



Legislative Assembly for the Australian Capital Territory

2020-2021

Notice Paper

No 13

Wednesday, 12 May 2021

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Notices

- *1 **MR RATTENBURY:** To present a Bill for an Act to amend the *Civil Law (Wrongs) Act 2002*, and for other purposes. (*Notice given 11 May 2021*).

Orders of the day

- 1 **REVENUE LEGISLATION AMENDMENT BILL 2021:** (*Treasurer*): Agreement in principle—Resumption of debate (*from 31 March 2021—Ms Lee*).

Notices—continued

- *2 **MR STEEL:** To present a Bill for an Act to amend the *Road Transport (Safety and Traffic Management) Act 1999* and the *Road Transport (Safety and Traffic Management) Regulation 2017*, and for other purposes. (*Notice given 11 May 2021*).

Orders of the day—continued

- 2 **DOMESTIC ANIMALS LEGISLATION AMENDMENT BILL 2021:** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 31 March 2021—Ms Lawder*).

- 3 **COURTS AND OTHER JUSTICE LEGISLATION AMENDMENT BILL 2021:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 20 April 2021—Ms Lee*).
- 4 **STATUTE LAW AMENDMENT BILL 2021:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 20 April 2021—Ms Lee*).
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PRIVATE MEMBERS' BUSINESS

Notices

- 1 **MR PETTERSSON:** To move—That this Assembly:
- (1) acknowledges that the ACT Government:
 - (a) is committed to ensuring that our education system is welcoming, affirming and inclusive of all children; and
 - (b) has already worked to protect trans and gender diverse students through programs such as the Safe and Supportive Schools Policy;
 - (2) notes that school-aged children of our friends and neighbours in the Canberra region, as well as wider NSW, are not being afforded the same care and respect, because:
 - (a) One Nation's proposed Education Legislation Amendment (Parental Rights) Bill prohibits supporting trans and gender diverse students in the NSW education system as it prohibits recognising their existence;
 - (b) the proposed bill would put teachers at risk of losing their accreditation for acknowledging that trans and gender diverse people exist;
 - (c) the bill would further marginalise children who would have no access to information about who they are and what they are experiencing; and
 - (d) the bill undermines the important role that our education system plays in enabling a child's development of knowledge, understanding, and empathy towards people from different backgrounds and life experiences; and
 - (3) calls on the:
 - (a) ACT Government to continue its work supporting trans and gender diverse students within our education system;
 - (b) ACT Assembly to write to the chair of NSW Parliamentary Portfolio Committee No 3 – Education, Mark Latham MLC, consistent with the terms of this motion;

- (c) ACT Minister for Education and Youth Affairs to write to her counterpart in the NSW Government expressing our concern about the effect of the bill debate on trans and diverse children in the ACT and urge the NSW Government to vote down the bill; and
- (d) ACT Assembly to condemn those that support transphobia. (*Notice given 10 May 2021; amended 11 May 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

2 MS CASTLEY: To move—That this Assembly:

- (1) notes the Government drew up plans eight years ago for more parking to support Yerrabi Pond foreshore businesses but no extra parking has been provided;
- (2) further notes:
 - (a) Gungahlin is Canberra’s fastest growing region and Yerrabi Pond is the only major community recreation area;
 - (b) Yerrabi Pond has been neglected by the Government with insufficient and inadequate community services and facilities. In some areas it is an eyesore and unsafe particularly at night;
 - (c) a petition with more than 1,000 signatures was lodged in April 2021 detailing the poor state of Yerrabi Pond and the urgent need for better parking, toilets and lighting as well as improved community facilities such as barbecues;
 - (d) there is a particular need for more parking for customer access to support struggling businesses on the foreshore;
 - (e) in 2013, the ACT Government did planning work for extra parking at Yerrabi Pond with up to 28 new spots in the grassed median area of Nellie Hamilton Drive. This was in response to limited parking for patrons of Curves fitness centre and other businesses;
 - (f) the Government also did community consultation and acknowledged it was a priority issue;
 - (g) eight years later, local businesses and the community are still waiting and have little confidence in the Government to heed their calls for more parking and amenities;
 - (h) business owners have been forced to relocate or shut due to lack of parking; and
 - (i) the Gungahlin Community Council listed extra parking at Nellie Hamilton Drive as a priority issue in its 2013-14 budget submission; and
- (3) calls on the ACT Government to
 - (a) immediately explain why extra parking along Nellie Hamilton Drive planned in 2013 has not happened; and

