



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**2008–2009–2010**

**MINUTES OF PROCEEDINGS**

**No. 69**

**TUESDAY, 17 AUGUST 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 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 PETITION**

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

Ms Porter, from 729 residents, requesting that the Assembly ensure that any future development on Blocks 8 and 10, Section 34 Hawker is not at the expense of adequate public parking for the Hawker Group Centre (Pet 109).

**3 LEAVE OF ABSENCE TO MEMBER**

Ms Hunter moved—That leave of absence be granted to Ms Bresnan for the period 17 to 23 August 2010 for personal reasons.

Question—put and passed.

**4 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—MEMBERSHIP**

Ms Hunter, pursuant to standing order 223, moved—That Ms Bresnan be discharged from the Standing Committee on Administration and Procedure and that Ms Hunter be appointed in her place for the period 17 to 23 August 2010.

Question—put and passed.

## 5 MINISTER FOR HEALTH—PROPOSED WANT OF CONFIDENCE

Mr Seselja (Leader of the Opposition), by leave, moved—That this Assembly no longer has confidence in Minister for Health, Katy Gallagher, for her continued mismanagement and neglect of the Health portfolio, most particularly:

- (1) the many serious issues raised in the *Review into Service Delivery and Clinical Outcomes at Public Maternity Units in the Australian Capital Territory*, including management failures, staff bullying, overworking and poor processes;
- (2) the complete failure in management of the Calvary Hospital purchase, including failing to inform the public by holding negotiations throughout an election in secret, failure of consultation once the proposal was made public, failure of economic rigour and ignoring expert advice;
- (3) the many instances of attacking those who made complaints, ignoring those who gave advice, and dealing with the problems through denial and neglect; and
- (4) the ongoing poor performance of the ACT health system.

Ms Gallagher (Minister for Health), by leave, was granted an extension of time.

Debate continued.

Mr Hanson sought leave to have an extension of time.

Objection being raised, leave not granted.

*Suspension of standing and temporary orders—Extension of time:* Mr Seselja moved—That so much of the standing and temporary orders be suspended as would prevent Mr Hanson from having an extension of time.

Question—put.

The Assembly voted—

AYES, 9		NOES, 7	
Mr Coe	Ms Le Couteur	Mr Barr	Ms Porter
Mr Doszpot	Mr Rattenbury	Ms Burch	Mr Stanhope
Mrs Dunne	Mr Seselja	Mr Corbell	
Mr Hanson	Mr Smyth	Ms Gallagher	
Ms Hunter		Mr Hargreaves	

And so it was resolved in the affirmative, with the concurrence of an absolute majority—Mr Hanson granted an extension of time.

Debate continued.

Question—That the motion be agreed to—put.

The Assembly voted—

AYES, 5		NOES, 9	
Mr Coe		Mr Barr	Ms Hunter
Mr Doszpot		Ms Burch	Ms Le Couteur
Mrs Dunne		Mr Corbell	Ms Porter
Mr Hanson		Ms Gallagher	Mr Rattenbury
Mr Seselja		Mr Hargreaves	

And so it was negated.

**6 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (PERFORMING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE)—SCRUTINY REPORT 25—STATEMENT BY CHAIR**

Mrs Dunne (Chair) presented the following report:

Justice and Community Safety—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 25, dated 9 August 2010, together with the relevant minutes of proceedings—

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

**7 PLANNING, PUBLIC WORKS AND TERRITORY AND MUNICIPAL SERVICES—STANDING COMMITTEE—REPORT 6—VARIATION TO THE TERRITORY PLAN NO. 299 LAWSON SOUTH—INTRODUCTION OF A STRUCTURE PLAN, CONCEPT PLAN AND ZONE CHANGES—REPORT NOTED**

Ms Porter (Chair) presented the following report:

Planning, Public Works and Territory and Municipal Services—Standing Committee—Report 6—*Variation to the Territory Plan No. 299 Lawson South—Introduction of a Structure Plan, Concept Plan and Zone Changes*, dated 28 July 2010, together with copies of the transmittal letter and extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

**8 CLIMATE CHANGE, ENVIRONMENT AND WATER—STANDING COMMITTEE—INQUIRY—ECOLOGICAL CARRYING CAPACITY OF THE A.C.T. AND REGION—STATEMENT BY CHAIR**

Ms Hunter (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Climate Change, Environment and Water had resolved to conduct an inquiry into and report on the ecological carrying capacity of the ACT and region.

**9 PUBLIC ACCOUNTS—STANDING COMMITTEE—AUSTRALASIAN COUNCIL OF PUBLIC ACCOUNTS COMMITTEES MID-TERM MEETING—STATEMENT BY CHAIR—PAPERS**

Ms Le Couteur (Chair), pursuant to standing order 246A, informed the Assembly of the participation and attendance by the Standing Committee on Public Accounts at the 2010 Australasian Council of Public Accounts Committees mid-term meeting held in Hobart on 5 July 2010.

Ms Le Couteur, by leave, presented the following papers:

Public Accounts—Standing Committee—Australasian Council of Public Accounts Committees mid-term meeting—

Jurisdictional report, as at 2 July 2010.

Meeting report, dated 6 July 2010, prepared by Mr Hargreaves.

**10 PUBLIC ACCOUNTS—STANDING COMMITTEE—INQUIRY—AUDITOR-GENERAL'S REPORTS—STATEMENT BY CHAIR**

Ms Le Couteur (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had examined the following Auditor-General's reports:

No. 5/2009—Administration of employment issues for staff of Members of the ACT Legislative Assembly.

No. 8/2009—2008-09 Financial Audits.

No. 2/2010—Student Support Services for Public High Schools—

and had resolved to conduct inquiries into Nos. 5/2009 and 8/2009.

**11 QUESTIONS**

Questions without notice were asked.

**12 PRESENTATION OF PAPERS**

The Speaker presented the following papers:

Standing order 191—Amendments to:

Crimes (Sentence Administration) Amendment Bill 2010, dated 29 June 2010.

Education Amendment Bill 2008, dated 1 and 2 July 2010.

Revenue Legislation Amendment Bill 2010, dated 1 and 2 July 2010.

Road Transport (Alcohol and Drugs) (Random Drug Testing) Amendment Bill 2009, dated 7 July 2010.

Legislative Assembly (Members' Superannuation) Act, pursuant to section 11A—Australian Capital Territory Legislative Assembly Members Superannuation Board—Annual report—2009-2010, dated 11 August 2010.

Estimates 2010-2011—Select Committee—

Answer to question on notice and question taken on notice—Received after 22 July 2010, as at 17 August 2010.

List of outstanding questions on notice and questions taken on notice, as at 17 August 2010.

Pursuant to standing order 253A—Answers to questions on notice and questions taken on notice—Received by 22 July 2010.

Study trip—Report by Mr Hargreaves MLA—Australian Parliament Parliamentary Whips Network—Pokolbin, NSW, 13 to 17 July 2010, dated July 2010.

**13 QUESTIONS ON NOTICE NOS. 1010 AND 1012—ANSWERS—EXPLANATION**

Ms Le Couteur, pursuant to standing order 118A, asked Mr Stanhope (Minister for Territory and Municipal Services) for an explanation concerning the answers to questions on notice Nos. 1010 and 1012.

Mr Stanhope gave an explanation.

**14 QUESTION ON NOTICE NO. 980—ANSWER—EXPLANATION**

Ms Hunter, pursuant to standing order 118A, asked Ms Gallagher (Treasurer) for an explanation concerning the answer to question on notice No. 980.

Ms Gallagher gave an explanation.

**15 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACTS—PAPERS AND STATEMENT BY MINISTER**

Mr Stanhope (Chief Minister) presented the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Adrian Makeham-Kirchner, dated 26 June 2010.

John Fletcher, dated 14 October 2009.

Kathy Leigh, dated 20 July 2010.

Kim Salisbury, dated 19 October 2009.

Short-term contracts:

Andrew Whale, dated 22 July 2010.

Brian Wilson, dated 13 July 2010.

David Colussi.

David Purser, dated 27 July 2010.

Dougal Whitton, dated 11 June 2010.

Greg Newton, dated 30 June 2010.

Gregory Tong, dated 28 June 2010.

Ian Turnbull, dated 18 June 2010.

Jacqueline Wenner, dated 30 June 2010.

Loretta Zamprogno, dated 17 June 2010.

Mark Huxley, dated 2 July 2010.

Martin Hehir, dated 26 July 2010.

Meredith Whitten, dated 15 July 2010.

Pam Davoren, dated 2 July 2010.

Robert Hyland, dated 21 July 2010.

Roberto Gaspari, dated 28 June 2010.

Sam Tyler, dated 16 July 2010.

Stephen Goggs, dated 17 June 2010.

Contract variations:

Anthony Gill, dated 5 July 2010.

Carol Logan, dated 20 July 2010.

Conrad Barr, dated 29 April 2010.

Elizabeth Trickett, dated 25 June 2010.

Glenn Bain, dated 3 June 2010.

Ian Turnbull, dated 29 April 2010.

James Corrigan, dated 17 June 2010.

James Roncon, dated 20 July 2010.

Marsha Guthrie, dated 3 June 2010.

Matt Smith, dated 18 June 2010.

Meredith Whitten, dated 15 July 2010.

Michael Kegel, dated 6 and 7 July 2010.

Mick Kegel, dated 20 and 23 July 2010.

Peggy Brown, dated 4 June 2010.

Ross Burton, dated 6 July 2010.

Russell Watkinson, dated 6 July 2010.

Shane Kay, dated 2 July 2010.

Stuart Friend, dated 3 June 2010.

Susanne Dever, dated 6 July 2010—

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

## **16 PRESENTATION OF PAPERS**

Mr Stanhope (Chief Minister) presented the following papers:

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:

Acting Judge—Supreme Court of the ACT—Determination 7 of 2010, dated 9 July 2010.

Chief Executives and Executives—Determination 2 of 2010, dated 16 June 2010.

Clerk of the Legislative Assembly—Determination 4 of 2010, dated 16 June 2010.

Full-Time Holders of Public Office—Determination 3 of 2010, dated 16 June 2010.

Members of the ACT Legislative Assembly—Determination 1 of 2010, dated 16 June 2010.

Part-Time Holder of Public Office—

Independent Reviewer, Government Campaign Advertising—Determination 6 of 2010, dated 16 June 2010.

Part-Time Presidential Member, ACT Civil and Administrative Tribunal—Determination 5 of 2010, dated 16 June 2010.

## **17 LEGISLATION PROGRAM—SPRING 2010—PAPER AND STATEMENT BY MINISTER**

Mr Stanhope (Chief Minister) presented the following paper:

Legislation Program—Spring 2010—

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

**18 PUBLIC ACCOUNTS—STANDING COMMITTEE—INQUIRY—AUDITOR-GENERAL'S REPORT NO. 5/2009—ADMINISTRATION OF EMPLOYMENT ISSUES FOR STAFF OF MEMBERS OF THE A.C.T. LEGISLATIVE ASSEMBLY—GOVERNMENT SUBMISSION—PAPER**

Mr Stanhope (Chief Minister) presented the following paper:

Public Accounts—Standing Committee—Inquiry—Auditor-General's Report No. 5/2009—Administration of employment issues for staff of Members of the ACT Legislative Assembly—Government submission.

**19 PRESENTATION OF PAPER**

Mr Stanhope (Minister for the Arts and Heritage) presented the following paper:

Cultural Facilities Corporation Act, pursuant to subsection 15(2)—Cultural Facilities Corporation—Quarterly report 2009-2010—Third quarter (1 January to 31 March 2010).

