

2004–2005

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 11

TUESDAY, 15 MARCH 2005

1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) 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 **LEGAL AFFAIRS—STANDING COMMITTEE (PERFORMING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE)—SCRUTINY REPORT 5—STATEMENT BY DEPUTY CHAIR**

Ms MacDonald (Deputy Chair) presented the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 5, dated 14 March 2005, together with the relevant minutes of proceedings—

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

3 **GAMING MACHINE AMENDMENT BILL 2005**

Mr Quinlan (Minister for Racing and Gaming), by leave, presented a Bill for an Act to amend the *Gaming Machine Act 2004*.

Papers: Mr Quinlan presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 14 March 2005.

Title read by Clerk.

Mr Quinlan moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Smyth—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

4 CEMETERIES AND CREMATORIA AMENDMENT BILL 2005

Mr Hargreaves (Minister for Urban Services), by leave, presented a Bill for an Act to amend the *Cemeteries and Crematoria Act 2003*.

Papers: Mr Hargreaves presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 14 March 2005.

Title read by Clerk.

Mr Hargreaves moved—That this Bill be agreed to in principle.

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

5 LEGAL AID AMENDMENT BILL 2005

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 RESIDENTIAL TENANCIES AMENDMENT BILL 2005

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—

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

7 SUSPENSION OF STANDING ORDERS MOVED—PRIVATE MEMBERS' BUSINESS—PRECEDENCE

Mrs Dunne moved—That so much of the standing orders be suspended as would prevent Private Members' business being called on forthwith.

Debate ensued.

Closure moved: Mr Corbell (Manager of Government Business) moved—That the question be now put.

The Speaker declining to put the question in accordance with standing order 70—

Debate continued.

Closure: Mr Corbell moved—That the question be now put.

Question—That the question be now put—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Berry	Ms MacDonald	Mrs Burke	Mr Pratt
Mr Corbell	Ms Porter	Mrs Dunne	Mr Seselja
Mr Gentleman	Mr Quinlan	Dr Foskey	Mr Smyth
Mr Hargreaves	Mr Stanhope	Mr Mulcahy	

And so it was resolved in the affirmative.

Question—That standing orders be suspended—put.

The Assembly voted—

AYES, 7		NOES, 8	
Mrs Burke	Mr Pratt	Mr Berry	Ms MacDonald
Mrs Dunne	Mr Seselja	Mr Corbell	Ms Porter
Dr Foskey	Mr Smyth	Mr Gentleman	Mr Quinlan
Mr Mulcahy		Mr Hargreaves	Mr Stanhope

And so it was negatived.

8 MINISTERIAL ARRANGEMENTS

Mr Stanhope (Chief Minister) informed the Assembly of the absence of Ms Gallagher (Minister for Education and Training) and advised the Assembly that questions without notice normally directed to Ms Gallagher could be directed to Mr Stanhope.

9 QUESTIONS

Questions without notice were asked.

10 LEAVE OF ABSENCE

Mr Corbell (Manager of Government Business) moved—That leave of absence be given to Ms Gallagher (Minister for Education and Training) for this sitting.

Question—put and passed.

11 LEAVE OF ABSENCE

Mrs Dunne moved—That leave of absence be given to Mr Stefaniak for this sitting.

Question—put and passed.

12 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACT—PAPER AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following paper:

Public Sector Management Act, pursuant to section 31A—Copy of executive contract—Short-term contract—

Pam Davoren, dated 3 March 2005.

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

13 PRESENTATION OF PAPER

Mr Stanhope (Chief Minister) presented the following paper:

Water Efficiency and Labelling Standards Bill 2004—Revised explanatory statement.

14 GAMING AND RACING CONTROL ACT—REVIEW OF CASINO CONTROL ACT—POLICY PAPER AND GOVERNMENT RESPONSE—PAPERS AND STATEMENT BY MINISTER

Mr Quinlan (Minister for Racing and Gaming) presented the following papers:

Gaming and Racing Control Act, pursuant to paragraph 13(2)(f)—Review of *Casino Control Act 1988*—

Policy paper, dated October 2004.

Policy paper—Government response—

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

15 PRESENTATION OF PAPERS

Mr Corbell (Minister for Health) presented the following papers:

Calvary Public Hospital—Information Bulletin—Patient Activity Data—External Distribution—January 2005.

The Canberra Hospital—Information Bulletin—Patient Activity Data—January 2005.

16 PAPER—OUT OF ORDER PETITION

Mr Corbell (Manager of Government Business), pursuant to standing order 83A, presented the following paper:

Petition which does not conform with the standing orders—Embassy Motel site, Deakin—Proposed redevelopment—Mr Seselja (445 citizens).

17 THE CANBERRA PLAN—MINISTERIAL STATEMENT—PAPER NOTED

Mr Stanhope (Chief Minister), by leave, made a ministerial statement concerning *The Canberra Plan* and presented the following paper:

The Canberra Plan—Ministerial statement, 15 March 2005.

Mr Stanhope moved—That the Assembly takes note of the paper.

Question—put and passed.

18 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—CELEBRATE CANBERRA CELEBRATIONS

The Assembly was informed that Dr Foskey, Ms MacDonald, Mr Seselja and Mr Smyth had proposed that matters of public importance be submitted to the Assembly for discussion. In accordance with the provisions of standing order 79, the Speaker had determined that the matter proposed by Ms MacDonald be submitted to the Assembly, namely, “The importance of the Celebrate Canberra celebrations; the success of Canberra’s big birthday party on 12 March and the need to highlight the contribution the Canberra Citizen of the Year and the Canberra Gold Certificate recipients make to the community.”.

Discussion ensued.

Discussion concluded.

19 ADJOURNMENT

Mr Corbell (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Standing order 213—Quoting documents: Mrs Dunne, pursuant to standing order 213, moved—That the document quoted from by Mr Corbell (Minister for Health) be presented to the Assembly.

Question—put.

The Assembly voted—

AYES, 7		NOES, 8	
Mrs Burke	Mr Pratt	Mr Berry	Ms MacDonald
Mrs Dunne	Mr Seselja	Mr Corbell	Ms Porter
Dr Foskey	Mr Smyth	Mr Gentleman	Mr Quinlan
Mr Mulcahy		Mr Hargreaves	Mr Stanhope

And so it was negatived.

The time allotted for the debate having expired—The Speaker, at 4.55 p.m., adjourned the Assembly until tomorrow at 10.30 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Ms Gallagher* and Mr Stefaniak*.

*On leave

Tom Duncan
Clerk of the Legislative Assembly