



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023–2024

MINUTES OF PROCEEDINGS

No 110

TUESDAY, 6 FEBRUARY 2024

- 1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

This is Ngunnawal Country.

Today we are gathering on Ngunnawal country.

We always pay respect to Elders, female and male, and Ngunnawal country.

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Pettersson for this sitting due to personal reasons.

Question—put and passed.

3 INAUGURAL SPEECH

Miss Nuttall, by leave, made her inaugural speech.

4 PETITIONS AND MINISTERIAL RESPONSES—PETITIONS AND RESPONSES NOTED

Petitions

The Clerk announced that the following Members had lodged petitions for presentation:

Mr Braddock, from 567 residents, requesting that the Assembly enact an amendment to Section 34A (b) of the *Crimes (Sentencing) Act 2005*, to ensure all perpetrators of child sexual abuse are treated equally (e-Pet 027-23).

Pursuant to standing order 99A, this petition stands referred to the Standing Committee on Justice and Community Safety.

Mr Parton, from 468 residents, requesting that the Assembly call on the ACT Government to work with Queanbeyan and Palerang Council on ensuring access to the Monaro Highway north and south of Hume Industrial Estate is factored in by the ACT Government as part of the proposed upgrade (e-Pet 031-23).

Ministerial responses

The Clerk announced that the following responses to petitions had been lodged:

Mr Steel (Acting Minister for City Services), undated—Response to e-petition No 015-23, lodged by Ms Castley on 24 October 2023, concerning traffic flow and safety in Gungahlin Town Centre.

Ms Vassarotti (Minister for Sustainable Building and Construction), dated 13 December 2023—Response to e-petition No 018-23, lodged by Mr Cocks on 24 October 2023, concerning proposed establishment of a Board of Inquiry into the Voluntary Loose-Fill Asbestos Eradication Buyback Scheme.

Ms Cheyne (Minister for Government Services and Regulatory Reform), dated 13 December 2023—Response to e-petition No 019-23, lodged by Mr Davis on 24 October 2023, concerning the introduction of Japanese domestic market number plates in the ACT.

Mr Steel (Minister for Transport), undated—Response to e-petition No 020-23, lodged by Mr Parton on 1 November 2023, concerning proposed completion of a paved section of the Point Hut Pond Parkrun path.

Mr Steel (Minister for Transport), undated—Response to petition No 023-23, lodged by Ms Cheyne on 24 October 2023, concerning improvement of public transport outcomes for Belconnen.

Mr Steel (Minister for Planning), 2 February 2024—Response to e-petition No 022-23 and petition No 028-23, lodged by Ms Clay on 2 November 2023, concerning tree hollows protection.

The Speaker proposed—That the petitions and responses so lodged be noted.

Debate ensued.

Question—put and passed.

5 GOVERNMENT PRIORITIES—2024—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Barr (Chief Minister) made a ministerial statement concerning the ACT Government's priorities for the year ahead and presented the following paper:

2024 Government Priorities—Ministerial statement, 6 February 2024.

Mr Barr moved—That the Assembly take note of the paper.

Debate adjourned (Mr Gentleman—Manager of Government Business) and the resumption of the debate made an order of the day for the next sitting.

6 TRANSPORT CANBERRA'S BUS FLEET—UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Mr Steel (Minister for Transport) made a ministerial statement to provide an update to the Assembly on Transport Canberra's bus fleet and presented the following paper:

Update on Transport Canberra's Bus Fleet—Ministerial statement, 6 February 2024.

Mr Steel moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

7 AUDITOR-GENERAL'S REPORT NO 10/2023—HUMAN RESOURCE INFORMATION SYSTEM (HRIMS) UPDATE—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Mr Steel (Special Minister of State) made a ministerial statement concerning the Government response to the Auditor-General's Report No 10/2023—Human Resources Information Management System (HRIMS) Program and presented the following papers:

Auditor-General Act, pursuant to section 21—Auditor-General's Report No 10/2023—Human Resource Information System (HRIMS) Update—Government response, dated February 2024.

Human Resource Information System (HRIMS) Update—Ministerial statement, 6 February 2024.

