LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010–2011–2012

MINUTES OF PROCEEDINGS

No. 141

THURSDAY, 22 MARCH 2012

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 POLICE INVESTIGATION INTO INCIDENT AT A CANBERRA HIGH SCHOOL—STATEMENT BY MINISTER—STATEMENT BY MEMBER

Dr Bourke (Minister for Education and Training), by leave, made a statement concerning the police investigation into an incident involving a weapon which occurred at a Canberra high school.

Mr Doszpot, by leave, also made a statement in relation to the matter.

3 FINANCIAL MANAGEMENT AMENDMENT BILL 2012

Mr Barr (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Financial Management Act 1996*.

Papers: Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 21 March 2012.

Title read by Clerk.

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

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

4 ENERGY EFFICIENCY (COST OF LIVING) IMPROVEMENT BILL 2012

Mr Corbell (Minister for the Environment and Sustainable Development), pursuant to notice, presented a Bill for an Act to encourage the efficient use of energy, 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 21 March 2012.

Regulatory impact statement.

Energy Efficiency (Cost of Living) Improvement (Energy Savings Contribution) Determination 2012 (No. 1)—Draft.

Energy Efficiency (Cost of Living) Improvement (Energy Savings Target and Emissions Factor) Determination 2012 (No. 1)—Draft.

Energy Efficiency (Cost of Living) Improvement (Priority Household Target) Determination 2012 (No. 1)—Draft.

Title read by Clerk.

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

Debate adjourned (Mr Seselja—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

5 TEMPORARY ORDERS—ADOPTION AS STANDING ORDERS

Ms Bresnan, pursuant to notice, moved—That the following temporary orders be adopted as standing orders:

27	Hour of meeting
69	Time limits for debates and speeches
79	Matter of public importance
118	Answers to questions without notice
172	Agreement in principle to be determined at a later meeting
182A	Amendment to bills
213A	Order for the production of documents
254A	Request for explanation concerning government response to committee report.

Question—put and passed.

6 EXECUTIVE BUSINESS—PRECEDENCE

Ordered—That Executive business be called on forthwith.

7 GOVERNMENT PROCUREMENT 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 and passed.

Leave granted to dispense with the detail stage.

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

8 SUB JUDICE CONVENTION AND CONTINUING RESOLUTION 10—STATEMENT BY MINISTER—STATEMENT BY MEMBER

Mr Corbell (Attorney-General), by indulgence, made a statement concerning sub judice and continuing resolution 10 and sought the guidance of the Speaker in relation to comments made by Mr Seselja (Leader of the Opposition) during debate yesterday.

Mrs Dunne, by indulgence, also made a statement in relation to the matter.

9 EMERGENCIES (COMMISSIONER DIRECTIONS) AMENDMENT BILL 2012

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

Debate resumed.

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

Leave granted to dispense with the detail stage.

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

10 QUESTIONS

Questions without notice being asked—

Motion to require Leader of the Opposition to table document—Leave not granted: Ms Gallagher (Chief Minister) sought leave to move a motion requiring Mr Seselja (Leader of the Opposition) to table the paper the Opposition was referring to in the question asked of the Chief Minister.

Objection being raised, leave not granted.

Suspension of standing orders—Motion to require Leader of the Opposition to table document: Mr Hargreaves moved—That so much of the standing orders be suspended as would prevent Ms Gallagher moving a motion requiring the Opposition to table documents that were referred to in questions to the Chief Minister.

Debate ensued.

Paper: Mr Seselja, by leave, presented the following paper:

Indigenous teachers, grandparents, trainees and rising leaders—Copy of email to Neil Bulless from Jess Wurf, Media Adviser to Jon Stanhope MLA, including an attachment, dated 16 September 2008.

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

Emails and documents relating to question time—Order to table: Ms Gallagher moved—That the Opposition table all emails and documents relating to question time today.

Debate ensued.

Ms Gallagher, by leave, moved the following amendment: Omit all words after "documents", substitute "already referred to in question time today".

Debate continued.

Paper: Mr Seselja, by leave, presented the following paper:

Climate change draft release—Copy of email to various recipients, including attachments, dated 25 September 2008.

Amendment agreed to.

Question—That the motion, as amended, viz:

"That the Opposition table all emails and documents already referred to in question time today."—

be agreed to—put and passed.

Questions continued.

Paper: Mr Coe, by leave, presented the following paper:

Integrated transport policy—Copy of email to various recipients from Gabrielle Hummel, Senior Adviser, Office of Jon Stanhope MLA, Chief Minister, dated 30 September 2008.

Questions continued.

11 MOTION TO REQUIRE MINISTER TO TABLE DOCUMENT—LEAVE NOT GRANTED

Mr Seselja (Leader of the Opposition) sought leave to move a motion to require the Minister for Education and Training to table the plan for asbestos removal for schools.

Objection being raised, leave not granted.

12 SUSPENSION OF STANDING ORDERS MOVED—MOTION TO REQUIRE MINISTER TO TABLE DOCUMENT

Mr Seselja (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent Mr Seselja from moving a motion requiring the Minister for Education and Training to table the asbestos removal plan he referred to in question time today.

Debate ensued.

Mr Seselja, by leave, withdrew his motion.

13 PRESENTATION OF PAPERS

Mr Corbell (Attorney-General) presented the following papers:

Fair Trading (Motor Vehicle Repair Industry) Act, pursuant to subsection 45(4)—Report of the Motor Vehicle Repair Industry Advisory Committee—

Report, dated October 2011.

Ministerial response.

14 PRESENTATION OF PAPERS

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

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute (Fee) Determination 2012 (No. 1)—Disallowable Instrument DI2012-29 (LR, 5 March 2012).

Civil Law (Wrongs) Act—

Civil Law (Wrongs) New South Wales Bar Association Scheme Amendment 2012 (No. 1)—Disallowable Instrument DI2012-19 (LR, 23 February 2012).

Civil Law (Wrongs) Victorian Bar Inc Scheme Amendment 2012 (No. 1)—Disallowable Instrument DI2012-20 (LR, 23 February 2012).

Cultural Facilities Corporation Act 1997 and Financial Management Act—Cultural Facilities Corporation (Governing Board) Appointment 2012 (No. 1)—Disallowable Instrument DI2012-17 (LR, 20 February 2012).

Evidence Act—Evidence Regulation 2012—Subordinate Law SL2012-6 (LR, 27 February 2012).

Gambling and Racing Control Act 1999 and Financial Management Act—

Gambling and Racing Control (Governing Board) Appointment 2012 (No. 1)—Disallowable Instrument DI2012-18 (LR, 21 February 2012).

Gambling and Racing Control (Governing Board) Appointment 2012 (No. 2)—Disallowable Instrument DI2012-22 (LR, 27 February 2012).

Heritage Act—

Heritage (Council Chairperson) Appointment 2012 (No. 1)—Disallowable Instrument DI2012-28 (LR, 1 March 2012).

Heritage (Council Deputy Chairperson) Appointment 2012 (No. 1)—Disallowable Instrument DI2012-25 (LR, 1 March 2012).

Heritage (Council Member) Appointment 2012 (No. 1)—Disallowable Instrument DI2012-24 (LR, 1 March 2012).

Heritage (Council Member) Appointment 2012 (No. 2)—Disallowable Instrument DI2012-26 (LR, 1 March 2012).

Heritage (Council Member) Appointment 2012 (No. 3)—Disallowable Instrument DI2012-27 (LR, 1 March 2012).

Legislative Assembly Precincts Act—Legislative Assembly Precincts (Licence Fees) Determination 2012—Disallowable Instrument DI2012-33 (LR, 9 March 2012).

Litter Act—Litter (Shopping Trolleys) Amendment Regulation 2012 (No. 1)—Subordinate Law SL2012-7 (LR, 1 March 2012).

Nature Conservation Act—Nature Conservation (Flora and Fauna Committee) Acting Appointment 2012 (No. 1)—Disallowable Instrument DI2012-21 (LR, 27 February 2012).

Public Place Names Act—Public Place Names (Weston) Determination 2012 (No. 1)—Disallowable Instrument DI2012-32 (LR, 8 March 2012).

Public Sector Management Act—Public Sector Management Amendment Standards 2012 (No. 2)—Disallowable Instrument DI2012-23 (LR, 1 March 2012).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2012 (No. 1)—Disallowable Instrument DI2012-16 (LR, 16 February 2012).

Taxation (Government Business Enterprises) Act—Taxation (Government Business Enterprises) Amendment Regulation 2012 (No. 1)—Subordinate Law SL2012-8 (LR, 8 March 2012).

Unit Titles (Management) Act—

Attorney General (Fees) Amendment Determination 2012—Disallowable Instrument DI2012-30 (LR, 5 March 2012).

Unit Titles (Management) Certificate Determination 2012—Disallowable Instrument DI2012-31 (LR, 5 March 2012).

15 NATIONAL CLOSE THE GAP DAY—MINISTERIAL STATEMENT—PAPER NOTED

Dr Bourke (Minister for Aboriginal and Torres Strait Islander Affairs) presented the following paper:

National Close the Gap Day—Ministerial statement, 22 March 2012—

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

Debate ensued.

Question—put and passed.

16 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—OLDER CANBERRANS

The Assembly was informed that Ms Bresnan, Mr Doszpot, Mrs Dunne, Mr Hanson, Mr Hargreaves, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja (Leader of the Opposition) and Mr Smyth 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 Doszpot be submitted to the Assembly, namely, "The importance of older Canberrans to the ACT".

Discussion ensued.

Discussion concluded.

17 ADJOURNMENT

Dr Bourke (Minister for Education and Training) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 4.57 p.m., adjourned until Tuesday, 27 March 2012 at 10 a.m.

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

Tom Duncan
Clerk of the Legislative Assembly