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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

MINUTES OF PROCEEDINGS

No 59

[**Tuesday, 5 June 2018**](http://www.hansard.act.gov.au/hansard/2018/pdfs/20180605.pdf)

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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 Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 18—STATEMENT BY CHAIR

Ms Lee (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 18*,* dated 29 May 2018, together with a copy of the extracts of the relevant minutes of proceedings—

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

3 Planning and Urban Renewal—Standing Committee—INQUIRY—Development Application processes in the A.C.T.—STATEMENT BY CHAIR

Ms Le Couteur (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Planning and Urban Renewal had resolved to extend the closing date for submissions to its inquiry into engagement with Development Application processes in the ACT.

**4 SUSPENSION OF STANDING ORDERS—APPROPRIATION BILL 2018-2019 and APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2018-2019**

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent:

(1) any business before the Assembly at 3 pm this day being interrupted to allow the Treasurer to be called on forthwith to present the Appropriation Bill 2018‑2019 and the Appropriation (Office of the Legislative Assembly) Bill 2018-2019;

(2) (a) questions without notice concluding at the time of interruption; or

* 1. debate on any motion before the Assembly at the time of interruption being adjourned until the adjournment questions in relation to the Appropriation Bill 2018-2019 and the Appropriation (Office of the Legislative Assembly) Bill 2018-2019 are determined;

(3) at 3 pm on Thursday, 7 June 2018, the order of the day for resumption of debate on the question that the Appropriation Bill 2018-2019 be agreed to in principle, being called on notwithstanding any business before the Assembly and that the time limits on the speeches of the Leader of the Opposition and the Leader of the ACT Greens be equivalent to the time taken by the Treasurer in moving the motion “That this Bill be agreed to in principle”; and

(4) (a) questions without notice concluding at the time of interruption; or

* 1. debate on any motion before the Assembly at that time being adjourned until a later hour that day; and
  2. notwithstanding the provisions of standing order 74, presentation of papers may be made prior to the suspension for lunch.

Question—put and passed, with the concurrence of an absolute majority.

5 Safer Families—Annual Statement 2018—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for the Prevention of Domestic and Family Violence) made a ministerial statement concerning the second annual Safer Families Statement and presented the following paper:

Safer Families—Annual Statement 2018—Ministerial statement, 5 June 2018.

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

Debate ensued.

Question—put and passed.

6 A.C.T. Health Accreditation update—MINISTERIAL STATEMENT—PAPER NOTED

Ms Fitzharris (Minister for Health and Wellbeing) made a ministerial statement concerning progress towards re-accreditation of Canberra Hospital and Health Services by ACT Health, pursuant to the resolution of the Assembly of 9 May 2018, and presented the following paper:

ACT Health accreditation update—Ministerial statement, 5 June 2018.

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

Debate ensued.

Question—put and passed.

7 Residential Tenancies Amendment Bill 2018

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.

The Assembly voted—

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| AYES, 13 | |  | NOES, 10 | |
| Ms Berry | Ms Orr |  | Miss C. Burch | Mr Milligan |
| Ms J. Burch | Mr Pettersson |  | Mr Coe | Mr Parton |
| Ms Cheyne | Mr Ramsay |  | Mrs Dunne | Mr Wall |
| Ms Cody | Mr Rattenbury |  | Mr Hanson |  |
| Ms Fitzharris | Mr Steel |  | Mrs Kikkert |  |
| Mr Gentleman | Ms Stephen-Smith |  | Ms Lawder |  |
| Ms Le Couteur |  |  | Ms Lee |  |

And so it was resolved in the affirmative.

Leave granted to dispense with the detail stage.

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

8 Casino and Other Gaming Legislation Amendment Bill 2018

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.

9 QUESTIONS

Questions without notice being asked—

It being 3 pm, questions were interrupted pursuant to the order of the Assembly.

**10** **Appropriation Bill 2018-2019**

Mr Barr (Treasurer) presented a Bill for an Act to appropriate money for the purposes of the Territory for the financial year beginning on 1 July 2018, and for other purposes.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 4 June 2018.

Budget 2018-19—

Financial Management Act, pursuant to section 10—

Budget Speech (Budget Paper 1).

Budget in Brief (Budget Paper 2).

Budget Outlook (Budget Paper 3).

Budget Statements—

A—ACT Executive | Auditor-General | Electoral Commissioner | Office of the Legislative Assembly.

B—Chief Minister, Treasury and Economic Development Directorate together with associated agencies.

C—Health Directorate | ACT Hospital Network.

D—Justice and Community Safety Directorate │ Legal Aid Commission (ACT) | Public Trustee for the ACT and Guardian.

E—Environment, Planning and Sustainable Development Directorate | City Renewal Authority | Suburban Land Agency.

F—Education Directorate.

G—Community Services Directorate | Housing ACT.

H—Transport Canberra and City Services Directorate | ACTION | ACT Public Cemeteries Authority.

Financial Management Act, pursuant to subsection 62(2)—Statements of Intent 2018-19—

ACT Building and Construction Industry Training Fund Authority, dated 18, 24 and 25 May 2018.

ACT Long Service Leave Authority.

Title read by Clerk.

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

Debate adjourned (Mr Coe—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

**11** **Appropriation (Office of the Legislative Assembly) Bill 2018-2019**

Mr Barr (Treasurer) presented a Bill for an Act to appropriate money for expenditure in relation to the Office of the Legislative Assembly and officers of the Assembly for the financial year beginning on 1 July 2018, and for other purposes.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 4 June 2018.

Budget 2018-2019—Financial Management Act, pursuant to sections 20AA and 20AC—Appropriation (Office of the Legislative Assembly) Bill 2018-2019—Departures from Recommended Appropriations—Statement of Reasons.

Title read by Clerk.

Mr Barr 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.

12 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report No 6/2018—Physical Security, dated 31 May 2018.

Ombudsman Act, pursuant to section 21—Ombudsman complaint statistics—Quarterly report for the period 1 January to 31 March 2018 and annual report for the financial year-to-date— 1 July 2017 to 31 March 2018, dated 9 May 2018.

Budget 2018-2019—Financial Management Act, pursuant to section 20AB—Auditor‑General—Recommended appropriation—Draft budget—Copy of letter from the Speaker to the Treasurer, dated 23 May 2018.

2016 ACT Election and Electoral Act—Select Committee—Report—*Inquiry into the 2016 ACT Election and the Electoral Act*—ACT Electoral Commission response, dated 25 May 2018.

Committee Reports—Schedule of Government Responses—Ninth and Eighth Assemblies, as at 23 May 2018.

Standing order 191—Amendments to the Land Tax Amendment Bill 2018, dated 14 May 2018.

13 PRESENTATION OF PAPER

Mr Barr (Chief Minister) presented the following paper:

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General’s Report No 2/2018—ACT Government strategic and accountability indicators—Government response.

14 Financial Management Act—Consolidated Financial Report—Paper and statement by Minister

Mr Barr (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 31 March 2018—

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

15 PRESENTATION OF PAPER

Mr Barr (Treasurer) presented the following paper:

Financial integrity and compliance, pursuant to the resolution of the Assembly of 2 November 2017, dated June 2018.

16 PRESENTATION OF PAPER

Ms Fitzharris (Minister for Transport and City Services) presented the following paper:

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General’s Report No 1/2018—Acceptance of Stormwater Assets—Government response.

17 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—

ACT Teacher Quality Institute Act and Financial Management Act—ACT Teacher Quality Institute Board Appointment 2018 (No 1)—Disallowable Instrument DI2018‑85 (LR, 17 May 2018).

Animal Welfare Act—

Animal Welfare (Keeping and Breeding of Racing Greyhounds in the ACT) Mandatory Code of Practice 2018 (No 1)—Disallowable Instrument DI2018-76 (LR, 27 April 2018).

Animal Welfare (Land Transport of Livestock) Mandatory Code of Practice 2018 (No 1)—Disallowable Instrument DI2018-90 (LR, 17 May 2018).

Children and Young People Act—

Children and Young People (Approved Care and Protection Organisations—Intervention) Guidelines 2018 (No 1)—Disallowable Instrument DI2018-97 (LR, 17 May 2018).

Children and Young People (Approved Care and Protection Organisations—Monitoring) Guidelines 2018 (No 1)—Disallowable Instrument DI2018-96 (LR, 17 May 2018).

Children and Young People (Care and Protection Organisations and Responsible Persons—Suitability Approval Application) Guidelines 2018 (No 1)—Disallowable Instrument DI2018-95 (LR, 17 May 2018).

Domestic Animals Act—Domestic Animals (Fees) Determination 2018 (No 1)—Disallowable Instrument DI2018-77 (LR, 27 April 2018).

Independent Competition and Regulatory Commission Act—Independent Competition and Regulatory Commission (Inquiry into beverage price impacts relating to the ACT Container Deposit Scheme) Terms of Reference Determination 2018—Disallowable Instrument DI2018-69 (LR, 30 April 2018).

Magistrates Court Act—Magistrates Court (Work Health and Safety Infringement Notices) Amendment Regulation 2018 (No 1)—Subordinate Law SL2018-7 (LR, 10 May 2018).

Medicines, Poisons and Therapeutic Goods Regulation and Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods (Medicines Advisory Committee) Appointment 2018 (No 2)—Disallowable Instrument DI2018‑78 (LR, 2 May 2018).

Planning and Development Act—

Planning and Development (Lease Variation Charge Deferred Payment Scheme) Determination 2018—Disallowable Instrument DI2018-88 (LR, 16 May 2018).

Planning and Development (Remission of Lease Variation Charges for Environmental Remediation) Determination 2018—Disallowable Instrument DI2018-92 (LR, 16 May 2018).

Planning and Development (Remission of Lease Variation Charges for the Housing Commissioner) Determination 2018—Disallowable Instrument DI2018-93 (LR, 16 May 2018).

Planning and Development (Remission of Lease Variation Charges) Determination 2018 (No 1)—Disallowable Instrument DI2018-94 (LR, 16 May 2018).

Planning and Development (Remission of Lease Variation Charges—Environmental Sustainability) Determination 2018 (No 2)—Disallowable Instrument DI2018-89 (LR, 16 May 2018).

Plant Diseases Act—Plant Diseases (Importation Restriction Area) Declaration 2018 (No 1), including a regulatory impact statement—Disallowable Instrument DI2018‑86 (LR, 8 May 2018).

Public Place Names Act—

Public Place Names (Coombs) Determination 2018—Disallowable Instrument DI2018-83 (LR, 7 May 2018).

Public Place Names (Taylor) Determination 2018 (No 1)—Disallowable Instrument DI2018-84 (LR, 7 May 2018).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2018 (No 2)—Disallowable Instrument DI2018‑71 (LR, 26 April 2018).

Remuneration Tribunal Act—Remuneration Tribunal (Fees and Allowances of Members) Determination 2018—Disallowable Instrument DI2018-108 (LR, 31 May 2018).

Residential Tenancies Act—Residential Tenancies Amendment Regulation 2018 (No 1)—Subordinate Law SL2018-5 (LR, 4 May 2018).

Road Transport (General) Act—

Road Transport (General) (Parking Permit Fees) Determination 2018 (No 1)—Disallowable Instrument DI2018-75 (LR, 27 April 2018).

Road Transport (General) (Pay Parking Area Fees) Determination 2018 (No 1)—Disallowable Instrument DI2018-74 (LR, 27 April 2018).

Road Transport (General) Application of Road Transport Legislation Declaration 2018 (No 5)—Disallowable Instrument DI2018-73 (LR, 27 April 2018).

Road Transport (General) Application of Road Transport Legislation—Securing Coles Refrigerated Delivery Vehicles Declaration 2018—Disallowable Instrument DI2018-79 (LR, 1 May 2018).

Road Transport (General) Application of Road Transport Legislation—Stopping in Permit Zone Declaration 2018—Disallowable Instrument DI2018-72 (LR, 27 April 2018).

Road Transport (General) Numberplate Fees Determination 2018 (No 1)—Disallowable Instrument DI2018-81 (LR, 3 May 2018).

Road Transport (General) Vehicle Registration and Related Fees Determination 2018 (No 1)—Disallowable Instrument DI2018-80 (LR, 3 May 2018).

Road Transport (General) Withdrawal of Infringement Notices Guidelines 2018 (No 1)—Disallowable Instrument DI2018-70 (LR, 27 April 2018).

Road Transport (Offences) Amendment Regulation 2018 (No 1)—Subordinate Law SL2018-6 (LR, 7 May 2018).

Terrorism (Extraordinary Temporary Powers) Act—Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2018 (No 2)—Disallowable Instrument DI2018-87 (LR, 14 May 2018).

Veterinary Surgeons Act—Veterinary Surgeons (Fees) Determination 2018 (No 1)—Disallowable Instrument DI2018-91 (LR, 17 May 2018).

18 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 3.45 pm, adjourned until tomorrow at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly