Government business

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

Bill introduced
Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2012 (presented on 3 May 2012)

Bills debated

Duties Amendment Bill 2012

Summary: This bill proposes amendments to the Duties Act 1999 to clarify that duty is imposed on the transfer of a land rent lease at a value consistent with that of a normal Crown lease which does not have a land rent condition attached to it.

Proceedings: This bill was debated together with the Land Rent Amendment Bill 2012. During debate on the bills the Opposition stated that they would not be supporting this piece of legislation. The ACT Greens stated they would support the bill.

The bill was passed without amendment after a vote of the Assembly.

Energy Efficiency (Cost of Living) Improvement Bill 2012

Summary: The purpose of this bill is to reduce greenhouse gas emissions and costs associated with the production and use of energy by requiring electricity suppliers in the ACT to meet emissions reduction targets through energy efficiency activities.

Proceedings: The ACT Greens indicated that they supported the legislation when debate resumed on the bill on 3 May 2012. They stated that they welcomed the energy reductions the legislation promised to deliver.

The Opposition stated that they would not support the passage of the bill as they believed it would push up the cost of living for Canberra families. In closing debate on the in principle stage the Government outlined the purpose of the bill. The bill was agreed to in principle after a vote of the Assembly.

During the detail stage an amendment moved by the ACT Greens was negatived. Further minor amendments were moved by the Government which they stated were necessary due to recent changes in the large-scale electricity contract market. The Government amendments were agreed to.

The amended bill was passed by the Assembly after a vote.

Land Rent Amendment Bill 2012

Summary: This bill proposes amendments to the Land Rent Act 2008 by allowing Community Housing Canberra to access the discount rate under the Land Rent Scheme and by excluding Housing ACT from accessing the Scheme. The amendments will also alter the timing for lease holders to access the discount rate and clarify the procedures for the ACT Revenue Office if lease holders do not hand in the paperwork in the required timeframe.

Proceedings: This bill was debated together with the Duties Amendment Bill 2012. The Opposition stated that they would support the passage of the Land Rent Amendment Bill 2012 through the Assembly. The ACT Greens also supported the passage of the bill through the Assembly.

The bill was agreed to without amendment.
Road Transport (General) Amendment Bill 2012

Summary: This bill proposes amendments to the Road Transport (General) Act 1999 by altering provisions in the infringement notice scheme relating to issuing, serving and enforcing infringement notices. Consequential amendments are also proposed to a number of other road transport legislation.

Proceedings: Debate resumed on this proposed legislation on 3 May 2012. During debate the Opposition stated that they would support the bill but did have some reservation about the impact of the legislation on corporations. The ACT Greens also indicated that they would support the bill, however, they believed the infringement payment flexibility provisions needed to go much further. In closing debate the Minister thanked Members for their support of the legislation.

The bill was passed by the Assembly without amendment.

Private Members’ business

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

Bill introduced

Official Visitor Bill 2012 (No 2)—
Ms Amanda Bresnan MLA (Brindabella—ACT Greens)

Bill debated

Financial Management (Cost of Living) Amendment Bill 2012—
Mr Brendan Smyth MLA (Brindabella—Canberra Liberals)

Summary: The purpose of this bill is to amend the Financial Management Act 1996 by inserting provisions to require the Government to prepare, as part of the annual Budget, an analysis of the effect of proposals contained in the Budget on ACT residents.

Proceedings: Debate resumed on the bill in the detail stage. During debate the Government moved an amendment which would require Budget papers to include a statement about the effect on ACT households for the financial year of territory taxes and fees that have a direct effect on households. A further amendment was moved by the Opposition which sought to exclude the term “direct” in the Government’s amendment to make the statement more broad. The ACT Greens indicated that they would not support the Opposition’s amendment but would support the Government’s amendment. The Opposition’s amendment was negatived by the Assembly, however, the Government’s amendment was passed.

After a vote of the Assembly, the bill, as amended, was agreed to.

Motions debated

Ms Mary Porter MLA (Ginninderra—Australian Labor Party) moved a motion on 2 May 2012 concerning a business development strategy.

The terms of the motion sought to highlight the purpose of the Government’s Business Development Strategy released on 30 April 2012. During debate both the Opposition and the ACT Greens indicated that they would have liked to see more detail in the strategy. The ACT Green’s moved an amendment which sought to highlight the importance of a clean economy and the growth of green business. The amendment was agreed to by the Assembly.

The amended motion was agreed to by the Assembly.

On 2 May 2012, Ms Caroline Le Couteur MLA, (Molonglo—ACT Greens) moved a motion relating to disabled parking.

The motion sought to, among other things, draw attention to the need for more disabled parking spaces in the Territory. During debate the Government moved amendments outlining the steps they had taken, or will take, to address disabled parking issues. Amendments were also moved by the Opposition which sought to highlight the restriction of all car parking in the Territory. The Opposition’s amendments were negatived. The Government’s amendments were agreed to.

The motion, as amended, was agreed to.
Mr Zed Seselja MLA (Molonglo—Canberra Liberals) moved a motion on 2 May 2012 relating to traffic calming measures in certain areas of Fadden and Macarthur. The motion included calling on the Government to immediately address community concerns by initiating traffic calming measures. During debate the ACT Greens moved an amendment which included incorporating certain roads in Richardson into the motion and called on the Government to consult with local residents concerning traffic conditions. A further amendment moved by the Opposition sought to widen the scope of the proposed consultation. All amendments were agreed to.

The Assembly agreed to the amended motion.

Other matters discussed on 2 May related to:

- Catholic Schools Week—Mr Steve Doszpot MLA (Brindabella—Canberra Liberals)
- Dental health—Ms Amanda Bresnan MLA (Brindabella—ACT Greens)

### Papers presented

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

- Analysis of data from daily vehicle counts on William Hovel Drive (presented by the Minister for Territory and Municipal Services on 3 May 2012)
- Approval of Variation No 307 to the Territory Plan—Griffith, Section 42, Block 15—Change of zoning from commercial CZ6 leisure and accommodation zone to RZ4 medium density residential zone—Amendment to the Griffith precinct code (presented by the Minister for the Environment and Sustainable Development on 1 May 2012)
- Auditor-General’s Report No 1/2012—Monitoring and minimising harm caused by problem gambling in the ACT (presented by the Speaker on 1 May 2012)
- Canberra Institute of Technology—Worksafe report—Papers (presented by the Minister for Education and Training on 1 May 2012)
- English as an additional language or dialect services in ACT public schools—Review (presented by the Minister for Education and Training on 1 May 2012)

Ministerial Code of Conduct 2012 (presented by the Chief Minister on 1 May 2012)

Preliminary Financial Analysis on future options for the Canberra Institute of Technology (presented by the Minister for Education and Training on 1 May 2012)

State of the Environment Report 2011 (presented by the Minister for the Environment and Sustainable Development on 1 May 2012)

University of Canberra Annual Report 2011 (presented by the Minister for Education and Training on 1 May 2012)

### Statements by Ministers

The Deputy Chief Minister made a statement on 1 May 2012 relating to the investigation and audit process into the Emergency Department data of The Canberra Hospital. During his statement the Minister informed the Assembly that the Minister for Health had decided to step aside from the investigation and audit process and that he would be undertaking ministerial carriage of the matter. The Minister then outlined the reasons for the investigation and audit.

On 1 May 2012 the Chief Minister made a statement relating to ACT Government Integrity Statement. During the statement the Chief Minister outlined a number of initiatives she had commissioned to reinforce and enhance the foundation of integrity and probity for the system of government in the Territory.

The Minister for Education and Training made a statement regarding the proposed collaborative venture between the University of Canberra and the Canberra Institute of Technology. The statement was in response to a resolution of the Assembly of 28 March 2012. During his statement the Minister outlined the Government’s response to the resolution.

On 3 May 2012, the Treasurer made a statement regarding final costs of the enlarged Cotter Dam project. The statement was in response to a resolution passed by the Assembly on 21 March 2012 which called on the Government to provide certain information relating to the project.

Mrs Vicki Dunne MLA (Ginninderra—Canberra Liberals) and Mr Zed Seselja MLA (Molonglo—Canberra Liberal) also made statements in relation to the comments made by the Minister.
Other matters

A motion proposing the censure of the Minister for Health was moved on 1 May 2012. The terms of the motion related to Emergency Department data of The Canberra Hospital. The motion included calling on the Government to appoint a board of inquiry, pursuant to the Inquiries Act 1991, to inquire into the matter. During debate an amendment was moved by the Government which, among other things, omitted the call for a board and inquiry and noted that the Chief Minister had written to the Auditor-General requesting the undertaking of a performance audit of the Health Directorate’s data collections, reporting and integrity systems. A further amendment was moved by the ACT Greens which included requesting that the Auditor-General inquire into data discrepancies in Emergency Department waiting times at The Canberra Hospital. All amendments were agreed to after votes of the Assembly.

The amended motion was then passed by the Assembly after a further vote.

Committee activities

Committee reports presented

Education, Training and Youth Affairs—Standing Committee

Report 8—Future use of the Fitter’s Workshop, Kingston, dated 13 April 2012 (presented 2 May 2012)

The committee’s report had five principal recommendations which addressed the findings from the committee’s inquiry which pointed to the unique nature of the acoustics of the Fitters’ Workshop for particular types of music performance. Associated with this finding was the finding that the current master planning process for the Kingston Arts Precinct should be reviewed to take into account the possibility that the Fitters’ Workshop may be viable as a multi-purpose arts and performance venue.

The committee’s recommendations were as follows:

Recommendation 1 – The Committee recommends that the Fitters’ Workshop be used as a multi-use arts and performance venue.

Recommendation 2 – The committee recommends that the Government suspend its decision to make the Fitters’ Workshop, Kingston a print studio to allow the current master planning process underway for the Kingston Arts Precinct to be re-opened incorporating the Fitters’ Workshop as a multi-use arts and performance venue.

Recommendation 3 – That the Government respond to recommendation 1 within 30 days giving a timetable and terms of reference for the consultation recommended by the committee.

Recommendation 4 – The committee recommends that the current decision to convert the Fitters’ Workshop for Megalo Print Studio be re-considered and that immediate steps be taken to identify an alternative site for a purpose-built building at the Kingston Arts Precinct.

Recommendation 5 – The committee recommends that the funding made available for the conversion of the Fitters’ Workshop be retained for funding the construction of the purpose-built building for Megalo at the Kingston Arts Precinct be retained and applied for that purpose.

The Committee’s report is available here.

Planning, Public Works and Territory and Municipal Services—Standing Committee


Public Accounts—Standing Committee


The bill was introduced to the Assembly due to a revised budget forecast which indicated a greater deficit than had been expected in the 2011-12 Budget Papers.

In the report, the committee considered the expenditure proposals contained in the bill, including additional costs to agencies by virtue of newly concluded enterprise agreements, and capital works projects: specifically, the replacement of the Malkara school hydrotherapy pool and the commencement of an upgrade to Ashley Drive in Tuggeranong.
The committee made four recommendations regarding the bill, three of which concerned aspects of the Ashley Drive upgrade. The fourth recommended that the Assembly pass the bill.

**Scrutiny Committee—**

**Scrutiny Report 51, dated 26 April (presented 1 May 2012)**

**Committee inquiries**

**ACT Supermarket Competition Policy—Select Committee**

The committee held public hearings on 18 and 19 April 2012 in which it heard evidence from major supermarkets, industry groups, community groups and from Mr Andrew Barr MLA as Minister for Economic Development.

The Committee expects to hold a further public hearing to address planning and other issues related to its terms of reference.

**Election Commitments Costing Bill 2011 Exposure Draft—Select Committee**

The committee, which is established as a collaborative committee, is completing its report to the Assembly, following discussions in April with officials and commentators on its terms of reference which require the committee to inquire into and report on the Exposure Draft Bill, including any recommendations on amending provisions of the Exposure Draft Bill and associated Draft Guidelines for election commitment costing issued by the ACT Treasury.

**Public Accounts—Standing Committee**

The chair of the committee made a statement on 1 May 2012 in relation to the committee’s consideration of the ACT Audit Office’s 2012-13 Budget submission.

**Justice and Community Safety—Standing Committee**

On 4 April 2012 the committee held public hearings for its inquiry into the Crimes Legislation Amendment Bill 2011—a Government bill—and the Crimes (Offences Against Police) Amendment Bill 2012—a private Member’s bill.

Appearing before the committee were the Attorney-General and his officers; the ACT Law Society; the Australian Federal Police Association (AFPA); the Australian Lawyers Alliance; and the ACT Bar Association. The Committee heard views for and against the bills.

For the Crimes Legislation Amendment Bill 2011 the committee heard arguments regarding the desirability or otherwise of removing the right for accused persons to argue self-defence when they have used physical force to resist an arrest they believed was unlawful, and whether, as in clause 5 of the bill, there should be a formal requirement for judges to consider the ‘special vulnerability’ of police and other public officers when sentencing.

For the Crimes (Offences Against Police) Amendment Bill 2012, the committee heard arguments regarding the desirability or otherwise of creating aggravated offences for assaults against police, as is currently the case with regard to pregnant women under ACT law.

On 1 May 2012 the Assembly agreed to amend the reporting date for the committee’s inquiry. The committee is now to report by the last sitting day in June 2012. Further information on the committee’s inquiry can be found here.

**Government response to committee report**

**Planning, Public Works and Territory and Municipal Services—Standing Committee**

Report 12—Draft variation to the Territory Plan No 307—Change of zoning (presented 1 May 2012)

**Matters of public importance**

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

**The cost impact of the carbon tax on Canberrans**—Mr Zed Seselja MLA (Molonglo—Canberra Liberals)

**The future of education in the ACT**—Mr Alistair Coe MLA (Ginninderra—Canberra Liberals)
Next sitting

The Assembly will sit again on Tuesday,
8 May 2012.

For information, copies of all Territory Bills and Acts can be found on the ACT Legislation Register at www.legislation.act.gov.au.