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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017

MINUTES OF PROCEEDINGS

No 14

[**Tuesday, 9 May 2017**](http://www.hansard.act.gov.au/hansard/2017/pdfs/20170509.pdf)

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 **1** The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional custodians. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

 2 DEATH OF Mr Jayson Hinder

Mr Barr (Chief Minister) moved—That this Assembly express its deep regret at the death of Mr Jayson Hinder, our friend, former colleague as Member for Ginninderra, and a lifelong Canberran who was committed to social justice and serving his community, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Mr Coe (Leader of the Opposition), Mr Rattenbury (Minister for Climate Change and Sustainability), Ms Fitzharris (Minister for Health), Ms Berry (Deputy Chief Minister), Ms Cheyne, Mr Gentleman (Manager of Government Business), Mr Steel, Mr Ramsay (Attorney-General), Mr Pettersson and Ms Orr addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

*Suspension of sitting—Mark of respect:* The Speaker, at 10.46 a.m., suspended the sitting as a mark of respect to Mr Hinder and announced that the Chair would be resumed at the ringing of the bells.

*Resumption of sitting:* The bells having been rung, the Speaker resumed the Chair at 11.04 a.m.

 3 E-PETITION, PETITION AND MINISTERIAL RESPONSE—Statement by Member—Paper

**Petitions**

The Clerk announced that the following Member had lodged petitions, in the same terms, for presentation:

Ms Cheyne, from 532 and 510 residents respectively, requesting that the Assembly call on the Government to increase arts funding and establish an Arts Ministerial Advisory Board (E-pet 4-17 and Pet 7-17).

Pursuant to standing order 99A, these petitions stand referred to the Standing Committee on Economic Development and Tourism.

**Ministerial response**

The Clerk announced that the following response to a petition had been lodged:

Ms Fitzharris (Minister for Transport and City Services), dated 27 March 2017—Response to petition No 2-17, lodged by Mrs Kikkert on 14 February 2017, concerning the upgrade of existing traffic control measures at the intersection of Tillyard Drive and Ginninderra Drive.

Ms Cheyne, by leave, made a statement in relation to the petitions and, by leave, presented the following paper:

Petition which does not conform with the standing orders—Arts funding—Ms Cheyne (147 signatures).

 4 PRESENTATION OF PAPERs

The Clerk presented the following papers, which had been circulated to Members on 12 April 2017 pursuant to standing order 213A, together with the transmittal letter from the Minister for Health to the Clerk, dated 11 April 2017:

Health data issues—Copy of—

Schedule of returned documents.

Letter from the Director-General, ACT Health to the Auditor-General, dated 8 September 2016 (Folio 1)—

Process and Controls Review—

Draft Status of the ACT Health Quarterly Performance Report, dated 22 August 2016 (Folio 4).

Generation of metrics for the Annual Report, dated 26 August 2016 (Folio 2).

Status of the ACT Health Quarterly Performance Report, dated 26 September 2016 (Folio 5).

Source System to Data Warehouse Validation: Scoping phase Report, dated 31 August 2016 (Folio 3).

Consultant Engagement: PricewaterhouseCoopers—Draft Reports on Data Assurance and Data Integrity Services—Ministerial brief from the Director-General, ACT Health to the Minister for Health, dated 31 August 2016—

Process and Controls Review—

Draft Status of the ACT Health Quarterly Performance Report, dated 22 August 2016 (Folio 7).

Generation of metrics for the Annual Report, dated 26 August 2016 (Folio 8).

Data Assurance review of the *ACT Public Health Services Quarterly Performance Report*—Letter from PricewaterhouseCoopers to the Minister for Health, dated 26 August 2016 (Folio 10).

Source System to Data Warehouse Validation: Scoping phase Report, dated 31 August 2016 (Folio 9).

 5 Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 5—STATEMENT BY CHAIR

Mrs Jones (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 5*,* dated 27 April 2017, together with the relevant minutes of proceedings—

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

 6 Environment and Transport and City Services—Standing Committee—INQUIRY—Road maintenance in the A.C.T.—STATEMENT BY CHAIR

Ms Orr (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Environment and Transport and City Services had resolved to conduct an inquiry into, and report on, the planning, management and delivery of road maintenance in the ACT.

 7 STANDING COMMITTEES—REFERENCE—2015-2016 ANNUAL AND FINANCIAL REPORTS—Amendment to Resolution—Justice and Community Safety—Standing Committee

Mrs Jones (Chair), by leave, moved—That the resolution of the Assembly of 16 February 2017, which referred specified annual and financial reports for the calendar years 2015 and 2016 and the financial year 2015-2016 to standing committees be amended at paragraph (4) after “standing committees are to report to the Assembly on financial year reports by the last sitting day in May 2017, on calendar year reports for 2015 by the last sitting day in May 2017” by inserting “except the Standing Committee on Justice and Community Safety which is to report to the Assembly by the last sitting day in June 2017,”.

Question—put and passed.

 8 STANDING COMMITTEES—REFERENCE—2015-2016 ANNUAL AND FINANCIAL REPORTS—Amendment to Resolution—Planning and Urban Renewal—Standing Committee

Ms Le Couteur (Chair), by leave, moved—That the resolution of the Assembly of 16 February 2017, which referred specified annual and financial reports for the calendar years 2015 and 2016 and the financial year 2015-2016 to standing committees be amended at paragraph (4) after “standing committees are to report to the Assembly on financial year reports by the last sitting day in May 2017, on calendar year reports for 2015 by the last sitting day in May 2017” by inserting “except the Standing Committee on Planning and Urban Renewal”.

Question—put and passed.

 9 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Mr Doszpot for 9 and 10 May 2017 for medical reasons.

Question—put and passed.

 10 Public housing renewal Progress—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for Housing and Suburban Development) made a ministerial statement concerning public housing renewal progress and presented the following paper:

Public housing renewal progress—Ministerial statement, 9 May 2017.

Ms Berry moved—That the Assembly take note of the paper.

Question—put and passed.

 11 The Canberra Hospital—switchboard incident—MINISTERIAL STATEMENT—Motion to take note of paper

Ms Fitzharris (Minister for Health) made a ministerial statement concerning an electrical switchboard incident at The Canberra Hospital and presented the following paper:

The Canberra Hospital—Switchboard incident and replacement of electrical switchboards—Ministerial statement, 9 May 2017.

Ms Fitzharris moved—That the Assembly take note of the paper.

Mrs Dunne moved the following amendment: Add: “and that the Assembly calls on the Minister for Health, by the end of the current sitting period, to:

“(1) provide the Assembly with a full chronology of events, starting with the time when problems with the main switchboard were identified initially and concluding with the signing of the contract on 7 April 2017 with Shaw Building Services to replace the main electrical switchboard; and

(2) table the AECOM risk assessment report on the performance of infrastructure at The Canberra Hospital, referred to in the hearings of the Select Committee on Estimates 2016-2017 on 29 June 2016.”.

Debate ensued.

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

 12 Youth Justice in the A.C.T.—Blueprint—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Disability, Children and Youth) made a ministerial statement concerning the blueprint for Youth Justice in the ACT and presented the following paper:

Youth Justice in the ACT—Blueprint—Ministerial statement, 9 May 2017.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Question—put and passed.

 13 City Renewal Authority and Suburban Land Agency Bill 2017

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.

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.

 14 QUESTIONS

Questions without notice were asked.

 15 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report No 3/2017—2015-16 Financial Audits—Computer Information Systems, dated 5 May 2017.

Ombudsman Act, pursuant to section 21—Ombudsman complaint statistics—Quarterly report for the period 1 January to 31 March 2017, dated 26 April 2017.

Standing order 191—Amendments to:

Commercial Arbitration Bill 2016, dated 3 April 2017.

Crimes Legislation Amendment Bill 2016, dated 3 April 2017.

 16 PRESENTATION OF PAPER

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

Health Practitioner Regulation National Law—Health Practitioner Regulation National Law Amendment (Midwife Insurance Exemption) Regulation 2016 (No 126/2016)—Explanatory statement.

 17 Presentation of papers

Ms Fitzharris (Minister for Higher Education, Training and Research) presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2016**—**Canberra Institute of Technology, dated 28 March 2016.

University of Canberra Act, pursuant to section 36—Annual report 2016 —University of Canberra (2 volumes), dated April 2017.

 18 PRESENTATION OF PAPER

Mr Gentleman (Minister for Planning and Land Management) presented the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Schedule—Leases granted for the period 1 January to 31 March 2017.

 19 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business) presented the following papers:

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Public Place Names Act—Public Place Names (Taylor) Determination 2017—Disallowable Instrument DI2017-34 (LR, 2 May 2017).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2017 (No 1)—Disallowable Instrument DI2017‑31 (LR, 18 April 2017).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 3)—Disallowable Instrument DI2017-29 (LR, 3 April 2017).

Road Transport (Safety and Traffic Management) Regulation 2000—Road Transport (Safety and Traffic Management) Parking Authority Declaration 2017 (No 1)—Disallowable Instrument DI2017-30 (LR, 13 April 2017).

 20 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—Volunteers—Important contribution

The Assembly was informed that Ms Cheyne, Ms Cody, Mr Coe (Leader of the Opposition), Mrs Dunne, Mrs Jones, Mrs Kikkert, Ms Lawder, Ms Lee, Ms Orr, Mr Parton, Mr Pettersson and Mr Steel 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 Mr Coe be submitted to the Assembly, namely, “The important contribution volunteers make in delivering community services in Canberra”.

Discussion ensued.

Discussion concluded.

 21 City Renewal Authority and Suburban Land Agency Bill 2017

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.

The Assembly voted—

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|  AYES, 13 |  |  NOES, 10 |
| Mr Barr | Ms Le Couteur |  | Mr Coe | Mr Milligan |
| Ms Berry | Ms Orr |  | Mrs Dunne | Mr Parton |
| Ms Burch | Mr Pettersson |  | Mr Hanson | Mr Wall |
| Ms Cheyne | Mr Ramsay |  | Mrs Jones |  |
| Ms Cody | Mr Rattenbury |  | Mrs Kikkert |  |
| Ms Fitzharris | Mr Steel |  | Ms Lawder |  |
| Mr Gentleman |  |  | Ms Lee |  |

And so it was resolved in the affirmative.

*Detail Stage*

Clause 1—

Debate adjourned (Mr Gentleman—Manager of Government Business) and the resumption of the debate made an order of the day for the next sitting.

 22 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

The time for the debate having expired—

The Speaker, at 5:56 pm, adjourned the Assembly until tomorrow at 10 am.

**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Mr Doszpot\*.

\*on leave

Tom Duncan

Clerk of the Legislative Assembly