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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

MINUTES OF PROCEEDINGS

No 53

[**Tuesday, 10 April 2018**](http://www.hansard.act.gov.au/hansard/2018/pdfs/20180410.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 PETITION AND MINISTERIAL RESPONSE—Statements by Members

**Petition**

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

Mrs Kikkert, from 157 residents, requesting that the Assembly urge the ACT Government to install a pedestrian crossing on Burkitt Street, Page; develop a walking path along Birrell Street near the park and install seating including shade structures; outdoor fitness equipment for the elderly; a swing set for preschoolers; and a water bubbler in the park (Pet 10-18).

**Ministerial response**

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

Ms Fitzharris (Minister for Transport and City Services), dated 27 March 2018—Response to petition No 4-18, lodged by Ms Lawder on 20 February 2018, concerning a request for a shade sail at the Mortimer Lewis Drive playground in Greenway.

Mrs Kikkert and Ms Lawder, by leave, made statements in relation to the petition.

3 Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 16—STATEMENT BY CHAIR

Ms Lee (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 16*,* dated 3 April 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.

4 Public Accounts—Standing Committee—REPORT 3—Inquiry into Appropriation Bill 2017-2018 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2)—Motion that Report be noted

Mrs Dunne (Chair) presented the following report:

Public Accounts—Standing Committee—Report 3—*Inquiry into Appropriation Bill 2017-2018 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2),* dated 10 April 2018, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate adjourned (Ms Berry—Deputy Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

5 New Zealand Mission—March 2018—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for Housing and Suburban Development) made a ministerial statement concerning a four day mission to Wellington, New Zealand in March 2018 and presented the following paper:

New Zealand Mission—March 2018—Ministerial statement, 10 April 2018.

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

Question—put and passed.

6 Detention Exit Community Outreach Program—MINISTERIAL STATEMENT—PAPER NOTED

Mr Rattenbury (Minister for Mental Health) made a ministerial statement concerning the Detention Exit Community Outreach Program and presented the following paper:

Detention Exit Community Outreach Program—Ministerial statement, 10 April 2018.

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

Question—put and passed.

7 Electronic Gaming machines in the Territory—Reducing the number—MINISTERIAL STATEMENT—PAPER NOTED

Mr Ramsay (Attorney-General) made a ministerial statement concerning reducing the number of electronic gaming machines in the Territory and presented the following paper:

Electronic gaming machines in the Territory—Reducing the number—Ministerial statement, 10 April 2018.

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

Debate ensued.

Question—put and passed.

8 Justice and Community Safety—Standing Committee—Report 1—Report on Annual and Financial Reports 2015-2016—Update on Disability Recommendations 11 and 12—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Disability, Children and Youth) made a ministerial statement concerning an update on Disability recommendations 11 and 12 of Report 1 of the Standing Committee on Justice and Community Safety—Report on Annual and Financial Reports 2015-2016, and presented the following paper:

Justice and Community Safety—Standing Committee—Report 1—Report on Annual and Financial Reports 2015-2016—Update on Disability recommendations 11 and 12—Ministerial statement, 10 April 2018.

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

Question—put and passed.

9 Waste Management and Resource Recovery Amendment Bill 2018

Ms Fitzharris (Minister for Transport and City Services), by leave, presented a Bill for an Act to amend the *Waste Management and Resource Recovery Amendment Act 2017*.

*Papers:* Ms Fitzharris presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 6 April 2018.

Title read by Clerk.

Ms Fitzharris moved—That this Bill be agreed to in principle.

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

10 Domestic Animals 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.

*Paper:* Ms Fitzharris (Minister for Transport and City Services) 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.

11 Justice and Community Safety 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.

12 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Fitzharris for 12 April 2018 to enable her, as Minister for Health, to attend meetings in Sydney associated with the COAG Health Council meeting being held the next day.

Question—put and passed.

13 QUESTIONS

Questions without notice were asked.

14 Question taken on notice—STATEMENT BY MEMBER

Mrs Dunne, by leave, made a statement to correct the record in relation to a question without notice concerning the Productivity Commission’s 2018 Report on Government Services, asked by Mrs Dunne and taken on notice by the Minister for Mental Health on 20 February 2018.

15 2016 A.C.T. Election and Electoral Act—Select Committee—REPORT—Inquiry into the 2016 A.C.T. Election and the Electoral Act—GOVERNMENT RESPONSE—PAPER NOTED

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

2016 ACT Election and Electoral Act—Select Committee—Report—*Inquiry into the 2016 ACT Election and the Electoral Act*—Government response—

and moved—That the Assembly take note of the paper.

Question—put and passed.

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—

Boxing Control Act—

Boxing Control (Combat Sports) Code of Practice 2018 (No 1)—Disallowable Instrument DI2018-42 (LR, 13 March 2018).

Boxing Control Regulation 2018—Subordinate Law SL2018-1 (LR, 13 March 2018).

Gambling and Racing Control Act and Financial Management Act—Gambling and Racing Control (Governing Board) Appointment 2018 (No 1)—Disallowable Instrument DI2018-48 (LR, 19 March 2018).

Long Service Leave (Portable Schemes) Act—

Long Service Leave (Portable Schemes) Building and Construction Industry Levy Determination 2018—Disallowable Instrument DI2018-46 (LR, 19 March 2018).

Long Service Leave (Portable Schemes) Community Sector Industry Levy Determination 2018—Disallowable Instrument DI2018-45 (LR, 22 March 2018).

Long Service Leave (Portable Schemes) Contract Cleaning Industry Levy Determination 2018—Disallowable Instrument DI2018-44 (LR, 22 March 2018).

Long Service Leave (Portable Schemes) Security Industry Levy Determination 2018—Disallowable Instrument DI2018-43 (LR, 22 March 2018).

Planning and Development Act—Planning and Development (Remission of Lease Variation Charges—Environmental Sustainability) Determination 2018 (No 1)—Disallowable Instrument DI2018-40 (LR, 6 March 2018).

Public Place Names Act—Public Place Names (Greenway) Determination 2018—Disallowable Instrument DI2018-41 (LR, 8 March 2018).

Radiation Protection Act—Radiation Protection (Student) Exemption 2018 (No 1)—Disallowable Instrument DI2018-39 (LR, 8 March 2018).

Taxation Administration Act—Taxation Administration (Amounts Payable—Utilities (Network Facilities Tax)) Determination 2018 (No 1)—Disallowable Instrument DI2018-51 (LR, 22 March 2018).

Terrorism (Extraordinary Temporary Powers) Act—Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2018—Disallowable Instrument DI2018-38 (LR, 13 March 2018).

Tree Protection Act—Tree Protection (Criteria for Registration and Cancellation of Registration) Determination 2018—Disallowable Instrument DI2018-50 (LR, 22 March 2018).

Utilities (Technical Regulation) Act—Utilities (Technical Regulation) (Gas Network Boundary Code) Approval 2018—Disallowable Instrument DI2018-47 (LR, 22 March 2018).

Utilities Act—Utilities (Gas Network Boundary Code) Revocation 2018—Disallowable Instrument DI2018-49 (LR, 21 March 2018).

17 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—Protecting and celebrating our Aboriginal, European and natural heritage

The Assembly was informed that Miss C. Burch, Ms Cheyne, Ms Cody, Mrs Dunne, Mr Hanson, Mrs Kikkert, Ms Lawder, Ms Lee, Ms Orr, Mr Parton, 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 Lawder be submitted to the Assembly, namely, “The importance of protecting and celebrating our Aboriginal, European and natural heritage”.

Discussion ensued.

Discussion concluded.

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 4.50 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