



Matters of public importance—your Assembly @ work

Sitting week—18-22 February 2019

Issue 2/2019

Condolence motion

On 19 February a condolence motion was moved by the Chief Minister in relation to the death of the Honourable Mr Gordon Scholes AO, a former member for the Victorian seat of Corio and Minister for Territories from 1984 to 1987.

The Leader of the Opposition and Leader of the ACT Greens also spoke to the motion and at the conclusion all Members of the Assembly stood in silence as a mark of respect.

On 21 February a condolence motion was moved by the Chief Minister in relation to the death of the Honourable Jeffrey Miles AO, who served as Chief Justice of the ACT Supreme Court from 1986 until 2002.

The Leader of the Opposition, Leader of the ACT Greens and the Attorney-General also spoke to the motion and at the conclusion all Members of the Assembly stood in silence as a mark of respect.

Government Business

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

Bills introduced

[Royal Commission Criminal Justice Legislation Amendment Bill 2019 \(presented 21 February\)](#)

Summary: This bill will make a number of amendments to Territory laws to address Recommendations from the Commonwealth, Royal Commission into Institutional Responses to Child Sexual Abuse. The bill will improve the protection of children from abuse by adding ministers to a list of mandated reporters and creating a new offence of failure to report a sexual offence committed against a child.

Bills debated

[Education \(Child Safety in Schools\) Legislation Amendment Bill 2018](#)

Summary: This bill will amend the *ACT Teacher Quality Institute Act 2010*, the *Education Act 2004* and the *Education Regulation 2005* to clarify the roles and responsibilities of people responsible for children and young people in ACT schools. The bill will strengthen the reporting requirements in the *Teacher Quality Institute Act 2010* and ensure that teachers maintain a working with vulnerable people

registration in order to teach. Provisions included in the bill will begin the implementation of the Government's commitments as a consequence of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Proceedings: Debate resumed on this bill on 19 February with the Opposition raising concern about minor and definitional issues with the bill, however also stating that they would be supporting its passage through the Assembly. The ACT Greens also indicated support for the bill.

The bill was agreed to by the Assembly without amendment.

[Residential Tenancies Amendment Bill 2018 \(No 2\)](#)

Summary: This bill will amend the *Residential Tenancies Act 1997* and the *Residential Tenancies Regulation 1998* to provide for an enhanced framework for residential tenancy agreements.

Proceedings: Debate resumed on this bill on 21 February with the ACT Greens indicating they would move amendments that would provide for broader reform of the bill. The Opposition indicated they would not be supporting the bill in its entirety. The ACT Greens moved a number of amendments with some being agreed to by the Assembly. An amendment was also moved by the Government which was passed.

The amended bill was agreed to by the Assembly.

Ministerial statements

A **United Kingdom and Ireland Study Tour** in December 2018 was the subject of a ministerial statement made by the Minister for Children, Youth and Families on 19 February. During the statement the Minister provided a summary of the lessons learnt from the four sites visited in the United Kingdom and Ireland which included, Nottingham and Leeds in England, Renfrewshire in Scotland and Cork in Ireland. The Minister also stated that the study tour was a timely insight into some of the leading practices that are spoken about across child protection, early support, youth work and restorative practice communities.

The Government response to the Commissioner for Sustainability's report ***Unfantastic Plastic—Review of the ACT Plastic Shopping Bag Ban*** was the subject of a ministerial statement made by the Minister for City Services on 19 February. The Minister provided a response to each of the four recommendations by the Commissioner in the report which included, mandatory plastic bag disclosure regime, minimum plastic bag pricing, improved governance of plastic bag regulation and research synergies for compostable plastic and a household organic collection scheme. The Minister stated that a much broader approach is needed than the issues contained in the report, and that plastic bags are only one part of a much larger plastics problem. The Minister also stated that the Government must consider action on other kinds of single-use plastic, to question whether they remain consistent with the Government's ambition to reduce environmental impacts and drive resource recovery in the ACT towards 90 percent by 2025.

The following ministerial statements were made on 21 February—

Progress Report on the Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse made by the Chief Minister.

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 \(Anti-Consorting\) Amendment Bill 2019](#) (*presented 20 February*)

Summary: This bill will amend the *Crimes Act 1900* to prevent consorting between defined persons. The bill will affect consorting with persons already convicted of criminal behaviour, apply once an official warning has been issued, and apply outside legitimate purposes for a limited time.

Bills debated

[Drugs of Dependence \(Personal Cannabis Use\) Amendment Bill 2018](#)

Summary: This bill will amend the *Drugs of Dependence Act 1989* to allow for the personal use and carry of cannabis up to a limit of 50 grams. The bill will also allow individuals to grow up to four cannabis plants, excluding artificial crop growing.

Proceedings: Debate resumed on this bill on 20 February with the ACT Greens indicating support for the bill. Debate was then adjourned on the bill until a later sitting date. The Opposition then moved a motion that the bill be referred to the Standing Committee on Health, Ageing and Community Services for inquiry and report by 6 June 2019. The ACT Greens indicated they would support the motion as the bill now had a number of amendments and the committee process would be valuable to the legislation.

The bill was then referred to the Standing Committee on Health, Ageing and Community Services.

[Domestic Animals \(Dangerous Dogs\) Amendment Bill 2018](#)

Summary: This bill will amend the *Domestic Animals Act 2000* by providing a greater obligation on dog owners to manage dogs in a safe and responsible manner.

Proceedings: Debate resumed on this bill on 20 February with the Government and the ACT Greens both indicating they would not be supporting the proposed legislation. The Government stated that the bill would ineffectively target dogs instead of the behaviour of their owners and that lower income families would be forced to relinquish their dogs for euthanasia due to the exorbitant fee instead of having the opportunity to acquire a licence and keep their pet safe in a contained yard under the conditions of a dangerous dog licence.

Following a vote of the Assembly, the bill was not agreed to in principle.

Motions debated

Personal safety in ACT schools was the subject of a motion moved by Mr Wall MLA on 20 February. The motion included calling on the Government to acknowledge the rise of incidences of violence in ACT schools and to direct the Chief Minister to establish an independent inquiry to undertake a thorough audit of ACT schools. During debate the Government stated they would not be supporting the motion as it was largely incorrect, internally inconsistent and based on some very poor assumptions. The ACT Greens indicated they would not support the motion as it suggested that an independent inquiry is required to address the issues noted in the motion, and the ACT Greens would not support an inquiry at this time.

The motion was not agreed to after a vote of the Assembly.

A motion was moved on 20 February by Ms Orr MLA in relation to **Gungahlin community infrastructure**. The motion noted that the Gungahlin community has made calls to increase the number of community facilities in the region to support existing community activities and cultural events. During debate, amendments were moved by the ACT Greens which included calling on the Government to co-ordinate the planning work for a future Woden community centre. After a Speaker's ruling, the ACT Greens amendments were ruled out of order as they broadened the scope of the motion and were not relevant to the original motion. During debate an amendment was moved by the Opposition which called on the ACT Government to commit to a dedicated community centre in the Gungahlin Town Centre and to include funds towards the centre in the 2019-20 Budget. An amendment by the Government was then moved to the Opposition's amendment to include the funds in the 2019-20 financial year.

The amended motion was then agreed to.

Other motions debated on 20 February related to:

Regulation of the taxi industry—Miss C Burch 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

A motion was moved to establish a **Select Committee on Estimates 2019-2020** to examine the expenditure proposals contained in the Appropriation Bill 2019-2020, the Appropriation (Office of the Legislative Assembly) Bill 2019-2020 and any revenue estimates proposed by the Government in the 2019-2020 Budget.

The motion was agreed to.

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

Matter of public importance

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

The importance of ACT laws which are constitutional, evidence-based and human rights compliant—
Ms Cody MLA

The importance of school chaplains—Mr Coe MLA

Papers Presented

The following are papers of interest that were presented during the sitting week:

- ACT Road Safety Strategy 2011-2020—Road Safety Report Card 2019 (*presented by the Manager of Government Business on 19 February*)
- *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*, dated 11 February 2019 (*presented by the Speaker on 20 February 2019*)
- Royal Commission into Institutional Responses to Child Sexual Abuse—ACT Government Progress Report responding to recommendations—First Annual Progress Report (*presented by the Chief Minister on 21 February 2019*)
- Age Friendly Canberra—A Vision for our City (*presented by the Manager of Government Business on 21 February*)
- Board of the Australian Criminal Intelligence Commission—Chair Annual Report— 2016-17 (*presented by the Manager of Government Business on 21 February*)

Committee Activities

Committee reports presented

Administration and Procedure—Standing Committee

Report 9—[Citizen's Right of Reply—Australian Education Union](#) (*presented 21 February*)

Economic Development and Tourism—Standing Committee

Report 5—[Annual and Financial Reports 2017-2018](#) (*presented 19 February*)

Planning and Urban renewal—Standing Committee

Report 7—Draft Variation to the Territory Plan No. 350: Changes to definition of 'single dwelling block'
(*presented 21 February*)

Scrutiny Committee

Scrutiny Report 27 (*presented 19 February*)

This report contained the committee's comments on 44 pieces of subordinate legislation, one regulatory impact statement, two government responses and proposed amendments to the Residential Tenancies Bill 2019 (No 2).

Committee inquiries

Administration and Procedure—Standing Committee

On 21 February, a motion was moved that the resolution of the Assembly of 1 November, as amended 27 November 2018, which referred the possible expansion of the ACT Register of Lobbyists be amended by omitting the words "last sitting day in February 2019" and substituting "last sitting day in March 2019". The motion was passed by the Assembly.

Committee statements

Education, Employment and Youth Affairs—Standing Committee

The chair of the committee made a statement on 19 February relating to the committee's statutory appointments for the period of 1 July to 31 December 2018.

Environment and Transport and City Services—Standing Committee

The chair of the committee made a statement on 21 February in relation to a delay in inviting submissions for the inquiry into a Territory Coat of Arms. The chair stated that the Committee is currently seeking advice, and taking time to investigate the rules and protocol that apply when adopting a coat of arms as there is no established process for adopting a jurisdictional coat of arms in Australia. The chair also stated that the Committee will be making another announcement in the coming months which will invite submissions and identify other avenues in which the community can participate in the inquiry. The chair also made a statement in relation to the committee's statutory appointments for the period of 1 July to 31 December 2018

Fuel Pricing—Select Committee

The chair of the committee made a statement on 21 February informing the Assembly that the Committee was seeking the views of participants in the Canberra fuel market at all levels and from business operators and individuals for its inquiry into fuel pricing.

Responses to committee reports

Justice and Community Safety—Select Committee

Report 3—Report on inquiry into the Crimes (Consent) Amendment Bill 2018—Government response (*presented by the Attorney-General on 21 February*)

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)
Ms Meegan Fitzharris (Australian Labor Party)
Mr James Milligan (Canberra Liberals)
Ms Suzanne Orr (Australian Labor Party)
Mr Michael Pettersson (Australian Labor Party)

Next Sitting

Tuesday, 19 March 2019.

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