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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018–2019

MINUTES OF PROCEEDINGS

No 101

[**Thursday, 6 June 2019**](http://www.hansard.act.gov.au/hansard/2019/pdfs/20190606)

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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 E-Petition—Paper—Petitions noted

The Clerk announced that the following Member had lodged petitions, in similar terms, for presentation:

Mrs Jones, from 2618 residents and 460 residents, respectively, requesting that the Assembly call on the ACT Government to keep the hydrotherapy pool at The Canberra Hospital open and maintained until a new dedicated hydrotherapy pool is built on the south side of Canberra (Pet 18-19 and e-Pet 10-19).

Pursuant to standing order 99A, these petitions stand referred to the Standing Committee on Health, Ageing and Community Services.

The Speaker proposed—That the petitions so lodged be noted.

*Paper:* Mrs Jones, by leave, presented the following paper:

Petition which does not conform with the standing orders—Hydrotherapy services in South Canberra—Mrs Jones (212 signatures).

Question—put and passed.

 3 PETITION OUT-OF-ORDER—Paper and statement by Member

Mr Rattenbury, by leave, presented the following paper:

Petition which does not conform with the standing orders—Kingston—Section 24—Mature tree canopy—Mr Rattenbury (56 signatures)—

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

 4 Administration and Procedure—Standing Committee—REPORT 12—Protocols for Visits by Members to Government Schools—Motion that report be noted

Ms J. Burch (Chair), pursuant to order, presented the following report:

Administration and Procedure—Standing Committee—Report 12—*Protocols for Visits by Members to Government Schools,* dated 6 June 2019, together with a copy of the extracts of the relevant minutes of proceedings.

Mr Wall, by leave, moved—That the report be noted.

Debate ensued.

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

 **5 Health, Ageing and Community Services—Standing Committee—REPORT 7—Inquiry into Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018—report noted**

Ms Cody (Chair), pursuant to order, presented the following report:

Health, Ageing and Community Services—Standing Committee—Report 7—*Inquiry into Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018,* dated 3 June 2019, including additional comments *(Ms Le Couteur)* and a dissenting report *(Mrs Dunne)*, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Mrs Dunne, by leave, concluded her remarks.

Debate continued.

Question—put and passed.

 6 Ministerial delegation to the United Kingdom—April 2019—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Police and Emergency Services) made a ministerial statement concerning a ministerial delegation to the United Kingdom in April 2019 and presented the following paper:

Ministerial delegation to the United Kingdom—April 2019—Ministerial statement, 6 June 2019.

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

Question—put and passed.

 7 Safer Families—Annual Statement 2019—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for the Prevention of Domestic and Family Violence) made a ministerial statement concerning the third annual Safer Families Statement and presented the following paper:

Safer Families—Annual Statement 2019—Ministerial statement, 6 June 2019.

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

Question—put and passed.

 8 Report of a review of a correctional service by the A.C.T. Inspector of Correctional Services—The care and management of remandees at the Alexander Maconochie Centre 2018—Government response—MINISTERIAL STATEMENT and paper—PAPERs NOTED

Mr Rattenbury (Minister for Corrections and Justice Health) made a ministerial statement concerning the Government response to the report of a review of a correctional service by the ACT Inspector of Correctional Services in relation to the care and management of remandees at the Alexander Maconochie Centre 2018 and presented the following papers:

Inspector of Correctional Services Act—Report of a review of a correctional service by the ACT Inspector of Correctional Services—The care and management of remandees at the Alexander Maconochie Centre 2018—Government response—

Ministerial statement, 6 June 2019.

Government response.

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

Question—put and passed.

 9 A.C.T. Teacher Quality Institute Amendment Bill 2019

Ms Berry (Minister for Education and Early Childhood Development), pursuant to notice, presented a Bill for an Act to amend the *ACT Teacher Quality Institute Act 2010* and the *ACT Teacher Quality Institute Regulation 2010*.

*Papers:* Ms Berry presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 5 June 2019.

Title read by Clerk.

Ms Berry 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.

 10 QUESTIONS

Questions without notice being asked—

At 3 p.m., questions were interrupted pursuant to the resolution of the Assembly of 4 June 2019.

 11 Appropriation Bill 2019-2020

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.

*Estimates 2019-2020—Select Committee—Reference—Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020*: Mr Barr (Treasurer), pursuant to standing order 174, moved—That the Appropriation Bill 2019-2020 and the Appropriation (Office of the Legislative Assembly) Bill 2019-2020 be referred to the Select Committee on Estimates 2019-2020.

Question—put and passed.

 12 PRESENTATION OF PAPERs

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

Ministerial delegation to China—March 2019, dated June 2019.

Territory-owned Corporations Act, pursuant to subsection 19(3)—Statement of Corporate Intent—Icon Water—Business Strategy 2019-20 to 2022-23.

Domestic Violence Prevention Council Extraordinary Meeting regarding children and young people—ACT Government response to the Final Report, dated 6 June 2019.

Planning and Urban Renewal—Standing Committee—Report 7—*Draft Variation to the Territory Plan No 350: Changes to definition of ‘single dwelling block’*—Government response.

ACT Place Names Committee & Guidelines Review, dated June 2019, pursuant to the resolution of the Assembly of 28 November 2018

Commissioner for Sustainability and the Environment, pursuant to subsection 21(2)—Lower Cotter Catchment Restoration Evaluation—The Heroic and the Dammed—Government response.

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General’s Report No 2/2019—Recognition and implementation of obligations under the *Human Rights Act 2004*—Government response.

ACT Human Rights Commission—Commission Initiated Review of Allegations regarding Bimberi Youth Justice Centre Report—Government response, dated June 2019.

Children and Young People Act, pursuant to subsection 727S(5)—ACT Children and Young People Death Review Committee—Annual Report 2018, dated 30 April 2019.

Freedom of Information Act, pursuant to section 39—Copies of notices provided to the Ombudsman—Community Services Directorate—Freedom of Information requests—Decisions not made in time—

CYF-19/15, dated 15 May 2019.

CYF-19/18, dated 24 May 2019.

CYF-18/36, dated 15 May 2019.

 13 A.C.T. Place Names Committee and Guidelines Review—Paper noted

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

ACT Place Names Committee and Guidelines Review, dated June 2019.

Debate ensued.

Question—put and passed.

 14 Auditor-General Act—Auditor-General’s Report No 2/2019—Recognition and implementation of obligations under the *Human Rights Act 2004*—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:

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General’s Report No 2/2019—Recognition and implementation of obligations under the *Human Rights Act 2004*—Government response.

Question—put and passed.

 15 A.C.T. Human Rights Commission—Commission initiated review of allegations regarding Bimberi Youth Justice Centre—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:

ACT Human Rights Commission—Commission Initiated Review of Allegations regarding Bimberi Youth Justice Centre Report—Government response, dated June 2019.

Debate ensued.

Question—put and passed.

 16 Children and Young People Act—A.C.T. Children and Young People Death Review Committee—Annual Report 2018—Paper noted

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

Children and Young People Act, pursuant to subsection 727S(5)—ACT Children and Young People Death Review Committee—Annual Report 2018, dated 30 April 2019.

Debate ensued.

Question—put and passed.

 17 Auditor-General Act—Auditor-General’s Report No 2/2019—Recognition and implementation of obligations under the *Human Rights Act 2004*—Government response—Statement by Minister

Mr Rattenbury (Minister for Justice, Consumer Affairs and Road Safety), by leave, made a statement in relation to the Government response to Auditor-General’s Report No 2/2019—Recognition and implementation of obligations under the *Human Rights Act 2004*.

 18 Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2019

Mr Ramsay (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about sentencing, 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 5 June 2019.

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.