Mr Steel moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

8 PLANNING, TRANSPORT AND CITY SERVICES STANDING COMMITTEE—INQUIRY—PROPERTY DEVELOPERS BILL 2023—AMENDMENT TO REPORTING DATE

Ms Clay (Chair), pursuant to notice, moved—That notwithstanding the provisions of the resolution of the Assembly of 30 November 2023, the Standing Committee on Planning, Transport and City Services shall present its report on the Property Developers Bill 2023 by 30 March 2024.

Question—put and passed.

9 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 38—STATEMENT BY CHAIR

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 38, dated 30 January 2024, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

10 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—REPORT 11—REPORT ON THE CONDUCT OF MR CAIN MLA—REPORT ADOPTED

Ms Burch (Chair) presented the following report:

Administration and Procedure—Standing Committee—Report 11—*Report on the conduct of Mr Cain MLA*, dated 6 February 2024, together with a copy of the extracts of the relevant minutes of proceedings.

Ms Lawder, by leave, moved—That the report be adopted.

Question—put and passed.

11 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 22—INQUIRY INTO THE HUMAN RIGHTS (HEALTHY ENVIRONMENT) AMENDMENT BILL 2023—REPORT NOTED

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee—Report 22—*Inquiry into the Human Rights (Healthy Environment) Amendment Bill 2023*, dated 24 January 2024, including a dissenting report (*Mr Cain*), together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

12 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Mr Milligan (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Economy and Gender and Economic Equality.

Paper: Mr Milligan, pursuant to Continuing Resolution 5A, presented the following paper:

Economy and Gender and Economic Equality—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2023.

13 PUBLIC ACCOUNTS—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Mr Cocks (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Public Accounts.

Paper: Mr Cocks, pursuant to Continuing Resolution 5A, presented the following paper:

Public Accounts—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2023.

14 STANDING COMMITTEES—MEMBERSHIP

The Speaker, pursuant to standing order 223, informed the Assembly that the Speaker had been notified, in writing, of the proposed changes to the membership of the Standing Committee on Economy and Gender and Economic Equality and the Standing Committee on Public Accounts. The Speaker agreed to the following changes on 13 December 2023:

Ms Castley be discharged from the Standing Committee on Economy and Gender and Economic Equality and Mr Milligan be appointed in her place; and Mrs Kikkert be discharged from the Standing Committee on Public Accounts and Mr Cocks be appointed in her place.

Paper: The Speaker presented the following paper:

Standing Committees—Change of membership—Copy of email correspondence between the Opposition Whip and the Speaker, dated 13 December 2023.

Mr Gentleman (Manager of Government Business) moved—That:

The change to the memberships of the Standing Committee on Economy and Gender and Economic Equality and the Standing Committee on Public Accounts as proposed to and agreed by the Speaker, pursuant to standing order 223 be adopted.

Question—put and passed.

15 CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2024

Ms Stephen-Smith (Minister for Children, Youth and Family Services), pursuant to notice, presented a Bill for an Act to amend the *Children and Young People Amendment Act 2023*.

Paper: Ms Stephen-Smith presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Stephen-Smith moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Castley) and the resumption of the debate made an order of the day for the next sitting.

16 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF THE CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2024

Mr Gentleman (Manager of Government Business), by leave, moved—That, in relation to the Children and Young People Amendment Bill 2024, standing orders 172, 174, 175 and 176 be suspended to allow the Assembly to debate the bill in the same sitting period, having not been considered by the relevant standing committee or the Standing Committee on Justice and Community Safety in its legislative scrutiny role.

Question—put and passed, with the concurrence of an absolute majority.

17 BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2023

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Paper: Ms Cheyne (Minister for Human Rights) presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put and passed.

Detail Stage

Clause 1—

Debate adjourned (Mr Gentleman—Manager of Government Business) and the resumption of the debate made an order of the day for the next sitting.

18 QUESTIONS

Questions without notice were asked.

19 APOLOGY BY MEMBER

Mr Cain, in accordance with Recommendations 1 and 3 of the Standing Committee on Administration and Procedure's Report 11 (see [entry 10](#)), made an apology to the Assembly.

20 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No 10/2023—Human Resources Information Management System (HRIMS) Program, dated 15 December 2023.

No 11/2023—2022-23 Financial Audits—Financial Results and Audit Findings, dated 19 December 2023.

Bills, referred to Committees, pursuant to standing order 174—Correspondence—

Bills—Not inquired into—

Assisted Reproductive Technology Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Health and Community Wellbeing, dated December 2023.

Domestic Violence Agencies (Information Sharing) Amendment Bill 2023—Copy of letter to the Speaker from the Chair, the Standing Committee on Health and Community Wellbeing, dated December 2023.

Liquor Amendment Bill 2023—Copy of letter to the Speaker from the Acting Chair, from the Standing Committee on Justice and Community Safety, dated 6 December 2023.

Integrity Commission Act, pursuant to section 213—Special Report in relation to a corruption complaint concerning the identified transactions as part of the City to the Lake Project, dated 15 December 2023.

Resolution of the Assembly of 28 November 2023—Review, Pursuant to Assembly Resolution, Relating to the Handling of Certain Allegations made against a Member, prepared by Lynelle Briggs AO, dated 6 February 2024.

Standing orders—

99B—Petitions—Referral advice—Correspondence—

e-Petition 004-23—Car parking on public green open spaces—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 18 January 2024.

e-Petition 017-23—Indian (Common) Myna control—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 18 December 2023.

191—Amendments to:

Building and Construction Legislation Amendment Bill 2023, dated 6 December 2023.

Justice and Community Safety Legislation Amendment Bill 2023 (No 2), dated 6 December 2023.

21 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, presented the following papers:

Coroners Act, pursuant to subsection 57(4)—Report of Coroner—In the matter of four deaths by drowning in the Australian Capital Territory—Inquests into the deaths of Najeebullah Rafee, William Spencer Hooley, Meredith Nancy Hooley, and Dinh Ta Nguyen—Report, dated 30 June 2023.

Government response, dated February 2024.

Domestic Violence Agencies Act, pursuant to subsection 16W(3)—ACT Domestic and Family Violence Review—Domestic and Family Violence Homicides 2000-2022—Biennial Report—2023, dated 31 October 2023.

Economy and Gender and Economic Equality—Standing Committee—Report 9—Inquiry into future of the working week—Government response, undated.

Planning, Transport and City Services—Standing Committee—Report 15—Inquiry into electronic vehicle (EV) adoption in the ACT—Government response, dated December 2023.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-32 (LR, 30 November 2023).

ACT Teacher Quality Institute Act and Financial Management Act—ACT Teacher Quality Institute Board Appointment 2023 (No 4)—Disallowable Instrument DI2023-290 (LR, 30 November 2023).

Animal Welfare Act—Animal Welfare (Management of Animals in Pounds, Shelters and Rescue Establishments) Mandatory Code of Practice 2023—Disallowable Instrument DI2023-255 (LR, 16 November 2023).

Board of Senior Secondary Studies Act—Board of Senior Secondary Studies Appointment 2023 (No 4)—Disallowable Instrument DI2023-291 (LR, 30 November 2023).

Building Act—

Building (ACT Appendix to the Building Code) Determination 2023 (No 3)—Disallowable Instrument DI2023-304 (LR, 14 December 2023).

Building (General) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-42 (LR, 21 December 2023).

Building and Construction Industry Training Levy Act and Financial Management Act—
Building and Construction Industry Training Levy (Governing Board) Appointment 2023
(No 1)—Disallowable Instrument DI2023-253 (LR, 13 November 2023).

Circular Economy Act—

Circular Economy (Prohibited Products) Exemption Declaration 2023 (No 1)—
Disallowable Instrument DI2023-248 (LR, 9 November 2023).

Circular Economy (Prohibited Products—Special Circumstances) Exemption Declaration
2023 (No 1)—Disallowable Instrument DI2023-247 (LR, 9 November 2023).

Circular Economy (Prohibited Products—Special Circumstances) Exemption Declaration
2023 (No 2)—Disallowable Instrument DI2023-249 (LR, 9 November 2023).

Circular Economy (Prohibited Products—Special Circumstances) Exemption Declaration
2023 (No 3)—Disallowable Instrument DI2023-250 (LR, 9 November 2023).

Circular Economy (Public Event) Declaration 2023 (No 1)—Disallowable Instrument
DI2023-251 (LR, 9 November 2023).

Circular Economy Regulation 2023—Subordinate Law SL2023-27 (LR, 9 November 2023).

Climate Change and Greenhouse Gas Reduction Act—

Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions
Measurement Method) Determination 2023—Disallowable Instrument DI2023-273
(LR, 27 November 2023).

Climate Change and Greenhouse Gas Reduction Amendment Regulation 2023
(No 1)—Subordinate Law SL2023-33 (LR, 29 November 2023).

Court Procedures Act—Court Procedures Amendment Rules 2023 (No 2)—Subordinate
Law SL2023-36 (LR, 18 December 2023).

Duties Act—Duties (Pensioner Duty Deferral Scheme) Determination 2023 (No 2)—
Disallowable Instrument DI2023-281 (LR, 24 November 2023).

Energy Efficiency (Cost of Living) Improvement Act—Energy Efficiency (Cost of Living)
Improvement (Eligible Activities) Determination 2023—Disallowable Instrument
DI2023-299 (LR, 14 December 2023).

Food Act—Food (Fees) Determination 2023 (No 1)—Disallowable Instrument
DI2023-264 (LR, 23 November 2024).

Gambling and Racing Control Act and Financial Management Act—Gambling and
Racing Control (Governing Board) Appointment 2023 (No 2)—Disallowable Instrument
DI2023-296 (LR, 11 December 2023).

Government Procurement Act—

Government Procurement (Non-Public Employee Member) Appointment 2023
(No 2)—Disallowable Instrument DI2023-256 (LR, 16 November 2023).

Government Procurement (Non-Public Employee Member) Appointment 2023
(No 3)—Disallowable Instrument DI2023-257 (LR, 16 November 2023).

Health Records (Privacy and Access) Act—Health Records (Privacy and Access) (Fees)
Determination 2023 (No 2)—Disallowable Instrument DI2023-259 (LR, 23 November 2023).

Land Titles Act—Land Titles (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-298 (LR, 11 December 2023).

Liquor Act—

Liquor (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-305 (LR, 18 December 2023).

Liquor Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-38 (LR, 18 December 2023).

Magistrates Court Act—

Magistrates Court (Public Unleased Land Infringement Notices) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-31 (LR, 28 November 2023).

Magistrates Court (Urban Forest Infringement Notices) Regulation 2023—Subordinate Law SL2023-28 (LR, 23 November 2023).

Medicines, Poisons and Therapeutic Goods Act—

Medicines, Poisons and Therapeutic Goods (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-263 (LR, 23 November 2023).

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2023 (No 3)—Subordinate Law SL2023-34 (LR, 11 December 2023).

Medicines, Poisons and Therapeutic Goods Regulation—Medicines, Poisons and Therapeutic Goods (Vaccinations by Pharmacists) Direction 2023 (No 2)—Disallowable Instrument DI2023-294 (LR, 11 December 2023).

Motor Accident Injuries Act—

Motor Accident Injuries (Premiums and Administration) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-37 (LR, 14 December 2023).

Motor Accident Injuries (Quality of Life Benefit) Guidelines 2023—Disallowable Instrument DI2023-311 (LR, 21 December 2023).

Motor Accident Injuries (Reportable Conduct) Guidelines 2023—Disallowable Instrument DI2023-312 (LR, 21 December 2023).

Motor Accident Injuries (Significant Occupational Impact Assessment Referral) Guidelines 2023—Disallowable Instrument DI2023-313 (LR, 21 December 2023).

Motor Accident Injuries (Significant Occupational Impact Assessment) Guidelines 2023—Disallowable Instrument DI2023-243 (LR, 6 November 2023).

Motor Accident Injuries (Treatment and Care) Guidelines 2023—Disallowable Instrument DI2023-310 (LR, 21 December 2023).

Planning Act—

Planning (Amount payable for, and term of, further rural lease) Determination 2023—Disallowable Instrument DI2023-267 (LR, 24 November 2023).

Planning (Fees) Determination 2023—Disallowable Instrument DI2023-258 (LR, 20 November 2023).

Planning (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-292 (LR, 30 November 2023).

Planning (Land Rent Payout) Policy Direction 2023 (No 1)—Disallowable Instrument DI2023-266 (LR, 24 November 2023).

Planning (Lease Variation Charge Deferred Payment Scheme) Determination 2023—Disallowable Instrument DI2023-282 (LR, 24 November 2023).

Planning (Lease Variation Charges) Determination 2023—Disallowable Instrument DI2023-278 (LR, 24 November 2023).

Planning (Protected Matters) Declaration 2023—Disallowable Instrument DI2023-268 (LR, 24 November 2023).

Planning (Reduction of Lease Variation Charges for Environmental Remediation) Determination 2023—Disallowable Instrument DI2023-280 (LR, 24 November 2023).

Planning (Reduction of Lease Variation Charges for the Housing Commissioner) Determination 2023—Disallowable Instrument DI2023-277 (LR, 24 November 2023).

Planning (Reduction of Lease Variation Charges) Determination 2023—Disallowable Instrument DI2023-276 (LR, 24 November 2023).

Planning (Transitional Provisions) Regulation 2023—Subordinate Law SL2023-29 (LR, 24 November 2023).

Public Health Act—Public Health (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-265 (LR, 23 November 2023).

Public Place Names Act—

Public Place Names (Acton) Determination 2023—Disallowable Instrument DI2023-260 (LR, 30 November 2023).

Public Place Names (Dickson) Determination 2023—Disallowable Instrument DI2023-289 (LR, 27 November 2023).

Public Place Names (Jacka) Determination 2023—Disallowable Instrument DI2023-272 (LR, 27 November 2023).

Public Place Names (Macnamara) Determination 2023 (No 2)—Disallowable Instrument DI2023-246 (LR, 9 November 2023).

Public Place Names (Macnamara) Determination 2023 (No 3)—Disallowable Instrument DI2023-314 (LR, 21 December 2023).

Public Place Names (Watson) Determination 2023—Disallowable Instrument DI2023-242 (LR, 2 November 2023).

Public Unleased Land Act—Public Unleased Land (Movable Signs) Code of Practice 2023 (No 1)—Disallowable Instrument DI2023-244 (LR, 13 November 2023).

Radiation Protection Act—Radiation Protection (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-262 (LR, 23 November 2023).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2023 (No 2)—Disallowable Instrument DI2023-293 (LR, 4 December 2023).

Road Transport (General) Application of Road Transport Legislation (Traffic Offence Detection Device) Declaration Revocation 2023—Disallowable Instrument DI2023-307 (LR, 20 December 2023).

Road Transport (General) Application of Road Transport Legislation (Use of Specialised Child Restraint) Declaration 2023 (No 1)—Disallowable Instrument DI2023-269 (LR, 24 November 2024).

Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 7)—Disallowable Instrument DI2023-254 (LR, 15 November 2023).

Road Transport (General) Application of Road Transport Legislation Declaration 2023 (No 8)—Disallowable Instrument DI2023-302 (LR, 12 December 2023).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2023 (No 1)—Disallowable Instrument DI2023-317 (LR, 21 December 2023).

Road Transport (General) Act and Road Transport (Safety and Traffic Management) Act—Road Transport (Road Rules) Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-40 (LR, 18 December 2023).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2023 (No 1)—Disallowable Instrument DI2023-303 (LR, 14 December 2023).

Road Transport (Safety and Traffic Management) Regulation—

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2023 (No 1)—Disallowable Instrument DI2023-274 (LR, 24 November 2023).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2023 (No 2)—Disallowable Instrument DI2023-295 (LR, 14 December 2023).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2023 (No 3)—Disallowable Instrument DI2023-297 (LR, 8 December 2023).

Senior Practitioner Act—Senior Practitioner Regulation 2023—Subordinate Law SL2023 41 (LR, 21 December 2023).

Taxation Administration Act—

Taxation Administration (Amounts Payable—Ambulance Levy) Determination 2023—Disallowable Instrument DI2023-309 (LR, 21 December 2023).

Taxation Administration (Amounts Payable—Disability Duty Concession Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-285 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Duty) Determination 2023 (No 2)—Disallowable Instrument DI2023-286 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Home Buyer Concession Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-288 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Loose-fill Asbestos Insulation Eradication Buyback Concession Scheme) Determination 2023—Disallowable Instrument DI2023-283 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Loose-fill Asbestos Insulation Eradication Buyback Concession Scheme—Eligible Impacted Properties) Determination 2023—Disallowable Instrument DI2023-284 (LR, 24 November 2023).

Taxation Administration (Amounts Payable—Pensioner Duty Concession Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-287 (LR, 24 November 2023).

Taxation Administration (Off the Plan Unit Duty Exemption Scheme) Determination 2023 (No 2)—Disallowable Instrument DI2023-275 (LR, 24 November 2023).

Taxation Administration (RZ1 Unit Duty Exemption Scheme) Determination 2023—Disallowable Instrument DI2023-279 (LR, 24 November 2023).

Taxation Administration (Special Arrangements—Lodging of Returns) Approval 2023—Disallowable Instrument DI2023-245 (LR, 9 November 2023).

Terrorism (Extraordinary Temporary Powers) Act—

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2023 (No 2)—Disallowable Instrument DI2023-301 (LR, 18 December 2023).

Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2023 (No 3)—Disallowable Instrument DI2023-300 (LR, 18 December 2023).

Tobacco and Other Smoking Products Act—Tobacco and Other Smoking Products (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-261 (LR, 23 November 2023).

Urban Forest Act—

Urban Forest (Approval Criteria) Determination 2023 (No 1)—Disallowable Instrument DI2023-270 (LR, 27 November 2024).

Urban Forest (Canopy Contribution Agreements—Financial Settlement) Determination 2023 (No 1)—Disallowable Instrument DI2023-315 (LR, 21 December 2023).

Urban Forest (Canopy Contribution Agreements—On-Site Canopy Contribution) Determination 2023 (No 1)—Disallowable Instrument DI2023-316 (LR, 21 December 2023).

Urban Forest (Fees) Determination 2023 (No 1)—Disallowable Instrument DI2023-306 (LR, 18 December 2023).

Urban Forest (Prohibited Activities) Authorisation 2023 (No 1)—Disallowable Instrument DI2023-333 (LR, 21 December 2023).

Urban Forest (Registration and Cancellation Criteria) Determination 2023—Disallowable Instrument DI2023-271 (LR, 27 November 2023).

Urban Forest Regulation 2023—Subordinate Law SL2023-39 (LR, 15 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Act—

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 1)—Disallowable Instrument DI2023-318 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 10)—Disallowable Instrument DI2023-327 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 11)—Disallowable Instrument DI2023-328 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 12)—Disallowable Instrument DI2023-329 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 13)—Disallowable Instrument DI2023-330 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 2)—Disallowable Instrument DI2023-319 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 3)—Disallowable Instrument DI2023-320 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 4)—Disallowable Instrument DI2023-321 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 5)—Disallowable Instrument DI2023-322 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 6)—Disallowable Instrument DI2023-323 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 7)—Disallowable Instrument DI2023-324 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 8)—Disallowable Instrument DI2023-325 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Board Appointment 2023 (No 9)—Disallowable Instrument DI2023-326 (LR, 21 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Assessment Criteria Guidelines 2023 (No 1)—Disallowable Instrument DI2023-331 (LR, 22 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Declared Person Declaration 2023 (No 1)—Disallowable Instrument DI2023-332 (LR, 22 December 2023).

Variation in Sex Characteristics (Restricted Medical Treatment) Regulation 2023—Subordinate Law SL2023-35 (LR, 14 December 2023).

Waste Management and Resource Recovery Act—

Waste Management and Resource Recovery (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-308 (LR, 18 December 2023).

Waste Management and Resource Recovery (Waste-to-Energy) Code of Practice 2023 (No 1)—Disallowable Instrument DI2023-252 (LR, 13 November 2023).

Work Health and Safety Act—Work Health and Safety Amendment Regulation 2023 (No 2)—Subordinate Law SL2023-30 (LR, 24 November 2023).

22 ENVIRONMENT PROTECTION (FOSSIL FUEL COMPANY ADVERTISING) AMENDMENT BILL 2024

Ms Clay, pursuant to notice, presented a Bill for an Act to amend the *Environment Protection Act 1997*.

Papers: Ms Clay presented an explanatory statement to the Bill and Climate Impact Analysis of the Bill.

Title read by Clerk.

Ms Clay moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Barr—Minister for Climate Action) and the resumption of the debate made an order of the day for the next sitting.

23 WAITING TIMES—EMERGENCY DEPARTMENT

Ms Castley, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the statement by the Minister for Health, Rachel Stephen-Smith, in 2021, in relation to emergency department (ED) wait times that “Our target – and the national target – is 70 percent. We are nowhere near that at this point in time. We want to get to that target within nine months.”;
 - (b) according to the Productivity Commission’s Report on Government Services for Health, in 2022-23 the ACT was again among the worst jurisdictions for ED wait times;
 - (c) only 51 percent of ED patients were treated within clinically recommended wait times, well under the national average of 65 percent, and only marginally up on the 2021-22 figure of 48 percent;
 - (d) the ACT performed the worst of all jurisdictions on measures of patients’ length of time in the ED, with only 47.9 percent of patients staying for four hours or less, compared to a national average of 55.8 percent;
 - (e) the ACT was also the worst jurisdiction for treating Aboriginal and Torres Strait Islander people within recommended wait times – coming in at 50 percent compared to NSW at 74 percent and a national average of 67 percent;
 - (f) the ACT was by far the worst jurisdiction for the percentage of Aboriginal and Indigenous patients spending four hours or less in the ED;
 - (g) elective surgery waiting times in the ACT also ballooned – with 30 percent of elective surgery patients in public hospitals in 2022-23 not admitted within clinically recommended times, up from 24.6 percent in 2021-22 and 15 percent in 2020-21; and
 - (h) the ACT has the lowest ratio of general practitioners to 100,000 people of any major Australian city; and
- (2) calls on the Minister for Health to fulfil her 2021 undertaking to fix ED wait times in nine months by having 70 percent of ED patients seen within clinically acceptable times.

Ms Stephen-Smith (Minister for Health) moved the following amendments: Omit all text after “That this Assembly”, substitute:

- “(1) notes:
 - (a) the ACT’s emergency departments have undertaken significant work to improve performance over a number of years, including:
 - (i) introduction of key Emergency Department (ED) roles to support decision-making, treatment and care and patient flow;

- (ii) introduction and support for advanced scope health professional positions, for example Advanced Practice Nurses who are trained under the Walk-in Centre program to work in Fast Track;
 - (iii) establishment and expansion of services that support the ED, such as the new Acute Medicine Unit at the Canberra Hospital to facilitate rapid movement of patients from the ED who require hospital admission; and
 - (iv) additional training and support for staff in emergency departments, to develop key skills and a sustainable workforce in this specialty area;
- (b) changes in ED performance require whole of health service effort and Canberra Health Services has ensured the ACT's emergency departments are a priority with work across the hospital, and broader health system contributing to performance improvements;
- (c) the rollout of the Digital Health Record has supported better visibility and communication across public health services;
- (d) the results of this change program are reflected in data from the last 12 months, with reporting from July to December 2023 showing a marked improvement across indicators:
 - (i) 61.8 percent of patients started ED treatment on time, a 17 percentage point rise in performance from the same period in the prior year;
 - (ii) median wait time to treatment was 25 minutes;
 - (iii) 55.6 percent of patients left ACT EDs within four hours of presentation; and
 - (iv) in December 2023, the percentage of patients starting treatment on time was 68.1 percent and leaving within four hours was 63.3 percent;
- (e) the new Critical Services Building will be open in the third quarter of 2024 with a new emergency department, operating theatres and more inpatient capacity;
- (f) through the 2023-24 Budget and Mid-year Review the ACT Government has invested \$139 million in operationalising the Critical Services Building, including additional triage resourcing, a new 6-bed unit for complex patient presentations and an additional MRI machine coming online;
- (g) the ACT's excellent nurse-led Walk-in Centres provide an invaluable service, treating a wide range of conditions that would otherwise result in ED presentations;
- (h) the ACT Government's introduction and funding of the Police, Ambulance and Clinician Early Response (PACER) service model, which has been successful in supporting people experiencing mental crises; and
- (i) the ACT Government's funding for a Safe Haven at Canberra Hospital, which will provide a fit for purpose place for people experiencing mental health crises; and

- (2) calls on the ACT Government to continue supporting the hard work of Canberra Health Services teams to further improve performance across the ACT's emergency departments, Walk-in Centres and broader health services.”.

Debate continued.

Question—put.

The Assembly voted—

AYES, 15		NOES, 7
Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Leanne Castley
Andrew Braddock	Marisa Paterson	Ed Cocks
Joy Burch	Shane Rattenbury	Jeremy Hanson
Tara Cheyne	Chris Steel	Nicole Lawder
Jo Clay	Rachel Stephen-Smith	James Milligan
Emma Davidson	Rebecca Vassarotti	Mark Parton
Mick Gentleman		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
- (a) the ACT's emergency departments have undertaken significant work to improve performance over a number of years, including:
 - (i) introduction of key Emergency Department (ED) roles to support decision-making, treatment and care and patient flow;
 - (ii) introduction and support for advanced scope health professional positions, for example Advanced Practice Nurses who are trained under the Walk-in Centre program to work in Fast Track;
 - (iii) establishment and expansion of services that support the ED, such as the new Acute Medicine Unit at the Canberra Hospital to facilitate rapid movement of patients from the ED who require hospital admission; and
 - (iv) additional training and support for staff in emergency departments, to develop key skills and a sustainable workforce in this specialty area;
 - (b) changes in ED performance require whole of health service effort and Canberra Health Services has ensured the ACT's emergency departments are a priority with work across the hospital, and broader health system contributing to performance improvements;
 - (c) the rollout of the Digital Health Record has supported better visibility and communication across public health services;
 - (d) the results of this change program are reflected in data from the last 12 months, with reporting from July to December 2023 showing a marked improvement across indicators:

- (i) 61.8 percent of patients started ED treatment on time, a 17 percentage point rise in performance from the same period in the prior year;
 - (ii) median wait time to treatment was 25 minutes;
 - (iii) 55.6 percent of patients left ACT EDs within four hours of presentation; and
 - (iv) in December 2023, the percentage of patients starting treatment on time was 68.1 percent and leaving within four hours was 63.3 percent;
- (e) the new Critical Services Building will be open in the third quarter of 2024 with a new emergency department, operating theatres and more inpatient capacity;
- (f) through the 2023-24 Budget and Mid-year Review the ACT Government has invested \$139 million in operationalising the Critical Services Building, including additional triage resourcing, a new 6-bed unit for complex patient presentations and an additional MRI machine coming online;
- (g) the ACT's excellent nurse-led Walk-in Centres provide an invaluable service, treating a wide range of conditions that would otherwise result in ED presentations;
- (h) the ACT Government's introduction and funding of the Police, Ambulance and Clinician Early Response (PACER) service model, which has been successful in supporting people experiencing mental crises; and
- (i) the ACT Government's funding for a Safe Haven at Canberra Hospital, which will provide a fit for purpose place for people experiencing mental health crises; and
- (2) calls on the ACT Government to continue supporting the hard work of Canberra Health Services teams to further improve performance across the ACT's emergency departments, Walk-in Centres and broader health services."—
be agreed to—put and passed.

24 GAMING MACHINE AMENDMENT BILL 2023

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Paper: Dr Paterson presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put and passed.

Detail Stage

Clauses 1 to 10, by leave, taken together and agreed to.

New Clause—

Mr Rattenbury (Minister for Gaming), pursuant to standing order 182A(b), was granted leave to move his amendments that are minor and technical in nature.

On the motion of Mr Rattenbury, new clause 10A (his amendment No 1, see [Schedule 1](#)) was inserted in the Bill.

Paper: Mr Rattenbury presented a supplementary explanatory statement to the Government amendments.

Clauses 11 to 20, by leave, taken together and agreed to.

Clause 21—

On the motion of Mr Rattenbury, his amendment No 2 (see [Schedule 1](#)) was made.

Clause 21, as amended, agreed to.

Clauses 22 and 23, by leave, taken together and agreed to.

Title agreed to.

Question—That this Bill, as amended, be agreed to—put.

The Assembly voted—

AYES, 15		NOES, 8
Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Leanne Castley
Andrew Braddock	Marisa Paterson	Ed Cocks
Joy Burch	Shane Rattenbury	Jeremy Hanson
Tara Cheyne	Chris Steel	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	James Milligan
Mick Gentleman		Mark Parton

And so it was resolved in the affirmative—Bill, as amended, agreed to.

25 PAPERS PRESENTED ON 6 FEBRUARY 2024—PAPERS NOTED

The Speaker, pursuant to standing order 211A, proposed—That the papers presented under standing order 211 during the presentation of papers in the routine of business today be noted.

Debate ensued.

Question—put and passed.

26 MEMBER'S STATEMENT

Member's statement was made.

27 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.03 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Petterson*.

*on leave.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

GAMING MACHINE AMENDMENT BILL 2023

Amendments circulated by the Minister for Gaming

1
Proposed new clause 10A
Page 3, line 18—

insert

10A **Class B licence and authorisation certificate—decision
on application**
New section 29 (5)

insert

- (5) However, the commission must not issue an authorisation certificate to the applicant if the premises for which the authorisation certificate is sought are located in—
- (a) Molonglo Valley; or
 - (b) an undeveloped area.

2
Clause 21
Page 5, line 23—

omit

Planning and Development Act 2007, section 234

substitute

Planning Act 2023, section 256