Legislative Assembly for the
Australian Capital Territory

2016-2017

Notice Paper

No 15

Thursday, 11 May 2017

The Assembly meets this day at 10 am

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ASSEMBLY BUSINESS

Orders of the day

1  **STANDING COMMITTEES**: Presentation of reports on annual and financial reports for the financial year 2015-2016 and calendar year 2015, pursuant to order of the Assembly of 16 February 2017, as amended 9 May 2017.

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EXECUTIVE BUSINESS

Notice

*1  **MR BARR**: To present a Bill for an Act to amend legislation about the streetlight network, and for other purposes. *(Notice given 10 May 2017).*

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

ASSEMBLY BUSINESS—continued

Notice

*1 MS BURCH: To move—That we, the Members of the Ninth Legislative Assembly for the Australian Capital Territory, having adopted a code of conduct for Members, reaffirm our commitment to the principles, obligations and aspirations of the code. (Notice given 10 May 2017. Notice will be removed from the Notice Paper unless called on within 8 sitting weeks—standing order 125A).

Orders of the day—continued

2 EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE—PROPOSED INQUIRY INTO THE VALUE OF UNIVERSAL ACCESS TO EARLY CHILDHOOD EDUCATION: Resumption of debate (from 15 December 2016—Mr Rattenbury) on the motion of Mr Steel—That this Assembly:

(1) notes the Mitchell Institute Report Preschool – Two Years are Better Than One Developing a universal preschool program for Australian 3 year olds – evidence, policy and implementation; and

(2) resolves that the Standing Committee on Education, Employment and Youth Affairs conducts an inquiry into the value of universal access to early childhood education, including evidence around the benefits to children of starting preschool at age three.

3 EDUCATION, EMPLOYMENT AND YOUTH AFFAIRS—STANDING COMMITTEE—PROPOSED INQUIRY INTO ENROLMENTS AND CAPACITY IN PUBLIC SCHOOLS: Resumption of debate (from 15 December 2016—Ms Le Couteur) on the motion of Mr Pettersson—That the matter of enrolments and capacity in Canberra public schools, including Priority Enrolment Areas and other factors affecting demand on schools, and any related matters, be referred to the Standing Committee on Education, Employment and Youth Affairs for inquiry and report.

Last sitting day in June 2017

1 August 2017


Last sitting day in August 2017

6 **STANDING COMMITTEES:** Presentation of reports on annual and financial reports for the calendar year 2016, pursuant to order of the Assembly of 16 February 2017.

End of August 2017

7 **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.

Last sitting day in 2017

8 **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.

EXECUTIVE MEMBERS’ BUSINESS

Notice

1 **MR RATTENBURY:** To move—That this Assembly:

   (1) notes that:

   (a) the ACT currently has approximately 16.2 poker machine licences per 1000 adults, which is the highest ratio of any state or territory in Australia;

   (b) the risks of problem gambling increase significantly with the frequency of playing poker machines, with the Productivity Commission estimating that among those who play poker machines weekly or more, 15 percent are problem gamblers and an additional 15 percent are at moderate risk;
in 2014, people who reported any level of problem gambling accounted for 64 percent of losses from poker machines. Moderate or high risk problem gamblers accounted for 28 percent of poker machine losses, despite representing only 2 percent of the ACT adult population;

(d) poker machines are manufactured using well established principles of behavioural psychology including visual and audio reinforcement to make losses appear as wins and unequal reel lengths which make near misses occur with greater frequency. These design features increase the risk of addictive gambling; and

(e) for every person with a gambling problem, between five and 10 others also experience serious consequences including emotional distress, relationship breakdown and financial difficulties;

(2) further notes that:

(a) since the start of this year, a number of Canberrans have spoken publicly about their experiences with problem gambling and poker machine addiction, including identifying gaps and limitations in the current regulatory system;

(b) the availability of cash through EFTPOS facilities has been identified by people with experience of gambling harm as a way to access money beyond the current $250 ATM withdrawal limit, which can be an obstacle to controlling problem gambling behaviour;

(c) the Productivity Commission Report into Gambling 2010 recommended a number of evidence-based measures to reduce harm from poker machines, including mandatory pre-commitment and $1 maximum bet limits; and

(d) the Parliamentary Agreement for the 9th Legislative Assembly includes commitments to reduce harm from gaming through reducing the number of poker machine licences in the ACT down to 4000 by 2020 and exploring mandatory pre-commitment and bet limits for poker machines; and

(3) calls on the ACT Government to:

(a) investigate changes to the Gaming Machine Act 2004 to apply the $250 cash withdrawal limit in gaming venues to all cash facilities, including EFTPOS facilities; and

(b) increase the transparency of the social impact assessment process to allow easy access to relevant documents and enable all Canberrans to contribute to decisions regarding the presence of poker machines in their local communities. (Notice given 8 May 2017. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).
EXECUTIVE BUSINESS—continued

Orders of the day

1. CITY RENEWAL AUTHORITY AND SUBURBAN LAND AGENCY BILL 2017: (Chief Minister): Detail stage—Clause 1—Resumption of debate (from 9 May 2017—Mr Gentleman).


7. ABORIGINAL AND TORRES STRAIT ISLANDER ELECTED BODY AMENDMENT BILL 2017: (Minister for Aboriginal and Torres Strait Islander Affairs): Agreement in principle—Resumption of debate (from 30 March 2017—Mr Milligan).

8. FIREARMS AMENDMENT BILL 2017: (Minister for Police and Emergency Services): Agreement in principle—Resumption of debate (from 30 March 2017—Mr Hanson).


10. 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.

11. SWITCHBOARD INCIDENT AT CANBERRA HOSPITAL AND REPLACEMENT OF ELECTRICAL SWITCHBOARDS—MINISTERIAL STATEMENT AND PAPER—MOTION TO TAKE NOTE OF PAPER: Resumption of debate (from 9 May 2017—Mr Wall) on the motion of Ms Fitzharris—That the Assembly takes note of the paper.

And on the amendment moved by Mrs Dunne—Add: “and that the Assembly calls on the Minister for Health, by the end of the current sitting period to:
(1) provide the Assembly with a full chronology of events, starting with the time when problems with the main switchboard were identified initially and concluding with the signing of the contract on 7 April 2017 with Shaw Building Services to replace the main electrical switchboard; and

(2) table the AECOM risk assessment report on the performance of infrastructure at The Canberra Hospital, referred to in the hearings of the Select Committee on Estimates 2016-2017 on 29 June 2016.”.

PRIVATE MEMBERS’ BUSINESS

Notice

1  MR HANSON: To move—That this Assembly:

(1) notes that:

(a) on 14 February 2017, a member of the Labor Party, Ms Bec Cody MLA, used the adjournment debate of the Assembly to attack the RSL over some tiles in the male bathroom, Ms Cody stated “Let me say that again, in 2017 in Australia, in a club that promotes itself as championing our values and respect for our national heritage, men are expected to urinate on Aboriginals”;

(b) about the Sussex Inlet RSL, Ms Cody said “the Sussex Inlet RSL are a disgrace, they are a disgrace to themselves, a disgrace to the veterans they claim to represent and a disgrace to Australia”;

(c) about the RSL in general, Ms Cody said that there existed “a long history of disgraceful behaviour by this organisation”;

(d) about the people within the RSL, Ms Cody said they were “people who either are, or stand by, racists”;

(e) since Ms Cody’s accusations, it has been exposed that the description Ms Cody made of the tiles’ placement was not true;

(f) since Ms Cody’s accusations, it was revealed that the links between the club and the RSL management is not true;

(g) following Ms Cody’s accusations, the RSL stated “It is this type of unfounded criticism of a national body, spoken in generalisations, which has completed over 100 years of assisting the veteran family and community that makes the veterans very angry”; and

(h) Ms Cody’s accusations have caused enormous hurt and harm by falsely representing facts, and accusing various parties of extreme racism; and
calls upon the Minister for Veterans and Seniors and the Chief Minister to:

(a) condemn Ms Cody for her inflammatory and untruthful statements;
(b) apologise to the members of the Sussex Inlet RSL and its management for promoting untrue statements, and accusing them of being racists;
(c) apologise to the national and state management of the RSL for falsely associating them with the RSL club, and accusing them of being racists; and
(d) reconfirm the ACT Government’s commitment to our returned service men and women, and the organisations that support them. (Notice given 20 March 2017. Notice will be removed from the Notice Paper unless called on within 2 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 BUSHFIRE ABATEMENT ZONE: Resumption of debate (from 10 May 2017—Ms Cody) on the motion, as amended, of Mrs Jones—That this Assembly:

(1) notes that:

(a) Mr Ron McLeod’s 2003 report “Inquiry into the Operational Response to the January 2003 Bushfires in the ACT” made the following recommendations:

(i) “A bushfire-abatement zone (BAZ) should be defined between the north-west and western perimeter of Canberra and the Murrumbidgee River and the foothills of the Brindabella Range.”;

(ii) “A set of Bushfire Protection Planning Principles in relation to fire mitigation and suppression should be adopted and applied to future developments in the designated abatement zone.”;

(iii) “The abatement zone should be declared a bushfire-prone area, and the requirements of the Building Code of Australia—in particular, its standards for bushfire-prone areas—should be applied to all future developments in the zone.”;

(b) following the recommendations of Mr Ron McLeod, and in line with the later report handed down by Coroner Maria Doogan, the Emergencies Act 2004 was enacted and provided:

(i) a Bushfire Abatement Zone for planning and operational purposes;

(ii) for the BAZ to include “City Areas” (“built-up areas” (BUA)); and
(iii) the Response Arrangements at that time (see NI2004—499) included that: “If, in the opinion of the ACT Fire and Rescue, the fire poses a risk to life or property in the Built-up Area, then the ACT Fire and Rescue will assume incident control.” This remained in place in the 2006 iteration (NI2006—221);

(c) the BAZ remains in place as a land planning and management tool as intended following the McLeod Inquiry;

(d) in 2011, the BAZ was updated to clarify response arrangements, as agreed by the then Chief Officers of the ACT Fire Brigade and the ACT Rural Fire Service;

(e) in 2016, following a review of the Emergencies Act 2004, there was an update to further clarify response arrangements; and

(f) in 2017, the BAZ and BUA boundaries were updated again to include the suburbs of Throsby and Jacka as built-up areas. This was notified by the Acting ESA Commissioner in a notifiable instrument in April 2017; and

(2) notes that:

(a) changes to the BAZ and BUA have not altered the existing response arrangements, which are that first response to all grass and bush fires in the ACT will be by the nearest available most appropriate resource, irrespective of jurisdiction or Service; and

(b) ACT fire services continue to work together in responding to fires in the bushfire abatement zone; and

(3) calls on the Minister to report to the Assembly by the last sitting day in August:

(a) how the BAZ is controlled in regards to planning and operations and what operational procedures are in place to protect the ACT’s urban and rural areas; and

(b) what planning or actions the ACT Emergency Services Agency is undertaking for when the built-up areas encroach onto the New South Wales border.

And on the amendment moved by Mr Wall—Insert new paragraph (3)(a):

“(a) the rationale behind the 2011 changes and to explain, for the benefit of the community, how BAZ is controlled both in regards to fuel-reduction burning and in the event of a fire being within metres or kilometres of built-up areas;”. (Order of the day will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 152A.)
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.

Unanswered questions

146, 148, 163.

T Duncan
Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS
(in accordance with standing order 100)

16 May 2017

Curtin—Draft Master Plan—Minister for Planning and Land Management—Petition lodged by Ms Le Couteur (Pet 1-17).

20 June 2017

KFC Restaurant—O’Hanlon Place, Gold Creek Village—Minister for Planning and Land Management—Petitions lodged by Ms Le Couteur (Pet 3-17 and Pet 6-17).

8 August 2017

Arts funding—Minister for the Arts and Community Events—Petitions lodged by Ms Cheyne (Pet 4-17 and Pet 7-17).
9 August 2017

Public housing development—Wright—Minister for Housing and Suburban Development—Petition lodged by Mr Hanson (Pet 8-17).

Public housing development—Mawson—Minister for Housing and Suburban Development—Petition lodged by Mr Hanson (Pet 9-17).

Public housing development—Holder—Minister for Housing and Suburban Development—Petition lodged by Mr Hanson (Pet 10-17).

Public housing development—Darwinia Community Park, Chapman—Minister for Housing and Suburban Development—Petition lodged by Mr Hanson (Pet 11-17).

Revenge porn—Criminalisation—Attorney-General—Petition lodged by Ms Le Couteur (Pet 5-17).

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.

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

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