Matters of public importance—your Assembly @ work

Sitting week—17 to 21 February 2020
Issue 2/2020

Government Business

*Includes 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 2020** *(presented 20 February)*

*Summary:* This bill will amend the *Aboriginal Torres Strait Islander Elected Body Act 2008* to enable broadcasting of the public hearings of the Aboriginal and Torres Strait Islander Elected Body (ATSIEB). The bill also imposes timeframes on both the ATSIEB and the Government in relation to the presentation of reports and Government responses to those reports. Amendments to the Act will also include imposing a ‘caretaker period’ in the lead-up to an ATSIEB election. The bill also recognises the ability for the ATSIEB to provide advice to ministers about the views of the Aboriginal and Torres Strait Islander community.

**Confiscation of Criminal Assets (Unexplained Wealth) Amendment Bill 2020** *(presented 20 February)*

*Summary:* This bill will amend the *Confiscation of Criminal Assets Act 2003* to allow for the restraint and, ultimately, the forfeiture of property by a person connected to a serious criminal offence, where that person cannot show their wealth was acquired lawfully. The unexplained wealth scheme created by this bill will provide for two types of orders, unexplained wealth restraining orders and unexplained wealth orders.

**Electronic Conveyancing National Law (ACT) Bill 2020** *(presented 20 February)*

*Summary:* This bill will apply a national law to provide for electronic conveyancing in the Territory and will allowCanberrans to receive the benefit of best practice land titling processes. Electronic conveyancing will also increase protections against fraudulent dealings.

**Gaming Machine Amendment Bill 2020** *(presented 20 February)*

*Summary:* This bill will amend the *Gaming Machine Act 2004* and the *Gaming Machine Regulation 2004* to implement the findings and conclusions of the *Gaming Machine Tax Rebate Statutory Review Report* and continue the gaming machine tax scheme with some additional measures for small and medium clubs or club groups. The bill also makes changes to the rebate to improve its operation and effectiveness.
Labour Hire Licensing Bill 2020 (presented 20 February)

Summary: This bill will provide for the licensing and regulation of providers of labour hire services to ensure that labour hire businesses operating in the ACT meet their workplace obligations and responsibilities to workers. The bill also creates a framework to prevent and respond to non-compliance with workplace standards in the labour hire industry.

Land Titles (Electronic Conveyancing) Legislation Amendment Bill 2020 (presented 20 February)

Summary: This bill will amend the Land Titles Act 1925 and the Land Titles (Unit Titles) Act 1970 by establishing a legislative framework to apply the national electronic conveyancing system within the Territory. The bill will also make consequential amendments to a number of other pieces of Territory legislation.

Loose-fill Asbestos Legislation Amendment Bill 2020 (presented 20 February)

Summary: This bill will amend Territory legislation to give effect to the management of any Mr Fluffy affected properties remaining in the community following the close of the Buyback Program on 30 June 2020. The amendments propose to include: transitional support for homeowners; additional asbestos management plan requirements; development and building approval restrictions; occupancy prohibition; and the potential for compulsory acquisition if required from mid-2025.

Public Interest Disclosure Amendment Bill 2020 (presented 20 February)

Summary: This bill will amend the Public Interest Disclosure Act 2012 to support a pro-disclosure culture and system that provides clarity to disclosers and disclosure officers and will require all disclosures under the Act to be forwarded to the ACT Integrity Commission. The amendments will also improve the integrity framework, reduce the scope of the Act and remove the overlap with the Integrity Commission Act 2019.

Bills debated

Cemeteries and Crematoria Bill 2019

Summary: This bill will provide a financially sustainable model for management of cemeteries and crematoria that recognises, and provides for, the diverse needs of the community by; recognising the rights of people to dignified and respectful treatment of their human remains and the remains of their loved ones; respecting diverse burial, cremation and internment practices, cultural practices and religious beliefs of people; and promoting financially sustainable facilities and practices for burying and cremating human remains. The bill will also create a framework to ensure that community needs and preferences in particular religious and cultural needs, can be met.

Proceedings: Debate on this bill occurred on 20 February with the Opposition indicating that it would support the passage of the proposed legislation but that it had a number of concerns including red tape implications and budget implications on the current operator. The ACT Greens stated its support for the bill during the debate.

The bill was passed without amendment.
Heritage Amendment Bill 2019

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.

Proceedings: Debate on this bill resumed on 18 February with the proposed legislation receiving tri-partisan support in the Assembly.

The bill was passed without amendment.

Unit Titles Legislation Amendment Bill 2019

Summary: This bill will amend a number of Territory laws to improve the operation of legislation associated to the development, governance and administration of unit plans in the ACT. The bill includes measures to make sure that purchasers of units are informed of the key features of units when entering into a contract of sale and are informed of changes to those details should circumstances change after the signing of the contract. The bill also sets out certain matters that must be included in a “disclosure statement” which is a written statement that must be included in the contract of sale - these requirements set out certain fundamental matters that are considered important and necessary for the buyer to know when considering signing a contract of sale.

Proceedings: When debate resumed on 18 February the Opposition indicated its support for the bill, however, flagged that they would be proposing a number of amendments during the bill’s detail stage. The ACT Greens also indicated its support for the proposed legislation but highlighted the fact that it would also be moving a number of amendments. The bill was agreed to in principle. During the detail stage proposed amendments by the ACT Greens, Opposition and Government were all agreed to.

The amended bill was passed by the Assembly.

Workers Compensation Amendment Bill 2019

Summary: This bill will amend the Workers Compensation Act 1951 to ensure that the Act continues to cover all workers by aligning important definitions with contemporary work arrangements and also makes a number of technical amendments to assist administrative clarity and transparency.

Proceedings: Debate resumed on this bill on 20 February with the proposed legislation receiving support of all parties in the Assembly, however, the Opposition placed on record the impact and the issues that family day care has faced as a result of changes in this area over recent years.

The bill was passed without amendment.

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

Motion debated

A motion seeking the Assembly’s approval of the appointment of Professor Dennis Pearce AO as the Independent Reviewer—ACT Government Campaign Advertising for a period of three years from 20 March 2020 was moved by the Government on 20 February 2020. The motion also sought the approval of the Assembly for the appointment of Mr Ian Govey AM as Alternate Independent Reviewer—ACT Government Campaign Advertising from 20 March 2020 for a period of three years.
At the conclusion of debate the Speaker drew to the attention of the Assembly the requirement of the Government Agencies (Campaign Advertising) Act 2009 that the motion be passed by a 2/3 majority of Members.

A vote was taken and the motion was passed by the Assembly by the required majority.

**Ministerial statements**

The Minister for Health provided the Assembly with an update on hydrotherapy services in the ACT during a ministerial statement on 18 February. The Minister informed the Assembly that Aqua Harmony in Kambah had been identified as the most appropriate facility to continue offering hydrotherapy services to Arthritis ACT’s southside members following the closure of the hydrotherapy pool at The Canberra Hospital on 29 February 2020. During the statement the Minister outlined the transition arrangements to be put in place.

The Opposition (Mrs Dunne MLA) also made a statement on the matter.

A ministerial mission to New Zealand in November 2019 was the subject of a ministerial statement made by the Minister for the Arts, Creative Industries and Cultural Events on 20 February.

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*

**Bill introduced**

**Births, Deaths and Marriages Registration (Tissue Donor Acknowledgement) Amendment Bill 2020** *(Ms Cheyne MLA—presented 19 February)*

**Summary:** This bill will amend the Births, Deaths and Marriages Registration Act 1997 to provide opportunities for families of a person who has donated tissue, while living or on death, to have the donation formally acknowledged.

**Bill debated**

**Magistrates Court (Infringement Notices) Amendment Bill 2019**

**Summary:** This bill will amend the Magistrates Court Act 1930 and the Magistrates Court Regulation 2009. The amendments will provide an opportunity to people who have been issued an infringement notice to either enter into an infringement notice management plan to enable the payment of the penalty by instalment, or participate in an approved community work or social development plan in lieu of paying the penalty, or seek for the penalty to be waived. The amendments will ensure that the payment system for infringement notice offences can take into account the circumstances of people on low incomes or who are otherwise disadvantaged

**Procedings:** Debate on this bill resumed on 19 February with the Government indicating its support for the proposed legislation. The Opposition also signified its support for the bill, however, stated that it anticipates having to revisit the legislation at some point in the future.
The bill was agreed to in principle. During the detail stage amendments were moved by the ACT Greens, and supported by the other parties in the Assembly, that included providing for the bill to commence in two years. A number of other minor and technical amendments were agreed to.

The amended bill was passed by the Assembly.

**Motions debated**

The significant influence of Walter Burley Griffin and Marion Mahony Griffin on the landscape of Canberra was the subject of a motion moved by Mr Gupta MLA on 19 February. The motion included noting the existing efforts made to commemorate Walter Burley Griffin’s contribution to Canberra and noting that his gravesite is located in Lucknow, India. The motion also included calling on the Government to acknowledge the contribution made by Walter Burley Griffin and Marion Mahony Griffin by considering naming future public places after them. During debate the Opposition stated that they supported the motion and outlined further areas of contribution to Canberra by the Griffins. An amendment was moved by the ACT Greens that called on the Government to work with the Federal Government on inclusion of key elements of the Griffins’ legacy on the National Heritage List. The amendment was negatived following a vote of the Assembly.

The motion, as moved, was passed by the Assembly.

On 19 February, Mr Milligan MLA moved a motion relating to litter and illegal dumping in the electorate of Yerrabi and the Territory as a whole. The motion included noting that there has been insufficient action on illegal dumping and litter and that this problem included the abuse of charity bins, roadside litter and illegal dumping on vacant blocks and public spaces. The motion called on the Government to acknowledge that litter and illegal dumping is of growing concern to Canberrans and called on the Government to report back to the Assembly on a number of matters in relation to this issue no later than 18 June 2020. During debate the Government moved an amendment which sought to highlight action it had taken to address litter and illegal dumping in the Territory. The ACT Greens signified its support for the issues raised by the motion and the amendment proposed by the Government. The amendment was passed.

The amended motion was then agreed to by the Assembly.

Other motions debated on 19 February related to:

- **Cost of living pressures for families**—Mr Coe MLA
- **Issues relating to the introduction of Network19**—Miss C Burch MLA
- **Mobility parking arrangements**—Ms Lee MLA

The full debate on the above motions can be accessed from the Assembly [Hansard](https://www.legislation.act.gov.au) site.
Crossbench Executive Member’s Business

Motion debated

Preserving and protecting Yellow Box-Blakeley’s Red Gum Woodland (Yellow Box Woodland) was the subject of a motion moved by Mr Rattenbury MLA on 20 February. The motion included noting that Yellow Box Woodland is endangered in the ACT and calling on the Government to commit to preserving and protecting the Yellow Box Woodland ecosystems from damage and urban encroachment. During debate all parties in the Assembly expressed their support for the motion.

The motion was passed by the Assembly without amendment.

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 recognising and valuing volunteering across the ACT—Mr Milligan MLA.

The importance of the ACT’s nurse-led walk-in centres to provide immediate healthcare for people when the need it—Ms Cheyne MLA.

Papers Presented

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

- Administrative Arrangements 2020 (No 1) (*presented 18 February*)—
- Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020 (*presented 20 February*)
- Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020 (*presented 20 February*)
- Effect of Commonwealth Electoral Act amendments on the ACT funding and disclosure scheme—A special report by the ACT Electoral Commission (*presented 20 February*)
- Electricity Feed-in (Renewable Energy Premium) Act (*presented 18 February*)—
  - Internal Audit of the Small and Medium Feed-in Tariff Scheme Reporting Data—Final Report
  - Findings of the review and audit of the Small and Medium Feed-in Tariff Scheme—Government response
- Intensive Correction Orders Review—Revised Report, prepared pursuant to the *Crimes (Sentence Administration) Act 2005* (*presented 20 February*)
- Statement of leases granted for the period 1 October to 31 December 2019, presented pursuant to the *Planning and Development Act 2007* (*presented 18 February*)
- 2020 Strategic Review of the ACT Auditor-General (*presented 20 February*)
Committee Activities

Committee reports presented

Administration and Procedure—Standing Committee

Report 16—Inquiry into the Review of the Performance of the Three Branches of Government in the Australian Capital Territory against Latimer House Principles—9th Assembly (presented 20 February)

Scrutiny Committee

Scrutiny Report 39 (presented 18 February)

This report contained the committee’s comments on proposed amendments to the Magistrates Court (Infringement Notices) Amendment Bill 2019 and the Unit Titles Legislation Amendment Bill 2019, 50 pieces of subordinate legislation, three government responses and three regulatory impact statements.

Committee statements

Health, Ageing and Community Services—Standing Committee

On 18 February, the chair made a statement in relation to the consideration of statutory appointments by the committee for the period 1 July to 31 December 2019.

Economic Development and Tourism—Standing Committee

The chair of the committee made a statement on 18 February in relation to the committee’s consideration of statutory appointments for the period 1 January to 31 December 2019.

Justice and Community Safety—Standing Committee

The chair of the committee made a statement on 20 February in relation to the committee’s consideration of statutory appointments for the period 1 July to 31 December 2019.

Planning and Urban Renewal—Standing Committee

On 18 February, the chair informed the Assembly that the committee had not considered any statutory appointments during 1 July to 31 December 2019.

Committee appointment

Estimates 2020-2021—Select Committee

A motion was moved on 20 February proposing that a Select Committee on Estimates 2020-2021 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2020-2021, the Appropriation (Office of the Legislative Assembly) Bill 2020-2021 and any revenue estimates proposed by the Government in the 2020-2021 Budget. The motion proposed a reporting date of Tuesday, 11 August 2020. During debate the Assembly was informed that the motion included the quorum requirements for this committee. It was highlighted that the following would constitute a quorum for the taking of evidence:

- two members of the committee; or
- one member of the committee and any other non-Executive member of the Assembly.
The motion was passed by the Assembly.

Committee reference

Justice and Community Safety—Standing Committee

The chair of the committee moved a motion on 20 February seeking an extension to the reporting date for the committee’s inquiry into the Human Rights (Workers Rights) Amendment Bill 2019. The motion was agreed to with the reporting being amended from the end of February 2020 to 13 March 2020.

Responses to committee reports

Public Accounts—Standing Committee


Committee Membership

Estimates 2020-2021—Select Committee

Ms Cheyne MLA, Mrs Dunne MLA and Ms Le Couteur MLA (appointed 20 February)

Education Activities

The Assembly’s education team has been preparing for 2020 with planning well underway for a range of annual events including the public sector seminars, Your Assembly community seminars, Interschool Parliamentary Debates and ACT Schools Constitutional Convention. School visits have commenced with students from Red Hill Primary School and Campbell High School coming to the Assembly to participate in passage of legislation role plays and mock elections using the Hare-Clark electoral system conducted by the education team. Information on our various program offerings are available on the Assembly’s website.

Public Tours

The Legislative Assembly for the ACT offers a weekly public tour every Wednesday at 1.00 pm for an hour. The tours are conducted by the education team of the Assembly and include a behind the scenes look at the Assembly. The tour covers the history of self-government in the ACT, the unique features of our parliament, what happens on a sitting day, Assembly committees, how people can get involved, and the artwork in the Assembly. On sitting weeks, the tour will conclude in the chamber and people are welcome to stay for question time at 2.00 pm. Tours are free of charge and no bookings are required. Meet up for the tour at the Public Entrance of the Legislative Assembly located at 196 London Circuit, Civic.

Multicultural Festival

Come and visit us during the Multicultural Festival to learn more about your Assembly. Education staff will be in a stall located on Civic Square near the public entrance to the Legislative Assembly building, 196 London Circuit.

When and where: 10.00 am – 4.00 pm
Sunday, 23 February 2020
Civic Square, Canberra
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, 31 March 2020.

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