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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018–2019

MINUTES OF PROCEEDINGS

No 83

[**Tuesday, 12 February 2019**](http://www.hansard.act.gov.au/hansard/2019/pdfs/20190212.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 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Fitzharris for this sitting week on account of illness.

Question—put and passed.

 3 E-PETITION, petition AND MINISTERIAL RESPONSES—petitions and ministerial responses noted

**Petitions**

The Clerk announced that the following Members had lodged petitions for presentation:

Ms Cody, from 62 residents, requesting that the Assembly call on the ACT Government to designate additional motorcycle parking near the offices between Canberra Avenue and Sydney Avenue in Forrest (e-Pet 22-18).

Ms Le Couteur, from 132 residents, requesting that the Assembly call on the Government to, in relation to the Light Rail Stage 2 Alignment, ensure travel times are maintained, commit to a direct alignment and extension to Mawson, and reserve room for a future third track (e-Pet 13-18).

Ms J. Burch, from 44 residents, requesting that the Assembly request ACT Health to provide increased support for resources and infrastructure improvements at the Canberra Sexual Health Centre (Pet 2-19).

**Ministerial responses**

The Clerk announced that the following responses to petitions had been lodged:

Mr Steel (Minister for City Services), dated 19 December 2018—Response to e‑petition No 14-18, lodged by Ms Le Couteur on 18 September 2018, concerning fully fenced play spaces.

Mr Ramsay (Attorney-General), dated 14 December 2018—Response to e-petition No 15-18, lodged by Mr Parton on 18 September 2018, concerning ACT clubs’ community contributions.

Ms Fitzharris (Minister for Transport), dated 2 January 2019—Response to e-petition No 17-18, lodged by Miss C. Burch on 23 October 2018, concerning further public consultation on proposed school bus changes.

Mr Barr (Chief Minister), dated 14 December 2018—Response to e-petition No 19‑18, lodged by Mrs Kikkert on 20 September 2018, concerning fair treatment for international students.

Mr Gentleman (Minister for Planning and Land Management), dated 9 January 2019—Response to e-petition No 12-18 and petition No 20-18, lodged by Ms Le Couteur on 23 October 2018, concerning amending the Phillip Precinct Code to reduce shadowing over the Bellerive Retirement Village.

Mr Gentleman (Minister assisting the Chief Minister on Advanced Technology and Space Industries), dated 18 January 2019—Response to petition No 23-18, lodged by Ms J. Burch on 29 November 2018, concerning commercial drone delivery trials in Bonython.

The Speaker proposed—That the petitions and responses so lodged be noted.

Debate ensued.

Question—put and passed.

 4 Justice and Community Safety—Standing Committee—REPORT 4—Report on Inquiry into the Exposure Draft of the Motor Accident Injuries Bill 2018—report noted

Mrs Jones (Chair), pursuant to order, presented the following report:

Justice and Community Safety—Standing Committee—Report 4—*Report on Inquiry into the Exposure Draft of the Motor Accident Injuries Bill 2018,* dated 14 December 2018, including additional comments *(Mr Pettersson and Ms Cody)* and a dissenting report *(Mrs Jones)*, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

 5 Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 26—STATEMENT BY CHAIR

Mrs Jones (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 26*,* dated 5 February 2019, together with a copy of the extracts of the relevant minutes of proceedings—

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

 6 Health, Ageing and Community Services—Standing Committee—REPORT 5—Inquiry Into the Future Sustainability of Health Funding in the A.C.T.—report noted

Ms Cody (Chair) presented the following report:

Health, Ageing and Community Services—Standing Committee—Report 5—*Inquiry Into the Future Sustainability of Health Funding in the ACT,* dated 11 December 2018, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

 **7** **Health, Ageing and Community Services—Standing Committee—Consideration of Statutory Appointments—Statement by Chair—Paper**

Ms Cody (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Health, Ageing and Community Services.

*Paper:* Ms Cody, pursuant to Continuing Resolution 5A, presented the following paper:

Health, Ageing and Community Services—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2018.

 8 Government priorities for 2019—MINISTERIAL STATEMENT—PAPER NOTED

Mr Barr (Chief Minister) made a ministerial statement outlining the Government’s priorities for 2019 and presented the following paper:

Government priorities for 2019—Ministerial statement, 12 February 2019.

