

2004–2005

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 36

WEDNESDAY, 21 SEPTEMBER 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 **LIMITATION AMENDMENT BILL 2005**

Mr Stefaniak, pursuant to notice, presented a Bill for an Act to amend the *Limitation Act 1985*.

Paper: Mr Stefaniak presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Stefaniak 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.

3 **CIVIC DEVELOPMENT AUTHORITY BILL 2005**

Mr Seselja, pursuant to notice, presented a Bill for an Act to provide for the development of the civic central area, and for other purposes.

Title read by Clerk.

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

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

4 **LEGISLATION AMENDMENT BILL 2005**

Dr Foskey, pursuant to notice, presented a Bill for an Act to amend the *Legislation Act 2001*.

Paper: Dr Foskey presented an explanatory statement to the Bill.

Title read by Clerk.

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

Debate adjourned (Mr Hargreaves—Minister for Disability, Housing and Community Services) and the resumption of the debate made an order of the day for the next sitting.

5 INDUSTRIAL RELATIONS LAWS—PROPOSED CHANGES BY THE FEDERAL GOVERNMENT—CONSULTATION WITH A.C.T. GOVERNMENT

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

- (1) notes:
 - (a) the Federal Government's intention to introduce new industrial relations laws as soon as October 2005 into the Federal Parliament;
 - (b) the complete failure of the Federal Government to consult with State and Territory Governments over the content of the proposed laws;
 - (c) that the proposed laws once passed will have immediate impact on working people in the ACT; and
 - (d) the considerable community concern over the impact of proposed laws, particularly in relation to the:
 - (i) protection of family friendly working conditions;
 - (ii) protection from unfair dismissals;
 - (iii) protection of penalty rates, public holidays and leave entitlements; and
 - (iv) negative impact of secret individual contracts; and
- (2) calls on the Federal Government to consult immediately with the ACT Government on the proposed changes to industrial relations laws in order to ensure the protection of existing employment conditions for ACT workers.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 9		NOES, 6	
Mr Berry	Ms MacDonald	Mrs Burke	Mr Stefaniak
Mr Corbell	Ms Porter	Mr Mulcahy	
Dr Foskey	Mr Quinlan	Mr Pratt	
Mr Gentleman	Mr Stanhope	Mr Seselja	
Mr Hargreaves		Mr Smyth	

And so it was resolved in the affirmative.

6 QUESTIONS

Questions without notice were asked.

7 QUESTION ON NOTICE NO. 486—ANSWER—EXPLANATION

Mrs Dunne, pursuant to standing order 118A, asked Mr Stanhope (Acting Minister for Education and Training) for an explanation concerning the answer to question on notice No. 486.

Mr Stanhope gave an explanation.

**8 AUDITOR-GENERAL ACT—AUDITOR-GENERAL’S REPORT—NO. 4 2005—
COURTS ADMINISTRATION—PUBLICATION OF PAPER**

The Speaker presented the following paper:

Auditor-General Act—Auditor-General’s Report No. 4 2005—Courts Administration, dated 20 September 2005.

Mr Corbell (Manager of Government Business), by leave, moved—That the Assembly authorises the publication of the Auditor-General’s Report No. 4 2005.

Question—put and passed.

9 RETAIL AND COMMUNITY SERVICES IN SUBURBS

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

- (1) recognises the vital importance of retail and community services to the social fabric of our suburbs;
- (2) supports a planning regime which strengthens the viability of local shops and schools;
- (3) rejects intense residential development of core areas in suburbs that lack shops, schools and community facilities; and
- (4) calls on the ACT Government to:
 - (a) commit to building and supporting the viability of local centres; and
 - (b) make that commitment one of the terms of reference for its review of Variation No. 200 to the Territory Plan.

Mr Corbell (Minister for Planning) moved the following amendment: Omit paragraphs (3) and (4), substitute:

- “(3) notes that the identification of core areas in general supports the viability of local centres, group centres and other community infrastructure;
- (4) notes that where A10 areas were identified in suburbs without shops, the areas were close to Group centres located in adjacent suburbs and in other areas, such as Turner, no core areas were identified;
- (5) notes the Government’s commitment to building and supporting the viability of local and group centres; and
- (6) notes that the ACT Planning and Land Authority has commenced an evaluation of the effectiveness of the Garden City Variation in achieving the outcomes specified in the Government’s policies on urban consolidation.”.

Debate continued.

Question—That Mr Corbell’s amendment be agreed to—put and passed.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) recognises the vital importance of retail and community services to the social fabric of our suburbs;
- (2) supports a planning regime which strengthens the viability of local shops and schools;

- (3) notes that the identification of core areas in general supports the viability of local centres, group centres and other community infrastructure;
- (4) notes that where A10 areas were identified in suburbs without shops, the areas were close to Group centres located in adjacent suburbs and in other areas, such as Turner, no core areas were identified;
- (5) notes the Government's commitment to building and supporting the viability of local and group centres; and
- (6) notes that the ACT Planning and Land Authority has commenced an evaluation of the effectiveness of the Garden City Variation in achieving the outcomes specified in the Government's policies on urban consolidation."—

be agreed to—put and passed.

10 ATTRACTING BUSINESS AND SKILLED LABOUR TO THE A.C.T.

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

- (1) notes:
 - (a) the importance of population growth for strengthening the economy of the ACT;
 - (b) the need to overcome the skills shortage in the ACT; and
 - (c) the need to identify and overcome negative perceptions of Canberra as a place to live, work and do business; and
- (2) calls on the ACT Government to:
 - (a) address the skills shortage by drawing on the talents and experience of older people and stepping up migration of skilled and business people;
 - (b) create specific advantages in superior infrastructure, clean and plentiful water supply and personal safety;
 - (c) improve relationships with the Federal Government to develop special features and facilities which reflect the nation's capital; and
 - (d) fulfil its promise to make Canberra "unashamedly pro-business and committed to actions that will make the ACT the premier business friendly location in Australia".

Mr Quinlan (Minister for Economic Development and Business) moved the following amendment: Omit paragraph (2), substitute:

- "(2) recognises the ACT Government's efforts to:
- (a) address the skills shortage in partnership with the business community;
 - (b) create new and attractive infrastructure, such as City West, in partnership with the ANU and the wider business community; and
 - (c) make Canberra the most small business friendly jurisdiction in Australia."

Debate continued.

Mr Seselja addressing the Assembly—

Closure: Mr Quinlan 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 Dunne	Mr Seselja
Mr Corbell	Ms Porter	Dr Foskey	Mr Smyth
Mr Gentleman	Mr Quinlan	Mr Mulcahy	Mr Stefaniak
Mr Hargreaves	Mr Stanhope	Mr Pratt	

And so it was resolved in the affirmative.

And the question—That Mr Quinlan's amendment be agreed to—being accordingly put.

The Assembly voted—

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

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the importance of population growth for strengthening the economy of the ACT;
 - (b) the need to overcome the skills shortage in the ACT; and
 - (c) the need to identify and overcome negative perceptions of Canberra as a place to live, work and do business; and
- (2) recognises the ACT Government's efforts to:
 - (a) address the skills shortage in partnership with the business community;
 - (b) create new and attractive infrastructure, such as City West, in partnership with the ANU and the wider business community; and
 - (c) make Canberra the most small business friendly jurisdiction in Australia.”—

be agreed to—put and passed.

11 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.30 p.m., adjourned until tomorrow at 10.30 a.m.

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

*On leave

Tom Duncan
Clerk of the Legislative Assembly