

**DIGEST OF PROCEEDINGS  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**Annual Edition 2005**

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## SIXTH ASSEMBLY

### MEMBERS

*(from 4 November 2004)*

Brindabella -

<b>GENTLEMAN, Mr Mick</b>	<b>Australian Labor Party</b>
<b>HARGREAVES, Mr John</b> <i>Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services</i>	<b>Australian Labor Party</b>
<b>MacDONALD, Ms Karin</b>	<b>Australian Labor Party</b>
<b>PRATT, Mr Steve</b>	<b>Liberal Party</b>
<b>SMYTH, Mr Brendan</b> <i>Leader of the Opposition</i>	<b>Liberal Party</b>

Ginninderra -

<b>BERRY, Mr Wayne</b> <i>Speaker</i>	<b>Australian Labor Party</b>
<b>DUNNE, Mrs Vicki</b>	<b>Liberal Party</b>
<b>PORTER, Ms Mary</b>	<b>Australian Labor Party</b>
<b>STANHOPE, Mr Jon</b> <i>Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs</i>	<b>Australian Labor Party</b>
<b>STEFANIAK, Mr Bill</b>	<b>Liberal Party</b>

## MEMBERS (CONTINUED)

Molonglo -

<b>BURKE, Mrs Jacqui</b>	<b>Liberal Party</b>
<b>CORBELL, Mr Simon</b> <i>Minister for Health and Minister for Planning</i>	<b>Australian Labor Party</b>
<b>FOSKEY, Dr Deb</b>	<b>ACT Greens</b>
<b>GALLAGHER, Ms Katy</b> <i>Minister for Education and Training, Minister for Children, Youth and Family Support, Minister for Women and Minister for Industrial Relations</i>	<b>Australian Labor Party</b>
<b>MULCAHY, Mr Richard</b>	<b>Liberal Party</b>
<b>QUINLAN, Mr Ted</b> <i>Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming</i>	<b>Australian Labor Party</b>
<b>SESELJA, Mr Zed</b>	<b>Liberal Party</b>

## OFFICIALS

*Clerk of the Assembly—T. Duncan  
Deputy Clerk and Serjeant-at-Arms—M. Kiermaier  
Senior Committee Secretary—R. Jaffray  
Manager, Hansard and Communications—R. Lutton*

## INTERNET ADDRESS

*<http://www.hansard.act.gov.au>*

## 2005 BILLS

### EXPLANATION OF ABBREVIATIONS

**detail**, debated at the detail stage; **m**, motion; **mso**, motion for the suspension of standing orders; **nm**, notice of motion; **prin**, debated at the in-principle stage

Administration (Interstate Agreements) Repeal Bill 2005, **prin**, 3909, 4405, 4716  
Animal Diseases Bill 2005, **prin**, 1134, 1555; **detail**, 1563, 1568; **amendments**, 1583  
Animal Legislation (Penalties) Amendment Bill 2005, **prin**, 452, 2141  
Annual Reports (Government Agencies) Amendment Bill 2005, **prin**, 4785  
Appropriation Bill 2004-2005 (No 2), **prin**, 549, 1362

Appropriation Bill 2005-2006, **prin**, 1714, 1874, 1917; **referral to committee**, 1919;  
**detail**, (Legislative Assembly Secretariat) 2325, 2408, (ACT Executive) 2333,  
(Auditor-General) 2335, (Chief Minister) 2339, 2365, (ACT WorkCover) 2383,  
(Treasury) 2384, (Central Financing Unit) 2395, (Home Loan Portfolio) 2395,  
(InTACT) 2396, (Superannuation Unit) 2396, (ACT Health) 2398, 2512,  
(Economic Development) 2556, (Planning and Land Authority) 2566, (ACT  
Forests) 2578, (Disability, Housing and Community Services) 2580, (Children,  
Youth and Family Support) 2589, (Housing ACT) 2595, (Justice and Community  
Safety) 2608, (Emergency Services Authority) 2617, (Education and Training)  
2622, (Treasurer's Advance) 2633, (Urban Services) 2634; **amendments**, 2647

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Cemeteries and Crematoria Amendment Bill 2005, **prin**, 976, 2111  
Children and Young People Amendment Bill 2005, **prin**, 2068, 2649  
Children and Young People Amendment Bill 2005 (No 2), **prin**, 4886  
Civic Development Authority Bill 2005, **prin**, 3428, 4850  
Civil Law (Property) Bill 2005, **prin**, 2251, 4567  
Civil Law (Wrongs) Amendment Bill 2005, **prin**, 2787  
Civil Law (Wrongs) Amendment Bill 2005 (No 2), **prin**, 4883  
Classification (Publications, Films and Computer Games) (Enforcement) Amendment  
Bill 2004, **prin**, 215, 673  
Construction Occupations Legislation Amendment Bill 2005, **prin**, 1842, 2657  
Court Procedures (Protection of Public Participation) Amendment Bill 2005, **prin**,  
2412; **referral to committee**, 4849  
Crime (Sentence Administration) Bill 2005, **prin**, 4088  
Crimes (Child Sex Offenders) Bill 2005, **prin**, 1503, 2231  
Crimes (Offences Against Pregnant Women) Amendment Bill 2005, **prin**, 4569  
Crimes (Sentence Administration) Bill 2005, 2501; **detail**, 4400; **amendments**, 4467  
Crimes (Sentencing) Bill 2005, **prin**, 1504, 4088; **detail**, 4104, 4151; **amendments**,  
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- Criminal Code (Administration of Justice Offences) Bill 2005, **prin**, 2211
- Criminal Code (Administration of Justice Offences) Amendment Bill 2005, **prin**, 3925
- Criminal Code Harmonisation Bill 2005, **prin**, 2214, 3927; reference to committee, 3932; **detail**, 3935; **amendments**, 4000
- Dangerous Substances (Asbestos) Amendment Bill 2005, **prin**, 420, 567
- Dangerous Substances (Asbestos) Amendment Bill 2005 (No 2), **prin**, 3525, 3978
- Domestic Animals (Cat Containment) Amendment Bill 2005, **prin**, 2509, 4293, 4320; **detail**, 4327; **amendments**, 4338
- Domestic Violence and Protection Orders Amendment Bill 2005, **prin**, 543, 1147; **detail**, 1161; **amendments**, 1224
- Education Amendment Bill 2005, **prin**, 3111; 3246q
- Emergencies Amendment Bill 2005, **prin**, 2217, 4286; **detail**, 4289, 4337
- Environment Protection (Fire Hazard Reduction) Amendment Bill 2005, **prin**, 2409, 3835
- Fair Work Contracts Bill 2004, **prin**, 231
- Financial Management Legislation Amendment Bill 2005, **prin**, 2863, 3604; **detail**, 3609, 3793; **amendments**, 3810, 3812, 3813
- Gaming Machine Amendment Bill 2004 (No 4), **prin**, 125
- Gaming Machine Amendment Bill 2005, **prin**, 975, 1550; **detail**, 1553
- Gaming Machine Amendment Bill 2005 (No 2), **prin**, 1840, 2106; **detail**, 2110; **amendments**, 2120
- Government Procurement Amendment Bill 2004, **prin**, 225, 422; **detail**, 426; **amendments**, 447
- Guardianship and Management of Property Amendment Bill 2005, **prin**, 3815
- Health Legislation Amendment Bill 2005, **prin**, 1511, 2220; **detail**, 2224; **amendments**, 2281
- Health Records (Privacy and Access) Amendment Bill 2005, **prin**, 419, 573; **detail**, 4725; **amendments**, 4783
- Health Records (Privacy and Access) Amendment Bill 2005 (No 2), **prin**, 3523, 4402; **detail**, 4405
- Hotel School (Repeal) Bill 2005, **prin**, 2766, **prin**, 3281
- Human Rights Commission Bill 2005, **prin**, 1508, 3004; **detail**, 3016, 3081; **amendments**, 3105, 3108
- Human Rights Commission (Children and Young People Commissioner) Amendment Bill 2005, **prin**, 2505, 3085; **detail**, 3094, 3282; **amendments**, 3109, 3294, 3295
- Human Rights Commission Legislation Amendment Bill 2005, **prin**, 1510, 3004, 3083; **detail**, 3081; **amendments**, 3109
- Insurance Authority Bill 2005, **prin**, 1137, 1951
- Justice and Community Safety Legislation Amendment Bill 2004 (No 2), **prin**, 220, 608; **detail**, 611
- Justice and Community Safety Legislation Amendment Bill 2005, **prin**, 545, 851; **detail**, 857, 912; **amendments**, 927, 928
- Justice and Community Safety Legislation Amendment Bill 2005 (No 2), **prin**, 2503, 2642, 3234
- Justice and Community Safety Legislation Amendment Bill 2005 (No 3), **prin**, 3911, 4653; **detail**, 4657; **amendments**, 4667

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Litter Amendment Bill 2005, **prin**, 2511, 2646, 3323; **detail**, 3332; **amendments**, 3416  
Long Service Leave Amendment Bill 2005, **prin**, 842, 1863, 1937; **detail**, 1947; **amendments**, 1979  
Mental Health (Treatment and Care) Amendment Bill 2005, **prin**, 2504, 3297; **referral to committee**, 3304  
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Optometrists Legislation Amendment Bill 2004, **prin**, 227  
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Pest Plants and Animals Bill 2005, **prin**, 1136, 1698; **referral to committee**, 1707, 1859; **detail**, 1860; **amendments**, 1931  
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Rates Amendment Bill 2005, **prin**, 1727, 1937, 1948  
Residential Tenancies Amendment Bill 2005, **prin**, 547, 981; **detail**, 991, 2767; **amendments**, 2784, 2785; **detail**, 2926; **amendments**, 2944, 2945, **m**, 3003  
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Road Transport (Public Passenger Services) Amendment Bill 2005, **prin**, 4888  
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Statute Law Amendment Bill 2005 (No 2), **prin**, 3914, 4722  
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Unit Titles Amendment Bill 2005, **prin**, 841, 1955  
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**amendments**, 2941  
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 Utilities (Shortage of Essential Services) Amendment Bill 2005, **prin**, 1835, 2237  
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Celebrate Canberra	1013	<i>MacDonald</i>
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Curriculum and teaching	4749	<i>Dunne</i>
Drug treatment services for Aboriginals and Torres Strait Islanders	2748	<i>Foskey</i>
Economy	1191	<i>Mulcahy</i>
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## 2005 Ministerial statements

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Residential core zoning	19	<i>Stanhope</i>
Safety of street crossing	4713	<i>Stanhope</i>
Traffic, Spence	743	<i>Stefaniak</i>

## 2005 Votes

Administration (Interstate Agreements) Repeal Bill 2005

That this bill be agreed to in principle, 4722

Animal Diseases Bill 2005

Clause 1

That the debate be adjourned, 1564

Animal Legislation (Penalties) Amendment Bill 2005

That this bill be agreed to in principle, 2150

Appropriation Bill 2006-2006, detail (Chief Minister)

That the proposed expenditure be agreed to, 2383

Attorney-General, want of confidence

That the question be now put, 210

That Mr Stefaniak's motion be agreed to, 210

Bushfires, inquest

That Mr Stefaniak's motion be agreed to, 136

That Mr Stefaniak's motion be agreed to, 195

That Mr Seselja's amendment to Mr Stanhope's proposed amendment be agreed to, 2842

That Mr Stanhope's amendment be agreed to, 2843

Bushfires, lower Cotter catchment restoration

That Mr Stanhope's amendment be agreed to, 762

That Mrs Dunne's motion, as amended, be agreed to, 765

Chief Minister's Department, annual report

That the question be now put, 4626

That Mr Stanhope's motion be agreed to, 4626

Civic Development Authority Bill 2005

That this bill be agreed to in principle, 4869

Courts and judiciary, independence

That Mr Stanhope's amendment be agreed to, 3199

That the motion, as amended, be agreed to, 3199

Crimes Amendment Bill 2005

That this bill be agreed to in principle, 2436

Crimes (Sentencing) Bill 2005

Proposed new clause 33A

That Mr Stefaniak's amendment be agreed to, 4166

New part 4.1A

That Mr Stefaniak's amendment be agreed to, 4389

Proposed new clause 66A

That Mr Stefaniak's amendment be agreed to, 4399

Development, City Hill and the city centre

That Mr Corbell's amendments be agreed to, 1757

Development, Deakin

That Dr Foskey's motion be agreed to, 3219

Education, Ginninderra district high school

That Mrs Dunne's amendment to Ms Gallagher's proposed amendment be agreed to, 3142

That Ms Gallagher's amendment be agreed to, 3142

That the motion, as amended, be agreed to, 3143

Education, schools, west Belconnen

That Mrs Dunne's motion be agreed to, 3543

Education, student unions

That Mrs Dunne's motion be agreed to, 1441

Emergency Services, fire safety

That Mr Pratt's amendment be agreed to, 2460

Employment and unemployment

That the question be now put, 3512

That Mr Quinlan's amendment be agreed to, 3512

Employment and unemployment, conditions

That Mr Gentleman's motion be agreed to, 1104

Environment and conservation, sustainability targets

That Mr Seselja's amendment to Mr Hargreaves's amendments be agreed to, 516

That Mr Hargreaves's amendments, as amended, be agreed to, 516

That the motion, as amended, be agreed to, 518

Environment Protection (Fire Hazard Reduction) Amendment Bill 2005

That this bill be agreed to in principle, 3841

Eureka Stockade, anniversary

That Mr Smyth's motion be agreed to, 294

Government Procurement Amendment Bill 2004

Proposed new clauses 6 and 7

That Mr Mulcahy's amendment be agreed to, 427

Government, administrative arrangements

That the question be now put, 4620

Government, Attorney-General

That Mr Stefaniak's motion be agreed to, 503

Government, Attorney-General, motion of censure

That the question be now put, 2707

That Mr Stefaniak's motion be agreed to, 2707

Government, Chief Minister, motion of censure

That Mr Smyth's motion be agreed to, 3740

Government, intergovernmental relations

That Mr Mulcahy's motion be agreed to, 4509

Government, Minister for Health and Minister for Planning, motion of want of confidence

That the question be now put, 1502

That Mrs Dunne's motion be agreed to, 1502

Health, maternity services

That Mr Corbell's amendment be agreed to, 2471

That Mrs Burke's amendment to Dr Foskey's motion, as amended, be agreed to, 2472

Human Rights Commission (Children and Young People Commissioner) Amendment Bill 2005

That this bill be agreed to, 3285

Human Rights Commission Bill 2005

That this bill, as amended, be agreed to, 3083

Human rights, capital punishment

That Ms MacDonald's motion be agreed to, 4238

Industrial relations, federal proposals

That Mr Gentleman's motion be agreed to, 3457

International affairs, Timor-Leste

That Mr Smyth's amendment be agreed to, 2183

Land, rural leases

That Mr Corbell's motion be agreed to, 306

That Mrs Dunne's motion, as amended, be agreed to, 307

That so much of the standing orders be suspended as would prevent Mrs Dunne from making a statement, 888

Legislative Assembly, adjournment

That the Assembly do now adjourn, 212

Legislative Assembly, answers to questions on notice

That Mrs Dunne's motion be agreed to, 398

Legislative Assembly, committees, Emergency Services, proposed

That Mr Pratt's motion be agreed to, 4905

Legislative Assembly, committees, Estimates 2005-2006

That the debate be adjourned, 2059

Legislative Assembly, committees, Planning and Environment

That the time allotted to Assembly business be extended by 30 minutes

That the debate be now adjourned 4451

That the debate be now adjourned 4590

That the question be now put, 4594

That Mr Gentleman's motion be agreed to, 4598

Legislative Assembly, committees, Working Families in the Australian Capital Territory

That the debate be adjourned, 1847

That Mr Smyth's amendment be agreed to, 1853

Legislative Assembly, debates, sub judice matters

That Dr Foskey's amendment be agreed to, 4194

That Mr Stefaniak's motion be agreed to, 4194

Legislative Assembly, documents, presentation

That the document quoted by Mr Corbell, Minister for Health, be presented to the Assembly, 1034

Legislative Assembly, members, Corbell, Mr S, motion of censure

That Mr Corbell's motion be agreed to, 1056

That Mrs Dunne's motion be agreed to, 1056

That Mr Quinlan's motion be agreed to, 1057

That Mr Smyth's motion be agreed to, 1057

Legislative Assembly, members, Dunne, Mrs V, suspension

That Mrs Dunne be suspended from the service of the Assembly, 885

Legislative Assembly, members, suspensions

That Mrs Burke be suspended from the service of the Assembly, 4627

That Mr Seselja be suspended from the service of the Assembly, 4665

Legislative Assembly, papers, tabling

That Mr Stefaniak's motion be agreed to, 3369

Legislative Assembly, privilege

That Mrs Dunne's motion be agreed to, 1490

Legislative Assembly, sitting pattern

That Mr Corbell's motion be agreed to, 1210

Legislative Assembly, Speaker, dissent from ruling

That the question be now put, 2157

That Mr Stefaniak's motion be agreed to, 2158

Legislative Assembly, standing committees

That Mr Mulcahy's amendment be agreed to, 52

That Ms MacDonald's motion be agreed to, 55

Legislative Assembly, standing orders, suspension

That the question be now put, 994

That Mrs Dunne's motion be agreed to, 994

Legislative Assembly, sub judice matters

That Mr Stefaniak's motion be agreed to, 147

Long Service Leave Amendment Bill 2005

That this bill be agreed to in principle, 1947

Mental Health (Treatment and Care) Amendment Bill 2005

That Dr Foskey's motion be agreed to, 3308

That this bill be agreed to, 3309

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### EXPLANATION OF ABBREVIATIONS

**detail**, debated at the detail stage; **m**, motion; **min st**, ministerial statement; **mso**, motion for the suspension of standing orders; **nm**, notice of motion; **pers expl**, personal explanation; **prin**, debated at the in-principle stage; **q**, question; **qn**, question on notice

Organisations with titles beginning A.C.T. are entered under the first distinctive word of their title; eg: A.C.T. PUBLIC SERVICE is under PUBLIC SERVICE

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