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

Question—put and passed.

 9 A.C.T. Ambulance Service—Blueprint for change—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Police and Emergency Services) made a ministerial statement concerning ACT Ambulance Service’s Blueprint for Change and presented the following paper:

ACT Ambulance Service—Blueprint for Change—Ministerial statement, 12 February 2019.

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

Debate ensued.

Question—put and passed.

 10 Electoral 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.

*Detail Stage*

Clause 1—

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

 11 Canberra Institute of Technology 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.

 12 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly that, due to the absence of Minister Fitzharris, questions without notice normally directed to the Minister for Health and Wellbeing, the Minister for Transport, and the Minister for Higher Education, Training and Research could be directed to Minister Rattenbury, Minister Steel and Minister Stephen-Smith, respectively.

 13 QUESTIONS

Questions without notice were asked.

 14 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Assault of a detainee at the Alexander Maconochie Centre on 25 October 2018, dated 18 January 2019.

Ombudsman Act, pursuant to subsection 21(2)—ACT Ombudsman—A report on the activities of the ACT Ombudsman—Report No 1/2019—Quarterly report for the period 1 October to 31 December 2018, dated 30 January 2019.

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Reports Nos—

12/2018—2017-18 Financial Audits—Financial Results and Audit Findings, dated 13 December 2018.

1/2019—Total Facilities Management Procurement, dated 18 January 2019.

8/2018—Assembly of rural land west of Canberra—Corrigendum.

Standing order 191—Amendments to:

Gaming Legislation Amendment Bill 2018, dated 3 December 2018, dated 3 December 2018.

Integrity Commission Bill 2018, dated 7 and 10 December 2018.

 15 PRESENTATION OF PAPERs

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

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

Part-time Public Office Holder—Clinical Leadership Forum—Determination 17 of 2018, dated December 2018.

Part-time Statutory Office Holder: Integrity Commissioner—Determination 16 of 2018, dated December 2018.

Financial Management Act, pursuant to subsection 20A(2)—Budget 2018-19—Budget review.

Public Accounts—Standing Committee—Report 4—*Methodology for determining rates and land tax in strata residences*—Government response.

Workplace Culture within ACT Public Health Services—Independent Review—Interim Report, dated 31 January 2019.

Planning and Development Act, pursuant to subsection 79(1)—Approvals—Variations to the Territory Plan, including associated documents—

No 342—Belconnen Town Centre: Zone changes and amendments to the Belconnen precinct map and code, dated 11 February 2019.

No 359—Changes to the Tharwa Precinct Map and Code and removal of public land overlay, dated 6 February 2019.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports 2017-2018—

Environment, Planning and Sustainable Development Directorate—Corrigendum, dated February 2019.

Community Services Directorate—Corrigendum.

Financial Management Act, pursuant to section 30E—Half-yearly departmental performance reports—December 2018—

ACT Local Hospital Network Directorate, dated February 2019.

Canberra Health Services, dated February 2019.

Chief Minister, Treasury and Economic Development Directorate, dated February 2019.

Community Services Directorate, dated February 2019.

Education Directorate, dated February 2019.

Environment, Planning and Sustainable Development Directorate, dated February 2019.

Health Directorate, dated February 2019.

Housing ACT, dated February 2019.

Justice and Community Safety Directorate.

Transport Canberra and City Services Directorate, dated February 2019.

 16 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—

Auditor-General Act—Auditor-General Appointment 2019—Disallowable Instrument DI2019-2 (LR, 17 January 2019).

Betting Operations Tax Act—Betting Operations Tax Determination 2019—Disallowable Instrument DI2019-5 (LR, 24 January 2019).

Board of Senior Secondary Studies Act—

Board of Senior Secondary Studies Appointment 2018 (No 4)—Disallowable Instrument DI2018-289 (LR, 10 December 2018).

Board of Senior Secondary Studies Appointment 2018 (No 5)—Disallowable Instrument DI2018-290 (LR, 10 December 2018).

Board of Senior Secondary Studies Appointment 2018 (No 6)—Disallowable Instrument DI2018-291 (LR, 6 December 2018).

Board of Senior Secondary Studies Appointment 2018 (No 7)—Disallowable Instrument DI2018-292 (LR, 10 December 2018).

Civil Law (Wrongs) Act—

Civil Law (Wrongs) The Australian Computer Society Professional Standards Scheme 2018—Disallowable Instrument DI2018-301 (LR, 21 December 2018).

Civil Law (Wrongs) The Law Society of New South Wales Bar Professional Standards Scheme 2018—Disallowable Instrument DI2018-286 (LR, 29 November 2018).

Court Procedures Act—Court Procedures Amendment Rules 2018 (No 1)—Subordinate Law SL2018-25 (LR, 17 December 2018).

Crimes (Child Sex Offenders) Act—Crimes (Child Sex Offenders) Amendment Regulation 2018 (No 1)—Subordinate Law SL2018-24 (LR, 12 December 2018).

Cultural Facilities Corporation Act and Financial Management Act—

Cultural Facilities Corporation (Governing Board) Appointment 2018 (No 1)—Disallowable Instrument DI2018-275 (LR, 26 November 2018).

Cultural Facilities Corporation (Governing Board) Appointment 2018 (No 2)—Disallowable Instrument DI2018-276 (LR, 26 November 2018).

Cultural Facilities Corporation (Governing Board) Appointment 2018 (No 3)—Disallowable Instrument DI2018-277 (LR, 26 November 2018).

Cultural Facilities Corporation (Governing Board) Appointment 2018 (No 4)—Disallowable Instrument DI2018-278 (LR, 26 November 2018).

Cultural Facilities Corporation (Governing Board) Appointment 2018 (No 5)—Disallowable Instrument DI2018-279 (LR, 26 November 2018).

Domestic Animals Act—Domestic Animals (Fees) Determination 2018 (No 3)—Disallowable Instrument DI2018-285 (LR, 3 December 2018).

Financial Management Act—Financial Management (Directorates) Guidelines 2019 (No 1)—Disallowable Instrument DI2019-4 (LR, 24 January 2019).

Gaming Machine Act—Gaming Machine (Offset Amounts) Regulation 2018—Subordinate Law SL2018-27 (LR, 19 December 2018).

Government Procurement Act—

Government Procurement (Secure Local Jobs Audit) Guidelines 2018—Disallowable Instrument DI2018-287 (LR, 3 December 2018).

Government Procurement (Secure Local Jobs Complaints and Noncompliance Investigation) Guidelines 2018—Disallowable Instrument DI2018-288 (LR, 3 December 2018).

Health Records (Privacy and Access) Act—Health Records (Privacy and Access) (Fees) Determination 2018 (No 1)—Disallowable Instrument DI2018-294 (LR, 17 December 2018).

Integrity Commission Act—Integrity Commission (Commissioner Selection Criteria and Process) Determination 2019—Disallowable Instrument DI2019-1 (LR, 16 January 2019).

Legal Aid Act—Legal Aid (Review Committee Panels) Appointment 2019 (No 1)—Disallowable Instrument DI2019-3 (LR, 21 January 2019).

Long Service Leave (Portable Schemes) Act 2009 and Financial Management Act—

Long Service Leave (Portable Schemes) Governing Board Appointment 2019 (No 1)—Disallowable Instrument DI2019-6 (LR, 24 January 2019).

Long Service Leave (Portable Schemes) Governing Board Appointment 2019 (No 2)—Disallowable Instrument DI2019-7 (LR, 24 January 2019).

Official Visitor Act—

Official Visitor (Children and Young People) Appointment 2018 (No 2)—Disallowable Instrument DI2018-295 (LR, 20 December 2018).

Official Visitor (Corrections Management) Visit and Complaint Guidelines 2018—Disallowable Instrument DI2018-269 (LR, 29 November 2018).

Planning and Development Act—Planning and Development Amendment Regulation 2018 (No 1), including a regulatory impact statement,—Subordinate Law SL2018-21 (LR, 22 November 2018).

Public Health Act—Public Health Amendment Regulation 2019 (No 1)—Subordinate Law SL2019-2 (LR, 31 January 2019).

Race and Sports Bookmaking Act—

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2018 (No 4)—Disallowable Instrument DI2018-302 (LR, 21 December 2018).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2019 (No 1)—Disallowable Instrument DI2019-8 (LR, 31 January 2019).

Racing Act—Racing Appeals Tribunal (Rules of the Tribunal) 2018 (No 1)—Disallowable Instrument DI2018-293 (LR, 17 December 2018).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2018 (No 10)—Disallowable Instrument DI2018-281 (LR, 22 November 2018).

Road Transport (General) Application of Road Transport Legislation Declaration 2018 (No 11)—Disallowable Instrument DI2018-296 (LR, 20 December 2018).

Road Transport (General) Exclusion of Road Transport Legislation (Light Rail) Declaration 2018 (No 1)—Disallowable Instrument DI2018-303 (LR, 21 December 2018).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2018 (No 1)—Disallowable Instrument DI2018-297 (LR, 21 December 2018).

Road Transport (Offences) Amendment Regulation 2018 (No 3)—Subordinate Law SL2018-23 (LR, 29 November 2018).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Public Transport Fares Determination 2018—Disallowable Instrument DI2018-284 (LR, 29 November 2018).

Road Transport (Safety and Traffic Management) Act—Road Transport (Safety and Traffic Management) Amendment Regulation 2019 (No 1)—Subordinate Law SL2019‑1 (LR, 29 January 2019).

Road Transport (Vehicle Registration) Act and Road Transport (General) Act—Road Transport (Vehicle Registration) Amendment Regulation 2018 (No 1)—Subordinate Law SL2018-26 (LR, 13 December 2018).

Taxation Administration Act—Taxation Administration (Amounts Payable—Ambulance Levy) Determination 2018—Disallowable Instrument DI2018-300 (LR, 21 December 2018).

Veterinary Practice Act—

Veterinary Practice (Fees) Determination 2018 (No 1)—Disallowable Instrument DI2018-299 (LR, 20 December 2018).

Veterinary Practice (Professional Bodies) Declaration 2018—Disallowable Instrument DI2018-298 (LR, 20 December 2018).

Veterinary Practice Regulation 2018—Subordinate Law SL2018-28 (LR, 20 December 2018).

 17 Financial Management Act—Budget 2018-19—Budget review—Paper noted

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly takes note of the following paper:

Financial Management Act, pursuant to subsection 20A(2)—Budget 2018-19—Budget review.

Debate ensued.

Question—put and passed.

 18 Public Accounts—Standing Committee—Report 4—Methodology for determining rates and land tax in strata residences—Government Response—PAPER NOTED

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly takes note of the following paper:

Public Accounts—Standing Committee—Report 4—*Methodology for determining rates and land tax in strata residences*—Government response.

Debate ensued.

Question—put and passed.

 19 Workplace Culture within A.C.T. Public Health Services—Independent Review—Interim Report—Paper noted

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly takes note of the following paper:

Workplace Culture within ACT Public Health Services—Independent Review—Interim Report.

Question—put and passed.

 20 Planning and Development Act—Approval of Variation No 359 to the Territory Plan—Changes to the Tharwa Precinct Map and Code and removal of public land overlay—Paper noted

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly takes note of the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 359 to the Territory Plan—Changes to the Tharwa Precinct Map and Code and removal of public land overlay.

Question—put and passed.

 21 financial management act—half-yearly performance report—december 2018—transport canberra and city services directorate—Paper noted

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly takes note of the following paper:

Financial Management Act, pursuant to section 30E—Half-yearly performance report—December 2018—Transport Canberra and City Services Directorate.

Question—put and passed.

 22 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—Canberra’s multicultural community—Support

The Assembly was informed that Ms Cody, Mr Coe (Leader of the Opposition), Mrs Dunne, Mr Hanson, Mrs Kikkert, Ms Le Couteur, Ms Lee, Ms Orr, Mr Parton and Mr Wall 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 Mrs Kikkert be submitted to the Assembly, namely, “The importance of supporting Canberra’s multicultural community”.

Discussion ensued.

Discussion concluded.

 23 ADJOURNMENT

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

Debate ensued.

The time allotted for the debate having expired—

Question—put and passed.

And then the Assembly, at 4.51 pm, adjourned until tomorrow at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly