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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

MINUTES OF PROCEEDINGS

No 46

[**Thursday, 15 February 2018**](http://www.hansard.act.gov.au/hansard/2018/pdfs/20180215.pdf)

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 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms J. Burch) 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.

 Public Accounts—Standing Committee—reference—Strata residences—Methodology for determining Rates and land tax—Papers

Mr Coe (Leader of the Opposition), by leave, presented the following papers:

Petitions which do not conform with the standing orders—Strata residences—Methodology for determining rates and land tax—

Mr Coe (76 signatures).

Mr Coe (5464 signatures)—

and moved—That the papers be referred to the Standing Committee on Public Accounts for inquiry and report by the last sitting day in May 2018.

Debate ensued.

Question—put and passed.

 Portfolio priorities 2018—MINISTERIAL STATEMENT—PAPER NOTED

Minister Fitzharris made a ministerial statement concerning her portfolio priorities for 2018 and presented the following paper:

Portfolio priorities 2018—Ministerial statement, 15 February 2018.

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

Question—put and passed.

 Statement of priorities—MINISTERIAL STATEMENT—PAPER NOTED

Minister Ramsay made a ministerial statement concerning his portfolio priorities for 2018 and presented the following paper:

Statement of priorities—Ministerial statement, 15 February 2018.

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

Question—put and passed.

 Portfolio priorities 2018—MINISTERIAL STATEMENT—PAPER NOTED

Minister Rattenbury made a ministerial statement concerning his portfolio priorities for 2018 and presented the following paper:

Portfolio priorities 2018—Ministerial statement, 15 February 2018.

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

Question—put and passed.

 priorities 2018—MINISTERIAL STATEMENT—PAPER NOTED

Minister Stephen-Smith made a ministerial statement concerning her portfolio priorities for 2018 and presented the following paper:

Priorities 2018—Ministerial statement, 15 February 2018.

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

Question—put and passed.

 Appropriation Bill 2017-2018 (No 2)

Mr Barr (Treasurer), pursuant to notice, presented a Bill for an Act to appropriate additional money for the purposes of the Territory for the financial year that began on 1 July 2017.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 14 February 2018.

Budget 2017-18—Financial Management Act, pursuant to section 13—Supplementary Budget Papers.

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.

*Public Accounts—Standing Committee—Reference—Appropriation Bill 2017-2018 (No 2)*: Mr Coe, pursuant to standing order 174, moved—That the Appropriation Bill 2017-2018 (No 2) be referred to the Standing Committee on Public Accounts.

Question—put and passed.

 Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2)

Mr Barr (Treasurer), pursuant to notice, presented a Bill for an Act to appropriate additional money for expenditure in relation to the Office of the Legislative Assembly for the financial year that began on 1 July 2017.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 14 February 2018.

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.

*Public Accounts—Standing Committee—Reference—Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2)*: Mr Coe, pursuant to standing order 174, moved—That the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2) be referred to the Standing Committee on Public Accounts.

Question—put and passed.

 Planning and Development (Lease Variation Charge Deferred Payment Scheme) Amendment Bill 2018

Mr Barr (Treasurer), pursuant to notice, presented a Bill for an Act to amend the *Planning and Development Act 2007*, 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 14 February 2018.

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.

 Workplace Legislation Amendment Bill 2018

Ms Stephen-Smith (Minister for Workplace Safety and Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Public Sector Management Act 1994* and the *Workplace Privacy Amendment Act 2016*.

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

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 14 February 2018.

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.

 Estimates 2018-2019—Select Committee—Proposed Establishment

Mr Wall, pursuant to notice, moved—That:

1. a Select Committee on Estimates 2018-2019 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2018-2019, the Appropriation (Office of the Legislative Assembly) Bill 2018-2019 and any revenue estimates proposed by the Government in the 2018-2019 Budget and prepare a report to the Assembly;
2. the Committee be composed of:
	1. two Members to be nominated by the Government;
	2. two Members to be nominated by the Opposition; and
	3. one Member to be nominated by The Greens; and

to be notified in writing to the Speaker by 12.15 pm today;

1. an Opposition Member shall be elected chair of the Committee by the Committee;
2. funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
3. the Committee is to report by Tuesday, 31 July 2018;
4. if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
5. the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

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

 12 Administration and Procedure—Standing Committee—reference—Estimates Procedures

Mr Wall, by leave, moved—That Assembly business notice No 1 be referred to the Standing Committee on Administration and Procedure to inquire into the establishment of an Estimates Committee for this year, but also to inquire into any other matter pertaining to the conduct of Estimates in the Assembly going forward, with a reporting date of no later than the 22nd of this month.

Question—put and passed.

 13 Administration and Procedure—Standing Committee—REPORT 5—Review of Continuing Resolution 9—Senator for the Australian Capital Territory—Procedures for Election—report noted

Ms J. Burch (Chair) presented the following report:

Administration and Procedure—Standing Committee—Report 5—*Review of Continuing Resolution 9—Senator for the Australian Capital Territory—Procedures for Election,* dated 14 February 2018, together with a copy of the extracts of the relevant minutes of proceedings.

Mr Rattenbury moved—That the report be noted.

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

 **14 Health, Ageing and Community Services—Standing Committee—REPORT 3—Report on Annual and Financial Reports 2016-2017—report noted**

Mr Steel (Chair) presented the following report:

Health, Ageing and Community Services—Standing Committee—Report 3—*Report on Annual and Financial Reports 2016-2017,* dated 15 February 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.

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

Mr Steel (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:* Mr Steel, pursuant to Continuing Resolution 5A, presented the following paper:

Health, Ageing and Community Services—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 August 2017 to 31 January 2018.

 **16 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.

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

Planning and Urban Renewal—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2017.

 17 Executive business—precedence

Ordered—That Executive business be called on forthwith.

 18 Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) 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 Rattenbury (Minister for Justice, Consumer Affairs and Road Safety) 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.

 19 QUESTIONS

Questions without notice were asked.

 20 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Pettersson for this sitting due to illness.

Question—put and passed.

 21 City Renewal Authority And Suburban Land Agency Act—Suburban Land Agency—Land acquisitions quarterly report—PAPER AND STATEMENT BY MINISTER

Ms Berry (Minister for Housing and Suburban Development) presented the following paper:

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 43(2)—Suburban Land Agency—Land acquisitions quarterly report—1 October to 31 December 2017, dated February 2018—

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

 22 Presentation of paper

Mr Ramsay (Attorney-General) presented the following paper:

Coroners Act, pursuant to subsection 102(8)—ACT Coroner's Court—Annual report 2016/17, dated December 2017.

 23 Presentation of Paper

Mr Gentleman (Minister for Planning and Land Management) presented the following paper:

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Quarterly report—1 October to 31 December 2017.

 24 PRESENTATION OF PAPER

Mr Gentleman (Minister for the Environment and Heritage) presented the following paper:

Cycling Tourism in Kowen Forest and Other Commercial Forest Areas of the ACT—Progress report on the implementation—Response, pursuant to the resolution of the Assembly of 2 November 2017, concerning recreational cycling tourism, dated February 2018.

 25 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—Religion—Freedom from discrimination

The Assembly was informed that Ms Cheyne, Ms Cody, Mrs Dunne, Ms Le Couteur, Ms Orr, Mr Pettersson, Mr Steel 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 Ms Cody be submitted to the Assembly, namely, “Freedom from discrimination in relation to religion in the ACT”.

Discussion ensued.

Discussion concluded.

 26 Standing Committees—Membership

Mr Wall, pursuant to standing order 223, moved—That:

(1) Mr Parton be discharged from the Standing Committee on Environment and Transport and City Services and Miss C. Burch and Ms Lawder be appointed; and

(2) Ms Lawder be discharged from the Standing Committee on Planning and Urban Renewal and Mr Parton be appointed.

Question—put and passed.

 27 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 4.39 pm, adjourned until Tuesday, 20 February 2018 at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly