



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017

MINUTES OF PROCEEDINGS

No 36

WEDNESDAY, 25 OCTOBER 2017

1 The Assembly met at 10 am, pursuant to adjournment. A quorum of Members not being present, the Speaker (Ms Burch) ordered the bells to be rung. A quorum having been formed, the Speaker 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 RED HILL OPEN SPACE AREA AND ENVIRONS

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

- (1) notes that:
 - (a) the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
 - (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
 - (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial crown leases in Deakin;
 - (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;
 - (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
 - (f) a number of community groups have been involved in the Government-run Federal Golf Club Community Panel including:



- (i) Conservation Council ACT Region;
 - (ii) Deakin Residents Association;
 - (iii) Friends of the Grassland ACT;
 - (iv) Garran and Hughes Residents Action Group;
 - (v) Hughes Residents Association;
 - (vi) Council on the Ageing; and
 - (vii) Red Hill Regenerators;
- (g) no overall planning and direction exists for the whole of the Red Hill Open Space area and developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
- (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
- (i) the Panel has been disbanded by the Government after only three meetings, and a number of issues remain unresolved according to the Community Panel;
- (j) neither the Panel, nor the wider community, have seen any final report summarising the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill, including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
- (k) while Panel members lobbied for a master plan for the area, in his presentation of a draft panel report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the master planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and
- (2) calls on the ACT Government to:
- (a) refer the overall planning of the Red Hill Open Space area and environs to the Standing Committee on Planning and Urban Renewal to:
 - (i) investigate the current planning approach to the area and review how a holistic and integrated strategy for development of Red Hill Open Space area would be of benefit to community;
 - (ii) make recommendations to any changes to the planning direction of the Red Hill Open Space area;
 - (iii) consider whether a masterplan or similar approach for the Red Hill Open Space area is appropriate;

- (iv) take into account all implications of development within the Red Hill Open Space area, including road access and public transport options and opportunities;
 - (v) review the appropriateness of retaining existing green spaces in Hughes, Deakin and Garran;
 - (vi) consider how best to protect the Red Hill Nature Reserve;
 - (vii) consult widely with the community in a public forum to ensure that all relevant matters are considered; and
 - (viii) report back to the Assembly by June 2018; and
- (b) suspend all development activity in the Red Hill environs until the Committee report and government response have been received and publicly available.

Mr Gentleman (Minister for Planning and Land Management) moved the following amendment: Omit paragraphs (1) and (2), substitute:

“(1) notes that:

- (a) the Federal Golf Club has publicly announced a proposal to redevelop part of the existing site for retirement housing;
- (b) the current proposal is still in a formative stage and the proponent has not lodged a development application, a request to vary the Territory Plan or a request to vary their existing lease;
- (c) the Environment, Planning and Sustainable Development Directorate convened a community panel to facilitate early engagement between the proponent and the community on issues raised by the proposal;
- (d) the community panel was chaired by a Deputy Director-General from the Directorate;
- (e) the community panel was always described as being conducted over three meetings and had the purpose of allowing voices to be heard, questions to be asked, and robust answers to those questions provided;
- (f) the Directorate endeavoured to ensure that all the right voices were heard by specifically inviting known stakeholder groups to participate, including resident groups, environmental groups and non-government organisations, such as the Council on Ageing;
- (g) in the course of the community panel meetings, several community association representatives praised the proponents for the level of openness they were displaying in sharing information about their proposal, while a number of environmental groups identified the proposal as being the ‘best’ that has been developed over the years;
- (h) in finalising the community panel process, the panel chair asked panel members to help populate a list of questions that could be reported in a panel report;

- (i) a draft of the panel report was provided to members of the panel on 20 October 2017 for their consideration and review, with finalisation of the report to occur following the receipt of comments from panel members; and
 - (j) panel members have also been given the opportunity to append a statement to the main report to ensure that their views are reported in their own words, accurately and in full;
- (2) further notes that:
- (a) the community panel process does not replace the need for formal statutory consultation at any further stage of the Territory Plan Variation, lease variation or development assessment process;
 - (b) the *Planning and Development Act 2007* was recently amended to require mandatory referrals of any Territory Plan Variation to the Planning and Urban Renewal Committee for a decision on whether an inquiry will be held;
 - (c) the Federal Golf Club site that is the subject of the proposal is already zoned 'Urban Area' under the National Capital Plan;
 - (d) only the fringe areas of the Federal Golf Club lease are within bushfire prone areas and the specific area proposed for development is well away from the bushfire prone areas; and
 - (e) all developments are assessed on their merits with consideration of a wide range of factors, including the cumulative impacts of this proposal and other publicly announced proposals in the area; and
- (3) calls on the ACT Government to:
- (a) finalise and publicly release the community panel report by 16 November 2017;
 - (b) if the proponent proceeds to lodge a request for a Territory Plan Variation, lease variation or development application, assess these under the *Planning and Development Act 2007*, including the mandatory referral to the Planning and Urban Renewal Committee for all Territory Plan Variations;
 - (c) ensure that any Territory Plan Variation for Section 66, Kent Street Deakin, the Federal Golf Course and other sites adjacent to Red Hill Nature Reserve (whether in General Codes or Precinct Codes) carefully considers impacts on Red Hill Nature Reserve and surrounding residential areas to:
 - (i) protect Red Hill Nature Reserve from the impact of the proposed developments; and
 - (ii) assess and, where necessary, manage cumulative transport and amenity impacts of the proposed developments;while still enabling opportunities for urban infill, housing affordability, social housing and ageing in place; and

