PRIVATE MEMBERS’ BUSINESS

Notices

1  MS LE COUTEUR: To present a Bill for an Act to amend the requirements for making technical amendments under the Planning and Development Act 2007. (Notice given 5 May 2017).

2  MS LAWDER: To move—That this Assembly:
   (1) notes that:
       (a) the objective of Community Facilities Zone (CFZ) land is to:
           (i) facilitate social sustainability and inclusion through providing accessible sites for key government and non-government facilities and services for individuals, families and communities;
           (ii) provide accessible sites for civic life and allow community organisations to meet the needs of the Territory’s various forms of community;
           (iii) protect these social and community uses from competition from other uses;

* Notifications to which an asterisk (*) is prefixed appear for the first time

(iv) enable the efficient use of land through facilitating the co-location, and multi-use of community facilities, generally near public transport routes and convenience services appropriate to the use;

(v) encourage adaptable and affordable housing for persons in need of residential support or care; and

(vi) safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise or loss of privacy;

(b) in 2005 an Assembly Committee inquiry recommended the change to the definition of CFZ land to include “supportive housing”, for the aged and people with disability;

(c) a technical amendment in 2015 added “social housing” as an example under supportive housing;

(d) the Planning and Development Act restricts the use of a technical amendment to clarifications of language, that do not change the substance of the Territory Plan;

(e) plans for public housing in some suburbs are proceeding without a clear understanding in the community of the difference between social housing and supportive housing; and

(f) the use of CFZ land for housing, public or private, except supportive housing as outlined in the 2005 change to the definition, is inappropriate and inconsistent with community expectations; and

(2) calls on the ACT Government to:

(a) cease development or construction of any new social or public housing on CFZ land, except where specifically for aged or disability housing;

(b) list any instances where public or social housing has been built on CFZ land (except where specifically for aged or disability housing);

(c) outline clearly whether the 2015 technical amendment has significantly changed the Territory Plan;

(d) provide a definition of “social housing” and “supportive housing” to the Assembly, and outline where in legislation these definitions appear;

(e) explain to ACT residents why CFZ land is being used for residential purposes;

(f) explain to the Assembly and to the wider community why residents are losing access to land that was intended to provide them with suburban community facilities;

(g) provide to the Assembly a list outlining all CFZ land that is currently being considered for public housing developments in the future; and
(h) report back to the Assembly on these matters by the first sitting day in June 2017. (*Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).

3 **MS CHEYNE**: To move—That this Assembly:

(1) notes that Canberra:

(a) plays an essential role as our nation’s capital and is the national centre of public administration, driven by the expertise and hard work of public servants who are highly capable, diligent and committed in their service to the entire Australian community;

(b) is an excellent example of successful long term decentralisation of the public sector from overcrowded and increasingly congested east coast cities such as Sydney and Melbourne;

(c) is a successful regional centre and partner with the surrounding NSW councils to strengthen economic growth, encourage tourism and foster export opportunities; and

(d) has recently been the subject of ignorant and malicious commentary by some tabloid commentators that residents of this city are “smug”, “entitled”, “live high on the hog”, are “well educated wombles” and “don’t know what real work is”;

(2) also notes the success of continuing efforts by the ACT Government to create and protect jobs in the ACT, including:

(a) supporting our local workforce through a strong pipeline of major infrastructure projects;

(b) promoting Canberra as an education destination, and supporting education and training opportunities for all Canberrans;

(c) developing innovation programs and supporting entrepreneurialism to create private sector jobs and bring new opportunities to the ACT;

(d) encouraging international investment and opening doors for international trade and tourism; and

(e) advocating for, and acting to protect and support, public sector jobs in the ACT;

(3) further notes that:

(a) more detail has now been released by the Federal Liberal-National Government as to its efforts to forcibly relocate public sector workers out of Canberra to other regional centres;

(b) federal public sector agencies are currently being compelled to justify their continued existence in Canberra, subject to final Federal decision over coming months;
(c) no cost benefit analysis has been released by the Federal Liberal-National Government regarding the recent forced relocation of the Australian Pesticides and Veterinary Medicines Authority and no commitment has been given that it will release such analysis for any future relocation; and

