

**1995-96-97**

**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**MINUTES OF PROCEEDINGS**

**No. 101**

**TUESDAY, 2 SEPTEMBER 1997**

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**1** The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Cornwell) 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 LEGISLATIVE ASSEMBLY (BROADCASTING OF PROCEEDINGS) ACT -  
AUTHORITY TO BROADCAST**

The Speaker presented the following paper:

Legislative Assembly (Broadcasting of Proceedings) Act - Authority to broadcast proceedings concerning an Address to the Queen, dated 2 September 1997.

**3 PETITIONS**

The Clerk announced that the following Members had lodged petitions for presentation:

Mr Moore, from 25 residents, requesting that the Assembly pass a Bill allowing for a Territory-wide Referendum on the matter of legalising strictly and properly regulated voluntary euthanasia for the terminally ill.

Mrs Littlewood, from 385 residents, requesting that the Assembly gazette for the Queen's Birthday weekend one night only on which to celebrate with fireworks and restrict the sale of fireworks and legislate to restrict the noise of fireworks to that required for generating the visual effect and promulgate a code of conduct to ensure that neighbours advise each other of their intentions with respect to fireworks.

Mr Corbell, from 590 residents, requesting that the Assembly improve the ACTION bus service for residents in the suburbs of Ngunnawal, Amaroo and Nicholls by providing direct services to Civic throughout the day.

**4 ADDRESS TO HER MAJESTY QUEEN ELIZABETH II**

Mrs Carnell (Chief Minister), pursuant to standing order 268, moved - That an address to Her Majesty Queen Elizabeth II in the following terms be agreed to:

**YOUR MAJESTY:**

We, the Speaker and Members of the Legislative Assembly for the Australian Capital Territory wish to express our sorrow at the sad news of the death of Diana, Princess of Wales. On behalf of the people of the Australian Capital Territory, we convey our deepest sympathy to Your Majesty and the Royal Family, especially Their Royal Highnesses, Prince William of Wales and Prince Henry of Wales, in your bereavement.

Mr Berry (Leader of the Opposition), Mr Moore and Ms Horodny addressed the Assembly in support of the motion and all Members present having stood, in silence -

Question - passed.

## **5 REMUNERATION TRIBUNAL (CONSEQUENTIAL AMENDMENTS) BILL 1997**

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.

## **6 OCCUPATIONAL HEALTH AND SAFETY (AMENDMENT) BILL 1997**

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.

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### *Detail stage*

Bill, by leave, taken as a whole -

On the motion of Mr Moore, by leave, the following amendments were made together, after debate:

Clause 5, page 2 -

Lines 16 to 18, proposed paragraphs 7 (1) (a) and (b), omit the proposed paragraphs.

Line 28, proposed subsection 7 (2), omit “paragraph 1 (d), (f), or (h)”, substitute “subsection (1)”.

Clause 8, page 3, lines 15 to 17, proposed section 96A, omit the proposed section, substitute the following section:

#### **“Fees**

‘96A. (1) The Minister may, by notice in writing, determine fees for the purposes of this Act or the Regulations.

‘(2) A determination under subsection (1) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.’.

Mr Moore, by leave, moved the following amendment:

Clause 5, page 2, lines 31 and 32, page 3, lines 1 to 6, proposed subsections 7 (3) and 7 (4), omit the proposed subsections.

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

## **7 LAW REFORM (REPEAL OF LAWS) BILL 1997**

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.

Mr Wood, by leave, made a statement in relation to the Bill.

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.

## **8 GAMING MACHINE (AMENDMENT) BILL (NO. 2) 1997 [NO. 2]**

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 Humphries - Attorney-General) and the resumption of the debate made an order of the day for a later hour this day.

## **9 VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL 1997**

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.

## **10 PLANNING AND ENVIRONMENT - STANDING COMMITTEE - REPORT NO. 33 - GINNINDERRA DRIVE/MOUAT STREET, LYNEHAM - MOTION THAT REPORT BE NOTED**

Mr Moore (Chair) presented the following report:

Planning and Environment - Standing Committee - Report No. 33 - Report on Ginninderra Drive/Mouat Street, Lyneham (being the first outcome of the inquiry by the Standing Committee on Planning and Environment into proposals for the John Dedman Parkway and Ginninderra Drive/Mouat Street, Lyneham), dated 29 August 1997, together with extracts of the minutes of proceedings -

and moved - That the report be noted.

Debate ensued.

Debate adjourned (Mr Humphries - Minister for the Environment, Land and Planning) and the resumption of the debate made an order of the day for the next sitting.

## **11 QUESTIONS**

Questions without notice being asked -

*Paper:* Ms Reilly, by leave, presented the following paper:

Dwelling units approved, Australian Capital Territory, Trend (Number) - Table 3 - July 1983-July 1997.

Questions continued.

## **12 PAPER**

Mr Humphries (Minister for Police and Emergency Services) presented the following paper:

Policing in the ACT - Briefing paper.

## **13 PAPERS**

Mrs Carnell (Chief Minister) presented the following papers:

Employment policies - Extracts from *Hansard* (pages 1152 and 1154), dated 8 May 1997.

#### **14 STUDY TRIP - PAPER**

The Speaker presented the following paper:

Study trip - Report by Mr G Cornwell, MLA - Philadelphia, USA, 6 to 10 August 1997.

#### **15 ACT DRUG STRATEGY 1995-97 - MINISTERIAL STATEMENT - PAPER NOTED**

Mrs Carnell (Minister for Health and Community Care), by leave, made a ministerial statement concerning the ACT drug strategy for 1995-97 and presented the following paper:

ACT drug strategy 1995-97 - Ministerial statement, 2 September 1997 -

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

Debate ensued.

Mr Moore, by leave, was granted an extension of time.

Debate continued.

Mr Humphries (Attorney-General), by leave, was granted an extension of time.

Mrs Carnell 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.

Mrs Carnell, by leave, was granted an extension of time.

Question - put and passed.

#### **16 MATTER OF PUBLIC IMPORTANCE - WITHDRAWAL**

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

#### **17 SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE - REPORT NO. 11 OF 1997 - STATEMENT BY CHAIR**

Mr Wood (Chair) presented the following report:

Scrutiny of Bills and Subordinate Legislation - Standing Committee - Report No. 11 of 1997, dated 2 September 1997 -

and, by leave, made a statement with reference to the report.

#### **18 SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE - REPORT NO. 12 OF 1997 - DELEGATED LEGISLATION AND SCRUTINY OF BILLS CONFERENCES - ADELAIDE - JULY 1997 - STATEMENT BY CHAIR**

Mr Wood (Chair), by leave, presented the following report:

Scrutiny of Bills and Subordinate Legislation - Standing Committee - Report No. 12 of 1997 - Sixth Australasian and Pacific Conference on Delegated Legislation and the Third Australasian and Pacific Conference on the Scrutiny of Bills - Parliament House, Adelaide, South Australia - 16-18 July 1997, dated 2 September 1997 -

and, by leave, made a statement with reference to the report.

**19 OCCUPATIONAL HEALTH AND SAFETY (AMENDMENT) BILL 1997**

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

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*Detail stage*

Bill, as a whole, as amended -

Consideration resumed on the amendment moved by Mr Moore: Clause 5, page 2, lines 31 and 32, page 3, lines 1 to 6, proposed subsections 7 (3) and 7 (4), omit the proposed subsections -

Debate resumed.

Amendment negatived.

Bill, as a whole, as amended, agreed to.

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Question - That this Bill, as amended, be agreed to - put and passed.

**20 LEGISLATIVE ASSEMBLY (BROADCASTING OF PROCEEDINGS) ACT - AUTHORITY TO BROADCAST**

The Speaker presented the following paper:

Legislative Assembly (Broadcasting of Proceedings) Act - Authority to broadcast proceedings for tomorrow, 3 September 1997, concerning:

Presentation of the Crimes (Assisted Suicide) Bill 1997.

Presentation of the Crimes (Amendment) Bill (No. 3) 1997.

Consideration of the Animal Welfare (Amendment) Bill 1996 and the Food (Amendment) Bill 1996,

dated 2 September 1997.

**21 GAMING MACHINE (AMENDMENT) BILL (NO. 2) 1997 [NO. 2]**

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 Kaine - Minister for Urban Services) and the resumption of the debate made an order of the day for the next sitting.

**22 ADJOURNMENT**

Mr Kaine (Minister for Urban Services) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly, at 5.39 p.m., adjourned 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