- (d) take steps to further promote development of proposals in close consultation with the community, using transparent and accountable mechanisms for issues to be raised, recorded and responded to.”.

Debate continued.

Amendment negatived.

Ms Le Couteur moved the following amendment: Omit paragraph (2), substitute:

“(2) calls on the ACT Government to:

- (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and
- (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
 - (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
 - (ii) addresses the joint transport and amenity impacts of the proposed developments;
 - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
 - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
 - (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
 - (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial crown leases in Deakin;
 - (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;

- (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
 - (f) a number of community groups have been involved in the Government-run Federal Golf Club Community Panel including:
 - (i) Conservation Council ACT Region;
 - (ii) Deakin Residents Association;
 - (iii) Friends of the Grassland ACT;
 - (iv) Garran and Hughes Residents Action Group;
 - (v) Hughes Residents Association;
 - (vi) Council on the Ageing; and
 - (vii) Red Hill Regenerators;
 - (g) no overall planning and direction exists for the whole of the Red Hill Open Space area and developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
 - (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
 - (i) the Panel has been disbanded by the Government after only three meetings, and a number of issues remain unresolved according to the Community Panel;
 - (j) neither the Panel, nor the wider community, have seen any final report summarising the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill, including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
 - (k) while Panel members lobbied for a master plan for the area, in his presentation of a draft panel report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the master planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and
- (2) calls on the ACT Government to:
- (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and

- (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
- (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
 - (ii) addresses the joint transport and amenity impacts of the proposed developments;
 - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
 - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support.”—

be agreed to—put and passed.

3 UNITS—METHODOLOGY FOR CALCULATING GENERAL RATES

Mr Coe (Leader of the Opposition), pursuant to notice, moved—That this Assembly does not support the Government’s recent changes to the methodology for calculating general rates paid by units.

Mr Barr (Treasurer) moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes:

- (a) the ACT Government announced changes to the methodology for calculating general rates on units in the 2016 Budget, before the last Territory election;
- (b) the Assembly has legislated this change through the passage of the *Revenue Legislation Amendment Act 2017 (No 2)* in May 2017;
- (c) the general rates calculations for multi-unit dwellings are now based on the total Average Unimproved Value (AUV) of the land rather than the AUV of the individual unit, with this change being phased in over the next two years;
- (d) the purpose of this change is to bring more equity into the tax system, as previously unit holders have paid significantly lower rates than owners of freestanding homes with equivalent market values;
- (e) under the previous methodology, this included examples such as someone with a \$500 000 unit in the City paying \$400 a year less in rates than the owner of a freestanding home worth the same amount in Charnwood;
- (f) even after the change in rates calculation methodology for units, over 90 percent of unit holders pay rates as if they were in the lowest two marginal rating categories; and

- (g) average rates on units across the ACT remain over \$900 less per year than for freestanding homes;
- (2) further notes:
- (a) the ACT Government is committed to making the Territory's budget fairer and ensuring that residents contribute equitably to funding the high quality services Canberrans expect and deserve;
- (b) the Government is monitoring the impact of the changes as these roll out, particularly on the cost of living for Canberrans and property owners who are on low or fixed incomes; and
- (c) responsible governance requires making hard decisions that are in the community's long-term interest; and
- (3) urges the Government to continue taking steps to ensure a fair and sustainable revenue base for the Territory into the future."

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 9	
Mr Barr	Mr Gentleman	Mr Coe	Ms Lee
Ms Berry	Ms Le Couteur	Mrs Dunne	Mr Parton
Ms Burch	Ms Orr	Mr Hanson	Mr Wall
Ms Cheyne	Mr Ramsay	Mrs Jones	
Ms Cody	Mr Rattenbury	Mrs Kikkert	
Ms Fitzharris	Ms Stephen-Smith	Ms Lawder	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

"That this Assembly:

- (1) notes:
- (a) the ACT Government announced changes to the methodology for calculating general rates on units in the 2016 Budget, before the last Territory election;
- (b) the Assembly has legislated this change through the passage of the *Revenue Legislation Amendment Act 2017 (No 2)* in May 2017;
- (c) the general rates calculations for multi-unit dwellings are now based on the total Average Unimproved Value (AUV) of the land rather than the AUV of the individual unit, with this change being phased in over the next two years;
- (d) the purpose of this change is to bring more equity into the tax system, as previously unit holders have paid significantly lower rates than owners of freestanding homes with equivalent market values;

- (e) under the previous methodology, this included examples such as someone with a \$500 000 unit in the City paying \$400 a year less in rates than the owner of a freestanding home worth the same amount in Charnwood;
 - (f) even after the change in rates calculation methodology for units, over 90 percent of unit holders pay rates as if they were in the lowest two marginal rating categories; and
 - (g) average rates on units across the ACT remain over \$900 less per year than for freestanding homes;
- (2) further notes:
- (a) the ACT Government is committed to making the Territory's budget fairer and ensuring that residents contribute equitably to funding the high quality services Canberrans expect and deserve;
 - (b) the Government is monitoring the impact of the changes as these roll out, particularly on the cost of living for Canberrans and property owners who are on low or fixed incomes; and
 - (c) responsible governance requires making hard decisions that are in the community's long-term interest; and
- (3) urges the Government to continue taking steps to ensure a fair and sustainable revenue base for the Territory into the future."—

be agreed to—put and passed.

4 GOVERNMENT SERVICES—INVESTMENT

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

- (1) notes:
- (a) since the Government's re-election in October 2016, it has delivered the vital services Canberrans voted for, including:
 - (i) investing in better public education by funding new schools to accommodate more students, and expanding facilities at existing schools;
 - (ii) constructing an integrated transport system across Canberra that will prevent the congestion affecting other cities, incorporate active and diverse travel options, while also building healthy lifestyles; and
 - (iii) providing essential and affordable local healthcare where people need it and investing in a health system that prepares for the future;
 - (b) also notes that we have delivered on our commitment to improve community amenities across Canberra by:
 - (i) investing in upgrades to Canberra's local arts centres and libraries;

- (ii) improving public recreational spaces, including playgrounds, sporting ovals and dog parks; and
 - (iii) undertaking refurbishment of local shopping centres allowing for improved access, parking and aesthetic; and
- (c) further notes that:
- (i) the delivery of these commitments has been done whilst balancing the ACT Budget;
 - (ii) the Budget position remains strong and provides a firm basis to deliver the Government's policy platform;
 - (iii) the ACT will be home to 425 000 residents by 2020 and the Government is preparing for this population growth by investing in the infrastructure and services needed into the future; and
 - (iv) the Government is building a progressive and welcoming city that leaves no one behind; and
- (2) acknowledges that the ACT Government will:
- (a) continue to deliver on its commitments to the ACT community and invest in the services our community expects and deserves;
 - (b) prepare for the future by shaping and building our city to ensure Canberra remains one of the most liveable cities in the world; and
 - (c) continue to implement policies in a manner consistent with a balanced Budget.

Debate ensued.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

5 QUESTIONS

Questions without notice were asked.

6 GOVERNMENT SERVICES—INVESTMENT

The order of the day having been read for the resumption of the debate on the motion of Ms Cody (*see entry 4*)—

Debate resumed.

Question—put and passed.

7 LEAVE TO MOVE NOTICE LODGED BY ANOTHER MEMBER

Notice No 4, Private Members' business, having been called on—

Mrs Kikkert was granted leave to move the motion lodged by Mr Coe (Leader of the Opposition).

8 YOUTH RECIDIVISM—DATA COLLECTION

Mrs Kikkert, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) currently the ACT Government does not collate data of juvenile offenders who have gone on to be incarcerated in the Alexander Maconochie Centre (AMC);
 - (b) recidivism is one key indicator of the effectiveness of juvenile justice interventions;
 - (c) the Government's *Blueprint for Youth Justice in the ACT 2012–22* lists amongst its goals that "youth ... re-offending is reduced" and includes the following indicator for successful reintegration into the community: "number and rate of young people who re-offend, *both as young and adult offenders*";
 - (d) as noted by the Australian Government's Australian Institute of Criminology (AIC), large numbers of juvenile offenders progress to the adult corrections system;
 - (e) tracking recidivism only within the youth justice system as opposed to across both jurisdictions therefore fails to create an accurate and complete picture;
 - (f) consequently the AIC report *Measuring juvenile recidivism in Australia* states that "measuring juvenile recidivism requires access to data on offenders in both the juvenile and adult justice systems" and that "tracking juveniles into the adult criminal justice system is crucial to enabling jurisdictions to produce accurate and meaningful measures of recidivism" and to reduce this recidivism; and
 - (g) yet according to a question on notice from 4 August 2017, the ACT Government is unable to provide reliable data on the number of sentenced young people in the ACT who go on to serve a custodial sentence at the AMC; and
- (2) calls on the ACT Government to:
 - (a) recognise the important contribution to accurate and meaningful data collection provided by tracking the progression of juvenile offenders into adult corrections within the Territory;
 - (b) establish policies and mechanisms that will allow for the robust collection and sharing of this data (including the usual indicators of male/female, Indigenous/non-Indigenous, and other relevant indicators); and
 - (c) commence implementation of this data collection by the beginning of the 2018-19 reporting year.

Ms Stephen Smith (Minister for Disability, Children and Youth) moved the following amendment: Omit paragraph (2), substitute:

“(2) further notes that:

- (a) the AIC report referenced at (1)(f) details the challenges in establishing a comprehensive recidivism indicator for youth justice that reflects outcomes beyond the youth justice system;
- (b) the sharing of identifiable information about young detainees and former detainees for the purposes of data matching is not allowable by law;
- (c) the sharing by the Justice and Community Services Directorate of identifiable information about adult offenders for data matching is also not allowable by law;
- (d) people who served youth justice sentences in the ACT may reoffend as adults interstate, and sharing information across jurisdictions raises additional governance and infrastructure challenges;
- (e) the importance of the appropriate sharing of information has been raised by the Moss Review, with work already underway by government;
- (f) ACT Corrective Services is implementing a new data system (CORIS) which could potentially capture relevant youth justice data, with appropriate privacy considerations; and
- (g) the ACT Government recently established a Youth Justice Taskforce to take stock of the considerable success achieved over the first five years of the *Blueprint for Youth Justice 2012-22*, and provide advice on next steps to continue to improve outcomes for young people in the ACT youth justice system; and

(3) calls upon the ACT Government to:

- (a) continue the work already underway in regard to the sharing of de-identified data to develop a better understanding of the number of young people exiting Bimberi who are subsequently incarcerated in the Alexander Maconochie Centre;
- (b) explore the privacy, human rights, legislative and other implications of sharing data of young people and adult detainees for this purpose;
- (c) ensure that the Youth Justice Taskforce considers this issue as part of its work; and
- (d) ensure that the existing processes designed to enhance information sharing across the justice system are well coordinated.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 11		NOES, 8	
Ms Berry	Ms Orr	Mr Coe	Mr Parton
Ms Burch	Mr Ramsay	Mrs Dunne	Mr Wall
Ms Cheyne	Mr Rattenbury	Mr Hanson	
Ms Cody	Mr Steel	Mrs Kikkert	
Mr Gentleman	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) currently the ACT Government does not collate data of juvenile offenders who have gone on to be incarcerated in the Alexander Maconochie Centre (AMC);
 - (b) recidivism is one key indicator of the effectiveness of juvenile justice interventions;
 - (c) the Government’s *Blueprint for Youth Justice in the ACT 2012–22* lists amongst its goals that “youth ... re-offending is reduced” and includes the following indicator for successful reintegration into the community: “number and rate of young people who re-offend, *both as young and adult offenders*”;
 - (d) as noted by the Australian Government’s Australian Institute of Criminology (AIC), large numbers of juvenile offenders progress to the adult corrections system;
 - (e) tracking recidivism only within the youth justice system as opposed to across both jurisdictions therefore fails to create an accurate and complete picture;
 - (f) consequently the AIC report *Measuring juvenile recidivism in Australia* states that “measuring juvenile recidivism requires access to data on offenders in both the juvenile and adult justice systems” and that “tracking juveniles into the adult criminal justice system is crucial to enabling jurisdictions to produce accurate and meaningful measures of recidivism” and to reduce this recidivism; and
 - (g) yet according to a question on notice from 4 August 2017, the ACT Government is unable to provide reliable data on the number of sentenced young people in the ACT who go on to serve a custodial sentence at the AMC;
- (2) further notes that:
 - (a) the AIC report referenced at (1)(f) details the challenges in establishing a comprehensive recidivism indicator for youth justice that reflects outcomes beyond the youth justice system;
 - (b) the sharing of identifiable information about young detainees and former detainees for the purposes of data matching is not allowable by law;

- (c) the sharing by the Justice and Community Services Directorate of identifiable information about adult offenders for data matching is also not allowable by law;
 - (d) people who served youth justice sentences in the ACT may reoffend as adults interstate, and sharing information across jurisdictions raises additional governance and infrastructure challenges;
 - (e) the importance of the appropriate sharing of information has been raised by the Moss Review, with work already underway by government;
 - (f) ACT Corrective Services is implementing a new data system (CORIS) which could potentially capture relevant youth justice data, with appropriate privacy considerations; and
 - (g) the ACT Government recently established a Youth Justice Taskforce to take stock of the considerable success achieved over the first five years of the *Blueprint for Youth Justice 2012-22*, and provide advice on next steps to continue to improve outcomes for young people in the ACT youth justice system; and
- (3) calls upon the ACT Government to:
- (a) continue the work already underway in regard to the sharing of de-identified data to develop a better understanding of the number of young people exiting Bimberi who are subsequently incarcerated in the Alexander Maconochie Centre;
 - (b) explore the privacy, human rights, legislative and other implications of sharing data of young people and adult detainees for this purpose;
 - (c) ensure that the Youth Justice Taskforce considers this issue as part of its work; and
 - (d) ensure that the existing processes designed to enhance information sharing across the justice system are well coordinated.”—

be agreed to—put and passed.

9 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Mr Doszpot from today’s sitting until 30 November 2017, due to illness.

Question—put and passed.

10 TREE CANOPY—PROTECTION

Ms Le Couteur, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) Canberra’s urban areas include over 750 000 ACT Government-managed trees, which are highly valued by the Canberra community for the many benefits they bring;

- (b) trees ameliorate urban temperatures in summer and reduce the heat island effect—for example, the temperature difference between pavements in sun and shade can be over 12°C;
 - (c) the importance of trees and other “living infrastructure” for managing the heat island effect is recognised in the ACT Climate Change Adaptation Strategy;
 - (d) in many suburbs, trees are an important part of the landscape and are one of the things that locals love about their neighbourhood; and
 - (e) international research has shown that urban trees have measurable economic value in addition to their environmental value—for example, trees increase property values and lower summer cooling costs;
- (2) further notes that:
- (a) many newer suburbs will never have the same canopy cover and experience the same benefits of trees as older suburbs because narrow streets do not have enough room for large canopy trees and new houses fill a very high proportion of the block, leaving inadequate private open space for large trees;
 - (b) many older suburbs are losing canopy cover through redevelopment, as both multi-unit developments and McMansions replace small existing dwellings, with the loss of almost all existing vegetation;
 - (c) many Australian cities, including the City of Sydney and the City of Melbourne, are improving the way they manage urban trees—for example, by setting canopy cover targets and improving asset management practices;
 - (d) in 2011, the Commissioner for Sustainability and the Environment reviewed the Government’s tree management practices, making extensive recommendations, many of which are still relevant; and
 - (e) the National Capital Authority’s Deakin/Forrest Residential Precinct Issues and Policy Paper has recommended an innovative new approach to planning for redevelopment, with inclusion of a canopy coverage target and mandating of a “planting area” not to be covered by buildings and driveways;
- (3) further notes that, as announced in the ACT Climate Change Adaptation Strategy, the ACT Government will deliver a Living Infrastructure Plan by the end of 2018, which will include targets for urban tree canopy cover; and
- (4) calls on the ACT Government to protect and increase Canberra’s tree canopy by:
- (a) within one year of this motion being passed:
 - (i) commencing joint reviews of the Territory Plan and Transport Canberra and City Services’ (TCCS) infrastructure design standards to ensure that new subdivisions and urban renewal precincts can achieve the tree canopy targets;

- (ii) commencing a review of the Tree Protection Act and the possible introduction of a Tree Curator, to support the delivery of the tree canopy cover targets; and
 - (iii) reporting to the Assembly on commencement of these reviews and progress on developing the Living Infrastructure Plan;
- (b) within two years of this motion being passed:
- (i) commence delivery of actions to increase Canberra's tree canopy cover overall, focussing on suburbs where tree canopy cover is low;
 - (ii) completing the joint reviews of the Territory Plan and TCCS infrastructure design standards;
 - (iii) completing the review of the Tree Protection Act;
 - (iv) delivering a framework for assessment of tree canopy cover and condition, which allows monitoring of cover against the targets and improved management of the ACT Government's trees; and
 - (v) reporting to the Assembly on the delivery of these activities; and
- (c) within three years of this motion being passed:
- (i) completing implementation of the findings of the Territory Plan review;
 - (ii) completing implementation of the TCCS infrastructure design standards review; and
 - (iii) reporting to the Assembly on the delivery of these activities by the last sitting day in July 2020.

Debate ensued.

Ms Fitzharris (Minister for Transport and City Services) moved the following amendment: Omit all words after "That this Assembly", substitute:

"(1) notes that:

- (a) Canberra's urban areas include over 750 000 ACT Government-managed trees, which are highly valued by the Canberra community for the many benefits they bring;
- (b) trees ameliorate urban temperatures in summer and reduce the heat island effect—for example, the temperature difference between pavements in sun and shade can be over 12°C;
- (c) the importance of trees and other 'living infrastructure' for managing the heat island effect is recognised in the ACT Climate Change Adaptation Strategy;
- (d) in many suburbs, trees are an important part of the landscape and are one of the things that locals love about their neighbourhood; and
- (e) international research has shown that urban trees have measurable economic value in addition to their environmental value—for example, trees increase property values and lower summer cooling costs;

- (2) further notes that:
 - (a) many newer suburbs will never have the same canopy cover and experience the same benefits of trees as older suburbs because narrow streets do not have enough room for large canopy trees and new houses fill a very high proportion of the block, leaving inadequate private open space for large trees;
 - (b) many older suburbs are losing canopy cover through redevelopment, as both multi-unit developments and larger homes replace small existing dwellings, with the loss of almost all existing vegetation;
 - (c) many Australian cities, including City of Sydney and City of Melbourne, are improving the way they manage urban trees—for example, by setting canopy cover targets and improving asset management practices;
 - (d) in 2011, the Commissioner for Sustainability and the Environment reviewed the Government's tree management practices, making extensive recommendations, many of which are still relevant; and
 - (e) the National Capital Authority's Deakin/Forrest Residential Precinct Issues and Policy Paper has recommended an innovative new approach to planning for redevelopment, with inclusion of a canopy coverage target and mandating of a 'planting area' not to be covered by buildings and driveways;
- (3) further notes that, as announced in the ACT Climate Change Adaptation Strategy, the ACT Government will deliver a Living Infrastructure Plan by the end of 2018, which will include targets for maintaining and enhancing the urban tree canopy cover and the ACT Government will consider funding options; and
- (4) calls on the ACT Government to protect and increase Canberra's tree canopy by:
 - (a) within one year of this motion being passed:
 - (i) commencing joint reviews of the Territory Plan and Transport Canberra and City Services' (TCCS) infrastructure design standards to ensure that new subdivisions and urban renewal precincts can achieve the tree canopy targets;
 - (ii) commencing a review of the Tree Protection Act and the possible introduction of a Tree Curator, to support the delivery of the tree canopy cover targets; and
 - (iii) reporting to the Assembly on commencement of these reviews and progress on developing the Living Infrastructure Plan;
 - (b) within two years of this motion being passed:
 - (i) commence delivery of actions to increase Canberra's tree canopy cover overall, focussing on suburbs where tree canopy cover is low;
 - (ii) completing the joint reviews of the Territory Plan and TCCS infrastructure design standards;

- (iii) completing the review of the Tree Protection Act;
 - (iv) delivering a framework for assessment of tree canopy cover and condition, which allows monitoring of cover against the targets and improved management of the ACT Government's trees; and
 - (v) reporting to the Assembly on the delivery of these activities; and
- (c) within three years of this motion being passed, reporting to the Assembly on the delivery of these activities by the last sitting day in July 2020.”.

Debate continued.

Amendment agreed to.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
- (a) Canberra's urban areas include over 750 000 ACT Government-managed trees, which are highly valued by the Canberra community for the many benefits they bring;
 - (b) trees ameliorate urban temperatures in summer and reduce the heat island effect—for example, the temperature difference between pavements in sun and shade can be over 12°C;
 - (c) the importance of trees and other 'living infrastructure' for managing the heat island effect is recognised in the ACT Climate Change Adaptation Strategy;
 - (d) in many suburbs, trees are an important part of the landscape and are one of the things that locals love about their neighbourhood; and
 - (e) international research has shown that urban trees have measurable economic value in addition to their environmental value—for example, trees increase property values and lower summer cooling costs;
- (2) further notes that:
- (a) many newer suburbs will never have the same canopy cover and experience the same benefits of trees as older suburbs because narrow streets do not have enough room for large canopy trees and new houses fill a very high proportion of the block, leaving inadequate private open space for large trees;
 - (b) many older suburbs are losing canopy cover through redevelopment, as both multi-unit developments and larger homes replace small existing dwellings, with the loss of almost all existing vegetation;
 - (c) many Australian cities, including City of Sydney and City of Melbourne, are improving the way they manage urban trees—for example, by setting canopy cover targets and improving asset management practices;

- (d) in 2011, the Commissioner for Sustainability and the Environment reviewed the Government's tree management practices, making extensive recommendations, many of which are still relevant; and
 - (e) the National Capital Authority's Deakin/Forrest Residential Precinct Issues and Policy Paper has recommended an innovative new approach to planning for redevelopment, with inclusion of a canopy coverage target and mandating of a 'planting area' not to be covered by buildings and driveways;
- (3) further notes that, as announced in the ACT Climate Change Adaptation Strategy, the ACT Government will deliver a Living Infrastructure Plan by the end of 2018, which will include targets for maintaining and enhancing the urban tree canopy cover and the ACT Government will consider funding options; and
- (4) calls on the ACT Government to protect and increase Canberra's tree canopy by:
- (a) within one year of this motion being passed:
 - (i) commencing joint reviews of the Territory Plan and Transport Canberra and City Services' (TCCS) infrastructure design standards to ensure that new subdivisions and urban renewal precincts can achieve the tree canopy targets;
 - (ii) commencing a review of the Tree Protection Act and the possible introduction of a Tree Curator, to support the delivery of the tree canopy cover targets; and
 - (iii) reporting to the Assembly on commencement of these reviews and progress on developing the Living Infrastructure Plan;
 - (b) within two years of this motion being passed:
 - (i) commence delivery of actions to increase Canberra's tree canopy cover overall, focussing on suburbs where tree canopy cover is low;
 - (ii) completing the joint reviews of the Territory Plan and TCCS infrastructure design standards;
 - (iii) completing the review of the Tree Protection Act;
 - (iv) delivering a framework for assessment of tree canopy cover and condition, which allows monitoring of cover against the targets and improved management of the ACT Government's trees; and
 - (v) reporting to the Assembly on the delivery of these activities; and
 - (c) within three years of this motion being passed, reporting to the Assembly on the delivery of these activities by the last sitting day in July 2020."—

be agreed to—put and passed.

11 NO CONFIDENCE IN CHIEF MINISTER—NOTICE OF MOTION

Mr Coe (Leader of the Opposition), having delivered a notice of motion of no confidence in the Chief Minister, the Acting Clerk, pursuant to standing order 103, reported the notice as follows:

Mr Coe to move, in accordance with standing order 81—That this Assembly no longer has confidence in the Chief Minister, Mr Andrew Barr MLA, due to the Government's engagement in corrupt decisions.

12 RENEWABLE ENERGY INITIATIVES

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

- (1) notes the ACT Government is delivering on our election commitments to make Canberra a sustainable city, and continues to take responsible steps to manage climate change and our environment, and notes:
 - (a) the ACT Government is committed to, and on track to reach, 100 percent renewable electricity by 2020, pursuant to *Canberra 100% renewable: Leading Innovation with 100% renewable energy by 2020*;
 - (b) the ACT Government has signed the "Under 2 MOU" committing to zero net emissions by 2050;
 - (c) the ACT is on track to achieve a reduction in emissions of 40 percent from 1990 levels by 2020 under the *Climate Change and Greenhouse Gas Reduction Act 2010*;
 - (d) the ACT Government is committed to mitigation and adaption to climate change as a responsible state and global actor by setting a target to achieve carbon neutrality; the ACT's zero net emissions target brings the ACT in line with the Paris Climate Accord;
 - (e) the ACT Climate Change Adaption Strategy will mainstream climate change considerations into policies and practices across the ACT which will make the Territory more resilient to the environmental and economic costs of climate change;
 - (f) working towards creating a sustainable city will drive innovation, investment and the creation of new industries and jobs in the clean energy sector; between 2010 and 2015 local renewable energy jobs increased by 400 percent when national jobs in the sector declined; and
 - (g) the ACT is the renewable energy capital of Australia and is leading the country in battery storage by supporting the installation of 36MW of energy storage across more than 5000 households and businesses by 2020, through the Next Generation Energy Storage Grants;
- (2) notes the ACT Government is investing in the following programs supporting the take-up of battery storage and solar:
 - (a) in 2016, the ACT Government awarded three grants of \$200 000 each for Canberra households and businesses to install battery storage systems across the ACT;

- (b) following the successful pilot program in 2016, the ACT Government announced that under the Next Generation Renewables program, the ACT will be investing \$25 million for battery storage systems for Canberra households and businesses, marking one of the largest rollouts of battery storage in the world;
 - (c) the ACT Government is investing \$4 million of grants to subsidise the cost of installing battery storage systems across the ACT; and
 - (d) the ACT Government has also committed to invest \$2 million of solar installation grants for low income households;
- (3) notes that battery storage is a key technology in the ACT's transition to renewables and providing energy market stability, and:
- (a) the ACT Government has one of the most ambitious battery incentive programs in the country;
 - (b) the Finkel Review has recommended that State and Territory Governments should engage with the COAG Energy Council to identify options for subsidised funding mechanisms for the supply of energy efficient appliances, rooftop solar photovoltaic and battery storage for low income consumers;
 - (c) the Finkel Report *Independent Review into the Future Security of the National Electricity Market: Blueprint for the Future* released by Australian Chief Scientist Dr Alan Finkel outlines a blueprint, that provides consumers with financial rewards if they agree to manage demand and sharing resources of solar panels and battery storage;
 - (d) the preliminary Finkel Report cited the lead taken in the United States, where the Federal Energy Regulatory Commission has proposed changes to the rules in order to require market operators to revise their electricity tariffs, in order to better accommodate the participation of battery storage systems, and allow distributed energy resources aggregators to participate in the market;
 - (e) the ACT community has demonstrated a high take up of renewable technology, with Climate Council poll *Energy Storage: Poll of Australians August 2017* revealing that 9.1 percent of ACT residents own a battery system which is the highest in Australia, with another 72.7 percent of ACT residents saying they would consider adding a battery system; and
 - (f) the battery storage market is predicted to be worth \$400 billion by 2030 and the ACT is well positioned to harness and develop battery technology;
- (4) notes that battery technology will play a key role in reducing the ACT's carbon emissions from vehicles and transport, and:
- (a) transport emissions account for approximately 25 percent of the ACT's emissions as of August 2017 and by 2020 the ACT is projected to derive 68 percent of overall net emissions from transport emissions;

- (b) the bulk of these transport emissions are generated by private vehicle use with three percent of the total transport emission being generated from public transport;
 - (c) the ACT Government has already taken steps to reduce these transport emissions, by purchasing more fuel-efficient diesel buses and conducting a 12-month electric and hybrid bus trial, to guide future consideration of an electric bus fleet in the ACT;
 - (d) light rail will operate on 100 percent renewable electricity;
 - (e) as emissions from transport will make up the largest proportion of greenhouse gas emissions in 2020 in the Territory, the ACT Government needs to focus on the reduction of emissions from transport to achieve carbon neutrality between 2020 and 2050; and
 - (f) ActewAGL has established three Rapid Chargers and five Fast Chargers across the ACT and NRMA plans to roll out charging points in the ACT; and
- (5) calls on the ACT Government to:
- (a) develop a strategy with firm interim targets, for the ACT to reach zero net emissions and carbon neutrality by 2050 at the latest, in line with the Labor-Greens Agreement for the 9th Legislative Assembly;
 - (b) investigate options with ACT energy retailers to accommodate battery storage, including the availability of distributed battery power to the grid during times of peak demand and associated electricity tariffs;
 - (c) continue to invest in renewable energy programs and initiatives in the ACT, including Next Generation Energy Storage Grants to subsidise battery storage and the rollout of household battery storage;
 - (d) continue to build an integrated transport network that encourages the take-up of public transport;
 - (e) provide an update on the expansion and extension of electric and hybrid bus fleets in Canberra following the current 12 month trial and consider options to reduce Transport Canberra's emissions through electrification and more sustainable fuels, pursuant to reducing overall net emissions by 2050 at the latest, in line with the Carbon Neutral ACT Government Framework; and
 - (f) explore mechanisms to encourage the take up of private electric vehicles in the ACT, including best practice regulatory responses.

Debate ensued.

Adjournment negatived: It being 6 pm—The question was proposed—That the Assembly do now adjourn.

Mr Gentleman (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Question—put and passed.

13 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Mr Wall sought leave to move a motion to amend the sitting pattern.

Leave not granted.

Debate ensued.

Suspension of standing orders moved—Precedence to motion: Mr Wall moved—That so much of the standing orders be suspended as would prevent Mr Wall from moving a motion to amend the sitting pattern.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 9	
Mr Coe	Mr Wall	Mr Barr	Mr Ramsay
Mrs Dunne		Ms Burch	Mr Rattenbury
Mrs Kikkert		Mr Gentleman	Mr Steel
Ms Lawder		Ms Le Couteur	Ms Stephen-Smith
Ms Lee		Ms Orr	

And so it was negatived.

Debate continued.

Question—put and passed.

And then the Assembly, at 6.53 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Doszpot*, Mr Milligan* and Mr Pettersson*.

*on leave
