

1995-96

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

MINUTES OF PROCEEDINGS

No. 75

WEDNESDAY, 11 DECEMBER 1996

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:

Ms Tucker, from 992 residents, requesting that the B1 Planning Zone in North Canberra be immediately abolished and that a process of local area planning with full community participation be instituted.

3 GAMING MACHINE (AMENDMENT) BILL 1996

Ms Tucker, pursuant to notice, presented a Bill for an Act to amend the *Gaming Machine Act 1987*.

Title read by Clerk.

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

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

4 LONG SERVICE LEAVE (BUILDING AND CONSTRUCTION INDUSTRY) (AMENDMENT) BILL 1996

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 De Domenico (Minister for Urban Services), by leave, again addressed the Assembly.

Debate continued.

Question - That this Bill be agreed to in principle - put and passed.

Detail stage

Bill, by leave, taken as a whole -

On the motion of Mr Berry the following amendment was made: Clause 6, page 2, line 19, omit "paragraphs (1) (c) and (d)", substitute "paragraphs (1) (c) and (d) and (2) (c) and (d)".

Question - That this Bill, as a whole, as amended, be agreed to - put.

The Assembly voted -

Ayes, 10		Noes, 7	
Mr Berry	Mr Osborne	Mrs Carnell	Mr Kaine
Ms Follett	Ms Reilly	Mr Cornwell	Mr Stefaniak
Ms Horodny	Ms Tucker	Mr De Domenico	
Ms McRae	Mr Whitecross	Mr Hird	
Mr Moore	Mr Wood	Mr Humphries	

And so it was resolved in the affirmative - Bill as a whole, as amended, agreed to,

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

5 STANDING ORDERS 77(a) AND 77(d) - AMENDMENTS

Ms Tucker, pursuant to notice, moved - That the resolution agreed to by the Assembly on 28 August 1996 adopting temporary orders relating to the precedence of private Members' business be amended by omitting "the last sitting day of 1996" and substituting "the last sitting day of 1997" (twice occurring).

Debate ensued.

Mr Moore, having moved an amendment and, after debate, having amended his amendment, by leave, moved the following amendment: Omit all words after "That", substitute "standing orders 77(a) and (d) be omitted and the following new standing orders 77(a) and 77(d) be substituted:

- (a) on sitting Wednesdays private Members' business shall have precedence of Executive business; and
- (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."

Debate continued.

Amendment agreed to.

Motion, as amended, agreed to.

6 MOORE STREET HEALTH BUILDING

Mr Berry, pursuant to notice, moved - That this Assembly requires - That:

- (1) the Government withdraw any action aimed at the sale or disposal of the Moore Street Health Building unless otherwise approved of by the Assembly in session;
- (2) the health services at the Moore Street Health Building be maintained in both type and extent of service until otherwise approved of by the Assembly in session.

Debate ensued.

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 being asked -

Papers: Mr Berry, by leave, presented the following papers:

Belconnen landfill - Sullage pond - Copies of -

Letter to Mr Trevor Zeltner, Assistant Secretary, CFMEU from Ian Woolcock, Manager, ACT Waste, dated 10 December 1996.

Minute to Mr Trevor Zeltner, CFMEU/ACTU from Helen Bouzas, MPL Environmental Services, dated 6 December 1996.

Questions continued.

8 STATEMENT - LEAVE NOT GRANTED

Ms Follett sought leave to make a statement.

Objection being raised, leave not granted.

9 SUSPENSION OF STANDING AND TEMPORARY ORDERS - STATEMENT BY MEMBER

Mr Berry moved - That so much of the standing and temporary orders be suspended as would prevent Ms Follett from making a statement.

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

10 ACT COMMUNITY SAFETY COMMITTEE - STATEMENT BY MEMBER

Ms Follett made a statement in relation to the ACT Community Safety Committee.

11 PUBLIC SECTOR MANAGEMENT ACT - EXECUTIVE CONTRACTS - PAPERS - STATEMENT BY MINISTER

Mrs Carnell (Chief Minister) presented the following papers:

Public Sector Management Act -

Copies of executive contracts -

Warren Dickson, dated 1 November 1996.

David Marshall, dated 21 November 1996.

Edward Rayment, dated 8 November 1996.

Len Sorbello (Temporary executive contract), dated 19 November 1996.

Timothy Spencer, dated 9 December 1996.

Trevor Wheeler (Schedule D) -

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

12 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 18 - REVIEW OF AUDITOR-GENERAL'S REPORT NUMBER 2, 1996 - TAXI PLATES AUCTION - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER

Mrs Carnell (Treasurer) presented the following paper:

Public Accounts - Standing Committee - Report No. 18 - Review of Auditor-General's Report Number 2, 1996 - Taxi Plates Auction (*presented 28 August 1996*) - Government response -

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

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

13 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 - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER

Mrs Carnell (Treasurer) presented the following paper:

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 (*presented 28 August 1996*) - Government response -

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

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

14 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 17 - REVIEW OF AUDITOR-GENERAL'S REPORT NUMBER 4, 1996 - LAND JOINT VENTURES - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER

Mr De Domenico (Minister for Business, Employment and Tourism) presented the following paper:

Public Accounts - Standing Committee - Report No. 17 - Review of Auditor-General's Report Number 4, 1996 - Land Joint Ventures (*presented 28 August 1996*) - Government response, dated December 1996 -

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

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

15 PLANNING AND ENVIRONMENT - STANDING COMMITTEE - REPORT NO. 19 - NUDURR DRIVE CONSTRUCTION - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER

Mr Humphries (Minister for the Environment, Land and Planning) presented the following paper:

Planning and Environment - Standing Committee - Report No. 19 - Inquiry into the proposed construction of Nudurr Drive, Palmerston (*presented 19 November 1996*) - Government response, dated November 1996 -

and moved - That the Assembly takes note of the paper

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

16 PAPERS

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

ACT Community Safety Committee -

Inquiry into late night transport, dated 1 November 1996.

The crime and safety concerns of older persons in the ACT, dated 1 November 1996.

Calvary Public Hospital - Information Bulletin - Patient Activity Data - October 1996.

Canberra Hospital - Information Bulletin - Patient Activity Data - October 1996.

National Road Safety Strategy Implementation Taskforce -

Australia's rural road safety action plan - "Focus for the Future" 1996.

National road safety action plan 1996.

17 PUBLIC ACCOUNTS - STANDING COMMITTEE - REPORT NO. 20 - REVIEW OF AUDITOR-GENERAL'S REPORT NUMBER 4, 1995 - GOVERNMENT SECONDARY COLLEGES - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER

Mr Stefaniak (Minister for Education and Training) presented the following paper:

Public Accounts - Standing Committee - Report No. 20 - Review of Auditor-General's Report Number 4, 1995 - Government secondary colleges (*presented 26 September 1996*) - Government response -

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

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

18 PLANNING AND ENVIRONMENT - STANDING COMMITTEE - REPORT NO. 24 - REVIEW OF AUDITOR-GENERAL'S REPORT NO. 5, 1996 - MANAGEMENT OF FORMER SHEEP DIP SITES - MOTION THAT REPORT BE NOTED

Mr Moore (Chair) presented the following report:

Planning and Environment - Standing Committee - Report No. 24 - Review of Auditor-General's Report No. 5 of 1996 - Management of former sheep dip sites, dated 11 December 1996, together with the extracts of the minutes of proceedings -

and moved - That the report be noted.

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.

19 MOORE STREET HEALTH BUILDING

The order of the day having been read for the resumption of the debate on the motion of Mr Berry - That this Assembly requires - That:

- (1) the Government withdraw any action aimed at the sale or disposal of the Moore Street Health Building unless otherwise approved of by the Assembly in session;
- (2) the health services at the Moore Street Health Building be maintained in both type and extent of service until otherwise approved of by the Assembly in session -

Debate resumed.

