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**LEGISLATIVE ASSEMBLY FOR THE**

**AUSTRALIAN CAPITAL TERRITORY**

**2016–2017–2018–2019**

**MINUTES OF PROCEEDINGS**

**No 108**

[**Tuesday, 20 August 2019**](http://www.hansard.act.gov.au/hansard/2019/links/download.htm)

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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 DEATH OF MS TracEy Whetnall**

Mr Barr (Chief Minister) moved—That this Assembly expresses condolences on the passing of Ms Tracey Whetnall, a proud Dharrawal woman, mother, grandmother and ACT Aboriginal and Torres Strait Islander Official Visitor and tenders its profound sympathy to her family, friends and colleagues in their bereavement.

Mr Coe (Leader of the Opposition), Mr Rattenbury (Leader of the ACT Greens) and Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs) addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

 **3 PETITION—PETITION NOTED**

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

Miss C. Burch, from 544 residents, requesting that the Assembly address safety and security issues, improve parking and upgrade facilities and amenity at the Yarralumla shops (Pet 24-19).

Pursuant to standing order 99A, this petition stands referred to the Standing Committee on Environment and Transport and City Services.

The Speaker proposed—That the petition so lodged be noted.

Debate ensued.

Question—put and passed.

 **4 Minister for Transport and City Services—Proposed Censure—WEEKEND BUS SERVICES**

Miss C. Burch, by leave, moved—That this Assembly:

1. notes:
	1. the recent decision from the Minister for Transport and City Services to cut weekend bus services, despite repeated commitments to resolve weekend staffing shortages;
	2. weekend service reliability rates are around 80 percent, well below the 99.5 percent target outlined in the Budget Papers and, as of August, over 3000 services have been cancelled; and
	3. the repeated failures of the Minister for Transport and City Services to deliver more frequent and reliable weekend services, as promised under Network19; and
2. censures the Minister for Transport and City Services for his failure to address the ongoing workforce planning issues in the Transport Portfolio, and to deliver the weekend bus network as was promised to Canberrans.

Ms Le Couteur moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes:

* 1. the recent decision from the Minister for Transport and City Services to cut weekend bus services, despite repeated commitments to resolve weekend staffing shortages;
	2. during debate in the Assembly on 14 August 2019, the Minister for Transport and City Services did not advise the Assembly that he was considering announcing cuts to weekend services within 48 hours of the Assembly’s resolution;
	3. weekend service reliability rates are around 90 percent, well below the 99.5 percent target outlined in the Budget papers and, as of August, over 3000 services have been cancelled; and
	4. the failure of the ACT Government to deliver reliable weekend services under Network19;
1. calls on the Government, drivers and unions to negotiate a future enterprise agreement that allows the delivery of frequent and reliable weekend services equivalent to those contained in Network19;
2. calls on the Minister for Transport and City Services to urgently examine innovative options, such as demand responsive services, that can deliver the promised level of service with a lower number of drivers; and
3. calls on the ACT Government to include paragraphs (2) and (3) above in the Action Plan and quarterly reporting agreed by the Assembly in its resolution of 14 August 2019, entitled *Network 19—Weekend bus services*.”.

Debate continued.

Miss C. Burch moved the following amendment to Ms Le Couteur’s proposed amendment: Add:

“(5) censure the Minister for Transport and City Services for his failure to address the ongoing workforce planning issues in the Transport Portfolio, and to deliver the bus network as was promised to Canberrans.”.

Question—That Miss C. Burch’s amendment to Ms Le Couteur’s proposed amendment be agreed to—put.

The Assembly voted—

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|  AYES, 9 |  |  NOES, 12 |
| Miss C. Burch | Mr Milligan |  | Mr Barr | Ms Orr |
| Mr Coe | Mr Parton |  | Ms Berry | Mr Pettersson |
| Mrs Dunne |  |  | Ms J. Burch | Mr Rattenbury |
| Mr Hanson |  |  | Ms Cheyne | Mr Steel |
| Mrs Jones |  |  | Mr Gentleman | Ms Stephen-Smith |
| Mrs Kikkert |  |  | Mr Gupta |  |
| Ms Lawder |  |  | Ms Le Couteur |  |

And so it was negatived.

Question—That Ms Le Couteur’s amendment be agreed to—put and passed.

Question—That the motion, as amended, viz:

“That this Assembly:

1. notes:
	1. the recent decision from the Minister for Transport and City Services to cut weekend bus services, despite repeated commitments to resolve weekend staffing shortages;
	2. during debate in the Assembly on 14 August 2019, the Minister for Transport and City Services did not advise the Assembly that he was considering announcing cuts to weekend services within 48 hours of the Assembly’s resolution;
	3. weekend service reliability rates are around 90 percent, well below the 99.5 percent target outlined in the Budget papers and, as of August, over 3000 services have been cancelled; and
	4. the failure of the ACT Government to deliver reliable weekend services under Network19;
2. calls on the Government, drivers and unions to negotiate a future enterprise agreement that allows the delivery of frequent and reliable weekend services equivalent to those contained in Network19;
3. calls on the Minister for Transport and City Services to urgently examine innovative options, such as demand responsive services, that can deliver the promised level of service with a lower number of drivers; and
4. calls on the ACT Government to include paragraphs (2) and (3) above in the Action Plan and quarterly reporting agreed by the Assembly in its resolution of 14 August 2019, entitled *Network 19—Weekend bus services*.”—

be agreed to—put and passed.

 **5 LEAVE OF ABSENCE TO MEMBER**

Mrs Jones moved—That leave of absence be granted to Mr Wall for today due to illness.

Question—put and passed.

 6 Appropriation Bill 2019-2020

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

*Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.8—Community Services Directorate—

Debate continued.

Proposed expenditure agreed to.

*Leave of absence to Member:* Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Cody for today due to illness.

Question—put and passed.

Part 1.9—Superannuation Provision Account—debated.

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

 **7 QUESTIONS**

Questions without notice being asked—

*Paper:* Ms Berry (Minister for Education and Early Childhood Development) presented the following paper:

Miles Franklin Primary School Proposed Fence.

Questions continued.

 **8 PRESENTATION OF PAPER**

The Speaker, pursuant to standing order 253A, presented the following paper:

Estimates 2019-2020—Select Committee—Schedule of answers to outstanding questions on notice for the period 30 July to 30 August 2019, dated 19 August 2019, including a copy of the relevant answers.

 **9 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—

Energy Efficiency (Cost of Living) Improvement Act—

Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Code of Practice 2019, including a regulatory impact statement—Disallowable Instrument DI2019‑194 (LR, 9 August 2019).

Energy Efficiency (Cost of Living) Improvement (Record Keeping and Reporting) Code of Practice 2019, including a regulatory impact statement—Disallowable Instrument DI2019-195 (LR, 9 August 2019).

Government Agencies (Land Acquisition Reporting) Act—Government Agencies (Land Acquisition Reporting) Regulation 2019—Subordinate Law SL2019-19 (LR, 5 August 2019).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2019 (No 4)—Disallowable Instrument DI2019‑197 (LR, 8 August 2019).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Service) Taxi Licence Exemption 2019—Disallowable Instrument DI2019-193 (LR, 5 August 2019).

 10 Appropriation Bill 2019-2020

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

*Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.9—Superannuation Provision Account—

Debate continued.

Proposed expenditure agreed to.

Part 1.10—Environment, Planning and Sustainable Development Directorate—debated and agreed to.

Part 1.11—Housing ACT—debated and agreed to.

Part 1.12—Canberra Institute of Technology—debated and agreed to.

Part 1.13—City Renewal Authority—agreed to.

Part 1.14—Legal Aid Commission (ACT)—debated and agreed to.

Part 1.15—ICON Water Limited—debated and agreed to.

Part 1.16—ACT Executive—agreed to.

Part 1.17—Cultural Facilities Corporation—debated and agreed to.

Part 1.18—ACT Gambling and Racing Commission—debated and agreed to.

Part 1.19—Public Trustee and Guardian—debated and agreed to.

Part 1.20—Independent Competition and Regulatory Commission—debated and agreed to.

Total appropriated to Territory entities—agreed to.

Part 1.21—Treasurer’s Advance—debated and agreed to.

Part 1.22—Capital Works Reserve—debated and agreed to.

Total appropriations—agreed to.

Clauses 1 to 10, by leave, taken together and agreed to.

Title—debated and agreed to.

Question—That this Bill be agreed to—put.

The Assembly voted—

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|  AYES, 10 |  |  NOES, 7 |
| Mr Barr | Ms Orr | Miss C. Burch | Mr Parton |
| Ms J. Burch | Mr Ramsay | Mr Coe |  |
| Ms Cheyne | Mr Rattenbury | Mrs Dunne |  |
| Mr Gentleman | Mr Steel | Mrs Jones |  |
| Mr Gupta |  | Mrs Kikkert |  |
| Ms Le Couteur |  | Mr Milligan |  |

And so it was resolved in the affirmative—Bill agreed to.

 **11 Appropriation (Office of the Legislative Assembly) Bill 2019-2020**

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 ADJOURNMENT**

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

Question—put and passed.

And then the Assembly, at 5.40 pm, adjourned until tomorrow at 10 am.

**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Ms Cody\*, Ms Lee\* and Mr Wall\*.

\*on leave

**Tom Duncan**

Clerk of the Legislative Assembly