



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010–2011

## MINUTES OF PROCEEDINGS

No. 92

THURSDAY, 17 FEBRUARY 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 **PETITION—MINISTERIAL RESPONSE**

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

Mr Stanhope (Minister for Transport), dated 15 February 2011—Response to petition No. 113, lodged by Mr Seselja on 16 November 2010, concerning improved safety for children within the Gowrie Oval car park.

- 3 **HEALTH AMENDMENT BILL 2011**

Mr Corbell (Manager of Government Business), on behalf of Ms Gallagher (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *Health Act 1993*.

*Papers:* Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 16 February 2011.

Title read by Clerk.

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

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

**4 ROAD TRANSPORT (THIRD-PARTY INSURANCE) AMENDMENT BILL 2011**

Mr Corbell (Manager of Government Business), on behalf of Ms Gallagher (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Road Transport (Third-Party Insurance) Act 2008*, 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 16 February 2011.

Title read by Clerk.

Mr Corbell 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.

**5 CRIMINAL PROCEEDINGS LEGISLATION AMENDMENT BILL 2011**

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about criminal proceedings, 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 16 February 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.

**6 PLANNING, PUBLIC WORKS AND TERRITORY AND MUNICIPAL SERVICES—STANDING COMMITTEE—REPORT 9—INQUIRY INTO RZ3 AND RZ4 RESIDENTIAL REDEVELOPMENT POLICIES—INNER NORTH CANBERRA—MOTION THAT REPORT BE NOTED**

Ms Le Couteur (Deputy Chair) presented the following report:

Planning, Public Works and Territory and Municipal Services—Standing Committee—Report 9—*Inquiry into RZ3 and RZ4 Residential Redevelopment Policies—Inner North Canberra*, dated 9 February 2011, including additional comments (*Ms Le Couteur*), together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Debate adjourned (Mr Barr—Minister for Planning) and the resumption of the debate made an order of the day for the next sitting.

**7 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 15—INQUIRY INTO THE A.C.T. AUDITOR-GENERAL ACT 1996—REPORT NOTED**

Ms Le Couteur (Chair) presented the following report:

Public Accounts—Standing Committee—Report 15—*Inquiry into the ACT Auditor-General Act 1996*, dated 8 February 2011, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

**8 CHILDREN AND YOUNG PEOPLE—SEXUALISATION IN ADVERTISING AND THE MEDIA—GOVERNMENT RESPONSE—PAPER AND STATEMENT BY MINISTER—STATEMENTS BY MEMBERS**

Ms Burch (Minister for Children and Young People), pursuant to the resolution of the Assembly of 25 August 2010, presented the following paper:

Children and Young People—Sexualisation in advertising and the media—Government response—Letter to the Speaker from the Minister for Children and Young People, dated 21 December 2010—

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

Ms Hunter and Mrs Dunne, by leave, also made statements in relation to the paper.

**9 LEAVE OF ABSENCE TO MEMBER**

Mr Corbell (Manager of Government Business) moved—That leave of absence be granted to Ms Gallagher (Deputy Chief Minister) for this sitting due to her attendance at a Ministerial Council meeting interstate.

Question—put and passed.

**10 LEGAL AID 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.

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.

**11 ELECTRICITY FEED-IN (RENEWABLE ENERGY PREMIUM) 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 adjourned (Mrs Dunne) and the resumption of the debate made an order of the day for a later hour this day.

**12 MINISTERIAL ARRANGEMENTS**

Mr Stanhope (Chief Minister) informed the Assembly of the absence of Ms Gallagher (Deputy Chief Minister) and advised the Assembly that questions without notice normally directed to Ms Gallagher could be directed to Mr Stanhope.

**13 QUESTIONS**

Questions without notice were asked.

**14 A.C.T. PUBLIC SERVICE—RESPECT, EQUITY AND DIVERSITY FRAMEWORK—PAPER AND STATEMENT BY MINISTER**

Mr Stanhope (Chief Minister) presented the following paper:

ACT Public Service—Respect, Equity and Diversity Framework, dated November 2010—

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

**15 PRESENTATION OF PAPER**

Mr Stanhope (Chief Minister), pursuant to the resolution of the Assembly of 20 October 2010, presented the following paper:

ACT Government events and festivals—Loxton Report—Government response.

**16 PRESENTATION OF PAPER**

Mr Stanhope (Chief Minister), on behalf of Ms Gallagher (Minister for Industrial Relations), presented the following paper:

ACT Asbestos Management Review—2010, dated 1 September 2010.

**17 PRESENTATION OF PAPER**

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

ACT Criminal Justice—Statistical Profile 2010—December quarter.

**18 PRESENTATION OF PAPER**

Mr Barr (Minister for Tourism, Sport and Recreation), pursuant to the resolution of the Assembly of 27 October 2010 regarding the provision of a swimming pool in Gungahlin, presented the following paper:

Gungahlin Leisure Centre Feasibility Study—Interim report, dated February 2011.

**19 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—CHILD CARE**

The Assembly was informed that Ms Bresnan, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Ms Hunter, Ms Le Couteur, 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, “Child care in the ACT”.

Discussion ensued.

Discussion concluded.

## 20 **ELECTRICITY FEED-IN (RENEWABLE ENERGY PREMIUM) 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.

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

The Assembly voted—

AYES, 9		NOES, 4
Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Mr Rattenbury	Mr Seselja
Mr Corbell	Mr Stanhope	Mr Smyth
Mr Hargreaves		

And so it was resolved in the affirmative.

---

---

### *Detail Stage*

Bill, by leave, taken as a whole—

Mr Rattenbury moved his amendment No. 1 (*see* [Schedule 1](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 4		NOES, 9
Mr Coe		Mr Barr
Mr Doszpot		Ms Bresnan
Mr Seselja		Ms Burch
Mr Smyth		Mr Corbell
		Mr Hargreaves
		Ms Hunter
		Ms Le Couteur
		Mr Rattenbury
		Mr Stanhope

And so it was negatived.

Bill, as a whole, agreed to.

---

---

Question—That this Bill be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 4
Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Mr Rattenbury	Mr Seselja
Mr Corbell	Mr Stanhope	Mr Smyth
Mr Hargreaves		

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

**21 ADJOURNMENT**

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.17 p.m., adjourned until Tuesday, 8 March 2011 at 10 a.m.

---

---

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

\*on leave

---

---

**Tom Duncan**  
Clerk of the Legislative Assembly

## SCHEDULE OF AMENDMENTS

### Schedule 1

#### **ELECTRICITY FEED-IN (RENEWABLE ENERGY PREMIUM) AMENDMENT BILL 2010**

---

Amendment circulated by Mr Rattenbury

---

1

#### **Clause 4**

**Proposed new section 5E (1) (d)**

**Page 4, line 20—**

*omit proposed new section 5E (1) (d), substitute*

- (d) if the generator is a micro renewable energy generator and the Minister determines a total capacity for all micro renewable energy generators connected to the electricity distributor's network under subsection (3)—the generator is connected to the network before the determined total capacity is reached; and
-