 May 1992 - and moved - That the Assembly takes note of the ministerial statement.
   Mr Kaine (Leader of the Opposition) moved the following amendment: Omit "takes note of", substitute "rejects".
   Ordered - That Mr Kaine be granted an extension of time. Debate continued. Amendment negatived. Question - That the Assembly takes note of the ministerial statement - put and passed.

11 LIGHT VEHICLE TRANSPORT AGREEMENT: Ms Follett (Chief Minister), by leave, moved - That the Assembly - (1) Notes:
   (a) that on 6 August 1991 the Assembly consented to the Commonwealth making a law, referred to as the Commonwealth Road Transport Legislation, for the Australian Capital Territory that is necessary to give effect to an Agreement ("the Heavy Vehicles Agreement") dated 30 July 1991 between the Commonwealth, the States and the Australian Capital Territory relating to the establishment of a co-operative scheme to improve road safety and transport efficiency and reduce the cost of administration of road transport;
   (b) that the Heavy Vehicles Agreement related to vehicles having a manufacturer's rated gross vehicle mass of more than 4.5 tonnes;
(c) that as part of the co-operative scheme the Commonwealth Parliament enacted the *National Road Transport Commission Act 1991* which amongst other things established the National Road Transport Commission ("the Commission") which is charged with preparing the Commonwealth Road Transport Legislation;
(d) that at the Heads of Government Meeting on 11 May 1992 the Chief Minister, on behalf of the Australian Capital Territory, agreed with leaders and other representatives to an extension of the role of the Commission to enable it to develop Commonwealth Light Vehicle Transport Legislation which will provide for the regulation of all road users other than those affected by the Commonwealth Road Transport Legislation; and
(e) that the extension is dependent on the conclusion of an agreement between the Commonwealth and the Australian Capital Territory under which the former, with the consent of the Legislative Assembly for the Australian Capital Territory, will seek to amend the National Road Transport Commission Act 1991 of the Commonwealth to provide for the extension of the role of the Commission and make Commonwealth Light Vehicle Transport Legislation for the Australian Capital Territory which law will be a model on which the pertinent law of the States will be based.

(2) Consents to the making, by the Commonwealth, of:
(a) amendments to the National Road Transport Commission Act 1991 of the Commonwealth to extend the role of the Commission; and
(b) the Commonwealth Light Vehicle Transport Legislation.

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

12 TOBACCO COMPANY SPONSORSHIP - CANBERRA RAIDERS - MINISTERIAL STATEMENT - PAPER NOTED: Mr Berry (Minister for Health), by leave, made a ministerial statement concerning the replacement of tobacco company sponsorship of the Canberra Raiders and presented the following paper:
Tobacco company sponsorship - Canberra Raiders - Ministerial statement, 12 May 1992 - and moved - That the Assembly takes note of the paper.

Debate ensued.

Question - put and passed.

13 MATTER OF PUBLIC IMPORTANCE - DISCUSSION - YOUTH UNEMPLOYMENT: The Assembly was informed that Ms Szuty had proposed that a matter of public importance be submitted for discussion, namely, "That the ACT Legislative Assembly urgently address the major social issue of youth unemployment.".

Discussion ensued.

The time for the discussion having expired - Discussion concluded.

14 SOCIAL POLICY - STANDING COMMITTEE - REFERENCE - PROPOSED SELECT COMMITTEE ON YOUTH UNEMPLOYMENT: Ms Szuty, by leave, moved - That:
(1) a select committee be appointed to inquire into and report on youth unemployment in the ACT with particular reference to the level of youth unemployment and strategies to alleviate the impact on the community;
(2) the Committee shall report by Thursday, 10 September 1992;
(3) the Committee shall consist of three members;
(4) the Committee shall be provided with the necessary additional staff, facilities and resources; and
(5) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Debate ensued.
Mr Berry (Deputy Chief Minister), by leave, moved - That the motion be referred to the Standing Committee on Social Policy for consideration and report as to the necessity for a select committee and further inquiry.

Closure: Mr Humphries moved - That the question be now put.

Question - That the question be now put - put and passed.

And the question - That the motion be referred to the Standing Committee on Social Policy for consideration and report as to the necessity for a select committee and further inquiry being accordingly put -
The Assembly voted -

Ayes, 10

Mr Berry  Ms McRae  Mrs Carnell
Mr Connolly  Mr Moore  Mr Cornwell
Ms Ellis  Mr Stevenson  Mr Humphries
Mrs Grassby  Ms Szuty  Mr Kaine
Mr Lamont  Mr Wood  Mr Westende

Noes, 5

And so it was resolved in the affirmative.

15 CONSERVATION, HERITAGE AND ENVIRONMENT - STANDING COMMITTEE - INQUIRY - ALTERNATIVE FORMS OF ENERGY - STATEMENT BY PRESIDING MEMBER: Mr Moore (Presiding Member), by leave, made a statement informing the Assembly that on 14 April 1992 the Standing Committee on Conservation, Heritage and Environment had resolved to inquire into the potential for alternative forms of energy.

16 TOURISM AND ACT PROMOTION - STANDING COMMITTEE - INQUIRY - TOURISM IN THE ACT AND REGION - STATEMENTS BY MEMBERS: Mr De Domenico (Presiding Member), by leave, made a statement informing the Assembly that on 27 April 1992 the Standing Committee on Tourism and ACT Promotion had resolved to inquire into the contribution made by tourism to the ACT economy. Ms Szuty and Mr Lamont, by leave, also made statements with reference to the matter.

17 PLANNING, DEVELOPMENT AND INFRASTRUCTURE - STANDING COMMITTEE - INQUIRY - KINGSTON FORESHORES AREA - STATEMENT BY PRESIDING MEMBER: Mr Lamont (Presiding Member), by leave, made a statement informing the Assembly that on 10 April 1992 the Standing Committee on Planning, Development and Infrastructure had resolved to inquire into and report on the future of the Kingston Foreshores Area.

18 LABOR GOVERNMENT PROGRAM - MINISTERIAL STATEMENT AND PAPER - PAPERS NOTED: The order of the day having been read for the resumption of the debate on the motion of Ms Follett (Chief Minister) - That the Assembly takes note of the papers (presented 7 April 1992):

Legislation Program - Autumn Sittings 1992 -
Debate resumed.

Adjournment negatived: It being 9.30 p.m. - The question was proposed - That the Assembly do now adjourn.
Mr Berry (Deputy Chief Minister) requiring the question to be put forthwith without debate - Question - put and negatived.

Debate continued.
Ordered - That Mr Westende be granted an extension of time.
Debate continued.
Question - put and passed.
19 WORLD HEALTH DAY - MINISTERIAL STATEMENT - MOTION TO TAKE NOTE OF PAPER: The order of the day having been read for the resumption of the debate on the motion of Mr Berry (Minister for Health) - That the Assembly takes note of the paper *presented 7 April 1992*:

World Health Day - An ACT Perspective - Ministerial statement, 7 April 1992 - Mr Berry, by leave, moved - That the debate be now adjourned.
Question - put and passed.
Question - That the resumption of the debate be made an order of the day for the next sitting - put and passed.

20 AGENTS (AMENDMENT) BILL 1992: 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.
Question - That this Bill be agreed to in principle - put and passed.

*Detail stage*

Clauses 1 to 6, by leave, taken together and agreed to.
Clause 7 - Question proposed - That the clause be agreed to - Debate adjourned (Mr Berry - Deputy Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

21 SURVEYORS (AMENDMENT) BILL 1992: 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.
Question - That this Bill be agreed to in principle - put and passed.
Leave granted to dispense with the detail stage.
Question - That this Bill be agreed to - put and passed.

22 DISTRICTS (AMENDMENT) BILL 1992: 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 - Question - That this Bill be agreed to in principle - put and passed.
Leave granted to dispense with the detail stage.
Question - That this Bill be agreed to - put and passed.

23 REAL PROPERTY (AMENDMENT) BILL 1992: 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 - Question - That this Bill be agreed to in principle - put and passed.
Leave granted to dispense with the detail stage.
Question - That this Bill be agreed to - put and passed.

24 ADJOURNMENT: Mr Berry (Deputy Chief Minister) moved - That the Assembly do now adjourn.
Debate ensued.
Question - put and passed.
And then the Assembly, at 10.37 p.m., adjourned until tomorrow at 10.30 a.m.
MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

M.J. McRAE
Clerk of the Legislative Assembly