**20 FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER**

Ms Gallagher (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 15—Instrument directing a transfer of funds between output classes within the Chief Minister's Department, including a statement of reasons, dated 30 June 2010—

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

**21 FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER—PAPER NOTED**

Ms Gallagher (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 18A—Statement of authorisation of expenditure from the Treasurer's Advance in 2009-2010—

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

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

Debate ensued.

Question—put and passed.

**22 FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER**

Ms Gallagher (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 19B—Instrument varying appropriations related to Elective Surgery Capital, Emergency Department Capital and Flexible Funding Pool—ACT Health, including a statement of reasons, dated 29 June 2010—

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

**23 FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER**

Ms Gallagher (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 16—Instrument directing a transfer of appropriations from the Department of Territory and Municipal Services to the Chief Minister's Department, including a statement of reasons, dated 5 July 2010—

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

**24 FINANCIAL MANAGEMENT ACT—CONSOLIDATED FINANCIAL REPORT—PAPER AND STATEMENT BY MINISTER—PAPER NOTED**

Ms Gallagher (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 June 2010—

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

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

Debate ensued.

Question—put and passed.

**25 PUBLIC ACCOUNTS—STANDING COMMITTEE—INQUIRY—AUDITOR-GENERAL'S REPORT NO. 8/2009—2008-09 FINANCIAL AUDITS—GOVERNMENT SUBMISSION—PAPER**

Ms Gallagher (Treasurer) presented the following paper:

Public Accounts—Standing Committee—Inquiry—Auditor-General's Report No. 8/2009—2008-09 Financial Audits—Government submission.

**26 PRESENTATION OF PAPER**

Ms Gallagher (Treasurer) presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to subsection 14(7)—Extension of time for presenting annual report 2009-2010—Statement of reasons—ACTEW Corporation Limited.

**27 PRESENTATION OF PAPER**

Mr Corbell (Attorney-General) presented the following paper:

Independent Competition and Regulatory Commission Act, pursuant to section 24—Independent Competition and Regulatory Commission—Report 9 of 2010—Final Report—Enlarged Cotter Dam Water Security Project, dated June 2010.

**28 INDEPENDENT COMPETITION AND REGULATORY COMMISSION ACT—INDEPENDENT COMPETITION AND REGULATORY COMMISSION—REPORT 8 OF 2010—A.C.T. GREENHOUSE GAS ABATEMENT SCHEME—COMPLIANCE AND OPERATION OF THE SCHEME FOR THE 2009 COMPLIANCE YEAR—PAPER AND STATEMENT BY MINISTER**

Mr Corbell (Minister for the Environment, Climate Change and Water) presented the following paper:



Independent Competition and Regulatory Commission Act, pursuant to section 24—Independent Competition and Regulatory Commission—Report 8 of 2010—ACT Greenhouse Gas Abatement Scheme—Compliance and operation of the Scheme for the 2009 compliance year, dated June 2010—

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

## 29 PRESENTATION OF PAPERS

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

### **Petition—Out of order**

Petition which does not conform with the standing orders—Hawker—Section 34—Parking—Ms Porter (423 signatures).

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

Legislation Act, pursuant to section 64—

Agents Act, Associations Incorporation Act, Births, Deaths and Marriages Registration Act, Business Names Act, Civil Law (Wrongs) Act, Civil Partnerships Act, Classification (Publications, Films and Computer Games) (Enforcement) Act, Cooperatives Act, Court Procedures Act, Dangerous Substances Act, Emergencies Act, Freedom of Information Act, Guardianship and Management of Property Act, Hawkers Act, Instruments Act, Land Titles Act, Liquor Act, Machinery Act, Partnership Act, Pawnbrokers Act, Prostitution Act, Public Trustee Act, Registration of Deeds Act, Sale of Motor Vehicles Act, Scaffolding and Lifts Act, Second-hand Dealers Act, Security Industry Act, Trade Measurement (Administration) Act, Workers Compensation Act, Work Safety Act—Attorney General (Fees) Determination 2010—Disallowable Instrument DI2010-107 (LR, 24 June 2010).

Animal Diseases Act—Animal Diseases (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-113 (LR, 24 June 2010).

Animal Welfare Act—Animal Welfare (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-114 (LR, 24 June 2010).

Architects Act—Architects (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-120 (LR, 24 June 2010).

Boxing Control Act—Boxing Control (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-131 (LR, 24 June 2010).

Building Act—Building (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-121 (LR, 24 June 2010).

Canberra Institute of Technology Act—

Canberra Institute of Technology (Advisory Council) Appointment 2010 (No. 1)—Disallowable Instrument DI2010-119 (LR, 24 June 2010).

Canberra Institute of Technology (Advisory Council) Appointment 2010 (No. 2)—Disallowable Instrument DI2010-162 (LR, 15 July 2010).

Cemeteries and Crematoria Act—Cemeteries and Crematoria (Public Cemetery Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-155 (LR, 30 June 2010).

Civil Law (Wrongs) Act—

Civil Law (Wrongs) New South Wales Bar Association Scheme 2010 (No. 1)—Disallowable Instrument DI2010-135 (LR, 28 June 2010).

Civil Law (Wrongs) Professional Standards Council Appointment Amendment 2010 (No 1)—Disallowable Instrument DI2010-172 (LR, 26 July 2010).

Civil Partnerships Act—Civil Partnerships Regulation 2010—Subordinate Law SL2010-23 (LR, 24 June 2010).

Clinical Waste Act—Clinical Waste (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-145 (LR, 30 June 2010).

Community Title Act—Community Title (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-122 (LR, 24 June 2010).

Construction Occupations (Licensing) Act—Construction Occupations Licensing (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-123 (LR, 24 June 2010).

Court Procedures Act—Court Procedures Amendment Rules 2010 (No. 1)—Subordinate Law SL2010-24 (LR, 30 June 2010).

Crimes (Child Sex Offenders) Act—Crimes (Child Sex Offenders) Amendment Regulation 2010 (No. 1)—Subordinate Law SL2010-27 (LR, 1 July 2010).

Crimes (Sentence Administration) Act—

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2010 (No. 2)—Disallowable Instrument DI2010-159 (LR, 12 July 2010).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2010 (No. 3)—Disallowable Instrument DI2010-160 (LR, 12 July 2010).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2010 (No. 4)—Disallowable Instrument DI2010-161 (LR, 12 July 2010).

Dangerous Goods (Road Transport) Act—Dangerous Goods (Road Transport) Fees and Charges Determination 2010 (No. 3)—Disallowable Instrument DI2010-154 (LR, 30 June 2010).

Domestic Animals Act—Domestic Animals (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-115 (LR, 24 June 2010).

Electoral Act—Electoral (Fees) Determination 2010—Disallowable Instrument DI2010-136 (LR, 28 June 2010).

Electricity Safety Act—Electricity Safety (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-124 (LR, 28 June 2010).

Emergencies Act, Firearms Act, Freedom of Information Act, Guardianship and Management of Property Act, Public Trustee Act—Attorney General (Fees) Amendment Determination 2010 (No. 1)—Disallowable Instrument DI2010-141 (LR, 29 June 2010).

Environment Protection Act—Environment Protection (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-147 (LR, 30 June 2010).

Financial Management Act—Financial Management (Periodic and Annual Financial Statements) Guidelines 2010—Disallowable Instrument DI2010-153 (LR, 30 June 2010).

Fisheries Act—Fisheries (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-146 (LR, 30 June 2010).

Gas Safety Act—Gas Safety (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-125 (LR, 28 June 2010).

Health Act—Health (Fees) Determination 2010 (No. 2)—Disallowable Instrument DI2010-142 (LR, 30 June 2010).

Health Practitioner Regulation National Law (ACT) Act—Health Practitioner Regulation National Law (ACT) (Transitional Provisions) Regulation 2010—Subordinate Law SL2010-25 (LR, 24 June 2010).

Heritage Act—Heritage (Register Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-116 (LR, 24 June 2010).

Legal Aid Act—Legal Aid Regulation 2010—Subordinate Law SL2010-26 (LR, 28 June 2010).

Legislative Assembly (Members' Staff) Act—

Legislative Assembly (Members' Staff) Members' Salary Cap Determination 2010 (No. 1)—Disallowable Instrument DI2010-156 (LR, 5 July 2010).

Legislative Assembly (Members' Staff) Speaker's Salary Cap Determination 2010 (No. 1)—Disallowable Instrument DI2010-157 (LR, 5 July 2010).

Long Service Leave (Portable Schemes) Act—Long Service Leave (Portable Schemes) Community Sector Employers' Levy Determination 2010—Disallowable Instrument DI2010-150 (LR, 30 June 2010).

Long Service Leave (Portable Schemes) Act and Financial Management Act—

Long Service Leave (Portable Schemes) Governing Board Appointment 2010 (No. 1)—Disallowable Instrument DI2010-148 (LR, 30 June 2010).

Long Service Leave (Portable Schemes) Governing Board Appointment 2010 (No. 2)—Disallowable Instrument DI2010-149 (LR, 30 June 2010).

Magistrates Court Act—Magistrates Court (Lakes Infringement Notices) Amendment Regulation 2010 (No. 1)—Subordinate Law SL2010-30 (LR, 26 July 2010).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods (Medicines Advisory Committee) Appointment 2010 (No. 1)—Disallowable Instrument DI2010-132 (LR, 24 June 2010).

Nature Conservation Act—Nature Conservation (Fees) Determination 2010 (No. 2)—Disallowable Instrument DI2010-143 (LR, 30 June 2010).

Planning and Development Act—Planning and Development (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-128 (LR, 24 June 2010).

Planning and Development Act and Financial Management Act—

Planning and Development (Land Agency Board) Appointment 2010 (No. 1)—Disallowable Instrument DI2010-173 (LR, 26 July 2010).

Planning and Development (Land Agency Board) Appointment 2010 (No. 2)—Disallowable Instrument DI2010-174 (LR, 26 July 2010).

Planning and Development (Land Agency Board) Appointment 2010 (No. 3)—Disallowable Instrument DI2010-175 (LR, 26 July 2010).

Public Baths and Public Bathing Act—Public Baths and Public Bathing (Active Leisure Centre Fees) Determination 2010—Disallowable Instrument DI2010-152 (LR, 30 June 2010).

Public Place Names Act—

Public Place Names (Bonner) Determination 2010 (No. 2)—Disallowable Instrument DI2010-138 (LR, 28 June 2010).

Public Place Names (Fyshwick) Determination 2010 (No. 1)—Disallowable Instrument DI2010-140 (LR, 28 June 2010).

Public Place Names (Hall) Determination 2010 (No. 1)—Disallowable Instrument DI2010-165 (LR, 19 July 2010).

Public Place Names (Macgregor) Determination 2010 (No. 2)—Disallowable Instrument DI2010-139 (LR, 28 June 2010).

Public Place Names (Molonglo Valley District) Determination 2010 (No. 1)—Disallowable Instrument DI2010-171 (LR, 26 July 2010).

Public Sector Management Act—

Public Sector Management Amendment Standards 2010 (No. 2)—Disallowable Instrument DI2010-137 (LR, 1 July 2010).

Public Sector Management Amendment Standards 2010 (No. 3)—Disallowable Instrument DI2010-164 (LR, 15 July 2010).

Radiation Protection Act—Radiation Protection (Tanning Units) Amendment Regulation 2010 (No. 1)—Subordinate Law SL2010-29 (LR, 5 July 2010).

Road Transport (Driver Licensing) Act, Road Transport (General) Act, Road Transport (Mass Dimensions and Loading) Act—Road Transport Legislation Amendment Regulation 2010 (No. 3)—Subordinate Law SL2010-28 (LR, 30 June 2010).

Road Transport (General) Act—

Road Transport (General) (Pay Parking Area Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-130 (LR, 24 June 2010).

Road Transport (General) Application of Road Transport Legislation Declaration 2010 (No. 6)—Disallowable Instrument DI2010-158 (LR, 8 July 2010).

Stock Act—Stock (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-117 (LR, 24 June 2010).

Surveyors Act—Surveyors (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-127 (LR, 24 June 2010).

Taxation Administration Act—

Taxation Administration (Amounts Payable—Eligibility—Home Buyer Concession Scheme) Determination 2010 (No. 1)—Disallowable Instrument DI2010-112 (LR, 24 June 2010).

Taxation Administration (Amounts Payable—Eligibility—Pensioner Duty Concession Scheme) Determination 2010 (No. 1)—Disallowable Instrument DI2010-110 (LR, 24 June 2010).

Taxation Administration (Amounts Payable—Motor Vehicle Duty) Determination 2010 (No. 2)—Disallowable Instrument DI2010-133 (LR, 28 June 2010).

Taxation Administration (Amounts Payable—Thresholds—Home Buyer Concession Scheme) Determination 2010 (No. 1)—Disallowable Instrument DI2010-111 (LR, 24 June 2010).

Taxation Administration (Amounts Payable—Thresholds—Pensioner Duty Concession Scheme) Determination 2010 (No. 1)—Disallowable Instrument DI2010-109 (LR, 24 June 2010).

Training and Tertiary Education Act—Training and Tertiary Education (Fees) Determination 2010—Disallowable Instrument DI2010-151 (LR, 30 June 2010).

Tree Protection Act—Tree Protection (Advisory Panel) Appointment 2010 (No. 1)—Disallowable Instrument DI2010-168 (LR, 20 July 2010).

Unit Titles Act—Unit Titles (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-129 (LR, 24 June 2010).

University of Canberra Act—

University of Canberra (Academic Board) Amendment Statute 2010—Disallowable Instrument DI2010-169 (LR, 22 July 2010).

University of Canberra (Courses and Awards) Statute 2010—Disallowable Instrument DI2010-166 (LR, 22 July 2010).

University of Canberra (Election of Staff and Student Members of Council) Statute 2010—Disallowable Instrument DI2010-163 (LR, 22 July 2010).

University of Canberra (Election of Staff, Student and Professorial Members of Academic Board) Statute 2010—Disallowable Instrument DI2010-167 (LR, 22 July 2010).

University of Canberra (Statutes Interpretation) Statute 2010—Disallowable Instrument DI2010-100 (LR, 22 July 2010).

Utilities Act—Utilities (Emergency Planning Code) Determination 2010—Disallowable Instrument DI2010-170 (LR, 26 July 2010).

Waste Minimisation Act—Waste Minimisation (Landfill Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-118 (LR, 24 June 2010).

Water and Sewerage Act—Water and Sewerage (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-126 (LR, 24 June 2010).

Water Resources Act—Water Resources (Fees) Determination 2010 (No. 1)—Disallowable Instrument DI2010-144 (LR, 30 June 2010).

**30 EDUCATION, TRAINING AND YOUTH AFFAIRS—STANDING COMMITTEE—REPORT 3—INQUIRY INTO THE EDUCATIONAL ACHIEVEMENT GAP IN THE A.C.T.—GOVERNMENT RESPONSE—PAPER AND STATEMENT BY MINISTER**

Mr Barr (Minister for Education and Training) presented the following paper:

Education, Training and Youth Affairs—Standing Committee—Report 3—*Inquiry into the Educational Achievement Gap in the ACT*—Government response—

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

**31 PLANNING AND DEVELOPMENT ACT—SCHEDULE—LEASES GRANTED—PAPER AND STATEMENT BY MINISTER**

Mr Barr (Minister for Planning) presented the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Schedule of leases granted for the period 1 April to 30 June 2010—

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

**32 PRESENTATION OF PAPER**

Mr Barr (Minister for Gaming and Racing) presented the following paper:

Racing Industry—Funding—Statement, pursuant to resolution of the Assembly of 17 March 2010.

**33 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—FEDERAL PUBLIC SERVICE CUTS—IMPACT ON ECONOMY**

The Assembly was informed that Mr Coe, Mr Doszpot, Mrs Dunne, 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 Hunter be submitted to the Assembly, namely, “The impact of Federal public service cuts on the ACT economy”.

Discussion ensued.

The time for discussion having expired—

Discussion concluded.

**34 ROAD TRANSPORT (DRINK DRIVING) 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—

Mr Stanhope (Minister for Transport), pursuant to standing order 152, moved—That order of the day No. 1, Executive business, be discharged from the *Notice Paper*.

Question—put and passed.

**35 VICTIMS OF CRIME 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*

Clauses 1 to 9, by leave, taken together and agreed to.

Clause 10—

On the motion of Mrs Dunne, her amendment No. 1 (*see* [Schedule 1](#)) was made, after debate.

Clause 10, as amended, agreed to.

Clauses 11 and 12, by leave, taken together and agreed to.

Clause 13—

On the motion of Mr Corbell (Attorney-General), pursuant to standing order 182A(a), by leave, his amendment No. 1 (*see* [Schedule 2](#)) was made, after debate.

Clause 13 as amended, agreed to.

Clause 14—

On the motion of Mrs Dunne, by leave, her amendments Nos. 3 and 4 (*see* [Schedule 1](#)) were made together, after debate.

On the motion of Mr Corbell, pursuant to standing order 182A(c), by leave, his amendment No. 1 (*see* [Schedule 3](#)) was made.

Clause 14, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole and agreed to.

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

### 36 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 6.13 p.m., adjourned until tomorrow 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

### **VICTIMS OF CRIME AMENDMENT BILL 2010**

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Amendments circulated by Mrs Dunne

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1

**Clause 10**

**Proposed new section 12 (5)**

**Page 9, line 22—**

*omit*

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2

**Clause 13**

**Proposed new section 22B (a)**

**Page 11, line 14—**

*omit*

to develop policy,

*substitute*

to advise the Minister on policies,

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3

**Clause 14**

**Proposed new section 29 (2) (a)**

**Page 17, line 13—**

*omit*

territory law

*substitute*

law applying in the Territory

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4

**Clause 14**

**Proposed new section 29 (2) (b)**

**Page 17, line 15—**

*omit*

territory law

*substitute*

law applying in the Territory



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5

Clause 14

Proposed new section 29 (4)

Page 17, line 25—

*omit*

territory law

*substitute*

law applying in the Territory

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**Schedule 2****VICTIMS OF CRIME AMENDMENT BILL 2010**

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Amendment circulated by the Attorney-General

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1

**Clause 13****Proposed new section 22B (a) and (b)****Page 11, line 14—**

*substitute*

- (a) to advise the Minister on policies, priorities and strategies for the acknowledgment, protection and promotion of the interests of victims in the administration of justice; and
  - (b) if asked by the Minister—to help develop and maintain protocols and procedures for the treatment of victims by agencies involved in the administration of justice; and
-

**Schedule 3**

**VICTIMS OF CRIME AMENDMENT BILL 2010**

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Amendment circulated by the Attorney-General

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**1**

**Clause 14**

**Proposed new section 29 (4)**

**Page 17, line 25—**

*omit*

territory law

*substitute*

law applying in the Territory

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