



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010–2011

MINUTES OF PROCEEDINGS

No. 111

THURSDAY, 30 JUNE 2011

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mr Rattenbury) 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 UNPARLIAMENTARY LANGUAGE—STATEMENT BY SPEAKER

The Speaker made a statement in relation to comments made by Mrs Dunne yesterday during debate on Mr Seselja's motion concerning the *Strategic and Functional Review of the ACT Public Sector and Services*.

3 POSSIBLE REFLECTION ON THE CHAIR—STATEMENT BY SPEAKER

The Speaker made a statement concerning comments made by Mr Hanson to the media, in relation to his naming and subsequent suspension by the Assembly last week, which could possibly be perceived as a reflection on the Chair.

4 PETITION

The Clerk announced that the following Member had lodged a petition for presentation:

Ms Le Couteur, from 1487 residents, requesting that the Assembly request the ACT Government to find another location for the print shop and gallery, and reserve the Fitters Workshop in perpetuity as a multi-purpose arts space that retains its splendid acoustic properties (Pet 124).

5 A.C.T. TEACHER QUALITY INSTITUTE AMENDMENT BILL 2011

Mr Barr (Minister for Education and Training), pursuant to notice, presented a Bill for an Act to amend the *ACT Teacher Quality Institute Act 2010*, and for other purposes.

Papers: Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 June 2011.

Title read by Clerk.

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

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

6 TERRORISM (EXTRAORDINARY TEMPORARY POWERS) AMENDMENT BILL 2011

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Terrorism (Extraordinary Temporary Powers) Act 2006*.

Papers: Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 30 June 2011.

Title read by Clerk.

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

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

7 EVIDENCE (MISCELLANEOUS PROVISIONS) AMENDMENT BILL 2011

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Evidence (Miscellaneous Provisions) Act 1991*.

Papers: Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 June 2011.

Title read by Clerk.

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

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

8 SECURITY INDUSTRY AMENDMENT BILL 2011

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Security Industry Act 2003*, and for other purposes.

Papers: Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 June 2011.

Title read by Clerk.

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

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

9 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2011 (NO. 2)

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an an Act to amend legislation about justice and community safety.

Papers: Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 June 2011.

Title read by Clerk.

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

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

10 ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2011

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Road Transport (Safety and Traffic Management) Act 1999*, and for other purposes.

Papers: Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 29 June 2011.

Title read by Clerk.

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

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

11 PUBLIC INTEREST IMMUNITY—CONTINUING RESOLUTION

Ms Bresnan, pursuant to notice, moved—That the following continuing resolution be adopted:

Public Interest Immunity

In order to provide Ministers and public officials with guidance as to the proper process for raising public interest immunity claims in the course of a proceeding of a committee, this Assembly adopts the following procedure:

- (1) If:
 - (a) an Assembly committee requests information from a directorate, agency or Territory-owned corporation; and

- (b) an officer of the directorate, agency or Territory-owned corporation to whom the request is directed believes that it may not be in the public interest to disclose the information or document to the committee, the officer will be given reasonable opportunity to refer the request to a superior officer or to a Minister, in accordance with standing order 264A (o).
- (2) If a Minister, on a reference by an officer under paragraph (1), concludes that it would not be in the public interest to disclose the information or document to the committee, the Minister shall provide to the committee a statement of the ground for that conclusion, specifying the harm to the public interest that could result from the disclosure of the information or document.
- (3) A Minister, in a statement under paragraph (2), shall indicate whether the harm to the public interest that could result from the disclosure of the information or document to the committee could result only from the publication of the information or document by the committee, or could result, equally or in part, from the disclosure of the information or document to the committee as confidential evidence.
- (4) If, after considering a statement by a Minister provided under paragraph (2), the committee concludes that the statement does not sufficiently justify the withholding of the information or document from the committee, the committee shall report the matter to the Assembly.
- (5) A decision by a committee not to report a matter to the Assembly under paragraph (4) does not prevent a Member from raising the matter in the Assembly in accordance with other procedures of the Assembly.
- (6) A statement that information or a document is not published, or is confidential, or consists of advice to, or internal deliberations of, government, in the absence of specification of the harm to the public interest that could result from the disclosure of the information or document, is not a statement that meets the requirements of paragraphs (2) or (3).
- (7) If a Minister concludes that a statement under paragraph (2) should more appropriately be made by the head of an agency or Territory-owned corporation, by reason of the independence of that agency or Territory-owned corporation from ministerial direction or control, the Minister shall inform the committee of that conclusion and the reason for that conclusion, and shall refer the matter to the head of the agency, who shall then be required to provide a statement in accordance with paragraphs (2) and (3).
- (8) This resolution has effect from the date of its passage in the Assembly and continues in force unless and until amended or repealed by this or a subsequent Assembly.

Debate ensued.

Question—put and passed.

12 STANDING AND TEMPORARY ORDERS—AMENDMENT—STANDING ORDER 168(C)

Ms Bresnan, pursuant to notice, moved—That the following amendment be made to the standing and temporary orders of the Assembly:

Omit standing order 168(c), substitute:

“168(c) on the calling on of the notice a Member shall present to the Assembly two printed copies of the bill signed by that Member and an explanatory statement to the bill; and”.

Question—put and passed.

13 STANDING AND TEMPORARY ORDERS—AMENDMENT—NEW STANDING ORDER 229C

Mr Hargreaves, pursuant to notice, moved—That the following amendment be made to the standing and temporary orders of the Assembly:

Insert proposed new standing order 229C:

“Proceedings and sittings of committees

229C A committee may conduct proceedings in any of the following ways:

- (i) in private meeting;
- (ii) by the hearing of witnesses (for the taking of evidence), either in public or in private; and
- (iii) in any other form in accordance with the standing orders and practices relating to the conduct of committees of the Assembly.”.

Question—put and passed.

14 BIMBERI YOUTH JUSTICE CENTRE—HUMAN RIGHTS AUDIT INTO CONDITIONS—PUBLISHING AND CIRCULATION OF REPORT

Mr Corbell (Attorney-General), pursuant to notice, moved—That, if the Assembly is not sitting when the Attorney-General has received a report from the Human Rights Commissioner on her inquiry into Bimberi Youth Justice Centre, the Attorney-General may send the report 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.

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

- (1) Omit “Commissioner”, substitute “Commission”.
- (2) Omit “on her inquiry”.

Debate continued.

Amendments agreed to.

Question—That the motion, as amended, viz:

“That, if the Assembly is not sitting when the Attorney-General has received a report from the Human Rights Commission into Bimberi Youth Justice Centre, the Attorney-General may send the report 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.”—

be agreed to—put and passed.

**15 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—
REPORT 6—REPORT ON ANNUAL AND FINANCIAL REPORTS
2009-2010—REPORT NOTED**

Mrs Dunne (Chair) presented the following report:

Justice and Community Safety—Standing Committee—Report 6—*Report on Annual and Financial Reports 2009-2010*, dated 27 June 2011, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

16 LEAVE OF ABSENCE TO MEMBERS

Mr Corbell (Manager of Government Business) moved—That leave of absence be granted for all Members from the conclusion of this sitting until 15 August 2011.

Question—put and passed.

17 SUSPENSION OF STANDING ORDER 76

Mr Corbell (Manager of Government Business) moved—That standing order 76 be suspended for the remainder of this sitting.

Question—put and passed, with the concurrence of an absolute majority.

18 WEST BELCONNEN HEALTH CO-OP—STATEMENT BY MINISTER

Ms Gallagher (Minister for Health), by leave, pursuant to the resolution of the Assembly of 27 October 2010, made a statement regarding the West Belconnen Health Co-op.

19 EXECUTIVE BUSINESS—PRECEDENCE

Ordered—That Executive business be called on forthwith.

20 APPROPRIATION BILL 2011-2012

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

Detail Stage

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.7—Treasury Directorate—\$52 034 000 (net cost of outputs), \$116 277 000 (capital injection), \$22 609 000 (payments on behalf of Territory), totalling \$190 920 000—

Debate continued.

Proposed expenditure agreed to.

Part 1.8—Shared Services Centre—\$9 546 000 (net cost of outputs), \$5 570 000 (capital injection), totalling \$15 116 000—

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.

21 QUESTIONS

Questions without notice were asked.

22 PAPERS

The Speaker, having added to an answer to a question without notice asked by Dr Bourke yesterday, presented the following papers:

ACT Legislative Assembly—Office accommodation—Copies of emails (5).

23 PRESENTATION OF PAPER

Ms Gallagher (Minister for Industrial Relations) presented the following paper:

ACT Asbestos Management Review—2010—Government response.

24 PRESENTATION OF PAPERS

Ms Gallagher (Treasurer) presented the following papers:

Territory Records Act—Review of the operation of the Act—Report No. 2 on the progress and effectiveness of the implementation of the recommendations.

Financial Management Act—

Pursuant to section 16A—Instrument authorising appropriation for payment of accrued employee entitlements within the ACT Long Service Leave Authority, including a statement of reasons, dated 25 June 2011.

Pursuant to section 16B—Instrument authorising the rollover of undisbursed appropriation of the Department of Land and Property Services, including a statement of reasons, dated 23 June 2011.

Pursuant to section 17—Instrument varying appropriations relating to Commonwealth funding to the Canberra Institute of Technology, including a statement of reasons, dated 28 June 2011

Pursuant to section 18A—Authorisation of Expenditure from the Treasurer's Advance to various agencies, including statements of reasons, dated 23 June 2008.

25 PRESENTATION OF PAPER

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

ACT Community Sector of Mental Health Services—Review, dated May 2011.

26 PRESENTATION OF PAPERS

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

Petition—Out-of-order

Petition which does not conform with the standing orders—Curtin shops—Planned lease variation—Mr Rattenbury (1655 signatures).

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Agents Act, Associations Incorporation Act, Births, Deaths and Marriages Registration Act, Business Names Act, Civil Law (Wrongs) Act, Civil Partnerships Act, Classification (Publications, Films and Computer Games) (Enforcement) Act, Cooperatives Act, Court Procedures Act, Dangerous Substances Act, Emergencies Act, Fair Trading (Motor Vehicle Repair Industry) Act, Firearms Act, Freedom of Information Act, Guardianship and Management of Property Act, Hawkers Act, Instruments Act, Land Titles Act, Machinery Act, Partnership Act, Pawnbrokers Act, Prostitution Act, Public Trustee Act, Registration of Deeds Act, Sale of Motor Vehicles Act, Scaffolding and Lifts Act, Second-hand Dealers Act, Security Industry Act, Workers Compensation Act, Work Safety Act—Attorney General (Fees) Determination 2011—Disallowable Instrument DI2011-115 (without explanatory statement) (LR, 10 June 2011).

Animal Diseases Act—Animal Diseases (Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-117 (LR, 9 June 2011).

Animal Welfare Act—Animal Welfare (Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-118 (LR, 9 June 2011).

Domestic Animals Act—Domestic Animals (Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-119 (LR, 9 June 2011).

Education Act—Education Amendment Regulation 2011 (No. 2)—Subordinate Law SL2011-16 (LR, 20 June 2011).

Financial Management Act—Financial Management (Periodic and Annual Financial Statements) Guidelines 2011—Disallowable Instrument DI2011-130 (LR, 16 June 2011).

Health Act—Health (Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-131 (LR, 20 June 2011).

Public Place Names Act—

Public Place Names (Casey) Determination 2011 (No. 1)—Disallowable Instrument DI2011-116 (LR, 9 June 2011).

Public Place Names (Molonglo Valley District) Determination 2011 (No. 2)—Disallowable Instrument DI2011-114 (LR, 9 June 2011).

Roads and Public Places Act—Roads and Public Places (Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-120 (LR, 9 June 2011).

Road Transport (General) Act—Road Transport (Offences) Amendment Regulation 2011 (No. 1)—Subordinate Law SL2011-15 (LR, 16 June 2011).

Stock Act—Stock (Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-121 (LR, 9 June 2011).

Training and Tertiary Education Act—

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 1)—Disallowable Instrument DI2011-123 (LR, 14 June 2011).

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 2)—Disallowable Instrument DI2011-124 (LR, 14 June 2011).

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 3)—Disallowable Instrument DI2011-125 (LR, 14 June 2011).

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 4)—Disallowable Instrument DI2011-126 (LR, 14 June 2011).

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 5)—Disallowable Instrument DI2011-127 (LR, 14 June 2011).

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 6)—Disallowable Instrument DI2011-128 (LR, 14 June 2011).

Training and Tertiary Education (Accreditation and Registration Council) Appointment 2011 (No. 7)—Disallowable Instrument DI2011-129 (LR, 14 June 2011).

Waste Minimisation Act—Waste Minimisation (Landfill Fees) Determination 2011 (No. 1)—Disallowable Instrument DI2011-122 (LR, 9 June 2011).

27 SUSPENSION OF STANDING AND TEMPORARY ORDERS— CONSIDERATION OF PRIVATE MEMBERS' BUSINESS

Mr Corbell (Manager of Government Business) moved—That so much of the standing and temporary orders be suspended as would prevent order of the day No. 17, Private Members' business, relating to the Electricity Feed-in (Renewable Energy Premium) Amendment Bill 2011, being called on and determined this sitting.

Question—put and passed, with the concurrence of an absolute majority.

28 ELECTRICITY FEED-IN (RENEWABLE ENERGY PREMIUM) AMENDMENT BILL 2011

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—

AYES, 10		NOES, 7	
Ms Bresnan	Ms Hunter	Mr Barr	Mr Hargreaves
Mr Coe	Ms Le Couteur	Dr Bourke	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	

And so it was resolved in the affirmative—Bill agreed to in principle.

Detail Stage

Clause 1 agreed to.

Clause 2—

On the motion of Mr Seselja (Leader of the Opposition), his amendment No. 1 (*see* [Schedule 3](#)) was made, after debate.

Clause 2, as amended, agreed to.

Clauses 3 and 4, by leave, taken together and agreed to.

Clause 5—

Mr Seselja moved his amendment No. 2 (*see* [Schedule 3](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 10		NOES, 7	
Ms Bresnan	Ms Hunter	Mr Barr	Mr Hargreaves
Mr Coe	Ms Le Couteur	Dr Bourke	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	

And so it was resolved in the affirmative.

Clause 5, as amended, agreed to.

New clause—

On the motion of Mr Seselja, new clause 5A (his amendment No. 3—*see* [Schedule 3](#)) was inserted in the Bill.

New clause—

On the motion of Mr Corbell (Minister for the Environment and Sustainable Development), pursuant to standing order 182A(b), by leave, new clause 5A (his amendment No. 1—*see* [Schedule 2](#)) was inserted in the Bill, after debate.

Remainder of Bill, by leave, taken as a whole and agreed to.

Question—That this Bill, as amended, be agreed to—put.

The Assembly voted—

AYES, 10		NOES, 7	
Ms Bresnan	Ms Hunter	Mr Barr	Mr Hargreaves
Mr Coe	Ms Le Couteur	Dr Bourke	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	

And so it was resolved in the affirmative—Bill, as amended, agreed to.

29 APPROPRIATION BILL 2011-2012

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

Detail Stage

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.8—Shared Services Centre—\$9 546 000 (net cost of outputs), \$5 570 000 (capital injection), totalling \$15 116 000—

Debate continued.

Proposed expenditure agreed to.

Part 1.9—Superannuation Provision Account—\$144 047 000 (capital injection), totalling \$144 047 000—debated and agreed to.

Part 1.10—Territory Banking Account—\$214 000 (capital injection), \$17 848 000 (payments on behalf of Territory), totalling \$18 062 000—debated and agreed to.

Part 1.11—Health Directorate—\$896 185 000 (net cost of outputs), \$282 739 000 (capital injection), \$727 000 (payments on behalf of Territory), totalling \$1 179 651 000—Debated.

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

Ms Gallagher (Minister for Health) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Proposed expenditure agreed to.

Part 1.12—Justice and Community Safety Directorate—\$232 130 000 (net cost of outputs), \$46 570 000 (capital injection), \$145 559 000 (payments on behalf of Territory), totalling \$424 259 000—debated and agreed to

Part 1.13—Sustainable Development Directorate—\$73 992 000 (net cost of outputs), \$25 946 000 (capital injection), \$1 693 000 (payments on behalf of Territory), totalling \$101 631 000—

On the motion of Ms Gallagher, her amendment No. 3 (*see* [Schedule 1](#)) was made, after debate.

Proposed expenditure, as amended, agreed to.

Part 1.14—Education and Training Directorate—\$525 912 000 (net cost of outputs), \$112 152 000 (capital injection), \$211 340 000 (payments on behalf of Territory), totalling \$849 404 000—debated and agreed to.

Part 1.15—Community Services Directorate—\$205 808 000 (net cost of outputs), \$20 307 000 (capital injection), \$39 893 000 (payments on behalf of Territory), totalling \$266 008 000—

Ms Gallagher moved her amendment No. 4 (*see* [Schedule 1](#)).

Ms Hunter addressing the Assembly—

The Assembly continuing to sit until after midnight—
Friday, 1 July 2011

Debate continued.

Amendment agreed to.

Proposed expenditure, as amended, agreed to.

Part 1.16—Housing ACT—\$43 186 000 (net cost of outputs), \$24 165 000 (capital injection), totalling \$67 351 000—debated and agreed to.

Part 1.17—ACT Gambling and Racing Commission—\$4 297 000 (net cost of outputs), totalling \$4 297 000—debated and agreed to.

Part 1.18—ACT Public Cemeteries Authority—\$727 000 (capital injection), totalling \$727 000—debated and agreed to.

Part 1.19—ACTEW Corporation—\$10 390 000 (net cost of outputs), totalling \$10 390 000—debated and agreed to.

Part 1.20—Canberra Institute of Technology—\$67 979 000 (net cost of outputs), \$6 830 000 (capital injection), totalling \$74 809 000—debated and agreed to.

Part 1.21—Cultural Facilities Corporation—\$7 414 000 (net cost of outputs), \$1 083 000 (capital injection), totalling \$8 497 000—debated and agreed to.

Part 1.22—Exhibition Park Corporation—\$387 000 (net cost of outputs), \$3 491 000 (capital injection), totalling \$3 878 000—debated and agreed to.

Part 1.23—Independent Competition and Regulatory Commission—\$515 000 (net cost of outputs), totalling \$515 000—debated and agreed to.

Part 1.24—Legal Aid Commission (ACT)—\$9 094 000 (net cost of outputs), totalling \$9 094 000—debated and agreed to.

Part 1.25—Public Trustee for the ACT—\$682 000 (net cost of outputs), totalling \$682 000—debated and agreed to.

Total appropriated to agencies—

On the motion of Ms Gallagher, her amendment No. 5 (*see* [Schedule 1](#)) was made.

Question—That the total appropriated to agencies, as amended, be agreed to—put.

The Assembly voted—

AYES, 11		NOES, 6
Mr Barr	Mr Hargreaves	Mr Coe
Dr Bourke	Ms Hunter	Mr Doszpot
Ms Bresnan	Ms Le Couteur	Mrs Dunne
Ms Burch	Ms Porter	Mr Hanson
Mr Corbell	Mr Rattenbury	Mr Seselja
Ms Gallagher		Mr Smyth

And so it was resolved in the affirmative—Total appropriated to agencies, as amended, agreed to.

Part 1.26—Treasurer’s Advance—\$31 400 000—debated and agreed to.

Total appropriations—\$2 532 743 000 (net cost of outputs), \$1 207 781 000 (capital injection), \$459 362 000 (payments on behalf of Territory), totalling \$4 231 286 000—agreed to.

Clauses 1 to 8, by leave, taken together and agreed to.

Clause 9—

On the motion of Ms Gallagher, her amendment No. 1 (*see* [Schedule 1](#)) was made.

Clause 9, as amended, agreed to.

Clauses 10 and 11, by leave, taken together and agreed to.

Schedule 2—

On the motion of Ms Gallagher, by leave, her amendments Nos. 6 and 7 (*see* [Schedule 1](#)) were made together.

Schedule 2, as amended, agreed to.

Title—debated and agreed to.

Question—That this Bill, as amended, be agreed to—put.

The Assembly voted—

AYES, 11

NOES, 6

Mr Barr	Mr Hargreaves	Mr Coe
Dr Bourke	Ms Hunter	Mr Doszpot
Ms Bresnan	Ms Le Couteur	Mrs Dunne
Ms Burch	Ms Porter	Mr Hanson
Mr Corbell	Mr Rattenbury	Mr Seselja
Ms Gallagher		Mr Smyth

And so it was resolved in the affirmative—Bill, as amended, agreed to.

30 ESTIMATES 2011-2012—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2011-2012—REPORT NOTED

The order of the day having been read for the resumption of the debate on the motion of Mr Smyth (Chair)—That the report be noted (*presented 21 June 2011*), viz:

Estimates 2011-2012—Select Committee—Report—*Appropriation Bill 2011-2012*, dated 17 June 2011—

Debate resumed.

Question—put and passed.

31 ESTIMATES 2011-2012—SELECT COMMITTEE—REPORT—APPROPRIATION BILL 2011-2012—GOVERNMENT RESPONSE—PAPER NOTED

The order of the day having been read for the resumption of the debate on the motion of Ms Gallagher (Treasurer)—That the Assembly takes note of the paper (*presented 28 June 2011*), viz:

Estimates 2011-2012—Select Committee—Report—*Appropriation Bill 2011-2012*—Government response, dated June 2011—

Question—put and passed.

32 ADJOURNMENT

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

Question—put and passed.

And then the Assembly, at 2.42 a.m., adjourned until Tuesday, 16 August 2011 at 10 a.m.

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MEMBERS' ATTENDANCE: All ~~Members were~~ present at some time during the sitting.

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Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

APPROPRIATION BILL 2011-2012

Amendments circulated by the Treasurer

1

Clause 9 (a) (iv)

Page 4, line 8—

omit clause 9 (a) (iv), substitute

(iv) Chief Minister and Cabinet Directorate;

2

Schedule 1, part 1.4

Page 6—

omit schedule 1, part 1.4, substitute

Part 1.4

Chief Minister and Cabinet Directorate	Chief Minister and Cabinet Directorate	27 082 000	3 000 000		30 082 000
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3

Schedule 1, part 1.13

Page 7—

omit schedule 1, part 1.13, substitute

Part 1.13

Environment and Sustainable Development Directorate	Environment and Sustainable Development Directorate	73 992 000	25 946 000	1 693 000	101 631 000
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4

Schedule 1, part 1.15

Page 7—

omit schedule 1, part 1.15, substitute

Part 1.15

Community Services Directorate	Community Services Directorate	216 197 000	27 671 000	39 893 000	283 761 000
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5

Schedule 1

Page 8—

omit

*Total
appropriated to
agencies*

substitute

<i>Total appropriated to agencies</i>	2 532 743 000	1 207 781 000	459 362 000	4 199 886 000
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6**Schedule 2, column 1****Page 9—***omit*

