



Matters of public importance—your Assembly @ work

Sitting of 7 May 2020

Issue 4/2020

Condolence Motion

A condolence motion was moved by the Chief Minister expressing the Assembly's deep regret at the death of Dr Deb Foskey, a Member of the Legislative Assembly from 2004 to 2008. The Leader of the Opposition, the Leader of the ACT Greens and Ms Le Couteur also addressed the Assembly supporting the motion.

At its conclusion all Members present stood in silence in support of the motion.

Government Business

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

Bills introduced

[COVID-19 Emergency Response Legislation Amendment Bill 2020](#)

Summary: This bill will make amendments to a number of Territory laws to enable the implementation of further responses to the current COVID-19 pandemic as well as the implementation of strategies to prevent further spread of COVID-19.

[Crimes \(Offences Against Vulnerable People\) 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.

[Planning and Environment Legislation Amendment Bill 2020](#)

Summary: This bill will make minor and technical amendments to a number of Territory laws to improve the operation of legislation relating to environment, planning and energy law, administered by the Environment, Planning and Sustainable Development Directorate, the Chief Minister, Treasury and Economic Development Directorate and one piece of legislation administered by the Transport Canberra and City Services Directorate.

Bills debated

[COVID-19 Emergency Response Legislation Amendment Bill 2020](#)

Summary: This bill will make amendments to a number of Territory laws to enable the implementation of further responses to the current COVID-19 pandemic as well as the implementation of strategies to prevent further spread of COVID-19.

Proceedings: Debate resumed on this bill on 7 May following its introduction earlier in the day and standing orders having been suspended to allow the debate to occur. Both the Opposition and the ACT Greens indicated support for the proposed legislation with the Opposition stating they will continue to scrutinise the Government on the extraordinary powers given to them through this legislation. The bill was agreed to in principle.

During the detail stage an amendment was moved by the Opposition in relation to the timing of the presentation of disallowable instruments and subordinate legislation that are put forward to the Assembly as a result of this bill. The amendment was agreed to by the Assembly. Further amendments moved by the Opposition in relation to spot fines for members of the community who cough or spit on police were negated following a vote of the Assembly. An amendment moved by the Government removing provisions in the bill in relation to the deferral of the biennial report of the Chief Health Officer from 2020 to 2021 was agreed to.

The amended bill was passed by the Assembly.

[Electronic Conveyancing National Law \(ACT\) Bill 2020](#)

Summary: This bill will apply a national law to provide for electronic conveyancing in the Territory and will allow Canberrans to receive the benefit of best practice land titling processes. Electronic conveyancing will also increase protections against fraudulent dealings.

Proceedings: This bill was debated together with the Land Titles (Electronic Conveyancing) Legislation Amendment Bill 2020 on 7 May. During debate both the Opposition and the ACT Greens indicated support for both pieces of legislation. The Electronic Conveyancing National Law (ACT) Bill 2020 was agreed to in principle. During the detail stage on this bill an amendment moved by the Government was agreed to.

The amended bill was then passed by the Assembly.

[Land Titles \(Electronic Conveyancing\) Legislation Amendment Bill 2020](#)

Summary: This bill will amend the *Land Titles Act 1925* and the *Land Titles (Unit Titles) Act 1970* by establishing a legislative framework to apply the national electronic conveyancing system within the Territory. The bill will also make consequential amendments to a number of other pieces of Territory legislation.

Proceedings: This bill was agreed to in principle and then passed by the Assembly without amendment.

Ministerial statement

On 7 May 2020 the Minister for Health provided an update to the Assembly on the **ACT Government's response to Coronavirus (COVID-19)**.

A full record of the debates can be accessed at [Hansard](#).

Assembly Business

Includes any business relating to the establishment or membership of a committee or the proposed referral of a matter to a committee. It also includes business which proposes to amend, disallow, disapprove or declare void any instruments which are made under specific Acts agreed to by the Assembly. Assembly business also includes any notice or order of the day which deals with the administration of the Assembly or how the Assembly conducts its proceedings

Motions debated

A motion proposing amendments to the **2020 sitting pattern** was moved and agreed to. The Assembly is now scheduled to meet on the following days prior to the 17 October 2020 election:

21 May 2020

4 and 18 June 2020

2, 23 and 30 July 2020

13, 20 and 27 August 2020.

The resolution of the Assembly of 2 April 2020 establishing a **Select Committee on the COVID-19 Pandemic Response** was amended on 7 May 2020. The amendment related to the frequency and duration of meetings of the committee.

The full terms of the above motions can be found in the [Minutes of Proceedings](#).

Private Members' Business

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

Bill introduced

[Planning Legislation Amendment Bill 2020](#) (Ms Le Couteur MLA)

Summary: This bill will improve environmental outcomes of planning and residential tenancies legislation by amending the *Planning and Development Act 2007*, the *Planning and Development Regulation 2008* and the *Residential Tenancies Act 1997*. The amendments will improve the community's ability to engage with the planning system and improve the outcomes of the planning system for the wider community.

Bill debated

[Human Rights \(Workers Rights\) Amendment Bill 2019](#)

Summary: This bill will amend the *Human Rights Act 2004* to recognize workers' rights as outlined in the International Covenant on Economic, Social and Cultural Rights. The bill will also provide for a right to join a work-related organisation with the objective of promoting or protecting their economic or social interests and to protections against acts of anti-union discrimination.

Proceedings: The Government indicated its support for the proposed legislation when debate resumed on 7 May and highlighted that it would be moving amendments during the details stage. The Opposition stated it did not see the need for the proposed legislation and held significant concerns with it. The bill was agreed to in principle.

During the detail stage a number of technical amendments were moved by the Government which were agreed to.

The amended bill was then passed by the Assembly.

Motion debated

Schooling arrangements during the COVID-19 Pandemic was the subject of a motion moved by Ms Lee on 7 May. The motion included noting that children's education, development and wellbeing, particularly during unprecedented times, was paramount and that the hub school arrangement was causing confusion for families and students and was creating an additional and unfair burden on teachers. The motion also included calling on the ACT Government to allow all ACT parents to send their children to their regular school if they wished. During debate on the motion an amendment was moved by the Government that including noting that the Government had made decisions about continuing school education based on the best information available, including non-health and health information. The amendment also noted that the Government established remote learning hubs for Term 2 to ensure that supervised learning could continue for those students who needed it and that a staged return to on-campus learning will commence on 18 May, when remote learning hubs will cease to operate. During debate the ACT Greens outlined its reasons for supporting the amendment moved by the Government. The amendment was passed by the Assembly.

The amended motion was then agreed to.

The full terms of the above motion can be found in the [Minutes of Proceedings](#).

Papers Presented

The following papers of interest were presented on 7 May 2020:

- ACT Children and Young People's Commitment 2015-2025—Progress update on implementation
- ACT Road Safety Strategy 2011-2020—Road Safety Report Card 2020
- Administrative Arrangements 2020 (No 2)
- Auditor-General Report 2/2020—2018-19 Financial Audits—Computer Information systems
- Canberra Institute of Technology—Annual Report 2019
- Inquest into the death of Theadora Zaal—
 - Report of Coroner
 - Government response to Coroner's findings
- Light Rail Stage 1 Review—City to Gungahlin Light Rail Benefits Realisation—Snapshot—Response to resolution of the Assembly of 31 July 2019
- Motor Accident Injuries Commission—Statement of Intent—Period 1 February to 30 June 2020
- Mr Fluffy Legacy Project—Consultation outcomes and recommendations—Government response
- Nappies and personal hygiene products—Sustainable products—Response to resolution of the Assembly of 31 July 2019

- Schooling during COVID-19 Pandemic—Out of order petitions (*presented by Ms Lee MLA*)
- Transport Action Plan—Third quarterly update
- University of Canberra—Annual Report 2019

Petitions

The following paper petitions were lodged on 7 May—

- Frequency of sittings of the Assembly during the coronavirus pandemic—lodged by Ms Le Couteur
- Water refill stations and express container recycling facility—Kippax and Charnwood shopping centres—lodged by Mrs Kikkert
- Playground safety in Ngunnawal—lodged by Ms Orr
- Schooling arrangements during the coronavirus pandemic—lodged by Ms Lee

The following ministerial response to a petition was lodged—

- Chifley shops—Parking and pedestrian safety (*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

Planning and Urban Renewal—Standing Committee

Report 12—[Inquiry into Engagement with Development Application Processes in the ACT](#)

Scrutiny Committee

[Scrutiny Report 41](#)

This report contained the committee's comments on two bills, 12 pieces of subordinate legislation, five government responses and proposed amendments to the Electronic Conveyancing National Law (ACT) Bill 2020.

Committee statements

Justice and Community Safety—Standing Committee

The committee's resolution of appointment and its consideration of the draft COVID-19 Emergency Response Legislation Amendment Bill 2020 was the subject of a statement made by the chair of the committee.

The chair made a further statement informing the Assembly that the committee had advertised, and directly invited submissions, in relation to evaluation of current ACT Policing arrangements. The chair stated that a program of public hearings will commence in the near future.

The chair also informed the Assembly that the committee had resolved to conduct a review of, and report on, the response by ACT emergency services agencies to the unprecedented 2019-20 bushfire season in the Territory.

Planning and Urban Renewal—Standing Committee

The chair of the committee made a statement on 7 May in relation to the committee's consideration of a petition concerning future development in Coombs and the Minister's response to that petition. The chair stated that as an inquiry into DV 360—Molonglo River Reserve had already been undertaken, the committee had resolved not to hold an additional inquiry at this time.

The chair made a further statement in relation to the committee's inquiry into planning for the Surgical Procedures, Interventional Radiology and Emergency Centre (SPIRE) and The Canberra Hospital campus and immediate surrounds. The chair advised that, due to developments and restrictions imposed by the Assembly due to the COVID-19 crisis, a number of hearings were unable to proceed and, therefore, a report would be compiled using data from archival records and written evidence. The report will be presented prior to the end of the Ninth Assembly.

Response to committee report

Justice and Community Safety—Standing Committee

Report 7—*Report on Inquiry into Human Rights (Workers Rights) Amendment Bill 2019*—Government response

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, 21 May 2020.

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