Matters of public importance—your Assembly @ work

Sitting of 13 August 2020
Issue 11/2020

Government Business
Includes business items presented to the Assembly by the Executive including bills, motions, and papers

Bills introduced

City Renewal Authority and Suburban Land Agency Amendment Bill 2020
Summary: This bill will amend the City Renewal Authority and Suburban Land Agency Act 2017 by including provisions in the Act to facilitate the process for revitalising the Sydney and Melbourne Buildings located within the City Renewal Precinct.

Sexuality and Gender Identity Conversion Practices Bill 2020
Summary: This bill will prohibit certain practices aimed at changing a person’s sexuality or gender identity (conversion practices) with a view to protecting vulnerable people from harm.

Exposure draft presented

Plastic Reduction Bill 2020
On 13 August, the Minister for Recycling and Waste Reduction presented an exposure draft of the Plastic Reduction Bill 2020 together with an explanatory statement. In presenting the exposure draft the Minister stated that the Government was committed to responsibly managing the environment and tackling the problem of single-use plastic. He added that the proposed legislation would reduce Canberrans’ use of plastic and reduce the impact that plastic has on the environment and waste management and resource recovery systems.

A full record of the presentation speeches can be accessed at Hansard.

Bills debated

Adoption Amendment Bill 2020
Summary: This bill will amend the Adoption Act 1993 by changing the current provisions that are used by the Court when considering whether to dispense with the requirement for parental consent for an adoption and by including provisions to place the best interests of the child or young person at the centre of decision-making about dispensing with parental consent.
The bill will also change the residency requirement that is currently set out in the Act for adoption orders that relate to an adult prospective adoptee.

Proceedings: The ACT Greens indicated support for the bill when debate resumed on 13 August. The Opposition also stated it would support the proposed legislation, however, flagged that they would move an amendment during the detail stage. The Assembly agreed to the bill in principle. During the detail stage the Opposition’s amendment was agreed to. The amendment requires a review to be undertaken on certain amendments made to the Adoption Act 1993 by this bill and outlined the timing for that review.

The amended bill was passed by the Assembly.

Births, Deaths and Marriages Registration Amendment Bill 2020

Summary: This bill will amend the Births, Deaths and Marriages Registration Act 1997 by removing certain barriers for trans, intersex and gender diverse young people when changing their given name or particulars about gender identity to better reflect their gender identities and enable the obtaining of an updated birth certificate or a recognised details certificate. The bill also introduces provisions to allow the Registrar-General to issue integrated birth certificates to enable individuals, who were born in the ACT and adopted, to apply for a birth certificate that includes the details of both birth parents and adoptive parents. Provisions in the bill will also permit, in some situations, for the issuing of integrated birth certificates where a person born overseas is adopted in the ACT.

Proceedings: When debate resumed on 13 August, the Opposition indicated its support for many of the changes proposed by the bill, however, indicated it would move amendments during the detail stage to address concerns it had in relation to the age limit of younger people seeking to make changes to details on a birth certificate. The bill was agreed to in principle. During the detail stage the Opposition moved four amendments as highlighted during the in principle stage which were not agreed to.

The bill was passed by the Assembly without amendment.

Crimes (Offences Against Vulnerable People) Legislation Amendment Bill 2020

Summary: This bill will amend the Crimes Act 1900 and the Crimes (Sentencing) Act 2005 to define the definition of vulnerable person. The bill also creates three new offences intended to protect vulnerable people from abuse and creates a new sentencing consideration for the courts.

Proceedings: Debate resumed on this bill on 13 August with both the Opposition and ACT Greens indicating support for the proposed legislation. The bill was agreed to in principle. During the detail stage a number of amendments moved by the Government were agreed to.

The amended bill was passed by the Assembly.

Education Amendment Bill 2020

Summary: This bill will amend the Education Act 2004 and the Education Regulation 2005 by providing clarity to the roles and responsibilities of people carrying a duty of care to children and young people in schools, and ensuring that the most vulnerable students are protected by implementing a recommendation from the Royal Commission into Institutional Responses to Child Sexual Abuse.
The bill will strengthen the Government’s ability to enforce the attendance of non-ACT residents enrolled in ACT schools. The bill also enables parental and local citizen engagement on school boards, where a school does not have a current parent and citizen arrangement.

