Legislative Assembly for the
Australian Capital Territory


Notice Paper

No 97

Thursday, 16 May 2019

The Assembly meets this day at 10 am

ASSEMBLY BUSINESS

Orders of the day

1  ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE: Presentation of report on whether the protocols in place around the permissions for MLAs to visit or attend school events constitute an impediment to the Members performing their function as MLAs and in complying with the Code of Conduct for all Members of the Legislative Assembly, pursuant to order of the Assembly of 14 February 2019.

EXECUTIVE BUSINESS

Notices

*1  MR BARR: To present a Bill for an Act to amend the Integrity Commission Act 2018. (Notice given 15 May 2019).


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

MR GENTLEMAN: To present a Bill for an Act to amend legislation about planning and the environment, and for other purposes. *(Notice given 15 May 2019).*

MR GENTLEMAN: To present a Bill for an Act to amend legislation about fisheries, and for other purposes. *(Notice given 15 May 2019).*

MR RAMSAY: To present a Bill for an Act to amend legislation about crimes, and for other purposes. *(Notice given 15 May 2019).*

MR RATTENBURY: To present a Bill for an Act to amend the *Climate Change and Greenhouse Gas Reduction Act 2010*. *(Notice given 15 May 2019).*

MR STEEL: To present a Bill for an Act to amend legislation about animal welfare, and for other purposes. *(Notice given 15 May 2019).*

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**ASSEMBLY BUSINESS—continued**

**Notices**

1. **MS ORR**: To move—That the resolution of the Assembly of 29 November 2018 relating to the referral of a new Territory Coat of Arms to the Standing Committee on Environment and Transport and City Services be amended by omitting the words “by 6 June 2019” and substituting “by 1 August 2019”. *(Notice given 13 May 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

2. **MS CHEYNE**: To move—That the resolution of the Assembly of 14 February 2019 relating to the referral of issues related to fuel pricing in the ACT to a select committee be amended by omitting the words “last sitting week in June 2019” and substituting “17 September 2019”. *(Notice given 13 May 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

3. **MS ORR**: To move—That this Assembly:

   (1) calls on the Standing Committee on Administration and Procedure to:

   (a) clarify the scope of current provisions and conventions regarding Members’ comments on a matter under Committee consideration; and

   (b) report back to the Assembly on their findings by the end of July 2019. *(Notice given 13 May 2019. 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 that:
(a) the 2004 Vardon report raised concerns from community members that the ACT’s care and protection system lacked “effective external scrutiny” to remedy “unlawful or incorrect administrative actions or decisions”, and also mentioned the need for “transparency and accountability in decision making”;

(b) the 2016 Glanfield inquiry recommended as one of four key outcomes the “improved quality of, and transparency in ... decision making and practices” in the ACT’s care and protection system; and

(c) in its 2016 Response to Family Violence, the ACT Government stated that:

(i) “increased transparency and the building of trust is particularly necessary in child protection cases”;

(ii) the Territory’s care and protection system “must adopt a culture of transparency”; and

(iii) “the ACT Government accepts that proper accountability enhances community confidence in public administration, especially in complex areas such as statutory child protection services”;

(2) also notes that:

(a) after an extensive appeal process, the combined effect of decisions of the Supreme Court and the ACT Court of Appeal was that a decision of the ACT’s care and protection system to separate a Canberra mother from her five children for more than five years was wrong; and

(b) a number of prominent Canberrans – including legal practitioners, Indigenous community leaders, and a former ACT Chief Minister – have publicly called for an inquiry into this matter;

(3) therefore refers this matter to the Standing Committee on Health, Ageing and Community Services for an inquiry:

(a) to investigate the details of this case in order to identify broader cultural or systemic issues in the care and protection system that may need to be addressed; and

(b) to examine the ability to access information in the care and protection system with a view to providing the maximum transparency and accountability so as to restore and maintain community confidence in the ACT’s care and protection system; and

(4) requests the Standing Committee on Health, Ageing and Community Services to report back to the Assembly no later than the first sitting day in 2020. (Notice given 13 May 2019. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).
Orders of the day—continued

2 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE—REPORT 4—INQUIRY INTO THE IMPLEMENTATION, PERFORMANCE AND GOVERNANCE OF THE NATIONAL DISABILITY INSURANCE SCHEME IN THE ACT—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER: Resumption of debate (from 19 March 2019—Ms Lee) on the motion of Mr Gentleman—That the Assembly take note of the paper. (Order of the day will be removed from the Notice Paper unless called on this sitting week—standing order 152A.)

6 June 2019

3 ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE: Presentation of report on a new Territory Coat of Arms, pursuant to order of the Assembly of 29 November 2018.

6 June 2019

4 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE: Presentation of report on inquiry into the Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018 pursuant to order of the Assembly of 20 February 2019.

Last sitting day in June 2019

5 FUEL PRICING—SELECT COMMITTEE: Presentation of report on fuel prices in the ACT, pursuant to order of the Assembly of 14 February 2019.

First sitting day in July 2019

6 PRIVILEGES 2019—SELECT COMMITTEE: Presentation of report on whether there has been a breach of privilege relating to the Standing Committee on Health, Ageing and Community Services in the release of unauthorised committee documents pursuant to order of the Assembly of 4 April 2019.

30 July 2019

End of September 2019

8 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE: Presentation of report on the Continuing Resolution 5, MLA’s Code of Conduct, namely whether the Code of Conduct should be enhanced to reflect MLAs’ responsibilities for respectful dialogue, pursuant to order of the Assembly of 4 April 2019.

24 October 2019

9 EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE: Presentation of report on the management and minimisation of bullying and violence in government and non-government schools pursuant to order of the Assembly of 4 April 2019.

Last sitting week in 2019

10 ECONOMIC DEVELOPMENT AND TOURISM—STANDING COMMITTEE: Presentation of report on drone delivery systems in the ACT, pursuant to order of the Assembly of 1 November 2018.

CROSSBENCH EXECUTIVE MEMBERS’ BUSINESS

Notice

1 MR RATTENBURY: To move—That this Assembly:

(1) notes:

(a) globally, nationally and locally, human induced climate change is contributing to record breaking temperatures, extreme weather events, and a range of negative social, environmental and economic outcomes;

(b) ACT residents have just experienced the hottest January on record, and local temperature extremes will worsen as climate change progresses;

(c) Tasmania, Victoria and Queensland have recently been devastated by bushfires and North Queensland has recently suffered extreme flooding;

(d) global temperature rise must be limited to 1.5 degrees to minimise the risk of the worst impacts of climate change, a task the UN Intergovernmental Panel on Climate Change says requires urgent and unprecedented action; and
(e) ACT and Australian residents want their elected representatives to take urgent and effective action to address climate change;

(2) acknowledges that we are in a state of climate emergency that requires urgent actions across all levels of Government; and

(3) condemns the Federal Government for its continued failure to enact effective climate change policy, and requests the Federal Government provide additional funding for States and Territories to deal with worsening climate change risks and impacts, such as bushfires and extreme weather.

(Notice given 1 April 2019. Notice will be removed from the Notice Paper unless called on within 2 sitting weeks—standing order 125A).

EXECUTIVE BUSINESS—continued

Orders of the day

1 **MOTOR ACCIDENT INJURIES BILL 2019**: (Treasurer): Detail stage—Clause 279—Resumption of debate *(from 14 May 2019—Mr Barr)*.

2 **WORKING WITH VULNERABLE PEOPLE (BACKGROUND CHECKING) AMENDMENT BILL 2019**: (Minister for Community Services and Facilities): Agreement in principle—Resumption of debate *(from 4 April 2019—Mrs Kikkert)*.

3 **GAMING LEGISLATION AMENDMENT BILL 2019**: (Attorney-General): Agreement in principle—Resumption of debate *(from 4 April 2019—Mr Parton)*.

4 **JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2019**: (Attorney-General): Agreement in principle—Resumption of debate *(from 21 March 2019—Mr Hanson)*.

5 **EDUCATION AMENDMENT BILL 2017**: (Minister for Education and Early Childhood Development): Agreement in principle—Resumption of debate *(from 26 October 2017—Mr Wall)*.

6 **ELECTORAL AMENDMENT BILL 2018**: (Attorney-General): Detail stage—Clause 1—Resumption of debate *(from 12 February 2019—Mr Wall)*.

7 **WATER RESOURCES AMENDMENT BILL 2019**: (Minister for the Environment and Heritage): Agreement in principle—Resumption of debate *(from 4 April 2019—Ms Lee)*.

8 **SENIOR PRACTITIONER AMENDMENT BILL 2019**: (Minister for Disability): Agreement in principle—Resumption of debate *(from 14 May 2019—Mr Coe)*.

9 **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.
ORDERS OF BUSINESS

Private Members’ Business

Orders of the day

1. **PLANNING AND DEVELOPMENT (TERRITORY PLAN VARIATIONS) AMENDMENT BILL 2017**: (Ms Le Couteur) Agreement in principle—Resumption of debate *(from 10 May 2017—Ms Lawder).*

2. **CRIMES (CONSENT) AMENDMENT BILL 2018**: (Ms Le Couteur) Agreement in principle—Resumption of debate *(from 11 April 2018—Mr Ramsay).*

3. **MAGISTRATES COURT (RETIREMENT AGE OF MAGISTRATES) AMENDMENT BILL 2018**: (Mr Hanson) Agreement in principle—Resumption of debate *(from 9 May 2018—Mr Ramsay).*

4. **DOMESTIC ANIMALS (DANGEROUS DOGS) LEGISLATION AMENDMENT BILL 2018**: (Ms Lawder) Agreement in principle—Resumption of debate *(from 24 October 2018—Mr Steel).*

5. **DRUGS OF DEPENDENCE (PERSONAL CANNABIS USE) AMENDMENT BILL 2018**: (Mr Pettersson) Agreement in principle—Resumption of debate *(from 20 February 2019—Mr Rattenbury).* (Referred to the Standing Committee on Health, Ageing and Community Services on 20 February 2019.)
Day after tabling of report of Standing Committee on Planning and Urban Renewal’s report relating to the inquiry into engagement with development application processes in the ACT

6 DEVELOPMENT APPLICATION ASSESSMENT: Resumption of debate (from 3 April 2019—Mr Rattenbury) on the motion of Mr Parton—that this Assembly:

(1) notes the:

(a) importance of an efficient development assessment system in achieving the Territory’s economic development objectives;

(b) vital role an efficient development assessment system plays in achieving the housing aspirations of the ACT community;

(c) average days to make a decision on a Development Application (DA) have increased from 62 days in mid-2018 to 90 days in January 2019;

(d) proportion of DA’s decided within specified timeframes has fallen to 30 percent;

(e) significant schedule and financial losses these delays impose on individuals and companies that have submitted a DA;

(f) tenuous position this imposes on many applicants;

(g) negative impact on the ACT Government’s credibility and reputation arising from these delays; and

(h) impact on the health and wellbeing of overloaded planning staff caught up in this stressful problem; and

(2) calls on the ACT Government to:

(a) take immediate steps to increase resources allocated to the DA determination and approval process;

(b) undertake regular monitoring of DA workloads to ensure applicants’ requirements are met within prescribed timeframes;

(c) ensure staff in the DA assessment and processing areas are appropriately oversighted to avoid negative health impacts arising from stressful workload levels;

(d) provide a report for each quarter on DA assessment and processing that details the following:

(i) staffing strength at the beginning of the quarter, staff departures from the DA assessment area during the quarter, staff recruited or added to the assessment area during the quarter, and staff strength at the end of each quarter;
(ii) number of staff in each quarter on leave, including sick leave and other categories of leave;

(iii) the average number of DAs processes by each assessor during the quarter; and

(iv) the number of DAs waiting for processing at the beginning of the quarter, the number received during the quarter, the number processed during the quarter and the number outstanding at the end of the quarter; and

(e) that the report detailed above be provided commencing with the June quarter 2019.

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**

2140, 2312, 2411, 2423, 2424, 2427, 2429, 2441, 2445, 2446, 2487, 2491, 2497, 2498, 2501, 2502.

T Duncan  
Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

14 May 2019

Direct alignment of Light Rail stage 2—Minister for Transport—Petition lodged by Ms Le Couteur (Pet 13-18).
15 May 2019

Direct alignment of Light Rail stage 2—Minister for Transport—Petition lodged by Ms Le Couteur (Pet 3-19).

