Matters of public importance
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Sitting week – 26 to 30 November 2012
Issue 10/2012

Government business

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

Bills introduced

Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2012 (No 2)—
This bill will amend the Aboriginal and Torres Strait Islander Elected Body Act 2008 to bring it in line with the Electoral Act 1992 and to allow declared candidates for positions on the Aboriginal and Torres Strait Islander Elected Body to effectively promote their candidature (presented 29 November 2012).

Children and Young People Amendment Bill 2012 (No 2)—
This bill will amend the Children and Young People Act 2008 to improve the administration and interpretation of the Act and the provision of services to children, young people and their families (presented 29 November 2012).

Crimes Legislation Amendment Bill 2012 (No 2)—
This bill will amend a number of Territory laws to improve the criminal justice system, including amendments to strengthen a number of provisions in relation to sexual offences and victims and witnesses of sexual or violent offences (presented 29 November 2012).

Directors Liability Legislation Amendment Bill 2012—
This bill will amend a number of Territory laws that impose executive liability to ensure that such liability is appropriately directed (presented 29 November 2012).

Disability Services Amendment Bill 2012 (No 2)—
This bill will amend the Disability Services Act 1991 to allow the Minister for Disability, Children and Young People to approve disability service standards and establish regulation-making power (presented 29 November 2012).

Financial Management Amendment Bill 2012 (No 2)—
This bill will amend the Financial Management Act 1996 by including the Treasurer in the review and approval process of instruments prepared by agencies to amend performance criteria (presented on 29 November 2012).

Gaming Machine Amendment Bill 2012—
This bill will amend the Gaming Machine Act 2004 by ensuring that the Automatic Teller Machine withdrawal limit does not apply to small gaming venues (presented on 27 November 2012).

Health (National Health Funding Pool and Administration) Bill 2012 (No. 2)—
This bill proposes to establish the National Health Funding Pool, the Administrator of that Pool and a Territory managed fund for the purposes of receiving funding for ACT public hospital services (presented on 27 November 2012).

Public Unleased Land Bill 2012—
This bill will repeal the Road and Public Places Act 1937 and replace it with an up-to-date legislative regime that regulates the use of public land (presented 29 November 2012).

Racing Amendment Bill 2012—
This bill will amend the Racing Act 1999 and the Racing (Race Field Information) Regulation 2010 to provide that the thoroughbred, harness and greyhound racing clubs have the ability to directly set and collect race field information.
charges from wagering operators. The bill also provides that any one of the three ACT controlling bodies may act as an agent for the other bodies in relation to the race field information charge (presented on 29 November 2012).

Road Transport (Third-Party Insurance) Amendment Bill 2012—

This bill will amend the Road Transport (Third-Party Insurance) Amendment Act 2012 by resolving an unintended internal inconsistency dealing with the timeframe in which an injured person may claim early payment for medical expenses. The bill also reinstates a clause relating to the rights of claimants (presented on 27 November 2012).

Bills debated

Gaming Machine Amendment Bill 2012—

Proceedings: When debate resumed on the bill on 29 November 2012 the Opposition stated that they would be supporting the legislation with the ACT Greens Member indicating that he would support the bill in principle but would be opposing one of the clauses during the detail stage. The bill was agreed to in principle by the Assembly.

During the detail stage, as indicated, the ACT Greens Member stated that he would be opposing the clause which sought to exclude the Automatic Teller Machine withdrawal limit applying to small gaming venues.

After a vote of the Assembly the bill was passed without amendment.

Road Transport (Third-Party Insurance) Amendment Bill 2012—

Proceedings: Debate on the bill resumed on 29 November 2012 with the Opposition stating that they would be supporting the passing of the bill by the Assembly. The ACT Greens Member also stated that he would be supporting the bill. In closing debate the Minister thanked all Members for their support.

The bill was agreed to by the Assembly.

Private Members’ business

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

Motions debated

On 28 November 2012, Mr Zed Seselja MLA (Brindabella—Canberra Liberals) moved a motion concerning cost of living pressures. The motion sought to highlight the increasing cost of living for Canberra families and called on the Government to outline how it would lower these costs for families. During debate the Treasurer stated that the Government would not be supporting the motion, as it stood. He also outlined steps he believed the Government had undertaken to assist families with cost of living expenses. An amendment moved by the ACT Greens Member included calling on the Government to implement targeted assistance measures to help Canberrans most in need. An amendment was moved by the Opposition to the ACT Greens amendment which called on the Government to table modelling of general rates increases once stamp duty is abolished. The Opposition’s amendment was negatived. After further debate the ACT Greens amendment was agreed to.

The amended motion was passed by the Assembly.

Childcare and early childhood education was the subject of a motion moved by Ms Yvette Berry MLA (Ginninderra—Australian Labor Party). The motion sought to highlight the Government’s investment in childcare and early childhood education and included calling on the Government to reaffirm its commitment to ensure ACT families continue to have access to high quality and affordable childcare. During debate an amendment was moved by the Opposition which noted that the availability of quality childcare and early childhood education plays an important role in supporting families and the productivity of the economy and called on the Government to provide opportunities and support for the development of additional early education and childcare places by the private sector and community organisations. The proposed amendment was negatived after debate.

The motion as introduced was passed without amendment.
Other matters discussed on 28 November related to:

- **Road network**—Mr Alistair Coe MLA (Ginninderra—Canberra Liberals)
- **Centenary Hospital—Maternity Services Review**—Mr Jeremy Hanson MLA (Molonglo—Canberra Liberals)
- **Chronic Disease Burden**—Ms Mary Porter MLA (Ginninderra—Australian Labor Party)
- **Waste Management**—Mr Alistair Coe MLA (Ginninderra—Canberra Liberals)

**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 Assembly’s standing orders was moved on 27 November 2012. Details of the amendments can be accessed from the *Minutes of Proceedings.* During debate the Opposition indicated that they would not be supporting a number of the proposed amendments, however, the ACT Greens Member stated that he would support the motion.

The motion was agreed to by the Assembly after debate.

On 27 November 2012 a motion was moved which sought to establish the general purpose standing committees of the 8th Assembly. The following standing committees were established:

- Education, Training and Youth Affairs;
- Health, Ageing, Community and Social Services;
- Justice and Community Safety;
- Planning, Environment and Territory and Municipal Services; and
- Public Accounts.

The membership of committees was also agreed to on 27 November 2012. Each committee will consist of four members.

The Standing Committee on Administration and Procedure is automatically established by the standing orders at the beginning of an Assembly.

A motion proposing the 2013 sitting pattern was moved on 29 November. During debate the Opposition moved an amendment which sought to add further days to the proposed sitting pattern. The amendment was negatived after a vote of the Assembly.

The original motion was agreed to.

The sitting pattern for 2013 will be available at www.parliament.act.gov.au.

**Matters of public importance**

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

- **The importance of the centenary to the ACT community**—Ms Yvette Berry MLA (Ginninderra—Australian Labor Party)
- **The importance of healthy lakes and waterways to the future of the ACT**—Ms Yvette Berry MLA (Brindabella—Ginninderra—Australian Labor Party)

**Papers presented**

*The following is a list of papers of interest that were presented*

- ACT Children and Young People Death Review Committee—Annual Report 2011-12 (*presented by the Minister for Disability, Children and Young People on 27 November 2012*)
- ACT Legislative Assembly Secretariat—Annual Report 2011-2012 (*presented by the Speaker on 27 November 2012*)
- Annual reports of Government Directorates and agencies (*presented by responsible Ministers on 27 November 2012*)
- Auditor-General’s Reports—
  - 7 of 2012—Annual Report 2011-12
  - 8 of 2012—Grants of Legal Assistance (*presented by the Speaker on 27 November 2012*)
Committee activities

Committee report presented

Planning, Public Works and Territory and Municipal Services (7th Assembly)—

Report 15—Draft variation to the Territory Plan No 306—Residential development, estate development and leasing codes

The committee’s report was presented out of session on 20 September 2012. The draft variation proposed changes to residential zones objectives, development tables, and housing development codes; the introduction of a Residential Zones Development Code and a Lease Variation General Code; and the replacement of the Residential Subdivision Development Code with an Estate Development Code.

During its six month inquiry, the committee received 21 submissions, held two briefings with planning officials and seven public hearings, and heard from 41 witnesses comprising individuals, community organisations, government officials, and industry and professional representative bodies.

The committee concluded that, on the whole, DV306 provided a sound framework for improving solar access in residential zones, and recommended that it be proceeded with. An additional twenty recommendations were made, including that community consultation on suburban precinct codes commence as soon as possible, that a sliding scale for plot ratios for large blocks be introduced, that public consultation material be improved, and that proposed changes to RZ2 provisions be re-examined to make them more consistent with housing affordability and urban infill objectives.

One Member of the committee dissented from the report.

The report was formally tabled in the Assembly by the Speaker on 27 November 2012.

Scrutiny Committee—

Scrutiny Report 1, dated 29 November 2012
(presented 29 November 2012)

Other matters

A motion of condolence was moved on 27 November 2012 by the Chief Minister in relation to the death of Isabell Coe, a leading figure in the campaign for Indigenous rights. The Leader of the Opposition, the Minister for Aboriginal and Torres Strait Islander Affairs and Dr Chris Bourke MLA (Ginninderra—Australian Labor Party) addressed the Assembly in support of the motion.

On 27 November 2012 three new Members, Ms Yvette Berry MLA (Ginninderra—Australian Labor Party), Mr Andrew Wall MLA (Brindabella—Canberra Liberals) and Mrs Giulia Jones MLA (Molonglo—Canberra Liberals) made their inaugural speeches. The text of these speeches can be accessed here within the next 10 days.

The Speaker informed the Assembly, on 29 November 2012, of the deaths of Bryce Courtenay AM and Rhonda Obad OAM.
Committee activities

The committee met on 28 November and electing Mr Jeremy Hanson MLA (Molonglo—Canberra Liberals) as its chair.

Next sitting

The Assembly will sit again on Tuesday, 12 February 2013.