- (b) provide a timeline for when and how it will occur by no later than the last sitting day in August 2021. (*Notice given 10 May 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

3 **MRS JONES:** To move—That this Assembly:

- (1) notes:
 - (a) the ACT public health system has suffered from a toxic workplace culture;
 - (b) in September 2018, after months campaigning from the Opposition and health stakeholders, the ACT Government committed to an independent review of the workplace culture in health;
 - (c) the *Independent Review into the Workplace Culture within ACT Public Health Services* (“the review”) was completed on 5 March 2019; and
 - (d) in the 800 days since the review, just five of the 20 recommendations have been completed;
- (2) further notes the review found:
 - (a) inappropriate behaviours, bullying and harassment in the workplace;
 - (b) inefficient procedures and processes, including complaints handling;
 - (c) inadequate training in dealing with inappropriate workplace practices;
 - (d) inability to make timely decisions;
 - (e) poor leadership and management at many levels throughout the ACT public health system; and
 - (f) inefficient and inappropriate human resource practices, including in recruitment; and
- (3) calls on the ACT Government to implement the remaining recommendations within the next 200 days. (*Notice given 10 May 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

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

- (1) notes that:
 - (a) the COVID-19 pandemic has had an unprecedented impact on many countries and communities around the world;
 - (b) India is currently facing one of, if not the worst, outbreaks of any country since the pandemic began;
 - (c) this outbreak is beginning to spread to other regions of South Asia;
 - (d) while many of us here in Canberra will watch the news reporting and be saddened by the tragic loss of life and other impacts experienced in India because of the pandemic, members of our own Indian-Australian and other South Asian communities here in Canberra will be particularly affected;

- (e) that many members of the Canberra Indian-Australian and South Asian community have lost family members and friends to the recently worsened crisis;
 - (f) that many members of the community have friends and family members who are sick with COVID in India and South Asia;
 - (g) that this is a really difficult time for the community as a whole and the individuals who make up the community, with many experiencing significant distress at being so far away from loved ones;
 - (h) that this trauma has been compounded by the Commonwealth Government decision to halt citizens' return from India specifically, with harsh penalties, when this has never been applied to citizens in other nations with bad outbreaks; and
 - (i) after public pressure the Federal Government will allow citizens and permanent residents to be safely accommodated through the federal facility at Howard Springs in the Northern Territory from 15 May, where there has been no external COVID transmission;
- (2) acknowledge the pain and trauma being faced by the Canberra Indian-Australian and broader South Asian community;
- (3) write to the Commonwealth Government expressing:
- (a) the need for expanded, improved and federally funded quarantine facilities like that at Howard Springs in the Northern Territory;
 - (b) concern with the insensitive approach taken by the Commonwealth Government to use the Bio-Security Act and travel bans in one instance but not others; and
 - (c) a desire to see the Commonwealth affirm the commitment to citizen's fundamental right to return home to Australia; and
- (4) calls on the ACT Government to:
- (a) provide information to the Indian and South Asian communities in Canberra regarding where they can contact for advice and support on ACT Government services, including where to access counselling services;
 - (b) consider, along with state and federal counterparts, what medical supplies and assistance can be provided to health workers in South Asia;
 - (c) continue to work with the Indian and South Asian communities in Canberra to provide support as this changing situation evolves; and
 - (d) provide an update back to the Assembly on the outcomes of this consultation and subsequent action at an appropriate time. (*Notice given 10 May 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

5 **MS CLAY:** To move—That this Assembly:

- (1) acknowledges that:
 - (a) the scientific consensus is clear that human activities are primarily responsible for accelerating global climate change, and that the climate crisis now represents one of the preeminent threats to global civilisation;
 - (b) the Intergovernmental Panel on Climate Change reported in 2018 that we must achieve net zero in greenhouse gas emissions by the middle of this Century in order to have a reasonable chance of limiting global warming to 1.5 degrees celsius;
 - (c) the Climate Council reported in April 2021 that the majority of emissions cuts need to occur within the next decade to avoid major irreversible tipping points;
 - (d) the ACT has been significantly impacted by climate change in recent years with the ACT experiencing:
 - (i) the hottest January on record in 2019;
 - (ii) the hottest ever day on 4 January 2020;
 - (iii) the most hazardous air quality in any city in the world in January 2020. This smoke event was directly caused by cross-border fires and resulted in 31 deaths; and
 - (iv) significant loss of flora and fauna through the Orroral Valley fires in January and February 2020, including damage to 80 percent of Namadgi National Park and 20 percent of Tidbinbilla;
 - (e) climate impacts will get worse over time and our entire community is being impacted by the health and safety risks of fossil fuel expansion, particularly those who also face socioeconomic and health inequities, including people with underlying health conditions, our First Nations peoples, culturally and linguistically diverse communities, those living in low-income households, those experiencing homelessness, the young, the elderly and those with a mental or physical disability;
 - (f) our youth and future generations have the most to lose from a lack of immediate action to stop fossil fuel expansion as they face major and lifelong health, ecological, social, and economic impacts from prolonged and cumulative effects of climate change, including food and water shortages, infectious diseases, and natural disasters;
 - (g) the ACT was the first state or territory in Australia to declare a state of climate emergency in May 2019, recognising the worsening impacts of climate change on the community and that climate action requires urgent action across all levels of government; and

- (h) the ACT Government has a continuing commitment to being at the forefront of meaningful climate action and reducing our demand for fossil fuels through:
 - (i) demonstrating our national and international leadership on climate change;
 - (ii) powering Canberra with 100 percent renewable electricity from 2020;
 - (iii) achieving zero net emissions by 2045 at the latest;
 - (iv) phasing out gas by 2045;
 - (v) delivering 30 percent tree canopy and 30 percent permeable surfaces coverage in our urban footprint;
 - (vi) encouraging the transition to zero emission vehicles and active transport; and
 - (vii) transitioning Canberra's built environment to be climate-ready and environmentally sustainable;
- (i) the ACT Government continues to have work to do;
- (2) notes that:
 - (a) the unfortunately weak Paris Climate Agreement is silent on coal, oil and gas, an omission with respect to the supply and production of fossil fuels (the largest source of greenhouse gas emissions) that needs to be collectively addressed by other means;
 - (b) global governments and the fossil fuel industry are currently planning to produce about 120 percent more emissions by 2030 than what is needed to limit warming to 1.5 degrees celsius and avert catastrophic climate disruption, and such plans risk undoing the work of our city to reduce greenhouse gas emissions;
 - (c) the fossil fuel industry is currently claiming over 50 percent of COVID recovery funding from senior levels of government in the G20, thereby siphoning away recovery funding badly needed by cities and other industries;
 - (d) the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels exposes communities to untenable risks to public health and safety at the local and global levels;
 - (e) the economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction; and
 - (f) the ACT Government is committed to working closely with the community, ensuring a just transition for those impacted by evolving industries and employment, and growing green industries and jobs;

- (3) further notes that:
 - (a) a new, global movement is emerging, calling for a new Fossil Fuel Non-Proliferation Treaty that uses, as a guide, the three pillars of the existing nuclear non-proliferation treaty to:
 - (i) end new fossil fuel exploration and expansion (non-proliferation);
 - (ii) manage the phasing out of existing production (disarmament); and
 - (iii) develop equitable transition plans (peaceful use);
 - (b) Barcelona in Spain, Vancouver in Canada, Los Angeles in the United States, and two municipalities in the United Kingdom have endorsed this call for an international treaty action so far; and
 - (c) if the ACT were to endorse this call for international treaty action, we would be the first Australian jurisdiction to do so; and
- (4) calls on the ACT Government to:
 - (a) join with other cities, organisations, and individuals, to endorse the call for an international Treaty on Fossil Fuel Non-Proliferation, and in doing so become the first Australian jurisdiction to support the proposal to do so; and
 - (b) send a letter to urge the Australian Government, and other States and Territories, to similarly endorse the global initiative for a Fossil Fuel Non-Proliferation Treaty. (*Notice given 10 May 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

Orders of the day

***1 GUNGAHLIN TOWN CENTRE—DEVELOPMENT:** Resumption of debate (*from 11 May 2021—Mr Gentlemen*) on the motion of Mr Braddock—That this Assembly:

- (1) notes:
 - (a) the Suburban Land Agency auction on 12 May 2021 of the following blocks in the Gungahlin Town Centre:
 - (i) section 246 block 4;
 - (ii) section 249 block 4;
 - (iii) section 249 block 5; and
 - (iv) section 249 block 12;
 - (b) the Gungahlin Town Centre Planning Refresh Community Engagement Report;
 - (c) Draft Variation 364 (DV 364), Gungahlin Town Centre Precinct Code, is currently the subject of an inquiry by the Legislative Assembly's Standing Committee on Planning, Transport, and City Services;

- (d) the resolution relating to development of the Gungahlin Town Centre passed by the Assembly on 10 February 2021 (the resolution) calling on the ACT Government to “support the further development of the Gungahlin region and town centre, ensuring that there are additional employment opportunities in Gungahlin by ... ensuring current sales of development sites incorporate the requirements to support best practice mixed-use developments”; and
 - (e) the importance of increasing the level of affordable rental and public housing stock in close consultation with the community so as to maintain community support and deliver good social outcomes; and
- (2) calls on the ACT Government to:
- (a) report to the Assembly by the next sitting day, how the sale of the aforementioned blocks meets the conditions specified in the resolution, in particular “ensuring current sales incorporate the requirements to support best practice mixed-use developments”;
 - (b) acknowledge the level of community concern about Gungahlin Town Centre planning;
 - (c) address the community’s concerns by developing through effective consultation with the community, and incorporating into the Territory Plan, a plan for the Gungahlin Town Centre that incorporates the following elements:
 - (i) no reduction in commercial office space, the area of the linear park, or Community Facilities Zoned land;
 - (ii) any variation to the use of blocks 3 and 5 section 231 must be done via a disallowable instrument; and
 - (iii) within current height limits;
 - (d) not proceed with any other sales of land in the Gungahlin Town Centre for the purpose of mixed-use development until these variations are incorporated into the Territory Plan;
 - (e) report to the Assembly every three months updates on Gungahlin Town Centre planning;
 - (f) direct the Suburban Land Agency to develop land in the Gungahlin Town Centre in a way that generates higher quality outcomes for the community by:
 - (i) consulting widely with the Gungahlin community before future mixed-use or commercial blocks are sold, and ensuring that outcomes from that consultation are reflected in an appropriate sales process;
 - (ii) consider bringing land to the market in larger blocks that encourage place making development; and
 - (iii) increase the size of commercial premises allowed in the lease restrictions for mixed-use developments;
 - (g) designate a single point of contact within ACT Government with responsibility for whole-of-government outcomes for Gungahlin; and

- (h) develop and publish a strategy to actively encourage employment in the Gungahlin Town Centre by 31 December 2021. (*Order of the day will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 152A.*)

- 2 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021:** (*Mr Pettersson*): Agreement in principle—Resumption of debate (*from 11 February 2021—Ms Stephen-Smith*). (*Referred to Select Committee on Drugs of Dependence (Personal Use) Amendment Bill 2021 on 11 February 2021 for report by last sitting day in October 2021.*)
- 3 **CRIMES (STEALTHING) AMENDMENT BILL 2021:** (*Ms Lee*): Agreement in principle—Resumption of debate (*from 22 April 2021—Ms Berry*).

ASSEMBLY BUSINESS

Notice

- 1 **MS BURCH:** To move—That this Assembly:
- (1) notes:
 - (a) media reports that a current Member of the Assembly, Mr Milligan MLA, is alleged to have contacted constituents in the period after the October 2020 election seeking to promote his business; and
 - (b) that the Electoral Act provides penalties for the misuse of protected information, and that the Legislative Assembly's code of conduct for members states at paragraph (8) that members should respect the dignity and privacy of individuals, and not disclose confidential information to which they have official access other than with consent or as required by law;
 - (2) calls on Mr Milligan:
 - (a) upon the passage of this motion, to make a statement to the Assembly detailing how many emails were sent promoting his business, where and how did he obtain the email addresses, personal names and addresses, and how many responses he did receive, when he sent the emails/letters and how he had access to contact details, specifically, if any information was obtained through his actions as an MLA;
 - (b) to confirm how many responses he received that were a request for quote or tender for business and how many business transactions were agreed to, or completed, as a result of his communication;
 - (c) to advise the Assembly how his constituent list was used after the October 2020 election, and how did this use differ from his use of this list during his time as an MLA;

- (d) to table the advice he sought and received from the Ethics and Integrity Adviser, as mentioned in the ABC news article of 1 May 2021;
 - (e) to table any advice he has sought regarding possible breaches of the Privacy Act, including principle 75 of the Privacy Act that “an organisation must not use or disclose personal information it holds for the purpose of direct marketing unless an exception applies”; and
 - (f) to provide information to the Assembly regarding his current business operations and if he is still obtaining, or is in receipt of, a benefit because of his correspondence; and
- (3) upon receiving the statement by Mr Milligan outlining how the information from constituents was used, the Assembly could consider whether the matter should be referred to the Assembly’s Commissioner for Standards for investigation and report to the Standing Committee on Administration and Procedure, or whether any further action is required by the Assembly. *(Notice given 10 May 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Order of the day

Last sitting day in October 2021

- 1 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021—SELECT COMMITTEE:** Presentation of report on the Drugs of Dependence (Personal Use) Amendment Bill 2021 and any other related matters, pursuant to order of the Assembly of 11 February 2021.

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

178-180, 182-190, 192-195, 197-203, 205, 207, 208, 210-226.

T Duncan
Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

11 May 2021

Proposed inquiry into alcohol, tobacco and other drug treatment services—Minister for Health—Petitions lodged by Mrs Kikkert (Pets 25-20 and 3-21).

Giralang shops—Update from developer on progress—Minister for Planning and Land Management—Petition lodged by Ms Orr (Pet 1-21).

12 May 2021

Giralang shops—Update from developer on progress—Minister for Planning and Land Management—Petition lodged by Ms Orr (Pet 4-21).

29 June 2021

Belconnen High School—French—Minister for Education and Youth Affairs—Petition lodged by Mrs Kikkert (Pet 2-21).

Kippax Fair—Proposed expansion—Minister for Planning and Land Management—Petition lodged by Mrs Kikkert (Pet 8-21).

20 July 2021

Yerrabi Pond—Proposed upgrade—Minister for Transport and City Services—Petition lodged by Mr Pettersson (Pet 5-21).

Chisholm Village—Proposed development—Minister for Planning and Land Management—Petitions lodged by Ms Burch (Pet 10-21 and Pet 11-21).

23 July 2021

Yerrabi Pond—Proposed upgrade—Minister for Transport and City Services—Petition lodged by Mr Pettersson (Pet 14-21).

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, Mr Hanson, 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), Mr Cain, Mr Davis.

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

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

JUSTICE AND COMMUNITY SAFETY: (*Formed 2 December 2020*): Mr Hanson (Chair), Ms Clay, 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.

Select

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