

Parliamentary Agreement for the 8th Legislative Assembly for the Australian Capital Territory

THIS AGREEMENT is made on the 2nd day of November 2012

BETWEEN Ms Katy Gallagher MLA, Leader of the Australian Labor Party, ACT Branch

AND Mr Shane Rattenbury MLA, ACT Greens Member for Molonglo

ACT Labor and the ACT Greens

Building on the Parliamentary Agreement for the 7th Legislative Assembly for the ACT;

Maintaining a relationship characterised by mutual trust and respect, including frank and full disclosure of relevant information;

Sharing a joint vision of a sustainable and productive economy with a compassionate, prosperous, well-governed and vibrant community in the ACT that can lead the nation on key policy areas;

Undertaking to ensure an accountable and transparent government that is responsive to the community;

Recognising the need for the ACT to accelerate its evolution towards becoming a socially and environmentally responsible and sustainable city;

Commit to delivering a comprehensive program of reforms including:

- the construction of a light rail network;
- 90% of Canberra's electricity to come from renewable sources by 2020;
- restoring the health of Canberra's lakes;
- the Gonski reforms for education funding;
- taxation reform;
- a commitment to new and innovative models for social housing including the construction of a Common Ground facility to combat homelessness; and
- helping Canberra households reduce energy, emissions and save money on utility bills.

AGREE to the following for the term of the 8th Legislative Assembly for the ACT:

1) Election of Chief Minister

Subject to this agreement, the ACT Greens will support Ms Katy Gallagher as Chief Minister of the ACT.

2) Commitment to Stable Government

The ACT Greens agree, subject to the conditions set out below in this agreement to:

- i) Guarantee their support for the passage of Appropriation Bills for ordinary annual services of the government, subject to Appendix 2;
- ii) Not to support any other party's no-confidence motions;

- iii) Maintain confidence in Chief Minister Ms Katy Gallagher and her Ministers except in instances of proven corruption, gross negligence or non-adherence to this agreement or the Ministerial Code of Conduct.

The ACT Greens opposition to a specific Government bill, motion or other parliamentary initiative does not equate to a lack of confidence.

3) Commitment to fiscal responsibility

The parties confirm their commitment to fiscal responsibility and the maintenance of a balanced budget through the economic cycle.

4) Commitment to Policy Program

ACT Labor agrees to support or deliver the initiatives as they are described in Appendix 1 of this agreement unless a written agreement to vary the initiative is signed by both parties (see clause 9).

5) Commitment to Further Parliamentary Reform

The parties to this agreement confirm their commitment to the Agenda for Parliamentary Reform as outlined in Appendix 3 of this agreement.

6) Appointment of an ACT Greens Minister

Once appointed as Chief Minister Katy Gallagher will appoint Shane Rattenbury as a Minister subject to Appendix 2.

7) Executive Members Business

ACT Labor agrees to support the amendment of the Standing Orders to provide time during each Assembly sitting week to allow Executive Members business that has not been submitted to Cabinet to be debated in the Assembly (see Appendix 3).

8) Parliamentary Staffing and Resources

ACT Labor agrees to provide the ACT Greens with staffing resources sufficient to undertake Ministerial, Assembly and Electorate duties.

9) Provision of information

Information and regular briefings and written responses to specific questions will be provided by directorate officials to the ACT Greens both about matters arising under this agreement and other matters as requested by the ACT Greens.

10) Public communication of initiatives

ACT Labor will provide notice to the ACT Greens before any public announcements involving items from this agreement, and will acknowledge the ACT Greens and this agreement in any public communications about items from this agreement. The ACT Greens will provide equivalent notice to the relevant Government Minister should they be responsible for delivering the agreement item.

11) Review of this Agreement

The parties shall meet every six months to review the implementation of this Agreement.

12) Committees and Other Roles in the Assembly

The ACT Greens will support ACT Labor’s nominations for Chair of the following Committees:

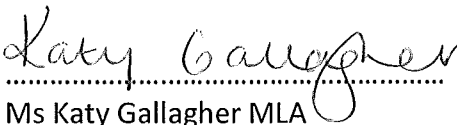
- i) Education, Training and Youth Affairs
- ii) Health, Ageing, Community and Social Services
- iii) Planning, Environment and Territory and Municipal Services

13) Amendment

This agreement may be amended by agreement between the parties. Any proposed amendments shall be put in writing by the party making the proposal. The parties will undertake discussions of amendments in good faith.

14) Dispute Resolution

The parties will, in the event of a perceived non-adherence to this agreement, notify the other party in writing immediately. Following written notification the parties will meet as soon as practicable and act in good faith to resolve the dispute.

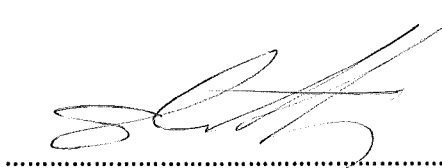


Ms Katy Gallagher MLA
Leader of the Australian Labor Party, ACT Branch

In the presence of:



Mr Andrew Barr MLA
Deputy Leader of the Australian Labor Party, ACT Branch



Mr Shane Rattenbury MLA
ACT Greens MLA for Molonglo

In the presence of:



Mr Simon Copland
Convenor ACT Greens

Appendix 1

ACT Labor agrees to support or implement the following initiatives:

1. Governance and Integrity

1.1 ACT Greens Bills for:

- a) a new Freedom of Information Act based on the *Queensland Right to Information Act 2009*, with a significantly reduced schedule of information deemed not to be in the public interest to release.
- b) Establishment of the Auditor General, Electoral Commissioner, Ombudsman as Officers of the Parliament
- c) Revised standing requirements under the *Administrative Decisions (Judicial Review) Act* giving effect to the intentions of the Australian Law Reform Commission Report Beyond the door keeper: Standing to sue for Public Remedies.

1.2 Implementation plans to accompany all major strategies and policies with online reporting of progress.

2. Transport

2.2 Progress a light rail network for Canberra by:

- a) Establishing a statutory independent authority to implement the light rail project and associated development in the corridor;
- b) undertaking the necessary design studies, preparatory works, financing, procurement and tendering arrangements, with a target date for the laying of tracks for the first route commencing in 2016;
- c) Creating a Canberra wide light rail network master plan.

2.3 Over four years, provide at least an additional \$24 million to fund new and improved bus routes (in addition to commitments to a centenary loop), including:

- a) more frequent buses to and from Belconnen, Tuggeranong, Gungahlin, Weston Creek and Woden suburbs;
- b) measures to address overcrowding on current routes;
- c) improved school bus services (following an ACT wide school transport study).

2.4 Build new 'park and rides' and 'bike and rides' at Erindale, Southern Athllon Drive, central Gungahlin, Weston Creek and Molonglo;

2.5 Over four years, provide \$15 million above current Budget funding for improved walking and cycling infrastructure, including maintenance, new paths and lanes, new pedestrian crossings, lighting, signage, shared zones and Molonglo Cycle Highway feasibility study (in addition to the separately funded Majura Parkway cycle path);

- 2.6 Continue to work with the Federal Government and key stakeholders to progress high speed rail linking Canberra to Sydney, Melbourne and Brisbane;
- 2.7 Make changes to planning regulations to reserve space for a high speed rail terminal and continue to advocate for Canberra to be part of the first route of high speed rail built in Australia; and
- 2.8 Introduce a 'car sharing' policy by the end of 2013 and complementary changes to planning and parking regulation to support and encourage 'car sharing' in Canberra.

3. Environment, Climate change and energy

Climate & Energy

- 3.1 Implement a new renewable electricity consumption target of 90% renewables by 2020 and amend the ACT *Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011* to ensure the scheme capacity facilitates the 90% Renewable Energy Target.
- 3.2 Provide a 20 year guaranteed payment, at a price commensurate to the large scale auction price, for households and businesses installing solar PV systems up to 200kw;
- 3.3 Earmark a tranche of the large-scale feed-in-tariff, at a price commensurate to the large scale auction price, for community bidders only;
- 3.4 Implement mandatory energy efficiency rating disclosure requirements for rental properties, subject to the satisfactory completion of a Regulatory Impact Statement. Investigate options for reform of the taxation treatment of rental properties to encourage landlords to increase EER for rental properties;
- 3.5 Continue to expand the program of public housing energy efficiency upgrades with at least \$4m per annum being provided over the next four years;
- 3.6 Revise the Territory Plan so that it is consistent with the 40% greenhouse gas reduction target;
- 3.7 Establish partnerships with construction industry stakeholders to improve training, education and awareness of energy efficiency to aid the transition to low-carbon commercial and residential construction and retrofitting;
- 3.8 Establish emission reduction targets for government operations with a target of carbon neutrality in government operations by 2020. Targets will be set as absolute for Whole of Government but with flexibility for varying impacts on agencies. Accountability to meet targets will be by contractual obligations imposed on the Head of Service and Directors General.
- 3.9 Ban coal seam gas from government energy contracts;
- 3.10 Provide \$1.8 million over the next four years so that the Energy Concession Rebate is indexed to retail electricity price rises.

Lakes, Environment, Nature Parks

3.11 Restore the Health of Canberra's lakes and catchments by allocating \$85m of MDBP funds to establish a Water Catchment Management Authority to ensure the following:

- a) Construction of four new wetlands to improve water quality at Tuggeranong (2), Yarralumla and Ginninderra by June 2016;
- b) Establishment of an annual Lake Care Fund providing grants for community catchment groups;
- c) Development of an integrated management plan for Molonglo Catchment by the end of 2013-14;
- d) Provision of funding to implement the Lake Burley Griffin Willow Management Plan;
- e) Provision of funding to implement the Carp Reduction Plan for Canberra;
- f) Provision of resources to treat and empty sediment ponds at construction sites across Canberra and review existing EPA pollution controls to improve enforcement;
- g) Provision of resources to monitor and pinpoint major pollution point sources throughout 2013-14;

3.12 Merge the ACT's existing conservation services into a single Conservation Agency to achieve better integration of biodiversity policy, planning, research and management;

3.13 Provide resources for 5 additional Park Rangers;

3.14 Provide an additional \$7 million over the next 4 years for nature park improvements, including:

- a) improved pest plant and animal management;
- b) operational plans for all reserves;
- c) more support for Park Care groups and restoration work.

3.15 Support an ongoing approvals role for the Federal Government in environmental protection on matters of national environmental significance under the *Environment Protection and Biodiversity Conservation Act 1999*.

4. Education and Children and Young People

4.1 Commit to working in good faith with the Federal Government towards the implementation of the revised Gonski recommendations, "National Plan for School Improvement", under the banner of "Better Schools";

4.2 In the event that "Better Schools" is not legislated by the Commonwealth Parliament prior to the 2013 Federal Election:

- a) progressively move away from the AGSRC, in consultation with the education sector;
- b) Progressively move to needs based funding, based on the models of loadings identified in the Gonski review, that relate to: Indigenous background, EALD, low SES, Disability, and regional and remote settings.

4.3 Provide an extra \$1.2m per annum in funding for community based youth centres;

- 4.4 Introduce a community sector based 'transition out of care' team to augment the existing team within Community Services Directorate;
- 4.5 Progressively expand student assistance services by providing additional social workers, teachers and counsellors; and
- 4.6 Ensure that full support is provided to students with English as a second language until "average" proficiency is achieved and raise the level of support provided to students with English as a Second Language (EALD).

5. Health

- 5.1 Work with other jurisdictions to implement a ban on "junk food" advertising to children during children's television hours;
- 5.2 In consultation with community groups, prioritise the \$2.1 million Health Promotion Grants program to focus on achieving positive health outcomes for children including programs that improve children's eating habits through canteens, food education and school gardens;
- 5.3 Work with the ACT Medicare Local and other specialised primary health care organisations to commence a mobile primary health clinic by 2015 to target disadvantaged groups within the community;
- 5.4 Provide \$35m in new funding to mental health related services over the term of the Assembly, including for:
 - a) The construction of a secure adult mental health unit;
 - b) A community-based, after hours crisis and assessment team.
- 5.5 Provide funding for Advanced Care Planning, enabling ACT Health to develop and implement a range of appropriate care planning tools, including: Respecting Patients Choices Program, and conducting a community run education and awareness program;
- 5.6 Resource an independent feasibility study by 30 June 2014 into whether the ACT should have a stand-alone publicly funded Birth Centre, not located on an acute hospital site;
- 5.7 Establish a needle and syringe exchange program at the AMC medical centre;
- 5.8 Conduct an education campaign targeting the incorrect use of wood heaters and if no adequate national standards have been introduced by 2013, introduce improved emissions and efficiency standards for new wood heaters in the ACT.

6. Housing and Community

- 6.1 Assist the development and operation of the CommonGround housing project for people experiencing homelessness by:
 - a) Finalising the business case;

- b) Following the business case and determination of the appropriate model, provide a funding commitment and work to partner with the Commonwealth Government and the private sector to deliver the project;

6.2 Commence post school options planning for students with disability in year 9;

6.3 Implement a centralised, stand alone, booking service for the wheelchair accessible taxi service in addition to extra taxis, wheelchair accessible community bus transport, increased subsidy and introduction of a smart card system. Review the operation of the new system after 12 months to assess whether these changes are meeting the needs of users;

6.4 Provide additional funding of at least \$334,000 over four years for housing and homelessness policy and advocacy work; and

6.5 Introduce at least 10 new interpreter scholarships to assist people to become NAATI-qualified interpreters in languages with identified shortages.

7. Urban Services

7.1 Create a \$4m urban tree trust to ensure better planting and consultation around urban tree management;

7.2 Undertake a community needs analysis of government services in southern Tuggeranong, including a feasibility study for a library in Lanyon;

7.3 Commit to a comprehensive waste education program to reduce household organic waste, as recommended in the Hyder report, and subsidised composting equipment for households;

7.4 Fund an additional staff member at ACTSmart to boost organic waste recovery in offices and businesses;

7.5 Commit \$500,000 to 'Growing Community Gardens' grants program;

7.6 Provide concession card holders with assistance for the removal and recycling of garden waste;

7.7 Provide recycling bins in all town centres equivalent to the existing street level recycling facilities in Civic;

7.8 Install 30 new drinking fountains in key public locations such as town centres, sporting fields, hospitals and schools, and to provide drinking and refill stations at public events; and

7.9 Fund new drop-off recycling points for compact fluorescents and batteries.

8. Justice and Law Reform

- 8.1 Establish a Community Legal Centre Hub which co-locates CLCs and provides increased office space to each of the CLCs as a matter of priority;
- 8.2 Provide an additional \$100,000 per annum to Aboriginal legal services; and
- 8.3 Legislate for marriage equality.

9. Industrial relations

- 9.1 Review the operation of the Building and Construction Training Authority and consult on a proposed increase of the building and construction training levy to 0.3%; and
- 9.2 Increase proactive worksite investigations, particularly in construction to ensure safety is adequate and prevent 'sham contracting'.

10. Arts

- 10.1 Expand the cost recovery based casual public liability insurance scheme from Albert Hall and Yarralumla Woolshed to all government venues.

11. Animals

- 11.1 ACT Greens bills to:
 - a) ban cage egg production and sow stalls in the ACT; and
 - b) regulate cat and dog breeding and sales.

12. Size of the Assembly

- 12.1 Work with the Commonwealth Government to amend the Australian Capital Territory Self Government Act to allow the Assembly to determine its own size by a special majority;
- 12.2 Establish an Expert Reference Group to provide a report to the Assembly on the best size for the ACT Assembly including numbers of electorates and numbers of MLAs per electorate. This should include a process of community consultation and should report by 31 March 2013.

13. Other

- 13.1 Make representations to the Federal Minister for Finance and Deregulation for a further examination of the indexation of ComSuper pensions;
- 13.2 Host an Older Person's Assembly in 2013 and 2015;

- 13.3 Work with stakeholders to progress the Australia Forum initiative to a stage where it is 'investment ready' for consortium partners;
- 13.4 Prepare a 'Grey Nomad' Tourism Strategy which identifies actions to be undertaken by the ACT Government and/or industry participants that will bolster the ACT's performance in this sector; and
- 13.5 Provide an additional \$800,000 over four years to micro-credit programs in the ACT including additional support for the Lighthouse for running the programs.

Appendix 2

Agreement on Ministerial Responsibilities for Mr Shane Rattenbury MLA, ACT Greens Member.

Once elected by the Assembly as Chief Minister Katy Gallagher will appoint Shane Rattenbury MLA as a Minister subject to the following arrangements:

1. Mr Rattenbury ("the Greens Minister") is appointed in the same manner and will have and enjoy, except as specified below, all the rights, entitlements and responsibilities of any other Minister.
2. The Greens Minister is subject to Cabinet confidentiality but not Cabinet solidarity in accordance with the terms of this agreement.
3. The Greens Minister will be provided with the same Cabinet papers at the same time as every other Minister.
4. Cabinet documents are only to be provided to Ministerial staff in accordance with the Cabinet handbook. The Cabinet handbook is to be adhered to at all times by all Ministerial staff.
5. Should a matter in the cabinet papers raise a matter of serious concern the concern must be raised and discussed when the matter is scheduled for discussion by Cabinet.
6. If Cabinet documents containing matters which raise serious concerns for the Greens Minister are not delivered within Cabinet timeframes the Cabinet's consideration of the matter will be deferred.
7. Following the Cabinet discussion of any matter of serious concern the Greens Minister will either:
 - a. agree to support the proposal;
 - b. agree to support the proposal in principle but reserve the right to move amendments or advocate a different position during the debate in the Assembly on the matter; or
 - c. vote against the proposal (other than for the ordinary annual services of the government).
8. Once the Greens Minister advises Cabinet that he reserves the right to move amendments, advocate a different position or vote against a proposal, he shall excuse himself from any further Cabinet discussion on the proposal.
9. After the Greens Minister has reserved the right to move amendments, or advocate a different position during the debate in the Assembly or to vote against a proposal and following the public announcement of the Cabinet's decision, the Greens Minister is entitled to explain his position publicly, critique the Government's position, propose amendments or vote against the proposal in the Assembly.

10. Should the Greens Minister wish to propose amendments on a matter of serious concern or in some way seek to vary the agreed position of Cabinet on such a matter in the Assembly, the Greens Minister will notify Cabinet of his intention and allow the Cabinet to discuss the matter prior to publically declaring his intention. If this is not practicable the matter will instead be discussed with the Chief Minister prior to any public announcement.
11. The Greens Minister will vote with the Government in the Assembly on all other matters that have been agreed to by Cabinet
12. Ministerial staff employed by the Greens Minister shall be selected by the Greens Minister but approved and appointed by the Chief Minister.
13. The Greens Minister will be entitled to pursue areas of interest outside his Ministerial portfolio by way of public statements, motions in the Assembly and Executive Member's bills, all of which do not need prior approval of Cabinet. Such actions shall not pre-empt matters before the Cabinet for consideration, or known to be being prepared for Cabinet consideration.
14. In relation to the budget process, the agencies that are the responsibility of the Greens Minister will not be subject to a reduced appropriation that is disproportionate to any reductions applied across other government agencies.

Appendix 3

Parliamentary Reform

The Parties commit to:

1. Committees of the Legislative Assembly

1.1 All Parties in the Assembly having a Member on the Administration and Procedure Committee.

1.2 The Committee structure to provide for Standing Committees on:

- (a) Public Accounts
- (b) Education, Training and Youth Affairs
- (c) Health, Ageing, Community and Social Services
- (d) Justice and Community Safety (Incorporating Scrutiny of Bills)
- (e) Planning, Environment and Territory and Municipal Services

2. Work of the Legislative Assembly

2.1 Amendment of standing orders to require all proposed amendments to be tabled at the commencement of the detailed stage debate, at which point debate is adjourned. The detailed stage must not be completed on the same sitting day as the presentation of amendments unless urgent or minor or technical.

2.2 The Assembly to meet between 10am and 6:30pm each sitting day with Question Time to occur at 2:30pm. Where required, dinner breaks to be held between 6:30pm and 8pm.

2.3 Ministerial Statements:

Amendment of the standing orders to require that ministerial statements be provided to the Speaker by 8:30am for the morning session and 12.00pm for the afternoon session on the relevant sitting day and for the Speaker to circulate the statement to all Members.

2.4 Discussion on Matters of Public Importance to only occur on days allocated to Executive Business and be limited to 45 minutes of debate (first speaker 15 minutes and 10 minutes per speaker thereafter).

2.5 A new standing order providing for 1 hour, with the option of a 30 minute extension, of Executive Member's Business each sitting week for business that has not been considered or agreed by Cabinet.

Appendix 4

ACT Labor Policy Programme

In addition to the policy commitments contained in Appendix 1, ACT Labor, once elected to government, commits to further develop Canberra as the national centre of excellence in education and research; a regional centre for health services and an inclusive, prosperous and sustainable community.

1. Health

Ensure that the priority area of public health services continues to grow and develop to meet demand and that services remain accessible to all, high quality and targeted to deliver particular health outcomes, particularly amongst disadvantaged groups.

2. School Education

Support the Gonski Review of School Funding and a transition to a needs-based funding system that delivers resources based on the needs of individual students. Noting that fairer funding for every Canberra student requires additional funding to support students in need in both government and non-government schools.

3. Higher Education and Training

Harness the potential of our strong university sector and support strong links between our educational institutions and other areas of community life.

4. Jobs

Support public and private sector jobs growth through sound economic management, taxation reform and implementation of the business development strategy.

5. Taxation Reform

Support a tax system that is fairer, simpler and more efficient. Reduce the share of inefficient taxes and increase the share of more efficient taxes. Reduce taxes for those on lower incomes, make taxes simpler to understand and administer, and reduce distortions on household spending and business activity. Continue to provide appropriate and targeted assistance and financial support to those who need it.

6. Economic Development

Diversify our private sector base and create new jobs through accelerating business innovation, supporting business investment and fostering the right business environment. Build on our strong foundation of creativity and connectedness, together with a commitment to clean technologies, to harness knowledge to drive innovation and business growth. Make Canberra a preferred location for business to operate through red-tape reduction and a fairer, simpler and more efficient taxation system.

7. Cost of living

Help Canberra households reduce energy, reduce emissions and save money on utility bills.

8. A Sustainable City

Reduce Canberra's greenhouse gas emissions consistent with the Climate Change and Greenhouse Gas Reduction Act 2010. Continue to implement policies to improve the sustainability of the built environment and progress the establishment of renewable energy generation in the ACT and the Capital Region.

9. Public Transport

Improve public transport provision in the ACT by establishing the ACT's first large-scale private sector partnership to plan, finance and develop the first stage of a Light Rail Network for Canberra – *Capital Metro*.

Continue to invest in and expand ACTION bus networks on the rapid routes and other routes of high demand.

10. Municipal Services

Continue investments across the city to ensure Canberra remains a great place to live, work and play including providing more digital information and giving communities a direct say on priorities to improve local places and spaces.

11. Active Living

Ensure a whole of government approach to encouraging healthier living and active lifestyles across the city, bringing together sport and recreation, active transport, planning and development, education and health programs.

12. Housing

Maintain our commitment to new and innovative models for social housing and supported accommodation for vulnerable people.

13. Social Inclusion

Promote a socially and culturally inclusive Canberra that celebrates its diversity. Support policies and actions that will make Canberra the most LGBTI friendly city in Australia.