



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010–2011

MINUTES OF PROCEEDINGS

No. 119

WEDNESDAY, 21 SEPTEMBER 2011

1 The Assembly met at 10 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mr Rattenbury) 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 CRIMES (SENTENCING) AMENDMENT BILL 2011

Mr Rattenbury, pursuant to notice, presented a Bill for an Act to amend the *Crimes (Sentencing) Act 2005*.

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

Title read by Clerk.

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

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

3 SHOPPING CENTRE DEVELOPMENTS

Ms Le Couteur, pursuant to notice, moved—That this Assembly:

(1) notes:

(a) that the ACT Government approved a development application (DA) in Giralang for a shopping centre development in a local centre:

(i) which was called-in on 11 August by the Minister for Environment and Sustainable Development;

- (ii) despite an application for a substantially similar proposal having been withdrawn by the proponent on a previous occasion when an appeal of the DA was lodged in the Administrative and Civil Appeals Tribunal (ACAT);
 - (iii) which cannot undergo a merits review in ACAT due to its having been called in; and
 - (iv) which seems to allow the size of the Giralang Shops to be inconsistent with the existing retail hierarchy;
- (b) that the approval of this development has had unintended consequences, including:
 - (i) the acceptance of an increase in the size of a local centre with minimal analysis of the impact on other centres, creating confusion around the application of the concept of a retail hierarchy for Canberra retail centres; and
 - (ii) an interpretation of the Gross Floor Area (GFA) definition which could lead to potentially large increases in supermarket GFA at other local centres and could create a precedent for alternative approaches to be taken to the interpretation of GFA in all future commercial development applications;
- (c) that an appeal has been lodged in the Supreme Court calling for a review of the Giralang Shops development application approval which seeks:
 - (i) to void the approval for the development;
 - (ii) an injunction on the demolition and building on the site; and
 - (iii) an injunction on the granting of a direct sale of a parcel of unleased land which the Giralang proposal is dependent on;
- (d) that the appeal challenges the DA decision on the grounds of:
 - (i) consistency with the Territory Plan's Local Centres Development Code;
 - (ii) consistency with the Territory Plan's Statement of Strategic Directions regarding commercial areas;
 - (iii) consistency with the Local Centres Zone objectives of the Territory Plan; and
 - (iv) failure to properly consider significant adverse economic impact of the proposal on other local centres;
- (e) that the Supreme Court case may take two years to resolve;
- (f) that the Government is currently reviewing their Supermarket Competition Policy, which has limited practical applications in the ACT planning and land system for existing sites;
- (g) that ACT Planning and Land Authority (ACTPLA) is currently undertaking a review of the Commercial Codes in the Territory Plan;
- (h) that planning decisions are being made in the absence of a publicly available inventory of up-to-date retail GFA and supermarket GFA in the ACT;

- (i) that current business impact assessment, if undertaken, is inadequate in assessing impacts on small businesses;
 - (j) that the Government is intending to increase the number of sites for supermarkets in the ACT; and
 - (k) that there are numerous issues in regard to market power in the retail market, in particular:
 - (i) Coles and Woolworths dominate Canberra's supermarket sales with 72.2 per cent, and that Woolworths alone has 51.6 per cent of ACT supermarket turnover;
 - (ii) significant retail developments at the airport, which falls outside of the ACT planning system, including a full line Woolworths supermarket;
 - (iii) Coles and Woolworths subsidiary companies in hardware, liquor, clothing, department stores etc, reflect this trend; and
 - (iv) that Coles and Woolworths have recently acquired most petrol station operators in the ACT; and
- (2) calls on the Government to:
- (a) review the implications of the recent approval of the supermarket at the Giralang local centre in light of the unintended consequences of this decision;
 - (b) suspend consideration of any applications not already determined for direct sales of land in existing shopping centres for the purpose of expansion of supermarket use, until an inquiry has been concluded and the Assembly has noted the Government response to an inquiry report;
 - (c) clarify the definition of GFA and its consistent application in all Government policy and decisions for all types of commercial operations;
 - (d) calculate, maintain and publish an inventory of the up-to-date retail GFA and supermarket GFA in the ACT, including the airport;
 - (e) ensure that ACTPLA's review of the Territory Plan's commercial zones codes:
 - (i) takes into account the Supermarket Competition Policy, and its application in local centres and other places;
 - (ii) clarifies the retail hierarchy in the Territory Plan; and
 - (iii) makes submissions to the codes review public unless otherwise requested;
 - (f) write to the Federal Minister for Transport seeking co-operative approach on retail development at the airport; and
 - (g) report back on these issues to the Assembly by the August 2012 sitting week.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 4

Ms Bresnan
Ms Hunter
Ms Le Couteur
Mr Rattenbury

NOES, 11

Mr Barr
Dr Bourke
Ms Burch
Mr Coe
Mr Corbell
Mr Doszpot
Mrs Dunne
Ms Gallagher
Mr Hargreaves
Mr Seselja
Mr Smyth

And so it was negatived.

4 RESIDENTIAL CARE PLACEMENTS FOR CHILDREN AND YOUNG PEOPLE—INVESTIGATION BY THE PUBLIC ADVOCATE OF THE A.C.T.

Mrs Dunne, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) the Child Care and Protection Group (CCPG) within the Community Services Directorate has apparently assigned residential care placements for children or young people in the care of the Director-General to at least one non-government organisation (NGO) when the NGO apparently was not approved as a “suitable entity” under the *Children and Young People Act 2008*;
 - (b) the CCPG apparently has made similar placements on more than one occasion;
 - (c) on at least one placement occasion, the residential premises to be used for the purpose appeared to be unsuitable; and
 - (d) the Director-General of the Community Services Directorate has requested the Public Advocate of the ACT to investigate and report on the circumstances of these matters;
- (2) calls on the Minister for Community Services to:
 - (a) by close of business this day, table the letter from the Director-General appointing the Public Advocate of the ACT to conduct the investigation noted above, including the terms of reference; and
 - (b) ensure that the Public Advocate is properly resourced to carry out this investigation; and
- (3) requests the Public Advocate to:
 - (a) submit any and all reports directly to the Legislative Assembly; and
 - (b) if the Assembly is not sitting when reports of the Public Advocate are received, the reports may be sent to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its publishing and circulation.

Ms Hunter moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes:
- (a) the dedication of care and protection staff and the challenges they face in their role;

- (b) the concern that Child Care and Protection Group (CCPG) within the Community Services Directorate assigned a residential care placement for children and young people in the care of the Director-General to a non-government organisation (NGO) when the NGO was not approved as a ‘suitable entity’ under the *Children and Young People Act 2008*;
 - (c) the concern that CCPG has made similar unapproved placements on other occasions;
 - (d) the concern that a residential premises used for residential placements was unsuitable; and
 - (e) the Director-General of the Community Services Directorate has requested the Public Advocate of the ACT investigate and report on the circumstances of these matters;
- (2) calls on the Minister for Community Services to ensure that the Public Advocate is properly resourced to carry out this investigation;
 - (3) requests the Public Advocate submit a copy of all reports to the Speaker of the Legislative Assembly ensuring that any sensitive information as outlined in Section 19 of the *Auditor General Act 1996* is omitted from the report; and
 - (4) if the Assembly is not sitting when the report of the Public Advocate is received, the Speaker or, in the absence of the Speaker, the Deputy Speaker, is authorised to give directions for its publishing and circulation.”.

Debate continued.

Paper: Ms Burch presented the following paper:

Children and Young People Act 2008—Possible breach of section 63—Copy of letter from the Director-General, Community Services Directorate, to the Public Advocate, dated 14 September 2011—Redacted version.

Mrs Dunne moved the following amendment to Ms Hunter’s proposed amendment: In paragraph (3), omit the words “submit a copy of all reports to the Speaker of the Legislative Assembly”, substitute “submit any and all reports directly to the Legislative Assembly while”.

Amendment to proposed amendment agreed to.

Amendment, as amended, agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the dedication of care and protection staff and the challenges they face in their role;
 - (b) the concern that Child Care and Protection Group (CCPG) within the Community Services Directorate assigned a residential care placement for children and young people in the care of the Director-General to a non-government organisation (NGO) when the NGO was not approved as a ‘suitable entity’ under the *Children and Young People Act 2008*;

- (c) the concern that CCPG has made similar unapproved placements on other occasions;
 - (d) the concern that a residential premises used for residential placements was unsuitable; and
 - (e) the Director-General of the Community Services Directorate has requested the Public Advocate of the ACT investigate and report on the circumstances of these matters;
- (2) calls on the Minister for Community Services to ensure that the Public Advocate is properly resourced to carry out this investigation;
 - (3) requests the Public Advocate submit any and all reports directly to the Legislative Assembly while ensuring that any sensitive information as outlined in Section 19 of the *Auditor General Act 1996* is omitted from the report; and
 - (4) if the Assembly is not sitting when the report of the Public Advocate is received, the Speaker or, in the absence of the Speaker, the Deputy Speaker, is authorised to give directions for its publishing and circulation.”—

be agreed to—put and passed.

5 UNPARLIAMENTARY LANGUAGE—STATEMENT BY SPEAKER

The Speaker made a statement concerning unparliamentary remarks and called upon Mrs Dunne to withdraw a comment made yesterday afternoon.

Mrs Dunne withdrew the comment.

6 QUESTIONS

Questions without notice were asked.

7 ROSTERED MINISTER’S QUESTIONS

Questions were asked of Ms Burch (Minister for the Arts).

8 QUESTIONS ON NOTICE NOS. 1720 AND 1740—ANSWERS—EXPLANATION

Mr Coe, pursuant to standing order 118A, asked Mr Corbell (Minister for Territory and Municipal Services) for an explanation concerning the answers to questions on notice Nos. 1720 and 1740.

Mr Corbell gave an explanation.

9 QUESTION ON NOTICE NO. 1744—ANSWER—EXPLANATION

Mr Doszpot, pursuant to standing order 118A, asked Mr Barr (Minister for Education and Training) for an explanation concerning the answer to question on notice No. 1744.

Mr Barr gave an explanation.

10 STATEMENT BY MEMBER—LEAVE NOT GRANTED

Mr Hanson sought leave to make a statement.

Objection being raised, leave not granted.

11 SUSPENSION OF STANDING AND TEMPORARY ORDERS MOVED— STATEMENT BY MEMBER

Mrs Dunne moved—That so much of the standing and temporary orders be suspended as would prevent Mr Hanson from making a statement in relation to recommendations contained in the Report of the Select Committee on Estimates 2011-2012.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 10	
Mr Coe	Mr Smyth	Mr Barr	Ms Gallagher
Mr Doszpot		Dr Bourke	Mr Hargreaves
Mrs Dunne		Ms Bresnan	Ms Hunter
Mr Hanson		Ms Burch	Ms Le Couteur
Mr Seselja		Mr Corbell	Mr Rattenbury

And so it was negatived.

12 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Ethics and Integrity Adviser for Members of the Legislative Assembly for the Australian Capital Territory, pursuant to the resolution of the Assembly of 10 April 2008, as amended 21 August 2008—Report for the period 1 July 2010 to 30 June 2011.

Government Agencies (Campaign Advertising) Act, pursuant to subsection 20(1)—Independent Reviewer—Report for the period 15 February 2011 to 30 June 2011.

13 RAIL SERVICES

Ms Bresnan, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) there are considerable opportunities to advance rail services in the ACT, including light rail, high speed rail, rail freight, and regional rail;
 - (b) that the Federal Government is currently conducting a strategic study of an east coast high speed rail network, including consideration of which stages of the route will be prioritised;
 - (c) that in 2008, the Government submitted a bid for a light rail network to Infrastructure Australia, but has not progressed the development of light rail any further;
 - (d) rail freight is declining in the ACT and being replaced by road freight;
 - (e) rail services exist from Canberra to Cooma and Bungendore which have potential for improvement; and
 - (f) each of light rail, high speed rail, an increased proportion of rail freight and improved regional rail services, would bring significant benefits to the ACT region, including environmental, social, economic, and travel benefits; and

- (2) calls upon the ACT Government to:
- (a) immediately begin consulting with the Canberra public about the alternative high speed rail routes in and out of Canberra and the potential locations for a Canberra high speed rail station;
 - (b) by the end of 2011, present a high speed rail network proposal to the Federal Government which:
 - (i) makes a case for the prioritised construction of the Canberra stages of the route; and
 - (ii) details how the ACT Government will facilitate the planning and staging of the routes and the high speed rail station;
 - (c) immediately start developing detailed plans for a light rail network in all key transport corridors of Canberra (including from Civic to Gungahlin, Belconnen, Tuggeranong and Fyshwick);
 - (d) develop a revised bid for light rail in Canberra and present it to Infrastructure Australia by 30 June 2012;
 - (e) develop and cost a proposal for light rail routes that the ACT could begin constructing in the absence of Federal assistance;
 - (f) prioritise sustainable freight transport by developing a rail precinct in the vicinity of East Lake/Fyshwick, which includes rail freight facilities such as an intermodal freight hub;
 - (g) meet with relevant Federal Ministers and request Federal support for ACT rail projects;
 - (h) engage with the NSW Government and local NSW Councils to co-ordinate improved cross-border rail services; and
 - (i) report to the Assembly on the progress of the above during the first Assembly sitting week of 2012, and in the first sitting week after 30 June 2012.

Mr Corbell (Minister for the Environment and Sustainable Development) moved the following amendment: Omit all words after “That this Assembly”, substitute:

“notes that:

- (1) the Government’s current planning for Canberra’s transport services includes a detailed examination of light rail options which, in the initial stages, is focussing on the Northbourne Avenue corridor; and
- (2) the Government is working with the Council of Capital City Lord Mayors, of which the ACT is a member, on a submission to the Commonwealth Government on high speed rail options.”.

Mr Seselja (Leader of the Opposition) moved the following amendment to Mr Corbell’s proposed amendment: Add:

- “(3) in 2001 and 2008, ACT Labor promised to conduct feasibility studies and, under this ACT Labor-Greens alliance, there has not been any progress; and
- (4) the Canberra Liberals’ policies in 2008 committed to moving Canberra closer to a rapid public transport system with the following initiatives:

- (a) an engineering study of light rail routes and integrated terminals for rail and bus connections;
- (b) urban and commercial planning to rezone and set aside the land required;
- (c) a transport user census; and
- (d) rigorous case development to attract Federal Government support.”.

Debate continued.

Question—That Mr Seselja amendment to Mr Corbell’s proposed amendment be agreed to—put.

The Assembly voted—

AYES, 5		NOES, 10
Mr Coe		Mr Barr
Mr Doszpot		Dr Bourke
Mrs Dunne		Ms Bresnan
Mr Hanson		Ms Burch
Mr Seselja		Mr Corbell
		Ms Gallagher
		Mr Hargreaves
		Ms Hunter
		Ms Le Couteur
		Mr Rattenbury

And so it was negatived.

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

The Assembly voted—

AYES, 6		NOES, 9
Mr Barr	Mr Hargreaves	Ms Bresnan
Dr Bourke		Mr Coe
Ms Burch		Mr Doszpot
Mr Corbell		Mrs Dunne
Ms Gallagher		Mr Hanson
		Ms Hunter
		Ms Le Couteur
		Mr Rattenbury
		Mr Seselja

And so it was negatived.

Question—That the motion be agreed to—put.

The Assembly voted—

AYES, 4		NOES, 11
Ms Bresnan		Mr Barr
Ms Hunter		Dr Bourke
Ms Le Couteur		Ms Burch
Mr Rattenbury		Mr Coe
		Mr Corbell
		Mr Doszpot
		Mrs Dunne
		Ms Gallagher
		Mr Hanson
		Mr Hargreaves
		Mr Seselja

And so it was negatived.

14 ALEXANDER MACONOCHIE CENTRE—PROCEDURES AND PRACTICE FOR THE ADMINISTRATION OF MEDICATION—ORDER TO TABLE DOCUMENTS

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

- (1) notes:

- (a) on the 25th July 2011, an incident of self-harm by an Aboriginal detainee occurred. The Aboriginal Liaison Officer (ALO) was only informally told of this incident a day later;
 - (b) in a separate incident, leading up to the 29th July 2011, a detainee at the Alexander Maconochie Centre (AMC) located in the Crisis Support Unit was able to stockpile methadone medication;
 - (c) on the 29th July 2011, another detainee at the AMC located in the Crisis Support Unit was unknowingly given the stockpiled methadone;
 - (d) the detainee who was stockpiling the methadone subsequently informed correctional staff that they had been stockpiling the medication in order to overdose; and
 - (e) that the detainees involved are of Aboriginal descent and the ILO and ALO were not informed of the incident immediately; and
- (2) calls on the ACT Government by the first sitting day in December 2011 to:
- (a) undertake an investigation into the procedures and practice surrounding the administration of medication, including methadone at the AMC;
 - (b) review the Royal Commission into Aboriginal Deaths in Custody, and the application of the recommendations to all correctional facilities in the ACT, ensuring that this application reflects current best practice; and
 - (c) provide guidelines to the Assembly on the role of the ILO and ALO, and the communication between Corrective Services and the ILO and ALO when incidences occur involving detainees of Aboriginal or Torres Strait Islander descent.

Mr Hanson, by leave, moved the following amendments together:

- (1) In subparagraph (1)(b), omit “July”, substitute “August”.
- (2) In subparagraph (1)(c), omit “July”, substitute “August”.
- (3) Omit paragraph (2), substitute:
 - “(2) calls on the ACT Government to table in the Assembly by the first sitting day in December 2011:
 - (a) the outcomes of an investigation into the procedures and practice surrounding the administration of medication, including methadone at the AMC;
 - (b) a review of the Royal Commission into Aboriginal Deaths in Custody, and the application of the recommendations to all correctional facilities in the ACT, ensuring that this application reflects current best practice; and
 - (c) guidelines on the role of the ILO and ALO, and the communication between Corrective Services and the ILO and ALO when incidences occur involving detainees of Aboriginal or Torres Strait Islander descent.”.

Debate ensued.

Amendments agreed to.

Debated continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) on the 25th July 2011, an incident of self-harm by an Aboriginal detainee occurred. The Aboriginal Liaison Officer (ALO) was only informally told of this incident a day later;
 - (b) in a separate incident, leading up to the 29 August 2011, a detainee at the Alexander Maconochie Centre (AMC) located in the Crisis Support Unit was able to stockpile methadone medication;
 - (c) on the 29 August 2011, another detainee at the AMC located in the Crisis Support Unit was unknowingly given the stockpiled methadone;
 - (d) the detainee who was stockpiling the methadone subsequently informed correctional staff that they had been stockpiling the medication in order to overdose; and
 - (e) that the detainees involved are of Aboriginal descent and the ILO and ALO were not informed of the incident immediately; and
- (2) calls on the ACT Government to table in the Assembly by the first sitting day in December 2011:
 - (a) the outcomes of an investigation into the procedures and practice surrounding the administration of medication, including methadone at the AMC;
 - (b) a review of the Royal Commission into Aboriginal Deaths in Custody, and the application of the recommendations to all correctional facilities in the ACT, ensuring that this application reflects current best practice; and
 - (c) guidelines on the role of the ILO and ALO, and the communication between Corrective Services and the ILO and ALO when incidences occur involving detainees of Aboriginal or Torres Strait Islander descent.”—

be agreed to—put and passed.

15 PAPER

Ms Gallagher (Minister for Health) presented the following paper:

National Partnership Agreement—Elective Surgery Waiting List Reduction Plan—
Copy of letter from the Hon. Nicola Roxon MP, Federal Minister for Health and Ageing, to the Chief Minister, dated 18 August 2011.

16 ARTS SECTOR

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

- (1) notes:
 - (a) the ACT arts sector’s valuable contribution to the Canberra community;
 - (b) the important role government funding plays in developing and sustaining a vibrant arts community;

- (c) the ACT Government's commitment to simplifying and streamlining access for local artists and community arts organisations to grants programs, as outlined in the Government's response to the Loxton Review; and
 - (d) the Government's investment in the 2011-12 Budget to explore the establishment of three Arts Hubs in the ACT, to build on synergies across organisations and facilitate the sharing of administration and resources, so that local arts organisations can concentrate more on arts activity and programs;
- (2) expresses concern about the Canberra Liberals' policy to cut funding to the ACT arts community; and
- (3) calls on the Government to:
- (a) report back to the Assembly in 12 months on the progress of the implementation of the Government's response to the Loxton Review;
 - (b) consult with the local arts community and other stakeholders on the development of a new ACT Arts Policy Framework; and
 - (c) ensure an appropriate level of funding for the arts sector that allows for the continued enhancement of a vibrant arts community in the ACT.

Ms Le Couteur, by leave, moved the following amendments together:

- (1) Insert new subparagraphs (1)(e) to (g):
- “(e) the Government mismanagement of the consultation process regarding the Fitters Workshop;
 - (f) the multiple reports into arts and live music in Canberra, and the lack of substantive Government action in response to these reports; and
 - (g) the Government's lack of action to address the shortage of purpose built venues for dance rehearsal and performance in Canberra;”.
- (2) Add 3(d) to (i):
- “(d) make public the recommendations of the live music inter-directorate committee;
 - (e) report back to the Assembly within six months on the progress of the implementation of the Government's responses to both the Loxton report and the inquiry into Live Community Events;
 - (f) refocus the proposed scoping study for the performing arts hub to also address the lack of purpose built venues for dance rehearsal and performance in Canberra;
 - (g) revisit order-of-occupancy issues with regard to the friction between residential planning and live music venues;
 - (h) make public a comprehensive chronology of the decision-making processes and public consultations that resulted in the Government's current policy regarding the proposed use of the Fitters Workshop; and
 - (i) explore options for the multi-use of the Fitters Workshop which include alternative accommodations for Megalo in the Kingston Arts Precinct.”.

Question—put.

The Assembly voted—

AYES, 4

Ms Bresnan
Ms Hunter
Ms Le Couteur
Mr Rattenbury

NOES, 11

Mr Barr	Mrs Dunne
Dr Bourke	Ms Gallagher
Ms Burch	Mr Hanson
Mr Coe	Mr Hargreaves
Mr Corbell	Mr Seselja
Mr Doszpot	

And so it was negatived.

Mrs Dunne, by leave, moved the following amendments together:

- (1) Omit subparagraphs (1)(c) and (d), substitute:

“(c) notes the Government’s response, dated 18 September 2011, to the Loxton Report on the Review of the Arts in Canberra, entitled *Review of the Arts in Canberra: The Implementation of the Loxton Report*; and”.
- (2) Omit paragraph (2).
- (3) In subparagraph (3)(b), after “other stakeholders”, insert “including the Cultural Facilities Corporation and all key arts organisations”.

Paper: Mrs Dunne, by leave, presented the following paper:

Megalo Print Studio and Gallery—Request for relocation to the Fitters Workshop—Copy of letter from Alison Alder, Artistic Director/CEO, Megalo Print Studio and Gallery, to Mr Jon Stanhope, Chief Minister and Minister for the Arts, dated 22 August 2008.

Mrs Dunne addressing the Assembly—

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

Ms Burch (Minister for the Arts) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Amendments agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) the ACT arts sector’s valuable contribution to the Canberra community;
 - (b) the important role government funding plays in developing and sustaining a vibrant arts community; and
 - (c) notes the Government’s response, dated 18 September 2011, to the Loxton Report on the Review of the Arts in Canberra, entitled *Review of the Arts in Canberra: The Implementation of the Loxton Report*; and

- (2) calls on the Government to:
- (a) report back to the Assembly in 12 months on the progress of the implementation of the Government's response to the Loxton Review;
 - (b) consult with the local arts community and other stakeholders, including the Cultural Facilities Corporation and all key arts organisations, on the development of a new ACT Arts Policy Framework; and
 - (c) ensure an appropriate level of funding for the arts sector that allows for the continued enhancement of a vibrant arts community in the ACT."—

be agreed to—put and passed.

17 DISCRIMINATION AMENDMENT BILL 2010

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 Seselja (Leader of the Opposition) addressing the Assembly—

Member named and suspended: The Assistant Speaker named Mr Corbell (Attorney-General) for persistently and wilfully disregarding the authority of the Chair.

The Assistant Speaker, pursuant to standing order 203, proposed—That Mr Corbell be suspended from the service of the Assembly.

Question—put.

The Assembly voted—

AYES, 8		NOES, 6	
Ms Bresnan	Mr Hanson	Mr Barr	Ms Gallagher
Mr Coe	Ms Hunter	Dr Bourke	Mr Hargreaves
Mr Doszpot	Ms Le Couteur	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	

And so it was resolved in the affirmative.

Mr Corbell was therefore suspended at 8.27 p.m. for three sitting hours in accordance with standing order 204, and he accordingly withdrew from the Chamber.

Debate continued.

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

The Assembly voted—

AYES, 5		NOES, 8	
Mr Coe	Mr Seselja	Mr Barr	Ms Gallagher
Mr Doszpot		Dr Bourke	Mr Hargreaves
Mrs Dunne		Ms Bresnan	Ms Hunter
Mr Hanson		Ms Burch	Ms Le Couteur

And so it was negated.

18 ADJOURNMENT

Mr Barr (Deputy Chief Minister) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 8.59 p.m., adjourned until tomorrow at 10 a.m.

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

*on leave

Tom Duncan
Clerk of the Legislative Assembly