



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2004–2005–2006–2007–2008

# MINUTES OF PROCEEDINGS

No. 140

**WEDNESDAY, 7 MAY 2008**

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**1** The Assembly met at 10.30 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mr Berry) 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** **SPEAKER'S RULING—MATTERS OF PUBLIC IMPORTANCE**

The Speaker informed that Assembly that, pursuant to standing order 130, the matters of public importance lodged by Mrs Burke, Mrs Dunne, Mr Pratt, Mr Seselja (Leader of the Opposition), Mr Smyth and Mr Stefaniak were out of order as they anticipated debate on notice No. 5, private Members' business.

**3** **PROJECTS OF TERRITORY IMPORTANCE BILL 2008**

Mr Smyth, pursuant to notice, presented a Bill for an Act to facilitate the moving of projects of Territory importance from a location to another to allow for their effective delivery and, consequently, to allow for the usual planning processes to be shortened.

*Paper:* Mr Smyth presented an explanatory statement to the Bill.

Title read by Clerk.

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

Debate adjourned (Mr Barr—Minister for Planning) and the resumption of the debate made an order of the day for the next sitting.

**4 ANZAC DAY BILL 2008**

Mr Pratt, pursuant to notice, presented a Bill for an Act to preserve the dignity and solemnity of the commemoration of Anzac Day.

Title read by Clerk.

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

Debate adjourned (Mr Barr—Minister for Tourism, Sport and Recreation) and the resumption of the debate made an order of the day for the next sitting.

**5 WASTE MINIMISATION (CONTAINER RECOVERY) AMENDMENT BILL 2008**

Dr Foskey, pursuant to notice, presented a Bill for an Act to amend the *Waste Minimisation Act 2001*, and for other purposes.

Title read by Clerk.

Dr Foskey moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Hargreaves—Minister for Territory and Municipal Services) and the resumption of the debate made an order of the day for the next sitting.

**6 PROTECTION OF PUBLIC PARTICIPATION BILL 2008—EXPLANATORY STATEMENT—PAPER AND STATEMENT BY MEMBER**

Dr Foskey, by leave, presented the following paper:

Protection of Public Participation Bill 2008—Explanatory statement—  
and, by leave, made a statement in relation to the paper.

**7 GAS FIRED POWER STATION—PROPOSED DEVELOPMENT**

Dr Foskey, pursuant to notice, moved—That this Assembly calls on the ACT Government to ensure development of ActewAGL's proposed gas fired power station is put on hold until:

- (1) there has been:
  - (a) a full environmental impact analysis consistent with the new planning regime, which includes:
    - (i) a comprehensive air quality analysis;
    - (ii) a rigorous examination of potential noise impact; and
    - (iii) a public investigation into the relative merits of all possible locations;
  - (b) an independent report on its health impact;
  - (c) a cost benefit analysis of renewable energy alternatives; and
  - (d) consideration of the social implications of ACT Planning and Land Authority's Industrial Corridor;
- (2) all such reports are released publicly; and
- (3) a comprehensive and respectful community engagement process has been conducted.

Mr Barr (Minister for Planning) moved the following amendment: Omit all words after “ensure”, substitute “that the assessment of the proposed development of ActewAGL’s gas fired power station:

- is carried out in accordance with all statutory requirements;
- is undertaken in consultation with the Canberra community;
- abides by all relevant environmental rules and standards.

The Assembly also acknowledges that the public inspection period of the preliminary assessment has been extended until 27 May 2008.

The Assembly further commends the environmental initiative demonstrated by ActewAGL in proposing a gas fired power station rather than a traditional coal fired power station.”.

Mr Pratt moved the following amendment to Mr Barr’s proposed amendment: Omit all words after “that”, substitute:

- “(1) ActewAGL’s proposed gas fired power station and data storage facility is not built on the currently proposed site;
- (2) ActewAGL’s proposed gas fired power station and data storage facility is not approved until the required planning and environmental studies have been completed and adequately communicated to the community before any approval process occurs;
- (3) the Projects of Territory Importance Bill 2008 is supported;

and notes that the development application objection process was not extended beyond 5 May 2008.”.

Debate continued.

Mr Smyth addressing the Assembly—

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.

## **8 QUESTIONS**

Questions without notice were asked.

## **9 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—PARTICIPATORY BUDGETING—BENEFITS**

The Assembly was informed that Dr Foskey, Mr Gentleman, Ms MacDonald and Ms Porter 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 Dr Foskey be submitted to the Assembly, namely, “The benefits of participatory budgeting.”.

Discussion ensued.

Discussion concluded.

## 10 GAS FIRED POWER STATION—PROPOSED DEVELOPMENT

The order of the day having been read for the resumption of the debate on the motion of Dr Foskey, and on the amendment moved by Mr Barr (Minister for Planning), and on the amendment moved by Mr Pratt to Mr Barr's proposed amendment (*see entry 7*)—

Debate resumed.

Question—That Mr Pratt's amendment to Mr Barr's proposed amendment be agreed to—put.

The Assembly voted—

AYES, 6	NOES, 11	
Mrs Burke	Mr Barr	Mr Hargreaves
Mrs Dunne	Mr Berry	Ms MacDonald
Mr Pratt	Mr Corbell	Mr Mulcahy
Mr Seselja	Dr Foskey	Ms Porter
Mr Smyth	Ms Gallagher	Mr Stanhope
Mr Stefaniak	Mr Gentleman	

And so it was negatived.

Question—That Mr Barr's amendment be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 7	
Mr Barr	Mr Hargreaves	Mrs Burke	Mr Smyth
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Stefaniak
Mr Corbell	Mr Mulcahy	Dr Foskey	
Ms Gallagher	Ms Porter	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) calls on the ACT Government to ensure that the assessment of the proposed development of ActewAGL's gas fired power station:
  - (a) is carried out in accordance with all statutory requirements;
  - (b) is undertaken in consultation with the Canberra community; and
  - (c) abides by all relevant environmental rules and standards;
- (2) also acknowledges that the public inspection period of the preliminary assessment has been extended until 27 May 2008; and
- (3) further commends the environmental initiative demonstrated by ActewAGL in proposing a gas fired power station rather than a traditional coal fired power station.”—

be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 7	
Mr Barr	Mr Hargreaves	Mrs Burke	Mr Smyth
Mr Berry	Ms MacDonald	Mrs Dunne	Mr Stefaniak
Mr Corbell	Mr Mulcahy	Dr Foskey	
Ms Gallagher	Ms Porter	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	

And so it was resolved in the affirmative.

## 11 STAMP DUTY—FIRST HOMEBUYERS

Mr Seselja (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) that the median house price for a Canberra house is now over \$457 000 making buying a first home in Canberra out of the reach of many young homebuyers;
  - (b) the high average level of stamp duty paid by first homebuyers;
  - (c) that many jurisdictions, including New South Wales, have waived stamp duty, subject to threshold, for first homebuyers; and
  - (d) that Tanya Plibersek, the Federal Minister for Housing, has welcomed a proposal by the Canberra Liberals to waive charging stamp duty for first homebuyers under a value of \$500 000 stating that most States and Territories have reduced stamp duty or no stamp duty for first homebuyers, usually under a cap, that she thought it was a good idea and that helping people into the housing market in that way is a great thing; and
- (2) calls on the ACT Government to join the Liberal Party in a bipartisan approach to helping first homebuyers by waiving stamp duty on homes costing less than \$500 000 for first homebuyers.

Mr Stanhope (Treasurer) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) acknowledges the complexity of housing affordability and the inability of any single policy decision to eliminate the affordability barriers affecting some individuals and households;
- (2) congratulates the ACT Labor Government for the comprehensiveness of its Affordable Housing Action Plan, released in 2007, with its 62 separate actions for addressing affordability across the spectrum;
- (3) applauds the rapid roll-out of the initiatives contained within the Plan, including, most recently, the introduction of a bill to allow for land rental, and the call for expressions of interest from institutional investors interested in building rental housing; and
- (4) invites the Liberal Party to adopt a bipartisan approach to the comprehensive suite of measures the Labor Government is implementing to tackle barriers to housing affordability for renters, homeowners and those in supported accommodation.”.

Debate continued.

Mrs Dunne addressing the Assembly—

Debate interrupted in accordance with standing order 34 and the resumption of the debate made an order of the day for the next sitting.

**12 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.28 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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**Tom Duncan**  
Clerk of the Legislative Assembly