**Proceedings:** When debate resumed on this proposed legislation on 13 August, both the Opposition and the ACT Greens indicated support for the bill which was agreed to in principle.

The bill was passed by the Assembly without amendment.

**Justice Legislation Amendment Bill 2020**

**Summary:** This bill will make amendments to a number of Territory laws by introducing a fit and proper person test to licence a real estate agent or register a salesperson and by protecting consumers by enabling the Commissioner of Fair Trading to conduct binding conciliation for consumer disputes up to $5000. The bill will also streamline and strengthen processes at the ACT Human Rights Commission, improve and clarify processes under the *Crimes (Sentence Administration) Act 2005* and allow for particular youth sexual offence convictions to be spent subject to robust safeguards. The bill also makes a number of technical amendments to ACT legislation.

**Proceedings:** Debate resumed on the proposed legislation on 13 August with the Opposition indicating its support for the bill. The bill was agreed to in principle with debate being adjourned in the detail stage.

A full record of the debates and statement can be accessed at [Hansard](https://www.hansardact.gov.au).

**Private Members’ Business**

*Includes items presented to the Assembly by all non-Executive Members, including bills and motions*

**Motions debated**

A motion in relation to **affordable housing** in the Territory was moved by Mr Coe MLA on 13 August. The motion included noting the rise of the median price of detached houses in Canberra since 2012 and noting that the increased cost of housing is placing high demands on public community housing. The motion called on the Government to provide, by 27 August 2020, an update to the Assembly on the progress of the ACT Housing Strategy and to also provide an update on the Government’s strategy to address the planned number of high, medium and low density sites to be released for each of the next five years.

During debate an amendment was moved by the Government that included highlighting measures implemented by the Government, over the last four years, to support Canberrans to buy their first home. The amendment also outlined the urgent measures implemented during the COVID-19 pandemic and called on the Government to provide a brief update to the Assembly, by 27 August 2020, on progress on the ACT Housing Strategy and the Indicative Land Release Program. An amendment was then moved by the ACT Greens to the Government’s amendment that sought to reinstate, into the motion, noting the rise in median prices of detached houses in Canberra since 2012 and the high demand on public community housing caused by the increased cost of housing. The amendment moved by the ACT Greens was agreed to following a vote of the Assembly, with the Government’s amended amendment also being passed by the Assembly.
The amended motion was agreed to.

A motion moved by Mrs Dunne MLA on 13 August related to **elective surgery demand** and included noting the importance of elective surgery for the continued health of the Canberra community and called on the Government to address the chronic backlog in elective surgery. An amendment moved by the Government noted the substantial investment made by the Government to deliver significant increases in elective surgeries and the additional allocation of $20 million to address the impacts of the COVID-19 elective surgery suspension. The amendment also called on the Government to continue to invest to deliver growth in elective surgeries and improvement in performance against clinically recommended timeframes. The Government’s amendment was passed by the Assembly.

The amended motion was agreed to.

The full terms of the above motions and amendments can be found in the [Minutes of Proceedings](https://www.legislation.act.gov.au/).

**Papers Presented**

The following papers of interest were presented on 13 August 2020:

- ACT Children and Young People Death Review Committee—Annual Report 2019
- COVID-19—Update on the ACT Government Response, dated 13 August 2020
- Entertainment zones—Noise levels—Correspondence regarding Government response to resolution of the Assembly of 31 July 2019
- Guidelines on Costing Election Commitments 2020
- Implementation report on the Loose Fill Asbestos Insulation Eradication Scheme—1 January to 30 June 2020
- Network 19—Weekend Bus Services—Government response to resolution of the Assembly
- Our Booris, Our Way Review—Government response to recommendations
- Parking infringement fines—Correspondence regarding Government response to resolution of the Assembly of 12 February 2020
- Single-use plastics—Correspondence regarding Government response to resolution of the Assembly of 31 October 2018
- Statements on the exercise of call-in powers in relation to:
  - Development Application 201936662—Block 25 Section 72 Dickson
  - Development Application 202037196—Blocks 22 and 25 Section 72 Dickson
  - Supportive housing in the ACT—Government response to resolution of the Assembly of 24 October 2019

A copy of the above papers can be found on the Assembly website.

**Petitions and petition responses**

The following petitions were lodged on 13 August—

- Proposed public toilet at Farrer Nature Play and Bike Track—lodged by Ms Cody
- Proposed development at Chisholm Village—lodged by Ms J Burch
- Reinstatement of Transport Canberra bus services for Symonston—lodged by Miss C Burch
The following ministerial responses to petitions were lodged—

- Closure of schools during the Coronavirus pandemic (Minister for Education and Early Childhood Development)
- Proposed development in Durham Place, Chisholm (Minister for Housing and Suburban Development)
- Playground safety in Ngunnawal (Minister for City Services)
- Water refill stations and express container recycling facilities at Kippax and Charnwood shops (Minister for City Services)

A copy of the petitions and ministerial response can be found on the Assembly Hansard site.

**Committee Activities**

**Committee reports presented**

**Scrutiny Committee**

**Scrutiny Report 48**

This report contained the committee’s comments on five bills, nine pieces of subordinate legislation, one regulatory impact statement, six government responses and proposed amendments to three bills.

**Education, Employment and Youth Affairs—Standing Committee**

**Report 9—Youth Mental Health in the ACT**

**Committee statements**

**Administration and Procedure—Standing Committee**

The chair of the committee made a statement informing the Assembly that the committee was unable to complete its inquiry into section 65 of the *Australian Capital Territory (Self-Government) Act 1988* and encouraged the Tenth Assembly’s Standing Committee on Administration and Procedure to finalise a report and make recommendations in relation to the matter.

**Education, Employment and Youth Affairs—Standing Committee**

The chair made a statement in relation to the committee’s consideration of statutory appointments for the period 1 January to 30 June 2020. At the conclusion of the statement the chair presented a schedule of statutory appointments considered by the committee for the specified period.

**Planning and Urban Renewal—Standing Committee**

The chair made a statement in relation to the committee’s consideration of petition 5-20 concerning a carpark proposed to be built on Community Facility Zoned parkland adjacent to Cooleman Court and homes in Watling Place, Weston and the minister’s response to that petition. The chair informed the Assembly that the committee had resolved not to hold an additional inquiry into the matter at this time.

The full text of the statement can be found on the Assembly Hansard site.

**Responses to committee reports**

**COVID-19 Pandemic Response—Select Committee**

Interim Report 3—Government response
Estimates 2019-2020—Select Committee

Recommendation 84—Update on the status of the building defects and any associated warranty matters at the Centenary Hospital for Women and Children—Government response update

Health, Ageing and Community Services—Standing Committee


Members of the Legislative Assembly for the ACT

Electorate of Brindabella

Ms Joy Burch (Australian Labor Party)
Mr Mick Gentleman (Australian Labor Party)
Ms Nicole Lawder (Canberra Liberals)
Mr Mark Parton (Canberra Liberals)
Mr Andrew Wall (Canberra Liberals)

Electorate of Ginninderra

Ms Yvette Berry (Australian Labor Party)
Ms Tara Cheyne (Australian Labor Party)
Mrs Vicki Dunne (Canberra Liberals)
Mrs Elizabeth Kikkert (Canberra Liberals)
Mr Gordon Ramsay (Australian Labor Party)

Electorate of Kurrajong

Mr Andrew Barr (Australian Labor Party)
Miss Candice Burch (Canberra Liberals)
Ms Elizabeth Lee (Canberra Liberals)
Mr Shane Rattenbury (ACT Greens)
Ms Rachel Stephen-Smith (Australian Labor Party)

Electorate of Murrumbidgee

Ms Bec Cody (Australian Labor Party)
Mr Jeremy Hanson CSC (Canberra Liberals)
Mrs Giulia Jones (Canberra Liberals)
Ms Caroline Le Couteur (ACT Greens)
Mr Chris Steel (Australian Labor Party)
Electorate of Yerrabi

Mr Alistair Coe (Canberra Liberals)
Mr Deepak Gupta (Australian Labor Party)
Mr James Milligan (Canberra Liberals)
Ms Suzanne Orr (Australian Labor Party)
Mr Michael Pettersson (Australian Labor Party)

Next Sitting

Thursday, 20 August 2020.

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