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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017

MINUTES OF PROCEEDINGS

No 26

[**Tuesday, 22 August 2017**](http://www.hansard.act.gov.au/hansard/2017/pdfs/20170822.pdf)

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 **1** The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Ms 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 Suburban Land Agency—Progress—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for Housing and Suburban Development) made a ministerial statement concerning progress of the Suburban Land Agency and presented the following paper:

Suburban Land Agency—Progress—Ministerial statement, 22 August 2017.

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

Debate ensued.

Question—put and passed.

 3 Bushfire Abatement Zone—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Police and Emergency Services) made a ministerial statement concerning the Bushfire Abatement Zone, pursuant to the resolution of the Assembly of 7 June 2017, and presented the following paper:

Bushfire Abatement Zone—Ministerial statement, 22 August 2017.

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

Question—put and passed.

 4 Greyhound racing industry—Ending—MINISTERIAL STATEMENT—PAPER NOTED

Mr Ramsay (Attorney-General) made a ministerial statement concerning ending the greyhound racing industry and presented the following paper:

Greyhound racing industry—Ending—Ministerial statement, 22 August 2017.

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

Debate ensued.

Question—put and passed.

 5 work health and safety—Annual statement—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Workplace Safety and Industrial Relations) made a ministerial statement concerning work health and safety in the Territory and presented the following paper:

Work health and safety—Annual statement—Ministerial statement, 22 August 2017.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Question—put and passed.

 6 Lands Acquisition Amendment Bill 2017

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.

*Detail Stage*

Bill, by leave, taken as a whole—

On the motion of Mr Gentleman (Minister for Planning and Land Management), pursuant to standing order 182A(c), by leave, his amendments Nos 1 and 2 (*see* Schedule 1) were made together.

*Paper:* Mr Gentleman presented a supplementary explanatory statement to the Government amendments.

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

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

 7 Gaming Machine Amendment Bill 2017

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.

*Detail Stage*

Clauses 1 to 12, by leave, taken together and agreed to.

Clause 13 debated.

Question—put.

The Assembly voted—

|  |  |  |
| --- | --- | --- |
|  AYES, 10 |  |  NOES, 7 |
| Ms Burch | Mr Pettersson |  | Mr Coe | Mr Milligan |
| Ms Cheyne | Mr Ramsay |  | Mrs Dunne | Mr Parton |
| Ms Cody | Mr Rattenbury |  | Mrs Kikkert |  |
| Ms Le Couteur | Mr Steel |  | Ms Lawder |  |
| Ms Orr | Ms Stephen-Smith |  | Ms Lee |  |

And so it was resolved in the affirmative—Clause 13 agreed to.

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

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

 8 Gaming Machine (Cash Facilities) Amendment Bill 2017

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.

*Paper:* Mr Ramsay (Attorney-General) presented a revised explanatory statement to the Bill.

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.

 9 Appropriation Bill 2017-2018

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—Education Directorate—

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.

 10 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly of the absence of Minister Berry and advised the Assembly that questions without notice normally directed to Minister Berry could be directed to Mr Barr.

 11 QUESTIONS

Questions without notice were asked.

 12 LEAVE OF ABSENCE TO MEMBERs

Mrs Dunne moved—That leave of absence be granted to Mr Hanson, Mrs Jones and Mr Wall for family illness reasons.

Question—put and passed.

 13 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—

Domestic Animals Act—Domestic Animals (Cat Containment) Declaration 2017 (No 1)—Disallowable Instrument DI2017-199 (LR, 10 August 2017).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Events) Determination 2017 (No 1)—Disallowable Instrument DI2017‑200 (LR, 10 August 2017).

 14 Appropriation Bill 2017-2018

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—Education Directorate—

Debate continued.

Proposed expenditure agreed to.

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

Part 1.11—Health Directorate—debated and agreed to.

Part 1.12—Housing ACT—debated.

Ms Le Couteur addressing the Assembly—

*Adjournment negatived:* It being 6 pm—The question was proposed—That the Assembly do now adjourn.

Mr Gentleman (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Proposed expenditure agreed to.

Part 1.13—ICON Water Limited—debated and agreed to.

Part 1.14—Independent Competition and Regulatory Commission—debated and agreed to.

Part 1.15—Justice and Community Safety Directorate—

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

 15 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 7.08 pm, adjourned until tomorrow at 10 am.

**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Mr Doszpot\*, Mr Hanson\*, Mrs Jones\* and Mr Wall\*.

\*on leave

Tom Duncan

Clerk of the Legislative Assembly

**SCHEDULE OF AMENDMENTS**

**Schedule 1**

**Lands Acquisition aMENDMENT bILL 2017**

Amendments circulated by the Minister for Planning and Land Management

1. Proposed new clause 13A
Page 7, line 9—

insert

13A General power of Supreme Court to adjust rights
Section 106 (1) (a)

substitute

 (a) determine the person or persons who, at any relevant time, held an interest or interests in particular land in relation to which—

 (i) a claim for compensation has been or may be made under this Act; or

 (ii) an offer of compensation has been made under section 61A (2) (Executive may make offer of compensation where no claim is made); and

1. Clause 14
Proposed new section 201
Page 7, line 17—

omit proposed new section 201, substitute

201 Compulsory acquisition before commencement day

 (1) This section applies if—

 (a) the Executive is satisfied that an interest in land (other than a mortgage interest) has been acquired by compulsory process (the ***acquisition***) from a person before the commencement day; and

 (b) the person has not made a claim for compensation under section 56.

 (2) The Executive must, within 14 days after the commencement day, give a written notice to the person and any other person whom the Executive believes on reasonable grounds after diligent inquiry, to be a person affected by the acquisition.

Note For how documents may be given, see the Legislation Act, pt 19.5.

 (3) A notice under subsection (2) must—

 (a) include—

 (i) a copy of the declaration under section 33 in relation to the acquisition; and

 (ii) a compensation claim form approved under section 118 for section 56; and

 (b) state that—

 (i) the person appears to be entitled to compensation in relation to the acquisition; and

 (ii) if the person does not make a claim for compensation within 3 years after the date of the notice, the Executive may make an offer of compensation to the person under section 61A (2); and

 (iii) if the Executive makes an offer of compensation to the person under section 61A (2), the person is not entitled to make a claim for compensation under section 56 in relation to the acquisition; and

 (c) set out any other information in relation to the operation of the Act as the Executive considers appropriate.

 (4) If the person does not make a claim for compensation within 3 years after the date of the notice under subsection (2), section 61A applies as if a reference to the date of acquisition mentioned in section 61A (1) (b) and (3) (b) were a reference to the date of the notice.

 (5) In this section:

***person affected by the acquisition*** means a person affected by the declaration under section 33 in relation to the acquisition, within the meaning of section 33 (7).