18 June 2019

Tree replanting program—Minister for City Services—Petitions lodged by Ms Le Couteur (Pet 1-19 and Pet 7-19).

20 June 2019

Viable public transport for ANU—Minister for Transport—Petition lodged by Mrs Kikkert (Pet 6-19).

13 August 2019

Opposition to the Motor Accident Injuries Bill 2019—Treasurer—Petition lodged by Mr Coe (Pet 11-19).

14 August 2019

Bus services for Belconnen students—Minister for Transport—Petitions lodged by Mrs Kikkert (Pet 9-19 and 12-19).

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; amended 26 October 2017 and 20 September 2018): Mr Hanson (Chair), Ms Orr, Mr Pettersson.
EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE: *(Formed 13 December 2016; amended 20 September 2018)*: Mr Pettersson (Chair), Mrs Kikkert, Ms Lee.

ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE: *(Formed 13 December 2016; amended 20 September 2018)*: Ms Orr (Chair), Miss C Burch, Mr Milligan.

HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE: *(Formed 13 December 2016; amended 20 September 2018)*: Ms Cody (Chair), Mrs Dunne, Ms Le Couteur.

INTEGRITY COMMISSION—STANDING COMMITTEE: *(Formed 29 November 2018)*: Ms Lee (Chair), Ms Cheyne, Ms Le Couteur.

JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE: *(Formed 13 December 2016; amended 20 September 2018)*: Mrs Jones (Chair), Ms Cody, Mr Pettersson.

PLANNING AND URBAN RENEWAL—STANDING COMMITTEE: *(Formed 13 December 2016; amended 20 September 2018)*: Ms Le Couteur (Chair), Ms Orr, Mr Parton.

PUBLIC ACCOUNTS: *(Formed 13 December 2016; amended 26 October 2017 and 20 September 2018)*: Mrs Dunne (Chair), Ms Cheyne, Ms Cody, Ms Lawder.

Select

ESTIMATES 2019-2020—SELECT COMMITTEE: *(Formed 21 February 2019)*: Miss C Burch (Chair), Ms Cody, Mrs Jones, Ms Le Couteur, Mr Pettersson.

FUEL PRICING—SELECT COMMITTEE: *(Formed 14 February 2019)*: Ms Cheyne (Chair), Mr Parton, Mr Wall.

PRIVILEGES 2019—SELECT COMMITTEE: *(Formed 4 April 2019)*: Mr Pettersson (Chair), Mr Rattenbury, Mr Wall.

Dissolved

2016 ACT ELECTION AND ELECTORAL ACT—SELECT COMMITTEE: *(Formed 15 December 2016)*: Ms Cody (Chair), Ms Cheyne, Ms Le Couteur, Mr Milligan, Mr Wall. *(Presented 30 November 2017)*

END OF LIFE CHOICES IN THE ACT—SELECT COMMITTEE: *(Formed 30 November 2017)*: Ms Cody (Chair), Ms Cheyne, Mrs Dunne, Mrs Kikkert, Ms Le Couteur. *(Presented 21 March 2019)*
ESTIMATES 2017-2018—SELECT COMMITTEE: (Formed 16 February 2017): Mr Wall (Chair),
Ms Cody, Mr Coe, Ms Le Couteur, Mr Pettersson. (Presented 1 August 2017)

ESTIMATES 2018-2019—SELECT COMMITTEE: (Formed 22 March 2018): Mr Wall (Chair),
Ms Cheyne, Ms Le Couteur, Ms Lee, Ms Orr. (Presented 31 July 2018)

INDEPENDENT INTEGRITY COMMISSION—SELECT COMMITTEE: (Formed 15 December 2016;
amended 6 June 2017): Mr Rattenbury (Chair), Ms Cody, Mrs Jones, Ms Lee, Mr Steel.
(Presented 31 October 2017)

INDEPENDENT INTEGRITY COMMISSION 2018—SELECT COMMITTEE: (Formed 6 June 2018):
Mr Rattenbury (Chair), Ms Cody, Mrs Dunne, Ms Lee, Mr Steel. (Presented 31 October 2018)

PRIVILEGES 2018—SELECT COMMITTEE: (Formed 12 April 2018): Mr Rattenbury (Chair),
Ms Cheyne, Mr Wall. (Presented 31 July 2018)