



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

### MINUTES OF PROCEEDINGS

No 71

**TUESDAY, 18 SEPTEMBER 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 E-PETITIONS—STATEMENTS BY MEMBERS**

The Clerk announced that the following Members had lodged e-petitions for presentation:

Ms Le Couteur, from 484 residents, requesting that the Assembly provide within six months a finalised three year plan for at least 30 fully fenced play spaces and develop an application or website for locating fenced play spaces (e-Pet 14-18).

Mr Parton, from 1225 residents, requesting that the Assembly call on the ACT Government to engage in comprehensive consultation with all stakeholders, commission a report on the social value of ACT clubs and provide an economic analysis of the proposed centrally administered fund (e-Pet 15-18).

Pursuant to standing order 99A, e-petition No 15-18 stands referred to the Standing Committee on Justice and Community Safety.

Ms Le Couteur, Ms Lawder and Mr Parton, by leave, made statements in relation to the petitions.

**3 ASSISTANT SPEAKER**

The Speaker informed the Assembly that, pursuant to standing order 8, she had revoked the nomination of Mr Steel as an Assistant Speaker and nominated Ms Orr as Assistant Speaker and presented the following warrant of revocation and nomination:



Pursuant to the provisions of standing order 8, I—

1. revoke the nomination of Mr Steel as an Assistant Speaker; and
2. nominate Ms Orr to act as an Assistant Speaker.

Given under my hand on 3 September 2018.

Joy Burch MLA  
Speaker  
3 September 2018

**4 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 21—STATEMENT BY CHAIR**

Ms Lee (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 21, dated 11 September 2018, together with a copy of the extracts of the relevant minutes of proceedings—

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

**5 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE—INQUIRY—MATERNITY SERVICES IN THE A.C.T.—STATEMENT BY CHAIR**

Mr Pettersson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Health, Ageing and Community Services had resolved to conduct an inquiry into, and report on, the operation of maternity services across the ACT.

**6 PUBLIC ACCOUNTS—STANDING COMMITTEE—AUDITOR-GENERAL'S REPORTS NOS 5/2018, 6/2018, 7/2018, 8/2018—INQUIRIES—AUDITOR-GENERAL'S REPORTS NOS 5/2018 AND 8/2018—STATEMENT BY CHAIR**

Mrs Dunne (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had been briefed on the following Auditor-General's reports:

No 5/2018—Act clubs' community contributions.

No 6/2018—Physical Security.

No 7/2018—Five ACT public schools' engagement with Aboriginal and Torres Strait Islander students, families and community.

No 8/2018—Assembly of rural land west of Canberra—

and had resolved to inquire further into Reports Nos 5/2018 and 8/2018.

The Committee also resolved to refer Report No 7/2018 to the Standing Committee on Education, Employment and Youth Affairs for its consideration.

**7 BETTER SUBURBS STATEMENT 2030—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED**

Mr Steel (Minister for City Services) made a ministerial statement concerning the Better Suburbs Statement 2030 and presented the following papers:

Better Suburbs Statement 2030—Ministerial statement, 18 September 2018.

Have your say on city services for Better Suburbs—Statement 2030.

Mr Steel moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

**8 EVALUATION OF THE 2015 INNOVATION REFORMS TO THE ON-DEMAND TRANSPORT INDUSTRY IN THE A.C.T.—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED**

Mr Ramsay (Minister for Business and Regulatory Services) made a ministerial statement concerning Evaluation of the 2015 Innovation Reforms to the On-Demand Transport Industry in the ACT Report and presented the following papers:

Evaluation of the 2015 Innovation Reforms to the On-Demand Transport Industry in the ACT—

Ministerial statement, 18 September 2018.

Summary report, dated September 2018.

Results of community engagement, dated June 2018.

ACT on-demand transport reforms—Briefings prepared for the ACT Government by the Centre for International Economics—

The Impacts, dated 15 November 2017

Impacts on taxi stakeholders—Issues to consider, dated 15 November 2017.

Reform of on-demand transport industry in the ACT—Further consultation on taxi licences and fares—Discussion paper, dated September 2018.

Mr Ramsay moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

**9 HARRISON SCHOOL—DISCOVERY AND REMEDIATION OF NON-FRIABLE ASBESTOS IN GARDEN BEDS—STATEMENT BY MINISTER—PAPER—MOTION TO TAKE NOTE OF PAPER**

Ms Berry (Minister for Education and Early Childhood Development), by leave, made a statement regarding the discovery and remediation of non-friable asbestos at Harrison School.

*Paper:* Ms Berry presented the following paper:

Harrison School—Copy of statement—18 September 2018.

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

Debate adjourned (Mr Wall) and the resumption of the debate made an order of the day for a later hour this day.

**10 BETTING OPERATIONS TAX BILL 2018**

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.

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*Detail Stage*

Bill, by leave, taken as a whole—

Mr Parton, by leave, moved his amendment No 1 (see [Schedule 1](#)) that had not been circulated in accordance with standing order 178A.

*Assistant Speaker's ruling:* The Assistant Speaker, in accordance with the provisions of standing order 200, ruled Mr Parton's amendment out-of-order as its effect would be to appropriate the public money of the Territory.

Debate adjourned (Mr Coe—Leader of the Opposition) and the resumption of the debate made an order of the day for a later hour this day.

**11 RED TAPE REDUCTION LEGISLATION AMENDMENT BILL 2018**

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.

**12 CRIMES (RESTORATIVE JUSTICE) AMENDMENT BILL 2018**

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.

**13 QUESTIONS**

Questions without notice were asked.

**14 PRESENTATION OF PAPERS**

The Speaker presented the following papers:

Legislative Assembly (Members' Superannuation) Act, pursuant to section 11A—Australian Capital Territory Legislative Assembly Members Superannuation Board—Annual Report 2017-2018, dated 3 September 2017.

Ombudsman Act, pursuant to section 21—ACT Ombudsman complaint statistics—Quarterly report for the period 1 April to 30 June 2018 and annual report for the 2017/18 financial year, dated 9 August 2018.

Budget protocols—Letter to the Chief Minister from the Speaker, dated 21 August 2018, together with the Budget Protocols Agreement for the Office of the Legislative Assembly and Officers of the Legislative Assembly.

Government Agencies (Campaign Advertising) Act, pursuant to subsection 20(2)—Independent Reviewer—Report for the period 1 January to 30 June 2018, dated 31 August 2018, prepared by Professor Dennis Pearce.

Estimates 2018-2019—Select Committee—

Schedule of answers to outstanding questions on notice for the period 31 July to 31 August 2018, dated 18 September 2017, including a copy of the relevant answers.

Request for copies of services contracts between Icon Water and ActewAGL—Letter to the Chair from the Managing Director, Icon Water, dated 31 July 2018.

Number of preschool places planned for Margaret Hendry School, Taylor—Information provided to the Select Committee on Estimates 2018-2019—Letter to the Speaker from the Minister for Education and Early Childhood Development, dated 4 September 2018.

Question on notice No E18-564—Information provided to the Select Committee on Estimates 2018-2019—Letter to the Speaker from the Minister for Housing and Suburban Development, dated 4 September 2018.

Standing order 191—Amendments to the Veterinary Practice Bill 2018, dated 28 and 29 August 2018.

## **15 PRESENTATION OF PAPERS**

Mr Barr (Chief Minister) presented the following papers:

Administrative Arrangements—

Administrative Arrangements 2018 (No 1)—Notifiable Instrument NI2018-482, dated 24 August 2018.

Australian Capital Territory (Self-Government) Ministerial Appointment 2018 (No 1)—Notifiable Instrument NI2018-483, dated 24 August 2018.

Public Sector Management Standards, pursuant to section 56—Engagements of long term senior executive service members—1 March to 31 August 2018, dated September 2018.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Chief Minister, Treasury and Economic Development Directorate—Freedom of Information request—Decision not made in time, dated 2 September 2018.

**16 WATER RESOURCES ACT—A.C.T. AND REGION CATCHMENT MANAGEMENT COORDINATION GROUP—ANNUAL REPORT 2017-18—PAPER AND STATEMENT BY MINISTER**

Mr Gentleman (Minister for the Environment and Heritage) presented the following paper:

Water Resources Act, pursuant to subsection 67D(3)—ACT and Region Catchment Management Coordination Group—Annual report 2017-18—

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

**17 OUR BOORIS, OUR WAY—INTERIM REPORT—PAPER AND STATEMENT BY MINISTER—STATEMENT BY MEMBER**

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

Our Booris, Our Way—Interim report, dated August 2018—

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

Ms Le Couteur, by leave, also made a statement in relation to the paper.

**18 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—

Civil Law (Wrongs) Act—

Civil Law (Wrongs) Professional Standards Council Appointment 2018 (No 8)—Disallowable Instrument DI2018-231 (LR, 16 August 2018).

Civil Law (Wrongs) Professional Standards Council Appointment 2018 (No 9)—Disallowable Instrument DI2018-232 (LR, 16 August 2018).

Domestic Violence Agencies Act—

Domestic Violence Agencies (Council) Appointment 2018 (No 2)—Disallowable Instrument DI2018-228 (LR, 16 August 2018).

Domestic Violence Agencies (Council) Appointment 2018 (No 3)—Disallowable Instrument DI2018-230 (LR, 16 August 2018).

Domestic Violence Agencies (Council) Appointment 2018 (No 4)—Disallowable Instrument DI2018-229 (LR, 16 August 2018).

Legislative Assembly (Members' Staff) Act—Legislative Assembly (Members' Staff) Variable Terms of Employment Of Office-holders' Staff Determination 2018 (No 1)—Disallowable Instrument DI2018-233 (LR, 16 August 2018).

Utilities (Technical Regulation) Act—Utilities (Technical Regulation) (Listed Dams) Determination 2018—Disallowable Instrument DI2018-234 (LR, 20 August 2018).

Work Health and Safety Act—Work Health and Safety (Fees) Determination 2018 (No 2)—Disallowable Instrument DI2018-227 (LR, 14 August 2018).

**19 LEAVE OF ABSENCE TO MEMBER**

Mr Wall moved—That leave of absence be granted to Mrs Jones from today’s sitting, with a proposed return of 30 October 2018, for maternity leave.

Question—put and passed.

**20 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—SINGLE-USE PLASTIC**

The Assembly was informed that Ms Cheyne, Ms Cody, Mr Coe (Leader of the Opposition), Mrs Dunne, Mr Hanson, Mrs Kikkert, Ms Lawder, Ms Le Couteur, Ms Lee, Ms Orr, Mr Parton and Mr Pettersson 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 Le Couteur be submitted to the Assembly, namely, “The importance of reducing single-use plastic in the ACT”.

Discussion ensued.

Discussion concluded.

**21 BETTING OPERATIONS TAX BILL 2018—AMENDMENT RULED OUT-OF-ORDER—STATEMENT BY SPEAKER**

The Speaker made a statement concerning an amendment to the Betting Operations Tax Bill 2018, which the Assistant Speaker had ruled out of order earlier this day.

**22 SUSPENSION OF STANDING ORDERS MOVED—BETTING OPERATIONS TAX BILL 2018—AMENDMENT**

Mr Coe (Leader of the Opposition) moved—That so much of the standing orders be suspended as would prevent Mr Parton from moving his amendment to the Betting Operations Tax Bill 2018.

Debate ensued.

Question—put and negatived.

**23 BETTING OPERATIONS TAX BILL 2018**

The Assembly, according to order, resumed consideration at the detail stage.

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*Detail Stage*

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Bill, as a whole, agreed to.

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

**24 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION (PRINCIPAL TARGET) AMENDMENT BILL 2018**

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.

**25 HARRISON SCHOOL—COPY OF STATEMENT—PAPER—PAPER NOTED**

The order of the day having been read for the resumption of the debate on the motion of Ms Berry—That the Assembly take note of the paper (*see entry 9*)—

Debate resumed.

Question—put and passed.

**26 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 5.29 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



## SCHEDULE OF AMENDMENTS

### Schedule 1

#### **BETTING OPERATIONS TAX BILL 2018**

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Amendment circulated by Mr Parton

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1

**Proposed new part 2A**

**Page 9, line 28—**

*insert*

### **Part 2A                      Betting tax revenue**

#### **14A            Payment to racing clubs**

- (1) For a financial year, the prescribed proportion of total betting tax paid to the commissioner under section 12 for the previous financial year is appropriated to the racing clubs.

- (2) In this section:

*racing clubs* means the controlling bodies under the *Racing Act 1999*.

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