Chief Minister's Directorate

substitute

Chief Minister and Cabinet Directorate

7**Schedule 2, column 1****Page 9—***omit*

Sustainable Development Directorate

substitute

Environment and Sustainable Development Directorate

Schedule 2

Electricity Feed-in (Renewable Energy Premium) Amendment Bill 2011

Amendments circulated by the Minister for the Environment and Sustainable Development

1
Proposed new clause 5A
Page 3, line 17—

insert

5A **New part 3A**

insert

Part 3A Reporting

11A Report by Minister

The Minister must, within 2 weeks after the end of each month, publish on an appropriate government website a report setting out the following:

- (a) the number of applications for the connection of renewable energy generators to an electricity distributor's network received by the distributor during the month;
- (b) the number of renewable energy generators connected to an electricity distributor's network by the distributor during the month;
- (c) the total number of renewable energy generators connected to an electricity distributor's network;
- (d) the total capacity of all micro and medium renewable energy generators connected to an electricity distributor's network.

11B Electricity distributors to give information to Minister

An electricity distributor must give the Minister the information the Minister requires to prepare the report mentioned in section 11A.

Schedule 3

Electricity Feed-in (Renewable Energy Premium) Amendment Bill 2011

Amendments circulated by Mr Seselja (Leader of the Opposition)

1

Clause 2

Page 2, line 4—

omit clause 2, substitute

2

Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

2

Clause 5

Page 3, line 1—

omit clause 5, substitute

5

Payment for electricity from renewable energy generators Section 8 (1)

substitute

- (1) For section 6 (3), payment must be at the following rate:
 - (a) for electricity generated by a micro renewable energy generator—
 - (i) if an eligible entity entered into a contract for the installation of the generator before 1 June 2011—
 - (A) 100% of the premium rate; or
 - (B) if a lower percentage is determined under section 9 for this paragraph—that percentage of the premium rate; or
 - (ii) if an eligible entity entered into a contract for the installation of the generator on or after 1 June 2011—
 - (A) 66% of the premium rate; or
 - (B) if a lower percentage is determined under section 9 for this paragraph—that percentage of the premium rate;
 - (b) for electricity generated by a medium renewable energy generator—

- (i) if an eligible entity entered into a contract for the installation of the generator before the relevant date—
 - (A) 75% of the premium rate; or
 - (B) if a lower percentage is determined under section 9 for this paragraph—that percentage of the premium rate; or
- (ii) if an eligible entity entered into a contract for the installation of the generator on or after the relevant date—
 - (A) 66% of the premium rate; or
 - (B) if a lower percentage is determined under section 9 for this paragraph—that percentage of the premium rate.

3

Proposed new clause 5A
Page 3, line 17—

insert

5A New section 8 (3)

insert

- (3) In this section:

relevant date means the day the *Electricity Feed-in (Renewable Energy Premium) Amendment Act 2011* commenced.

4

Proposed new clause 5B
Page 3, line 17—

insert

5B New part 3A

insert

Part 3A Reporting

11A Report by Minister

The Minister must, within 2 weeks after the end of each month, publish on an appropriate government website a report setting out the following:

- (a) the number of applications for connection of renewable energy generators to each distributor's network processed by the distributor during the month;

- (b) the total number of applications for connection of renewable energy generators to each distributor's network processed by the distributor;
- (c) the number of applications for connection of renewable energy generators to each distributor's network received by the distributor that are outstanding at the end of the month;
- (d) the capacity of micro and medium renewable energy generators connected to each distributor's network during the month;
- (e) the total capacity of micro and medium renewable energy generators connected to each distributor's network;
- (f) the amount paid by electricity suppliers to eligible entities for electricity generated by renewable energy generators under section 6 (3) during the month;
- (g) the total amount paid by electricity suppliers to eligible entities for electricity generated by renewable energy generators under section 6 (3).

11B Electricity distributors and suppliers to give information to Minister

An electricity distributor and an electricity supplier must give the Minister the information the Minister requires to prepare the report mentioned in section 11A.
