

2001–2002

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

MINUTES OF PROCEEDINGS

No. 12

WEDNESDAY, 10 APRIL 2002

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 PETITIONS

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

Mr Stanhope, from 8645 residents, requesting that the Assembly:

- . urgently consider the economic and social benefits for the A.C.T. community to be derived from a Dragway, as identified in the draft preliminary assessment for the proposed international Dragway facility;
- . complete without delay any further due process for the approval of the development; and
- . direct the necessary resources to the construction of the facility so that operations can commence for the 2002/2003 summer season.

Ms MacDonald, from 200 residents, requesting that the Assembly reject the Crimes (Abolition of Offence of Abortion) Bill 2001 and the Health Regulation (Maternal Health Information) Repeal Bill 2001

3 DISCRIMINATION AMENDMENT BILL 2002

Mrs Cross, pursuant to notice, presented a Bill for an Act to amend the *Discrimination Act 1991*.

Paper: Mrs Cross presented an explanatory memorandum to the Bill.

Title read by Clerk.

Mrs Cross moved – That this Bill be agreed to in principle.

Debate adjourned (Mr Stanhope – Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

4 **DIRECTION TO COMMENCE DRAFT VARIATION – BLOCK 3, SECTION 129, NARRABUNDAH**

Mrs Dunne, pursuant to notice, moved – That the Assembly asks the Minister for Planning to:

- (1) in accordance with section 37 of the *Land (Planning and Environment) Act 1991*, give written direction to the Planning Authority to immediately commence a draft variation over block 3, section 129, Narrabundah to change the use to broadacre; and
- (2) keep this Assembly informed on progress of the draft variation.

Paper: Mrs Dunne, by leave, presented the following paper:

Proposal for lease variation by Christine Murray and Alan Swan – Copy of facsimile from John Keely, Chair, Old Narrabundah Community Council Inc to Members of the Legislative Assembly, dated 9 April 2002.

Debate ensued.

Ms Tucker moved the following amendment: Omit “change the use to broadacre” and substitute “allow the land to be used for agricultural activities and associated residential accommodation”.

Debate continued.

Ms Tucker, by leave, again addressed the Assembly.

Question – That Ms Tucker’s amendment be agreed to – put and passed.

Debate continued.

Question – That the motion, as amended, viz:

That the Assembly asks the Minister for Planning to:

- (1) in accordance with section 37 of the *Land (Planning and Environment) Act 1991*, give written direction to the Planning Authority to immediately commence a draft variation over block 3, section 129, Narrabundah to allow the land to be used for agricultural activities and associated residential accommodation; and
- (2) keep this Assembly informed on progress of the draft variation –
be agreed to – put.

The Assembly voted –

Ayes, 9

Noes, 8

Mr Cornwell	Mr Pratt	Mr Berry	Ms MacDonald
Mrs Cross	Mr Smyth	Mr Corbell	Mr Quinlan
Ms Dundas	Mr Stefaniak	Ms Gallagher	Mr Stanhope
Mrs Dunne	Ms Tucker	Mr Hargreaves	Mr Wood
Mr Humphries			

And so it was resolved in the affirmative.

5 VERY FAST TRAIN FEASIBILITY STUDY

Mr Hargreaves, pursuant to notice, moved – That this Assembly:

- (1) expresses its disappointment at the Federal Government's decision to cease funding for a feasibility study into a Very Fast Train between Brisbane and Melbourne; and
- (2) calls on the Federal Government to restore funding to the study and as a first step in the study, the Government should review earlier studies on a fast train link between Sydney and Canberra in the context of acknowledging Government responsibility for substantial funding for such infrastructure projects.

Debate ensued.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made and order of the day for a later hour this day.

6 QUESTIONS

Questions without notice being asked –

Paper: Mr Quinlan (Treasurer) presented the following paper:

Forward Estimates 2001-02 to 2004-05 – Copy of media release by Gary Humphries MLA, Treasurer, together with attachments, dated 2 October 2001.

Questions continued.

7 MATTER OF PUBLIC IMPORTANCE – DISCUSSION – STEM CELL RESEARCH

The Assembly was informed that Mrs Cross had proposed that a matter of public importance be submitted to the Assembly for discussion, namely, “The potential for stem cell research to benefit society.”.

Discussion ensued.

Discussion concluded.

8 VERY FAST TRAIN FEASIBILITY STUDY

The order of the day having been read for the resumption of the debate on the motion of Mr Hargreaves – That this Assembly:

- (1) expresses its disappointment at the Federal Government's decision to cease funding for a feasibility study into a Very Fast Train between Brisbane and Melbourne; and
- (2) calls on the Federal Government to restore funding to the study and as a first step in the study, the Government should review earlier studies on a fast train link between Sydney and Canberra in the context of acknowledging Government responsibility for substantial funding for such infrastructure projects –

Debate resumed.

Question – That the motion be agreed to – put and passed.

9 IMPLEMENTATION OF COMMITTEE RECOMMENDATIONS IN ANNUAL REPORTS

The order of the day having been read for the resumption of the debate on the motion of Ms Tucker – That:

- (1) this Assembly calls upon the Chief Minister to include in any relevant instrument relating to the information to be included in annual reports made pursuant to the provisions of the *Annual Reports (Government Agencies) Act 1995* directions to include a schedule outlining action that has been achieved and is in progress on the implementation of recommendations of Assembly standing and select committees that have been accepted by the Government of the day in any response to those committee reports;
- (2) this provision commence in relation to the current Government’s responses to committee reports of the Fourth Assembly, and, after initial publication, the schedules included in subsequent annual reports only need include information required on achievements in the relevant period and action that remains outstanding; and
- (3) this resolution have effect from the commencement of the Fifth Assembly and continue in force unless and until amended or repealed by this or a subsequent Assembly or the relevant provisions of the legislation are amended by an Assembly.

Mr Quinlan (Deputy Chief Minister) moved the following amendment: Omit all words after “That”, and substitute:

- “(1) this Assembly calls upon the Chief Minister to table on the last sitting day of each calendar year a schedule outlining action that has been achieved and is in progress on the implementation of recommendations of Assembly standing and select committees that have been accepted by the Government of the day in any response to those committee reports;
- (2) this provision commence in relation to the current government’s responses to committee reports of the Fourth Assembly, and, after initial publication, the schedules only need include information required on achievements in the relevant period and action that remains outstanding; and
- (3) this resolution have effect from the commencement of the Fifth Assembly and continue in force unless and until amended or repealed by this or a subsequent Assembly or the relevant provisions of the legislation are amended by the Assembly.”.

Debate continued.

Question – That Mr Quinlan’s amendment be agreed to – put.

The Assembly voted –

Ayes, 8

Mr Berry	Ms MacDonald
Mr Corbell	Mr Quinlan
Ms Gallagher	Mr Stanhope
Mr Hargreaves	Mr Wood

Noes, 9

Mr Cornwell	Mr Pratt
Mrs Cross	Mr Smyth
Ms Dundas	Mr Stefaniak
Mrs Dunne	Ms Tucker
Mr Humphries	

And so it was negatived.

Debate continued.

Question – That the motion be agreed to – put and passed.

10 “COMMITTEE OF REFERENCE” RELATING TO THE GOVERNMENT’S EDUCATION INQUIRY

Mr Pratt, pursuant to notice, moved – That the Assembly urges the Minister for Education to establish a ‘Committee of Reference’ representative of all sectors, to work with the consultant, Ms Connors, who has been appointed to conduct the Education Inquiry, so that the A.C.T. community may be assured that the Government inquiry to be undertaken into our education system will be sufficiently balanced to review all relevant aspects of A.C.T. education.

Mr Pratt addressing the Assembly –

Adjournment negatived: It being 5 p.m. – The question was proposed – That the Assembly do now adjourn.

Mr Wood (Manager of Government Business) requiring the question to be put forthwith without debate –

Question – put and negatived.

Debate continued.

Question – That the motion be agreed to – put.

The Assembly voted –

Ayes, 6		Noes, 9	
Mr Cornwell	Mr Humphries	Mr Berry	Ms MacDonald
Mrs Cross	Mr Pratt	Mr Corbell	Mr Stanhope
Mrs Dunne	Mr Stefaniak	Ms Dundas	Ms Tucker
		Ms Gallagher	Mr Wood
		Mr Hargreaves	

And so it was negatived.

11 PROTECTING CHILDREN FROM ABUSE

Ms Gallagher, pursuant to notice, moved – That the Assembly:

- (1) notes the importance of community and government action in protecting children from abuse;
- (2) commends the support shown by Canberrans in hosting and supporting the National March for Children on 14 April;
- (3) rejects the uninformed comments by Opposition Spokesman for Community and Family Services Mr Cornwell made in *The Canberra Times* on Sunday 7 April.

Debate ensued.

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

Paper: Mr Cornwell, by leave, presented the following paper:

Child abuse – National Rally – Copy of facsimile from Mr Greg Cornwell MLA to The Editor, *The Canberra Times*, dated 9 April 2002.

Debate continued.

Ordered – That the question be divided.

Question – That paragraph (1) be agreed to – put and passed.

Question – That paragraph (2) be agreed to – put and passed.

Question – That paragraph (3) be agreed to – put and passed.

12 CONTAINER DEPOSIT LEGISLATION

Ms Tucker, pursuant to notice, moved – That this Assembly calls on the Government to:

- (1) take note of the independent report on container deposit legislation prepared by the Institute of Sustainable Futures at the University of Technology Sydney which was recently released by the N.S.W. Minister for Environment, Mr Bob Debus; and
- (2) support the establishment of a national container deposit scheme at the National Environment Protection Council.

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

13 ADJOURNMENT

Mr Wood (Manager of Government Business) moved – That the Assembly do now adjourn.

Debate ensued.

Question – put and passed.

And then the Assembly, at 6.43 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