



Matters of public importance—your Assembly @ work

Non-sitting and sitting weeks—28 October-29 November 2019

Issue 13/2019

Government Business

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

Bills introduced

[Unit Titles Legislation Amendment Bill 2019](#) (presented 28 November)

Summary: This bill will amend 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.

[Cemeteries and Crematoria Bill 2019](#) (presented 28 November)

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 interment 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.

Bills debated

[Building and Construction Legislation Amendment Bill 2019](#)

Summary: This bill will amend a number of Territory laws to improve and refine the operation of the laws. The amendments will ensure public protections in the laws operate effectively and people involved in construction licences are accountable for work associated with their licence. The bill will also implement provisions that relate to the ACT Government’s Improving the ACT Building Regulatory System reform program and a National Review of Security of Payment Laws.

Proceedings: Debate resumed on 28 November with the Opposition indicating they would not support the legislation and moved that debate be adjourned. The Assembly voted and adjournment of the bill was not agreed to. The ACT Greens indicated they would support the legislation and the bill was agreed to in principle. The Opposition then moved amendments to the bill which were not agreed to.

The bill was passed by the Assembly without amendment.

[Crimes \(Disrupting Criminal Gangs\) Legislation Amendment Bill 2019](#)

Summary: This bill will amend a number of Territory laws to introduce a range of measure to improve public order and safety, including; introducing new tiered offences of serious affray; amending the penalties for offences of fighting and offensive behaviours; and increasing maximum penalties for specified offences committed in connection with a criminal group or committed by a person associated with a criminal group.

Proceedings: Debate resumed on 26 November with the bill received tri-partisan support. The bill was agreed to in principle. The Government then moved amendments which arose as a result of issues raised after the introduction of the bill, and will ensure the scheme operates as intended. The amendments were agreed to by the Assembly.

The amended bill was passed by the Assembly.

[Education Amendment Bill 2017](#)

Summary: This bill will amend the *Education Act 2004* to provide a one step process for home education registration. The bill also proposes that information required to support an application for registration, or renewal, may be prescribed by Regulation. Further, the bill includes provisions to make it clear that the Act does not intend to allow for home education registration of children who do not live in the ACT.

Proceedings: Debate resumed on 28 November with the ACT Greens indicating support for the bill and the proposed amendments that would be moved by both the Opposition and Government. The bill was agreed to in principle. The Government then moved amendments, with the Opposition moving an amendment to a Government amendment. All amendments were then agreed to.

The amended bill was passed by the Assembly.

[Long Service Leave \(Portable Schemes\) Amendment Bill 2019](#)

Summary: This bill will amend the *Long Service Leave (Portable Schemes) Act 2009* to provide better protection for worker entitlements, remove administrative inconsistencies and provide more clarity for employers. The bill strengthens compliance measures by modernising inspector powers, providing interest is payable on any levies that remain unpaid after the due date, and by inserting a new provision to enable the Authority to pursue company directors in situations where a levy remains unpaid and phoenix activity is involved.

Proceedings: Debate resumed on 26 November with the ACT Greens indicating support for the bill and the Opposition stating they would continue to work with industry and consult on how the changes are

implemented and the impact they have, and remain wary of granting the new powers to the Government. The bill was agreed to in principle.

The bill was passed by the Assembly.

[Revenue Legislation Amendment Bill 2019 \(No 2\)](#)

Summary: This bill will amend a number of Territory laws to extend the period of the unfit for occupation exemption of the *Land Tax Act 2004* by a quarter after the land becomes fit for occupation and also makes a number of minor and technical amendments to clarify and simplify the administration and operation of tax laws.

Proceedings: Debate resumed on 28 November with tri-partisan support for the bill and the bill was agreed to in principle.

The bill was passed by the Assembly.

[Sentencing \(Parole Time Credit\) Legislation Amendment Bill 2019](#)

Summary: This bill will amend the *Crimes (Sentence Administration) Act 2005* and the *Crimes (Sentencing) Act 2005* to introduce a parole time credit scheme to give certain offenders credit for the period of time served on parole complying with their parole obligations.

Proceedings: Debate resumed on 26 November with tri-partisan support for the bill. The bill was agreed to in principle. The Government then moved an amendment to the bill which was in response to a point raised by the Standing Committee on Justice and Community Safety's (Legislative Scrutiny Role) Report No 36. The amendment was agreed to by the Assembly.

The amended bill was passed by the Assembly.

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

Ministerial statements

The Minister for Health gave a ministerial statement on 26 November providing a **response to Recommendation 100 of the Select Committee on Estimates 2019-20 Report**. The Minister updated the Assembly on the work that Canberra Health Services (CHS) is undertaking to address the issue of Occupational Violence (OV) towards staff by patients. The Minister stated that the CHS OV Strategy working group is developing and monitoring a CHS OV Strategy and that the Strategy has been endorsed and will be published soon.

On 26 November the Minister for Mental Health gave a ministerial statement in relation to **mental health patient data**. The Minister addressed concerns raised by Members of the Legislative Assembly around the time it takes a mental health consumer to be admitted into a dedicated mental healthcare location and the Minister explained what mental health services are provided in the ACT and what the data shows.

On 28 November the Minister for Mental Health gave a ministerial statement in relation to **mental health services for deaf, deafblind and hearing impaired Canberrans**. The Minister stated that since September this year, the ACT Health Directorate and his office have consulted with key stakeholders in the ACT community, including organisations, deaf and deafblind people, to discuss the concerns and

experiences of this community. The Minister also stated that he will be seeking advice regarding how training for Auslan interpreters could be expanded or developed to support interpreters to gain a greater understanding of mental health, mental health services and some of the challenges people face when seeking to understand their own diagnosis and wellbeing.

The following ministerial statements were made on 26 November—

Annual Update of the ACT Housing Strategy and Implementation Plan made by the Minister for Housing and Suburban Development.

Health Infrastructure Planning - Response to Assembly Resolutions of 5 June and 18 September 2019, Select Committee on Estimates 2017-18 Report—Recommendation 65 and Select Committee on Estimates 2019-20 Report—Recommendations 82 and 87 made by the Minister for Health.

The following ministerial statements were made on 28 November—

Response to Assembly resolution of 14 August 2019 on the further progress in implementing the recommendations in the Nous Report—Access to Hydrotherapy in the ACT made by the Minister for Health.

Access Canberra, Five Years of Quality Service to the Canberra Community made by the Minister for Business and Regulatory Services.

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

[Human Rights \(Workers Rights\) Amendment Bill 2019](#) (presented 27 November)

Summary: This bill will amend the *Human Rights Act 2004* to recognize workers' rights as outlined in the International Covenant on Economic, Social and Cultural Rights. The bill will also provide for a right to join a work-related organisation with the objective of promoting or protecting their economic or social interests and to protections against acts of anti-union discrimination.

[Magistrates Court \(Infringement Notices\) Amendment Bill 2019](#) (presented 27 November)

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.

Bills debated

[Crimes \(Offences Against Frontline Community Service Providers\) Amendment Bill 2019](#) (*presented 27 November*)

Summary: This bill will amend the *Crimes Act 1900* to define a number of offences as aggravated offences if an offence is committed against a frontline community service provider in certain circumstances.

Proceedings: Debate resumed on 27 November with the Government indicating they were not in a position to support the bill as it stands and had concerns about the bill, including its impact upon the presumption of innocence. Debate on the bill was then adjourned and made an order of the day for the next sitting.

Motions debated

On 27 November, Ms Cheyne MLA moved a motion in relation to **territory rights**. The motion noted with disappointment the continued existence of subsections 23(1A) and (1B) in the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth) which exclude the ACT from the power to make laws with respect to voluntary assisted dying. The motion called on the Federal Parliament to resolve that no Australian citizen should be disadvantaged with respect to their democratic rights on the basis of where they live and to remove subsections 23(1A) and (1B) from the *Australian Capital Territory (Self-Government) Act 1988* (Cwlth). During debate the ACT Greens indicated support for the motion. The Opposition stated that while some people can separate the issue of self-determination, or Assembly autonomy, and the issue of euthanasia, for others, they are inextricably linked, and for some people, it is very clear that by the removal of 23(1)(a) and 23(1)(b), it will lead to euthanasia being legalised in the Territory. The Opposition then stated that they respect the view of Canberrans that have that view. The motion was agreed to by the Assembly.

A motion in relation to the **management of the Alexander Maconchie Centre** (AMC) was moved on 27 November by Mrs Jones. The motion suggested that the current mismanagement of the AMC by the Minister for Corrections and Justice Health is causing great distress to staff, inmates and families of both, undermining the mandate of the facility, which was supposed to make rehabilitation of inmates better because they were closer to family. The motion called on the Minister for Corrections and Justice Health to resign. During debate the ACT Greens indicated they would not be supporting the motion. The Government also indicated they would not support the motion and that the Minister for Corrections and Justice Health had the full support of the Government.

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

Other motions debated on 27 November related to:

Coombs Peninsula—Development—Mrs Jones MLA

Water security—Mr Gupta MLA

Network19—Issues—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

On 28 November, a tri-partisan sponsored motion was moved in relation to the **use of Indigenous language in the Assembly**. The motion noted that the International Year of Indigenous Languages is a United Nations observance in 2019 that aims to raise awareness of the consequences of the endangerment of Indigenous languages across the world, with an aim to establish a link between language, development, peace, and reconciliation. The motion called on the ACT Legislative Assembly to use a Ngunnawal language introduction at the beginning of each Assembly sitting day and to make cultural awareness training available to all Members of the Assembly including in the correct pronunciation of the agreed words.

The motion was agreed to by the Assembly.

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

Papers Presented

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

- Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Correctional Centre by the ACT Inspector of Correctional Services—Healthy Prison Review of the Alexander Maconochie Centre 2019 (*presented on 26 November*)
- ACT Container Deposit Scheme—Annual statutory report 2018-19 (*presented on 26 November*)
- ACT Multicultural Framework 2015-2020—Second Action Plan—2019-2020—First report (*presented on 26 November*)
- Food and garden waste disposal strategies—Statement—Response to the resolution of the Assembly of 5 June 2019 (*presented on 26 November*)
- Light Rail Stage 1—Increased demand—Statement—Response to the resolution of the Assembly of 14 August 2019 (*presented on 26 November*)
- Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 354 to the Territory Plan—Waterways: water sensitive urban design general code review and associated consequential amendments to Territory Plan codes, dated 13 November 2019, including associated documents (*presented on 26 November*)
- Reusable coffee cup zone trial—Response to the resolution of the Assembly of 15 May 2019 (*presented on 26 November*)
- Residential Tenancies Amendment Bill 2019 (No 2)—
Exposure draft
Explanatory statement to the exposure draft (*presented on 28 November*)

- ACT Legislative Assembly Speaker's Delegation to Kiribati and Fiji—1 to 8 September 2019, dated 26 November 2019 (*presented on 28 November*)
- Alexander Maconochie Centre—Accommodation and facilities for women—Response to the resolution of the Assembly of 25 September 2019 (*presented on 28 November*)
- Light Rail Stage 1—Scope and methodology of benefits review—Response to the resolution of the Assembly of 31 July 2019 (*presented on 28 November*)
- Milk bank—Feasibility of establishing—Report—Response to the resolution of the Assembly of 31 October 2018, dated November 2019 (*presented on 28 November*)
- Wanniasa Park and Ride access—Response to the resolution of the Assembly of 18 September 2019—Statement (*presented on 28 November*)

Petitions

The following e-petitions and paper petition were lodged on 26 November—

- Active travel—lodged by Ms Le Couteur MLA.
- Chifley Place car parking—lodged by Ms Cody MLA

The following ministerial responses to e-petitions and petitions were lodged on 26 November—

- Improvements to Yarralumla shops.
- Roller derby facilities in the ACT.
- Transport Canberra advertising policy.

The following paper petition was lodged on 27 November—

- Coombs Peninsula development—lodged by Mrs Jones MLA.

The following e-petitions and paper petition were lodged on 28 November—

- Safety, traffic, parking and noise in the Canberra Hospital precinct—lodged by Mrs Dunne MLA.

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

Committee Activities

Committee reports presented

Economic Development and Tourism—Standing Committee

[Report 7—Inquiry into the Building and Construction Legislation Amendment Bill 2019](#) (*tabled 22 November*)

Education, Employment and Youth Affairs—Standing Committee

[Report 7—Cessation of the Music for Colleges course](#) (*presented 26 November*)

Scrutiny Committee

[Scrutiny Report 37](#) (*presented 26 November*)

This report contained the committee's comments on nine bills, proposed amendments to five bills, 20 pieces of subordinate legislation, five government responses, one regulatory impact statement and two national regulations.

Public Accounts—Standing Committee

[Report 8—Inquiry into Auditor-General’s Report No 7 of 2016: Certain Land Development Agency acquisitions](#) (presented 28 November)

Committee statements

Justice and Community Safety—Standing Committee

On 28 November, the chair informed the Assembly that the Committee had resolved to conduct an inquiry in the form of an evaluation of the role and performance of ACT Policing, and will invite submissions with a view to conducting hearings in 2020.

Planning and Urban Renewal—Standing Committee

The chair of the Committee made a statement on 26 November informing the Assembly that in light of the breadth of the terms of reference and in order to give evidence received due consideration, the Committee had resolved to report on its inquiry into engagement with development application processes in the ACT before the end of the Ninth Assembly in 2020.

Committee referrals

Justice and Community Safety—Standing Committee

On 27 November, the Human Rights (Workers Rights) Amendment Bill 2019 was referred to the Committee for report by the end of February 2020.

Planning and Urban Renewal—Standing Committee

On 27 November, petition No 31-19 was referred to the Committee requesting that the Assembly protects the Coombs Peninsula from multi-dwelling development.

Responses to committee reports

Economic Development and Tourism—Standing Committee

Report 6—Inquiry into drone delivery systems in the ACT—[Government Response](#) (presented by the Manager of Government Business on 28 November)

Report 7—Inquiry into the Building and Construction Legislation Amendment Bill 2019—[Government Response](#) (presented by the Minister for Building Quality Improvement on 28 November)

Estimates 2017-2018—Select Committee

Appropriation Bill 2017-2018 and Appropriation (Office of The Legislative Assembly) Bill 2017-2018—[Government Response to Recommendation 65](#) (presented by the Minister for Health on 26 November)

Estimates 2018-2019—Select Committee

Appropriation Bill 2018-2019 and Appropriation (Office Of The Legislative Assembly) Bill 2018-2019—[Government Response to Recommendation 78](#) (presented by the Manager of Government Business on 26 November)

Estimates 2019-2020—Select Committee

Appropriation Bill 2019-2020 and Appropriation (Office Of The Legislative Assembly) Bill 2019-2020—[Government Response to Recommendations 21, 23, 81, 82, 87, 93 and 154](#) (presented by the Minister for Health on 26 November)

Planning and Urban Renewal—Standing Committee

Report 9—Draft Variation No. 360 – Molonglo River Reserve: changes to public land reserve overlay boundaries and minor zone adjustment—[Government Response](#) (presented by the Manager of Government Business on 26 November)

Report 10—Draft Variation to the Territory Plan No. 355 Calwell Group Centre: Zone changes and amendments to the Calwell Precinct Map and Code—[Government Response](#) (presented by the Manager of Government Business on 28 November)

Privileges—Select Committee

Unauthorised Release of Committee Documents—[Government Response](#) (presented by the Manager of Government Business on 26 November)

Public Accounts—Standing Committee

Report 7—Inquiry into Auditor-General’s Report 1 of 2017—[Government Response](#) (presented by the Manager of Government Business on 28 November)

Education Activities

Information on our various program offerings are available on the Assembly’s [website](#).

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, 11 February 2020.

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