



# Legislative Assembly for the Australian Capital Territory

2016-2017

## Notice Paper

No 29

Wednesday, 13 September 2017

The Assembly meets this day at 10 am

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### PRIVATE MEMBERS' BUSINESS

#### Notices

- 1 **MR STEEL:** To move—That this Assembly:
  - (1) notes, after reviewing the 2017 ACT Budget, international ratings agency Standard & Poor's has reaffirmed the Territory's AAA credit rating, based on:
    - (a) the Government's clear capacity to "successfully deliver its infrastructure plans, including private public partnerships and the Asbestos Eradication Scheme, while containing debt levels";
    - (b) the Government having "successfully addressed a number of challenges, including the global financial crisis in 2008-2009 and Commonwealth Government fiscal consolidation"; and
    - (c) the Government "reforming its tax system toward a more stable income source and away from volatile conveyance duties";
  - (2) further notes that:
    - (a) the ACT is one of just three States or Territories in Australia and one of only 28 sub-national jurisdictions outside the USA to hold this rating;

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



- (b) the ACT has now held this rating consistently for 23 years, with only Victoria having a longer track record of holding the highest possible credit rating among the Australian States or Territories; and
  - (c) this strong ratings record has underpinned the ACT Government's investment in Canberra by facilitating affordable borrowing from both Australian and international markets; and
- (3) acknowledges that the ACT Government will:
- (a) maintain a focus on delivering Budgets consistent with a AAA rating while continuing to invest in Canberra's growth and delivery of the services our community expects and deserves;
  - (b) continue a steady path back to surplus as the local economy strengthens after a sustained period of economic challenges; and
  - (c) make continued smart use of the Territory's balance sheet to invest in infrastructure that will boost our city's longer-term productivity and growth. (*Notice given 11 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks —standing order 125A*).

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

- (1) notes:
- (a) in 1999, the General Conference of the United Nations Educational, Scientific and Cultural Organization proclaimed annual observance of International Mother Language Day on 21 February;
  - (b) that about 170 languages are spoken in Canberra;
  - (c) the significance of preserving indigenous languages as a link to indigenous culture and histories and as an expression of identity;
  - (d) the place of language instruction in government and non-government schools and in other organisations such as the 40 community language schools in the ACT;
  - (e) the social, cultural and economic benefits of multi-lingualism to the ACT and Australia; and
  - (f) the encouragement to learning a language other than English contained in the Government's ACT Language Policy; and
- (2) calls on the ACT Government to observe International Mother Language Day in the ACT to promote the preservation and protection of all languages used by the people around the world, especially those in Canberra, through:
- (a) establishing collections and displays, sometimes called an "Ekushey Corner", at ACT Libraries to promote and protect mother languages;
  - (b) promote the active participation, revitalisation and maintenance of local indigenous languages;

- (c) supporting the construction of a monument in Canberra dedicated to the mother languages of Australians;
- (d) continuing the ACT Heritage Library's collection of oral history as a means of preserving the multi-lingual inheritance of the ACT; and
- (e) supporting second language instruction in schools. (*Notice given 11 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).

3 **MR PARTON:** To move—That this Assembly:

- (1) notes that Mount Taylor:
  - (a) provides an invaluable recreational asset for the whole of the Canberra community;
  - (b) has a number of walking trails that provide opportunities to improve health and wellbeing across a wide range of fitness levels; and
  - (c) is utilised by many thousands of Canberrans;
- (2) further notes that:
  - (a) use of Mount Taylor is growing noticeably as more residents discover its ease of access, the variety of its walking trails and spectacular views of the ACT;
  - (b) accessing Mount Taylor from Sulwood Drive has become increasingly popular with many dozens of vehicles parked adjacent to the Mannheim Street Kambah entrance for lengthy periods of the day and evening;
  - (c) Sulwood Drive is a major thoroughfare connecting Tuggeranong Parkway with Erindale Drive and also provides several access points into Kambah and Wanniasa;
  - (d) many pedestrians, motorists and cyclists utilise the access point to Mount Taylor from the parking area adjacent to Mannheim Street at times of the day that coincide with peak traffic flows along Sulwood Drive;
  - (e) there is no infrastructure to facilitate pedestrian, cyclist or motorist safety when entering or departing this parking area;
  - (f) there is a significant and growing concern over the safety of motorists, cyclists and pedestrians accessing Mount Taylor from this parking area;
  - (g) the lack of signage, the ad hoc way drivers enter the parking area and disrepair of the parking area itself, presents a significant danger to drivers, cyclists and pedestrians, including those proceeding along Sulwood Drive and those within the parking area itself;
  - (h) there is a lack of suitable cycling infrastructure linking Athllon Drive and the Tuggeranong Parkway along Sulwood Drive; and

- (i) there is an opportunity to enhance community utilisation of Mount Taylor with improved walking trails; and
- (3) calls on the Government to:
- (a) create dedicated, visible, and safe entry and exit points to the Mount Taylor carpark on Sulwood Drive with dedicated and clearly defined safe crossings for pedestrians and cyclists;
  - (b) improve the safety and amenity of the parking area by installing lighting and a bin;
  - (c) consider changes to improve the intersection of Mannheim Street and Sulwood Drive with regard to the safety and needs of motorists, cyclists and pedestrians wishing to access the Mount Taylor carpark;
  - (d) extend the footpath on Mannheim Street from MacKay Crescent to Sulwood Drive; and
  - (e) investigate the construction of a dedicated bike lane on Sulwood Drive. *(Notice given 11 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).*
- 4 **MR PETTERSSON:** To move—That this Assembly:
- (1) notes recent data from Tourism Research Australia indicating the strong growth in visitor numbers to the ACT, including:
    - (a) a 9.1 percent increase in the number of international visitors, taking the Territory's total to 221 000 international visitors for the 2016-17 financial year;
    - (b) a 27.3 percent increase in international visitor expenditure since the previous financial year, the fastest growth rate of any jurisdiction taking the total international visitor expenditure to over half a billion dollars; and
    - (c) similarly strong growth in domestic visitation, with domestic visitors to the ACT increasing by 2.7 percent and total domestic trip expenditure increasing by 16.3 percent;
  - (2) notes the important role major events play in attracting both international and domestic tourists to the Territory, noting that:
    - (a) Floriade attracts more than 400 000 local, interstate and international visitors each year;
    - (b) the Enlighten festival attracts over 280 000 visitors each year;
    - (c) the National Multicultural Festival similarly attracts approximately 280 000 each year; and

- (d) the vast array of other major events that attract visitors to the Territory, including, but not limited to, the National Folk Festival, the Canberra Balloon Spectacular, Skyfire, Summernats, Australia Day and New Year's Eve celebrations;
- (3) notes the release of the ACT Government's Major Events Strategy, building on the success of the ACT Government's Special Event Fund to:
- (a) provide the right policy settings for events to grow and prosper in Canberra;
  - (b) focus on the acquisition of new and exclusive major events;
  - (c) revitalise and grow our existing anchor events like Floriade and Enlighten;
  - (d) deliver events throughout the year;
  - (e) encourage collaboration and coordination across the events sector; and
  - (f) enhance our major event venues and infrastructure; and
- (4) calls on the ACT Government to explore options in implementing the Major Events Strategy to:
- (a) utilise the natural and cultural assets located in the Parliamentary Triangle;
  - (b) continue to partner with national cultural institutions to deliver events;
  - (c) introduce additional family friendly celebrations;
  - (d) promote the use of Women's Safety Audits in preparation of ACT events and in line with the ACT Women's Action Plan 2016-26, to ensure women's full, equal and safe participation;
  - (e) commit to increasing local content to assist local artists to showcase local arts and entertainment;
  - (f) implement a new festival celebrating Canberra's innovation, strengths and global outlook;
  - (g) establish a new music festival; and
  - (h) introduce an iconic Canberra midnight celebration for New Year's Eve. *(Notice given 11 September 2017; amended 12 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).*

**5 MR WALL:** To move—That this Assembly

## (1) notes:

- (a) the Report of the Expert Panel on Students with Complex Needs and Challenging Behaviour (Schools for All) was established by the ACT Government after a 10-year-old boy with autism was locked inside a cage at an ACT school;
- (b) in November 2015, the report listed 50 recommendations for schools in all sectors that were all immediately accepted by the ACT Government;
- (c) since the report was delivered there have been a number of delays in implementing the recommendations in ACT government schools; and
- (d) the Independent and Catholic school sectors have implemented all but one recommendation; and

## (2) calls on the ACT Government to:

- (a) implement all recommendations as a matter of urgency;
- (b) demonstrate that ACT teachers and staff are better equipped now than they were prior to November 2015 to deal with students with complex needs and challenging behaviours;
- (c) undertake an audit on the status of the inclusion of suitable withdrawal spaces and appropriate calming and sensory spaces in all ACT government schools and the progress of modifications that are underway; and
- (d) report to the Assembly on (2)(b) and (c) by the last sitting day of November 2017. (*Notice given 11 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).

**6 MR COE:** To move—That this Assembly:

## (1) notes:

- (a) the budgeted 12 percent increase in residential general rates revenue in 2017-18 is imposing serious financial pressure on home owners;
- (b) the increases in rates have hit unit owners the hardest due to the Government's change in its method of calculation;
- (c) this change in the calculation of rates on units comes after a concerted policy by the Government to increase the number of Canberrans living in units;
- (d) the residential rates increases and a budgeted 18 percent increase in land tax revenue in 2017-18 places serious financial pressure on landlords and tenants as well;

- (e) the pressure from rates and land tax increases is compounded by changes to Lease Variation Charges which increase the cost of residential developments;
  - (f) the impact of Government policies on pensioners is further compounded by lower rates, energy and water concessions;
  - (g) a Government spokeswoman has admitted to *The Canberra Times* that no modelling has been done about the impact of residential rate rises on homeowners with a fixed income;
  - (h) the human face of this impact were two retirees in their eighties living on a modest income in a small unit who sat in the public gallery in late August wanting to know how they will pay a 53 percent rates increase this year; and
  - (i) this relentless imposition on Canberrans by the Labor-Greens Government will continue with budgeted revenue from residential general rates increasing by a further 11 percent in 2018-19, and 9 percent in 2019-20, and 9 percent again in 2020-21; and
- (2) calls on the ACT Government to:
- (a) stop its unfair and destructive rates reform; and
  - (b) table in the Assembly no later than 21 September the Treasury analysis of the financial and social impacts of the rates reform package. (*Notice given 11 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).
- 7 **MR COE:** To move—That this Assembly calls on the ACT Government to undertake and publish staging analysis for all stages indentified in the 2015 ACT Light Rail Master Plan. As per the 1994 and 2004 Canberra light rail studies, the analysis should include, but not be limited to, estimates for:
- (1) demography;
  - (2) patronage;
  - (3) possible route alignments;
  - (4) capital costs;
  - (5) operating costs; and
  - (6) finance options. (*Notice given 21 August 2017. Notice will be removed from the Notice Paper unless called on within 3 sitting weeks—standing order 125A*).

**8 MS LE COUTEUR:** To move—That this Assembly:

- (1) notes that:
  - (a) the 2017-18 Budget increased the Lease Variation Charge on unit titling of residential dwellings on many residential Crown Leases from a tiered scale of \$7500 and \$5000 per dwelling to a flat charge of \$30 000 per dwelling on the grounds that “this will improve consistency with the ‘per unit’ charges which apply to other types of residential lease variations”;
  - (b) this charge is primarily paid by new multi-unit residential developments such as duplexes, townhouses and apartments;
  - (c) industry groups representing individual developers who will pay the increased charges identified that this change could have unintended consequences for individual developers, housing affordability and the supply of new multi-unit housing and the Government responded to these concerns by announcing transitional arrangements on 19 July 2017; and
  - (d) industry groups supported these transitional arrangements but have raised concerns about the impacts of the change beyond the transitional period;
- (2) further notes that:
  - (a) the Lease Variation Charge system is complex and presents opportunities for rationalisation and improvements in consistency;
  - (b) an implementation review of these revised charges is due within the next 18 months; and
  - (c) the Government is currently undertaking a substantial review of its housing affordability policies; and
- (3) calls on the ACT Government to:
  - (a) review the full suite of Lease Variation Charges and remissions that apply to residential and mixed-use development, with the review to:
    - (i) include consideration of options for simplification of charges, such as consistency across lease types;
    - (ii) consider charges in context with the factors that influence the financial viability of re-development including zoning, allowed plot ratios, gross floor area and the value of the completed dwellings;
    - (iii) be conducted in consultation with the community, industry groups and other stakeholders;
    - (iv) be closely co-ordinated with the review of housing affordability policies;
    - (v) seek to align charges with the Government’s housing affordability, housing supply and planning policies;

- (vi) include modelling of the potential impacts of changes on the financial viability of development; and
- (vii) be conducted on a revenue-neutral basis; and
- (b) introduce any resulting changes to charges by the 2019-20 budget cycle, with appropriate communication and transitional arrangements as necessary. (*Notice given 11 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).

### Orders of the day

- 1 **PLANNING AND DEVELOPMENT (TERRITORY PLAN VARIATIONS) AMENDMENT BILL 2017:** (*Ms Le Couteur*) Agreement in principle—Resumption of debate (*from 10 May 2017—Ms Lawder*).
- 2 **CRIMES (INVASION OF PRIVACY) AMENDMENT BILL 2017:** (*Ms Le Couteur*) Agreement in principle—Resumption of debate (*from 2 August 2017—Mr Ramsay*).

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## EXECUTIVE BUSINESS

### Orders of the day

- 1 **HOLIDAYS (RECONCILIATION DAY) AMENDMENT BILL 2017:** (*Minister for Workplace Safety and Industrial Relations*): Agreement in principle—Resumption of debate (*from 17 August 2017—Mr Wall*).
- 2 **TREE PROTECTION AMENDMENT BILL 2017:** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 24 August 2017—Ms Lee*).
- 3 **PLANNING AND DEVELOPMENT AMENDMENT BILL 2017:** (*Minister for Planning and Land Management*): Agreement in principle—Resumption of debate (*from 24 August 2017—Mr Wall*).
- 4 **CRIMES (FOOD OR DRINK SPIKING) AMENDMENT BILL 2017:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 24 August 2017—Mr Hanson*).
- 5 **CASINO (ELECTRONIC GAMING) BILL 2017:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 24 August 2017—Mr Parton*).

- 6 **MONITORING OF PLACES OF DETENTION (OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE) BILL 2017:** (*Minister for Justice, Consumer Affairs and Road Safety*): Agreement in principle—Resumption of debate (*from 24 August 2017—Mrs Jones*).
- 7 **ACT HEALTH REPORTING—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 14 February 2017—Mr Wall*) on the motion of Ms Fitzharris—That the Assembly takes note of the paper.

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## ASSEMBLY BUSINESS

### Notices

- 1 **MS BURCH:** To present a Bill for an Act to amend legislation in relation to the Legislative Assembly and officers of the Legislative Assembly. (*Notice given 8 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).
- \*2 **MS BURCH:** To move—That the following amendment be made to the standing orders: Omit standing order 213A, substitute:

**“Order for the production of documents held by the Executive**

- 213A.(1) A Member may lodge a notice of motion seeking the Assembly to order a document or documents to be tabled in the Assembly. If agreed to, the Clerk is to communicate to the Chief Minister’s Directorate all orders for a document or documents made by the Assembly.
- (2) When returned, the document or documents (where no claim of privilege is made by the Chief Minister) will be laid on the Table by the Clerk.
- (3) A return under this order is to include an indexed list of all documents tabled, showing the date of creation of the document or documents, a description of the document or documents and the author of the document or documents.
- (4) If at the time the document or documents are required to be tabled the Assembly is not sitting, the document or documents may be lodged with the Clerk, and unless privilege is claimed, are deemed to have been presented to the Assembly and authorised for publication with the Clerk circulating the document or documents to all Members as soon as practicable.

- (5) Where a document or documents is considered by the Chief Minister to be privileged, a return is to be prepared showing the date of creation of the document, a description of the document, the author of the document and reasons for the claim of privilege.
- (6) Where the Assembly requires a document or documents to be returned, either the document or documents requested or a claim of privilege must be given to the Clerk within 14 calendar days of the date of the order by the Assembly.
- (7) Any Member may, by communication in writing to the Clerk, dispute the validity of the claim of privilege in relation to a particular document or documents within seven calendar days of the receipt of the claim of privilege. On receipt of such communication, the Clerk will advise the Chief Minister's Directorate, who will provide to the Clerk, within seven calendar days of receipt of the dispute of validity claim, copies of the disputed document or documents. The Clerk is authorised to provide the disputed document or documents to an independent legal arbiter as soon as practicable, for evaluation and report within 10 calendar days as to the validity of the claim.
- (8) The Clerk is also authorised to provide to the independent legal arbiter and to all Members, submissions from any Member in relation to the claim of privilege.
- (9) The independent legal arbiter is to be appointed by the Speaker and must be a retired Supreme Court, Federal Court or High Court Judge.
- (10) A report from the independent legal arbiter is to be lodged with the Clerk and:
  - (a) made available only to Members of the Assembly; and
  - (b) not published or copied without an order of the Assembly.
- (11) If the independent legal arbiter upholds the claim of privilege the Clerk shall return the document or documents to the Chief Minister's Directorate.
- (12) If the independent legal arbiter does not uphold the claim of privilege, the Clerk will table the document or documents that has been the subject of the claim of privilege. In the event that the Assembly is not sitting, the Clerk is authorised to provide the document or documents to any Member upon request, however, the document or documents do not attract absolute privilege until tabled by the Clerk at the next sitting of the Assembly.

- (13) Other persons requesting to examine the document or documents may do so with the Clerk maintaining a register showing the name of any person examining the document or documents tabled under this order.”. (*Notice given 12 September 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).

## Orders of the day

### End of October 2017

- 1 **INDEPENDENT INTEGRITY COMMISSION—SELECT COMMITTEE:** Presentation of report on the most effective and efficient model for an independent integrity commission for the ACT, pursuant to order of the Assembly of 15 December 2016, as amended 6 June 2017.

### Last sitting day in 2017

- 2 **2016 ACT ELECTION AND THE ELECTORAL ACT—SELECT COMMITTEE:** Presentation of report on a review of the operation of the 2016 ACT election and the Electoral Act and other relevant legislation and policies in regards to election-related matters, pursuant to order of the Assembly of 15 December 2016.

### Last sitting day in March 2018

- 3 **EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE:** Presentation of report on the 2016 annual report for the Canberra Institute of Technology, pursuant to order of the Assembly of 16 February 2017, as amended 9 May 2017 and 8 June 2017.

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## EXECUTIVE MEMBERS' BUSINESS

*There are no notices or orders of the day*

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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/in-the-assembly/questions-paper](http://www.parliament.act.gov.au/in-the-assembly/questions-paper).

**Unanswered questions**

358, 361, 368, 371, 440, 442, 459, 465-467, 469, 470, 473, 474, 484, 486, 487, 489, 491, 492, 496, 498-503, 505, 507, 509-534, 536-582, 585-588, 590-595, 598, 600.

**T Duncan**

Clerk of the Legislative Assembly

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**GOVERNMENT TO RESPOND TO PETITIONS**

(in accordance with standing order 100)

**1 November 2017**

Farrer—Strategic plan to enhance community facilities—Minister for Transport and City Services—Petitions lodged by Mr Steel (Pet 13-17 and 16-17).

Billboard advertising in the ACT—Enforcement of rules—Minister for Planning and Land Management—Petitions lodged by Ms Lee (Pet 14-17 and 17-17).

ACTION bus services between Deakin, Kingston and Manuka—Minister for Transport and City Services—Petition lodged by Ms Lee—(Pet 15-17).

**16 November 2017**

Higgins—Upgrades to playgrounds—Minister for Transport and City Services—Petition lodged by Mrs Kikkert (Pet 20-17).

**23 November 2017**

Safe Schools Coalition program—Minister for Education and Early Childhood Development—Petition lodged by Mr Wall (Pet 21-17).

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## COMMITTEES

Unless otherwise shown, appointed for the life of the Ninth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

### Standing

Pursuant to standing order

**ADMINISTRATION AND PROCEDURE:** (*Formed 31 October 2016*): The Speaker (Chair), Ms Cheyne, Mr Rattenbury, Mr Wall.

Pursuant to resolution

**ECONOMIC DEVELOPMENT AND TOURISM—STANDING COMMITTEE:** (*Formed 13 December 2016*): Mr Hanson (Chair), Ms Orr, Mr Parton, Mr Pettersson.

**EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE:** (*Formed 13 December 2016*): Mr Pettersson (Chair), Mrs Kikkert, Mr Steel, Mr Wall.

**ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE:** (*Formed 13 December 2016*): Ms Orr (Chair), Ms Cheyne, Mr Doszpot, Mr Parton.

**HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE:** (*Formed 13 December 2016*): Mr Steel (Chair), Mrs Dunne, Mrs Kikkert, Ms Le Couteur, Mr Pettersson.

**JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** (*Formed 13 December 2016*): Mrs Jones (Chair), Ms Cody, Ms Lee, Mr Steel.

**PLANNING AND URBAN RENEWAL—STANDING COMMITTEE:** (*Formed 13 December 2016*): Ms Le Couteur (Chair), Ms Cheyne, Ms Lawder, Mr Milligan, Ms Orr.

**PUBLIC ACCOUNTS:** (*Formed 13 December 2016*): Mrs Dunne (Chair), Ms Cody, Mr Coe, Mr Pettersson.

### Select

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

**INDEPENDENT INTEGRITY COMMISSION—SELECT COMMITTEE:** (*Formed 15 December 2016*): Mr Rattenbury (Chair), Ms Cody, Mrs Jones, Ms Lee, Mr Steel.

## **Dissolved**

**ESTIMATES 2017-2018—SELECT COMMITTEE:** *(Formed 16 February 2017):* Mr Wall (Chair), Ms Cody, Mr Coe, Ms Le Couteur, Mr Pettersson. *(Presented 1 August 2017)*

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