(d) so-called “decentralisation” of significant components of the Australian Public Service out of the ACT will have dire, detrimental consequences for Canberra’s and Australia’s economic, social and cultural fabric, including:

(i) increasing investment uncertainty and undermining continued economic growth;

(ii) disrupting the lives of Canberrans whose familial, social and work networks are firmly established in the ACT; and

(iii) jeopardising the efficiency and expertise of the Australian Public Service; and

(4) calls on the Government to continue to:

(a) use all tools at its disposal, including public advocacy, representation at local and national forums, and tripartisan action with other political parties as appropriate, to protect and support Canberra’s public sector workers;

(b) seek Federal Government recognition of Canberra as the appropriate home of the Australian Public Service, and a reversal of its policy of forced public sector relocation from Canberra to regional towns and centres around Australia; and

(c) vigorously refute attacks on Canberrans’ collective integrity, work ethic, and service to the wider Australian community. (Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).

4 MRS KIKKERT: To move—That this Assembly:

(1) notes:

(a) that the 2004 Vardon Report (“The Territory as Parent”) and the 2016 Glanfield Inquiry (“Report of the Inquiry”) both recommended that decisions made by ACT Child and Youth Protection Services (CYPS), or its predecessor, regarding a child’s placement or care plans be subject to external scrutiny or review;

(b) that the ACT remains the sole Australian jurisdiction where such decisions are not reviewable;

(c) that numerous constituents, including parents, carers and agencies, have expressed frustration, both in submissions to inquiries and directly to Members of this Assembly, that no pathway exists for aggrieved persons to seek external review of these decisions; and
(d) that the ACT Government in its 2016 “Response to Family Violence” acknowledged that “some important decisions are not subject to external review in the ACT while they are reviewable in other jurisdictions” and promised to undertake a JACS-led assessment of this situation; and

(2) calls on the ACT Government to:

(a) recognise the importance of ensuring that decisions regarding a child’s placement and care plans be subject to external review, both to ensure the quality of such decisions and to engender confidence in the system;

(b) provide a detailed outline of the following:
(i) what recommendations, if any, have come out of the JACS-led review; and
(ii) what specific steps the Government will take to bring the ACT into line with all other Australian jurisdictions by providing for external review of these decisions; and

(c) report back to the Assembly on these matters by the last sitting day in August 2017. (Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A)

5 MRS JONES: To move—That this Assembly:

(1) notes that:

(a) Mr Ron McLeod’s 2003 report, “Inquiry into the Operational Response to the January 2003 Bushfires in the ACT”, made the following recommendations:
(i) “A bushfire-abatement zone (BAZ) should be defined between the north-west and western perimeter of Canberra and the Murrumbidgee River and the foothills of the Brindabella Range.”;
(ii) “A set of Bushfire Protection Planning Principles in relation to fire mitigation and suppression should be adopted and applied to future developments in the designated abatement zone.”; and
(iii) “The abatement zone should be declared a bushfire-prone area, and the requirements of the Building Code of Australia—in particular, its standards for bushfire-prone areas—should be applied to all future developments in the zone.”;

(b) following the recommendations of Mr Ron McLeod, and Coroner Maria Doogan, the Emergencies Act 2004 was enacted and provided:
(i) a Bushfire Abatement Zone for planning and operational purposes;
(ii) for the BAZ to include “City Areas” (“built up areas”); and
(iii) the Response Arrangements at that time (see NI 2004—499) included that: “If, in the opinion of the ACT Fire and Rescue, the fire poses a risk to life or property in the Built-up Area, then the ACT Fire and Rescue will assume incident control.” This remained in place in the 2006 iteration (NI 2006—221);

(c) in 2011 the above requirements were removed; and

(d) over the last 12 months there have been articles in the media and concerns raised by the United Firefighters Union ACT and members of the public about the 2011 changes. These are reasonable concerns given the history of bushfire risk in the Australian Capital Territory; and

(2) calls on the Minister to report to the Assembly by 1 August 2017 on:

(a) the rationale behind the 2011 changes and to explain, for the benefit of the community, how the BAZ is controlled both in regards to fuel-reduction burning and in the event of a fire being within metres or kilometres of built-up areas;

(b) what planning or actions it is undertaking for when the built-up areas encroach onto the New South Wales border; and

(c) whether it is appropriate to return the management of bushfires within the BAZ to the method recommended in the McLeod Report. (Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).

6 MR STEEL: To move—That this Assembly:

(1) notes:

(a) that, as outlined in the ACT Waste Management Strategy 2011 – 2025, the ACT Government has a commitment to progressing towards zero recoverable waste sent to landfill;

(b) that in May 2016, ACT Labor made a commitment to provide all Canberran households with a green bin for garden waste by 2020; and

(c) the success of the green bins pilot program so far in Weston Creek and Kambah, particularly that:

(i) at the end of April, 6800 households, representing 44 percent of Weston Creek and Kambah, have signed up for the service;

(ii) collection and disposal services have commenced and are being delivered as promised; and

(iii) residents are embracing and gaining benefit from the new service; and

(2) calls on the ACT Government to continue:

(a) the roll out of the green bins pilot program throughout the ACT following an evaluation and the outcomes of the Weston Creek and Kambah pilot; and
(b) to work towards the zero waste target in the ACT including looking at household disposal of food waste. (Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).

7 **MR HANSON**: To move—That this Assembly:

(1) notes that:

(a) on 14 February 2017, a member of the Labor Party, Ms Bec Cody MLA, used the adjournment debate of the Assembly to attack the RSL over some tiles in the male bathroom, Ms Cody stated “Let me say that again, in 2017 in Australia, in a club that promotes itself as championing our values and respect for our national heritage, men are expected to urinate on Aboriginals”;

(b) about the Sussex Inlet RSL, Ms Cody said “the Sussex Inlet RSL are a disgrace, they are a disgrace to themselves, a disgrace to the veterans they claim to represent and a disgrace to Australia”;

(c) about the RSL in general, Ms Cody said that there existed “a long history of disgraceful behaviour by this organisation”;

(d) about the people within the RSL, Ms Cody said they were “people who either are, or stand by, racists”;

(e) since Ms Cody’s accusations, it has been exposed that the description Ms Cody made of the tiles’ placement was not true;

(f) since Ms Cody’s accusations, it was revealed that the links between the club and the RSL management is not true;

(g) following Ms Cody’s accusations, the RSL stated “It is this type of unfounded criticism of a national body, spoken in generalisations, which has completed over 100 years of assisting the veteran family and community that makes the veterans very angry”; and

(h) Ms Cody’s accusations have caused enormous hurt and harm by falsely representing facts, and accusing various parties of extreme racism; and

(2) calls upon the Minister for Veterans and Seniors and the Chief Minister to:

(a) condemn Ms Cody for her inflammatory and untruthful statements;

(b) apologise to the members of the Sussex Inlet RSL and its management for promoting untrue statements, and accusing them of being racists;

(c) apologise to the national and state management of the RSL for falsely associating them with the RSL club, and accusing them of being racists; and

(d) reconfirm the ACT Government’s commitment to our returned service men and women, and the organisations that support them. (Notice given 20 March 2017. Notice will be removed from the Notice Paper unless called on within 2 sitting weeks—standing order 125A).
EXECUTIVE BUSINESS

Orders of the day


6. **ABORIGINAL AND TORRES STRAIT ISLANDER ELECTED BODY AMENDMENT BILL 2017**: (Minister for Aboriginal and Torres Strait Islander Affairs): Agreement in principle—Resumption of debate (from 30 March 2017—Mr Milligan).

7. **FIREARMS AMENDMENT BILL 2017**: (Minister for Police and Emergency Services): Agreement in principle—Resumption of debate (from 30 March 2017—Mr Hanson).


9. **CITY RENEWAL AUTHORITY AND SUBURBAN LAND AGENCY BILL 2017**: (Chief Minister): Detail stage—Clause 1—Resumption of debate (from 9 May 2017—Mr Gentleman).

10. **ACT HEALTH REPORTING—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate (from 14 February 2017—Mr Wall) on the motion of Ms Fitzharris—that the Assembly takes note of the paper.

*11. **SWITCHBOARD INCIDENT AT CANBERRA HOSPITAL AND REPLACEMENT OF ELECTRICAL SWITCHBOARDS—MINISTERIAL STATEMENT AND PAPER—MOTION TO TAKE NOTE OF PAPER**: Resumption of debate (from 9 May 2017—Mr Wall) on the motion of Ms Fitzharris—that the Assembly takes note of the paper.

And on the amendment moved by Mrs Dunne—Add: “and that the Assembly calls on the Minister for Health, by the end of the current sitting period to:
(1) provide the Assembly with a full chronology of events, starting with the time when problems with the main switchboard were identified initially and concluding with the signing of the contract on 7 April 2017 with Shaw Building Services to replace the main electrical switchboard; and;

(2) table the AECOM risk assessment report on the performance of infrastructure at The Canberra Hospital, referred to in the hearings of the Select Committee on Estimates 2016-2017 on 29 June 2016.”.

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ASSEMBLY BUSINESS

Orders of the day

1 EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE—PROPOSED INQUIRY INTO THE VALUE OF UNIVERSAL ACCESS TO EARLY CHILDHOOD EDUCATION: Resumption of debate (from 15 December 2016—Mr Rattenbury) on the motion of Mr Steel—That this Assembly:

(1) notes the Mitchell Institute Report Preschool – Two Years are Better Than One Developing a universal preschool program for Australian 3 year olds — evidence, policy and implementation; and

(2) resolves that the Standing Committee on Education, Employment and Youth Affairs conducts an inquiry into the value of universal access to early childhood education, including evidence around the benefits to children of starting preschool at age three.

2 EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE—PROPOSED INQUIRY INTO ENROLMENTS AND CAPACITY IN PUBLIC SCHOOLS: Resumption of debate (from 15 December 2016—Ms Le Couteur) on the motion of Mr Pettersson—That the matter of enrolments and capacity in Canberra public schools, including Priority Enrolment Areas and other factors affecting demand on schools, and any related matters, be referred to the Standing Committee on Education, Employment and Youth Affairs for inquiry and report.

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Last sitting day in May 2017

3 STANDING COMMITTEES: Presentation of reports on annual and financial reports for the financial year 2015-2016 and calendar year 2015, pursuant to order of the Assembly of 16 February 2017, as amended 9 May 2017.
Last sitting day in June 2017


1 August 2017


Last sitting day in August 2017

6 STANDING COMMITTEES: Presentation of reports on annual and financial reports for the calendar year 2016, pursuant to order of the Assembly of 16 February 2017.

End of August 2017

7 INDEPENDENT INTEGRITY COMMISSION—SELECT COMMITTEE: Presentation of report on the most effective and efficient model for an independent integrity commission for the ACT, pursuant to order of the Assembly of 15 December 2016.

Last sitting day in 2017

8 2016 ACT ELECTION AND THE ELECTORAL ACT—SELECT COMMITTEE: Presentation of report on a review of the operation of the 2016 ACT election and the Electoral Act and other relevant legislation and policies in regards to election-related matters, pursuant to order of the Assembly of 15 December 2016.

EXECUTIVE MEMBERS’ BUSINESS

Notice

1 MR RATTENBURY: To move—That this Assembly:

(1) notes that:
(a) the ACT currently has approximately 16.2 poker machine licences per 1000 adults, which is the highest ratio of any state or territory in Australia;
(b) the risks of problem gambling increase significantly with the frequency of playing poker machines, with the Productivity Commission estimating that among those who play poker machines weekly or more, 15 percent are problem gamblers and an additional 15 percent are at moderate risk;

(c) in 2014, people who reported any level of problem gambling accounted for 64 percent of losses from poker machines. Moderate or high risk problem gamblers accounted for 28 percent of poker machine losses, despite representing only 2 percent of the ACT adult population;

(d) poker machines are manufactured using well established principles of behavioural psychology including visual and audio reinforcement to make losses appear as wins and unequal reel lengths which make near misses occur with greater frequency. These design features increase the risk of addictive gambling; and

