



Matters of public importance—your Assembly @ work

Non-sitting and Sitting weeks—8 April-17 May 2019

Issue 5/2019

Condolence Motion

On 14 May a condolence motion was moved by the Chief Minister in relation to the terrorist attacks in Sri Lanka on Sunday, 21 April 2019.

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.

Censure Motion

On 16 May the Leader of the Opposition moved that the Assembly censure the Minister for Education and Early Childhood Development for the offence caused by her use of the words “dumb students” in a media report about NAPLAN. The Government and the ACT Greens indicated they would not support the motion.

The motion was not agreed to by the Assembly.

Government Business

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

Bills introduced

[Animal Welfare Legislation Amendment Bill 2019](#) *(presented 16 May)*

This bill will amend a number of Territory laws relating to animal management and welfare in the Territory to strengthen the legislation and improve the quality of life for animals

[Climate Change and Greenhouse Gas Reduction \(Renewable Electricity Target\) Amendment Bill 2019](#) *(presented 16 May)*

This bill will amend the *Climate Change and Greenhouse Gas Reduction Act 2010* to enable an ongoing 100 percent renewable electricity target post-2020. The bill also allows the Minister to provide a clear summary of progress against the renewable energy targets in the Minister’s annual report.

[Crimes Legislation Amendment Bill 2019](#) (presented 16 May)

This bill will amend a range of criminal laws to improve the operation and efficiency of the criminal justice system. These amendments will include providing that the sale and consumption of low THC hemp seeds as food will not be subject to criminal offences and clarifying the original policy intent for the definitions of choke, strangle and suffocate in the *Crimes Act 1900*.

[Fisheries Legislation Amendment Bill 2019](#) (presented 16 May)

This bill will amend the *Fisheries Act 2000*, *Fisheries Regulation 2001*, *Pest Plants and Animals Act 2005* and the *Nature Conservation Act 2014*. The bill will update important aspects of fisheries management such as aquaculture and cultural fishing by Aboriginal people, and improve provisions associated with environmental protection, sustainable recreational fishing, compliance and enforcement and commercial trade

[Integrity Commission Amendment Bill 2019](#) (presented 16 May)

This bill will amend the *Integrity Commission Act 2018* to amend the commencement of the Act to provide split commencement dates in order to facilitate the commencement of the enabling provisions, while delaying the commencement of powers to receive complaints until the Integrity Commissioner is ready to receive them.

[Planning and Development \(Design Review Panel\) Amendment Bill 2019](#) (presented 16 May)

This bill will amend the *Planning and Development Act 2007* and the *Planning and Development Regulation 2008* to establish the National Capital Design Review Panel as part of the pre-development application process to provide a constructive platform to resolve the fundamental planning and design issues that will support the skills of the proponent's design team and the pre-application advice provided by Government.

[Planning and Environment Legislation Amendment Bill 2019](#) (presented 16 May)

This bill will amend make minor and technical amendments to a number of Territory laws in order to keep the legislation up-to-date and give the Government the ability to respond quickly to changing circumstances.

[Senior Practitioner Amendment Bill 2019](#) (presented 14 May)

This bill will amend the *Senior Practitioner Act 2018* to address issues identified in the implementation of the Act and demonstrates the Government's commitment to a nationally consistent approach to restrictive practice policy.

Bills debated

[Gaming Legislation Amendment Bill 2019](#)

Summary: 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.

Proceedings: Debate resumed on 16 May with the Opposition indicating while they would not oppose the bill, they would be keeping an eye on how the amendments would play out. The ACT Greens indicated their support for the bill.

The bill was agreed to by the Assembly.

[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 14 May with all parties moving amendments to the bill. The bill was then adjourned on 14 May and resumed on 16 May, with the Government and the Opposition continuing to move amendments.

Following a vote of the Assembly the amended bill was agreed to.

[Working with Vulnerable People \(Background Checking\) Amendment Bill 2019](#)

Summary: 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.

Proceedings: Debate resumed on 16 May with the Government moving amendments to the bill. The Opposition indicated their support for the bill however also raised a number of concerns. The ACT Greens indicated their support for the bill.

The amended bill was then agreed to by the Assembly.

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

Motions debated

On 10 May the Chief Minister moved a motion noting that Saturday, 11 May 2019, marks the 30th anniversary of self-government for the Australian Capital Territory and acknowledged the growth and

diversity of the Territory constituency since the establishment of self-government in 1989. The Leader of the Opposition and Leader of the ACT Greens also spoke to the motion.

Ministerial statements

The Minister for Housing and Suburban Development made a ministerial statement in relation to **public housing growth and renewal**. The Minister provided an update on the ACT Housing Strategy that was launched in October 2018, which included a \$100 million commitment to continue the renewal of public housing and support growth over the next five years. The Minister also spoke about the current public housing renewal program which will see 1,200 new homes built for public housing tenants, including an extra 200 homes for people on the housing register.

A **Government response to the Final Report of the Independent Review into the Workplace Culture within ACT Public Health Services** was the subject of a ministerial statement given by the Minister for Health and Wellbeing. During the statement the Minister tabled the Government response which including agreeing to all 20 recommendations contained in the Final Report. The Minister stated that the formal endorsement of the recommendations was the next step in cementing the Government's commitment to improving the workplace culture within the public health system and through that, enhancing the level of service to the Canberra community.

The following ministerial statements were made on 16 May—

Update on Maternity Services at the Centenary Hospital for Women and Children made by the Minister for Health and Wellbeing.

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

Hydrotherapy pools in Canberra's Southside was the subject of a motion moved by Mrs Dunne MLA on 15 May. The motion noted that the ACT Government intends to close the hydrotherapy pool at the Canberra Hospital in , or about, June 2019 and that the Government has no plans for a replacement pool in Canberra's south, thus limiting the availability of suitable hydrotherapy facilities in the south. During debate the Government moved an amendment to the motion that called on the Government to agree not to close The Canberra Hospital pool until an appropriate level of access at other suitable locations readily accessible for those on Canberra's southside can be continued. The amendment was agreed to by the Assembly. The Opposition then moved a further amendment to the Government's amendment that would note there is a demand for access to hydrotherapy and warm water facilities operating in the temperature range of 34 to 36 degrees Celsius. The amendment was agreed to by the Assembly.

The amended motion was passed by the Assembly.

A motion relating to the **development of an Implementation Strategy for a Reusable Coffee Cup Zone trial** was moved by Ms Orr MLA on 15 May. The motion noted that it is estimated that as many as one billion disposable coffee cups are sold each year in Australia and that the majority of these end up in landfill. The motion called on the Government to develop an Implementation Strategy for a Reusable Coffee Cup Zone trial within the Gungahlin region, in conjunction with local businesses and organisations, by the end of 2019 and to commence the trial within the next twelve months. The ACT Greens moved an amendment to the motion which would have the Assembly report on the progress of the trial in November 2019, and the amendment was agreed to. The Opposition then moved amendments which would encourage local businesses to assess the viability in engaging in a reusable beverage container scheme, as the Opposition stated they are concerned about the unnecessary intrusion of Government into the lives of small businesses and consumers. The ACT Greens and the Government indicated they would not support the amendments moved by the Opposition and the amendments were not passed.

The amended motion was passed by the Assembly.

A motion relating to the **impact of changes to the dedicated school bus network since the commencement of Network19** was moved by Miss Candice Burch MLA on 15 May. The motion noted that since Network19 launched, feedback received with regards to experiences using the new network have been overwhelmingly negative and that cuts to dedicated school services under the new network have left parents and school children at a loss with how to get to and from school, with some parents unwilling to have their children travel through interchanges unsupervised. During debate the Government moved amendments which included noting that the ACT Government acknowledges that the new network is a big change for some people, particularly where individual journeys are different, and is taking feedback about the new network on board. The ACT Greens indicated their support for the Government amendments, however the Opposition indicated they would not support the amendments, and the amendments were then passed by the Assembly.

The amended motion was passed by the Assembly.

Other motions debated on 15 May related to:

Sexual Health Outreach—Ms Cheyne MLA

Housing affordability—Mr Coe MLA

National Construction Code—Mr Parton 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 on 14 May by the Speaker which approved the appointment of the Honourable Dennis Cowdroy OAM QC as the **ACT Integrity Commissioner**.

The motion was agreed to by the Assembly.

A motion was moved and agreed to on 16 May by Ms Cheyne MLA to **extend the reporting date** of the referral on whether the protocols in place around the permissions for MLAs to visit or attend school events constitute an impediment to Members performing their function as MLAs in complying with the Code of Conduct for All Members of the Legislative Assembly to the Standing Committee on Administration and Procedure from the last sitting day in May 2019 to the last sitting day in June 2019.

A motion was moved and agreed to on 16 May by Ms Orr MLA to **extend the reporting date of the referral of a new Territory Coat of Arms** to the Standing Committee on Environment and Transport and City Services from 6 June 2019 to 1 August 2019.

A motion was moved and agreed to on 16 May by Ms Cheyne MLA to **extend the reporting date of the referral of issues related to fuel pricing in the ACT** to a select committee from the last sitting week in June 2019 to 17 September 2019.

A referral to the **Standing Committee on Administration and Procedure** which called on the Committee to clarify the scope of current provisions and conventions regarding Members' comments on a matter under Committee consideration was moved on 16 May by Ms Orr MLA. The ACT Greens indicated their support for the motion.

The motion was agreed to by the Assembly.

A **referral to the Standing Committee on Health, Ageing and Community Services** was moved by Mrs Kikkert MLA on 16 May, to identify potential systemic issues that may need to be addressed in relation to a Court of Appeal decision that set aside previous Children's Court and Supreme Court decisions in relation to the children's need for care and protection. The motion also called for an inquiry into the ability to share information in the care and protection system in accordance with the *Children and Young People Act 2008*, with a view to providing the maximum transparency and accountability so as to maintain community confidence in the ACT's care and protection system. The Government and the ACT Greens indicated their 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 4 April by the ACT Greens in relation to **a state of climate emergency** that requires urgent actions across all levels of Government. The motion condemned the Federal Government for its continued failure to enact effective climate change policy and requested the Federal Government to provide additional funding for States and Territories to deal with worsening climate change risks and impacts. During debate the Government moved amendments that noted the ACT Government's efforts to

make Canberra a more liveable and sustainable bush capital by, amongst other things, its national and international leadership on climate change, committing to zero net emissions by 2045 and powering Canberra by 100 percent renewable electricity by 2020. The ACT Greens indicated their support for the Government amendments and they were agreed to by the Assembly. The Opposition then moved amendments which called on the ACT Green MLAs to abstain from all air travel (including recreation and work) and undertake all interstate meetings by phone or videoconference. The ACT Greens and the Government both indicated they would not support the Oppositions amendments and the amendments were not passed.

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 supporting seniors in our community—Mr Coe MLA.

Papers Presented

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

- 2018-19 Capital Works Program—Progress report—Year-to-date 31 December 2018. *(presented by the Manager of Government Business on 14 May)*
- Consolidated Financial Reports—Financial quarters ending—
31 December 2018—Revised. *(presented by the Manager of Government Business on 14 May)*
31 March 2019. *(presented by the Manager of Government Business on 14 May)*
- Statement of leases granted for the period 1 January to 31 March 2019, dated May 2019. *(presented by the Manager of Government Business on 14 May)*
- Approval of Variation No 362 to the Territory Plan—Amendments to the West Belconnen Concept Plan for Ginninderry Stage 2 Development, dated 2 May 2019, including associated documents. *(presented by the Manager of Government Business on 14 May)*
- Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Assault of a detainee at the Alexander Maconochie Centre on 25 October 2018—Government response. *(presented by the Manager of Government Business on 14 May)*
- Annual Reports (Government Agencies) Directions 2019—Notifiable instrument NI2019-296, dated 14 May 2019. *(presented by the Manager of Government Business on 16 May)*
- Unfantastic Plastic—Review of the ACT Plastic Shopping Bag Ban— Government response. *(presented by the Manager of Government Business on 16 May)*
- Inquest into the death of Constance Harrison—
Report, dated 28 June 2018.
Government response. *(presented by the Manager of Government Business on 16 May)*

Petitions and petition response

The following ministerial responses to petitions were lodged on 14 May—

- School bus services from Fairbairn.
- Motorcycle parking in Forrest.

The following petition was lodged on 14 May—

- Opposition to the Motor Accident Injuries Bill 2019—lodged by Mr Coe MLA.

The following ministerial response to a petition was lodged on 15 May—

- Increased support for resources and infrastructure improvements at the Canberra Sexual Health Centre.

The following e-petition and petition were lodged on 15 May—

- School bus services for Belconnen students—lodged by Mrs Kikkert MLA.

The following petition was lodged on 16 May—

- Support for students with learning difficulties—lodged by Ms Lee MLA.

A copy of the petitions and responses can be found on the Assembly [Hansard](#) site.

Committee Activities

Committee reports presented

Scrutiny Committee

[Scrutiny Report 30](#) (presented 14 May)

This report contained the committee's comments on three bills, 1 piece of subordinate legislation and one national law.

Committee statements

Education, Employment and Youth Affairs—Standing Committee

The chair of the Committee made a statement on 14 May in relation to the Committee's consideration of petition 18-18, the Government response to the petition, and a joint briefing from the Minister for the Arts and Cultural Events and the Minister for Education and Early Childhood Development, and stated that the Committee had resolved to conduct an inquiry into, and report on, the cessation of funding for the Music for Colleges course.

Environment and Transport and City Services—Standing Committee

The chair of the Committee made a statement on 16 May in relation to the petitions Nos 1-19 and 7-19, referred to the Committee in relation to the reversal of tree decline. The chair stated that the petitions were directly relevant to a current inquiry into the nature in our City and that the Committee would consider the petitions during the course of the inquiry.

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee

The chair of the Committee made a statement on 14 May in relation to the recent issues that have arisen regarding scrutiny of proposed amendments to bills by the Committee.

Planning and Urban Renewal—Standing Committee

The chair of the Committee made a statement on 14 May in relation to its inquiry into the ACT Planning Strategy 2018 and that the Committee had conducted a public hearing into the matter, but would not be drafting a formal report.

Committee referrals

Education, Employment and Youth Affairs—Standing Committee

On 16 May a motion was moved referring a petition and a petition which does not conform with the standing orders, relating to support for students with learning difficulties, to be referred to the Committee.

Responses to committee reports

Public Accounts—Standing Committee

Report 5—Report on Annual and Financial Reports 2017-2018—[Speaker's response](#) (*presented by the Speaker on 14 May*)

Education Activities

30th anniversary celebrations

Ceremonial sitting

A ceremonial sitting took place on Friday, 10 May 2019 to acknowledge 30 years of self-government in the ACT, and the anniversary of the first sitting of the Legislative Assembly.

Ngunnawal Possum Skin Cloak

In a significant act of Reconciliation a possum-skin cloak was presented to the Legislative Assembly by the Ngunnawal People on 10 May 2019. The gift is a significant act of generosity and will be on permanent display outside the entry to the Assembly chamber with this prominent position reflecting its importance as a symbol of reconciliation and respect between the Ngunnawal People, the Assembly, and the wider ACT community. Traditionally, possum-skin cloaks were an everyday item for Aboriginal people. Starting as a single skin to wrap a newborn baby and added to over time, they were illustrated with stories of the life, clan and country of their owner. Following white settlement (and the introduction of woollen blankets), the tradition of making cloaks was largely discontinued. There are now only a small number of cloaks in existence, although their traditional significance endures.

Open Day

To celebrate the 30th anniversary of self-government in the ACT the Assembly held an open day on 11 May 2019. This marked 30 years since the first sitting of the newly elected members to the Assembly. Over 260 people were welcomed through the doors for open day. It was a great opportunity for people to meet their local members and see behind the scenes at the Assembly building. Events included an exhibition on 30 years of the Assembly, indigenous dance group Wiradjuri Echoes, choral performances by Rhythm Syndicate and Canberra children's choirs, building tours and a free barbeque hosted by MLAs. There was also a debate presided over by the Speaker Joy Burch MLA on the topic "One house is better than two" featuring MLAs and Year 12 students from Canberra schools. The ACT Legislative Assembly stages open days once in every Assembly (every four years).

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, 4 June 2019.

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