1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mrs Dunne) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional custodians. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 RESIGNATION OF MEMBER—PAPERS
The Speaker informed the Assembly that, pursuant to the resolution of the Assembly of 27 March 1992, as amended on 6 March 2008, she had received a letter from Mr Seselja resigning his office as a Member of the Legislative Assembly for the Australian Capital Territory and presented the following papers:

Seselja, Mr Z.—Resignation of office as Member—Letter of resignation in accordance with section 13 of the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), dated 11 June 2013.

Legislative Assembly for the Australian Capital Territory—Casual Vacancy—Copy of letter to the Electoral Commissioner, ACT Electoral Commission, from the Speaker, dated 11 June 2013.

3 ANNOUNCEMENT OF MEMBER TO FILL CASUAL VACANCY
The Speaker announced that the Acting Electoral Commissioner, pursuant to sections 189 and 194 of the *Electoral Act 1992*, had on 26 June 2013 declared Ms Nicole Lawder elected to the Legislative Assembly for the Australian Capital Territory. Ms Lawder was filling the vacancy created as a result of the resignation of Mr Seselja.

*Paper:* The Speaker presented the following paper:

Legislative Assembly for the Australian Capital Territory—Casual Vacancy—Declaration of the poll—Letter from the Acting Electoral Commissioner, ACT Electoral Commission, to the Clerk, ACT Legislative Assembly, dated 26 June 2013.
4 OATH OR AFFIRMATION OF ALLEGIANCE

The Speaker informed the Assembly of the requirement under the *Oaths and Affirmations Act 1984* for new Members to make and subscribe an oath or affirmation before the Chief Justice of the Supreme Court of the Australian Capital Territory or a Judge of that Court authorised by the Chief Justice.

The Honourable Justice Terence Higgins, Chief Justice of the Supreme Court of the Australian Capital Territory, entered the Chamber and was escorted by the Serjeant-at-Arms to the Chair.

5 AFFIRMATION OF ALLEGIANCE BY MEMBER

Ms Lawder was introduced.

His Honour the Chief Justice informed the Assembly of the provisions of section 9 of the *Australian Capital Territory (Self-Government) Act 1988* and section 10A of the *Oaths and Affirmations Act 1984* whereby a Member of the Legislative Assembly, before taking his or her seat, must make and subscribe an oath or affirmation in accordance with the form set out in the Oaths and Affirmations Act.

Ms Lawder made the affirmation of allegiance required by law.

His Honour the Chief Justice retired.

6 INAUGURAL SPEECH

Ms Lawder, by leave, made her inaugural speech.


Mr Hanson (Chair), pursuant to order, presented the following report:

Estimates 2013-2014—Select Committee—Report—* Appropriation Bill 2013-2014 and Appropriation (Office of the Legislative Assembly) Bill 2013-2014* (3 volumes), dated 30 July 2013, incorporating dissenting report (*Dr Bourke and Mr Gentleman*), together with a copy of the relevant minutes of proceedings and answers to questions on notice and questions taken on notice—

and moved—that the report be noted.

Debate ensued.

Question—put and passed.

8 JUSTICE AND COMMUNITY SAFETY (LEGISLATIVE SCRUTINY ROLE)—STANDING COMMITTEE—SCRUTINY REPORT 9—STATEMENT BY CHAIR

Mr Doszpot (Chair) presented the following report:

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee—Scrutiny Report 9, dated 29 July 2013, together with the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.
9 **AUDITOR-GENERAL AMENDMENT BILL 2013**

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—

On the motion of Mr Rattenbury, by leave, his amendments Nos. 1 and 2 (*see Schedule 1*) were made together, after debate.

Bill, as a whole, as amended, agreed to.

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

10 **CRIMINAL CODE (CHEATING AT GAMBLING) AMENDMENT BILL 2013**

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 **WATER RESOURCES AMENDMENT BILL 2013**

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.

*Paper:* Mr Corbell (Minister for the Environment and Sustainable Development) presented a revised explanatory statement to the Bill.

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.

12 **QUESTIONS**

Questions without notice were asked.

13 **PRESENTATION OF PAPERS**

The Speaker presented the following papers:

Auditor-General Act—Auditor-General’s Reports—


No. 5/2013—Bushfire Preparedness, dated 26 July 2013.
14 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACTS—PAPERS AND STATEMENT BY MINISTER

Ms Gallagher (Chief Minister) presented the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Adrian Scott, undated.
Ann Goleby, dated 20 July 2012.
Anne Ellis, dated 29 April 2011.
Anthony Gill, dated 5 July 2013.
Catherine Jackson, undated.
Colm Mooney, dated 31 July 2013.
David Dutton, dated 11 June 2013.
David Nicol, dated 22 July 2013.
David Purser, dated 28 May 2013.
Denise Lamb, dated 24 September 2012.
Dorte Ekelund, dated 1 August 2013.
Elizabeth Chatham, dated 19 October 2012.
Elizabeth Trickett, dated 24 July 2011.
Grant Carey-Ide, dated 8 November 2012.
Jessica Ho, dated 1 June 2013.
Joanne Greenfield, dated 2 August 2013.
Jon Quiggin, dated 28 May 2013.
Judi Anne Childs, dated 16 December 2010.
Judianne Childs, dated 2 August 2013.
Katrina Bracher, dated 19 October 2012.
Leanne Cover, dated 13 July 2012.
Meg Brighton, dated 26 July 2013.
Michael Bateman, dated 10 February 2010.
Michael Kegel, dated 1 June 2013.
Natalie Howson, dated 31 July 2013.
Peter Murray, dated 1 June 2013.
Philip Ghirardello, dated 18 April 2012.
Philip Tardif, dated 23 October 2011.
Robert Barnes, dated 4 June 2013.
Rodney Bray, dated 1 August 2013.
Ronald Foster, dated 24 August 2011.
Ross Burton, dated 1 June 2013.
Ross O’Donoughue, dated 19 April 2013.
Sarbjit Sidhu, dated 9 June 2013.
Stephen Gniel, dated 29 September and 14 October 2011.
Sue Chapman, dated 7 July 2013.
Tracy Stewart, dated 5 August 2013.

Short-term contracts:
Andrew Kefford, dated 1 and 6 May 2013.
Barbara Reid, dated 29 July 2013.
Benjamin Ponton, dated 20 December 2012 and 2 January 2013.
Brett Wilesmith, dated 15 July 2013.
Carolyn Grayson, dated 18 July 2013.
Catherine Fallon, dated 2 July 2013.
Cheryl Sizer, dated 7 June 2013.
David Collett, dated 2 July 2013.
David Peffer, dated 7 June 2013.
Elizabeth Beattie, dated 28 and 29 May 2013.
Elizabeth Renton, dated 16 April 2013.
Glenn Bain, dated 3 and 4 July 2013.
Graham Hambleton, dated 20 December 2012.
Grant Carey-Ide (2), undated.
Grant Doran, dated 12 November 2012.
Gregory Curtis, dated 2 July 2013.
Hamish McNulty, dated 1 July 2013.
Heather McKay, dated 21 September 2012.
Heather Tomlinson, dated 4 July 2013.
Jacinta George, dated 24 and 27 January 2012.
Jancye Winter, dated 17 January 2013.
Jeanette MacCullagh, dated 25 September and 10 October 2012.
John Wynants, undated.
Joshua Rynehart, dated 3 June 2013.
Kaaren Blom, undated.
Kellie Lang, dated 29 July 2013.
Leanne Cover, dated 4 and 6 June 2012.
Leanne Cover, dated 18 June 2013.
Liliana Hays, dated 2 July 2013.
Linda Halliday, dated 3 September 2012.
Lisa Holmes, dated 31 July 2013.
Lisa Salerno, dated 4 July 2012.
Lisa Salerno, dated 28 June 2013.
Moirá Crowhurst, dated 28 May and 3 June 2013.
Moirá Crowhurst, dated 1 July and 9 July 2013.
Nik Manikis, dated 8 November 2012.
Pam Davoren, dated 4 June 2013.
Richard Baumgart, dated 20 December 2012.
Robert Fraser, undated.
Robert Gotts, dated 20 June and 28 May 2012.
Sandra Georges, dated 28 May 2013.
Sandra Georges, dated 1 and 5 July 2013.
Savvas Pertsinidis, dated 28 June 2013.
Savvas Pertsinidis, dated 25 and 29 July 2013.
Sean McDonnell, dated 16 April 2013.
Sean Moysey, dated 19 and 27 June 2013.
Steven Wright, dated 4 July 2013.
Stewart Ellis, dated 1 July 2013.
Swee Sung, dated 12 and 17 April 2012.
Vanessa Little, 24 July 2013.

Contract variations:
Alison Playford, dated 5 and 6 June 2013.
Anita Hargreaves, dated 11 and 19 December 2012.
Bethan Mitchell, dated 3 September 2012.
Bethan Mitchell, dated 28 June and 8 July 2013.
Bronwen Overton-Clarke, dated 30 and 31 May 2013.
Christopher Reynolds, dated 20 and 22 March 2013.
Daniel Walters, dated 3 and 5 June 2013.
David Matthews, dated 4 and 13 July 2012.
Elizabeth Beattie, dated 28 and 29 May 2013.
Floyd Kennedy, dated 21 June 2013.
Francis Duggan, dated 30 May and 17 June 2013.
Glenn Bain, dated 30 May and 7 June 2013.
Gregory Corben, dated 22 and 23 July 2013.
Heidi Robinson, dated 15 July 2013.
Helen Pappas, dated 30 and 31 May 2013.
Jacinta George, dated 31 August 2012.
Jancye Winter, dated 31 January and 4 February 2013.
Jayne Johnston, dated 28 June and 1 August 2013.
Jeanette MacCullagh, dated 30 May and 3 June 2013.
Jillian Paull, dated 30 and 31 May 2013.
Kate Starick, dated 26 November 2012.
Leanne Cover, dated 3 and 5 July 2013.
Lyndall Kennedy, dated 15 June 2013.
Lyndall Kennedy, dated 25 and 30 July 2013.
Mark Collis, dated 23 July 2013.
Mark Whybrow, dated 28 June and 22 July 2013.
Maureen Sheehan, dated 21 and 30 May 2013.
Maureen Sheehan, dated 30 and 31 May 2013.
Megan Smithies, dated 9 and 12 November 2012.
Moira Crowhurst, dated 28 and 30 May 2013.
Paul Wyles, dated 30 May 2013.
Peter Murray, dated 26 July 2013.
Russell Noud, dated 11 July 2013.
Sandra Kennedy, dated 4 and 5 July 2013.
Stephen Gniel, dated 28 June and 9 July 2013.
William Mudge, dated 21 and 28 August 2012—and, by leave, made a statement in relation to the papers.
COST OF LIVING PRESSURES—GOVERNMENT RESPONSE—PAPER AND STATEMENT BY MINISTER

Mr Barr (Treasurer) presented the following paper:

Cost of living pressures—Government response, pursuant to the resolution of the Assembly of 28 November 2012—

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

FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER

Mr Barr (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 18A—Statement of authorisation of expenditure from the Treasurer’s Advance in 2012-2013—

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

TERRITORY-OWNED CORPORATIONS ACT—STATEMENTS OF CORPORATE INTENT—ACTEW CORPORATION LTD AND ACTTAB LIMITED—PAPERS AND STATEMENT BY MINISTER

Mr Barr (Treasurer) presented the following papers:

Territory-owned Corporations Act, pursuant to subsection 19(3)—Statements of Corporate Intent—

ACTEW Corporation Ltd—2013-14 to 2016-17.

ACTTAB Limited—1 July 2013 to 30 June 2014—

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

INDEPENDENT COMPETITION AND REGULATORY COMMISSION ACT—INDEPENDENT COMPETITION AND REGULATORY COMMISSION—REPORT 4 OF 2012—RETAIL PRICES FOR FRANCHISE ELECTRICITY CUSTOMERS 2012-14—FINAL REPORT, REPORT 5 OF 2013—REGULATED WATER AND SEWERAGE SERVICES—FINAL REPORT, AND REPORT 6 OF 2013—REGULATED WATER AND SEWERAGE SERVICES—PRICE DIRECTION—PAPERS AND STATEMENT BY MINISTER

Mr Barr (Treasurer) presented the following papers:

Independent Competition and Regulatory Commission Act, pursuant to section 24—

Independent Competition and Regulatory Commission—


Report 6 of 2013—Regulated Water and Sewerage Services—Price direction—1 July 2013 to 30 June 2019—

Mr Barr (Treasurer) presented the following paper:

Enlarged Cotter Dam Project—ACTEW Voting Shareholder Information—Statement on the Enlarged Cotter Dam, dated 9 July 2013, pursuant to the resolution of the Assembly of 21 March 2012—

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

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


Mr Corbell (Minister for Workplace Safety and Industrial Relations), by leave, made a ministerial statement concerning progress on the implementation of recommendations of the Getting Home Safely Report.

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

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—


Animal Welfare Act—


Architects Act—


Associations Incorporation Act—


Building and Construction Industry Training Levy Act and Financial Management Act—


Children and Young People Act—Children and Young People (Death Review Committee) Appointment 2013 (No. 1)—Disallowable Instrument DI2013-94 (LR, 6 June 2013).

Civil Law (Wrongs) Act—


Community Title Act—Community Title (Fees) Determination 2013 (No. 1)—Disallowable Instrument DI2013-150 (LR, 27 June 2013).


Court Procedures Act—


Education Act—

Education (Government Schools Education Council) Appointment 2013 (No. 3)—Disallowable Instrument DI2013-188 (LR, 8 July 2013).

Education (Government Schools Education Council) Appointment 2013 (No. 4)—Disallowable Instrument DI2013-189 (LR, 8 July 2013).

Education (Government Schools Education Council) Appointment 2013 (No. 5)—Disallowable Instrument DI2013-190 (LR, 8 July 2013).


Electoral Act—


Health Act—

Health (Fees) Determination 2013 (No. 3)—Disallowable Instrument DI2013-93 (LR, 6 June 2013).

Health (Fees) Determination 2013 (No. 4)—Disallowable Instrument DI2013-166 (LR, 27 June 2013).

Heritage Act—

Heritage (Council Member) Appointment 2013 (No. 1)—Disallowable Instrument DI2013-96 (LR, 11 June 2013).

Heritage (Council Member) Appointment 2013 (No. 2)—Disallowable Instrument DI2013-97 (LR, 11 June 2013).

Heritage (Council Member) Appointment 2013 (No. 3)—Disallowable Instrument DI2013-98 (LR, 11 June 2013).

Heritage (Council Member) Appointment 2013 (No. 4)—Disallowable Instrument DI2013-99 (LR, 11 June 2013).


Legislative Assembly (Members’ Staff) Act—

Legislative Assembly (Members’ Staff) Members’ Salary Cap Determination 2013 (No. 1)—Disallowable Instrument DI2013-185 (LR, 8 July 2013).

Legislative Assembly (Members’ Staff) Speaker’s Salary Cap Determination 2013 (No. 1)—Disallowable Instrument DI2013-186 (LR, 8 July 2013).


Magistrates Court Act—


Mental Health (Treatment and Care) Act—Mental Health (Treatment and Care) (Official Visitors) Appointment 2013 (No. 1)—Disallowable Instrument DI2013-84 (LR, 3 June 2013).


Planning and Development Act and Financial Management Act—


Public Place Names Act—

Public Place Names (Gungahlin District) Amendment 2013 (No. 1)—Disallowable Instrument DI2013-184 (LR, 4 July 2013).


Public Unleased Land Act—


Race and Sports Bookmaking Act—


Rates Act—


Rates (Deferral) Determination 2013 (No. 1)—Disallowable Instrument DI2013-82 (LR, 3 June 2013).


Road Transport (Driver Licensing) Act and Road Transport (General) Act—Road Transport Legislation Amendment Regulation 2013 (No. 1)—Subordinate Law SL2013-11 (LR, 23 May 2013).

Road Transport (General) Act—

Road Transport (General) (Demerit Point Suspension Notice) Exemption Declaration 2013 (No. 1)—Disallowable Instrument DI2013-197 (LR, 9 July 2013).


Road Transport (Public Passenger Services) Act—


Road Transport (Public Passenger Services) Regular Route Services Maximum Fares Determination 2013 (No. 2)—Disallowable Instrument DI2013-168 (LR, 27 June 2013).

Road Transport (Public Passenger Services) Regulation—Road Transport (Public Passenger Services) (Minimum Service Standards for Hire Car Services (other than Restricted Hire Car Services)) Approval 2013—Disallowable Instrument DI2013-83 (LR, 3 June 2013).


Stock Act—


Taxation Administration Act—


Taxation Administration (Amounts Payable—Eligibility—New and Substantially Renovated Homes and Land only—Home Buyer Concession Scheme) Determination 2013 (No. 1)—Disallowable Instrument DI2013-86 (LR, 4 June 2013).


Taxation Administration (Rates) Determination 2013 (No. 1)—Disallowable Instrument DI2013-175 (LR, 28 June 2013).


Training and Tertiary Education Act—


Tree Protection Act—


Unit Titles Act—Unit Titles (Fees) Determination 2013 (No. 1)—Disallowable Instrument DI2013-160 (LR, 27 June 2013).

Utilities Act—


Water Resources Act—


Petition out-of-order

Petition which does not conform with the standing orders—ACT Pathology collection centres—Closures—Ms Gallagher (86 signatures).

23 PRESENTATION OF PAPERS

Ms Burch (Minister for Education and Training) presented the following papers:

Education Act, pursuant to section 118A—Non-Government Schools Education Council—

Brindabella Christian College Additional Campus—Advice.

Existing processes relating to in-principle approval and registration of non-government schools in the ACT—

Advice of 16 July 2013.

Advice of 27 July 2013.

24 PRESENTATION OF PAPER

Ms Burch (Minister for the Arts) presented the following paper:

Cultural Facilities Corporation Act, pursuant to subsection 15(2)—Cultural Facilities Corporation—Quarterly report 2012-2013—Third quarter (1 January to 31 March 2013).

25 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—PHILANTHROPY—IMPORTANCE IN CANBERRA

The Assembly was informed that Ms Berry, Dr Bourke, Mr Coe, Mr Doszpot, Mr Gentleman, Mrs Jones, Ms Porter, Mr Smyth and Mr Wall 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 Gentleman be submitted to the Assembly, namely, “The importance of philanthropy in Canberra, new models and new partnerships”.

Discussion ensued.

The time for discussion having expired—

Discussion concluded.
26 ADJOURNMENT

Mr Barr (Deputy Chief Minister) moved—That the Assembly do now adjourn.
Debate ensued.
Question—put and passed.
And then the Assembly, at 5.31 p.m., adjourned until tomorrow at 10 a.m.

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

Tom Duncan
Clerk of the Legislative Assembly
SCHEDULE OF AMENDMENTS

Schedule 1

AUDITOR-GENERAL AMENDMENT BILL 2013

Amendments circulated by Mr Rattenbury

1
Clause 29
Page 12, line 23—

omit clause 29, substitute

29 Reporting sensitive information
Section 19 (1)

(1) The auditor-general must not include information in a report for the Legislative Assembly if the auditor-general considers that the disclosure of the information would, on balance, be contrary to the public interest.

(1A) The disclosure of information may be contrary to the public interest only if the disclosure would be reasonably likely to—

(a) infringe an individual’s right to privacy, or any other right under the Human Rights Act 2004; or

(b) disclose a trade secret, or the business affairs or research of an entity; or

(c) prejudice the investigation of a contravention of a law; or

(d) prejudice relations between the ACT government and another government; or

(e) disclose information mentioned in the Legal Aid Act 1977, section 92 (2) (a) or contained in a document mentioned in that Act, section 92 (2) (b).

2
Clause 30
Page 13, line 1—

omit clause 30, substitute

30 Section 19 (3)

after

omits information

insert

mentioned in subsection (1A) (a) to (d)