Mrs Carnell (Minister for Health and Community Care), by leave, was granted an extension of time.

Mrs Carnell moved the following amendment: Paragraph (1), omit "withdraw any action aimed at the sale or disposal", substitute "not make a commitment to sell or dispose".

Debate continued.

Question - That the amendment be agreed to - put.

The Assembly voted -

Ayes, 7		Noes, 10	
Mrs Carnell	Mr Kaine	Mr Berry	Mr Osborne
Mr Cornwell	Mr Stefaniak	Ms Follett	Ms Reilly
Mr De Domenico		Ms Horodny	Ms Tucker
Mr Hird		Ms McRae	Mr Whitecross
Mr Humphries		Mr Moore	Mr Wood

And so it was negatived.

Speaker's ruling - Standing order 140: The Speaker ruled that the amendment circulated by Ms Tucker did not conform with standing order 140 and therefore ruled it out of order.

On the motion of Ms Tucker the following amendment was made, after debate: Add the following paragraph:

“(3) the Government, in accordance with recommendation 9 (ii) of the Select Committee on Estimates 1996-97, not pursue any action aimed at the sale of Moore Street Health Building until the Framework and Guidelines to Strategic Asset Management has been considered by the Standing Committee on Public Accounts.”.

Motion, as amended, agreed to.

20 SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION - STANDING COMMITTEE - MEMBERSHIP

Mr Berry, pursuant to standing order 223, moved - That Mr Hird and Mr Osborne be discharged from the Standing Committee on Scrutiny of Bills and Subordinate Legislation for the Committee's consideration of the Land Acquisition (Northbourne Oval) Bill 1996 and that Mr Moore and Mr Kaine be appointed in their place.

Question - put and passed.

21 MANUKA CARPARK REDEVELOPMENT

Ms Horodny, pursuant to notice, moved - That this Assembly calls on the Government to:

- (1) immediately withdraw its call for expressions of interest for the development of block 4 section 41 Griffith (the Manuka carpark);
- (2) undertake a study, with full public consultation, of options for the future of the Manuka carpark that best meets the needs and concerns of Manuka traders, the users of Manuka shops, local residents, and traders in surrounding shopping centres, and taking into account the evaluation checklist for major retail development applications included in the Government's Retail Policy; and
- (3) if redevelopment of the site is identified as the preferred option, seek Assembly approval of the preferred option through a variation to the Territory Plan regarding the carpark site, before any sale of the site is contemplated.

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

Mr Humphries (Minister for the Environment, Land and Planning) addressing the Assembly -

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.

Debate continued.

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

Papers: Mr Humphries presented the following papers:

Manuka carpark redevelopment proposal - Block 4, section 41, Griffith (Manuka) - Copies of opinions (2) from the ACT Government Solicitor's office to Mr M Kwiatkowski, Principal

Statutory Planner, Territory Planning & Assessments, Planning & Land Management Group, Department of Urban Services, dated 25 and 26 November 1996, respectively.

On the motion of Mr Humphries the following amendment was made, after debate: Paragraph (3), omit the paragraph.

Debate adjourned (Mrs Carnell - Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

22 EXECUTIVE BUSINESS - PRECEDENCE

Mr Humphries (Manager of Government Business), pursuant to standing order 77 (d), moved - That Executive business be called on.

Question - put and passed.

23 REMAND CENTRES (AMENDMENT) BILL (NO. 2) 1996

The Assembly, according to order, again resolved itself into detail stage for further consideration of the Bill.

Detail stage

Clause 4 -

Consideration resumed on the clause and on the amendment moved by Ms Follett: Page 2, lines 4 to 7, proposed subsection 7 (2), omit the proposed subsection, substitute the following subsection:

“(2) The Administrator may—

- (a) if he or she considers it appropriate to do so—arrange for the transfer of a person remanded into the Administrator’s custody from a remand centre or other institution within the Territory to another remand centre or institution within the Territory; or
- (b) if a person remanded into the Administrator’s custody cannot be reasonably accommodated in a remand centre or other institution in the Territory—arrange for the transfer of the person to a remand centre or institution outside the Territory.”.

Ms Follett, by leave, withdrew her amendment.

Clause agreed to.

Clause 5 -

On the motion of Ms Follett the following amendment was made, after debate:

Page 2, lines 16 to 18, proposed paragraph 7A (1) (b), omit the proposed paragraph, substitute the following paragraph:

“(b) arranging for such a person to be transferred from a remand centre or other institution within the Territory to another remand centre or institution within the Territory.”.

Clause, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole and agreed to.

Mr Humphries (Attorney-General), pursuant to standing order 187, moved - That clause 2 be reconsidered.

Question - put and passed.

Clause 2 -

Paper: Mr Humphries presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Humphries the following amendment was made, after debate: Page 1, lines 6 to 8, omit the clause, substitute the following clause:

“Commencement

2. (1) Sections 1, 2 and 3 commence (1) on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day fixed by the Minister by notice in the *Gazette*.

(3) If the provisions referred to in subsection (2) have not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, those provisions, by force of this subsection, commence on the first day after the end of that period.”.

Clause, as amended, agreed to.

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

24 MAGISTRATES COURT (AMENDMENT) BILL (NO. 2) 1996

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

Bill, by leave, taken as a whole -

Paper: Mr Humphries (Attorney-General) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr Humphries the following amendment was made: Clause 2, page 1, lines 6 to 8, omit the clause, substitute the following clause:

“Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on the day on which section 4 of the *Remand Centres (Amendment) Act (No. 2) 1996* commences.”.

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

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

25 MOTOR TRAFFIC (AMENDMENT) BILL (NO. 4) 1996

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

Clause 1 agreed to.

Clause 2 -

Paper: Mr De Domenico (Minister for Urban Services) presented a supplementary explanatory memorandum to the Bill.

On the motion of Mr De Domenico the following amendment was made: Page 2, line 4, subclause (3), omit “6”, substitute “12”.

Clause, as amended, agreed to.

Clauses 3 to 9, by leave, taken together and agreed to.

Clause 10 -

Ms Horodny, by leave, moved the following amendments together:

Page 3 -

Lines 26 and 27, proposed subsection 150F (1) (definition of “heavy vehicle”, paragraph (a)), omit “7.5 metres in length and which has a GVM exceeding 4.5”, substitute “6 metres in length or which has a GVM exceeding 3.75”.

Line 32, proposed subsection 150F (1) (definition of “stock truck”, paragraph (a)), omit “4.5”, substitute “3.75”.

Debate continued.

Question - put.

The Assembly voted -

Ayes, 4	Noes, 13	
Ms Horodny	Mr Berry	Mr Kaine
Mr Moore	Mrs Carnell	Ms McRae
Mr Osborne	Mr Cornwell	Ms Reilly
Ms Tucker	Mr De Domenico	Mr Stefaniak
	Ms Follett	Mr Whitecross
	Mr Hird	Mr Wood
	Mr Humphries	

And so it was negatived.

Ms Horodny moved the following amendment: Page 4, line 7, proposed subsection 150F (3), omit “not”.

Debate continued.

Question - put.

The Assembly voted -

Ayes, 4	Noes, 13	
Ms Horodny	Mr Berry	Mr Kaine
Mr Moore	Mrs Carnell	Ms McRae
Mr Osborne	Mr Cornwell	Ms Reilly
Ms Tucker	Mr De Domenico	Mr Stefaniak
	Ms Follett	Mr Whitecross
	Mr Hird	Mr Wood
	Mr Humphries	

And so it was negatived.

Ms Horodny, by leave, moved the following amendment: Page 4, lines 12 to 17, proposed paragraphs 150G (1) (b) and (c), omit the paragraphs, substitute the following paragraphs:

“(b) a semi-trailer; or

(c) a vehicle or combination of vehicles that—

(i) exceeds 3.6 metres in height, 13 metres in length or which has a GVM exceeding 12 tonnes; and

(ii) is used for commercial purposes.”.

