



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**2008–2009–2010**

**MINUTES OF PROCEEDINGS**

**No. 71**

**THURSDAY, 19 AUGUST 2010**

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**1** The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mr Rattenbury) 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 ROAD TRANSPORT (THIRD-PARTY INSURANCE) (GOVERNANCE) AMENDMENT BILL 2010**

Ms Gallagher (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Road Transport (Third-Party Insurance) Act 2008*, and for other purposes.

*Papers:* Ms Gallagher presented the following papers:

Explanatory statement to the Bill.

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

Title read by Clerk.

Ms Gallagher moved—That this Bill be agreed to in principle.

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

**3 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 8—REVIEW OF AUDITOR-GENERAL'S REPORT NO. 5 OF 2009: ADMINISTRATION OF EMPLOYMENT ISSUES FOR STAFF OF MEMBERS OF THE A.C.T. LEGISLATIVE ASSEMBLY—REPORT NOTED**

Ms Le Couteur (Chair) presented the following report:

Public Accounts—Standing Committee—Report 8—*Review of Auditor-General's Report No. 5 of 2009: Administration of Employment Issues for Staff of Members of the ACT Legislative Assembly*, dated 3 August 2010, 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 PUBLIC ACCOUNTS—STANDING COMMITTEE—INQUIRY—AUDITOR-GENERAL’S REPORT NO. 6/2009—STATEMENT BY CHAIR**

Ms Le Couteur (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had resolved to conduct an inquiry into and report on Auditor-General’s Report No. 6/2009—Government Office Accommodation.

**5 EXECUTIVE BUSINESS—PRECEDENCE**

Ordered—That Executive business be called on forthwith.

**6 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2010 (NO. 2)**

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—

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.

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

**7 WATER RESOURCES AMENDMENT 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 and passed.

Leave granted to dispense with the detail stage.

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

**8 CONSTRUCTION OCCUPATIONS LEGISLATION AMENDMENT 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 and passed.

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*Detail Stage*

Bill, by leave, taken as a whole—

Ms Le Couteur moved her amendment No. 1 (*see* [Schedule 2](#)).

On the motion of Mr Barr (Minister for Planning), his amendment No. 1 to Ms Le Couteur's amendment No. 1 (*see* [Schedule 3](#)) was made, after debate.

Amendment, as amended, agreed to.

Ms Le Couteur moved her amendment No. 2 (*see* [Schedule 2](#)), which would insert new clauses 20A to 20C in the Bill.

Debate continued.

Amendment negatived.

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

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

## 9 QUESTIONS

Questions without notice were asked.

## 10 **A.C.T. ABORIGINAL AND TORRES STRAIT ISLANDER ELECTED BODY—REPORT ON THE OUTCOMES OF THE ABORIGINAL AND TORRES STRAIT ISLANDER ELECTED BODY ESTIMATES HEARING 2008-2009—GOVERNMENT RESPONSE—PAPER AND STATEMENT BY MINISTER**

Mr Stanhope (Minister for Aboriginal and Torres Strait Islander Affairs) presented the following paper:

ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the Aboriginal and Torres Strait Islander Elected Body Estimates Hearing 2008-2009—First Report to the ACT Government—Government response—

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

## 11 **NAMADGI NATIONAL PARK—PLAN OF MANAGEMENT—PAPER AND STATEMENT BY MINISTER—PAPER NOTED**

Mr Stanhope (Minister for Territory and Municipal Services) presented the following paper:

Namadgi National Park—Plan of Management—

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

Mr Stanhope moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

**12 PRESENTATION OF PAPER**

Ms Gallagher (Minister for Health) presented the following paper:

Gene Technology Act, pursuant to subsection 136A(3)—Operations of the Gene Technology Regulator—Quarterly report—1 January to 31 March 2010, dated 19 May 2010.

**13 CALVARY HOSPITAL—STATEMENT BY MINISTER—PAPER—PAPER NOTED**

Ms Gallagher (Minister for Health), by leave, made a statement regarding Calvary Hospital.

Ms Gallagher presented the following paper:

Calvary Hospital—Statement by Minister Katy Gallagher MLA—  
and moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

**14 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—A.C.T. ECONOMY**

The Assembly was informed that Mr Coe, Mr Doszpot, Mr Hanson, 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 Ms Porter be submitted to the Assembly, namely, “The importance of maintaining a strong and stable economy for Canberra and the region”.

Discussion ensued.

Discussion concluded.

**15 ADJOURNMENT**

Mr Barr (Minister for Education and Training) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.23 p.m., adjourned until Tuesday, 24 August 2010 at 10 a.m.

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**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Ms Bresnan\*.

\*on leave

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

## SCHEDULES OF AMENDMENTS

### Schedule 1

#### JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2010 (NO. 2)

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Amendment circulated by the Attorney-General

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1  
Schedule 1  
Proposed new part 1.8A  
Page 9, line 10—

*insert*

#### **Part 1.8A                      Firearms Act 1996**

##### **[1.26A] Section 127**

*substitute*

#### **127            When temporary international firearms licences may be issued**

The registrar must not issue a temporary international firearms licence earlier than 28 days after the day the application for the licence is made unless—

- (a) the applicant has a genuine reason to possess or use a firearm under section 128 (1) (a); and
  - (b) the Minister authorises the issue in writing.
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**Schedule 2****CONSTRUCTION OCCUPATIONS LEGISLATION  
AMENDMENT BILL 2010**

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Amendments circulated by Ms Le Couteur

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**1****Clause 18****Proposed new section 52A (2)****Page 9, line 26—***omit proposed new section 52A (2), substitute*

- (2) The licensed construction practitioner's licence is suspended when the registrar gives the practitioner notice—
- (a) of the nature of the conduct; and
  - (b) of the nature of the risk; and
  - (c) that the practitioner may apply to the registrar to revoke the suspension.
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**2****Proposed new clauses 20A to 20C****Page 10, line 24—***insert***20A Section 53 (2)***after*

must

*insert*

, on application by the licensed construction practitioner or on the registrar's own initiative,

**20B Section 53 (3)***after*

may

*insert*

, on application by the licensed construction practitioner or on the registrar's own initiative,

**20C New section 53 (3A)**

*insert*

- (3A) If the licensed construction practitioner makes an application to revoke a suspension, the registrar must, in considering whether to revoke the suspension, have regard to any written submissions made in the application.
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**Schedule 3****CONSTRUCTION      OCCUPATIONS      LEGISLATION  
AMENDMENT BILL 2010**

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Amendment circulated by the Minister for Planning to Ms Le Couteur's  
Amendment No. 1

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**1****Clause 18****Proposed new section 52A (2) (c)****Page 9, line 26—***after*

apply

*insert*in writing

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