 19 Road Transport Legislation Amendment Bill 2019

Mr Rattenbury (Minister for Justice, Consumer Affairs and Road Safety), pursuant to notice, presented a Bill for an Act to amend legislation about road transport, and for other purposes.

*Papers:* Mr Rattenbury presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 5 June 2019.

Title read by Clerk.

Mr Rattenbury 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.

 20 Litter Legislation Amendment Bill 2019

Mr Steel (Minister for City Services), pursuant to notice, presented a Bill for an Act to amend legislation about litter, and for other purposes.

*Papers:* Mr Steel presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 5 June 2019.

Title read by Clerk.

Mr Steel 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.

 21 Republic of Kiribati—40th anniversary of independence

Ms J. Burch, pursuant to notice, moved—That, it being 40 years since the sovereign democratic Republic of Kiribati was declared and its independence constitution promulgated on 12 July 1979, this Assembly:

1. expresses its congratulations and friendship to: the people of Kiribati; the Kiribati Parliament, the *Maneaba ni Maungatabu*; the Speaker, the Hon Tebuai Uaai; and the President of Kiribati, the Hon Taneti Maamau, on this most significant milestone;
2. acknowledges the value of constitutional parliamentary democracy in providing for representative, responsible government and the rule of law;
3. places enormous value in the deep and abiding ties between the Legislative Assembly for the ACT and the Kiribati Parliament, the *Maneaba ni Maungatabu*, that have been established through the Commonwealth Parliamentary Association’s twinning program; and
4. wishes the people of Kiribati a bright and prosperous future in which its democratic institutions continue to flourish.

Debate ensued.

Question—put and passed.

 22 Public Accounts—Standing Committee—Auditor-General’s Reports—STATEMENT BY CHAIR

Mrs Dunne (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had agreed to note, and not inquire into, the following Auditor-General’s Reports Nos:

* 1/2018—Acceptance of Stormwater Assets.
* 2/2018—ACT Government strategic and accountability indicators.
* 4/2018—2016-17 Financial Audits—Computer Information Systems.
* 6/2018—Physical Security.
* 9/2018—ACT Health’s management of allegations of misconduct and complaints about inappropriate workplace behaviour.
* 10/2018—2017-18 Financial Audits—Overview.
* 11/2018—Financial Audits—Financial Results and Audit Findings.
* 1/2019—Total Facilities Management Procurement.
* 2/2019—Recognition and implementation of obligations under the *Human Rights Act 2004*.
* 3/2019—Access Canberra Business Planning and Monitoring.
* 4/2019—2017-18 Financial Audits—Computer Information Systems.

 23 Executive business—precedence

Ordered—That Executive business be called on forthwith.

 24 Integrity Commission 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.

*Detail Stage*

Bill, by leave, taken as a whole—

Ms J. Burch was granted leave to move an amendment that had not been considered or reported on by the Scrutiny Committee.

Ms J. Burch moved her amendment No 1 (*see* [Schedule 1](#Schedule1)).

*Paper:* Ms J. Burch, by leave, presented the following paper:

*Commencement of relevant provisions of the Integrity Commission Act—*Copy of letter from Dennis Cowdroy OAM, QC, dated 1 June 2019.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

 25 Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target) 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.

 26 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

The debate having been closed by the reply of the mover—Ms Berry (Deputy Chief Minister), by leave, addressed the Assembly.

Question—put and passed.

And then the Assembly, at 5.48 pm, adjourned until Tuesday, 30 July 2019 at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly

**SCHEDULE OF AMENDMENTS**

**Schedule 1**

**INTEGRITY COMMISSION AMENDMENT BILL 2019**

Amendment circulated by the Speaker

1. Clause 4
Proposed new section 2 (2)
Page 3, line 6—

omit proposed new section 2 (2), substitute

 (2) The remaining provisions commence on—

 (a) 1 December 2019; or

 (b) if, before 1 December 2019, the Minister fixes another day by written notice—the day fixed.

*Note* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).