

1998

LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 17

TUESDAY, 1 SEPTEMBER 1998

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- 1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Cornwell) 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 Berry, from 1,299 residents, requesting that the Assembly declare any Certified Agreement a union negotiated agreement as per section 170LJ of the *Work Place Relations Act 1996* (Commonwealth).

Ms Carnell and Mr Hird, from 11 and 16 residents respectively, requesting that the Assembly reverse the decision to cut \$1.6 million to the Institute of the Arts so that it can continue to provide a worthwhile resource within Canberra.

3 **DEATH OF DR CLARE BURTON**

Ms Carnell (Chief Minister) moved - That the Assembly expresses its deep regret at the death of Dr Clare Burton, who made a significant contribution to women in Canberra and tenders its profound sympathy to her widower and children in their bereavement.

Mr Stanhope (Leader of the Opposition) and Ms Tucker addressed the Assembly in support of the motion and all Members present having stood, in silence -

Question - passed.

4 **ESTIMATES 1998-99 - SELECT COMMITTEE - REPORT - APPROPRIATION BILL 1998-99 - GOVERNMENT RESPONSE - MOTION TO TAKE NOTE OF PAPER**

Ms Carnell (Treasurer) presented the following paper:

Estimates 1998-99 - Select Committee - Report - Appropriation Bill 1998-99 (*presented 27 August 1998*) - Government response -

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

Debate ensued.

Debate adjourned (Mr Humphries - Manager of Government Business).

Mr Humphries, by leave, moved - That the resumption of the debate be made an order of the day for consideration immediately after the resolution of any question relating to the conclusion of consideration of order of the day No. 3, Executive business, relating to the Appropriation Bill 1998-99.

Question - put and passed.

**5 JUSTICE AND COMMUNITY SAFETY - STANDING COMMITTEE (INCORPORATING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE) - SCRUTINY REPORT NO. 7 OF 1998 - STATEMENT BY CHAIR**

Mr Osborne (Chair) presented the following report:

Justice and Community Safety - Standing Committee (incorporating the duties of a Scrutiny of Bills and Subordinate Legislation Committee) - Scrutiny Report No. 7 of 1998, dated 1 September 1998

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

**6 STAMP DUTIES AND TAXES (AMENDMENT) BILL 1998**

The order of the day having been read for the resumption of the debate on the question - That this Bill be agreed to in principle -

Debate resumed.

Question - That this Bill be agreed to in principle - put and passed.

Leave granted to dispense with the detail stage.

Question - That this Bill be agreed to - put and passed.

**7 INSURANCE LEVY BILL 1998**

The order of the day having been read for the resumption of the debate on the question - That this Bill be agreed to in principle -

Debate resumed.

Mr Kaine, by leave, again addressed the Assembly.

*Paper:* Mr Humphries (Minister Assisting the Treasurer) presented the following paper:

ACT fire services - Calculation of proposed levy - Copy of facsimile of minute from David Slee Consulting Pty Ltd to Phil Maguire, dated 24 August 1998.

Question - That this Bill be agreed to in principle - put.

The Assembly voted -

Ayes, 9

Noes, 8

Ms Carnell	Mr Osborne	Mr Berry	Mr Stanhope
Mr Cornwell	Mr Rugendyke	Mr Corbell	Ms Tucker
Mr Hird	Mr Smyth	Mr Hargreaves	Mr Wood
Mr Humphries	Mr Stefaniak	Mr Kaine	
Mr Moore		Mr Quinlan	

And so it was resolved in the affirmative.

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*Detail stage*

Bill, by leave, taken as a whole -

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

**8 QUESTIONS**

Questions without notice being asked -

*Paper:* Ms Carnell (Treasurer) presented the following paper:

Review of ACTTAB - Copy of facsimile of statutory declaration by David Robert Barbuto, Director, Pannell Keir Forster Consulting Australia Pty Ltd, dated 1 September 1998.

Questions continued.

**9 PRESENTATION OF PAPERS**

Ms Carnell (Chief Minister and Treasurer) presented the following papers:

Canberra Tourism and Events Corporation Act, pursuant to subsection 28 (3) - Canberra Tourism and Events Corporation - Quarterly report for the period 1 January 1998 to 31 March 1998.

Financial Management Act, pursuant to section 26 - Consolidated Financial Management Report for the month and financial year to date ending 31 July 1998.

**10 ACT GREENHOUSE STRATEGY - DRAFT - PAPER - PAPER NOTED**

Mr Smyth (Minister for Urban Services) presented the following paper:

ACT Greenhouse Strategy - Draft for community consultation, dated 1998 -

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

Debate ensued.

Question - put and passed.

**11 MATTER OF PUBLIC IMPORTANCE - DISCUSSION - ACTTAB OPERATIONS**

The Assembly was informed that Mr Corbell had proposed that a matter of public importance be submitted to the Assembly for discussion, namely, "The failure of the ACT Government to provide for an independent and impartial analysis of the current and future operations of the ACTTAB."

Discussion ensued.

*Paper:* Mr Humphries (Attorney-General) presented the following paper:

Review of ACTTAB - Copy of facsimile of letter from Director, PKF Consulting Australia Pty Ltd to Director, ACT Chief Minister's Department, dated 1 September 1998.

The time for the discussion having expired -

Discussion concluded.

**12 INSURANCE LEVY BILL 1998**

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

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*Detail stage*

Bill as a whole -

Debate resumed.

On the motion of Mr Humphries (Minister Assisting the Treasurer) the following amendment was made, after debate:

Clause 5, page 2, lines 35-39, subclause (2), omit the subclause.

Question - That the Bill, as a whole, as amended, be agreed to - proposed.

*Proposed new clause -*

Mr Kaine moved - That the following new clause be inserted in the Bill: Page 4, line 10:

**“7A.** In assessing the levies in accordance with clauses 6 and 7, the total amount assessable (AP in the formula) shall account for premiums to be paid by bodies corporate under the Unit Titles Act at the rate applicable to residential property, not that applicable to commercial property, in respect of all units that are owner-occupied.”.

Mr Humphries addressing the Assembly -

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

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

Question - put and negatived.

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Debate continued.

Mr Kaine, by leave, withdrew his amendment.

Bill, as a whole, as amended, agreed to.

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Question - That this Bill, as amended, be agreed to - put and passed.

### 13 APPROPRIATION BILL 1998-99

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

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#### *Detail stage*

Schedule 1 - Appropriations -

Proposed expenditure - Part 1 - Legislative Assembly Secretariat, \$3,510,000 (net cost of outputs) and \$2,780,000 (payments on behalf of the Territory), totalling \$6,290,000 - debated and agreed to.

Proposed expenditure - Part 2 - Auditor-General, \$886,000 (net cost of outputs) - debated and agreed to.

Proposed expenditure - Part 3 - Chief Minister's, \$60,189,000 (net cost of outputs), \$12,237,000 (capital injection) and \$18,287,000 (payments on behalf of the Territory), totalling \$90,713,000 - debated.

Mr Stanhope (Leader of the Opposition), by leave, was granted an extension of time.

Debate continued.

Question - That the proposed expenditure be agreed to - put.

The Assembly voted -

Ayes, 9

Noes, 8

Ms Carnell	Mr Osborne	Mr Berry	Mr Stanhope
Mr Cornwell	Mr Rugendyke	Mr Corbell	Ms Tucker
Mr Hird	Mr Smyth	Mr Hargreaves	Mr Wood
Mr Humphries	Mr Stefaniak	Mr Kaine	
Mr Moore		Mr Quinlan	

And so it was resolved in the affirmative.

Proposed expenditure - Part 4 - ACT Executive, \$2,572,000 (payments on behalf of the Territory) - debated and agreed to.

Proposed expenditure - Part 5 - Government Asset Management, \$1,625,000 (net cost of outputs) and \$15,176,000 (capital injection), totalling \$16,801,000 - debated.

Question - that the proposed expenditure be agreed to - put.

The Assembly voted -

Ayes, 10		Noes, 7	
Ms Carnell	Mr Moore	Mr Berry	Ms Tucker
Mr Cornwell	Mr Osborne	Mr Corbell	Mr Wood
Mr Hird	Mr Rugendyke	Mr Hargreaves	
Mr Humphries	Mr Smyth	Mr Quinlan	
Mr Kaine	Mr Stefaniak	Mr Stanhope	

And so it was resolved in the affirmative.

Proposed expenditure - Part 6 - Central Financing Unit, \$1,577,000 (capital injection) and \$20,985,000 (payments on behalf of the Territory), totalling \$22,562,000 - debated and agreed to.

Proposed expenditure - Part 7 - Superannuation and Insurance Provision Unit, \$20,063,000 (payments on behalf of the Territory) - debated and agreed to.

Proposed expenditure - Part 8 - Health and Community Care, \$303,639,000 (net cost of outputs), \$30,617,000 (capital injection) and \$8,573,000 (payments on behalf of the Territory), totalling \$342,829,000 - debated.

Mr Stanhope (Leader of the Opposition), by leave, was granted an extension of time.

Debate continued.

Mr Moore (Minister for Health and Community Care), by leave, was granted an extension of time.

Debate continued.

Proposed expenditure agreed to.

Question - That the proposed expenditure - Part 9 - Urban Services, \$218,808,000 (net costs of outputs), \$49,228,000 (capital injection) and \$790,000 (payments on behalf of the Territory), totalling \$268,826,000 be agreed to -

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

## 14 ADJOURNMENT

Mr Humphries (Manager of Government Business) moved - That the Assembly do now adjourn.

Debate ensued.

Question - put and passed.

And then the Assembly, at 11.10 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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**M.J. McRAE**  
Clerk of the Legislative Assembly

