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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017

MINUTES OF PROCEEDINGS

No 25

[**Thursday, 17 August 2017**](http://www.hansard.act.gov.au/hansard/2017/pdfs/20170817.pdf)

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**1** The Assembly met at 10 a.m., pursuant to adjournment. The Acting Speaker (Mrs Dunne) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PETITION and Ministerial response—Statement by Member

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

Mrs Kikkert, from 203 residents, requesting that the Assembly urge the ACT Government to upgrade the Hudson Street and Westhoven Street playgrounds in Higgins as well as maintain other playgrounds (Pet 20-17).

**Ministerial response**

The Clerk announced that the following response to a petition had been lodged:

Ms Fitzharris (Minister for Transport and City Services), dated 15 August 2017—Response to petition No 12-17, lodged by Ms Orr on 11 May 2017, concerning the revitalisation of the Giralang community precinct.

Mrs Kikkert, by leave, made a statement in relation to the petition.

3 Outlaw motorcycle gangs—A.C.T. Government response—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Police and Emergency Services) made a ministerial statement concerning the ACT Government response to outlaw motorcycle gangs and presented the following paper:

Outlaw motorcycle gangs—ACT Government response—Ministerial statement, 17 August 2017.

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

Debate ensued.

Question—put and passed.

4 Aluminium cladding Working Group—update—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Planning and Land Management) made a ministerial statement concerning an update on the Aluminium Cladding Working Group and presented the following paper:

Aluminium Cladding Working Group—Update—Ministerial statement, 17 August 2017.

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

Debate ensued.

Question—put and passed.

5 Centenary Hospital—MINISTERIAL STATEMENT—PAPER NOTED

Ms Fitzharris (Minister for Health and Wellbeing) made a ministerial statement concerning the Centenary Hospital and presented the following paper:

Centenary Hospital—Ministerial statement, 17 August 2017.

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

Debate ensued.

Question—put and passed.

6 Preventing and Minimising Gambling Harm—MINISTERIAL STATEMENT and Paper—PAPER NOTED

Mr Ramsay (Attorney-General) made a ministerial statement concerning preventing and minimising gambling harm and presented the following papers:

Preventing and Minimising Gambling Harm—Ministerial statement, 17 August 2017.

Implementing the Government Commitment to Reduce Gaming Machine Authorisations—Options for Consultation, dated August 2017.

Mr Ramsay moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

7 Child care placement and care plans—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Disability, Children and Youth) made a ministerial statement concerning child care placement and care plans, pursuant to the resolution of the Assembly of 10 May 2017, and presented the following paper:

Child care placement and care plans—Ministerial statement, 17 August 2017.

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

Debate ensued.

Question—put and passed.

8 Holidays (Reconciliation Day) Amendment Bill 2017

Ms Stephen-Smith (Minister for Workplace Safety and Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Holidays Act 1958*.

*Papers:* Ms Stephen-Smith presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, undated.

Title read by Clerk.

Ms Stephen-Smith moved—That this Bill be agreed to in principle.

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

9 Economic Development and Tourism—Standing Committee—Consideration of Statutory Appointments—Statement by Chair—Paper

Mr Hanson (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Economic Development and Tourism during the period 1 January to 30 June 2017.

10 Planning and Urban Renewal—Standing Committee—Consideration of Statutory Appointments—Statement by Chair—Paper

Ms Le Couteur (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Planning and Urban Renewal and the Standing Committee on Planning, Environment and Territory and Municipal Services (8th Assembly).

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

Planning, Environment and Territory and Municipal Services—Standing Committee (8th Assembly) and Planning and Urban Renewal—Standing Committee—Schedules of Statutory Appointments—8 and 9th Assembly—Periods 1 January to 30 June 2016 and 1 July to 31 December 2016.

11 Planning and Urban Renewal—Standing Committee—INQUIRY—Housing—Guidance document—STATEMENT BY CHAIR

Ms Le Couteur (Chair), pursuant to standing order 246A, informed the Assembly that, in order to assist with its inquiry into housing in the ACT, the Standing Committee on Planning and Urban Renewal had developed a Guidance Document to assist members of the community in understanding the inquiry’s term of reference.

12 Executive business—precedence

Ordered—That Executive business be called on forthwith.

13 Marriage equality

Mr Barr (Chief Minister), pursuant to notice, moved—That this Assembly:

1. notes that:
   1. the Federal Government is seeking to instruct the Australian Bureau of Statistics to conduct a non-binding voluntary postal survey on whether the law should be changed to allow same sex couples to marry;
   2. the Assembly supported a motion on 10 August 2016 which called on the ACT Government to:
      1. demonstrate that the ACT is the most LGBTIQ friendly jurisdiction by supporting the case for marriage equality; and
      2. support the LGBTIQ community through the anticipated marriage equality plebiscite debate; and
   3. consistent with this resolution, the ACT Government will provide additional support to the LGBTIQ community throughout the period of the voluntary postal survey;
2. supports the ACT Government joining and actively participating in the campaign to achieve marriage equality; and
3. reaffirms its view that all Australians should be treated equally under the law and that includes being able to marry the person they love. LGBTIQ Australians should have the same opportunities for love, commitment and happiness as everyone else.

Mr Coe (Leader of the Opposition) moved the following amendment: Omit all words after “notes that”, substitute:

“(a) the Treasurer, under the Commonwealth *Census and Statistics Act 1905*, has directed the Australian Statistician to request statistical information from all Australians on the Commonwealth Electoral Roll, as to their views on whether or not the law should be changed to allow same sex couples to marry; and

(b) within the Canberra community, there is a diversity of opinions on the subject;

(2) supports the belief that all Canberrans, regardless of their views, culture, ethnicity, faith or sexuality, should be treated with respect and that contributions to the debate should be respectful; and

(3) calls on the ACT Government not to provide ACT taxpayer resources to either the ‘yes’ or ‘no’ case.”.

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.

14 QUESTIONS

Questions without notice were asked.

15 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Mr Doszpot for today’s sitting due to illness.

Question—put and passed.

16 Coroners Act—Report of Coroner—Inquest into the Death of Mr Paul Fennessy and Government reponse—papers and statement by minister

Ms Fitzharris (Minister for Health and Wellbeing) presented the following papers:

Coroners Act, pursuant to subsection 57(5)—Report of Coroner—Inquest into the death of Mr Paul Fennessy—

Report, dated 1 February 2017.

Government response—

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

17 Marriage equality

The order of the day having been read for the resumption of the debate on the motion of Mr Barr (Chief Minister), and on the amendment moved by Mr Coe (Leader of the Opposition) (*see* [entry 13](#Entry13))—

Debate resumed.

Question—That the amendment be agreed to—put.

The Assembly voted—

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| AYES, 8 | |  | NOES, 11 | |
| Mr Coe | Mr Parton |  | Mr Barr | Mr Pettersson |
| Mrs Dunne | Mr Wall |  | Ms Cody | Mr Ramsay |
| Mr Hanson |  |  | Ms Fitzharris | Mr Rattenbury |
| Mrs Kikkert |  |  | Mr Gentleman | Mr Steel |
| Ms Lee |  |  | Ms Le Couteur | Ms Stephen-Smith |
| Mr Milligan |  |  | Ms Orr |  |

And so it was negatived.

Question—That the motion be agreed to—put and passed.

18 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 1.7—Community Services Directorate—

Debate continued.

Proposed expenditure agreed to.

Part 1.8—Cultural Facilities Corporation—debated and agreed to.

Part 1.9—Education Directorate—

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

19 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 6 pm, adjourned until Tuesday, 22 August 2017 at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly