Legislative Assembly for the
Australian Capital Territory

2016-2017-2018

Notice Paper

No 72
Thursday, 20 September 2018

The Assembly meets this day at 10 am

ASSEMBLY BUSINESS

Order of the day

1 PUBLIC ACCOUNTS—STANDING COMMITTEE: Presentation of report on papers relating to methodology for determining rates and land tax for strata residences, pursuant to order of the Assembly of 15 February 2018; amended 10 May 2018.

EXECUTIVE BUSINESS

Notices

*1 MR RAMSAY: To present a Bill for an Act to amend legislation for the purpose of statute law revision, and for other purposes. (Notice given 19 September 2018).

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

*2 MR RAMSAY: To present a Bill for an Act to amend legislation about crimes, and for other purposes. *(Notice given 19 September 2018).*

*3 MR RATTENBURY: To present a Bill for an Act to amend legislation about sentencing, and for other purposes. *(Notice given 19 September 2018).*

ASSEMBLY BUSINESS—continued

Notices

1 MS CHEYNE: To move—

(1) that the resolution of the Assembly of 13 December 2016, as amended 27 October 2017, which established the general purpose standing committees be amended by omitting paragraph (4) and substituting:

“(4) Each general purpose committee shall consist of the following number of members, composed as follows:

(a) the Standing Committee on Education, Employment and Youth Affairs:

(i) One member to be nominated by the Government;
(ii) Two members to be nominated by the Opposition; and
(iii) the Chair shall be the Government member;

(b) the Standing Committee on Health, Ageing and Community Services:

(i) One member to be nominated by the Government;
(ii) One member to be nominated by the Opposition;
(iii) One member to be nominated by the Crossbench; and
(iv) the Chair shall be the Government member;

(c) the Standing Committee on Environment and Transport and City Services:

(i) One member to be nominated by the Government;
(ii) Two members to be nominated by the Opposition; and
(iii) the Chair shall be the Government member;

(d) the Standing Committee on Justice and Community Safety:

(i) One member to be nominated by the Opposition;
(ii) Two members to be nominated by the Government; and
(iii) the Chair shall be the Opposition member;

(e) the Standing Committee on Public Accounts:

(i) Two members to be nominated by the Opposition;
(ii) Two members to be nominated by the Government; and
(iii) the Chair shall be an Opposition member;

(f) the Standing Committee on Economic Development and Tourism:

(i) One member to be nominated by the Opposition;
(ii) Two members to be nominated by the Government; and
(iii) the Chair shall be the Opposition member; and

(g) the Standing Committee on Planning and Urban Renewal:

(i) One member to be nominated by the Government;
(ii) One member to be nominated by the Opposition;
(iii) One member to be nominated by the Crossbench; and
(iv) the Chair shall be the Crossbench member.”; and

(2) that the nominations and appointments to these committees, pursuant to resolutions of the Assembly of 13 December 2016, 15 February 2018, 21 March 2018 and 23 August 2018 be revoked and that new nominations for membership of these committees be notified in writing to the Speaker within two hours following conclusion of the debate on the matter. (Notice given 17 September 2018. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

2 MR GENTLEMAN: To move—That this Assembly:

(1) notes that:

(a) Icon Water Limited (Icon) is a registered company under the Corporations Act 2001 (Commonwealth) that as a Territory owned corporation is also subject to the Territory Owned Corporations Act 1990; and

(b) the Chief Minister has previously stated in this Assembly that Icon’s contracts with ActewAGL, being the Corporate Services Agreement and Customer Services and Community Support Agreement (Agreements), are not documents that are created by the Executive, owned by the Executive or held by the Executive;

(2) recognises that:

(a) standing order 213A does not respond to circumstances where the Assembly seeks information or documents from persons or entities that do not comprise the Executive Government;
(b) for the Assembly to order Icon to produce the Agreements requires a specific resolution directed to Icon; and
(c) the resolution should include provision for the process for any objection by Icon for production of all or part of the Agreements and the reference of any such objection to an independent arbiter for determination; and

(3) notwithstanding standing order 213A, calls on the Assembly to:
(a) order Icon to table the Agreements that it has with ActewAGL being the Corporate Services Agreement and Customer Services and Community Support Agreement (Agreements);
(b) require Icon comply with this order (where no claim of privilege or public interest immunity is made) by delivering the documents to the Clerk of the Assembly within 14 days of this order and the documents are deemed to have been presented to the Assembly;
(c) require that if Icon claims that the Agreements or any part of them are privileged or subject to public interest immunity, Icon must, within 14 days of this order, deliver to the Clerk of the Assembly a statement setting out the reasons for the claim of privilege or public interest immunity. A copy of the statement will be provided to each member of the Assembly and any member may within seven days dispute the claim for privilege or public interest immunity. Any notice disputing the claim may be accompanied by a statement setting out why it is disputed;
(d) require that if the claim for privilege or public interest immunity is not disputed then it is accepted;
(e) require that if the claim for privilege or public interest immunity is disputed then the Clerk will inform Icon and Icon must within seven days deliver the Agreements to the Clerk in a sealed envelope and the Clerk is authorised to release the Agreements and the statements to an independent legal arbiter for evaluation of the claim for privilege or public interest immunity and report within 14 days as to the validity of the claim;
(f) require that the Speaker appoint an independent legal arbiter who must be a retired Supreme Court, Federal Court or High Court Judge;
(g) require that the independent legal arbiter provide a report that is to be lodged with the Clerk and:
   (i) made available only to Members of the Assembly and Icon; and
   (ii) not published or copied without an order of the Assembly;
(h) require that if the independent legal arbiter upholds the claim of privilege or public interest immunity, the Clerk shall return the Agreements to Icon; and
(i) require that if the independent legal arbiter does not uphold the claim of privilege or public interest immunity, the Clerk will table the Agreements. In the event that the Assembly is not sitting, the Clerk is authorised to provide the Agreements to any Member upon request, however, the Agreements do not attract absolute privilege until tabled by the Clerk at the next sitting of the Assembly. (Notice given 17 September 2018. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

Orders of the day—continued

2 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE—PROPOSED REFERRAL: Resumption of debate (from 7 June 2018—Mr Rattenbury) on the motion of Mrs Dunne—That the Standing Committee on Health, Ageing and Community Services inquire into and report on the delivery of high quality maternity services, including, but not limited to, the support of staff in a high-pressure environment, and any related matters.

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No later than the end of September 2018

3 ECONOMIC DEVELOPMENT AND TOURISM—STANDING COMMITTEE: Presentation of report on the Government Procurement (Secure Local Jobs) Amendment Bill 2018, pursuant to order of the Assembly of 2 August 2018.

31 October 2018

4 INDEPENDENT INTEGRITY COMMISSION 2018—SELECT COMMITTEE: Presentation of report on the establishment of an integrity commission for the ACT, through examination of a draft Government Bill and the Anti-corruption and Integrity Commission Bill 2018, and other related matters pursuant to order of the Assembly of 6 June 2018.

Last sitting day in October 2018


Last sitting day in 2018

6 END-OF-LIFE CHOICES IN THE ACT—SELECT COMMITTEE: Presentation of report on end-of-life choices in the ACT, pursuant to order of the Assembly of 30 November 2017; amended 2 August 2018.
EXECUTIVE BUSINESS—continued

Notices—continued

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

(1) welcomes the arrival in Canberra of representatives of the International Campaign to Abolish Nuclear Weapons (ICAN) on the Nobel Peace Ride;

(2) congratulates ICAN for its advocacy and leadership in the passage of the United Nations (UN) Treaty on the Prohibition of Nuclear Weapons and on being awarded the 2017 Nobel Peace Prize;

(3) notes that the UN Treaty on the Prohibition of Nuclear Weapons:

(a) is the first ever treaty to explicitly prohibit all aspects of the development, production, possession, transfer, use or threat of use of nuclear weapons, or assistance or encouragement to engage in any of these prohibited activities;

(b) was passed by a majority of countries at the UN on 7 July 2017 and will come into effect when 50 countries have signed and ratified it;

(c) has been signed by 60 countries and ratified by 15 including New Zealand; and

(d) has not been signed or ratified by the Australian Government; and

(4) calls on Members of the Legislative Assembly to:

(a) join with other city and state governments around the world in passing a resolution in support of the UN Treaty on the Prohibition of Nuclear Weapons;

(b) sign the ICAN Parliamentary Pledge in support of the UN Treaty on the Prohibition of Nuclear Weapons; and

(c) urge the Australian Government to sign and ratify the UN Treaty on the Prohibition of Nuclear Weapons. (Notice given 19 September 2018. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A).

Orders of the day

1  CIVIL LAW (WRONGS) (CHILD ABUSE CLAIMS AGAINST UNINCORPORATED BODIES) AMENDMENT BILL 2018: (Attorney-General): Agreement in principle—Resumption of debate (from 16 August 2018—Mr Hanson).

EDUCATION AMENDMENT BILL 2017: (Minister for Education and Early Childhood Development): Agreement in principle—Resumption of debate (from 26 October 2017—Mr Wall).

GOVERNMENT PROCUREMENT (SECURE LOCAL JOBS) AMENDMENT BILL 2018: (Minister for Workplace Safety and Industrial Relations): Agreement in principle—Resumption of debate (from 2 August 2018—Mr Wall). (Referred to the Standing Committee on Economic Development and Tourism on 2 August 2018 for report by no later than the end of September 2018.)

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.

ACHIEVEMENTS IN THE FIRST YEAR—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Resumption of debate (from 31 October 2017—Mrs Jones) on the motion of Mr Rattenbury—That the Assembly takes note of the paper.

FEMALE DETAINEE ACCOMMODATION AT THE ALEXANDER MACONOCHIE CENTRE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER: Resumption of debate (from 31 October 2017—Mrs Jones) on the motion of Mr Rattenbury—That the Assembly takes note of the paper.

PRIVATE MEMBERS’ BUSINESS

Notices

MS CODY: To move—That this Assembly:

(1) notes:
   (a) the extraordinary growth in the profile of women’s sport in the Canberra community;
   (b) the ongoing success of Canberra United, the Canberra Capitals and women’s national league teams such as netball, cricket and ice hockey;
   (c) greater encouragement for girls’ and women’s participation in many sporting codes;
   (d) the opening of elite pathways in traditionally male-dominated codes such as the Australian Football League (AFL), Rugby Union, and Rugby League;
(e) the contribution of clubs to local sport and sporting organisations through their own revenue and the community contributions scheme; and

(f) the disappointment and outrage expressed in the AFL Women’s community about future fixtures;

(2) further notes:

(a) significant investments in community and professional sporting facilities funded by the ACT Government, including at Stromlo Forrest Park, Football Park Phillip, and the Melrose Football Precinct;

(b) the ACT Government has set a requirement that triennially funded peak sporting bodies have at least 40 percent women’s representation on their boards by 2020 and is working with sports towards this outcome;

(c) community clubs also have a key role to play in achieving gender equity in sport through their contributions;

(d) ongoing improvements and development of women’s changing facilities under the ACT Government’s female friendly design guidelines and infrastructure funding commitment; and

(e) the ACT has secured games in the 2020 International Cricket Council World Women’s Twenty20 World Cup; and

(3) calls on the Government to continue to promote both community and professional women’s sport by:

(a) ensuring equity in access to sporting facilities and opportunities for all ages to participate;

(b) working with community and professional sporting organisations to promote programs that deliver women’s sport; and

(c) investigating ways to increase the share of the Club Community Contributions Scheme that go towards women’s sport. (Notice given 14 September 2018. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).
(f) the ACT is often bypassed by RV tourists due to a lack of infrastructure; and

(2) calls on:

(a) the ACT Government to work with the Campervan Motorhome Club of Australia to become recognised as an “RV friendly town”; and

(b) the ACT Government to develop a strategy for attracting RV tourism to the ACT. (Notice given 17 September 2018. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

Orders of the day

1. LAND TAX (COMMUNITY HOUSING EXEMPTION) AMENDMENT BILL 2018: (Mr Parton) Agreement in principle—Resumption of debate (from 19 September 2018—Mr Barr).


3. LANDS ACQUISITION (REPORTING REQUIREMENTS) AMENDMENT BILL 2018: (Mr Coe) Agreement in principle—Resumption of debate (from 14 February 2018—Mr Barr).

4. CRIMES (CONSENT) AMENDMENT BILL 2018: (Ms Le Couteur) Agreement in principle—Resumption of debate (from 11 April 2018—Mr Ramsay). (Referred to the Standing Committee on Justice and Community Safety on 8 May 2018 for inquiry and report by the last sitting day in October 2018).

5. MAGISTRATES COURT (RETIREMENT AGE OF MAGISTRATES) AMENDMENT BILL 2018: (Mr Hanson) Agreement in principle—Resumption of debate (from 9 May 2018—Mr Ramsay).

6. ANTI-CORRUPTION AND INTEGRITY COMMISSION BILL 2018: (Mr Coe) Agreement in principle—Resumption of debate (from 6 June 2018—Mr Barr).

7. GOVERNMENT AGENCIES (LAND ACQUISITION REPORTING) BILL 2018: (Mr Coe) Agreement in principle—Resumption of debate (from 1 August 2018—Ms Cody).

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

1568, 1580, 1611, 1632, 1643, 1645, 1651, 1683-1686, 1688-1691, 1693, 1698, 1701-1705, 1710, 1713, 1714, 1716.

T Duncan
Clerk of the Legislative Assembly

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

30 October 2018

Eating Disorder Health Care Services in the ACT—Minister for Mental Health—Petition lodged by Mr Pettersson (Pet 7-18). (Redirected 1 August 2018)

Sunday/Public holiday Bus Timetables—Minister for Transport and City Services—Petition lodged by Ms Le Couteur (Pet 8-18).

13 November 2018

Tuggeranong Town Centre Master Plan—Minister for Transport and City Services—Petition lodged by Ms J Burch (Pet 11-18). (Redirected 17 August 2018)

Charnwood Group Centre—Recycling options—Minister for Transport and City Services—Petition lodged by Mrs Kikkert (Pet 16-18).

18 December 2018

Fencing of play spaces—Minister for City Services—Petition lodged by Ms Le Couteur (Pet 14-18).

ACT Clubs’ Community Contributions Scheme—Attorney-General—Petition lodged by Mr Parton (Pet 15-18).
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; amended 26 October 2017): Mr Hanson (Chair), Ms Orr, Mr Parton, Mr Pettersson.

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

ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE: (Formed 13 December 2016): Ms Orr (Chair), Miss C Burch, Ms Cheyne, Ms Lawder.

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

JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE: (Formed 13 December 2016): Ms Lee (Chair), Ms Cody, Ms Lawder, Mr Pettersson.

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

PUBLIC ACCOUNTS: (Formed 13 December 2016; amended 26 October 2017): Mrs Dunne (Chair), Ms Cody, Mr Coe, Mr Pettersson.

Select

END OF LIFE CHOICES IN THE ACT—SELECT COMMITTEE: (Formed 30 November 2017): Ms Cody (Chair), Ms Cheyne, Mrs Dunne, Mrs Kikkert, Ms Le Couteur.

INDEPENDENT INTEGRITY COMMISSION 2018—SELECT COMMITTEE: (Formed 6 June 2018): Mr Rattenbury (Chair), Ms Cody, Mrs Dunne, Ms Lee, Mr Steel.
Dissolved

2016 ACT ELECTION AND ELECTORAL ACT—SELECT COMMITTEE: (Formed 15 December 2016): Ms Cody (Chair), Ms Cheyne, Ms Le Couteur, Mr Milligan, Mr Wall. (Presented 30 November 2017)

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)

ESTIMATES 2018-2019—SELECT COMMITTEE: (Formed 22 March 2018): Mr Wall (Chair), Ms Cheyne, Ms Le Couteur, Ms Lee, Ms Orr. (Presented 31 July 2018)

INDEPENDENT INTEGRITY COMMISSION—SELECT COMMITTEE: (Formed 15 December 2016; amended 6 June 2017): Mr Rattenbury (Chair), Ms Cody, Mrs Jones, Ms Lee, Mr Steel. (Presented 31 October 2017)

PRIVILEGES 2018—SELECT COMMITTEE: (Formed 12 April 2018): Mr Rattenbury (Chair), Ms Cheyne, Mr Wall. (Presented 31 July 2018)