



Legislative Assembly for the Australian Capital Territory

2020-2021-2022-2023

Notice Paper

No 72

Wednesday, 8 February 2023

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Notices

- *1 **MR GENTLEMAN:** To present a Bill for an Act to amend legislation about planning and the environment, and for other purposes. (*Notice given 7 February 2023*)
- *2 **MR BARR:** To move—That this Assembly:
 - (1) notes the collective support of all state and territory first ministers, through the Council for the Australian Federation, for enshrining an Aboriginal and Torres Strait Islander Voice to Parliament in the Australian Constitution;
 - (2) reaffirms its support for enshrining a Voice to Parliament, as one of the key actions sought in the *Uluru Statement from the Heart*;
 - (3) recognises that there must also be a commitment to delivery Treaty and Truth, as sought in the *Uluru Statement from the Heart*, and that sovereignty was never ceded; and

- (4) calls on the ACT Government to develop a community awareness campaign about the impending referendum on a constitutionally enshrined Aboriginal and Torres Strait Islander Voice to Parliament to ensure the Canberra community is informed and engaged with this significant issue prior to the national vote. *(Notice given 7 February 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **ANIMAL MANAGEMENT AND WELFARE LEGISLATION AMENDMENT BILL 2022:** *(Minister for Transport and City Services): Agreement in principle—Resumption of debate (from 11 October 2022—Ms Lawder).*
- 2 **GUARDIANSHIP AND MANAGEMENT OF PROPERTY AMENDMENT BILL 2022:** *(Attorney-General): Agreement in principle—Resumption of debate (from 21 September 2022—Mr Cain).*
- 3 **MULTICULTURALISM BILL 2022:** *(Minister for Multicultural Affairs): Agreement in principle—Resumption of debate (from 11 October 2022—Mr Cain).*
- 4 **ELECTRICITY SAFETY LEGISLATION AMENDMENT BILL 2022:** *(Minister for Sustainable Building and Construction): Agreement in principle—Resumption of debate (from 11 October 2022—Mr Milligan).*
- 5 **COAG LEGISLATION AMENDMENT BILL 2021:** *(Chief Minister): Agreement in principle—Resumption of debate (from 4 August 2021—Ms Lee).*
- 6 **FINANCIAL MANAGEMENT AMENDMENT BILL 2021 (NO 2):** *(Minister for Industrial Relations and Workplace Safety): Agreement in principle—Resumption of debate (from 1 December 2021—Mr Cain).*
- 7 **URBAN FOREST BILL 2022:** *(Minister for Transport and City Services): Agreement in principle—Resumption of debate (from 3 August 2022—Ms Lawder).*
- 8 **CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION (NATURAL GAS TRANSITION) AMENDMENT BILL 2022:** *(Minister for Water, Energy and Emissions Reduction): Agreement in principle—Resumption of debate (from 4 August 2022—Ms Lawder).*
- 9 **PLANNING BILL 2022:** *(Minister for Planning and Land Management): Agreement in principle—Resumption of debate (from 21 September 2022—Mr Cain).*
- 10 **TRANSPORT CANBERRA AND CITY SERVICES LEGISLATION AMENDMENT BILL 2022:** *(Minister for Transport and City Services): Agreement in principle—Resumption of debate (from 21 September 2022—Mr Cain).*
- 11 **FREEDOM OF INFORMATION AMENDMENT BILL 2022:** *(Special Minister of State): Agreement in principle—Resumption of debate (from 21 September 2022—Mr Cain).*

- 12 **SEXUAL ASSAULT REFORM LEGISLATION AMENDMENT BILL 2022:** *(Attorney-General): Agreement in principle—Resumption of debate (from 11 October 2022—Mr Cain).*
- 13 **WORK HEALTH AND SAFETY AMENDMENT BILL 2022:** *(Chief Minister): Agreement in principle—Resumption of debate (from 20 October 2022—Mr Cain).*
- 14 **BACKGROUND CHECKING LEGISLATION AMENDMENT BILL 2022:** *(Minister for Families and Community Services): Agreement in principle—Resumption of debate (from 20 October 2022—Mrs Kikkert).*
- 15 **LONG SERVICE LEAVE (PORTABLE SCHEMES) AMENDMENT BILL 2022:** *(Minister for Industrial Relations and Workplace Safety): Agreement in principle—Resumption of debate (from 22 November 2022—Ms Lee).*
- 16 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022:** *(Minister for Transport and City Services): Agreement in principle—Resumption of debate (from 23 November 2022—Mr Parton).*
- 17 **CRIMES LEGISLATION AMENDMENT BILL 2022:** *(Attorney-General): Agreement in principle—Resumption of debate (from 23 November 2022—Mr Cain).*
- 18 **JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022 (NO 2):** *(Attorney-General): Agreement in principle—Resumption of debate (from 24 November 2022—Ms Lee).*
- 19 **DISCRIMINATION AMENDMENT BILL 2022:** *(Minister for Human Rights): Agreement in principle—Resumption of debate (from 30 November 2022—Ms Lee).*
- 20 **CORRECTIONS AND SENTENCING LEGISLATION AMENDMENT BILL 2022:** *(Minister for Corrections): Agreement in principle—Resumption of debate (from 30 November 2022—Mrs Kikkert).*
- 21 **RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2022:** *(Attorney-General): Agreement in principle—Resumption of debate (from 30 November 2022—Mr Parton).*
- 22 **GAMING MACHINE (CLUB REFUGE) AMENDMENT BILL 2022:** *(Minister for Gaming): Agreement in principle—Resumption of debate (from 1 December 2022—Mr Parton).*
- 23 **REVENUE LEGISLATION AMENDMENT BILL 2022:** *(Treasurer): Agreement in principle—Resumption of debate (from 1 December 2022—Ms Lee).*
- 24 **PROFESSIONAL ENGINEERS BILL 2022:** *(Minister for Sustainable Building and Construction): Agreement in principle—Resumption of debate (from 1 December 2022—Mr Cain).*

- *25 **PUBLIC TRANSPORT WORKFORCE AND TIMETABLES—GOVERNMENT RESPONSE TO RESOLUTION OF THE ASSEMBLY—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 7 February 2023—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
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PRIVATE MEMBERS' BUSINESS

Notices

- 1 **DR PATERSON:** To move—That this Assembly:
- (1) notes that:
 - (a) ACT Policing works hard to ensure the safety of our community;
 - (b) it is important that our community is safe and that ACT Policing is appropriately resourced to adequately respond to community needs;
 - (c) if a Canberran is involved in a critical incident, police arrive two minutes faster than anywhere else in the country;
 - (d) according to the *Report on Government Services 2023*, Canberrans' perception of safety is higher than any other jurisdiction;
 - (e) ACT Policing are always looking at ways to innovate their practice and improve operations, which includes the introduction of the community-focused Police Services Model that is receiving a positive response from the community;
 - (f) ACT Policing's crime statistics show a decline in crime over the past decade;
 - (g) the ACT sits below the national average in all property crimes except for motor vehicle theft;
 - (h) ACT Policing continues to explore new and innovative ways of engaging with the public, making it easier for victims to report property crime, including resourcing its online interface with the community;
 - (i) ACT Policing announced in 2021 that it is looking to expand their online reporting system to include property-related crimes;
 - (j) it is expected people will be able to self-report incidents where there is little evidentiary material such as vandalism, minor property damage, minor burglaries, car thefts and other matters; and
 - (k) this progression to online reporting allows ACT Policing to allocate resources to more serious crimes in the community that may pose a greater threat of harm or threat to life; and

- (2) calls on the ACT Government to:
 - (a) continue informing the community about:
 - (i) ways in which ACT Policing keeps our community safe and responds to crime;
 - (ii) how the community can engage with and support ACT Policing—including to record, report and provide evidence; and
 - (iii) how the information provided to police is used in their investigations;
 - (b) support ACT Policing to implement an online reporting mechanism; and
 - (c) report back to the Assembly by 30 January 2024 on the progress of online reporting. (*Notice given 3 February 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

2 **MR COCKS:** To move—That this Assembly:

- (1) notes:
 - (a) from 1 January 2023, the Albanese Government has cut access to, and funding for, mental health care under the Medicare Benefits Schedule (MBS) by halving the number of psychological services available to those who need them;
 - (b) MBS funding for psychological services was originally introduced by the Howard Government before being cut by the Gillard Labor Government on two occasions;
 - (c) the Coalition Government increased the number of sessions, informed by the Productivity Commission’s report on mental health services, to help combat the mental health issues brought on by the COVID-19 pandemic;
 - (d) COVID-19 remains a significant concern for many Australians, including those living in the ACT, who now also face increased mental health pressures due to deteriorating economic conditions, rising inflation, and associated cost of living pressures;
 - (e) need for mental health services and supports remain high, after seeing demand for many services increase by at least 50 percent, and the underlying prevalence of mental health issues double during the pandemic;
 - (f) cuts to MBS services are likely to increase pressure on state and territory health systems; and
 - (g) the ACT mental health system was under pressure before the Albanese Government announcement, and there is no excess capacity to absorb federal cuts to health and mental health services;

- (2) further notes:
 - (a) a trial increase in the number of mental health sessions to 20, with a view to long-term implementation if effective, was recommended by both the Productivity Commission's landmark inquiry into mental health, and the House of Representatives' Select Committee on Mental Health;
 - (b) an independent expert evaluation of Better Access commissioned by the Government stated "... the additional 10 sessions should continue to be made available and should be targeted towards those with more complex mental health needs";
 - (c) no clinical rationale has been presented to justify the cuts to MBS services;
 - (d) the independent evaluation did not recommend cutting access to services; and
 - (e) health and mental health professionals, including the Australian Psychological Society (APS), the Australian Clinical Psychology Association and Mental Health Australia have condemned the cuts to MBS services, with the APS President stating "By cutting to 10 sessions, we're creating a revolving door of mental health issues that are half-treated and going to be returning six months later, with probably much worsening symptoms ... the Australian Psychological Society stated that these extra sessions should be a permanent feature of the Better Access program."; and
- (3) calls on the leaders of all parties represented in the Assembly to:
 - (a) write to the Prime Minister and Minister for Health and ask for reversal of cuts to mental health, increasing sessions to be funded by Medicare; and
 - (b) table those letters in the Assembly by the close of the last day of this sitting week. (*Notice given 6 February 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

3 **MS CASTLEY:** To move—That this Assembly:

- (1) notes:
 - (a) freedom of information (FOI) documents reveal that more than 80 percent of outpatients are waiting longer than clinically recommended;
 - (b) the FOI documents showed the following results across three divisions:
 - (i) 82 percent of patients under the Division of Surgery are waiting longer than clinically recommended;
 - (ii) 84 percent of patients under the Division of Medicine are waiting longer than clinically recommended; and

- (iii) 81 percent of patients under the Division of Women, Youth and Children are waiting longer than clinically recommended; and
- (c) across these three divisions:
 - (i) patients who are triaged as urgent, who should be seen in 14 days, are waiting an average of 52 days;
 - (ii) patients who are triaged as category one patients, who should be seen within 30 days, are waiting an average of 152 days;
 - (iii) patients who are triaged as category two patients, who should be seen within 90 days, are waiting an average of 399 days; and
 - (iv) patients who are triaged as category three patients, who should be seen within 365 days, are waiting an average of 591 days;
- (2) further notes the:
 - (a) Productivity Commission's *Report on Government Services* showed that the ACT has had the longest Emergency Department wait times for the past five years; and
 - (b) ACT treated less than half of patients within clinically recommended timeframes; and
- (3) calls on the ACT Government to:
 - (a) table by the first day of the next sitting week, current figures for outpatient waiting times and Emergency Department wait times by triage category; and
 - (b) report to the Assembly by the first day of the next sitting week, a one-year target to reduce the percentage of outpatients who are waiting longer than clinically recommended. (*Notice given 6 February 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

4 **MR HANSON:** To move—That this Assembly:

- (1) notes that:
 - (a) the ACT Government has underfunded and under resourced ACT Policing for years;
 - (b) the 2023 *Report on Government Services* from the Productivity Commission shows that the ACT has:
 - (i) the lowest number of police per-capita in Australia;
 - (ii) the lowest funding per person for police in Australia; and
 - (iii) the lowest clearance rates for property crime in Australia;
 - (c) the ACT is the only jurisdiction in Australia to record a negative average annual growth rate in real recurrent expenditure from 2016-17 to 2020-21;

- (d) the 2022 ACT Policing annual report shows that ACT Policing numbers have declined since 2012 despite population growth of over 70,000 during the same period;
 - (e) in 2022 a Price Waterhouse Coopers (PWC) report supported by modelling from Nous Consulting detailing the demand on ACT police services resulted in the Chief Police Officer stating that “It’s become clear to me that the number of police we have currently needs to be increased to meet current and future demand.”; and
 - (f) the Minister’s repeated assurances that there are sufficient police numbers in the ACT have been shown to be inaccurate; and
- (2) calls on the ACT Government to:
- (a) increase the number of police to fully meet operational requirements in the 2023-24 ACT Budget; and
 - (b) request that the Australian Federal Police release the PWC report and Nous Consulting modelling. *(Notice given 6 February 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2):** *(Ms Clay): Agreement in principle—Resumption of debate (from 22 June 2021—Mr Steel).*
 - 2 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:** *(Mr Cain): Agreement in principle—Resumption of debate (from 9 November 2021—Mr Gentleman).*
 - 3 **CORRECTIONS MANAGEMENT AMENDMENT BILL 2021:** *(Mrs Kikkert): Agreement in principle—Resumption of debate (from 25 November 2021—Mr Gentleman).*
 - 4 **ELECTORAL AMENDMENT BILL 2021:** *(Mr Davis and Mr Braddock): Agreement in principle—Resumption of debate (from 2 December 2021—Mr Steel).*
 - 5 **PERIOD PRODUCTS AND FACILITIES (ACCESS) BILL 2022:** *(Ms Orr): Agreement in principle—Resumption of debate (from 4 August 2022—Ms Lawder).*
 - 6 **FREEDOM OF INFORMATION AMENDMENT BILL 2022 [NO 2]:** *(Ms Lee): Agreement in principle—Resumption of debate (from 21 September 2022—Mr Steel).*
 - 7 **INTEGRITY COMMISSION AMENDMENT BILL 2022 (NO 2):** *(Ms Lee; presented by Mr Cain): Agreement in principle—Resumption of debate (from 20 October 2022—Mr Barr). (Referred to Standing Committee on Justice and Community Safety on 24 November 2022.)*
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ASSEMBLY BUSINESS

Notices

- 1 **MS LEE:** To move—That:
 - (1) this Assembly notes that:
 - (a) over the last five years, Canberrans have experienced significant price increases for essential goods and services including medical, education, housing, electricity, gas and transport; and are continuing to rise;
 - (b) these escalating prices for essential goods and services will hit lower income households the hardest; and
 - (c) the *2022 ACT Cost of Living Report* by the ACT Council of Social Service found that despite Canberra having the highest average weekly earnings in Australia, around one in 10 Canberrans are living in poverty;
 - (2) this Assembly establish a Select Committee on the Cost-of-Living to inquire into and report on:
 - (a) the cost-of-living pressures facing Canberrans;
 - (b) the drivers of the cost-of-living pressures in Canberra;
 - (c) the Government’s fiscal policy response to the cost-of-living pressures;
 - (d) measures to ease the cost-of-living; and
 - (e) any related matters;
 - (3) the Select Committee shall be composed of two Members to be nominated by the Government and two Members nominated by the Opposition, to be notified in writing to the Speaker within two hours of this motion passing;
 - (4) the Committee shall elect as Chair one of the Members nominated by the Opposition; and
 - (5) the Select Committee will report to the Assembly by the last sitting day of 2023. *(Notice given 6 February 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*
- 2 **MS LAWDER:** To move—That the full report from the review of the Heritage Council, including recommendations, be tabled in the Assembly, pursuant to standing order 213A, as referred to in Minister Vassarotti’s statement on 29 November 2022. *(Notice given 29 November 2022. Notice will be removed from the Notice Paper unless called on within 3 sitting weeks – standing order 125A.)*

Orders of the day

- 1 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 7—REPORT INTO THE INQUIRY INTO PETITION 32-21 (NO RIGHTS WITHOUT REMEDY)—REVISED GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 22 November 2022—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper. (*Order of the day will be removed from the Notice Paper unless called on within 2 sitting weeks – standing order 152A.*)
- 2 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 9—INQUIRY INTO COMMUNITY CORRECTIONS—GOVERNMENT RESPONSE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 24 November 2022—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper. (*Order of the day will be removed from the Notice Paper unless called on within 3 sitting weeks – standing order 152A.*)

24 February 2023

- 3 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** Presentation of report on the Road Safety Legislation Amendment Bill 2022 and the Crimes Legislation Amendment Bill 2022, pursuant to order of the Assembly of 1 December 2022.

Three months after tabling of the Select Committee on Privileges 2022 report

- 4 **PUBLIC ACCOUNTS—STANDING COMMITTEE:** Presentation of report on the Work Health and Safety Amendment Bill 2022, pursuant to order of the Assembly of 24 November 2022.

9 April 2023

- 5 **STANDING COMMITTEES:** Presentation of reports on annual and financial reports for the financial year 2021-2022 and calendar year reports for 2021, pursuant to order of the Assembly of 2 December 2020, as amended.

Two months following when the Government review of the *Integrity Commission Act 2018* becomes available

- 6 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** Presentation of report on the Integrity Commission Amendment Bill 2022 (No 2), pursuant to order of the Assembly of 24 November 2022.

INQUIRIES INTO BILLS BY STANDING COMMITTEES

(pursuant to resolution of the Assembly of 2 December 2020, as amended)

1 March 2023

Standing Committee on Justice and Community Safety

CORRECTIONS AND SENTENCING LEGISLATION AMENDMENT BILL 2022:

(Minister for Corrections): Agreement in principle—Resumption of debate (from 30 November 2022—Mrs Kikkert).

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at www.parliament.act.gov.au/parliamentary-business/in-the-chamber/chamber-documents.

Unanswered question

1007.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

21 February 2023

Appropriate trees for Bradfield Street, Downer—Minister for Heritage—Petitions lodged by Ms Lee (e-Pet 020-22 and Pet 036-22). *(Referred to Standing Committee on Planning, Transport and City Services on 22 November 2022.)*

Parking and urban open space for Gungahlin apartment dwellers and small business owners—Minister for Transport and City Services—Petition lodged by Ms Orr (e-Pet 026-22). *(Referred to Standing Committee on Planning, Transport and City Services on 22 November 2022.)*

Richardson shops—Chief Minister—Petition lodged by Ms Lawder (e-Pet 031-22). *(Referred to Standing Committee on Public Accounts on 22 November 2022.)*

Property Developer licensing—Minister for Sustainable Building and Construction—Petitions lodged by Mr Pettersson (e-Pet 029-22 and Pet 037-22). *(Referred to Standing Committee on Planning, Transport and City Services on 22 November 2022.)*

Chisholm shops—KFC development application—Minister for Planning and Land Management—Petition lodged by Ms Burch (e-Pet 032-22).

2 March 2023

Margaret Timpson Park, Belconnen Town Centre—Minister for Planning and Land Management—Petition lodged by Ms Clay (e-Pet 028-22).

Kippax Fair parking—Minister for Transport and City Services—Petition lodged by Mrs Kikkert (Pet 039-22). *(Referred to Standing Committee on Planning, Transport and City Services on 30 November 2022.)*

3 March 2023

Installation of a playground in Amaroo shops—Minister for Planning and Land Management—Petition lodged by Mr Pettersson (e-Pet 035-22).

6 May 2023

Tuggeranong Skate Park redevelopment—Minister for Transport and City Services—Petition lodged by Mr Davis (e-Pet 034-22). *(Referred to the Standing Committee on Planning, Transport and City Services on 7 February 2023.)*

Freestanding birth centre in the ACT—Minister for Health—Petitions lodged by Ms Clay (e-Pet 042-22 and Pet 001-23). *(Referred to the Standing Committee on Health and Wellbeing on 7 February 2023.)*

COMMITTEES

Unless otherwise shown, appointed for the life of the Tenth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: (*Formed 3 November 2020*): The Speaker (Chair), Mr Braddock, Ms Lawder, Ms Orr.

Pursuant to resolution

ECONOMY AND GENDER AND ECONOMIC EQUALITY: (*Formed 2 December 2020*): Ms Castley (Chair), Mr Davis, Ms Orr.

EDUCATION AND COMMUNITY INCLUSION: (*Formed 2 December 2020*): Mr Pettersson (Chair), Ms Lawder, Mr Davis.

ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY: (*Formed 2 December 2020*): Dr Paterson (Chair), Ms Clay, Mr Cocks.

HEALTH AND COMMUNITY WELLBEING: (*Formed 2 December 2020*): Mr Davis (Chair), Mr Milligan, Mr Pettersson.

JUSTICE AND COMMUNITY SAFETY: (*Formed 2 December 2020*): Mr Cain (Chair), Mr Braddock, Dr Paterson.

PLANNING, TRANSPORT AND CITY SERVICES: (*Formed 2 December 2020*): Ms Clay (Chair), Mr Parton, Ms Orr.

PUBLIC ACCOUNTS: (*Formed 2 December 2020*): Mrs Kikkert (Chair), Mr Braddock, Mr Pettersson.

Dissolved

COVID-19 2021 PANDEMIC RESPONSE: (*Formed 16 September 2021*): Ms Lee (Chair), Ms Clay, Ms Orr. (*Presented 2 December 2021*)

DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021: (*Formed 11 February 2021*): Mr Cain (Chair), Mr Davis, Dr Paterson. (*Presented 30 November 2021*)

ESTIMATES 2022-2023: (*Formed 1 July 2022*): Mr Milligan (Chair), Mr Braddock, Dr Paterson. (*Presented 11 October 2022; Dissolved 31 October 2022*)

PRIVILEGES 2022: (*Formed 15 August 2022*): Mr Hanson (Chair), Ms Clay, Mr Pettersson. (*Presented 1 December 2022*)
