



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2012–2013–2014–2015

MINUTES OF PROCEEDINGS

No. 96

THURSDAY, 26 MARCH 2015

1 The Assembly met at 10 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mrs Dunne) ordered the bells to be rung. A quorum having been formed, the Speaker 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 EDUCATION, TRAINING AND YOUTH AFFAIRS—STANDING COMMITTEE—REPORT 3—REPORT ON ANNUAL AND FINANCIAL REPORTS 2013-2014—REPORT NOTED

Ms Porter (Chair), pursuant to order, presented the following report:

Education, Training and Youth Affairs—Standing Committee—Report 3—*Report on Annual and Financial Reports 2013-2014*, dated 26 March 2015, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

3 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 11—REPORT ON ANNUAL AND FINANCIAL REPORTS 2013-14—REPORT NOTED

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

Public Accounts—Standing Committee—Report 11—*Report on Annual and Financial Reports 2013-14*, dated 12 March 2015, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.



4 JUSTICE PORTFOLIO ISSUES—PAPER—PAPER NOTED

Mr Rattenbury (Minister for Justice) presented the following paper:

Justice portfolio issues—Ministerial statement, 26 March 2015—

and moved—That the Assembly takes note of the paper.

Mr Rattenbury, by leave, was granted an extension of time.

Question—put and passed.

5 TRANSPORT REFORM—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Mr Rattenbury (Minister assisting the Chief Minister on Transport Reform), by leave, made a ministerial statement concerning transport reform and presented the following paper:

Transport reform—Ministerial statement, 26 March 2015.

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

Question—put and passed.

6 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2015

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about justice and community safety.

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

7 HUMAN RIGHTS AMENDMENT BILL 2015

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Human Rights Act 2004*.

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

8 PLANNING, BUILDING AND ENVIRONMENT LEGISLATION AMENDMENT BILL 2015

Mr Gentleman (Minister for Planning), pursuant to notice, presented a Bill for an Act to amend legislation about planning, building and the environment, and for other purposes.

Papers: Mr Gentleman presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, undated.

Title read by Clerk.

Mr Gentleman 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.

9 CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2015

Mr Gentleman (Minister for Children and Young People), pursuant to notice, presented a Bill for an Act to amend the *Children and Young People Act 2008*.

Papers: Mr Gentleman presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, undated.

Title read by Clerk.

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

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

10 PUBLIC ACCOUNTS—STANDING COMMITTEE—REFERENCE—ELEMENTS IMPACTING ON THE FUTURE OF THE A.C.T. CLUBS SECTOR

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

- (1) notes the:
 - (a) significant contributions by the clubs sector to the ACT community and economy;
 - (b) following elements impacting on the future of the ACT clubs sector:
 - (i) government gaming reforms;
 - (ii) revenue and profitability;
 - (iii) legislation and regulations;
 - (iv) taxation and charges;
 - (v) land development and sales;
 - (vi) problem gambling;
 - (vii) diversification and mergers;
 - (viii) new business models;

- (ix) poker machines and gambling technologies; and
 - (x) water and resource management; and
- (2) resolves that:
- (a) a Select Committee be established to inquire and report into the future of the clubs industry in the ACT;
 - (b) the committee will be comprised of one member of the Government, one member of the Opposition and a member of the cross bench with proposed members to be nominated to the Speaker by 4 pm this sitting day;
 - (c) the chair of the committee is a member of the Opposition; and
 - (d) the committee report by the last sitting day 2015 with a response from the Government by the first sitting day 2016.

Ms Burch (Minister for Racing and Gaming) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes the ongoing value community clubs provide to the wider Canberra community; and
- (a) the need to secure the long-term financial viability of the community clubs sector to ensure this contribution to the economic and social wellbeing of Canberra continues;
 - (b) the need for community clubs to diversify their business models away from reliance on gaming revenue;
 - (c) the need for harm minimisation measures to protect vulnerable problem gamblers; and
 - (d) the following elements impacting on the future of the ACT clubs sector:
 - (i) revenue and profitability;
 - (ii) legislation and regulations;
 - (iii) taxation and charges;
 - (iv) land development and sales;
 - (v) problem gambling;
 - (vi) diversification and mergers;
 - (vii) new business models;
 - (viii) poker machines and gambling technologies; and
 - (ix) water and resource management;
- (2) notes the Government’s continuing work in partnership with ClubsACT on:
- (a) the comprehensive suite of red tape reduction measures passed by the Legislative Assembly in 2014 as part of the Gaming Machine Reform Package;
 - (b) legislation introducing the second tranche of the Gaming Machine Reform Package, including a trading scheme, will be introduced into the Assembly in May;

- (c) the establishment of a Community Clubs Taskforce in November 2014 to explore further ways the Government can assist community clubs to diversify their business models; and
 - (d) the establishment of Access Canberra as a one-stop shop for businesses, including community clubs, to work with the ACT Government; and
- (3) resolves that:
- (a) the matters in 1(d) and related matters be referred to the Public Accounts Committee for further investigation and consultation with the wider community;
 - (b) a member of the cross bench be appointed to the committee for the purpose of this investigation; and
 - (c) the committee report by the last sitting day of September 2015 with a response from the Government by the last sitting day of November 2015.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the ongoing value community clubs provide to the wider Canberra community; and
 - (a) the need to secure the long-term financial viability of the community clubs sector to ensure this contribution to the economic and social wellbeing of Canberra continues;
 - (b) the need for community clubs to diversify their business models away from reliance on gaming revenue;
 - (c) the need for harm minimisation measures to protect vulnerable problem gamblers; and
 - (d) the following elements impacting on the future of the ACT clubs sector:
 - (i) revenue and profitability;
 - (ii) legislation and regulations;
 - (iii) taxation and charges;
 - (iv) land development and sales;
 - (v) problem gambling;
 - (vi) diversification and mergers;
 - (vii) new business models;
 - (viii) poker machines and gambling technologies; and
 - (ix) water and resource management;
- (2) notes the Government’s continuing work in partnership with ClubsACT on:
 - (a) the comprehensive suite of red tape reduction measures passed by the Legislative Assembly in 2014 as part of the Gaming Machine Reform Package;

- (b) legislation introducing the second tranche of the Gaming Machine Reform Package, including a trading scheme, will be introduced into the Assembly in May;
 - (c) the establishment of a Community Clubs Taskforce in November 2014 to explore further ways the Government can assist community clubs to diversify their business models; and
 - (d) the establishment of Access Canberra as a one-stop shop for businesses, including community clubs, to work with the ACT Government; and
- (3) resolves that:
- (a) the matters in 1(d) and related matters be referred to the Public Accounts Committee for further investigation and consultation with the wider community;
 - (b) a member of the cross bench be appointed to the committee for the purpose of this investigation; and
 - (c) the committee report by the last sitting day of September 2015 with a response from the Government by the last sitting day of November 2015.”—

be agreed to—put and passed.

11 EDUCATION, TRAINING AND YOUTH AFFAIRS—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Ms Porter (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Education, Training and Youth Affairs.

Paper: Ms Porter, pursuant to Continuing Resolution 5A, presented the following paper:

Education, Training and Youth Affairs—Standing Committee—Schedule of Statutory Appointments—8th Assembly—Period 1 July to 31 December 2014.

12 EXECUTIVE BUSINESS—PRECEDENCE

Ordered—That Executive business be called on forthwith.

13 ANNUAL REPORTS (GOVERNMENT AGENCIES) AMENDMENT BILL 2014

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 Rattenbury) and the resumption of the debate made an order of the day for the next sitting.

14 PUBLIC ACCOUNTS—STANDING COMMITTEE—REFERENCE—ANNUAL REPORTS (GOVERNMENT AGENCIES) AMENDMENT BILL 2014

Mr Rattenbury, by leave, moved—That:

- (1) the Annual Reports (Government Agencies) Amendment Bill 2014 be referred to the Standing Committee on Public Accounts for inquiry and report;

- (2) the Committee is to consider the bill in conjunction with online reporting requirements; and
- (3) the Standing Committee on Public Accounts is to report to the Assembly by 1 May 2015. If the Assembly is not sitting when the Committee has completed its report the Speaker, or in the absence of the Speaker, the Deputy Speaker is authorised to make directions for its printing, publication and distribution.

Debate ensued.

Mr Barr (Chief Minister) moved the following amendment: Omit “1 May 2015”, substitute “5 May 2015”.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That:

- (1) the Annual Reports (Government Agencies) Amendment Bill 2014 be referred to the Standing Committee on Public Accounts for inquiry and report;
- (2) the Committee is to consider the bill in conjunction with online reporting requirements; and
- (3) the Standing Committee on Public Accounts is to report to the Assembly by 5 May 2015. If the Assembly is not sitting when the Committee has completed its report the Speaker, or in the absence of the Speaker, the Deputy Speaker is authorised to make directions for its printing, publication and distribution.”—

be agreed to—put and passed.

15 QUESTIONS

Questions without notice were asked.

16 FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER

Mr Barr (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 16—Instrument directing a transfer of appropriations from the Office of the Legislative Assembly to the ACT Executive, including a statement of reasons, dated 20 March 2015—

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

17 PETITION OUT-OF-ORDER—PAPER

Ms Burch (Manager of Government Business) presented the following paper:

Petition which does not conform with the standing orders—Greyhound racing in the ACT—Ms Burch (243 signatures).

18 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—URBAN RENEWAL

The Assembly was informed that Dr Bourke, Mr Doszpot, Ms Fitzharris, Mr Hanson (Leader of the Opposition), Ms Lawder, Ms Porter 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 Lawder be submitted to the Assembly, namely, “The importance of genuine urban renewal in the ACT”.

Discussion ensued.

Discussion concluded.

19 COURTS LEGISLATION AMENDMENT BILL 2015

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 Corbell (Attorney-General), pursuant to standing order 182A(b), by leave, his amendment No. 1 (*see* [Schedule 1](#)) was made, after debate.

Paper: Mr Corbell presented a supplementary explanatory statement to the Government amendment.

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

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

20 ADJOURNMENT

Ms Burch (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Mrs Dunne, who had already spoken, by leave, again addressed the Assembly.

Question—put and passed.

And then the Assembly, at 5.15 p.m., adjourned until Tuesday, 5 May 2015 at 10 a.m.

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

*on leave

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

COURTS LEGISLATION AMENDMENT BILL 2015

Amendment circulated by the Attorney-General

1

Clause 25

Proposed new section 79F

Page 26, line 13—

insert

79F **Miscellaneous provision**

A statement about any matter that is made by or on behalf of the accused person for the purposes of complying with requirements for pre-trial disclosure imposed by or under this division does not constitute an admission of that matter by the accused person.
