Government business

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

Bills introduced

Crimes (Child Sex Offenders) Amendment Bill 2012 (presented on 16 February 2012)

Workers Compensation (Terrorism) Amendment Bill 2012 (presented on 16 February 2012)

Bills debated

Business Names Registration (Transition to Commonwealth) Bill 2011

Summary: This bill will repeal the Business Names Act 1963 and establish transitional provisions to facilitate the transfer of the business names registration function to the Commonwealth.

Proceedings: During debate on the bill both the Opposition and the ACT Greens stated that they would be supporting the passage of the bill through the Assembly. In closing the debate the Attorney-General thanked all parties for their support of the legislation.

The bill was passed without amendment.

Children and Young People (Transition from Out-of-Home Care) Amendment Bill 2011

Summary: The purpose of this bill is to amend the Children and Young People Act 2008 by including provisions to support and assist young people transitioning from out-of-home care beyond the statutory age of 18 years up to 25 years.

Proceedings: Debate on this bill resumed on 16 February 2012. At the beginning of the debate the Speaker ascertained from the Assembly that it was its wish to debate the bill together with the Children and Young People (Transition to Independence) Amendment Bill 2011, which is a private Members’ bill.

Speaking during the in principle stage, the Opposition stated that both the bills before the Assembly sought to put in place a number of measures designed to make the process of transition from care to independence one that is holistic and inclusive for young people. The Opposition stated that they would be supporting the Government’s bill and outlined their reasons for doing so. The ACT Greens stated that they were disappointed that their bill will not be supported by the Assembly but that they were proud that they had been able to ensure that the voice of young people in the ACT had been heard.

Debate was adjourned to a later sitting of the Assembly.

Electoral Legislation Amendment Bill 2011

Summary: This bill will amend the Electoral Act 1992 and the Electoral Regulation 1993. The majority of the amendments arise from a number of recommendations made by the ACT Electoral Commission in its report on the conduct of the 2008 ACT Legislative Assembly general election. The bill will also make consequential amendments to the Aboriginal and Torres Strait Islander Elected Body Act 2008.

Proceedings: During debate the ACT Greens and Opposition stated that they would be supporting the bill in principle, but would be opposing several clauses during the detail stage relating to the nomination of candidates and the printing of ballot papers. In closing debate on the in principle stage the Attorney-General stated that the Government would not progress those clauses opposed by the other parties and outlined the reasons for that decision.

The bill, as amended, was passed by the Assembly.
Private Members’ business

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

Bills introduced

Animal Welfare Legislation Amendment Bill 2012
Presented by Ms Caroline Le Couteur MLA (Molonglo—ACT Greens) on 15 February 2012

Commissioner for the Environment Amendment Bill 2012
Presented by Mr Shane Rattenbury MLA (Molonglo—ACT Greens) on 15 February 2012

Crimes (Offences Against Police) Amendment Bill 2012
Presented by Mr Zed Seselja MLA (Molonglo—Canberra Liberals) on 15 February 2012

Bill debated

Residential Tenancies (Minimum Housing Standards) Amendment Bill 2011

Summary: This bill will introduce minimum standards for rental properties in the ACT. The bill sets out minimum standards for energy and water efficiency and requires the Minister to set minimum housing standards for a range of matters including security, construction and safety of the premises, sanitation and plumbing, ventilation and protection from damp, and electrical safety.

Proceedings: During debate the Government indicated that they would not be supporting the bill as even though they welcomed moves to improve the quality of rental stock in the Territory they believed the provisions in the bill would have a serious negative effect on the private rental market. The Opposition also stated that they would not support the passing of the bill as they believed it would place another financial burden on lessors who will then have no choice but to pass on the costs to tenants, therefore increasing rents.

In closing debate on the bill, the ACT Greens outlined the purpose of the legislation and stated that it was about improving the quality of life for those Canberrans that rent a property and about reducing their energy bills.

The bill was negatived after a vote of the Assembly.

Motions debated

Nurse-led walk-in centres was the subject of a motion moved by Mr Jeremy Hanson MLA (Molonglo—Canberra Liberals) on 15 February 2012. The motion, among other things, called on the Minister for Health to clarify the Government’s policy on nurse-led centres and what the full cost would be of implementing that policy. The motion also requested that the Minister for Health explain purported comments she made to the media regarding The Canberra Hospital (TCH) walk-in centre. During debate the Minister for Health indicated that the Government would not support the motion as it stood but would be moving an amendment. The Government’s amendment included calling on the Minister for Health to explain how the walk-in centres would be funded over four years given Commonwealth funding finishes in 2013-14. An amendment was moved by the ACT Greens which sought to amend the Government’s amendment by calling on the Minister to clarify the status of TCH walk-in centre. Both the Government and ACT Greens amendments were agreed to.

The amended motion was passed by the Assembly.

Ms Mary Porter MLA (Ginninderra—Australian Labor Party) moved a motion relating to the Lease Variation Charge on 15 February 2012. The motion, among other things, noted that the Government’s 2011-12 Budget contained remissions for the Lease Variation Charge to allow industry time to adjust to changed arrangements. The motion also noted that funds raised through the charge will be put towards maintaining and improving the city through the Urban Improvement Program. During debate the Opposition indicated that they did not support the Government’s introduction of the charge because they believed it placed a further burden on many Territory citizens and therefore they would not be supporting the motion. The ACT Greens stated that they essentially supported the motion but moved an amendment which sought to, among other things, call on the Assembly to express its ongoing support for the ACT community receiving fair value for granting additional development rights through the lease variation charge and call on the Government to finalise the lease variation charge remission instruments set out in the Planning and Development Act 2007 by 1 May 2012. The amendment was agreed to after debate.
The motion, as amended, was passed by the Assembly.

Other matters discussed on 15 February related to:

**T2 lane on Barry Drive**—Mr Alistair Coe MLA (Ginninderra—Canberra Liberals)

**Planning and maintenance in Tuggeranong**—Mr Brendan Smyth MLA (Brindabella—Canberra Liberals)

A motion concerning waste management was also moved on 15 February by Ms Caroline Le Couteur MLA (Molonglo—ACT Greens) however debate was adjourned to a later sitting day.

**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.*

A motion proposing the **disallowance of Planning and Development Amendment Regulation 2011 (No. 1)** was moved on 16 February 2012 by the ACT Greens. The Regulation concerns third party appeals in relation to the Kingston Foreshore area. During debate an amendment was moved by the Opposition which sought to amend the definition of *Kingston Foreshore* in the Regulation and remove the disallowance proposal. The amendment was supported by the Government.

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

On 16 February 2012, the Opposition moved a motion which proposed that the Standing Committee on Public Accounts inquire into the **government office building project** and report back to the Assembly by May 2012 on the outcomes of the inquiry. During debate both the Government and the ACT Greens stated that they would not be supporting the motion and outlined their reasons.

The motion was negatived after a vote of the Assembly.

**Papers presented**

*The following is a list of papers of interest that were presented*

- **ACT Festival Fund**—2012 Funding Round 2—Information Booklet *(presented by the Minister for Tourism, Sport and Recreation on 16 February 2012)*
- **Administrative Arrangements Amendment 2012 (No. 1)**—Notifiable Instrument NI2012-53 *(presented by the Chief Minister on 14 February 2012)*
- **Auditor-General’s Report No. 5 of 2011—Financial Audits** *(presented by the Speaker on 14 February 2012)*
- **Auditor-General’s Report No. 6 of 2011—Management of Food Safety in the Australian Capital Territory** *(presented by the Speaker on 14 February 2012)*
- **Budget 2011-2012—Budget Review** *(presented by the Treasurer on 14 February 2012)*
- **Consolidated Financial Report—December 2011 Quarter** *(presented by the Treasurer on 14 February 2012)*
- **Legislation Program 2012** *(presented by the Chief Minister on 14 February 2012)*
- **Public Advocate (Official Visitors) Amendment Bill 2012—Exposure draft** *(presented by Ms Amanda Bresnan MLA (Brindabella—ACT Greens))*

**Statement by Minister**

On 16 February 2012 the Minister for Territory and Municipal Services made a statement in relation to the reinstatement of the **T2 lane on Adelaide Avenue**. The statement was in response to a resolution of the Assembly of 16 November 2011. During her statement the Minister presented a paper entitled *Transit Lane Warrants Study*, prepared by AECOM Australia Pty Ltd for Roads ACT.
Committee activities

Committee report presented

Scrutiny Committee—

Scrutiny Report 47, dated 6 February 2012
(presented 14 February 2012)

Committee inquiries

Public Accounts—Standing Committee

On Friday, 16 December 2011 the committee held its final hearing into referred 2010–11 annual reports. The Treasurer, Mr Andrew Barr MLA, appeared before the committee, with officials from ACTEW Corporation Ltd, ACTTAB Ltd, Rhodium Assets Solutions, Totalcare Industries, ACT Insurance Authority (ACTIA) and the Independent Competition and Regulatory Commission (ICRC).

In the course of the hearing, the committee’s discussion with witnesses included:

- the enlarged Cotter Dam construction site;
- what the sale of TransACT means to ACTEW Corporation;
- the Murrumbidgee to Googong water transfer project;
- problem and responsible gambling;
- introduction of the self-serve wagering terminals;
- emergence of a national wagering market;
- the future of ACTTAB;
- deregistration of Rhodium Assets Solutions on 19 June 2011;
- Rhodium legacy issues assigned to the Treasury Directorate—some debtors on repayment plans and a small number subject to legal proceedings;
- deregistration of Totalcare Industries to be considered by the Board week beginning Monday, 20 December 2011;
- finalisation of Totalcare Industries’ outstanding liabilities;
- public liability arising from the 2003 Canberra bushfires;
- ACTIA reinsurance program;
- ACTIA risk management activities;
- role of the ICRC advising the Government on the measurement of greenhouse gas emissions in the ACT;
- ICRC organisational structure; and
- References to the ICRC—into secondary water use and the five-yearly review of regulated water and sewerage services.

On 2 February 2012 the standing committee held a public hearing as part of its inquiry into Auditor-General’s Report No. 2 of 2011: Residential Land Supply and Development. The Minister for Economic Development, Mr Andrew Barr MLA, appeared with officials from the Economic Development Directorate.

In the course of the hearing, the committee’s discussion with witnesses included:

- progress regarding implementation of the Auditor-General’s recommendations;
- key indicators that are considered in relation to housing demand and land supply;
- relationship between affordable housing and the release of land;
- land release figures and indicative land release program; and
- forward program for infill.

On 9 February 2012 the committee held its first public hearing for its inquiry into the Gaming Machine Amendment Bill 2011. ClubsACT representatives, Mr Jeff House—Chief Executive Officer, along with Mr Simon Hawkins—Group General Manager, Canberra Raiders Group, Mr Ian Cameron—Chief Executive Officer, Hellenic Club Group and Mr Jeremy Wilcox—Secretary Manager, ACT Rugby Union Club, appeared before the committee.

ClubsACT told the committee that the clubs sector has had to absorb regulatory changes which have had a significant negative impact on revenue, for example, changes to smoking laws, introduction of increases in liquor licensing fees and changes to food safety legislation.
Mr House emphasised the contribution clubs make to the ACT community—as major employers of Canberrans, as major purchasers of goods and services in the ACT, as providers of services and facilities and as major supporters of the communities in which clubs operate.

ClubsACT advanced that the proposed measures as detailed in the bill—in particular, the reduction of gaming machine numbers from 5,024 to 4,000 through natural attrition, a $250 per day withdrawal limit on ATMs in gaming venues and the gaming machine reallocation scheme—need to be considered in the context of the broader economic circumstances clubs are facing together with future risks to their operating environments.

Canberra Southern Cross Club representatives, Mr Greg Mitchell—Chief Executive Officer, along with Mr Bob Lloyd—Vice-President and Mr Chris Behrens—Director, also appeared before the committee. The Canberra Southern Cross Club provided comment on a few key areas of the bill. This included (i) in relation to the gaming machine reallocation scheme, whilst the club welcomed this initiative it highlighted some refinements to the proposed scheme and (ii) with regard to the reduction of gaming machine numbers to 4,000, the club noted that it was unclear as to how this figure had been determined and it would be detrimental to the scheme if the regulator was influenced to achieve an arbitrary reduction when considering the assessment of gaming machine reallocation applications.

Casino Canberra representatives, Ms Bernie Morris—General Manager, and Mr Peter Cursley—Director of Marketing, also appeared on 9 February 2012. Casino Canberra told the committee that there was no valid reason why the casino should be prevented from operating gaming machines due to exclusion from the Gaming Machine Act.

The committee is scheduled to hold its next public hearing on 13 March 2012.

In accordance with the Standing Committee on Public Accounts terms of resolution of appointment, two reports of the ACT Auditor-General were referred to the committee on 21 December 2011 for examination. The audit reports were:

- Auditor-General’s Report No. 5 of 2011: 2010–11 Financial Audits; and
- Auditor-General’s Report No. 6 of 2011: Management of Food Safety in the ACT.

**Government responses to committee report**

Education, Training and Youth Affairs—Standing Committee

Human Rights Commission Report into the ACT Youth Justice System—Implementation of Report recommendations 4.3, 4.15, 4.16 and 15.1

Justice and Community Safety—Standing Committee


Public Accounts—Standing Committee


**Matters of public importance**

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

**Affordable housing in the ACT**—Mr Steve Doszpot MLA (Brindabella—Canberra Liberals)

**The importance of making and supporting quality and timely investments in school infrastructure in the ACT**—Mr John Hargreaves MLA (Brindabella—Australian Labor Party)
Other matters

On 14 February 2012 a motion was moved which, among things, called on the Speaker of the Assembly to commission an independent workplace audit of staffing arrangements and whether or not inappropriate payments to staff were made in the office of the Leader of the Opposition for the period 2009 to 2012. Amendments moved by the Opposition, which sought to widen the scope of the audit to include all staff and Members of the Assembly, were negatived after a vote. The motion also called on the Leader of the Opposition to provide a written statement to the Assembly by close of business on 16 February answering certain questions in relation to the matter.

The original motion was passed by the Assembly.

On 16 February the Leader of the Opposition made a statement in the Assembly addressing the questions contained in the motion.

A motion proposing the censure of the Chief Minister and Deputy Chief Minister was moved on 14 February 2012. The terms of the censure related to the proposed government office block building and the purported wasting of taxpayers’ money.

The motion was negatived after a vote of the Assembly.

On 16 February 2012 a proposed motion of censure was moved which called on the Assembly to censure Mr John Hargreaves MLA (Brindabella—Australian Labor Party). The motion also called on the ACT Government to remove Mr Hargreaves from his position as Government Whip. The motion related to comments made by the Member during the adjournment debate on 15 February.

The motion was negatived by the Assembly after debate.

Parliamentary Education

Towards the end of the 2011 school year, staff from the ACT Legislative Assembly committee and education offices conducted a pilot committee role play for 30 Year 7 students from Campbell High School. The role play was entitled Cyber bulling in the ACT.

The activity was designed to give students an understanding of the ACT Legislative Assembly committee system and the important work that committees undertake in calling the government of the day to account.

As part of the role play half the students performed roles as committee members and witnesses, while the remaining students drafted the committee report for presentation in the Assembly.

The morning commenced with an overview of the committee process provided by committee office staff who also provided support as committee secretaries for students throughout the role play. The three student committee members were introduced by the committee secretary and proceeded to hear evidence from a range of witnesses. Each witness was called to the table in turn and provided a short opening statement before answering a range of questions from committee members.

While committee members and witnesses took a break the report writers met to consider the issues raised in the hearing. Students acting as report writers had been listening and taking notes from the public gallery during the morning proceedings. They drafted a report including a number of recommendations, with the help of the committee secretary, for the committee to deliberate on. The report writers then took their break while the committee members discussed, amended, finalised and printed the report ready for presentation.

The class then moved to the Legislative Assembly Chamber where they met the ACT Minister for Education and Training, Dr Chris Bourke MLA (Ginninderra—Australian Labor Party). The committee chair presented Dr Bourke with a copy of their report. Both teachers and students enjoyed the role play and reported an increased understanding of the role of Assembly committees. This pilot program will now be included as part of the Assembly’s education program.

Next sitting

The Assembly will sit again on Tuesday, 21 February 2012.