(e) for every person with a gambling problem, between five and 10 others also experience serious consequences including emotional distress, relationship breakdown and financial difficulties;

(2) further notes that:

(a) since the start of this year, a number of Canberrans have spoken publicly about their experiences with problem gambling and poker machine addiction, including identifying gaps and limitations in the current regulatory system;

(b) the availability of cash through EFTPOS facilities has been identified by people with experience of gambling harm as a way to access money beyond the current $250 ATM withdrawal limit, which can be an obstacle to controlling problem gambling behaviour;

(c) the Productivity Commission Report into Gambling 2010 recommended a number of evidence-based measures to reduce harm from poker machines, including mandatory pre-commitment and $1 maximum bet limits; and

(d) the Parliamentary Agreement for the 9th Legislative Assembly includes commitments to reduce harm from gaming through reducing the number of poker machine licences in the ACT down to 4000 by 2020 and exploring mandatory pre-commitment and bet limits for poker machines; and

(3) calls on the ACT Government to:

(a) investigate changes to the Gaming Machine Act 2004 to apply the $250 cash withdrawal limit in gaming venues to all cash facilities, including EFTPOS facilities; and
(b) increase the transparency of the social impact assessment process to allow easy access to relevant documents and enable all Canberrans to contribute to decisions regarding the presence of poker machines in their local communities. (Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at www.parliament.act.gov.au/in-the-assembly/questions-paper.

Unanswered questions

146, 148, 163.

T Duncan
Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

16 May 2017

Curtin—Draft Master Plan—Minister for Planning and Land Management—Petition lodged by Ms Le Couteur (Pet 1-17).

20 June 2017

KFC Restaurant—O’Hanlon Place, Gold Creek Village—Minister for Planning and Land Management—Petitions lodged by Ms Le Couteur (Pet 3-17 and Pet 6-17).
8 August 2017

Arts funding—Minister for the Arts and Community Events—Petitions lodged by Ms Cheyne (Pet 4-17 and Pet 7-17).

COMMITTEES

Unless otherwise shown, appointed for the life of the Ninth Assembly. The dates of the amendments to the committees’ resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: (Formed 31 October 2016): The Speaker (Chair), Ms Cheyne, Mr Rattenbury, Mr Wall.

Pursuant to resolution

ECONOMIC DEVELOPMENT AND TOURISM—STANDING COMMITTEE: (Formed 13 December 2016): Mr Hanson (Chair), Ms Orr, Mr Parton, Mr Pettersson.

EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE: (Formed 13 December 2016): Mr Pettersson (Chair), Mrs Kikkert, Mr Steel, Mr Wall.

ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE: (Formed 13 December 2016): Ms Orr (Chair), Ms Cheyne, Mr Doszpot, Mr Parton.

HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE: (Formed 13 December 2016): Mr Steel (Chair), Mrs Dunne, Mrs Kikkert, Ms Le Couteur, Mr Pettersson.

JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE: (Formed 13 December 2016): Mrs Jones (Chair), Ms Cody, Ms Lee, Mr Steel.

PLANNING AND URBAN RENEWAL—STANDING COMMITTEE: (Formed 13 December 2016): Ms Le Couteur (Chair), Ms Cheyne, Ms Lawder, Mr Milligan, Ms Orr.

PUBLIC ACCOUNTS: (Formed 13 December 2016): Mrs Dunne (Chair), Ms Cody, Mr Coe, Mr Pettersson.
Select

2016 ACT ELECTION AND ELECTORAL ACT—SELECT COMMITTEE: (Formed 15 December 2016): Ms Cody (Chair), Ms Cheyne, Ms Le Couteur, Mr Milligan, Mr Wall.

ESTIMATES 2017-2018—SELECT COMMITTEE: (Formed 16 February 2017): Mr Wall (Chair), Ms Cody, Mr Coe, Ms Le Couteur, Mr Pettersson.

INDEPENDENT INTEGRITY COMMISSION—SELECT COMMITTEE: (Formed 15 December 2016): Mr Rattenbury (Chair), Ms Cody, Mrs Jones, Ms Lee, Mr Steel.