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**LEGISLATIVE ASSEMBLY FOR THE**

**AUSTRALIAN CAPITAL TERRITORY**

**2016–2017–2018–2019–2020**

**MINUTES OF PROCEEDINGS**

**No 128**

[**THURSDAY, 20 February 2020**](http://www.hansard.act.gov.au/hansard/2020/links/download.htm)

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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 Matter of public importance—LODGMENT—Speaker’s ruling

The Speaker ruled that the matter of public importance proposed by Ms Lawder was in identical terms to the one submitted by Mr Milligan and discussed on Tuesday of this sitting week and, accordingly, was not included in the draw.

 **3 New Zealand—MInisterial Mission—November 2019—MINISTERIAL STATEMENT—PAPER NOTED**

Mr Ramsay (Minister for the Arts, Creative Industries and Cultural Events) made a ministerial statement concerning a ministerial mission to New Zealand in November 2019 and presented the following paper:

New Zealand—Ministerial mission—November 2019—Ministerial statement, 20 February 2020.

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

Question—put and passed.

 **4 Public Interest Disclosure Amendment Bill 2020**

Mr Barr (Chief Minister), pursuant to notice, presented a Bill for an Act to amend the *Public Interest Disclosure Act 2012*, and for other purposes.

*Paper:* Mr Barr presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

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.

 **5 Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2020**

Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs), pursuant to notice, presented a Bill for an Act to amend the *Aboriginal and Torres Strait Islander Elected Body Act 2008*.

*Paper:* Ms Stephen-Smith presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

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

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

 **6 Gaming Machine Amendment Bill 2020**

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Gaming Machine Act 2004* and the *Gaming Machine Regulation 2004*.

*Paper:* Mr Ramsay presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

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

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

 **7 Land Titles (Electronic Conveyancing) Legislation Amendment Bill 2020**

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation in relation to electronic conveyancing, and for other purposes.

*Papers:* Mr Ramsay presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 18 February 2020.

Land Titles (Electronic Conveyancing) Legislation Amendment Bill 2020—

Verification of Authority Rules (Exposure draft), dated February 2020.

Verification of Identity Rules (Exposure draft), dated February 2020.

Title read by Clerk.

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

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

 **8 Electronic Conveyancing National Law (A.C.T.) Bill 2020**

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to apply a national law relating to electronic conveyancing, and for other purposes.

*Papers:* Mr Ramsay presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 18 February 2020.

Australian Registrars National Electronic Conveyancing Council—

Model Operating Requirements—Version 5, dated December 2018.

Model Participation Rules—Version 5, dated December 2018.

Electronic Conveyancing (Adoption of National Law) Bill 2012 (NSW)—First print, together with an explanatory note.

Title read by Clerk.

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

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

 **9 Confiscation of Criminal Assets (Unexplained Wealth) Amendment Bill 2020**

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend the *Confiscation of Criminal Assets Act 2003*.

*Papers:* Mr Ramsay presented the following papers:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Independent review of the effectiveness of ACT Policing crime scene powers to target, disrupt, investigate and prosecute criminal gang members, dated 6 December 2019—Prepared by Associate Professor Terry Goldsworthy and Dr Gaelle Brotto, Bond University.

Title read by Clerk.

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

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

 **10 Labour Hire Licensing Bill 2020**

Ms Orr (Minister for Employment and Workplace Safety), pursuant to notice, presented a Bill for an Act to provide for the licensing and regulation of providers of labour hire services, and for other purposes.

*Papers:* Ms Orr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 19 February 2020.

Title read by Clerk.

Ms Orr 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.

 **11 Loose-fill Asbestos Legislation Amendment Bill 2020**

Ms Orr (Minister for Employment and Workplace Safety), pursuant to notice, presented a Bill for an Act to amend legislation about loose-fill asbestos, and for other purposes.

*Paper:* Ms Orr presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Orr 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.

 12 Estimates 2020-2021—Select Committee—establishment

Mr Wall, pursuant to notice, moved—That:

1. a Select Committee on Estimates 2020-2021 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2020-2021, the Appropriation (Office of the Legislative Assembly) Bill 2020-2021 and any revenue estimates proposed by the Government in the 2020-2021 Budget and prepare a report to the Assembly;
2. the Committee be composed of:
	1. one Member to be nominated by the Government;
	2. one Member to be nominated by the Opposition; and
	3. one Member to be nominated by the ACT Greens;

to be notified in writing to the Speaker within two hours of this motion passing; an Opposition Member shall be elected chair of the Committee by the Committee;

1. 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;
2. the Committee is to report by Tuesday, 11 August 2020;
3. 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;
4. for the purpose of taking evidence the following will constitute a quorum:
	1. two members of the Committee; or
	2. one member of the Committee and any other non-executive Member of the Assembly; 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 ensued.

