



Legislative Assembly for the Australian Capital Territory

2020-2021-2022

Notice Paper

No 40

Wednesday, 23 March 2022

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Notice

- *1 **MR BARR:** To move—That this Assembly:
- (1) voices support for the democratically elected Ukrainian Government, the Ukrainian people and Canberra's Ukrainian community; and
 - (2) requests the Speaker convey to the Ukrainian Government, via the Embassy in Canberra, the support of this Assembly expressed in this motion. *(Notice given 22 March 2022. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **CRIMES (POLICING) LEGISLATION AMENDMENT BILL 2021:** *(Minister for Police and Emergency Services): Agreement in principle—Resumption of debate (from 1 December 2021—Mr Hanson).*
- 2 **ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021:** *(Minister for Transport and City Services): Agreement in principle—Resumption of debate (from 5 August 2021—Mr Parton).*

- 3 **COAG LEGISLATION AMENDMENT BILL 2021:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 4 August 2021—Ms Lee*).
- 4 **FINANCIAL MANAGEMENT AMENDMENT BILL 2021 (NO 2):** (*Minister for Industrial Relations and Workplace Safety*): Agreement in principle—Resumption of debate (*from 1 December 2021—Mr Cain*).
- 5 **ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021 (NO 2):** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 1 December 2021—Mr Parton*).
- 6 **PUBLIC HEALTH AMENDMENT BILL 2021 (NO 2):** (*Chief Minister and Minister for Health*): Agreement in principle—Resumption of debate (*from 2 December 2021—Ms Lee*).
- 7 **FAMILY VIOLENCE LEGISLATION AMENDMENT BILL 2022:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 10 February 2022—Mr Cain*).
- 8 **DOMESTIC ANIMALS LEGISLATION AMENDMENT BILL 2022:** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 10 February 2022—Ms Lawder*).
- 9 **ABORIGINAL AND TORRES STRAIT ISLANDER LED REVIEW—OVERREPRESENTATION IN THE TERRITORY'S JUSTICE SYSTEM—GOVERNMENT RESPONSE TO RESOLUTION OF THE ASSEMBLY—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 8 October 2021—Mrs Kikkert*) on the motion of Mr Gentleman—That the Assembly take note of the paper.

PRIVATE MEMBERS' BUSINESS

Notices

- 1 **MS CASTLEY:** To move—That this Assembly:
 - (1) notes:
 - (a) defibrillators save lives. St John Ambulance estimates that each year more than 100 Canberrans' lives could be saved from sudden cardiac arrest (SCA) if defibrillators were installed in ACT government schools and workplaces;
 - (b) currently there is no requirement for defibrillators in ACT government schools or workplaces;
 - (c) the cost of a defibrillator and installation is \$2,500. It would cost \$250,000 to provide 100 defibrillators in government schools and workplaces (some schools have already installed them using their own limited funds);

- (d) rolling out defibrillators in all government schools and workplaces is supported by St John Ambulance, Australian Red Cross and the Heart Foundation; and
- (e) it is estimated more than 30,000 Australians suffer from SCA every year of which only five percent survive. The chances of survival decrease by up to 10 percent for every minute that passes; and
- (2) calls on the ACT Government to to:
 - (a) lead the nation on this important health and community issue by putting a defibrillator in every ACT government school and building/workplace;
 - (b) legislate to mandate defibrillators in all ACT government schools and government workplaces;
 - (c) prepare and deliver a public education campaign, in consultation with St John Ambulance and the Heart Foundation, to raise awareness of the use of (and access to) defibrillators to save lives; and
 - (d) examine installing defibrillators on all ACT buses (we already have defibrillators on our 14 trams thanks to funding from Rotary Gungahlin) and report back to the Assembly before the May sitting period. *(Notice given 21 March 2022. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

2 **MR PETTERSSON:** To move—That this Assembly:

- (1) notes that:
 - (a) as a result of the national issue of affordable and accessible housing, many people face the likelihood of having to rent for most of or all of their life;
 - (b) there is currently a power imbalance between landlords and tenants, resulting in many tenants feeling forced to accept sub-standard or poor living conditions; and
 - (c) landlords will often ask tenants for extensive background information on their income, employment situation, rental history and references; whereas tenants can obtain little-to-no information about their landlord and their treatment of previous tenants;
- (2) acknowledges:
 - (a) the work of the ACT Government to improve rights of tenants, including:
 - (i) capping rent increases;
 - (ii) strengthening tenants' rights to have a pet;
 - (iii) allowing tenants the freedom to make minor modifications to their home;
 - (iv) providing a fairer method for calculating break lease fees;

- (v) lowering upfront costs by limiting the amount of advance rent a landlord can request;
 - (vi) facilitated share housing arrangements by making it easier to change who is listed on a tenancy agreement while the tenancy agreement continues; and
 - (vii) raising minimum standards for rental homes;
- (b) that the ACT Government has successfully attracted Build to Rent projects that will improve the local rental market; and
- (c) that the ACT Government is continuing to progress its commitment to amend the Residential Tenancies Act to end no cause evictions under the Parliamentary and Governance Agreement, and related reforms to better protect tenants; and
- (3) calls on the ACT Government to:
 - (a) review the information imbalance that exists between landlords and tenants, and consider whether prospective tenants should be given the right to receive references from landlords' previous tenants, and report back to the Assembly on this matter during the November 2022 sitting period; and
 - (b) reaffirm its ongoing commitment to improving the rights of renters in the ACT. (*Notice given 21 March 2022. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

3 MR BRADDOCK: To move—That this Assembly:

- (1) notes that:
 - (a) the ACT Government's compliance model is based on a model of Engage, Educate, Enforce, with the following key principles:
 - (i) risk-based;
 - (ii) proportionate;
 - (iii) effective; and
 - (iv) accountable;
 - (b) ACT Government legislation contains penalties in the form of fines for a wide range of offences varying in severity from serious offences to minor transgressions. Non-payment of fines can result in:
 - (i) further financial penalties regardless of the offender's ability to pay; and
 - (ii) interaction with the criminal justice system;
 - (c) the application of these penalties, and any consequential court action for non-payment of fines, may be inconsistent with the ACT Government's compliance model and its principles;

- (d) the ACT Government has taken steps to mitigate those harms, including enabling alternatives to paying fines, and payment plans. Despite this, vulnerable Canberrans still end up in the criminal justice system due to non-payment of fines for minor transgressions; and
- (e) nationally, abundant evidence demonstrates that fines have disproportionate and serious impacts on marginalised communities, including Aboriginal and Torres Strait Islanders, young people, detainees, and those who are on welfare, homeless or live with disabilities and mental health issues; and
- (2) calls on the ACT Government to:
 - (a) perform a cost/benefit analysis to the current compliance and enforcement system for those who fail to pay fines for minor transgressions;
 - (b) compile/canvass alternative options to compliance that may encourage greater commitment to social responsibility, reduce administrative burden, and ensure equity; and
 - (c) report back to the Assembly by 30 September 2022. (*Notice given 21 March 2022. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

4 **MS LEE:** To move—That this Assembly:

- (1) notes that the:
 - (a) ACT Auditor-General’s Report No. 13/2021 identified serious probity issues in procurement practices for the Campbell Primary School Modernisation Project; and
 - (b) ACT Integrity Commissioner has publicly stated that the probity problems identified by the Auditor-General are “likely to be endemic” in the ACT Government;
- (2) recognises that:
 - (a) the concerns raised by the Auditor-General are serious, and require the ACT Government to review and make necessary changes to its procurement culture, processes and practice; and
 - (b) Canberrans deserve assurance that their tax dollars are being used by the ACT Government to provide the best value for money; and
- (3) calls on the ACT Government to:
 - (a) commission an independent audit of all ACT Government procurements contracted from 2016-17 to the present;
 - (b) table the audit terms of reference and the identity of the appointed auditor in the Assembly by the next sitting; and
 - (c) table the audit report in full in the Assembly within seven days of receiving it from the independent auditor. (*Notice given 21 March 2022. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

Orders of the day

- 1 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021:**
(Mr Pettersson): Agreement in principle—Resumption of debate (from 11 February 2021—Ms Stephen-Smith).
- 2 **ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2):** *(Ms Clay): Agreement in principle—Resumption of debate (from 22 June 2021—Mr Steel).*
- 3 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:**
(Mr Cain): Agreement in principle—Resumption of debate (from 9 November 2021—Mr Gentleman).
- 4 **CORRECTIONS MANAGEMENT AMENDMENT BILL 2021:** *(Mrs Kikkert): Agreement in principle—Resumption of debate (from 25 November 2021—Mr Gentleman).*
- 5 **PUBLIC PLACE NAMES AMENDMENT BILL 2021:** *(Dr Paterson): Agreement in principle—Resumption of debate (from 30 November 2021—Mr Gentleman).*
- 6 **ELECTORAL AMENDMENT BILL 2021:** *(Mr Davis and Mr Braddock): Agreement in principle—Resumption of debate (from 2 December—Mr Steel).*
- 7 **CRIMES (CONSENT) AMENDMENT BILL 2022:** *(Dr Paterson): Agreement in principle—Resumption of debate (from 8 February 2022—Mr Rattenbury).*

ASSEMBLY BUSINESS

Notices

- 1 **MS VASSAROTTI:** To move—That this Assembly:
 - (1) notes:
 - (a) in June 2020, Minister Gentleman (the then Minister for the Environment) was approached by representatives from Geoscience Australia, the Australian Marine Sciences Association, and the Geological Society of Australia (ACT Division) proposing the adoption of a fossil emblem for the ACT;
 - (b) Minister Gentleman endorsed the proposal put forward;
 - (c) during September and October 2020, the public voted on five expertly selected fossils relevant to the ACT. A total of 1,135 votes were cast;
 - (d) on 21 October 2020, Minister Gentleman announced the trilobite *Batocara mitchelli* as the winner of the public selection process;
 - (e) fossil emblems have been adopted in Western Australia, New South Wales and South Australia, with Victoria set to ratify a fossil emblem following a public vote; and

- (f) a fossil emblem will complement the existing suite of Territory emblems including the Royal Bluebell (floral), Southern Brush-tailed Rock Wallaby (mammal) and the Gang-Gang Cockatoo (faunal) in representing the ACT's rich and diverse natural values;
- (2) agrees to refer consideration of the adoption of an ACT fossil emblem to the Standing Committee on Environment, Climate Change and Biodiversity; and
- (3) calls on the Standing Committee on Environment, Climate Change and Biodiversity to inquire and report on the adoption of a fossil emblem, with due regard to the publicly voted fossil emblem, trilobite *Batocara mitchelli*. *(Notice given 21 March 2022. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

2 **MR DAVIS:** To move—That this Assembly:

- (1) notes that:
 - (a) property price rises in the last five years have outstripped the long-term average and have exacerbated issues of housing and rental affordability in the ACT;
 - (b) in 2018, after advocacy from former ACT Greens MLA, Caroline Le Couteur, the ACT Government extended land tax to vacant dwellings in addition to rented properties and included subsequent exemptions for certain properties which may have legitimate reasons for being vacant;
 - (c) the ACT has a rental vacancy rate below one percent which is increasing rent prices;
 - (d) the rental vacancy rate calculation does not include properties intentionally left vacant;
 - (e) artificial supply constraints such as leaving habitable dwellings intentionally vacant for speculative future gains are a contributing factor to the housing and rental affordability crisis;
 - (f) levying additional taxation upon intentionally vacant dwellings in line with the long-term average annual price increase of approximately five percent per annum of improved (market) value would make keeping residential dwellings intentionally vacant unprofitable, therefore bringing that housing supply back into the rental or housing market;
 - (g) the Queensland Greens campaigned on a five percent improved capital value vacancy levy for Brisbane City during the 2017 State election;
 - (h) the Victorian Labor Government introduced a one percent improved capital value vacancy levy in 2018 for Metro Melbourne and the NSW Labor Opposition also had this policy as part of their 2019 election platform; and
 - (i) a vacancy tax is an effective lever available to the ACT Government to rapidly increase our city's housing stock;

- (2) further notes that:
 - (a) many local shopping centres around the ACT have been left untenanted for many years leaving communities without a local shopping centre;
 - (b) this has an impact on the vibrancy of communities and the liveability of a suburb to low-income people and families;
 - (c) lack of affordable commercial rentals influences the capacity for ACT small businesses to thrive and help rejuvenate local centres; and
 - (d) there are a range of opportunities available to the ACT Government to incentivise commercial landlords to regenerate these shopping centres including introducing new taxation policies on vacant commercial sites;
- (3) refers this matter for an inquiry to the Standing Committee on Economy and Gender and Economic Equality to investigate legislative reforms, regulatory levers, and creative mechanisms available to the ACT Government to reduce the number of vacant properties and commercial sites;
- (4) requests the Committee in conducting its inquiry to have regard to:
 - (a) the rapidly increasing cost of renting or buying a home in the Territory;
 - (b) the impact of intentionally vacant habitable dwellings on the housing and rental affordability crisis in Canberra;
 - (c) the ways to determine whether a residential property is vacant;
 - (d) the impact of intentionally vacant habitable dwellings on the land release program and development in greenfield areas;
 - (e) how we may reinvigorate local shopping centres by addressing long-term commercial vacancies at these sites using a vacancy tax; and
 - (f) options for changes to legislation or taxation of vacant habitable dwellings in the ACT and the impact of this on the cost of housing; and
- (5) requests the Committee to report back to the Assembly by 27 January 2023. *(Notice given 21 March 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **ESTIMATES 2022-2023—SELECT COMMITTEE—PROPOSED ESTABLISHMENT:**
Resumption of debate *(from 10 February 2022—Mr Rattenbury)* on the motion of Ms Lawder—That:

- (1) a Select Committee on Estimates 2022-2023 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2022-2023, the Appropriation (Office of the Legislative Assembly) Bill 2022-2023 and any revenue estimates proposed by the Government in the 2022-2023 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
 - (a) two Members to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) one Member to be nominated by the Greens; and
 to be notified in writing to the Speaker within two hours of this motion passing;
- (3) an Opposition Member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee is to report by Friday 29 July 2022;
- (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

2 **LEGISLATION (LEGISLATIVE ASSEMBLY COMMITTEES) AMENDMENT BILL 2022:** (*Speaker*): Agreement in principle—Resumption of debate (*from 10 February 2022—Ms Lawder*).

3 **PROPOSED AMENDMENT TO STANDING ORDER 113A:** Resumption of debate (*from 16 September 2021—Mr Rattenbury*) on the motion of Mr Hanson—That standing order 113A be amended by omitting “all non-Executive Members seeking to speak have asked at least one question” and substituting “nine original questions have been asked by any Opposition Member, and other non-Executive Members seeking to speak have asked at least one question”.

31 May 2022

4 **STANDING COMMITTEES:** Presentation of reports on calendar and financial year annual and financial reports for 2020-2021, pursuant to order of the Assembly of 2 December 2020, as amended 11 February, 30 March, 22 April and 16 September 2021.

30 September 2022

- 5 **EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE:**
Presentation of report on the prevalence of and, mechanisms for, reporting of vilification and threats of physical violence on persons in the Territory, pursuant to order of the Assembly of 11 November 2021.
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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/parliamentary-business/in-the-chamber/chamber-documents.

Unanswered questions

506, 587-623, 625, 647, 648, 651, 662.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

10 May 2022

Proposed installation of speed limit signs on Bateman Street, Kambah—Minister for Transport and City Services—Petition lodged by Mr Davis (Pet 1-22).

Proposed inquiry into use of Auslan—Minister for Disability—Petition lodged by Ms Lawder (Pet 33-21). (*Referred to Standing Committee on Education and Community Inclusion on 8 February 2022.*)

12 May 2022

Moncrieff drying pit removal—Minister for Transport and City Services—Petition lodged by Mr Braddock (Pet 49-21). (*Referred to Standing Committee on Planning, Transport and City Services on 10 February 2022.*)

Gungahlin skate park—Refurbishment—Minister for Transport and City Services—Petition lodged by Mr Braddock (Pet 51-21). *(Referred to Standing Committee on Planning, Transport and City Services on 10 February 2022.)*

21 June 2022

Public space advertising—Minister for Transport and City Services—Petition lodged by Ms Clay (Pet 35-21). *(Referred to Standing Committee on Planning, Transport and City Services on 22 March 2022.)*

Extension of Reid oval fencing—Minister for Transport and City Services—Petition lodged by Mr Rattenbury (Pet 39-21).

Free rapid antigen tests for community language schools—Minister for Education and Youth Affairs—Petition lodged by Mr Braddock (Pet 3-22).

COMMITTEES

Unless otherwise shown, appointed for the life of the Tenth 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 3 November 2020):* The Speaker (Chair), Mr Braddock, Ms Lawder, Ms Orr.

Pursuant to resolution

ECONOMY AND GENDER AND ECONOMIC EQUALITY: *(Formed 2 December 2020):* Ms Lawder (Chair), Mr Davis, Ms Orr.

EDUCATION AND COMMUNITY INCLUSION: *(Formed 2 December 2020):* Mr Pettersson (Chair), Ms Lawder, Mr Davis.

ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY: *(Formed 2 December 2020):* Dr Paterson (Chair), Ms Castley, Ms Clay.

HEALTH AND COMMUNITY WELLBEING: *(Formed 2 December 2020):* Mr Davis (Chair), Mr Milligan, Mr Pettersson.

JUSTICE AND COMMUNITY SAFETY: *(Formed 2 December 2020):* Mr Cain (Chair), Mr Braddock, Dr Paterson.

PLANNING, TRANSPORT AND CITY SERVICES: *(Formed 2 December 2020):* Ms Clay (Chair), Mr Parton, Ms Orr.

PUBLIC ACCOUNTS: *(Formed 2 December 2020):* Mrs Kikkert (Chair), Mr Braddock, Mr Pettersson.

Dissolved

COVID-19 2021 PANDEMIC RESPONSE: *(Formed 16 September 2021):* Ms Lee (Chair), Ms Clay, Ms Orr. *(Presented 2 December 2021)*

DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021: *(Formed 11 February 2021):* Mr Cain (Chair), Mr Davis, Dr Paterson. *(Presented 30 November 2021)*
