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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018–2019

MINUTES OF PROCEEDINGS

No 86

[**Tuesday, 19 February 2019**](http://www.hansard.act.gov.au/hansard/2019/pdfs/20190219.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 DEATH OF The Hon Gordon Scholes AO**

Mr Barr (Chief Minister) moved—That this Assembly expresses its deep regret at the death of the Honourable Gordon Scholes AO, former Member for the Victorian seat of Corio and Minister for Territories from 1984 to 1987, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Mr Coe (Leader of the Opposition) and Mr Rattenbury addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

 3 Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 27—STATEMENT BY CHAIR

Mrs Jones (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 27*,* dated 18 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.

 4 Economic Development and Tourism—Standing Committee—REPORT 5—Report on Annual and Financial Reports 2017-2018—report noted

Mr Hanson (Chair) presented the following report:

Economic Development and Tourism—Standing Committee—Report 5—*Report on Annual and Financial Reports 2017-2018,* dated 7 February 2019, 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** **Education, Employment and Youth Affairs—Standing Committee—Consideration of Statutory Appointments—Statement by Chair—Paper**

Mr Pettersson (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Education, Employment and Youth Affairs.

*Paper:* Mr Pettersson, pursuant to Continuing Resolution 5A, presented the following paper:

Standing Committee on Education, Employment and Youth Affairs—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2018.

 6 United Kingdom and Ireland Study Tour—December 2018—MINISTERIAL STATEMENT—Paper NOTED

Ms Stephen-Smith (Minister for Children, Youth and Families) made a ministerial statement concerning a study tour of the United Kingdom and the Republic of Ireland in December 2018, and presented the following paper:

United Kingdom and Ireland Study Tour—December 2018—Ministerial statement, 19 February 2019.

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

Question—put and passed.

 7 Commissioner for Sustainability and the Environment Act—Unfantastic Plastic—Review of the A.C.T. Plastic Shopping Bag Ban—Government response—MINISTERIAL STATEMENT—PAPER NOTED

Mr Steel (Minister for City Services) made a ministerial statement concerning the Government’s response to the Commissioner for Sustainability and the Environment’s review of the efficacy of the ACT’s plastic shopping bag ban and presented the following paper:

Commissioner for Sustainability and the Environment Act, pursuant to subsection 21(2)—Unfantastic Plastic—Review of the ACT Plastic Shopping Bag Ban—Government response—Ministerial statement, 19 February 2019.

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

Debate ensued.

Question—put and passed.

 8 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Fitzharris for today and tomorrow due to illness.

Question—put and passed.

 9 Education (Child Safety in Schools) 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.

 10 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.

 11 QUESTIONS

Questions without notice were asked.

 12 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Ms Lee for today and tomorrow due to illness.

Question—put and passed.

 13 PRESENTATION OF PAPERs

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

Planning and Urban Renewal—Standing Committee—Report 6—*Draft Variation to the Territory Plan No 345 Mawson Group Centre: Zone Changes and Amendments to the Mawson Precinct Map and Code*—Government Response.

ACT Road Safety Strategy 2011-2020—Road Safety Report Card 2019.

 14 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—

ACT Teacher Quality Institute Act and Financial Management Act—ACT Teacher Quality Institute Board Appointment 2019 (No 1)—Disallowable Instrument DI2019‑11 (LR, 7 February 2019).

Electricity Feed-in (Renewable Energy Premium) Act—Electricity Feed-in (Renewable Energy Premium) Requirements of Audit Determination 2019—Disallowable Instrument DI2019-9 (LR, 7 February 2019).

Road Transport (General) Act—Road Transport (General) (Application of Road Transport Legislation) Declaration 2019 (No 1)—Disallowable Instrument DI2019-10 (LR, 7 February 2019).

 15 Planning and Urban Renewal—Standing Committee—Report 6—Draft Variation to the Territory Plan No 345 Mawson Group Centre: Zone Changes and Amendments to the Mawson Precinct Map and Code—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:

Planning and Urban Renewal—Standing Committee—Report 6—*Draft Variation to the Territory Plan No 345 Mawson Group Centre: Zone Changes and Amendments to the Mawson Precinct Map and Code*—Government Response.

Question—put and passed.

 16 A.C.T. Road Safety Strategy 2011-2020—Road Safety Report Card 2019—Paper noted

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

ACT Road Safety Strategy 2011-2020—Road Safety Report Card 2019.

Debate ensued.

Question—put and passed.

 17 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—Constitutional, evidence-based and human rights compliant laws

The Assembly was informed that Miss C. Burch, Ms Cheyne, Ms Cody, Mr Coe (Leader of the Opposition), Mrs Dunne, Mrs Kikkert, Ms Le Couteur, Ms Lee, Mr Milligan, Ms Orr, 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 Cody be submitted to the Assembly, namely, “The importance of ACT laws which are constitutional, evidence-based and human rights compliant”.

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 4.15 pm, adjourned until tomorrow at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly