



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**2020–2021–2022–2023–2024**

**MINUTES OF PROCEEDINGS**

**No 114**

**WEDNESDAY, 20 MARCH 2024**

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- 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** **WOMEN AND GIRLS IN THE A.C.T.—ANNUAL STATEMENT ON THE STATUS—2024—  
MINISTERIAL STATEMENT—PAPER NOTED**

Ms Berry (Minister for Women) made a ministerial statement concerning the status of women and girls in the ACT and presented the following paper:

Women and girls in the ACT—Annual statement on the status—2024—Ministerial statement, 20 March 2024.

Ms Berry moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

**3 AUDITOR-GENERAL ACT—AUDITOR-GENERAL’S REPORT NO 8/2023—SUPPORTS FOR STUDENTS WITH DISABILITY IN A.C.T. PUBLIC SCHOOLS—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED**

Ms Berry (Minister for Education and Youth Affairs) made a ministerial statement concerning the Government response to the Auditor-General’s Report No 8/2023—Supports for students with disability in ACT public schools and presented the following papers:

Auditor-General Act, pursuant to section 21—Auditor-General’s Report No 8/2023—Supports for students with disability in ACT public schools—

Government response, dated February 2024.

Government response—Ministerial statement, 20 March 2024.

Ms Berry moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

**4 ELECTRICITY FEED-IN (RENEWABLE ENERGY PREMIUM) ACT—REVIEW—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED**

Mr Rattenbury (Minister for Water, Energy and Emissions Reduction) made a ministerial statement concerning the *Review of the Electricity Feed-in (Renewable Energy Premium) Act 2008* and the Government response to the review, and presented the following papers:

Electricity Feed-in (Renewable Energy Premium) Act, pursuant to section 13—Review of the Electricity Feed-in (Renewable Energy Premium) Act 2008—

Report, dated February 2024.

Government response, dated March 2024.

Ministerial statement, 20 March 2024.

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

Question—put and passed.

**5 DIAGNOSTIC IMAGING EQUIPMENT—ASSEMBLY RESOLUTION OF 21 SEPTEMBER 2023—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Stephen-Smith (Minister for Health) made a ministerial statement concerning the Government response to the Assembly resolution of 21 September 2023 relating to diagnostic imaging equipment and presented the following paper:

Diagnostic imaging equipment—Assembly resolution of 21 September 2023—Government response—Ministerial statement, 20 March 2024.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

**6 REMUNERATION TRIBUNAL AMENDMENT BILL 2024**

Ms Burch (Speaker), pursuant to notice, presented a Bill for an Act to amend the *Remuneration Tribunal Act 1995*.

*Paper:* Ms Burch presented an explanatory statement to the Bill.

Title read by Clerk.

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

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

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

Ms Clay, pursuant to notice, moved—That, notwithstanding the provisions of the resolution of the Assembly of 30 November 2023, and the motion agreed by the Assembly on 6 February 2024, the Standing Committee on Planning, Transport and City Services shall present its report on the Property Developers Bill 2023 by 5 April 2024.

Question—put and passed.

**8 UNIVERSITY OF CANBERRA AMENDMENT BILL 2024**

Mr Barr (Minister for Trade, Investment and Economic Development), pursuant to notice, presented a Bill for an Act to amend the *University of Canberra Act 1989*.

*Paper:* Mr Barr 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.

Mr Barr moved—That this Bill be agreed to in principle.

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

**9 CEMETERIES AND CREMATORIA AMENDMENT BILL 2024**

Ms Cheyne (Minister for City Services), pursuant to notice, presented a Bill for an Act to amend the *Cemeteries and Crematoria Act 2020*.

*Paper:* Ms Cheyne 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 Cheyne moved—That this Bill be agreed to in principle.

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

**10 APPROPRIATION BILL 2023-2024 (NO 2)**

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.

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

The Assembly voted—

AYES, 13		NOES, 6
Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Leanne Castley
Andrew Braddock	Michael Pettersson	Jeremy Hanson
Joy Burch	Shane Rattenbury	Elizabeth Kikkert
Tara Cheyne	Rachel Stephen-Smith	Nicole Lawder
Jo Clay	Rebecca Vassarotti	Mark Parton
Emma Davidson		

And so it was resolved in the affirmative.

Leave granted to dispense with the detail stage.

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

**11 APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2023-2024 (NO 2)**

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.

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

Leave granted to dispense with the detail stage.

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

**12 MINISTERIAL ARRANGEMENTS**

Mr Barr (Chief Minister) informed the Assembly of the absence of Minister Gentleman and Minister Steel, and advised the Assembly that questions without notice normally directed to the Minister for Police and Crime Prevention and the Minister for Fire and Emergency Services could be directed to Mr Barr, and those normally directed to the Minister for Skills and Training could be directed to Ms Berry (Deputy Chief Minister).

He further advised that questions without notice normally directed to the Special Minister of State, the Minister for Multicultural Affairs and the Minister for Planning could be directed to Ms Stephen-Smith (Minister for Health), and those normally directed to the Minister for Industrial Relations and Workplace Safety, the Minister for Business and the Minister for Transport could be directed to Ms Cheyne (Minister for City Services).

**13 QUESTIONS**

Questions without notice were asked.

**14 LEAVE OF ABSENCE TO MEMBER**

Ms Lawder moved—That leave of absence be granted to Ms Lee (Leader of the Opposition) for this sitting due to personal reasons.

Question—put and passed.

**15 CRIMES (SENTENCING) AMENDMENT BILL 2024**

Dr Paterson, pursuant to notice, presented a Bill for an Act to amend the *Crimes (Sentencing) Act 2005*.

*Paper:* Dr Paterson presented an explanatory statement to the Bill and Climate Impact Analysis of the Bill.

Title read by Clerk.

Dr Paterson moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Rattenbury—Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

**16 BUSINESSES IN THE A.C.T.—SUPPORT**

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

- (1) notes the current poor business climate in Canberra, including:
  - (a) the most recent Australian Parliament State Statistical Bulletin which showed the ACT as the only jurisdiction to record a fall in business investment and a negative 9.5 percent result – 10.2 percent lower than any other jurisdiction;
  - (b) the latest Canberra Business Chamber quarterly Business Beat survey which showed that business is more pessimistic about the next twelve months; and
  - (c) the latest Australian Securities and Investments Commission figures show that corporate insolvencies in the ACT jumped almost 50 percent – to 85 in the half year to 31 December 2023, up from 57 the previous financial year;
- (2) further notes:
  - (a) that the *ACT 2023-2026 Small Business Strategy* notes that priority one is to “improve the business experience when dealing with government”, and that businesses want to “tell their story once”; and
  - (b) however, industry bodies are submitting that officials are still not properly accessible with the most recent 2024-2025 Canberra Business Chamber Budget submission which notes that “The focus should be on outcomes, not compliance processes, and officials need to be more accessible by ensuring that phones are answered, calls are returned and emails are sent from named individuals”; and
- (3) calls on the ACT Government to report back to the Assembly by 16 May 2024:
  - (a) on measures it will take to support businesses in the ACT; and
  - (b) actions it has taken to ensure that ACT services are responding to small business enquiries including measures to increase accessibility.

Debate ensued.

Ms Cheyne (Acting Minister for Business) moved the following amendment: Omit all text after “That this Assembly”, substitute:

- “(1) notes the business climate in Canberra, including:
- (a) the most recent Australian Parliament State Statistical Bulletin which showed a fall in ACT business investment while showing the ACT as leading the country in economic growth, unemployment, wages and retail sales;
  - (b) the latest Canberra Business Chamber quarterly Business Beat survey which states “Business confidence is also fairly evenly split with around a third reporting feeling positive about current conditions”; and
  - (c) the latest Australian Securities and Investments Commission figures shows that while corporate insolvencies in the ACT have increased in the half year to 31 December 2023, they remain lower than pre-COVID levels;
- (2) further notes:
- (a) that the *ACT 2023-2026 Small Business Strategy*’s first priority is to “improve the business experience when dealing with government”, and that businesses want to “tell their story once”; and
  - (b) the most recent 2024-2025 Canberra Business Chamber Budget submission notes “that the ACT economy is performing relatively well in comparison to other states and territories”, but for the business community to meet its full potential, the Canberra Business Chamber is advocating that more emphasis is required to “make the ACT more competitive for business so we can grow and attract new firms”; “make it easier to deal with the ACT Government”; and “deliver the framework, infrastructure and resources to support growth”; and
- (3) calls on the ACT Government to report back to the Assembly by 30 June 2024:
- (a) on progress against the *ACT 2023-2026 Small Business Strategy*, consistent with the commitment already outlined in the Strategy for the responsible minister to publish a yearly update and deliver a ministerial statement by mid-2024; and
  - (b) actions it has taken to increase accessibility and to ensure that ACT services are responding to small business enquiries.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 13		NOES, 6
Yvette Berry	Suzanne Orr	Peter Cain
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Nicole Lawder
Jo Clay	Rachel Stephen-Smith	James Milligan
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the business climate in Canberra, including:
  - (a) the most recent Australian Parliament State Statistical Bulletin which showed a fall in ACT business investment while showing the ACT as leading the country in economic growth, unemployment, wages and retail sales;
  - (b) the latest Canberra Business Chamber quarterly Business Beat survey which states “Business confidence is also fairly evenly split with around a third reporting feeling positive about current conditions”; and
  - (c) the latest Australian Securities and Investments Commission figures shows that while corporate insolvencies in the ACT have increased in the half year to 31 December 2023, they remain lower than pre-COVID levels;
- (2) further notes:
  - (a) that the *ACT 2023-2026 Small Business Strategy*’s first priority is to “improve the business experience when dealing with government”, and that businesses want to “tell their story once”; and
  - (b) the most recent 2024-2025 Canberra Business Chamber Budget submission notes “that the ACT economy is performing relatively well in comparison to other states and territories”, but for the business community to meet its full potential, the Canberra Business Chamber is advocating that more emphasis is required to “make the ACT more competitive for business so we can grow and attract new firms”; “make it easier to deal with the ACT Government”; and “deliver the framework, infrastructure and resources to support growth”; and
- (3) calls on the ACT Government to report back to the Assembly by 30 June 2024:
  - (a) on progress against the *ACT 2023-2026 Small Business Strategy*, consistent with the commitment already outlined in the Strategy for the responsible minister to publish a yearly update and deliver a ministerial statement by mid-2024; and
  - (b) actions it has taken to increase accessibility and to ensure that ACT services are responding to small business enquiries.”—

be agreed to—put and passed.

## **17 VAPING AND NICOTINE DEPENDENCE—HARM MINIMISATION**

Miss Nuttall, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) addiction, including nicotine dependence, is a health issue;
  - (b) the ACT Government takes a harm minimisation approach to alcohol, tobacco, and other drug policy, as outlined in the *ACT Drug Strategy Action Plan 2022-2026*;

- (c) the three pillars of harm minimisation are demand reduction, supply reduction, and harm reduction;
  - (d) the Therapeutic Goods Administration has banned the importation of all vapes without an import licence and permit from the Office of Drug Control and made changes to accessibility requirements for vapes for therapeutic purposes;
  - (e) adolescence is a critical period for development, and it is vital that young people are supported to understand the harms caused by vaping and nicotine consumption;
  - (f) nicotine dependence in adolescence is likely to have lifelong effects and young people need to be able to easily access appropriate information and support in relation to vaping without fear of stigmatisation;
  - (g) in 2023, 30 percent of Australian secondary school students reported having vaped and around 16 percent of students reported having vaped regularly in the past month;
  - (h) despite the recent changes to vaping laws, the Cancer Council found that 92.3 percent of current vape users did not have a prescription issued by a health professional;
  - (i) the Australian and ACT Government websites contain information on vaping, including the health impacts of vaping, as well as cessation supports such as Quitline. However, further information and supports for younger people are required to ensure that they are effectively supported to reduce the harms caused by vaping; and
  - (j) ACT Health does not have an established support service tailored to help children and young people with nicotine dependence; and
- (2) calls on the ACT Government to:
- (a) investigate what information and support services need to be enhanced or implemented to support young people and the broader community in the ACT, to reduce the harm caused by vaping, including but not limited to:
    - (i) consulting with young people to better understand their information and support needs;
    - (ii) co-designing solutions with young people in recognition that young people face unique challenges with vaping use;
    - (iii) recognising the shared responsibility in managing nicotine dependence within the community, including with parents, carers, teachers, and in other education, sports, and health settings;
    - (iv) supporting parents, carers, teachers, community groups, and health practitioners to support young people;
    - (v) exploring holistic support services across health, mental health, and sports and education settings;

- (vi) making resources available for parents and guardians seeking guidance on how to support their children through the recovery process; and
  - (vii) exploring different opportunities for information and support delivery, including services with vaping cessation as a goal, and services that offer an alternative of harm minimisation for nicotine dependence;
- (b) facilitate a roundtable stakeholder meeting with the intent to work with community groups and field experts on how to best deliver information and support services; and
- (c) report back to the Assembly by June 2024.

Debate ensued.

Mr Pettersson moved the following amendment: Omit paragraphs (2)(a)(i) and (ii), substitute:

“(2) calls on the ACT Government to:

- (a) investigate what information and support services need to be enhanced or implemented to support young people and the broader community in the ACT, to reduce the harm caused by vaping and nicotine dependence, including but not limited to:
  - (i) consulting with young people to better understand their information and support needs;
  - (ii) co-designing solutions with young people in recognition that young people face unique challenges with vaping and nicotine use;”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
- (a) addiction, including nicotine dependence, is a health issue;
  - (b) the ACT Government takes a harm minimisation approach to alcohol, tobacco, and other drug policy, as outlined in the *ACT Drug Strategy Action Plan 2022-2026*;
  - (c) the three pillars of harm minimisation are demand reduction, supply reduction, and harm reduction;
  - (d) the Therapeutic Goods Administration has banned the importation of all vapes without an import licence and permit from the Office of Drug Control and made changes to accessibility requirements for vapes for therapeutic purposes;
  - (e) adolescence is a critical period for development, and it is vital that young people are supported to understand the harms caused by vaping and nicotine consumption;

- (f) nicotine dependence in adolescence is likely to have lifelong effects and young people need to be able to easily access appropriate information and support in relation to vaping without fear of stigmatisation;
  - (g) in 2023, 30 percent of Australian secondary school students reported having vaped and around 16 percent of students reported having vaped regularly in the past month;
  - (h) despite the recent changes to vaping laws, the Cancer Council found that 92.3 percent of current vape users did not have a prescription issued by a health professional;
  - (i) the Australian and ACT Government websites contain information on vaping, including the health impacts of vaping, as well as cessation supports such as Quitline. However, further information and supports for younger people are required to ensure that they are effectively supported to reduce the harms caused by vaping; and
  - (j) ACT Health does not have an established support service tailored to help children and young people with nicotine dependence; and
- (2) calls on the ACT Government to:
- (a) investigate what information and support services need to be enhanced or implemented to support young people and the broader community in the ACT, to reduce the harm caused by vaping and nicotine dependence, including but not limited to:
    - (i) consulting with young people to better understand their information and support needs;
    - (ii) co-designing solutions with young people in recognition that young people face unique challenges with vaping and nicotine use;
    - (iii) recognising the shared responsibility in managing nicotine dependence within the community, including with parents, carers, teachers, and in other education, sports, and health settings;
    - (iv) supporting parents, carers, teachers, community groups, and health practitioners to support young people;
    - (v) exploring holistic support services across health, mental health, and sports and education settings;
    - (vi) making resources available for parents and guardians seeking guidance on how to support their children through the recovery process; and
    - (vii) exploring different opportunities for information and support delivery, including services with vaping cessation as a goal, and services that offer an alternative of harm minimisation for nicotine dependence;
  - (b) facilitate a roundtable stakeholder meeting with the intent to work with community groups and field experts on how to best deliver information and support services; and

(c) report back to the Assembly by June 2024.”—  
be agreed to—put and passed.

**18 MEMBERS’ STATEMENTS**

Members’ statements were made.

**19 ADJOURNMENT**

Ms Cheyne (Minister for City Services) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.23 pm, adjourned until tomorrow at 10 am.

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**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Mr Cocks\*, Mr Gentleman\*, Ms Lee\* and Mr Steel\*.

\*on leave.

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**Tom Duncan**  
Clerk of the Legislative Assembly