Matters of public importance

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—your Assembly @ work

***Non-sitting and sitting weeks—4 December 2017 to 16 February 2017***

**Issue 1/2018**

**Filling of casual vacancy**

On 13 December 2017 the Electoral Commissioner declared that Miss Candice Burch (Kurrajong—Canberra Liberals) had been elected to fill the casual vacancy created by the death of Mr Steve Doszpot. As a result, Miss Burch was sworn in by Hon Justice John Burns, Judge of the Supreme Court at the Assembly’s sitting on Tuesday, 13 February 2018 and made her affirmation. Following her affirmation Miss Burch also confirmed her commitment to the principles, obligations and aspirations of the Code of Conduct for all Members of the Legislative Assembly for the ACT. Miss Burch then made her inaugural speech.

**Government business**

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

***Bills introduced***

[**Appropriation Bill 2017-2018 (No 2)**](http://www.legislation.act.gov.au/b/db_57602/default.asp)

*Summary:* This bill will appropriate additional money for the purposes of the Territory for the financial year beginning on 1 July 2017.

[**Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2)**](http://www.legislation.act.gov.au/b/db_57603/default.asp)

*Summary:* This bill will appropriate additional money for the purposes of the Office of the Legislative Assembly for the financial year beginning on 1 July 2017.

[**Planning and Development (Lease Variation Charge Deferred Payment Scheme) Amendment Bill 2018**](http://www.legislation.act.gov.au/b/db_57604/default.asp)

*Summary:* This bill will amend the *Planning and Development Act 2007* to provide a deferred payment scheme for the Lease Variation Charge. The scheme is entered through an arrangement with the Commissioner for ACT Revenue and aims to provide greater flexibility for managers of large development projects.

[**Workplace Legislation Amendment Bill 2018**](http://www.legislation.act.gov.au/b/db_57606/default.asp)

*Summary*: This bill will amend the *Public Sector Management Act 1994* to outline actions that can be taken to recover overpayments from the salary of a Territory employee. The bill also amends the *Workplace Privacy Amendment Act 2016* to provide a framework for surveillance in the workplace to ensure compatibility with information privacy laws in the ACT.

Copies of bills presented to the Assembly and associated explanatory statements can be accessed from the ACT Legislation Register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

***Bills debated***

**Firearms and Prohibited Weapons Legislation Amendment Bill 2017**

*Summary:* This bill makes amendments to improve the operations of firearms and prohibited weapons legislation to allow for better administration of the legislation and greater access to firearms for legitimate users under specified circumstances.

*Proceedings:* Debate resumed on this bill on 13 February with all parties supporting the bill in principle. During the detail stage a number of amendments were moved by the Government and agreed to by both the Opposition and ACT Greens.

The amended bill was passed by the Assembly.

**Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2017—**

*Summary:* This bill will provide a legal structure for the Territory to meet its obligations for the United Nations Subcommittee on the Prevention of Torture to conduct periodic visits to places of detention under the Optional Protocol to the Convention Against Torture when it is ratified.

*Proceedings*: Debate resumed on this bill on 15 February. The Opposition indicated they did not support the legislation proposed. The bill was agreed to in principle after a vote of the Assembly.

The bill was passed by the Assembly without amendment.

[**Revenue Legislation Amendment Bill 2017 (No 2)**](http://www.legislation.act.gov.au/b/db_57055/default.asp)

*Summary:* This bill will make a number of minor policy and technical amendments to Territory laws to improve administration and operation of the ACT tax system for the benefit of taxpayers and administrators.

*Proceedings:* Debate resumed on this bill on 13 February 2018 with all parties indicating their support for the proposed legislation. The bill was agreed to in principle.

The bill was passed by the Assembly without amendment.

A full record of the debates can be accessed at www.parliament.act.gov.au/hansard.

***Ministerial statements***

Three ministerial statements were made on 13 February by the following ministers outlining the **Government’s portfolio priorities** for 2018:

. Chief Minister Barr;  
 . Deputy Chief Minister Berry; and  
 . Minister Gentleman.

The Chief Minister made a further ministerial statement on 13 February concerning his **visit to New Zealand** in November 2017.

A further ministerial statement made by the Minister for Aboriginal and Torres Strait Islander Affairs concerned the 10 year anniversary of the **National Apology to the Stolen Generation**.

On 15 February four additional ministerial statements relating to the Government’s portfolio priorities were made by:

. Minister Fitzharris;  
. Minister Ramsay;  
. Minister Rattenbury; and  
. Minister Stephen-Smith.

The full text of the statements made by Ministers and Members can be accessed at www.parliament.act.gov.au/hansard.

**Private Members’ business**

***Includes all items presented to the Assembly by all non-Executive Members, including bills and motions***

***Bill presented***

[**Lands Acquisition (Reporting Requirements) Amendment Bill 2018**](http://www.legislation.act.gov.au/b/db_57580/default.asp)

*Summary:* This bill will amend the *Lands Acquisition Act 1994* to introduce new reporting requirements for all land acquisitions undertaken by Government entities.

***Motions debated***

**Urban renewal precincts** was the subject of a motion moved by Ms Le Couteur on 14 February. The motion included, among other things, calling on the Government to declare certain areas of the Territory to be Urban Renewal Precincts including: Woden Town Centre, Belconnen Town Centre, Tuggeranong Town Centre and Kingston Arts Precinct. During debate the Government moved an amendment to the motion which included calling on the Government to implement changes to planning controls for town centres in line with the master plans, ensure coordinated delivery of the plans by Directorates and provide yearly updates on the progress of implementation. The amendment was passed by the Assembly.

The amended motion was then agreed to by the Assembly.

A motion moved by Ms Cheyne noting the Government’s commitment to **health infrastructure and planning** through the 2017-18 ACT Budget that’s delivers funding for initiatives such as an emergency department expansion, mobile dental health vans, preventative health resources and establishing an Office for Mental Health. The motion called on the Government to continue infrastructure investment and planning for the increased demand on health services from a growing population.

The motion was agreed to by the Assembly.

Mrs Dunne moved a motion on 14 February concerning the **Office of Mental Health establishment delay**. The motion noted the commitment to establish an Office for Mental Health in the Labor/Green Parliamentary Agreement and called on the Government to explain the delay in creating the Office. During debate the Government moved an amendment to the motion which noted work is underway to establish the Office for Mental Health and committed to providing an update on progress by the first sitting day in May 2018. The amendment was passed by the Assembly.

The amended motion was then agreed to by the Assembly.

Other motions debated on 14 February related to:

**ACT Ambulance Service—**Mrs Jones MLA

**Bus route changes—**Ms Lee MLA

The full debate on the above motions can be accessed from www.parliament.act.gov.au/hansard.

**Matter of public importance**

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

**The importance of considering gender when developing legislation and policy**—Ms Le Couteur MLA

**Freedom from discrimination in relation to religion in the ACT**—Ms Cody MLA

**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***

***Motion debated***

A motion was moved to establish a **Select Committee on Estimates 2018-2019** to examine the expenditure proposals contained in the Appropriation Bill 2017-2018, the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 and any revenue estimates proposed by the Government in the 2017-2018 Budget. Debate on the motion was adjourned and it was referred to the Standing Committee on Administration and Procedure for inquiry and report by 22 February 2018.

The full terms of the above motion can be found [here](https://www.parliament.act.gov.au/__data/assets/pdf_file/0009/1164906/MoP046P.pdf).

**Papers presented**

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

2016-2017 Annual Report—National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman

ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the ATSIEB Estimates Hearings 2016-2017

ACT Coroner’s Court Annual Report 2016-2017 *(presented by the Attorney-General on 15 February)*

Auditor-General’s Reports—

11/2017—Financial Audits—Financial Results and Audit Findings

1/2018—Acceptance of Stormwater Assets

2/2018—ACT Government strategic and accountability indicators

(*presented by the Speaker on 13 February*)

8/2017—Selected ACT Government agencies’ management of public art—Government response *(presented by the Manager of Government Business on behalf of the Minister for the Arts and Community Services on 13 February)*

Budget Review 2017-2018 *(presented by the Treasurer on 13 February)*

City Renewal Authority Land Acquisitions Quarterly Report—1 October to 31 December 2017 *(presented by the Chief Minister on 13 February)*

Cycling Tourism in Kowen Forest and Other Commercial Forest Areas of the ACT—Progress Report on the Implementation—Government response to resolution of the Assembly *(presented by the Minister for the Environment and Heritage on 15 February)*

Education and Care Services National Further Amendment Regulations 2017 *(presented by the Minister for Education and Early Childhood Development on 13 February)*

Loose-fill Asbestos Insulation Eradication Scheme—Update on the ACT Government response—Quarterly Report for the period 1 October to 31 December 2017) *(presented by the Minister for the Environment and Heritage on 15 February)*

Approval of Variation to the Territory Plan 352—Changes to various development tables, codes and definitions *(presented by the Minister for Planning and Land Management on 13 February)*

**Petitions and petition response**

On 14 February the following petition was lodged—

Proposed closure of a public carpark in O’Malley—lodged by Mr Hanson and referred to the Minister for Planning and Land Management.

A copy of the terms of these petitions can be accessed from the Assembly [*Hansard*](http://www.parliament.act.gov.au/hansard) site.

The following ministerial responses to petitions were lodged on 13 and 14 February—

Action bus services between Deakin, Kingston and Manuka

Dangerous dog legislation

Antisocial and dangerous driving in Gordon

Improved access to Mount Taylor

Integrated planning for Red Hill natural environment and surrounding existing green space

A copy of the responses can be found at https://epetitions.act.gov.au/PaperPetitions.aspx

On 15 February two out-of-order petitions (petitions that do not conform with the standing orders) were presented on—

Strata residences—Methodology for determining rates and land tax—lodged by Mr Coe.

Mr Coe moved a motion referring the two papers to the Standing Committee on Public Accounts for inquiry and report by the last sitting day in May 2018.

The motion was agreed to by the Assembly.

**Committee activities**

***Committee reports presented***

**Administration and Procedure—Standing Committee**

Report—*Review of Continuing Resolution 9—Senator for the Australian Capital Territory—Procedures for Election* *(presented on 15 February)*.

A copy of the report can be accessed [here](https://www.parliament.act.gov.au/__data/assets/pdf_file/0020/1165205/Report-5-Review-of-Continuing-Resolution-9-Senator-the-for-the-ACT-Procedures-for-Election.pdf).

**Health, Ageing and Community Services—Standing Committee**

Report—*Report on Annual and Financial Statements 2016-17* *(presented on 15 February)*.

A copy of the report can be accessed [here](https://www.parliament.act.gov.au/__data/assets/pdf_file/0011/1164593/9th-HACS-03-Annual-Report-2016-17.pdf).

**Planning and Urban Renewal—Standing Committee**

Report—*Draft variation to the Territory Plan No 344 Woden Town Centre: Zone Changes and Amendments to the Phillip Precinct Map and Code* *(presented on 13 February)*.

A copy of the report can be accessed [here](https://www.parliament.act.gov.au/in-committees/standing-committees-current-assembly/standing-committee-on-planning-and-urban-renewal/draft-variation-to-the-territory-plan-no-344-woden-town-centre-zone-changes-and-amendments-to-the-phillip-precinct-map-and).

**Scrutiny Report 13** *(presented 13 February)*

This report contained the committee’s comments on 4 bills, 16 pieces of subordinate legislation, seven government responses, one national regulation, one regulator impact statement and proposed amendments to one Government bill.

A copy of the report can be accessed [here](https://www.parliament.act.gov.au/__data/assets/pdf_file/0004/1161238/Report-13.pdf).

***Committee inquiries***

**Justice and Community Safety—Standing Committee**

[Inquiry into Domestic and Family Violence—Policy approaches and responses](https://www.parliament.act.gov.au/in-committees/standing-committees-current-assembly/standing-committee-on-justice-and-community-safety/inquiry-into-domestic-and-family-violencepolicy-approaches-and-responses)

On 8 February 2018, the Standing Committee on Justice and Community Safety held its second public hearing inquiring into domestic and family violence—policy approaches and responses.   The Committee heard from: the Domestic Violence Crisis Service; Canberra Community Law; ACT Bar Association; and the Domestic Violence Prevention Council

***Committee statements***

**Health, Ageing and Community Services—Standing Committee**

The chair of the committee made a statement on the committee’s consideration of statutory appointments and presented the following schedule of statutory appointments:

. 9th Assembly – Period 1 August to 31 January 2017.

**Planning and Urban Renewal—Standing Committee**

The chair of the committee made a statement on the committee’s consideration of statutory appointments and presented the following schedule of statutory appointments:

. 9th Assembly – Period 1 July to 31 December 2017.

**Education Activities**

Information on our various program offerings are available on the Assembly’s website.

**Appointment of Deputy Clerk/ Serjeant-at-Arms**

On 13 February, the Speaker informed the Assembly that Ms Julia Agostino had been appointed to the position of Deputy Clerk and Serjeant-at-Arms.

**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, 20 February 2018.**

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