



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010

### MINUTES OF PROCEEDINGS

No. 56

THURSDAY, 18 MARCH 2010

---

**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 MINISTERIAL ARRANGEMENTS**

Mr Stanhope (Chief Minister) informed the Assembly of the absence of Mr Corbell (Attorney-General) and advised the Assembly that questions without notice normally directed to Mr Corbell could be directed to Mr Stanhope.

**3 EMERGENCIES AMENDMENT BILL 2010**

Mr Stanhope (Chief Minister), on behalf of Mr Corbell (Minister for Police and Emergency Services), pursuant to notice, presented a Bill for an Act to amend the *Emergencies Act 2004*, and for other purposes.

*Papers:* Mr Stanhope presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 17 March 2010.

Title read by Clerk.

Mr Stanhope 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 HEALTH, COMMUNITY AND SOCIAL SERVICES—STANDING COMMITTEE—REPORT 3—REPORT ON ANNUAL AND FINANCIAL REPORTS 2008-2009—REPORT NOTED**

Mr Doszpot (Chair) presented the following report:

Health, Community and Social Services—Standing Committee—Report 3—*Report on Annual and Financial Reports 2008-2009*, dated 10 March 2010, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

**5 EXECUTIVE BUSINESS—PRECEDENCE**

Ordered—That Executive business be called on forthwith.

**6 HEALTH LEGISLATION AMENDMENT BILL 2009 (NO. 2)**

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.

**7 WORKERS COMPENSATION (DEFAULT INSURANCE FUND) 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.

**8 JUSTICE AND COMMUNITY SAFETY LEGISLATION 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.

---



---

*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, 3  
 Ms Bresnan  
 Ms Le Couteur  
 Mr Rattenbury

NOES, 9  
 Ms Burch  
 Mr Doszpot  
 Mrs Dunne  
 Ms Gallagher  
 Mr Hargreaves  
 Ms Porter  
 Mr Seselja  
 Mr Smyth  
 Mr Stanhope

And so it was negatived.

Mrs Dunne, by leave, moved her amendment No. 1 (*see* [Schedule 2](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 4  
 Mr Doszpot  
 Mrs Dunne  
 Mr Seselja  
 Mr Smyth

NOES, 8  
 Ms Bresnan  
 Ms Burch  
 Ms Gallagher  
 Mr Hargreaves  
 Ms Le Couteur  
 Ms Porter  
 Mr Rattenbury  
 Mr Stanhope

And so it was negatived.

Bill, as a whole, agreed to.

---

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

## 9 LEAVE OF ABSENCE TO MEMBER

Mr Hargreaves moved—That leave of absence be granted to Mr Corbell (Attorney-General) for this sitting on the grounds of family business.

Question—put and passed.

## 10 OMNIBUS BILLS

Mrs Dunne, by leave, moved—That this Assembly:

- (1) notes:
  - (a) the past generally accepted practice of using “omnibus” bills to deal with amendments to legislation that are minor, technical and non-contentious in nature; and
  - (b) the increasing prevalence of the inclusion of substantive amendments to legislation in “omnibus” bills; and
- (2) calls on the Government to:
  - (a) adhere to the generally accepted practice of using “omnibus” bills to deal only with amendments to legislation that are minor, technical and non-contentious in nature; and
  - (b) bring forward amendments of a more substantive nature in separate bills dealing specifically with those amendments.

Debate ensued.

Ordered—That the question be divided.

Paragraph (1)(a) agreed to.

Paragraph (1)(b) agreed to.

Paragraph (2) agreed to.

## 11 QUESTIONS

Questions without notice were asked.

## 12 QUESTION ON NOTICE NO. 561—ANSWER—EXPLANATION

Ms Le Couteur, pursuant to standing order 118A, asked Mr Barr (Minister for Planning) for an explanation concerning the answer to question on notice No. 561.

Mr Barr gave an explanation.

## 13 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—HOMELESSNESS

The Assembly was informed that Ms Bresnan, Mr Coe, Mr Doszpot, Mrs Dunne, Mr Hanson, Mr Hargreaves, 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 Ms Porter be submitted to the Assembly, namely, “The importance of a comprehensive strategy to address homelessness in the ACT”.

Discussion ensued.

The time for discussion having expired—

Discussion concluded.

## 14 ADJOURNMENT

Ms Burch (Minister for Disability, Housing and Community Services) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 4.45 p.m., adjourned until Tuesday, 23 March 2010 at 10 a.m.

---

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

\*on leave

---

**M M KIERMAIER**  
Acting Clerk of the Legislative Assembly

## SCHEDULES OF AMENDMENTS

### Schedule 1

#### JUSTICE AND COMMUNITY LEGISLATION AMENDMENT BILL 2010

Amendment circulated by Mr Rattenbury

---

1

**Schedule 1, part 1.1**

**Page 4, line 3—**

*omit*

---

**Schedule 2****JUSTICE AND COMMUNITY LEGISLATION AMENDMENT BILL 2010**

---

Amendment circulated by Mrs Dunne

---

1

**Schedule 1, part 1.1**

**Amendment 1.5**

**Proposed new section 48 (3)**

**Page 6, line 4—**

*omit*

but do not include

*substitute*

and

---