



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2012–2013–2014–2015

MINUTES OF PROCEEDINGS

No. 116

WEDNESDAY, 23 SEPTEMBER 2015

1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mrs Dunne) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 COTTER ROAD DUPLICATION

Mrs Jones, pursuant to notice, moved—That this Assembly calls on the ACT Government to support the duplication of Cotter Road from McCulloch Street to Tuggeranong Parkway.

Mr Rattenbury moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes that the ACT Government:

- (a) is committed to meeting sustainable transport mode shift targets through its *Transport for Canberra* plan;
- (b) is investing in public transport and active transport options for Molonglo residents, which may mitigate the need for road upgrades in coming years;
- (c) has introduced bus services to the first Molonglo suburbs which have received good patronage and growth; and
- (d) has already undertaken feasibility and design studies for Cotter Road stage 2; and

(2) calls on the ACT Government to analyse the case for duplicating Cotter Road in the context of:

- (a) the commitment to meeting the sustainable transport mode shift targets in the Government’s *Transport for Canberra* plan;



- (b) the cost of the duplication, compared with other budget priorities and community needs;
- (c) technical traffic assessments, which suggest duplication does not need to be considered for several years; and
- (d) alternative transport options, such as improvements to the public transport network, and how this may mitigate the need for road upgrades.”.

Debate continued.

Amendment negatived.

Question—That the motion be agreed to—put and passed.

3 NATIONAL BROADBAND NETWORK ROLLOUT

Ms Fitzharris, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) the National Broadband Network (NBN), as developed and commenced by the former Federal Labor Government, was designed to increase national productivity, enable new industries, improve health and education services, better connect our regions and cities, strengthen business competitiveness, and provide Australians with new leisure services and entertainment products;
 - (b) Canberra is one of the 19 designated early NBN rollout sites across the country;
 - (c) Canberra residents have connected to NBN at a very high rate;
 - (d) there are currently approximately 120 contractors and subcontractors who have been hired to roll out the NBN in the Canberra region, constituting a major driver of local economic activity in the construction phase;
 - (e) the NBN is a critical component of the ACT Government’s Digital Canberra strategy to directly improve the productivity, connectivity and liveability of the city; and
 - (f) current Australian Government policy has seen the delayed rollout of a weaker multi-technology NBN mix, along with a cost blow-out of up to \$15 billion, which has resulted in a lack of access to the NBN in the Canberra CBD and Canberra’s regions and suburbs being split by a “digital divide”; and
- (2) calls on the ACT Government to:
 - (a) continue to invest in Canberra’s future through Digital Canberra;
 - (b) express its concern at the delayed, unequal and unclear access to the NBN for Canberra residents, both within Canberra suburbs and across Canberra regions; and
 - (c) write to the new Minister for Communications, Senator the Honourable Mitch Fifield, noting the ACT Legislative Assembly’s concern and seeking clarity about the future status of the NBN rollout in the ACT.

Debate ensued.

Question—put and passed.

4 ALEXANDER MACONOCHIE CENTRE—SECURITY AND MANAGEMENT PRACTICES

Mr Wall, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the construction of new accommodation facilities at the Alexander Maconochie Centre (AMC) designed to accommodate an additional 140 inmates by 2016 and alleviate overcrowding at the AMC;
 - (b) the ongoing issues with security breaches at the AMC;
 - (c) the ongoing prevalence of illicit drugs and contraband within the AMC; and
 - (d) the prevalence of illicit drug use and drugs is influencing sentencing decisions made by the ACT court system; and
- (2) calls on the ACT Government to implement a thorough review of security and management practices at the AMC to ensure existing issues do not continue in the expanded facilities.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 7	
Mr Coe	Mr Smyth	Ms Berry	Ms Fitzharris
Mr Doszpot	Mr Wall	Dr Bourke	Mr Gentleman
Mrs Dunne		Ms Burch	Mr Rattenbury
Ms Lawder		Mr Corbell	

And so it was negatived.

5 QUESTIONS

Questions without notice were asked.

6 CANBERRA-BEIJING SISTER CITY RELATIONSHIP

Mr Smyth, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) this month marks the 15th anniversary of the debate that gave the ACT Legislative Assembly's approval for the establishment of the Canberra-Beijing Sister City relationship and its ongoing success;
 - (b) two per cent of Canberra's population was born in China, and that Mandarin is the most commonly spoken language in Canberra after English;
 - (c) Chinese students form the largest international student group at Canberra campuses with approximately 5500 students enrolled in our education system; and

- (d) Chinese tourists have a high awareness of Canberra and a strong desire to visit our city, which is supported by Tourism Research Australia data that indicates Canberra received around 29 000 Chinese visitors in the year ending December 2014;
- (2) notes the Chief Minister's statements that:
- (a) the sister city relationship Canberra shares with Beijing has been a highly collaborative, beneficial and rewarding relationship throughout its 15-year history;
- (b) each time an ACT trade mission travels to Beijing we are provided with enormous hospitality and access to Chinese officials at the highest levels as a result of the Canberra-Beijing Sister City Agreement; and
- (c) the China-Australia Free Trade Agreement (ChAFTA) presents major trade and export opportunities for the ACT in tourism, education, healthcare and professional services sectors; and
- (3) calls on the Government to:
- (a) affirm the motion presented by former Chief Minister Kate Carnell in 2000 to establish the Canberra-Beijing Sister City relationship;
- (b) continue to progress the Canberra-Beijing Sister City relationship to foster trade, education, cultural and tourism opportunities between our two cities; and
- (c) support ChAFTA as part of the ACT's high level priorities of transport reform, ongoing urban renewal and continuing work to build Canberra as Australia's premier knowledge capital.

Mr Barr (Minister for Economic Development) moved the following amendment: Omit subparagraph (3)(c), substitute:

- “(c) support ChAFTA as part of the ACT's high level priorities of transport reform, ongoing urban renewal and continuing work to build Canberra as Australia's premier knowledge capital subject to the Commonwealth passing legislation obliging all Australian governments to apply labour market testing.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 7		NOES, 8	
Mr Barr	Mr Corbell	Mr Coe	Ms Lawder
Ms Berry	Ms Fitzharris	Mr Doszpot	Mr Rattenbury
Dr Bourke	Mr Gentleman	Mrs Dunne	Mr Smyth
Ms Burch		Mr Hanson	Mr Wall

And so it was negatived.

The debate having been closed by the reply of the mover—Mr Barr, by leave, moved the following amendment: Omit paragraph (3)(c).

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 7	
Mr Barr	Mr Corbell	Mr Coe	Ms Lawder
Ms Berry	Ms Fitzharris	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Gentleman	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) this month marks the 15th anniversary of the debate that gave the ACT Legislative Assembly’s approval for the establishment of the Canberra-Beijing Sister City relationship and its ongoing success;
 - (b) two per cent of Canberra’s population was born in China, and that Mandarin is the most commonly spoken language in Canberra after English;
 - (c) Chinese students form the largest international student group at Canberra campuses with approximately 5500 students enrolled in our education system; and
 - (d) Chinese tourists have a high awareness of Canberra and a strong desire to visit our city, which is supported by Tourism Research Australia data that indicates Canberra received around 29 000 Chinese visitors in the year ending December 2014;
- (2) notes the Chief Minister’s statements that:
 - (a) the sister city relationship Canberra shares with Beijing has been a highly collaborative, beneficial and rewarding relationship throughout its 15-year history;
 - (b) each time an ACT trade mission travels to Beijing we are provided with enormous hospitality and access to Chinese officials at the highest levels as a result of the Canberra-Beijing Sister City Agreement; and
 - (c) the China-Australia Free Trade Agreement (ChAFTA) presents major trade and export opportunities for the ACT in tourism, education, healthcare and professional services sectors; and
- (3) calls on the Government to:
 - (a) affirm the motion presented by former Chief Minister Kate Carnell in 2000 to establish the Canberra-Beijing Sister City relationship; and
 - (b) continue to progress the Canberra-Beijing Sister City relationship to foster trade, education, cultural and tourism opportunities between our two cities.”—

be agreed to—put and passed.

7 MULTICULTURALISM

Dr Bourke, pursuant to notice, moved—That this Assembly:

- (1) notes the:
 - (a) wealth of cultures which make up the ACT community;
 - (b) importance of cultural awareness and celebration in promoting harmony, understanding and inclusion;
 - (c) contribution of members of the public, community groups, business leaders, social enterprise and political leaders to the success of multiculturalism in the ACT; and
 - (d) significant contribution of multiculturalism to enhancing the social, economic, cultural and civic development of the ACT and the wellbeing of all Canberrans;
- (2) welcomes the:
 - (a) ACT Government's commitment to promoting multiculturalism and supporting culturally and linguistically diverse Canberrans;
 - (b) ACT Government's decision to bring back the Windows to the World centenary initiative in 2015 during the Floriade festival;
 - (c) opportunities for the community to engage with the Government about multiculturalism through forums such as the One Canberra Multicultural Symposium, the 2014 ACT Multicultural Summit and Capital Culture discussion paper; and
 - (d) enthusiasm of Canberrans to support events that promote and celebrate our city's rich cultural diversity, such as Windows to the World, the National Multicultural Festival and the many other cultural activities throughout the year across Canberra; and
- (3) calls on the ACT Government to:
 - (a) continue its commitment to supporting refugees, migrants and multicultural communities; and
 - (b) continue the work it's doing to promote cultural awareness, inclusion and social harmony in our community.

Debate ensued.

Question—put and passed.

8 SOLAR ACCESS RULES

Mr Coe, pursuant to notice, moved—That this Assembly:

- (1) notes, regarding the Government's solar access rules, that:
 - (a) the controversial rules were brought in with strong concerns raised by many in the community, including the Planning Institute, Property Council, Institute of Architects, Institute of Landscape Architects, Housing Industry Association and Master Builders Australia;
 - (b) as a result of the variation, estate plans are sub-optimally designed featuring energy inefficient houses;

- (c) many new homes cannot be positioned with a northerly aspect;
 - (d) many home owners are spending large sums of money to excavate blocks so that houses are lowered below the natural ground-level in order to comply with the rules;
 - (e) the impact of the variation will be permanent due to the influence it has had on estate plans; and
 - (f) the cost of the solar rules is estimated to be between \$15 000 and \$50 000 per house; and
- (2) calls on the Government to repeal the solar access rules and replace it with:
- (a) a simple building envelope; or
 - (b) a significantly increased solar fence.

Mr Gentleman (Minister for Planning) moved the following amendment: Omit all words after “notes”, substitute:

- “(1) the Government reaffirms its support for the principle of solar access in residential planning codes;
- (2) the changes introduced under Variation 306 sought to significantly improve solar access and provide certainty to homeowners that opportunities for passive solar design and active solar technologies would be available to all residential blocks; and
- (3) a process of review is underway to refine the solar access requirements whilst maintaining the important policy objective. This will include consultation with key industry bodies, including the Planning Institute, Property Council of the ACT, Institute of Landscape Architects, Housing Industry Association and Master Builders Australia.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 6		NOES, 5	
Ms Berry	Mr Corbell	Mr Coe	Ms Lawder
Dr Bourke	Mr Gentleman	Mr Doszpot	Mr Wall
Ms Burch	Mr Rattenbury	Mrs Dunne	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly notes:

- (1) the Government reaffirms its support for the principle of solar access in residential planning codes;
- (2) the changes introduced under Variation 306 sought to significantly improve solar access and provide certainty to homeowners that opportunities for passive solar design and active solar technologies would be available to all residential blocks; and

- (3) a process of review is underway to refine the solar access requirements whilst maintaining the important policy objective. This will include consultation with key industry bodies, including the Planning Institute, Property Council of the ACT, Institute of Landscape Architects, Housing Industry Association and Master Builders Australia.”—

be agreed to—put and passed.

9 ADJOURNMENT

Ms Burch (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.12 p.m., adjourned until tomorrow at 10 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Ms Porter*.

*on leave

M M KIERMAIER
Acting Clerk of the Legislative Assembly