



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2012–2013–2014–2015–2016

MINUTES OF PROCEEDINGS

No. 140

WEDNESDAY, 8 JUNE 2016

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mrs Dunne) 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 FISCAL MANAGEMENT

Mr Smyth, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) that when he became Treasurer, the Chief Minister inherited a \$44m surplus;
- (b) the record deficits created by the Chief Minister since he became Treasurer;
- (c) the Treasurer has never achieved a surplus for the budgets he introduced;
- (d) the deficit continued to climb by \$71m between the 2015-16 Budget and Revised Estimates;
- (e) that general government expenditures have climbed by more than \$1.1 billion during the Treasurer's incumbency;
- (f) that rates collected have more than doubled under the Treasurer's stewardship;
- (g) the increase in punitive fees and charges levied on Canberra's citizens;
- (h) the onerous cost burden this Government has imposed on the Canberra community;
- (i) the decline in quality of services and rundown in community amenity in the last five years; and



- (j) the additional burden imposed by the cost of building and operating a light rail line from Gungahlin to Civic; and
- (2) calls on the Labor Government to:
 - (a) cease inappropriately increasing cost burdens on the community; and
 - (b) better manage its budget to reduce costs on the community and the debt burden passed onto future generations of Canberrans.

Mr Barr (Treasurer) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes that:
- (a) in the 2016-17 ACT Budget the Government is returning the Budget to surplus;
 - (b) the Headline Net Operating Balance in 2015-16 has more than halved since the 2015-16 Budget review, with a deficit of \$94.3 million in 2016-17, before the Budget returns to balance in 2017-18 and 2018-19, with a strong surplus in 2019-20;
 - (c) the ACT Government ran strong surpluses in the early 2000s, which gave the Government the capacity to respond effectively to external shocks, such as the deep job cuts by the Federal Liberal Government and the need to rid Canberra of the legacy of loose-fill asbestos;
 - (d) the ACT Government used the Budget to support the local economy, and to support jobs, during the Commonwealth’s cuts;
 - (e) this strategy worked, as evidenced by recent economic data showing the strength of the economy:
 - (i) the ACT’s unemployment rate is the lowest in the nation, at 4.1 per cent;
 - (ii) that retail trade is the strongest in the country;
 - (iii) commercial building approvals and residential building approvals are increasing;
 - (iv) service exports have increased by 65 per cent since 2010, which is well above the national average of 25 per cent; and
 - (v) growth in economic activity, as measured by State Final Demand, in the Territory was the highest in the nation;
 - (f) net debt in the ACT is falling in the coming years, and that the Territory retains a stable AAA credit rating; one of only three jurisdictions in Australia to have this highest possible credit rating;
 - (g) Net Financial Liabilities to Gross State Product in the ACT is in line with the other AAA rated states of Victoria and NSW;
 - (h) the capital works program in the coming four years will be \$2.9 billion;
 - (i) the Territory is leading the nation in delivering taxation reform, through abolishing unfair and inefficient taxes;
 - (j) rates increasing are moderating in the 2016-17 Budget due to Stage 1 of taxation reform concluding in this Budget;

- (k) insurance duty will be abolished on 1 July 2016;
 - (l) commercial stamp duty will be abolished for property transactions valued under \$1.5 million from 1 July 2018;
 - (m) by the end of the second stage of taxation reform in 2021-22 stamp duty will be halved for the buyer of a \$500 000 home;
 - (n) the Government has increased the payroll tax threshold to \$2 million, ensuring the ACT has the lowest payroll tax rates in Australia for businesses with a payroll of up to \$5.6 million, exempting up to 200 local businesses from payroll tax and giving a \$34 250 a year tax cut to businesses with a payroll of more than \$2 million; and
 - (o) the 2016-17 ACT Budget funds the first stage of the city-wide light rail network while delivering balanced budgets and budget surpluses, and that the cost of the first stage will be less than 1 per cent of the Budget; and
- (2) calls on the Government to continue:
- (a) supporting the Canberra economy and encouraging growth;
 - (b) supporting local businesses to grow and create jobs;
 - (c) its responsible economic management and return the budget to surplus;
 - (d) taxation reform to make taxes fairer, simpler and more efficient;
 - (e) providing funding for the world-class services Canberrans deserve and expect, particularly in education and health;
 - (f) delivering the municipal services Canberrans deserve and expect; and
 - (g) to support vulnerable Canberrans, particularly Canberrans experiencing family violence.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Barr	Ms Fitzharris	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Hinder	Mrs Dunne	Mr Wall
Mr Corbell	Mr Rattenbury	Mr Hanson	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) in the 2016-17 ACT Budget the Government is returning the Budget to surplus;
 - (b) the Headline Net Operating Balance in 2015-16 has more than halved since the 2015-16 Budget review, with a deficit of \$94.3 million in 2016-17, before the Budget returns to balance in 2017-18 and 2018-19, with a strong surplus in 2019-20;

- (c) the ACT Government ran strong surpluses in the early 2000s, which gave the Government the capacity to respond effectively to external shocks, such as the deep job cuts by the Federal Liberal Government and the need to rid Canberra of the legacy of loose-fill asbestos;
 - (d) the ACT Government used the Budget to support the local economy, and to support jobs, during the Commonwealth's cuts;
 - (e) this strategy worked, as evidenced by recent economic data showing the strength of the economy:
 - (i) the ACT's unemployment rate is the lowest in the nation, at 4.1 per cent;
 - (ii) that retail trade is the strongest in the country;
 - (iii) commercial building approvals and residential building approvals are increasing;
 - (iv) service exports have increased by 65 per cent since 2010, which is well above the national average of 25 per cent; and
 - (v) growth in economic activity, as measured by State Final Demand, in the Territory was the highest in the nation;
 - (f) net debt in the ACT is falling in the coming years, and that the Territory retains a stable AAA credit rating; one of only three jurisdictions in Australia to have this highest possible credit rating;
 - (g) Net Financial Liabilities to Gross State Product in the ACT is in line with the other AAA rated states of Victoria and NSW;
 - (h) the capital works program in the coming four years will be \$2.9 billion;
 - (i) the Territory is leading the nation in delivering taxation reform, through abolishing unfair and inefficient taxes;
 - (j) rates increasing are moderating in the 2016-17 Budget due to Stage 1 of taxation reform concluding in this Budget;
 - (k) insurance duty will be abolished on 1 July 2016;
 - (l) commercial stamp duty will be abolished for property transactions valued under \$1.5 million from 1 July 2018;
 - (m) by the end of the second stage of taxation reform in 2021-22 stamp duty will be halved for the buyer of a \$500 000 home;
 - (n) the Government has increased the payroll tax threshold to \$2 million, ensuring the ACT has the lowest payroll tax rates in Australia for businesses with a payroll of up to \$5.6 million, exempting up to 200 local businesses from payroll tax and giving a \$34 250 a year tax cut to businesses with a payroll of more than \$2 million; and
 - (o) the 2016-17 ACT Budget funds the first stage of the city-wide light rail network while delivering balanced budgets and budget surpluses, and that the cost of the first stage will be less than 1 per cent of the Budget; and
- (2) calls on the Government to continue:
- (a) supporting the Canberra economy and encouraging growth;
 - (b) supporting local businesses to grow and create jobs;

- (c) its responsible economic management and return the budget to surplus;
- (d) taxation reform to make taxes fairer, simpler and more efficient;
- (e) providing funding for the world-class services Canberrans deserve and expect, particularly in education and health;
- (f) delivering the municipal services Canberrans deserve and expect; and
- (g) to support vulnerable Canberrans, particularly Canberrans experiencing family violence.”—

be agreed to—put and passed.

3 WORLD REFUGEE DAY

Mr Hinder, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) that 20 June is World Refugee Day;
 - (b) the widespread social and economic contributions that refugees have made and continue to make in the Australian community;
 - (c) that the ACT Government is continuing to foster an inclusive and supportive environment for recently arrived refugees and asylum seekers, working together with service providers and community members;
 - (d) that the ACT Government’s refugee and multicultural policies contribute to a broad social inclusion agenda aimed at giving all Canberrans the chance to belong, to contribute and be valued; and
 - (e) the inflammatory, divisive and hurtful comments from members of the Federal Government, including:
 - (i) Minister Peter Dutton’s assertion that refugees “would be taking Australian jobs”;
 - (ii) Minister Peter Dutton’s assertion that “many of them that would be unemployed ... would languish in unemployment queues and on Medicare and the rest of it”;
 - (iii) Minister Peter Dutton’s assertion that refugees “won’t be numerate or literate in their own language”; and
 - (iv) Prime Minister Malcolm Turnbull’s endorsement of these comments; and
- (2) calls on the ACT Government to:
 - (a) condemn the inflammatory, divisive and hurtful comments of Minister Dutton and Prime Minister Turnbull;
 - (b) continue to celebrate the achievements of our emerging ethnic communities including recently arrived refugees and asylum seekers;
 - (c) build on Canberra’s status as a Refugee Welcome Zone;
 - (d) explore initiatives to improve employment pathways for refugees and asylum seekers;
 - (e) work closely with local service providers to respond to the needs of refugees at a local level;

- (f) proactively seek further opportunities where community, business and government can be brought together to provide more opportunities for asylum seekers and refugees in the ACT; and
- (g) invest in social inclusion initiatives which value and empower everyone in the Canberra community.

Debate ensued.

Debate having been closed by the reply of the mover—

Ordered—That the question be divided.

Paragraphs (1)(e) and (2)(a)—

Question—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Barr	Ms Fitzharris	Mr Coe	Mrs Jones
Ms Berry	Mr Gentleman	Mr Doszpot	Ms Lawder
Dr Bourke	Mr Hinder	Mrs Dunne	Mr Smyth
Mr Corbell	Mr Rattenbury	Mr Hanson	

And so it was resolved in the affirmative.

Question—That the remainder of the motion be agreed to—put and passed.

4 LEGISLATIVE ASSEMBLY (PARLIAMENTARY BUDGET OFFICER) BILL 2016

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.

Debate adjourned (Mr Gentleman—Manager of Government Business) and the resumption of the debate made an order of the day for the next sitting.

5 LEGISLATIVE ASSEMBLY (PARLIAMENTARY BUDGET OFFICER) BILL 2016—SELECT COMMITTEE—ESTABLISHMENT

Mr Rattenbury, by leave, moved—That:

- (1) a select committee on the Legislative Assembly (Parliamentary Budget Officer) Bill 2016 be established to inquire and report on the Bill and any other related matter;
- (2) the Committee be comprised of Mr Barr (Treasurer), Mr Rattenbury and Mr Smyth;
- (3) Mr Rattenbury will chair the Committee;
- (4) the Committee report to the Assembly by 2 August 2016; and
- (5) if the Assembly is not sitting when the Committee has completed its inquiry, it 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 printing, publishing and circulation.

Question—put and passed.

6 QUESTIONS

Questions without notice were asked.

7 PRESENTATION OF PAPER

The Speaker presented the following paper:

Auditor-General Act, pursuant to subsection 29(3)—2016 Strategic review of the ACT Auditor-General, dated 26 May 2016, prepared by Des Pearson AO.

8 UNIT TITLES (MANAGEMENT) AMENDMENT BILL 2016

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, 7		NOES, 8	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Mr Hinder
Mr Hanson		Mr Corbell	Mr Rattenbury

And so it was negatived.

9 PHILLIP PRECINCT—PARKING ARRANGEMENTS

Mr Wall, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the financial impact on Phillip Traders as a result of the proposed expansion of paid parking made by the ACT Labor/Green Government;
 - (b) the lack of consultation with business owners and other stakeholders in this decision;
 - (c) the need for good access to parking with reasonable time restrictions to allow for proprietors and staff as well as customer turnover;
 - (d) the neglect of green spaces and overall amenity by the ACT Labor/Green Government despite premium commercial rates being paid by small businesses;
 - (e) all day paid parking has the biggest effect on the lowest income earners including apprentices;
 - (f) implementation of paid parking across Phillip fails to address the need for a diverse range of parking options; and
 - (g) the Canberra Liberals' commitment to working with the Phillip Business Community to achieve the best outcomes of parking availability; and
- (2) calls on the ACT Government to:
 - (a) immediately cease all plans to implement additional parking in the Phillip precinct;

- (b) meet the Canberra Liberals' commitment to broader consultation and work proactively with traders in Phillip to discuss solutions to the parking issues that currently exist; and
- (c) consider a diverse range of parking solutions including free parking spaces, some paid parking spaces and consideration of permit parking in the Phillip precinct.

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

Petition which does not conform with the standing orders—Phillip business district—Financial impact of paid parking—Mr Wall (679 signatures).

Ms Fitzharris (Minister for Transport and Municipal Services) moved the following amendment: Omit all words after "That this Assembly", substitute:

"(1) notes that:

- (a) the Phillip precinct is an important hub for business in the ACT. The ACT Government is working with the traders and other community stakeholders to develop a balanced approach to parking in Phillip that meets the needs of small, medium and large businesses, as well as those of employees, customers and the residents of the surrounding suburbs;
 - (b) the ACT Government is committed to increasing transport options for all Canberrans, including improved public transport, better road networks, and a planned and fair parking regime that balances the varied needs of the community; and
 - (c) the Chief Minister, the Minister for Transport and Municipal Services and the Minister for Small Business and the Arts have each met with traders to discuss their needs. The Minister for Transport and Municipal Services will continue to consult with relevant stakeholders to come to a balanced outcome for parking in the precinct and to discuss other municipal issues in the precinct; and
- (2) calls on the ACT Government to continue to work with Phillip traders and other stakeholders to ensure that a balanced and fair outcome is reached regarding parking in the precinct."

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

"That this Assembly:

- (1) notes that:
 - (a) the Phillip precinct is an important hub for business in the ACT. The ACT Government is working with the traders and other community stakeholders to develop a balanced approach to parking in Phillip that meets the needs of small, medium and large businesses, as well as those of employees, customers and the residents of the surrounding suburbs;
 - (b) the ACT Government is committed to increasing transport options for all Canberrans, including improved public transport, better road networks, and a planned and fair parking regime that balances the varied needs of the community; and

- (c) the Chief Minister, the Minister for Transport and Municipal Services and the Minister for Small Business and the Arts have each met with traders to discuss their needs. The Minister for Transport and Municipal Services will continue to consult with relevant stakeholders to come to a balanced outcome for parking in the precinct and to discuss other municipal issues in the precinct; and
- (2) calls on the ACT Government to continue to work with Phillip traders and other stakeholders to ensure that a balanced and fair outcome is reached regarding parking in the precinct.”—

be agreed to—put and passed.

10 LIGHT RAIL NETWORK PROJECT—CONTRACTS

Mr Coe, by leave, having amended his notice, pursuant to notice, moved—That this Assembly:

- (1) notes that:
- (a) the signing of the contract to construct light rail, five months before an election, was the most arrogant act in the history of the ACT Government;
 - (b) by signing the contract, the ACT Government has ignored the will of Canberrans to have their say at the election;
 - (c) payments under the light rail contract will be approximately \$1.65 billion; and
 - (d) the ACT Government has yet to release the contracts related to light rail; and
- (2) calls on the ACT Government to publish the contracts, in full, related to the development, construction, operation and maintenance of the Capital Metro light rail project by 17 June 2016.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 7		NOES, 8	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Mr Hinder
Mr Hanson		Mr Corbell	Mr Rattenbury

And so it was negatived.

11 EXECUTIVE BUSINESS—PRECEDENCE

Ordered—That Executive business be called on forthwith.

12 REVENUE LEGISLATION AMENDMENT BILL 2016

Mr Barr (Treasurer), by leave, presented a Bill for an Act to amend legislation about revenue, 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, undated.

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.

13 TRADERS (LICENSING) BILL 2016

Mr Barr (Chief Minister), by leave, presented a Bill for an Act to regulate the licensing of traders, 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, undated.

Title read by Clerk.

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

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

14 PUBLIC SECTOR MANAGEMENT AMENDMENT BILL 2016

Mr Barr (Chief Minister), by leave, presented a Bill for an Act to amend the *Public Sector Management Act 1994*, 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 undated.

Title read by Clerk.

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

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

15 DISCRIMINATION AMENDMENT BILL 2016

Mr Corbell (Attorney-General), by leave, presented a Bill for an Act to amend the *Discrimination Act 1991*, 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, undated.

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.

16 RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2016

Mr Corbell (Attorney-General), by leave, presented a Bill for an Act to amend legislation about residential tenancies, 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, undated.

Residential Tenancies Act 1997—Review—Report.

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.

17 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 5.51 p.m., adjourned until tomorrow at 10 a.m.

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MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Ms Burch*.

*on leave

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Tom Duncan
Clerk of the Legislative Assembly