



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

## MINUTES OF PROCEEDINGS

No 60

**WEDNESDAY, 6 JUNE 2018**

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**1** The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms J. Burch) 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 ANTI-CORRUPTION AND INTEGRITY COMMISSION BILL 2018**

Mr Coe (Leader of the Opposition), pursuant to notice, presented a Bill for an Act to establish the Anti-corruption and Integrity Commission, and for other purposes.

*Paper:* Mr Coe presented an explanatory statement to the Bill.

Title read by Clerk.

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

Debate adjourned (Mr Barr—Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

**3 INDEPENDENT INTEGRITY COMMISSION 2018—SELECT COMMITTEE—ESTABLISHMENT**

Mr Barr (Chief Minister), by leave, moved—

(1) that a select committee be established to further inquire into the establishment of an integrity commission for the ACT, through examination of a draft Government bill and the Anti-corruption and Integrity Commission Bill 2018, and other related matters, with consideration of:

(a) the Select Committee on an Independent Integrity Commission’s report released in October 2017; and



- (b) human rights requirements under the *Human Rights Act 2004*;
- (2) the select committee shall consist of the same Members of the previous select committee inquiring into an Independent Integrity Commission, unless a Member is unavailable, consisting of:
  - (a) two Members to be nominated by the Government;
  - (b) two Members to be nominated by the Opposition;
  - (c) one Member to be nominated by the Crossbench; and
  - (d) the chair shall be a Crossbench Member;
- (3) the select committee be provided with necessary staff, facilities and resources;
- (4) the select committee is to report by 31 October 2018;
- (5) if the Assembly is not sitting when the committee has completed its inquiry, the committee may send its 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;
- (6) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
- (7) nominations for membership of the committee be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.

Question—put and passed.

#### **4 CORE SERVICES—DELIVERY**

Ms Cheyne, pursuant to notice, moved—That this Assembly:

- (1) notes that:
  - (a) Canberra has the second fastest growing population in Australia, with our population predicted to reach 428 000 by the year 2020;
  - (b) every year about 4000 new homes are being added to our city; and
  - (c) our growing population means greater demand is being placed on municipal services to keep our city and suburbs neat and green and on our transport networks to keep our city moving;
- (2) acknowledges that the ACT Government has announced funding in the 2018 Budget to deliver growing services for our growing city, including:
  - (a) growth funding to maintain the public realm and provide municipal services to new communities across Canberra including homes in both infill developments and new suburban estates;
  - (b) providing additional city services including mowing, lake and pond cleaning, graffiti management, weed control, tree maintenance and bus shelter cleaning;

- (c) improving local playgrounds, including a participatory budgeting process led by the Better Suburbs Citizens Forum and providing ongoing maintenance of playgrounds to address high priority, high risk safety concerns in playgrounds; and
- (d) planting 1330 trees to reduce heat island effect in urban areas;
- (3) further notes that the ACT Government is also delivering better town centres and encouraging an active lifestyle by providing safe and convenient active travel and transport infrastructure, including:
  - (a) building the Belconnen bikeway and improving pedestrian connections in the Belconnen Town Centre;
  - (b) providing new and improved cycle ways and streetscapes in the Woden Town Centre;
  - (c) revitalising cycling and pedestrian connections in the Tuggeranong Town Centre; and
  - (d) road improvements, including safer intersections, across the Territory;
- (4) further notes the ACT Government is investing in a modern, convenient integrated public transport network; and
- (5) calls on the Government to continue to:
  - (a) deliver core services that provide on-the-ground, tangible, everyday improvements that directly impact the lives of ACT residents; and
  - (b) engage ACT residents in determining what improvements are important for their communities.

Debate ensued.

Question—put and passed.

## 5 LIGHT RAIL CONSTRUCTION—IMPACT ON LOCAL BUSINESSES

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

- (1) notes:
  - (a) that Light Rail Stage 1 construction has had an impact on businesses;
  - (b) that, despite the Government's Environmental Impact Study assessing the risk to local business as "residual" based on the likely impact of construction as "possible" and a consequence of "minor", businesses are in fact suffering;
  - (c) a central justification for the Light Rail project, according to the Government's own business case was to grow and diversify the economy when, in fact, this project and its prolonged construction has hurt many local business owners and had flow on effects to their employees, suppliers and customers; and
  - (d) there has been a similar independent study conducted in NSW which has resulted in compensation being offered to businesses in the form of rent relief; and

- (2) calls on the:
- (a) Government to acknowledge that this project has caused major disruptions, reduced the custom of many local businesses and this, in turn, has impacted on business owners, employees, customers and the broader community;
  - (b) Assembly to express its concern at the lack of adequate support provided to businesses, particularly in the Gungahlin and Mitchell section of the Light Rail corridor;
  - (c) Government to provide financial compensation by engaging external consultants to assess the impact on local business and provide options for compensation and recourse; and
  - (d) Government to provide a report on the assessed impact of Stage 1 Light Rail construction to businesses with options for financial remedies to the Assembly by 31 July 2018.

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

- “(1) notes that:
- (a) the ACT Government is delivering stage 1 of a city-wide light rail network, the biggest infrastructure project the Territory has ever undertaken;
  - (b) the project is creating employment with almost 80 percent of the workforce coming from Canberra and the surrounding region;
  - (c) the Government is delivering significant investments into the Gungahlin Town Centre, including light rail, the construction of a new bus station, and upgrades to key intersections, including new traffic lights. The Government is also creating a new shared-zone for Hibberson Street, after considerable community feedback to improve the pedestrian experience;
  - (d) the Government acknowledges that these are significant construction projects which have caused disruption to local businesses and community, but will have significant community and business benefit when completed;
  - (e) during construction in the Gungahlin Town Centre, the Gungahlin region has also welcomed new businesses in Franklin, Amaroo and Casey, significantly increasing the available retail in the region and improving competition;
  - (f) the ACT Government provides funding to the Canberra Business Chamber for the Light Rail Business Link (LRBL) Program which provides ongoing communications, industry collaboration and business support programs, to mitigate impacts to business along the light rail corridor;
  - (g) the Program has delivered six quarterly forums with 530 people in attendance in total. In addition, 225 people in total have participated in workshops and round tables;

- (h) the Program also makes regular briefings and educational presentations to individuals, Centre Managers, Business Reference groups and other public forums; and
- (i) focused business support has been provided including:
  - (i) installing new temporary signage around the construction zone to direct pedestrians to local businesses;
  - (ii) social media promotion involving producing and hosting video clips of individual local businesses; banners and promotional signage;
  - (iii) contracting local businesses as preferred providers for event catering, flu immunisation and participant rewards, eg free coffee at a local cafe for attending the light rail tour; and
  - (iv) removing fencing as soon as possible to allow for improved pedestrian amenity and street appeal;
- (2) further notes that major light rail construction works in Hibberson Street Gungahlin are complete, the Gungahlin Bus Station is operating with landscaping to be completed in June, and other works on the Hibberson Street shared zone will be completed in August; and
- (3) calls on the ACT Government to:
  - (a) continue to support the LRBL Program until light rail stage one is operating;
  - (b) undertake an assessment of the impact of all construction activities on local businesses and report back in September 2018;
  - (c) ensure lessons learnt on the impact to businesses inform future infrastructure projects across the Territory;
  - (d) coordinate and support a Gungahlin Street Party event to advertise and celebrate the completion of light rail and other works in the Gungahlin Town Centre; and
  - (e) support a Gungahlin Town Centre precinct activation and broader marketing strategy which encourages locals to shop locally and visitors to increase their spending in the Gungahlin.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
  - (a) the ACT Government is delivering stage 1 of a city-wide light rail network, the biggest infrastructure project the Territory has ever undertaken;
  - (b) the project is creating employment with almost 80 percent of the workforce coming from Canberra and the surrounding region;

- (c) the Government is delivering significant investments into the Gungahlin Town Centre, including light rail, the construction of a new bus station, and upgrades to key intersections, including new traffic lights. The Government is also creating a new shared-zone for Hibberson Street, after considerable community feedback to improve the pedestrian experience;
  - (d) the Government acknowledges that these are significant construction projects which have caused disruption to local businesses and community, but will have significant community and business benefit when completed;
  - (e) during construction in the Gungahlin Town Centre, the Gungahlin region has also welcomed new businesses in Franklin, Amaroo and Casey, significantly increasing the available retail in the region and improving competition;
  - (f) the ACT Government provides funding to the Canberra Business Chamber for the Light Rail Business Link (LRBL) Program which provides ongoing communications, industry collaboration and business support programs, to mitigate impacts to business along the light rail corridor;
  - (g) the Program has delivered six quarterly forums with 530 people in attendance in total. In addition, 225 people in total have participated in workshops and round tables;
  - (h) the Program also makes regular briefings and educational presentations to individuals, Centre Managers, Business Reference groups and other public forums; and
  - (i) focused business support has been provided including:
    - (i) installing new temporary signage around the construction zone to direct pedestrians to local businesses;
    - (ii) social media promotion involving producing and hosting video clips of individual local businesses; banners and promotional signage;
    - (iii) contracting local businesses as preferred providers for event catering, flu immunisation and participant rewards, eg free coffee at a local cafe for attending the light rail tour; and
    - (iv) removing fencing as soon as possible to allow for improved pedestrian amenity and street appeal;
- (2) further notes that major light rail construction works in Hibberson Street Gungahlin are complete, the Gungahlin Bus Station is operating with landscaping to be completed in June, and other works on the Hibberson Street shared zone will be completed in August; and
- (3) calls on the ACT Government to:
- (a) continue to support the LRBL Program until light rail stage one is operating;
  - (b) undertake an assessment of the impact of all construction activities on local businesses and report back in September 2018;

- (c) ensure lessons learnt on the impact to businesses inform future infrastructure projects across the Territory;
- (d) coordinate and support a Gungahlin Street Party event to advertise and celebrate the completion of light rail and other works in the Gungahlin Town Centre; and
- (e) support a Gungahlin Town Centre precinct activation and broader marketing strategy which encourages locals to shop locally and visitors to increase their spending in the Gungahlin.”—

be agreed to—put and passed.

## **6 INDEPENDENT INTEGRITY COMMISSION 2018—SELECT COMMITTEE—MEMBERSHIP**

The Speaker, pursuant to the resolution of the Assembly of today, informed the Assembly that she had been notified, in writing, of the nominations of Ms Cody, Mrs Dunne, Ms Lee, Mr Rattenbury and Mr Steel to be members of the Select Committee on an Independent Integrity Commission 2018.

Ms Fitzharris (Minister for Health and Wellbeing) moved—That the Members so nominated be appointed as members of the Select Committee on an Independent Integrity Commission 2018.

Question—put and passed.

## **7 QUESTIONS**

Questions without notice were asked.

## **8 PRESENTATION OF PAPERS**

Mr Barr (Chief Minister) presented the following papers:

Economic Development and Tourism—Standing Committee—Report 2—*Report on Annual and Financial Reports 2016-2017*—Government response.

Education, Employment and Youth Affairs—Standing Committee—Report 2—*Report on Annual and Financial Reports 2016-2017 and University of Canberra 2016 Annual Report*—Government response.

Environment and Transport and City Services—Standing Committee—Report 5—*Report on Annual and Financial Reports 2016-2017*—Government response.

Health, Ageing and Community Services—Standing Committee—Report 3—*Report on Annual and Financial Reports 2016-2017*—Government response.

Justice and Community Safety—Standing Committee—Report 2—*Report on Annual and Financial Reports 2016-2017*—Government response.

Planning and Urban Renewal—Standing Committee—Report 5—*Report on Annual and Financial Reports 2016-2017*—Government response.

Public Accounts—Standing Committee—Report 2—*Report on Annual and Financial Reports 2016-2017*—

Government response.

Response to Recommendation 11—Report on the use of Attraction and Retention Incentives, dated June 2018.

**9 PRESENTATION OF PAPER**

Ms Fitzharris (Minister for Higher Education, Training and Research) presented the following paper:

University of Canberra Act, pursuant to section 36—Annual report 2017—University of Canberra (2 volumes), dated April 2018.

**10 ANNUAL REPORTS (GOVERNMENT AGENCIES) ACT—ANNUAL REPORT 2016-2017—A.C.T. POLICING—CORRIGENDUM—PAPER AND STATEMENT BY MINISTER**

Mr Gentleman (Minister for Police and Emergency Services) presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2016-2017—ACT Policing—Corrigendum—

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

**11 PLANNING AND URBAN RENEWAL—STANDING COMMITTEE—REPORT 4—DRAFT VARIATION TO THE TERRITORY PLAN NO 329: WESTON GROUP CENTRE AND SURROUNDING COMMUNITY AND LEISURE AND ACCOMMODATION LANDS: ZONE CHANGES AND AMENDMENTS TO THE WESTON PRECINCT MAP AND CODE—GOVERNMENT RESPONSE—PAPER NOTED**

Mr Gentleman (Minister for Planning and Land Management) presented the following paper:

Planning and Urban Renewal—Standing Committee—Report 4—*Draft Variation to the Territory Plan No 329: Weston Group Centre and Surrounding Community and Leisure and Accommodation Lands: Zone changes and amendments to the Weston Precinct map and code*—Government response—

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

Question—put and passed.

**12 CHILDREN AND YOUNG PEOPLE ACT—A.C.T. CHILDREN AND YOUNG PEOPLE DEATH REVIEW COMMITTEE—ANNUAL REPORT 2017—PAPER AND STATEMENT BY MINISTER**

Ms Stephen-Smith (Minister for Disability, Children and Youth) presented the following paper:

Children and Young People Act, pursuant to subsection 727S(5)—ACT Children and Young People Death Review Committee—Annual Report 2017, dated 30 April 2018—

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

**13 STREET SWEEPING**

Ms Lee, pursuant to notice, moved—That this Assembly:

(1) notes that:

- (a) millions of deciduous trees across the ACT collectively drop thousands of cubic metre of leaves onto Canberra's roads, footpaths and gutters; and
- (b) insufficient street sweeping of Canberra roads leads to leaf litter entering our storm water system, causing:

- (i) blockages;
  - (ii) organic material to flow down the drain; and
  - (iii) contributes to blue-green algal blooms in our lakes; and
- (2) calls on the ACT Government to, by the end of the first sitting week in October 2018:
- (a) conduct an audit of the timetable for street sweeping in all suburbs and review the requests for street sweeping received via the Fix My Street portal to better match the schedule to the needs of Canberra seasonal changes; and
  - (b) establish a minimum timeframe to respond to street sweeping requests lodged on the Fix My Street website.

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

- “(1) notes that:
- (a) during Autumn, deciduous street trees across the ACT collectively drop thousands of cubic metres of leaves onto Canberra’s roads, footpaths and gutters;
  - (b) the 2018-19 ACT Budget is investing an additional \$19.8 million in city services across our city to help maintain our public realm and meet the needs of our growing population;
  - (c) the ACT Government conducts a comprehensive street sweeping program to remove leaves and debris from gutters along our road network;
  - (d) every street in Canberra receives at least two sweeps every year, and suburbs in the inner north and south receive five sweeps per year to account for additional leaf litter due to the higher number of deciduous street trees;
  - (e) Transport Canberra and City Services (TCCS) has recently undertaken a street sweeping optimisation project. The project has looked at ways to optimise the current program utilising the existing fleet and resources to increase street sweeping frequencies in leafier suburbs and areas of Canberra; and
  - (f) more information on the street sweeping program can be found on the TCCS website: [http://www.tccs.act.gov.au/roads-paths/Road\\_Infrastructure\\_and\\_Maintenance/street-sweeping](http://www.tccs.act.gov.au/roads-paths/Road_Infrastructure_and_Maintenance/street-sweeping);
- (2) further notes that:
- (a) the ACT government delivers the ACT Healthy Waterways project to improve the quality of water in our lakes and waterways. The project includes the construction of infrastructure like wetlands, ponds and rain gardens as well as research and an important community education campaign which highlights key habits that contribute to poor water quality such as raking or blowing leaves into the drains, over-fertilising and washing cars in driveways;

- (b) the ACT Government has also delivered green bins to Weston Creek, Kambah and Tuggeranong and is delivering on its election commitment to provide green bins to all suburbs across Canberra; and
  - (c) the ACT Government is developing a Better Suburbs Statement through a deliberative community panel to consider how Canberra’s city services (which will include street sweeping) can continue to deliver for our growing community; and
- (3) calls on the ACT Government to:
- (a) continue to regularly review and monitor the street sweeping program to ensure it is meeting the needs of our growing city; and
  - (b) continue to rollout green bins to all suburbs of Canberra by July 2019.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 9	
Ms J. Burch	Ms Orr	Miss C. Burch	Mr Milligan
Ms Cheyne	Mr Pettersson	Mr Coe	Mr Parton
Ms Cody	Mr Ramsay	Mr Hanson	Mr Wall
Ms Fitzharris	Mr Rattenbury	Mrs Kikkert	
Mr Gentleman	Mr Steel	Ms Lawder	
Ms Le Couteur	Ms Stephen-Smith	Ms Lee	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
- (a) during Autumn, deciduous street trees across the ACT collectively drop thousands of cubic metres of leaves onto Canberra’s roads, footpaths and gutters;
  - (b) the 2018-19 ACT Budget is investing an additional \$19.8 million in city services across our city to help maintain our public realm and meet the needs of our growing population;
  - (c) the ACT Government conducts a comprehensive street sweeping program to remove leaves and debris from gutters along our road network;
  - (d) every street in Canberra receives at least two sweeps every year, and suburbs in the inner north and south receive five sweeps per year to account for additional leaf litter due to the higher number of deciduous street trees;
  - (e) Transport Canberra and City Services (TCCS) has recently undertaken a street sweeping optimisation project. The project has looked at ways to optimise the current program utilising the existing fleet and resources to increase street sweeping frequencies in leafier suburbs and areas of Canberra; and

- (f) more information on the street sweeping program can be found on the TCCS website: [http://www.tccs.act.gov.au/roads-paths/Road\\_Infrastructure\\_and\\_Maintenance/street-sweeping](http://www.tccs.act.gov.au/roads-paths/Road_Infrastructure_and_Maintenance/street-sweeping);
  - (2) further notes that:
    - (a) the ACT government delivers the ACT Healthy Waterways project to improve the quality of water in our lakes and waterways. The project includes the construction of infrastructure like wetlands, ponds and rain gardens as well as research and an important community education campaign which highlights key habits that contribute to poor water quality such as raking or blowing leaves into the drains, over-fertilising and washing cars in driveways;
    - (b) the ACT Government has also delivered green bins to Weston Creek, Kambah and Tuggeranong and is delivering on its election commitment to provide green bins to all suburbs across Canberra; and
    - (c) the ACT Government is developing a Better Suburbs Statement through a deliberative community panel to consider how Canberra's city services (which will include street sweeping) can continue to deliver for our growing community; and
  - (3) calls on the ACT Government to:
    - (a) continue to regularly review and monitor the street sweeping program to ensure it is meeting the needs of our growing city; and
    - (b) continue to rollout green bins to all suburbs of Canberra by July 2019."—
- be agreed to—put and passed.

#### **14 EDUCATION—CONTINUED INVESTMENT**

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

- (1) notes the ACT Government's history of investment to improve access to a quality education for all Canberrans, including:
  - (a) new public schools and investment to expand existing public schools;
  - (b) new infrastructure at our existing schools;
  - (c) more psychologists and secular support for student wellbeing and Safe and Inclusive Schools;
  - (d) providing support and resources for effective teaching and teacher development;
  - (e) preparing children with the skills of the future in science, technology, engineering, and mathematics;
  - (f) improving access to quality early childhood education; and
  - (g) support for greater parental engagement with local school communities;
- (2) further notes new education measures announced by the ACT Government in the 2018-19 ACT Budget; and

- (3) calls on the ACT Government to continue to deliver investment in our nation-leading education system, to grow Canberra’s future prosperity.

Mr Steel, by leave, moved the following amendment: Omit paragraph (2), substitute:

- “(2) further notes new education measures announced by the ACT Government in the 2018-19 ACT Budget, including:
- (a) \$6.7 million for continued work on an early childhood strategy;
  - (b) \$5.2 million to establish a future skills academy;
  - (c) \$9.2 million for the Future of Education Strategy;
  - (d) \$23.2 million for students with a disability and complex health needs;
  - (e) \$7.3 million for 15 additional school psychologists;
  - (f) \$600 000 to support parental engagement;
  - (g) \$31 million to provide more resources for student growth;
  - (h) \$47 million for a new government primary school in the Molonglo Valley, and planning for a 7-10 campus;
  - (i) \$18 million to replace roofs at six government schools;
  - (j) \$19.8 million to continue to support growth in enrolments across Gungahlin;
  - (k) \$18.8 million to modernise Campbell Primary School; and
  - (l) \$750 000 to undertake early planning and design for modernisation of Narrabundah College;”.

Amendment agreed to.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the ACT Government’s history of investment to improve access to a quality education for all Canberrans, including:
- (a) new public schools and investment to expand existing public schools;
  - (b) new infrastructure at our existing schools;
  - (c) more psychologists and secular support for student wellbeing and Safe and Inclusive Schools;
  - (d) providing support and resources for effective teaching and teacher development;
  - (e) preparing children with the skills of the future in science, technology, engineering, and mathematics;
  - (f) improving access to quality early childhood education; and
  - (g) support for greater parental engagement with local school communities;

- (2) further notes new education measures announced by the ACT Government in the 2018-19 ACT Budget, including:
- (a) \$6.7 million for continued work on an early childhood strategy;
  - (b) \$5.2 million to establish a future skills academy;
  - (c) \$9.2 million for the Future of Education Strategy;
  - (d) \$23.2 million for students with a disability and complex health needs;
  - (e) \$7.3 million for 15 additional school psychologists;
  - (f) \$600 000 to support parental engagement;
  - (g) \$31 million to provide more resources for student growth;
  - (h) \$47 million for a new government primary school in the Molonglo Valley, and planning for a 7-10 campus;
  - (i) \$18 million to replace roofs at six government schools;
  - (j) \$19.8 million to continue to support growth in enrolments across Gungahlin;
  - (k) \$18.8 million to modernise Campbell Primary School; and
  - (l) \$750 000 to undertake early planning and design for modernisation of Narrabundah College; and
- (3) calls on the ACT Government to continue to deliver investment in our nation-leading education system, to grow Canberra’s future prosperity.”—

be agreed to—put and passed.

## 15 CHIEF ENGINEER—PROPOSED APPOINTMENT

Ms Lawder, pursuant to notice, moved—That this Assembly:

- (1) notes:
- (a) the vital roles that engineers play at all stages of project development, including conceptualisation, planning, approval, construction, testing, acceptance and maintenance;
  - (b) both the Liberal and Labor parties committed to the establishment of a Chief Engineer during the 2016 election;
  - (c) despite a commitment in the 2017-18 Budget, the ACT is still without a Chief Engineer; and
- (2) calls on the Government to appoint a Chief Engineer for the ACT.

Mr Gentleman (Minister for Planning and Land Management), by leave, moved the following amendments together:

- (1) Omit paragraph (1)(c), substitute:
- “(c) the Government has been engaging with key stakeholders on the establishment and appointment of a Chief Engineer; and”.

(2) Omit paragraph (2), substitute:

“(2) further notes:

- (a) the 2018-19 Budget establishes the role of a Chief Engineer for the ACT to improve the quality and efficiency of ACT Government infrastructure delivery; and
- (b) the Government will shortly make an announcement about the appointment of a Chief Engineer.”.

Debate continued.

Amendments agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

(1) notes:

- (a) the vital roles that engineers play at all stages of project development, including conceptualisation, planning, approval, construction, testing, acceptance and maintenance;
- (b) both the Liberal and Labor parties committed to the establishment of a Chief Engineer during the 2016 election;
- (c) the Government has been engaging with key stakeholders on the establishment and appointment of a Chief Engineer; and

(2) further notes:

- (a) the 2018-19 Budget establishes the role of a Chief Engineer for the ACT to improve the quality and efficiency of ACT Government infrastructure delivery; and
- (b) the Government will shortly make an announcement about the appointment of a Chief Engineer.”—

be agreed to—put and passed.

## 16 ADJOURNMENT NEGATIVED

It being 6 pm—The question was proposed—That the Assembly do now adjourn.

Mr Gentleman (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

## 16 CASUAL VACANCY IN THE AUSTRALIAN SENATE—ELIGIBILITY OF CANDIDATE

Mrs Dunne, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) the ruling of the High Court of Australia that Ms Katy Gallagher was ineligible under the Australian Constitution to stand as a candidate for election to the Australian Senate at the 2016 Federal election;

- (b) the Chief Minister’s motion presented to and passed by the Assembly on 25 March 2015, calling on the Assembly to choose Ms Gallagher to fill a casual vacancy in the Australian Senate;
  - (c) the statement made in the Chief Minister’s motion that Ms Gallagher was, “a person who is eligible to be a senator”;
  - (d) in light of the High Court’s ruling, it appears the Chief Minister inadvertently misled the Assembly; and
  - (e) it follows that the Assembly, through the Chief Minister, inadvertently misled the Governor-General of the Commonwealth of Australia and, thus, the Australian Parliament as to Ms Gallagher’s eligibility to fill the casual vacancy; and
- (2) calls on the Chief Minister to:
- (a) correct the Assembly’s record; and
  - (b) write to the Governor-General, apologising for the Assembly’s inadvertent mislead.

Mr Barr (Chief Minister) moved the following amendment: Omit all words after (1), substitute:

“(1) notes:

- (a) the High Court of Australia, acting as the Court of Disputed Returns, ruled on 8 May 2018 that Ms Katy Gallagher was ineligible to stand as a Senate candidate for the 2016 Federal election, after Ms Gallagher referred herself to the Court for consideration of her eligibility; and
  - (b) following a resolution of the Legislative Assembly of 30 November 2017, the Administration and Procedure Committee report tabled on 15 February 2018 found that the ACT Legislative Assembly has one of the more robust procedures to select a Senator when compared to practices in other State and Territory legislatures; and
- (2) recognises that:
- (a) the High Court of Australia, in its decision of 8 May 2018, has now provided further guidance on eligibility that will assist potential candidates and political parties for their candidate selection in the future; and
  - (b) the High Court decision will be considered in the context of the current review of standing orders.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

(1) notes:

- (a) the High Court of Australia, acting as the Court of Disputed Returns, ruled on 8 May 2018 that Ms Katy Gallagher was ineligible to stand as a Senate candidate for the 2016 Federal election, after Ms Gallagher referred herself to the Court for consideration of her eligibility; and
  - (b) following a resolution of the Legislative Assembly of 30 November 2017, the Administration and Procedure Committee report tabled on 15 February 2018 found that the ACT Legislative Assembly has one of the more robust procedures to select a Senator when compared to practices in other State and Territory legislatures; and
- (2) recognises that:
- (a) the High Court of Australia, in its decision of 8 May 2018, has now provided further guidance on eligibility that will assist potential candidates and political parties for their candidate selection in the future; and
  - (b) the High Court decision will be considered in the context of the current review of standing orders.”—

be agreed to—put and passed.

## 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 6.24 pm, adjourned until tomorrow at 10 am.

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

\*on leave

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**Tom Duncan**  
Clerk of the Legislative Assembly