



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2016–2017

MINUTES OF PROCEEDINGS

No 32

TUESDAY, 19 SEPTEMBER 2017

1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) 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 TOURISM MINISTERS MEETING IN BEIJING AND HONG KONG BUSINESS DELEGATION—MINISTERIAL STATEMENT—PAPER NOTED

Mr Barr (Chief Minister) made a ministerial statement concerning a Tourism Ministers meeting in Beijing and a Hong Kong business delegation and presented the following paper:

Tourism Ministers meeting in Beijing and Hong Kong business delegation—August 2017—Ministerial statement, 19 September 2017.

Mr Barr moved—That the Assembly take note of the paper.

Question—put and passed.

3 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Pettersson for today due to illness.

Question—put and passed.

4 A.C.T. HEALTH SYSTEM WIDE DATA REVIEW QUARTERLY UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Ms Fitzharris (Minister for Health and Wellbeing) made a ministerial statement concerning the ACT Health system wide data review quarterly update and presented the following paper:



ACT Health System Wide Data Review Quarterly Update—September 2017—
Ministerial statement, 19 September 2017.

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

Question—put and passed.

5 RECIDIVISM RATES—MINISTERIAL STATEMENT—PAPER NOTED

Mr Rattenbury (Minister for Corrections) made a ministerial statement concerning recidivism rates, pursuant to the resolution of the Assembly of 7 June 2017, and presented the following paper:

Recidivism rates—Ministerial statement, 19 September 2017.

Mr Rattenbury moved—That the Assembly take note of the paper.

Question—put and passed.

6 COMMUNITY SECTOR REFORM—CO-CONTRIBUTION EXPENDITURE—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Community Services and Social Inclusion) made a ministerial statement concerning community sector reform and co-contribution expenditure and presented the following paper:

Community sector reform—Co-contribution expenditure—Ministerial statement, 19 September 2017.

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

Debate ensued.

Question—put and passed.

7 PLANNING AND DEVELOPMENT AMENDMENT 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.

Mr Gentleman (Minister for Planning and Land Management), by leave, was granted an extension of time.

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

Detail Stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4—

Mr Gentleman, pursuant to standing order 182A, was granted leave to move amendments that had not been considered by the Scrutiny Committee and were minor or technical in nature.

On the motion of Mr Gentleman, his amendment No 1 (see [Schedule 1](#)) was made.

Paper: Mr Gentleman presented a supplementary explanatory statement to the Government amendments.

On the motion of Ms Lawder, her amendment No 1 was made (see [Schedule 2](#)), after debate.

On the motion of Ms Lawder, her amendment No 2 was made (see [Schedule 2](#)).

Clause 4, as amended, agreed to.

Clauses 5 and 6, by leave, taken together and agreed to.

Clause 7—

On the motion of Mr Gentleman, his amendment No 4 was made (see [Schedule 1](#)).

Clause 7, as amended, agreed to.

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

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

8 CRIMES (FOOD OR DRINK SPIKING) AMENDMENT 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 and passed.

Leave granted to dispense with the detail stage.

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

9 QUESTIONS

Questions without notice were asked.

10 PRESENTATION OF PAPERS

Mr Rattenbury (Minister for Corrections) presented the following papers:

Recidivism rates—Ministerial statement—Summary of programs offered by Corrections Program Unit—

Criminogenic and Offence Specific Programs.

Programs offered specifically for Aboriginal and Torres Strait Islander detainees.

11 PRESENTATION OF PAPER

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

Civil Law (Wrongs) Act, pursuant to subsection 4.56(3), Schedule 4—Professional Standards Councils—Annual report 2016-2017.

12 HEAVY VEHICLE NATIONAL LAW AS APPLIED BY THE LAW OF STATES AND TERRITORIES—HEAVY VEHICLE NATIONAL AMENDMENT REGULATION 2017—PAPER AND STATEMENT BY MINISTER

Mr Rattenbury (Minister for Justice, Consumer Affairs and Road Safety) presented the following paper:

Heavy Vehicle National Law as applied by the law of States and Territories—Heavy Vehicle National Amendment Regulation 2017 (2017 No 329), together with an explanatory statement—

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

13 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—

ACT Teacher Quality Institute Act and Financial Management Act—

ACT Teacher Quality Institute Board Appointment 2017 (No 4)—Disallowable Instrument DI2017-214 (LR, 4 September 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 5)—Disallowable Instrument DI2017-215 (LR, 4 September 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 6)—Disallowable Instrument DI2017-216 (LR, 4 September 2017).

ACT Teacher Quality Institute Board Appointment 2017 (No 7)—Disallowable Instrument DI2017-217 (LR, 4 September 2017).

Civil Law (Wrongs) Act—Civil Law (Wrongs) Professional Standards Council Appointment 2017 (No 2)—Disallowable Instrument DI2017-213 (LR, 28 August 2017).

Environment Protection Act—Environment Protection (Fees) Determination 2017 (No 2)—Disallowable Instrument DI2017-223 (LR, 7 September 2017).

Firearms Act—Firearms (Use of Noise Suppression Devices) Declaration 2017 (No 3)—Disallowable Instrument DI2017-218 (LR, 29 August 2017).

Land Titles Act—Land Titles Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-29 (LR, 11 September 2017).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-27 (LR, 24 August 2017).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2017 (No 2)—Disallowable Instrument DI2017-207 (LR, 24 August 2017).

Planning and Development Act—Planning and Development (Lease Variation Charges) Determination 2017 (No 2)—Disallowable Instrument DI2017-208 (LR, 22 August 2017).

Prohibited Weapons Act—Prohibited Weapons (Noise Suppression Devices) Declaration 2017 (No 3)—Disallowable Instrument DI2017-219 (LR, 29 August 2017).

Public Health Act—

Public Health (Notifiable Conditions) Determination 2017—Disallowable Instrument DI2017-210 (LR, 28 August 2017).

Public Health (Reporting of Notifiable Conditions) Code of Practice 2017 (No 1)—Disallowable Instrument DI2017-211 (LR, 28 August 2017).

Public Place Names Act—Public Place Names (Denman Prospect) Determination 2017 (No 2)—Disallowable Instrument DI2017-209 (LR, 24 August 2017).

Road Transport (Driver Licensing) Act—Road Transport (Driver Licensing) Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-28 (LR, 28 August 2017).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 6)—Disallowable Instrument DI2017-224 (LR, 7 September 2017).

Road Transport (General) Driver Licence and Related Fees Determination 2017 (No 2)—Disallowable Instrument DI2017-212 (LR, 31 August 2017).

Work Health and Safety Act—

Work Health and Safety (Work Safety Council Employer Representative) Appointment 2017 (No 1)—Disallowable Instrument DI2017-220 (LR, 29 August 2017).

Work Health and Safety (Work Safety Council Employer Representative) Appointment 2017 (No 2)—Disallowable Instrument DI2017-221 (LR, 29 August 2017).

Work Health and Safety (Work Safety Council Member) Appointment 2017 (No 1)—Disallowable Instrument DI2017-222 (LR, 29 August 2017).

14 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—ECONOMIC AND JOB GROWTH OPPORTUNITIES—IMPORTANCE OF INTERNATIONAL ENGAGEMENT

The Assembly was informed that Ms Cheyne, Ms Cody, Mr Hanson, Mrs Jones, Ms Lee, Ms Orr, Mr Parton 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 Steel be submitted to the Assembly, namely, “The importance of international engagement to support economic and job growth opportunities in the ACT”.

Discussion ensued.

Discussion concluded.

15 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 4.19 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Doszpot* and Mr Pettersson*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

PLANNING AND DEVELOPMENT AMENDMENT BILL 2017

Amendments circulated by the Minister for Planning and Land Management

1

Clause 4

Proposed new section 73 (2)

Page 3, line 7—

omit proposed new section 73 (2), substitute

- (2) The Minister must, within 5 working days after the day the public availability notice for the draft plan variation is notified, refer the draft plan variation documents to an appropriate committee of the Legislative Assembly, together with a request that the committee decide whether it will prepare a report on the draft plan variation.
- (2A) Subsection (2B) applies if—
 - (a) the draft plan variation is to facilitate the construction, ongoing operation and maintenance, repairs, refurbishment, relocation or replacement of light rail; and
 - (b) if the committee decides to prepare a report on the draft plan variation—the Minister is satisfied that the risk of delay to the development of light rail will be minimised if the committee’s report on the draft plan variation were given to the Minister earlier than 6 months after the day the draft plan variation is referred to the committee.
- (2B) When the Minister refers the draft plan variation to the committee, the Minister may request that, if the committee decides to prepare a report, the report be completed and given to the Minister within a period stated by the Minister, that is not less than 3 months and not more than 6 months after the day the draft plan variation is referred to the committee.

2

Clause 4

Proposed new section 73 (3) (a)

Page 3, line 20—

omit

15 working days

substitute

20 working days

3**Clause 4****Proposed new section 73 (3) (b)****Page 3, line 23—***omit*

15-day

*substitute*20-day

4**Clause 7****Proposed new section 75 (1) (c) (i)****Page 5, line 11—***omit*

section 73 (2) (b)

*substitute*section 73 (2B)

Schedule 2

PLANNING AND DEVELOPMENT AMENDMENT BILL 2017

Amendments circulated by Ms Lawder

1

Clause 4

Proposed new section 73 (3) (a)

Page 3, line 20—

omit

15 working days

substitute

20 working days

2

Clause 4

Proposed new section 73 (3) (b)

Page 3, line 23—

omit

15-day

substitute

20-day
