Matters of public importance—your Assembly @ work

Non-sitting and Sitting weeks—25 March-5 April 2019

Issue 4/2019

Condolence Motion

On 2 April a condolence motion was moved by the Chief Minister for Mr John Turner, AM, a former Chief Executive of the ACT Department of Urban Services.

The Leader of the Opposition and the 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.

Government Business

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

Bills introduced

Water Resources Amendment Bill 2019 (presented 4 April)

This bill will amend the Water Resources Act 2007. The bill will provide identification of the framework of the ACT’s water resource plan which shows how water planning and management takes place in the ACT, and will specify the amount of water available for surface water and groundwater from water management areas up to the sustainable diversion limit.

Gaming Legislation Amendment Bill 2019 (presented 4 April)

This bill will amend the Gambling and Racing Control Act 1999 and the Gaming Machine Act 2004. The bill will establish a Diversification and Sustainability Support Fund. It will provide for governance arrangements and requires industry contributions to the Fund based on the number of gaming machine authorisations held and also provides the framework for mandatory training requirements for club boards, executives and staff.

Working with Vulnerable People (Background Checking) Amendment Bill 2019 (presented 4 April)

This bill will amend the Working with Vulnerable People (Background Checking) Act 2011 and other legislation. The bill will allow the ACT to implement the commitments under the Intergovernmental Agreement on Nationally Consistent Worker Screening for the National Disability Insurance Scheme. The bill will make amendments consistent with the national agreement on the National Disability Insurance
Scheme worker background screening, including improved information sharing, streamlining registration and introduction of disqualifying offences.

**Bills debated**

**Controlled Sports Bill 2018**

*Summary:* This bill will establish a legislative framework to update regulations on combat sports events operating in the ACT. The bill will improve safety for contestants and promote integrity and replace the Boxing Control Act 1993.

*Proceedings:* Debate resumed on 2 April with the bill being agreed to in principle. The Opposition indicated that while they would support the proposed legislation, they would also move amendments. The Opposition had some amendments agreed to. The Government also moved amendments in which the ACT Greens indicated they would support and the amendments were passed by the Assembly.

The amended bill was agreed to by the Assembly.

**Financial Management Amendment Bill 2019**

*Summary:* This bill will amend the *Financial Management Act 1996* to make provisions for a capital works reserve as a mechanism for improving the accuracy of budget estimates and performance of the Territory’s capital works program.

*Proceedings:* Debate resumed on 2 April with the Opposition indicating they would not support the bill. Following a vote of the Assembly the bill was agreed to in principle. The Opposition then moved amendments which the Government and ACT Greens did not agree to.

The bill was agreed to by the Assembly without amendment.

**Fuels Rationing Bill 2018**

*Summary:* This bill will establish a framework for approving, implementing and enforcing fuel rationing measures in the unlikely event of a fuel shortage.

*Proceedings:* Debate resumed on 4 April with the bill being agreed to in principle. The proposed legislation had tri-partisan support.

**Motor Accident Injuries Bill 2019**

*Summary:* This bill will implement a model for the new Motor Accident Injuries Scheme, as chosen by the citizens’ jury. It will replace the current at-fault compensation scheme operating under the *Road Transport (Third-Party Insurance) Act 2008* with a new hybrid no-fault common law scheme.

*Proceedings:* Debate resumed on 4 April with the Opposition indicating they would not support the bill, stating that the Government has not addressed the significant issues raised by stakeholders and the Assembly’s Committee inquiry. The ACT Greens indicated they would support the bill in principle but noted that there are still some issues and details that need to be resolved.

Following a vote of the Assembly the bill was agreed to in principle and adjourned until a future sitting.
Retirement Villages Legislation Amendment Bill 2018

Summary: This bill will amend a number of ACT statutes to support the ACT’s retirement villages to meet the needs of current and future residents and operators. The bill implements a second set of recommendations which resulted from the 2015-16 review of the Retirement Villages Act 2012.

Proceedings: Debate resumed on 2 April with the bill being agreed to in principle. The proposed legislation had tri-partisan support.

The bill was then agreed to by the Assembly.

A full record of the debates can be accessed at Hansard.

Ministerial statements

The Minister for Tourism and Special Events made a ministerial statement on 2 April in relation to recreational vehicle (RV) tourism in the ACT. The Minister highlighted the ways in which the Government is working on practical solutions to better support the RV sector, including; better promotion of existing RV facilities, ongoing review of existing facilities to inform future infrastructure investment and investigating options to leverage the strong relationship between the ACT Government and the Canberra Region Joint Organisation to support a whole-of-region approach.

A statement of priorities was the subject of a ministerial statement given by Minister Steel encompassing his four ministerial portfolios. The Minister highlighted completed projects in the last six months which included, the Canberra-wide roll out of the green bin program, implementation of the Container Deposit Scheme and trialling of different recycled materials in asphalt. The Minister also drew attention to future projects including delivering a 15 percent increase in the amount of street sweeping across the city, increasing available maintenance crews by 40 percent which will make the network to maintain streetlights more reliable and the planting of 450 new trees during autumn.

The Minister for Children, Youth and Families provided a progress update on the Implementation of the ACT Children and Young People’s Commitment 2015-2025 on 4 April. The Minister stated that this was the fourth progress update to reflect on current progress and plan for future activity. The Minister also noted that the Commitment is a high level strategic document that sets the vision for a whole-of-community approach to promoting the rights of children and young people aged 0 to 25 years in the ACT and that the Commitment identifies six priority areas that influence the work done across the ACT Government and wider community to create strong communities which support children and young people. The Minister then gave an update on each of the six priority areas.

The following ministerial statements were made on 2 April—

A Step Up for Our Kids—Out of Home Care Strategy made by the Minister for Children, Youth and Families.

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

Motions debated

Flexible payment options was the subject of a motion moved by Ms Cody MLA on 3 April. The motion noted the Government’s commitment to fairness in the community including the Concessions Program which aims to promote equity in the standard of living and access to essential services for all members of the ACT community. The motion also called on the Government to further develop flexible payment options for fees and charges for those Canberrans struggling to meet their everyday costs to help manage their household bills by smoothing out the peaks, including to investigate extending the period of time in which fines have to paid by up to six months to ensure unexpected costs don’t prevent people from paying for essentials. During debate the Opposition and the ACT Greens indicated their support for the motion.

The motion was passed by the Assembly.

A motion relating to the need for stronger legislative whistleblower protections in the ACT was moved by Mr Coe MLA on 3 April. The motion noted that integrity and confidence in public administration should be a high priority for the ACT Government. The motion called on the Government to commence an independent review of the existing whistleblower mechanisms, including the Public Interest Disclosure (PID) Act 2012, by 1 July 2019 and take into consideration relevant recommendations from interjurisdictional reports and the operation of the ACT Integrity Commission. During debate the Government moved amendments to the motion which included calling on the Government to implement a phased approach to updating the existing PID framework in the ACT which includes, commencing an independent review of the existing PID framework in the first half of the 2019 calendar year which takes into consideration the relevant recommendations of the Moss Review and the practical operation of the ACT Integrity Commission which commences on 1 July 2019. The ACT Greens indicated their support for the amendment moved by the Government.

The amended motion was passed by the Assembly.

A motion relating to an e-sports strategy for the ACT was moved by Mr Pettersson on 3 April. The motion noted the potential partnerships for e-sports in the Capital, including the strong popularity of e-sports in the Asian market and among Canberra’s target international engagement demographics. The motion also called on the Government to investigate the potential of developing an e-sports strategy to attract tournaments and promote local economic growth. During debate the ACT Greens indicated their support for the motion, while the Opposition stated that they believed the focus of the motion was too outward looking.

The motion was passed by the Assembly without amendment.
Other motions debated on 3 April related to:

- Development application assessment—Mr Parton MLA
- Physical activity in schools—Ms Lee MLA
- Policing numbers—Mrs Jones MLA

The full debate on the above motions can be accessed from the Assembly [Hansard](http://www.legislation.act.gov.au) 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 on 4 April by Ms Orr MLA noting the terrorist attack in Christchurch and the public call for politicians to lead with demonstrated actions and called on the Standing Committee on Administration and Procedure to review the [Continuing Resolution 5](http://www.legislation.act.gov.au), MLA’s Code of Conduct, namely whether the Code of Conduct should be enhanced to reflect MLAs’ responsibilities for respectful dialogue. The Government moved an amendment to call on the Committee to report to the Assembly by the end of September 2019. The Opposition and ACT Greens indicated their support for the motion and the amendment.

The amended motion was agreed to by the Assembly.

A proposed referral of the management and minimisation of bullying and violence in schools to the Standing Committee on Education, Employment and Youth Affairs was the subject of a debate moved on 4 April by Ms Berry MLA. The motion stated that in conducting its inquiry the Committee have regard to the societal context of bullying and violence as a whole-community issue, the Government’s existing work on responding to students with complex needs and challenging behaviours and management of occupational violence, and the potential negative consequences for individual children, their families, staff and schools of being identified in evidence or during hearings and the public attention that could arise from that would likely exacerbate already difficult circumstances. During debate the Opposition moved an amendment which would remove the paragraph in the motion that would allow for the Committee to take evidence in camera and hold documents on a confidential basis. The ACT Greens and the Government both indicated they would not support the amendment.

The motion was agreed to by the Assembly without amendment.

The full terms of the above motions can be found in the [Minutes of Proceedings](http://www.legislation.act.gov.au).
Crossbench Executive Member’s Business

A motion was moved on 4 April by the ACT Greens in relation to funding for the national institutions in Canberra. The motion noted that the Federal Government has neglected the needs of national institutions in the ACT for many years and that the Federal Liberal Government has provided $498 million to redevelop the Australian War Memorial, despite the protest of leading architects, historians previous Directors and prominent Australians. During debate the Government moved an amendment that further noted that the ACT Government will engage with the Federal Government on their investment into the Australian War Memorial to promote good design outcomes, reduce the impact on the surrounding environment and retain existing Memorial facilities as far as possible. The ACT Greens indicated they would not support the amendment and following a vote of the Assembly, the amendment was 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.

Matter of public importance

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

- The importance of preparing the ACT for more extreme weather events because of climate change—Ms Le Couteur MLA.
- The importance of school chaplains in the ACT—Miss C Burch MLA.

Papers Presented

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

- Variations to the Territory Plan, including associated documents—No 345—Mawson Group Centre: Zone Changes and amendments to the Mawson precinct map and code, dated March 2019. (presented by the Manager of Government Business on 2 April)
- Bimberi Headline Indicators Report, dated March 2019. (presented by the Manager of Government Business on 4 April)

Petitions and petition response

The following ministerial response to petitions was lodged on 3 April—

- Violence in Schools.

A copy of this response can be found on the Assembly Hansard site.
Committee Activities

Committee reports presented

Education, Employment and Youth Affairs—Standing Committee

Report 5—Standardised Testing in ACT Schools (presented 2 April)

Public Accounts—Standing Committee

Report 6—Inquiry into commercial rates (presented 4 April)

Scrutiny Committee

Scrutiny Report 29 (presented 2 April)

This report contained the committee’s comments on three bills, 15 pieces of subordinate legislation and one regulatory impact statement.

Committee statements

Economic Development and Tourism—Standing Committee

The chair of the committee made a statement on 2 April in relation to the Committee’s statutory appointments for the period of 1 July to 31 December 2018. The chair also informed the Assembly that, following consideration of petition 19-18 concerning fair treatment for international students, the Committee noted the response of the ACT Government dated 14 December 2018 and has resolved not to inquire further into the matters raised in the petition. The final statement by the chair was in relation to the inquiry into drone delivery services and that a specific issue has been brought to the Committee’s attention, requiring communication with the responsible Federal Minister. The Committee intends to wait until it has received a response from the Federal Minister before tabling its report in the Assembly.

Committee referrals

Privileges—Select Committee

On 4 April the Assembly established a Select Committee on Privileges to examine whether there has been a breach of privilege relating to the Standing Committee on Health, Ageing and Community Services in the release of unauthorised committee documents. The committee will report back to the Assembly on the first sitting day of July 2019.

Responses to committee reports

Health, Ageing and Community Services—Standing Committee

Report 5—Inquiry into the Future Sustainability of Health Funding in the ACT—Government response (presented by the Manager of Government Business on 2 April)
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

Friday, 10 May 2019.

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