



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2012–2013

MINUTES OF PROCEEDINGS

No. 12

WEDNESDAY, 20 MARCH 2013

1 The Assembly met at 10 a.m., pursuant to adjournment. The Acting Speaker (Ms Porter) 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—MINISTERIAL RESPONSE

The Clerk announced that the following response to a petition had been lodged:

Mr Rattenbury (Minister for Territory and Municipal Services), dated 18 March 2013—Response to petition No. 1-13, lodged by Ms Gallagher on 12 February 2013, concerning the provision of MyWay terminals in all group centres.

3 POLICIES FOR THE FUTURE OF CANBERRA

Dr Bourke, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) the success and overwhelming civic pride with which our community has celebrated the centenary of Canberra's foundation;
- (b) the need to ensure that we continue to build on the achievements of the last 100 years through strong leadership, forward looking policies and the delivery of transformational projects; and
- (c) that there is growing recognition in our community, in our business sector and in our region that the future of Canberra's prosperity will require strong leadership to drive the linkages, partnerships and relationships required to continue to build a strong, sustainable and diverse ACT economy; and

- (2) calls on the Government to continue to establish and set strong and progressive policies including:
- (a) municipal services—continue investment across the city to ensure Canberra remains a great place to live, including more digital information and giving communities a direct say on priorities to improve local places and spaces;
 - (b) economic development—continue to support the diversification of our private sector and create new jobs through accelerating business innovation, support business investment and foster the right business environment to make Canberra a preferred location for business;
 - (c) tax reform—continue our work to support a fair, simple and more efficient tax system, reduce the share of inefficient taxes and reduce taxes for lower incomes, and continue with appropriate and targeted assistance for those who need it which will allow the Territory to make investments for the benefit of current and future generations;
 - (d) tertiary education—harness the potential of our tertiary and research institutions to maximise the opportunities for education, jobs and the economy such as the University of Canberra Hospital in Bruce;
 - (e) school education—implement a needs-based funding approach to school education;
 - (f) regional service centre—continue building our capacity to coordinate service planning and delivery in our region, particularly in the areas of health and education;
 - (g) transport for Canberra—implement the Capital metro project to deliver the first light rail stage for Canberra and develop a master plan for light rail across our city;
 - (h) climate change—implement policies to reduce energy use and save households money, drive the uptake of a 90% renewable energy target and establish Canberra as Australia’s solar capital;
 - (i) disability services—support the implementation of the National Disability Insurance Scheme so that people with disability can fully participate in our society;
 - (j) public infrastructure—continue to invest in critical public infrastructure such as the Majura Parkway, The Canberra Hospital Women and Children’s Hospital Stage 1 and 2, and our new Cancer Centre; and
 - (k) industrial relations—continue our work in making Canberra a safe and desirable place to work by extending portability of long service leave, implementing the recommendations of the *Getting Them Home Safely* report and expanding trades traineeships and apprenticeships in the ACT Public Service.

Debate ensued.

Question—put.

The Assembly voted—

	AYES, 8		NOES, 6
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

And so it was resolved in the affirmative.

4 ADMINISTRATION OF JUSTICE

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

- (1) notes:
 - (a) that the ACT Bar Association took the extraordinary step of making a formal complaint in regard to an ACT Supreme Court Judge in December 2012, due to extensive delays in reserved judgements;
 - (b) that the ACT Law Society is seeking “urgent remedial action” in regard to these delays;
 - (c) that the backlog in cases is causing criminal matters to be listed for mid-2014 and some reserved judgements are more than four years old; and
 - (d) that the Attorney-General has failed to listen to the numerous informal complaints made about the delays; and
- (2) calls on the Government to immediately appoint a fifth Supreme Court Judge to assist with the timely administration of justice.

Mr Corbell (Attorney-General) moved the following amendment: Omit paragraphs (1) and (2), substitute:

- “(1) notes:
- (a) the significant reforms completed by the ACT Government to secure improved access to justice and reduce delays in the ACT courts, including:
 - (i) increased Magistrates Court civil and criminal jurisdiction;
 - (ii) bail and judge-alone trial reforms;
 - (iii) the implementation of a single registry;
 - (iv) a case management and listing review; and
 - (v) support for the Supreme Court’s introduction of a docket case management system;
 - (b) the success of last year’s ‘blitz’ on criminal and civil proceedings in bringing forward and disposing of a large proportion of civil and criminal matters and enabling other matters to be listed sooner;
 - (c) the further resources being made available to the court, including \$9.5 million in the 2012-2013 Budget to develop a new case management system to facilitate the efficient operation of the courts and \$2.2 million, allocated over four years to introduce an ACT sentencing database;
 - (d) that further upcoming initiatives include reforming arrangements for handling judicial complaints and establishing an industrial magistrates court; and

- (e) that the ACT Government will continue to work with the courts to facilitate the timely delivery of justice and report back to the Assembly on this issue in 12 months.”.

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 being asked—

Paper: Mr Hanson (Leader of the Opposition), by leave, presented the following paper:

“ACTEW head’s salary reasonable”—Copy of article from ABC News website, posted 8 October 2010.

Questions continued.

6 ADMINISTRATION OF JUSTICE

The order of the day having been read for the resumption of the debate on the motion of Mr Seselja, and on the amendment moved by Mr Corbell (Attorney-General) ([see entry 4](#))—

Debate resumed.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 6	
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly notes:

- (1) the significant reforms completed by the ACT Government to secure improved access to justice and reduce delays in the ACT courts, including:
 - (a) increased Magistrates Court civil and criminal jurisdiction;
 - (b) bail and judge-alone trial reforms;
 - (c) the implementation of a single registry;
 - (d) a case management and listing review; and
 - (e) support for the Supreme Court’s introduction of a docket case management system;
- (2) the success of last year’s ‘blitz’ on criminal and civil proceedings in bringing forward and disposing of a large proportion of civil and criminal matters and enabling other matters to be listed sooner;
- (3) the further resources being made available to the court, including \$9.5 million in the 2012-2013 Budget to develop a new case management system to facilitate the efficient operation of the courts and \$2.2 million, allocated over four years to introduce an ACT sentencing database;

- (4) that further upcoming initiatives include reforming arrangements for handling judicial complaints and establishing an industrial magistrates court; and
- (5) that the ACT Government will continue to work with the courts to facilitate the timely delivery of justice and report back to the Assembly on this issue in 12 months.”—

be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 6	
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

And so it was resolved in the affirmative.

7 CONSERVATION AGENCY—ESTABLISHMENT

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

- (1) notes:
- the Canberra Liberals’ 2012 election policy to bring all nature conservation functions into a single directorate;
 - clause 3.12 of the 2012 ACT Labor-Greens agreement to merge all existing ACT conservation services into a single agency; and
 - the present administrative structure within the ACT Government, where conservation functions are split between the Environment and Sustainability Directorate and Territory and Municipal Services Directorate; and
- (2) directs the Government to establish a nature conservation agency within the Territory and Municipal Services Directorate by 1 July 2013.

Mr Corbell (Minister for the Environment and Sustainable Development) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes:
- the ACT Labor-Greens Parliamentary Agreement commits the ACT Government to establishing a single conservation agency to achieve better integration of biodiversity policy, planning, research and management; and
 - implementation of the proposal is currently under consideration by government.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

	AYES, 8		NOES, 6
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mr Hanson	Mr Wall
Ms Burch	Ms Porter	Mrs Jones	
Mr Corbell	Mr Rattenbury	Mr Seselja	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly notes:

- (1) the ACT Labor-Greens Parliamentary Agreement commits the ACT Government to establishing a single conservation agency to achieve better integration of biodiversity policy, planning, research and management; and
- (2) implementation of the proposal is currently under consideration by government.”—

be agreed to—put and passed.

8 CENTENARY OF CANBERRA CELEBRATIONS

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

- (1) notes:
 - (a) the success to date of the celebration of Canberra’s Centenary;
 - (b) the celebration of Canberra’s 100th birthday on Monday, 11 March 2013 that demonstrated the community’s pride in our city; and
 - (c) the formal commemoration ceremony of the naming of Canberra on Tuesday, 12 March 2013 at the Foundation Stones, which:
 - (i) marked our history and maturity as the national capital over the past 100 years; and
 - (ii) reflected the renewed interest and national focus in Canberra as Australia’s capital city;
- (2) recognises the importance of the community’s contribution over Canberra’s 100 years; and
- (3) commends the efforts of all those involved in delivering an exciting Centenary celebration.

Debate ensued.

Question—put and passed.

