



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2004–2005–2006

MINUTES OF PROCEEDINGS

No. 71

TUESDAY, 22 AUGUST 2006

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 PETITION

The Clerk announced that the following Member had lodged a petition for presentation:

Mr Berry, from 17 residents, requesting that the Assembly overturn the decision to close Dickson College.

3 LEGAL AFFAIRS—STANDING COMMITTEE (PERFORMING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE)—SCRUTINY REPORT 30—STATEMENT BY CHAIR

Mr Stefaniak (Chair) presented the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 30, dated 21 August 2006, together with the relevant minutes of proceedings—

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

4 ESTIMATES 2006-2007—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2006-2007—ERRATA—PUBLICATION OF PAPER—PAPER NOTED

Ms Porter, by leave, presented the following paper:

Estimates 2006-2007—Select Committee—Report—*Appropriation Bill 2006-2007*—Errata, dated August 2006—

and, by leave, moved—That the Assembly authorises publication of the paper.

Question—put and passed.

Ms Porter moved—That the Assembly takes note of the paper.

Question—put and passed.

5 REMUNERATION TRIBUNAL AMENDMENT BILL 2006

Mr Stanhope (Chief Minister), by leave, presented a Bill for an Act to amend the *Remuneration Tribunal Act 1995*.

Papers: Mr Stanhope presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 22 August 2006.

Title read by Clerk.

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

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

6 MULTICULTURALISM IN THE A.C.T.—AMENDMENT TO RESOLUTION

Mr Hargreaves (Minister for Multicultural Affairs), pursuant to notice, moved—That paragraph 3(c) of the resolution of the Assembly of 15 February 2006, regarding the handing down of a new multicultural strategy by mid-2006, be amended by omitting “mid-2006” and substituting “December 2006”.

Debate ensued.

Question—put and passed.

7 ESTIMATES 2006-2007—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2006-2007—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER

Mr Stanhope (Treasurer) presented the following paper:

Estimates 2006-2007—Select Committee—Report—*Appropriation Bill 2006-2007*—Government response, including Government response to the Dissenting Report, dated August 2006—

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

Debate adjourned (Mr Mulcahy) and the resumption of the debate made an order of the day for a later hour this day.

8 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF ASSEMBLY BUSINESS

Mr Corbell (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent order of the day No. 4, Assembly business relating to the Report of the Select Committee on Estimates 2006-2007 and the Government response to the Select Committee on Estimates, being called on and debated cognately with order of the day No. 1, Executive business, relating to the Appropriation Bill 2006-2007.

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

9 APPROPRIATION BILL 2006-2007

The Assembly, according to order, resumed consideration at the detail stage.

Detail Stage

Schedule 1—Appropriations—Proposed expenditure—

Part 1.1—Legislative Assembly Secretariat—\$5 339 000 (net cost of outputs), \$200 000 (capital injection) and \$4 495 000 (payments on behalf of the Territory), totalling \$10 034 000—debated and agreed to.

Part 1.2—ACT Executive—\$5 042 000 (payments on behalf of the Territory), totalling \$ 5 042 000—debated and agreed to.

Part 1.3—Auditor-General—\$1 946 000 (net cost of outputs), totalling \$1 946 000—debated and agreed to.

Part 1.4—Chief Minister's Department—\$36 418 000 (net cost of outputs), \$35 653 000 (capital injection), totalling \$72 071 000—debated.

Mr Mulcahy 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.

10 QUESTIONS

Questions without notice were asked.

11 HUMAN RIGHTS ACT—TWELVE-MONTH REVIEW OF ACT—PAPER AND STATEMENT BY MINISTER—MOTION TO TAKE NOTE OF PAPER

Mr Corbell (Attorney-General) presented the following paper:

Human Rights Act, pursuant to subsection 43(1)—Twelve-month review of Act, dated June 2006, prepared by the Department of Justice and Community Safety—

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

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

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

12 LAND (PLANNING AND ENVIRONMENT) ACT—APPROVAL—VARIATION NO. 256 TO THE TERRITORY PLAN—KINGSTON GROUP CENTRE PART SECTION 22 AND PLANNING AND ENVIRONMENT—STANDING COMMITTEE—REPORT 20—DRAFT VARIATION TO THE TERRITORY PLAN NO. 256—KINGSTON GROUP CENTRE PART SECTION 22—GOVERNMENT RESPONSE—PAPERS AND STATEMENT BY MINISTER

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

Land (Planning and Environment) Act, pursuant to subsection 29(1)—Approval of Variation No. 256 to the Territory Plan—Kingston Group Centre Part Section 22, dated 10 August 2006, together with background papers, a copy of the summaries and reports, and a copy of any direction or report required.

Planning and Environment—Standing Committee—Report 20—*Draft Variation to the Territory Plan No. 256—Kingston Group Centre Part Section 22—Government response—*

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

13 LAND (PLANNING AND ENVIRONMENT) ACT—SCHEDULES—LEASES GRANTED—PAPER AND STATEMENT BY MINISTER

Mr Corbell (Minister for Planning) presented the following paper:

Land (Planning and Environment) Act, pursuant to section 216A—Schedules—Leases granted, together with lease variations and change of use charges for the period 1 April to 30 June 2006—

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

14 A.C.T. GREENHOUSE GAS ABATEMENT SCHEME—COMPLIANCE AND OPERATION OF THE SCHEME—PAPER AND STATEMENT BY MINISTER

Mr Hargreaves (Minister for the Territory and Municipal Services) presented the following paper:

ACT Greenhouse Gas Abatement Scheme—Compliance and operation of the scheme for the twelve months ending 31 December 2005, dated June 2006, prepared by the Independent Competition and Regulatory Commission—

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

15 PRESENTATION OF PAPER

Mr Corbell (Manager of Government Business) presented the following paper:

Legislation Act, pursuant to section 64—Remuneration Tribunal Act—Remuneration Tribunal (Fees and Allowances) Determination 2006 (No. 1)—Disallowable Instrument DI2006-195 (LR, 14 August 2006), including an explanatory statement.

16 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—3G MOBILE PHONE TOWERS—INSTALLATION

The Assembly was informed that Dr Foskey, Mr Gentleman, Mr Mulcahy, Ms Porter and Mr Stefaniak (Leader of the Opposition) 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 installation of 3G mobile phone towers in Canberra”.

Discussion ensued.

Discussion concluded.

17 APPROPRIATION BILL 2006-2007

The Assembly, according to order, resumed further consideration at the detail stage.

Detail Stage

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.4—Chief Minister's Department—\$36 418 000 (net cost of outputs), \$35 653 000 (capital injection), totalling \$72 071 000—

Debate continued.

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

18 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 6.26 p.m., adjourned until tomorrow at 10.30 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly