Matters of public importance—your Assembly @ work

Non-sitting and sitting weeks—30 September-25 October 2019
Issue 12/2019

Government Business

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

Bills introduced

Building and Construction Legislation Amendment Bill 2019 (presented 24 October)

Summary: This bill amends a number of Territory laws to improve and refine the operation of the laws. The amendments will ensure public protections in the laws operate effectively and people involved in construction licences are accountable for work associated with their licence. The bill will also implement provisions that relate to the ACT Government’s Improving the ACT Building Regulatory System reform program and a National Review of Security of Payment Laws.

Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019 (presented 24 October)

Summary: This bill amends a number of Territory laws to introduce a range of measure to improve public order and safety, including; introducing new tiered offences of serious affray; amending the penalties for offences of fighting and offensive behaviours; and increasing maximum penalties for specified offences committed in connection with a criminal group or committed by a person associated with a criminal group.

Crimes (Protection of Police, Firefighters and Paramedics) Amendment Bill 2019 (presented 22 October)

Summary: This bill will amend the Crimes Act 1900 to create new offences for assaults against police officers, firefighters and paramedics; intentionally or recklessly driving at a police officer and exposing a police officer to a risk to safety; and driving at and causing damage to a police vehicle.

Heritage Amendment Bill 2019 (presented 24 October)

Summary: This bill will amend the Heritage Act 2004 to strengthen the way damage to heritage places and objects can be dealt with to both deter people from doing damage in the first place and to make them responsible for repairing any damage to heritage places or objects.
Legislative Assembly (Office of the Legislative Assembly) Amendment Bill 2019 (presented 24 October)

Summary: This bill will amend the Legislative Assembly (Office of the Legislative Assembly) Act 2012 and the Electoral Act 1992 to establish a communication allowance for Members of the Legislative Assembly and to clarify that expenditure from the allowance is not subject to electoral expenditure or the annual expenditure reporting requirements under the Electoral Act.

Long Service Leave (Portable Schemes) Amendment Bill 2019 (presented 24 October)

Summary: This bill amends the Long Service Leave (Portable Schemes) Act 2009 to provide better protection for worker entitlements, remove administrative inconsistencies and provide more clarity for employers. The bill strengthens compliance measures by modernising inspector powers, providing interest is payable on any levies that remain unpaid after the due date, and by inserting a new provision to enable the Authority to pursue company directors in situations where a levy remains unpaid and phoenix activity is involved.

Revenue Legislation Amendment Bill 2019 (presented 24 October)

Summary: This bill will amend a number of Territory laws to extend the period of the unfit for occupation exemption of the Land Tact Act 2004 by a quarter after the land becomes fit for occupation and also makes a number of minor and technical amendments to clarify and simplify the administration and operation of tax laws.

Bills debated

Electricity Feed-in (Large-scale Renewable Energy Generation) Amendment Bill 2019

Summary: This bill will amend the Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011 to replace the fixed 650 MW limit in the Act with a limit determined by the Minister by disallowable instrument.

Proceedings: Debate resumed on 24 October with the bill being agreed to in principle. The Opposition then moved an amendment to the bill which was supported by the Government and the ACT Greens. The amendment was agreed to by the Assembly.

The amended bill was passed by the Assembly.

Evidence (Miscellaneous Provisions) Amendment Bill 2019

Summary: This bill will amend the Evidence (Miscellaneous Provisions) Act 1991 and the Evidence (Miscellaneous Provisions) Regulation 2009. The bill will establish the legislative framework for the use of intermediaries and ground rules hearings in criminal proceedings, which will include requiring intermediaries to be appointed for all child complainants in sexual offence proceedings and all child witnesses in homicide proceedings, subject to some exceptions.

Proceedings: Debate resumed on 24 October with tri-partisan support for the legislation.

The bill was passed by the Assembly.
**Litter Legislation Amendment Bill 2019**

*Summary:* This bill will amend a number of Territory laws to provide a strong, contemporary and best-practice legislative framework for preventing, deterring and responding to littering and illegal dumping in the ACT. The amendments include, amending the definition of litter to expressly include dockless bikes, introducing an offence that captures construction material not being appropriately contained onsite which results in those items becoming litter, and introducing a strict liability offence for aggravated littering of specific items listed by regulation, such as syringes and cigarettes.

*Proceedings:* Debate resumed on 22 October with the Opposition indicating support for the legislation and the ACT Greens indicating support for a majority of the legislation. The bill was agreed to in principle. The Government and the ACT Greens then moved amendments to the bill. The amendments moved by the Government were agreed to and the amendments moved by the ACT Greens were not agreed to.

The amended bill was passed by the Assembly.

**Statute Law Amendment Bill 2019**

*Summary:* This bill will make minor and technical amendments to a number of laws to enhance the Territory’s statute book.

*Proceedings:* Debate resumed on 24 October with tri-partisan support for the legislation. The bill was passed by the Assembly.

**Work Health and Safety Amendment Bill 2019**

*Summary:* This bill will amend the Work Health and Safety Act 2011 to establish WorkSafe ACT as the Office of the Work Health and Safety Commissioner, an independent and separate entity under the Act.

*Proceedings:* Debate resumed on 22 October with the Opposition indicating support for the legislation if their amendments to the legislation were passed by the Assembly. The ACT Greens indicated support for the bill and the bill was agreed to in principle. The Opposition then moved amendments to the bill which the Government and ACT Greens indicated they would not support, and following votes of the Assembly the amendments were not agreed to.

The bill was passed by the Assembly without amendments.

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

**Ministerial statements**

The Minister for Mental Health made a ministerial statement on 22 October in relation to **suicide prevention in the ACT**. The Minister stated that in accordance with the 9th Parliamentary Agreement, a key priority for the Minister for Mental Health is achieving a sustained reduction in the rate of suicide in the ACT by 2020. The Minister then updated the Assembly on how the ACT Government is continuing to support suicide prevention and early intervention in the ACT. The Minister also stated that the ACT Government is the only State and Territory Government that is centrally coordinating a LifeSpan trial site.
The Chief Minister made a ministerial statement on 24 October in relation to an ACT Government delegation to India in September 2019. The Chief Minister stated that the purpose of the mission was to build links between the tertiary education sectors and further build awareness of Canberra as a destination to visit as the Government seeks to diversify Canberra’s international student base and continue to grow the local economy. The Chief Minister highlighted the meetings held whilst in India, including a meeting with the Australian High Commissioner to India, which provided useful insights into the delivery of the Commonwealth’s India Engagement Strategy and guidance on where the best opportunities were for the Territory in the market. The Chief Minister also stated that the delegation was joined by representatives from the University of Canberra (UC) and that he had witnessed the signing of several MOUs between UC and a number of colleges affiliated with the University of Mumbai.

The following ministerial statements were made on 22 and 24 October—

“We Don’t Shoot Our Wounded” and the Aboriginal and Torres Strait Islander Forum on Domestic and Family Violence—ACT Government response made by the Minister for the Prevention of Domestic and Family Violence.


Canberra’s Tree Canopy Coverage made by the Minister for City Services.

The full text of the statements made by Ministers and Members can be accessed from the Assembly Hansard site.

Private Members’ Business

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

Bills introduced

Crimes (Offences Against Frontline Community Service Providers) Amendment Bill 2019 (presented 23 October)

Summary: This bill will amend the Crimes Act 1900 to define a number of offences as aggravated offences if an offence is committed against a frontline community service provider in certain circumstances.

Domestic Animals (Disqualified Keepers Register) Amendment Bill 2019 (presented 23 October)

Summary: This bill will amend the Domestic Animals Act 2000 to put mechanisms in place to ensure that a person found to be disqualified of keeping animals is adhering to the conditions of the disqualification.

Motions debated

On 23 October, Ms Le Couteur MLA moved a motion in relation to the Molonglo Valley development. The motion noted that the Labor-Greens Parliamentary Agreement for the 7th Assembly called for excellence in sustainable design in the Molonglo Valley development. The motion also noted that the
Labor-Greens Parliamentary Agreement for the 8th Assembly called for a Molonglo Cycle Highway feasibility study and that while there have been improvements over earlier development in the ACT, Molonglo Valley developments do not appear to be delivering excellence in sustainable design across all areas of environmental sustainability, social sustainability and transport. The motion called on the Government to commission an independent review of planning and development for the Molonglo Valley that includes examining whether Molonglo development is achieving excellence in sustainable design and what actions are required to deliver excellence in sustainable design, including on environmental, social and transport sustainability. During debate the Government and the Opposition both indicated support for the motion.

The motion was agreed to by the Assembly.

Ms Cody MLA moved a motion on 23 October in relation to the roads infrastructure as set out in the ACT Infrastructure Plan. The motion included noting that the ACT Infrastructure Plan sets out the building of key arterial roads in the ACT, focusing primarily in growth areas such as Woden, Molonglo and Weston Creek and in strengthening key transport corridors in Tuggeranong. The motion called on the Government to deliver roads infrastructure as set out in the ACT Infrastructure Plan which will provide residents of Woden, Molonglo and Weston Creek with a wide range of comprehensive transport options. During debate the Opposition moved an amendment to the motion which included calling on the Government to fix the problems plaguing Network19 as a matter of priority. Following a vote by the Assembly the Opposition’s amendment was not agreed to. The ACT Greens then moved an amendment to the motion which included calling on Members of the Assembly to carefully consider future infrastructure projects against environmental, social and economic criteria. The Opposition indicated they would support the ACT Greens amendment while the Government indicated they would not support the amendment. The ACT Greens amendment was then agreed to by the Assembly.

The amended motion was agreed to by the Assembly.

On 23 October, Mr Hanson MLA moved a motion in relation to the Drugs of Dependence (Personal Cannabis Use) Amendment Act 2019. The motion noted that since the passing of the bill, the Federal Attorney-General has publicly stated that, on advice, the laws are invalid and are of no effect. The motion also called on the ACT Government not to commence the Act. The Government and the ACT Greens both indicated they would not support the motion.

The motion was not agreed to by the Assembly.

Other motions debated on 23 October related to:

Rates and Taxes—Impact on Families—Mr Coe MLA
Violence in schools—Ms Lee MLA
Consumer protection—Second-hand vehicles—Ms Cheyne MLA

The full debate on the above motions can be accessed from the Assembly Hansard site.
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

Annual and financial reports for the financial year 2018-2019 and calendar year 2018 were referred to the relevant standing committees of the Assembly on 24 October for inquiry and report by the last sitting day in March 2020.

The motion was agreed to by the Assembly.

A motion was moved on 24 October referring an inquiry into the supply of water to the Tharwa Community to the Standing Committee on Environment and Transport and City Services. During debate the ACT Greens indicated support for the motion.

The motion was agreed to by the Assembly.

The full terms of the above motions can be found in the Minutes of Proceedings.

Crossbench Executive Member’s Business

A motion was moved on 24 October by the ACT Greens in relation to supportive housing. The motion included noting that people experiencing homelessness, and those at risk of homelessness are amongst the most socially and economically disadvantaged people in Canberra and across the nation, and that the cost impacts to government and society of not providing housing are broad and can also be felt in other services such as; the health system, including mental health; emergency services; the education system; social services; and child protection systems. The motion called on the Government to undertake economic analysis to determine ACT Government and community savings by providing supportive housing to people experiencing homelessness. During debate the Opposition moved amendments to the motion which included calling on the Assembly to give certainty to the community housing sector by removing the expiration of the land tax exemption for land provided for affordable community housing as soon as it is practically possible and clearly signalling this to the sector. The Government then moved an amendment to the Opposition’s amendment which would extend the land tax exemption instead of removing the expiration. The amendment to the Opposition’s amendment was agreed to and the Opposition’s amendments were then also agreed to.

The amended motion was agreed to by the Assembly.

The full terms of the above motion can be found in the Minutes of Proceedings.
Matters of public importance

The following matters of public importance were discussed in the Assembly this week—

The importance of a rehabilitative youth justice system—Mrs Kikkert MLA.

The importance of planning and committing to a city-wide light rail network—Mr Gupta MLA.

Papers Presented

The following are papers of interest that were presented by the Manager of Government Business during the sitting week:

- Courts Construction Project—Update to the Legislative Assembly on the progress, October 2019 (presented on 22 October)
- Schools Education Advisory Committee—Safe and Supportive Schools
  - Final Report, dated August 2019
  - Government response (presented on 23 October)
- ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the ATSIEB Hearings 2019—Ninth Report to the ACT Government (presented on 24 October)
- Reports of Coroner—Inquests into the deaths of:
  - Luke Newsome, dated 27 March 2019
  - Michael Richard Hall, dated 21 February 2019
  - Government response, dated October 2019 (presented on 24 October)
- Priority Investment Program—Funding Guidelines: Building collaboration to attract investment into Canberra’s knowledge economy, dated October 2019 (presented on 24 October)
- Property Crime Prevention Strategy 2016-2020—Progress report 2019 (presented on 24 October)
- Transport Action Plan—Quarterly update—Number 1, dated October 2019 (presented on 24 October)

The following is a paper of interest that was presented by the Minister for Health during the sitting week:

- A model for patient navigation in the ACT for people with chronic and complex conditions, dated 7 September 2018—Prepared by the Health Care Consumers’ Association (presented on 24 October)

Petitions

The following e-petition was lodged on 22 October—

- Transport Canberra bus advertising guidelines to restrict the promotion of people who make sexist comments—lodged by Ms Le Couteur MLA.

A copy of the e-petition can be found on the Assembly Hansard site.
Committee Activities

Committee reports presented

Scrutiny Committee

Scrutiny Report 36 (presented 22 October)

This report contained the committee’s comments on seven bills, seven pieces of subordinate legislation, proposed Government amendments to three bills, two Government responses and a committee comment on the Government response.

Committee statements

Environment and Transport and City Services—Standing Committee

The chair of the Committee made a statement on 24 October informing the Assembly that the Committee had resolved to delay the reporting date for its inquiry into nature in our city, due to the substantive, detailed and complex evidence received by the Committee.

Planning and Urban Renewal—Standing Committee

The chair of the Committee made a statement on 24 October informing the Assembly that following consideration of e-petition No 25-18 and petition No 15-19, and the Minister’s response, the Committee had determined not to hold an inquiry into the matters raised at this time as the Committee had already undertaken an inquiry into planning rules and criteria for the Woden Town Centre.

The chair of the Committee made a second statement on 24 October informing the Assembly that following the consideration of e-petition No 19-19 and petition No 22-19 concerning proposed redevelopment at Chisholm Village, and the Minister’s response, the Committee had determined not to hold an inquiry into the matter at this time.

Committee referrals

Environment and Transport and City Services—Standing Committee

On 22 October, e-petition No 26-19 was referred to the Committee requesting that the Assembly update Transport Canberra advertising guidelines to restrict the promotion of people who make public sexist comments.

Responses to committee reports

Education, Employment and Youth Affairs—Standing Committee

Report 6—Management and Minimisation of Bullying and Violence in ACT Schools—Government Response (presented by the Manager of Government Business on 23 October)

Education Activities

Information on our various program offerings are available on the Assembly’s website.
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

Tuesday, 26 November 2019.

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