9 SYNTHETIC ATHLETICS TRACK

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

- (1) notes:
 - (a) that during the 2012 election campaign, the Government committed \$4.5 million for a southside synthetic track;
 - (b) that at the time of the announcement, it was claimed that ACT Labor would undertake a study and seek community feedback on the ideal location for this purpose built facility;

- (c) that a feasibility study to report on the conversion of an existing grass athletics track within the southside of Canberra to an International Association of Athletics Federations accredited synthetic surface for both athletics and facilities was presented to the Government in October 2012;
 - (d) that this study was limited to five locations and each of the five locations had a range of disadvantages;
 - (e) that the associations' preferred option was not included in the consultant's brief;
 - (f) that consultation with potential users of the facility has been minimal and limited to discussions at association level only; and
 - (g) that clubs have expressed disappointment at the lack of consultation and have strong objection to the Government's preferred option on a number of grounds; and
- (2) calls on the Government to:
- (a) delay progress on the tender until such time as genuine consultation can be had with and among the ACT athletics community as to what best suits their current and future needs;
 - (b) consider alternative options, other than the five ovals in the original report, including the preferred option identified by the clubs in new growth areas of Canberra, and to include ACT athletics associations in those deliberations; and
 - (c) negotiate with the Commonwealth Government on behalf of ACT athletics clubs for better access to existing quality facilities at the Australian Institute of Sport.

Mr Barr (Minister for Sport and Recreation) moved the following amendment: Omit all words after subparagraph (1)(a), substitute:

- “(b) the ACT Labor Government committed to undertake a study and consult with stakeholders on the ideal location for this purpose built facility;
 - (c) that this study was completed and consultation was undertaken with Little Athletics, Athletics ACT and Masters Athletics;
 - (d) that Woden Enclosed Oval was selected as the preferred site;
 - (e) that the purpose of this facility is to provide a synthetic track outside of the AIS for all athletics user groups to utilise, not just those based in the Woden region;
 - (f) that Sport and Recreation Services will work to progress this facility without any disruption to the winter football season and Capital Football, who also use this venue; and
 - (g) that the Minister for Sport and Recreation is already meeting with Little Athletics, Athletics ACT and Masters Athletics to discuss this facility further; and
- (2) calls on the Government to continue to work with Little Athletics, Athletics ACT and Master Athletics to progress this facility.”.

Debate continued.

Mr Doszpot addressing the Assembly—

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

Mr Barr requiring the question to be put forthwith without debate—

Question—put and negatived.

Mr Doszpot continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 6	
Mr Barr	Ms Gallagher	Mr Doszpot	Mr Smyth
Ms Berry	Mr Gentleman	Mr Hanson	Mr Wall
Dr Bourke	Ms Porter	Mrs Jones	
Ms Burch	Mr Rattenbury	Mr Seselja	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that during the 2012 election campaign, the Government committed \$4.5 million for a southside synthetic track;
 - (b) the ACT Labor Government committed to undertake a study and consult with stakeholders on the ideal location for this purpose built facility;
 - (c) that this study was completed and consultation was undertaken with Little Athletics, Athletics ACT and Masters Athletics;
 - (d) that Woden Enclosed Oval was selected as the preferred site;
 - (e) that the purpose of this facility is to provide a synthetic track outside of the AIS for all athletics user groups to utilise, not just those based in the Woden region;
 - (f) that Sport and Recreation Services will work to progress this facility without any disruption to the winter football season and Capital Football, who also use this venue; and
 - (g) that the Minister for Sport and Recreation is already meeting with Little Athletics, Athletics ACT and Masters Athletics to discuss this facility further; and
- (2) calls on the Government to continue to work with Little Athletics, Athletics ACT and Master Athletics to progress this facility.”—

be agreed to—put and passed.

10 LOCAL SHOPPING CENTRES—MAINTENANCE

Mrs Jones, pursuant to notice, moved—That this Assembly:

- (1) notes:
- (a) that the state of local shopping centres across Canberra is deteriorating with regard to a range of issues including cleanliness, parking, access, lighting and safety; and
 - (b) that despite repeated assurances from the Government that issues at local shops are being addressed, the state of many local shops remains unsatisfactory; and
- (2) calls on the Minister for Territory and Municipal Services to:
- (a) explain to the Assembly why local shops have been neglected; and
 - (b) outline to the Assembly action he is taking to improve the maintenance of local shops.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 8	
Mr Doszpot	Mr Smyth	Mr Barr	Ms Gallagher
Mr Hanson	Mr Wall	Ms Berry	Mr Gentleman
Mrs Jones		Dr Bourke	Ms Porter
Mr Seselja		Ms Burch	Mr Rattenbury

And so it was negatived.

11 ADJOURNMENT

Mr Barr (Deputy Chief Minister) moved—That the Assembly do now adjourn.

Question—put and passed.

And then the Assembly, at 6.50 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mrs Dunne* and Mr Coe*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly