



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2008–2009–2010

### MINUTES OF PROCEEDINGS

No. 80

**THURSDAY, 21 OCTOBER 2010**

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**1** The Assembly met at 10 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mr Rattenbury) 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 PETITION**

The Clerk announced that the following Member had lodged a petition for presentation:

Ms Le Couteur, from 46 residents, requesting that the Assembly legislate a greenhouse gas emissions target of at least 40 per cent by 2020 based on 1990 levels (Pet 112).

**3 STATUTE LAW AMENDMENT BILL 2010 (NO. 2)**

Mr Corbell (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation for the purpose of statute law revision.

*Papers:* Mr Corbell presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 18 October 2010.

Title read by Clerk.

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

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

**4 EDUCATION, TRAINING AND YOUTH AFFAIRS—STANDING COMMITTEE—REPORT 5—NEEDS OF ACT STUDENTS WITH A DISABILITY—REPORT NOTED**

Ms Bresnan (Chair) presented the following report:

Education, Training and Youth Affairs—Standing Committee—Report 5—*Needs of ACT Students with a Disability*, dated 14 October 2010, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

**5 EXECUTIVE BUSINESS—PRECEDENCE**

Ordered—That Executive business be called on forthwith.

**6 PUBLIC SCHOOLS—CAPITAL WORKS UNDERTAKEN IN 2009-2010—STATEMENT BY MINISTER—PAPER**

Mr Barr (Minister for Education and Training), by leave, made a statement concerning capital works undertaken in public schools during 2009-2010.

*Paper:* Mr Barr presented the following paper:

ACT Department of Education and Training—Report on Capital Works Expenditure 2009-10.

**7 STATEMENT BY MINISTER—LEAVE NOT GRANTED**

Ms Burch (Minister for Children and Young People) sought leave to make a statement.

Objection being raised, leave not granted.

**8 SUSPENSION OF STANDING AND TEMPORARY ORDERS—STATEMENT BY MINISTER**

Mr Hargreaves moved—That so much of the standing and temporary orders be suspended as would prevent Ms Burch (Minister for Children and Young People) from making a statement concerning the Street to Home Program.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 10

Mr Barr	Mr Hargreaves
Ms Bresnan	Ms Hunter
Ms Burch	Ms Le Couteur
Mr Corbell	Ms Porter
Ms Gallagher	Mr Rattenbury

NOES, 6

Mr Coe	Mr Smyth
Mr Doszpot	
Mrs Dunne	
Mr Hanson	
Mr Seselja	

And so it was resolved in the affirmative, with the concurrence of an absolute majority.

**9 STREET TO HOME PROGRAM—STATEMENT BY MINISTER**

Ms Burch (Minister for Children and Young People) made a statement concerning the Street to Home Program.

**10 POSTPONEMENT OF NOTICE**

Ordered—That notice No. 2, Executive business, relating to Carers Week, be postponed until a later hour this day.

**11 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION BILL 2010**

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, 10		NOES, 6	
Mr Barr	Mr Hargreaves	Mr Coe	Mr Smyth
Ms Bresnan	Ms Hunter	Mr Doszpot	
Ms Burch	Ms Le Couteur	Mrs Dunne	
Mr Corbell	Ms Porter	Mr Hanson	
Ms Gallagher	Mr Rattenbury	Mr Seselja	

And so it was resolved in the affirmative.

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*Detail Stage*

Clauses 1 to 6, by leave, taken together and agreed to.

Clause 7—

Mr Seselja (Leader of the Opposition) moved his amendment No. 1 (*see* [Schedule 1](#)).

Debate continued.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

**12 QUESTIONS**

Questions without notice were asked.

**13 PAPER**

Mr Corbell (Attorney-General), having added to an answer to a question without notice asked by Mr Seselja (Leader of the Opposition) and a supplementary question asked by Mrs Dunne and taken on notice on yesterday, presented the following paper:

Common law damages—Tort reform—Copy of speech by Mr Corbell.

**14 ACHIEVEMENT OF ELECTION COMMITMENTS—MID-TERM REPORT—7<sup>TH</sup> LEGISLATIVE ASSEMBLY FOR THE A.C.T.—PAPER AND STATEMENT BY MINISTER**

Ms Gallagher (Acting Chief Minister) presented the following paper:

Achievement of Election Commitments—Mid-Term Report—7th Legislative Assembly for the ACT, dated October 2010—

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

## 15 PRESENTATION OF PAPERS

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

### **Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Liquor Act—

Liquor (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-273 (LR, 20 October 2010).

Liquor Regulation 2010—Subordinate Law SL2010-40 (LR, 20 October 2010).

## 16 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—ACT4GWS

The Assembly was informed that Ms Bresnan, Mr Doszpot, Mrs Dunne, Mr Hanson, Mr Hargreaves, Ms Hunter, Ms Le Couteur, Ms Porter, Mr Seselja (Leader of the Opposition) 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 Mr Doszpot be submitted to the Assembly, namely, “The importance of ACT4GWS”.

Discussion ensued.

The time for discussion having expired—

Discussion concluded.

## 17 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION BILL 2010

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

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### *Detail Stage*

Clause 7—

Consideration resumed on the amendment moved by Mr Seselja (Leader of the Opposition)—

Debate continued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 10	
Mr Coe	Mr Smyth	Mr Barr	Mr Hargreaves
Mr Doszpot		Ms Bresnan	Ms Hunter
Mrs Dunne		Ms Burch	Ms Le Couteur
Mr Hanson		Mr Corbell	Ms Porter
Mr Seselja		Ms Gallagher	Mr Rattenbury

And so it was negatived.

Debate adjourned (Mr Corbell—Minister for the Environment, Climate Change and Water) and the resumption of the debate made an order of the day for the next sitting.

**18 ADJOURNMENT**

Mr Corbell (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6 p.m., adjourned until Tuesday, 26 October 2010 at 10 a.m.

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

\*on leave

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**M M KIERMAIER**  
Acting Clerk of the Legislative Assembly

## SCHEDULE OF AMENDMENTS

### Schedule 1

#### **CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION BILL 2010**

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Amendment circulated by Mr Seselja (Leader of the Opposition)

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**1**

**Clause 7 (1) (a)**  
**Page 4, line 14—**

*omit*

40%

*substitute*

30%

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