Question - put.

The Assembly voted -

Ayes, 4	Noes, 13
Ms Horodny	Mr Berry
Mr Moore	Mrs Carnell
Mr Osborne	Mr Cornwell
Ms Tucker	Mr De Domenico
	Ms Follett
	Mr Hird
	Mr Humphries
	Mr Kaine
	Ms McRae
	Ms Reilly
	Mr Stefaniak
	Mr Whitecross
	Mr Wood

And so it was negatived.

Ms Horodny, by leave, moved the following amendment: Page 4, line 27, after proposed section 150G insert the following section:

“Parking of heavy vehicles—restriction on numbers to be parked and times at which parked

‘150GA. (1) A person shall not park on residential land more than 1 heavy vehicle.

‘(2) Subsection (1) does not apply to a vehicle of the kind referred to in that subsection if—

- (a) the parking of the vehicle on the land was such as was reasonably necessary to avoid a contravention of this Act or of another law in force in the Territory; or
- (b) the parking of the vehicle was for the purposes of the delivery or collection of persons or goods or in the course of the provision of services;

and the vehicle was not permitted to stand on the land for a period longer than was reasonable in all the circumstances.

‘(3) A person shall not, except in an emergency, park or operate a heavy vehicle on residential land before 6 am, or after 10 pm, on any day.’”.

Debate continued.

Question - put.

The Assembly voted -

Ayes, 4	Noes, 13
Ms Horodny	Mr Berry
Mr Moore	Mrs Carnell
Mr Osborne	Mr Cornwell
Ms Tucker	Mr De Domenico
	Ms Follett
	Mr Hird
	Mr Humphries
	Mr Kaine
	Ms McRae
	Ms Reilly
	Mr Stefaniak
	Mr Whitecross
	Mr Wood

And so it was negatived.

On the motion of Mr Moore the following amendment was made, after debate: Page 6, lines 15 to 18, proposed subsection 150L (3), omit the proposed subsection.

Ms Horodny, by leave, moved the following amendment: Page 7, line 21, proposed paragraph 150Q (1) (b), omit “12”, substitute “6”.

Question - put.

The Assembly voted -

Ayes, 4

Ms Horodny
Mr Moore
Mr Osborne
Ms Tucker

Noes, 13

Mr Berry Mr Kaine
Mrs Carnell Ms McRae
Mr Cornwell Ms Reilly
Mr De Domenico Mr Stefaniak
Ms Follett Mr Whitecross
Mr Hird Mr Wood
Mr Humphries

And so it was negatived.

On the motion of Mr Whitecross (Leader of the Opposition), by leave, the following amendment was made, after debate: Page 8, lines 7 to 10, proposed section 150S, omit the section.

Ms Horodny, by leave, moved the following amendment: Page 9, line 36, after proposed subsection 150U (7) add the following subsection:

“(8) The Registrar shall not grant an exemption from those provisions of the Code of Practice that relate specifically to existing operators.”.

Debate continued.

Question - put.

The Assembly voted -

Ayes, 4

Ms Horodny
Mr Moore
Mr Osborne
Ms Tucker

Noes, 13

Mr Berry Mr Kaine
Mrs Carnell Ms McRae
Mr Cornwell Ms Reilly
Mr De Domenico Mr Stefaniak
Ms Follett Mr Whitecross
Mr Hird Mr Wood
Mr Humphries

And so it was negatived.

On the motion of Mr Whitecross, by leave, the following amendment was made: Page 11, lines 1 to 7, proposed section 150ZA, omit the section.

Ms Horodny, by leave, moved the following amendment: Page 11, line 22, after proposed section 150ZB insert the following section:

“Cessation of existing operator’s certificate on change of address

‘150ZBA. If the holder of an existing operator’s certificate ceases to reside at the address specified in the certificate under subparagraph 150X (b) (v), the certificate ceases to have effect.’.

Debate continued.

Amendment negatived.

Clause 10, as amended, agreed to.

Clauses 11 to 16, by leave, taken together and agreed to.

Proposed new clauses -

Ms Horodny moved - That the following new clauses be inserted in the Bill: Page 17, line 7:

‘Notice of decision

16A. Section 217C of the Principal Act is amended—

- (a) by inserting in paragraph (1) (b) ‘subject to subsection (1A),’ before ‘the Registrar’;

(b) by inserting after subsection (1) the following subsection:

‘(1A) Where the Registrar makes a decision under section 150U, 150V or 150Y, the Registrar shall, if the land adjoining the land to which an application relates—

- (a) is occupied—give notice in writing of the Registrar’s decision to the occupier and lessee of the adjoining land at the address of the adjoining land; or
- (b) is unoccupied—give notice in writing of the Registrar’s decision to the lessee of the adjoining land at the address of the lessee last known to the Registrar; and

(c) by inserting in subsection (2) ‘or (1A)’ after ‘(1)’.

Review by Administrative Appeals Tribunal

16B. Section 217D of the Principal Act is amended by inserting ‘or (1A)’ after ‘(1)’.

Debate continued.

Question - put - That the proposed new clauses be inserted in the Bill:

The Assembly voted -

Ayes, 4	Noes, 13
Ms Horodny	Mr Berry
Mr Moore	Mrs Carnell
Mr Osborne	Mr Cornwell
Ms Tucker	Mr De Domenico
	Ms Follett
	Mr Hird
	Mr Humphries
	Mr Kaine
	Ms McRae
	Ms Reilly
	Mr Stefaniak
	Mr Whitecross
	Mr Wood

And so it was negatived.

Remainder of Bill, by leave, taken as a whole -

On the motion of Mr De Domenico the following amendment was made:

Clause 18, page 17, line 13 to page 18, line 9, omit the clause, substitute the following clause:

“Application for order

18. Section 256 of the *Land (Planning and Environment) Act 1991* is amended—

(a) by omitting subsection (3) and substituting the following subsection:

‘(3) On receiving an application under subsection (1), the Minister shall give notice in writing of the application—

- (a) to each person against whom an order is sought; and
- (b) in the case of an application relating to the parking of heavy vehicles on residential land pursuant to Division 4 of Part X of the *Motor Traffic Act 1936*—to the Minister administering that Act.’;

(b) by omitting subsection (4A) and substituting the following subsection:

‘(4A) Before deciding whether to make an order the Minister shall consider any submissions made—

- (a) by a person against whom the order is sought; and

- (b) in the case of an application for an order relating to the parking of heavy vehicles on residential land pursuant to Division 4 of Part X of the *Motor Traffic Act 1936*—by the Minister administering that Act.’; and

(c) by inserting after subsection (4B) the following subsection:

‘(4C) Where the Minister makes an order under subsection (4B) that relates to the parking of a heavy vehicle on residential land pursuant to Division 4 of Part X of the *Motor Traffic Act 1936*, the Minister shall, as soon as practicable after the order is made, cause a copy of the order to be given to the Minister administering that Act.’”.

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

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

26 ADJOURNMENT

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

Debate ensued.

Papers: Mrs Carnell (Chief Minister) presented the following papers:

National Capital Beyond 2000 -

Canberra: A capital future - Draft of 14 October 1996 - Copies (3) headed Ms Horodny (3), R McRae (4), Mr Moore (1).

Canberra comments: A brief look at views of the National Capital in the 1990's, Graham Cooke, dated August 1996.

Canberra somewhere different: Report on the community focus groups, dated July 1996.

Facing our future: Report on the Community Consultation Process, dated August 1996.

Facing our future - Talking to the community.

‘Facing our future’: Consultation meeting record sheets of 3, 8, 9 and 10 July 1996, respectively.

Inception report, dated December 1995.

Survey of opinion and business leaders about Canberra and the ACT, dated September 1996.

Debate continued.

Question - put and passed.

And then the Assembly, at 7.35 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