Question—put and passed.

 **13 Administration and Procedure—Standing Committee—REPORT 16—Inquiry into the Review of the Performance of the Three Branches of Government in the Australian Capital Territory Against Latimer House Principles—9th Assembly—report noted**

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

Administration and Procedure—Standing Committee—Report 16—*Inquiry into the Review of the Performance of the Three Branches of Government in the Australian Capital Territory against Latimer House Principles—9th Assembly,* dated 19 February 2020, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

 14 justice and community safety—Standing Committee—Consideration of Statutory Appointments—Statement by Chair—Paper

Mrs Jones (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Justice and Community Safety during the period 1 July to 31 December 2019.

*Paper:* Mrs Jones, pursuant to Continuing Resolution 5A, presented the following paper:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2019.

 15 Justice and Community Safety—Standing Committee—reference—Human Rights (Workers Rights) Amendment Bill 2019—Amendment to Reporting Date

Mrs Jones (Chair), by leave, moved—That the resolution of the Assembly of 27 November 2019 which referred the Human Rights (Workers Rights) Amendment Bill 2019 to the Standing Committee on Justice and Community Safety for report, be amended by omitting the words “by the end of February 2020.” and substituting “by 13 March 2020.”.

Question—put and passed.

 **16 Yellow Box Woodland ecosystems—Protection**

Mr Rattenbury, pursuant to notice, moved—That this Assembly:

1. notes:
	1. Yellow Box-Blakeley’s Red Gum Grassy Woodland (Yellow Box Woodland) is endangered in the ACT;
	2. unleased Territory land east of Antill Street, North Watson, contains significant Yellow Box Woodland conservation values, such as old growth, hollow bearing Yellow Box trees, as well as listed wildlife such as Rosenberg’s Monitor;
	3. the land east of Antill Street is currently zoned as CZ6—Leisure and Accommodation, which allows for dense residential development;
	4. preserving this land from development would protect the existing endangered Yellow Box Woodland, and provide a buffer between the urban environment and the remaining Mount Majura Nature Reserve; and
	5. the important conservation values of this area would be heavily impacted by Monash Drive if it were built, which the National Capital Authority has refused to remove from the National Capital Plan; and
2. calls on the ACT Government to:
	1. commit to preserving and protecting Yellow Box Woodland ecosystems in the ACT from damage and urban encroachment;
	2. investigate rezoning the unleased Territory land east of Antill Street (section 84 block 1, section 85 block 1 (part), section 86 block 1, section 87 block 1 and section 75 block 7 (part)) to protect it from development and preserve its Yellow Box Woodland; and
	3. report to the Assembly on the investigation into the rezoning and the status of the Yellow Box Woodland by August 2020.

Debate ensued.

Question—put and passed.

 **17 LEAVE OF ABSENCE TO MEMBER**

Ms Cheyne moved—That leave of absence be granted to Mr Gentleman for today to attend a ministerial council.

Question—put and passed.

 **18 MINISTERIAL ARRANGEMENTS**

Mr Barr (Chief Minister) informed the Assembly that, due to the absence of Minister Gentleman, questions without notice normally directed to Minister Gentleman could be directed to Mr Ramsay (Attorney-General).

 **19 QUESTIONS**

Questions without notice were asked.

 **20 PRESENTATION OF PAPERS**

Mr Rattenbury (Minister for Corrections and Justice Health) presented the following papers:

Crimes (Sentence Administration) Act, pursuant to subsection 81(1)—Intensive Correction Orders Review—

Report—Revised, 20 February 2020.

Tabling statement—Revised, 20 February 2020.

 **21 PRESENTATION OF PAPERS**

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 29(3)—2020 Strategic Review of the ACT Auditor-General, dated 13 February 2020—Prepared by Des Pearson AO.

Electoral Act, pursuant to subsection 10A(2)—Effect of Commonwealth Electoral Act amendments on the ACT funding and disclosure scheme—A special report by the ACT Electoral Commission, dated 19 February 2020.

 **22 PRESENTATION OF PAPER**

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

Public Accounts—Standing Committee—Report 8—*Inquiry into Auditor-General’s Report No 7 of 2016: Certain Land Development Agency acquisitions—*Government response*.*

 **23 LEGISLATION ACT—CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION ACT—Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020—DISALLOWABLE INSTRUMENT DI2020-16—PAPER AND STATEMENT BY MINISTER**

Mr Rattenbury (Minister for Climate Change and Sustainability) presented the following paper:

Legislation Act, pursuant to section 64—Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020—Disallowable Instrument DI2020-16 (LR, 17 February 2020), together with its explanatory statement—

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

 **24 LEGISLATION ACT—CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION ACT—Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020—DISALLOWABLE INSTRUMENT DI2020-17—PAPER AND STATEMENT BY MINISTER**

Mr Rattenbury (Minister for Climate Change and Sustainability) presented the following paper:

Legislation Act, pursuant to section 64—Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020—Disallowable Instrument DI2020-17 (LR, 19 February 2020), together with its explanatory statement—

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

 25 Estimates 2020-2021—Select Committee—MEMBERSHIP

The Speaker, pursuant to the resolution of the Assembly of today, informed the Assembly that she had been notified, in writing, of the nominations of Ms Cheyne, Mrs Dunne and Ms Le Couteur, to be members of the Select Committee on Estimates 2020-2021.

Mr Ramsay (Attorney-General) moved—That the Members so nominated be appointed as members of the Select Committee on Estimates 2020-2021.

Question—put and passed.

 **26 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—Nurse-led walk-in centres**

The Assembly was informed that Miss C. Burch, Ms Cheyne, Ms Cody, Mr Coe (Leader of the Opposition), Mrs Dunne, Mr Gupta, Mr Hanson, Mrs Kikkert, Ms Le Couteur, Ms Lee, Mr Parton, Mr Pettersson 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 Cheyne be submitted to the Assembly, namely, “The importance of the ACT’s nurse-led walk-in centres to provide immediate healthcare for people when they need it”.

Discussion ensued.

Discussion concluded.

 27 A.C.T. Government Campaign Advertising—Independent Reviewer—Appointment

Mr Barr (Chief Minister), pursuant to notice, moved—That, in accordance with section 12 of the *Government Agencies (Campaign Advertising) Act 2009*, this Assembly approves the appointment of:

1. Professor Dennis Pearce AO as the Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 20 March 2020; and
2. in instances when the Independent Reviewer is unavailable to review proposed government campaign advertising, Mr Ian Govey AM as Alternate Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 20 March 2020.

The Speaker drew attention to the requirement of subsection 12(4) of the *Government Agencies (Campaign Advertising) Act 2009* that the motion be passed by a 2/3 majority of Members.

The Speaker having directed that a vote be taken—

Question—put.

The Assembly voted—

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|  AYES, 24 |  |  NOES, 0 |
| Mr Barr | Ms Le Couteur |  |  |  |
| Ms Berry | Ms Lee |  |  |  |
| Miss C. Burch | Mr Milligan |  |  |  |
| Ms J. Burch | Ms Orr |  |  |  |
| Ms Cheyne | Mr Parton |  |  |  |
| Ms Cody | Mr Pettersson |  |  |  |
| Mr Coe | Mr Ramsay |  |  |  |
| Mrs Dunne | Mr Rattenbury |  |  |  |
| Mr Gupta | Mr Steel |  |  |  |
| Mr Hanson | Ms Stephen-Smith |  |  |  |
| Mrs Jones | Mr Wall |  |  |  |
| Mrs Kikkert |  |  |  |  |
| Ms Lawder |  |  |  |  |

And so it was resolved in the affirmative, with the concurrence of a 2/3 majority of Members.

 **28 Workers Compensation Amendment Bill 2019**

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.

 **29 Cemeteries and Crematoria Bill 2019**

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.

 30 EDITOR OF DEBATES—Retirement—Statement by Speaker

The Speaker made a statement concerning the retirement of the Editor of Debates, Pattie Tancred, and acknowledged her contribution to the Assembly.

 **31 ADJOURNMENT**

Mr Ramsay (Attorney-General) moved—That the Assembly do now adjourn.

Debate ensued.

*Paper:* Mr Steel (Minister for City Services) presented the following paper:

Cemeteries and Crematoria Bill 2019—Revised explanatory statement.

Debate continued.

Question—put and passed.

And then the Assembly, at 5.37 pm, adjourned until Tuesday, 31 March 2020, at 10 am.

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

\*on leave

**Tom Duncan**

Clerk of the Legislative Assembly