



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023

MINUTES OF PROCEEDINGS

No 106

THURSDAY, 2 NOVEMBER 2023

- 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

Ms Lawder moved—That leave of absence be granted to Mr Cocks for this sitting due to illness.

Question—put and passed.

3 PETITIONS—PETITIONS NOTED

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

Ms Clay, from 28 and 576 residents respectively, requesting that the Assembly save Scullin's tree hollows and protect other trees with hollows across the ACT for the future (e-Pet 022-23 and Pet 028-23).

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

Debate ensued.

Question—put and passed.

**4 NEXT STEPS FOR OUR KIDS 2022-2030—FIRST FOUR YEAR ACTION PLAN—
MINISTERIAL STATEMENT AND PAPER—PAPER NOTED**

Ms Stephen-Smith (Minister for Families and Community Services) made a ministerial statement concerning the first four year action plan under *Next Steps for our Kids 2022-2030*, the ACT Government strategy for strengthening families and keeping children and young people safe, and presented the following papers:

Next Steps for Our Kids—

Action Plan 1: Summary—FY 2022-2026, undated.

2022-2030—First 4 Year Action Plan—Ministerial statement, 2 November 2023.

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

Question—put and passed.

**5 DISABILITY JUSTICE STRATEGY—FOURTH ANNUAL REPORT—MINISTERIAL STATEMENT
AND PAPER—PAPER NOTED**

Mr Rattenbury (Attorney-General) made a ministerial statement concerning the fourth annual progress report of the ten-year Disability Justice Strategy and presented the following papers:

Disability Justice Strategy—

Fourth Annual Progress Report—Community Services Directorate and Justice and Community Safety Directorate, dated November 2023.

Fourth Annual Report—Ministerial statement, 2 November 2023.

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

Question—put and passed.

6 ASSEMBLY BUSINESS—NOTICE NO 1—WITHDRAWN—STATEMENT BY SPEAKER

The Speaker informed the Assembly that Mrs Kikkert, pursuant to standing order 111, had advised the Clerk that she withdrew her Assembly Business Notice No 1.

7 ASSEMBLY BUSINESS—NOTICE NO 1—WITHDRAWN—STATEMENT BY MEMBER

Mrs Kikkert, by leave, made a statement regarding her withdrawn Assembly Business notice No 1 concerning prisoner transfers between the ACT and NSW and a coronial inquest on the *Notice Paper* in her name.

**8 EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE—INQUIRY—
LONELINESS AND SOCIAL ISOLATION IN THE A.C.T.—STATEMENT BY CHAIR**

Ms Lawder, by leave, pursuant to standing order 246A, informed the Assembly that the Standing Committee on Education and Community Inclusion had resolved to conduct an inquiry into and report on loneliness and social isolation in the ACT.

9 SEXUAL, FAMILY AND PERSONAL VIOLENCE LEGISLATION AMENDMENT BILL 2023

Mr Rattenbury (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about sexual violence, family violence and personal violence, and for other purposes.

Paper: Mr Rattenbury 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 Rattenbury moved—That this Bill be agreed to in principle.

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

10 GOVERNMENT PROCUREMENT AMENDMENT BILL 2023

Mr Steel (Special Minister of State), pursuant to notice, presented a Bill for an Act to amend the *Government Procurement Act 2001* and the Government Procurement Regulation 2007, and for other purposes.

Paper: Mr Steel 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 Steel moved—That this Bill be agreed to in principle.

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

11 REVENUE LEGISLATION 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.

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 SUPREME COURT 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.

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.

13 CHILDREN AND YOUNG PEOPLE 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 Stephen-Smith (Minister for Families and Community Services) presented a revised explanatory statement to the Bill.

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.

14 **BIOSECURITY 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 Vassarotti (Minister for the Environment) presented a revised explanatory statement to the Bill.

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

Detail Stage

Bill, by leave, taken as a whole—

On the motion of Ms Vassarotti, her amendment No 1 (see [Schedule 1](#)) was made.

Paper: Ms Vassarotti presented a supplementary explanatory statement to the Government amendment.

Bill, as a whole, as amended, agreed to.

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

15 **MINISTERIAL ARRANGEMENTS**

Mr Barr (Chief Minister) informed the Assembly that, due to the absence of Minister Cheyne, questions without notice normally directed to Minister Cheyne could be directed to Mr Barr.

16 **QUESTIONS**

Questions without notice were asked.

17 **PRESENTATION OF PAPERS**

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

Estimates 2023-2024—Select Committee—Answer to question on notice No 163, dated 27 September 2023.

Financial Management Act, pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2022-2023 financial year, dated October 2023.

Gungahlin cinema development—Assembly resolution of 29 August 2023—Government response, dated November 2023.

Royal Commission into Institutional Responses to Child Sexual Abuse—ACT Government Fifth Progress Report responding to recommendations, dated November 2023.

18 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Cheyne (Minister for Human Rights) for this sitting due to her attending ministerial duties.

Question—put and passed.

19 BAIL 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.

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

Detail Stage

Clauses 1 to 3, by leave, taken together and agreed to.

New clause—

Dr Paterson was granted leave to move amendments that had not been considered or reported on by the Scrutiny Committee.

On the motion of Dr Paterson, by leave, new clause 3A (her amendment No 1—see [Schedule 2](#)) was inserted in the bill, after debate.

Papers: Dr Paterson presented a revised explanatory statement to the Bill and a supplementary explanatory statement to her amendments.

Debate continued.

Clause 4 agreed to.

Clause 5—debated and negatived.

Title agreed to.

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

20 LAND SUPPLY

Mr Cain, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) the Indicative Land Release Program for 2023-24 commits to the release of only 1,883 total residential dwellings this financial year;
- (b) the ACT Budget has population growth of 2.25 percent in 2023-24 and two percent across the remainder of the forward estimates, which equates to over 9,000 people per year;

- (c) conservative modelling shows 1,883 residential dwellings will only be able to accommodate 4,500 of the forecasted new residents in the ACT;
 - (d) effective city planning is shaped by the social, environmental, and cultural preferences of the community;
 - (e) the most recent Housing Choices Community Survey released in 2015, known as the Winton Report, found that only two percent of ACT residents want to live in high density apartments;
 - (f) the survey further found that more than 80 percent of Canberrans preferred to live in detached or semi-detached dwellings; and
 - (g) the growth in stock of attached dwellings is inconsistent with community preferences, exacerbating the housing affordability crisis; and
- (2) calls on the ACT Government to:
- (a) auction unsold single blocks for sale by the Suburban Land Agency to find the market price so houses are built on these blocks as soon as possible;
 - (b) commission a new Housing Choices Community Survey to determine the most up-to-date dwelling preferences of ACT residents;
 - (c) as the monopoly provider of land, commit to investigating underutilised and undeveloped sites around Canberra for the development of detached housing; and
 - (d) set ambitious and realistic targets for the release of land in the ACT.

Debate ensued.

Question—put.

The Assembly voted—

| AYES, 5 | NOES, 12 | |
|-------------------|-----------------|----------------------|
| Peter Cain | Andrew Barr | Marisa Paterson |
| Leanne Castley | Yvette Berry | Shane Rattenbury |
| Elizabeth Kikkert | Andrew Braddock | Chris Steel |
| James Milligan | Joy Burch | Rachel Stephen-Smith |
| Mark Parton | Jo Clay | Rebecca Vassarotti |
| | Mick Gentleman | |
| | Suzanne Orr | |

And so it was negatived.

21 PAPERS PRESENTED ON 2 NOVEMBER 2023—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.

Question—put and passed.

22 MEMBERS' STATEMENTS

Members' statements were made.

23 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 5.24 pm, adjourned until Tuesday, 28 November 2023 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting except Ms Cheyne*, Mr Cocks*, Mr Davis* and Mr Pettersson*.

*on leave.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

BIOSECURITY BILL 2023

Amendment circulated by the Minister for the Environment

1

Clause 235 (1), 3rd dot point

Page 150, line 6—

omit

Schedule 2

BAIL AMENDMENT BILL 2023

Amendments circulated by Dr Paterson

1

Proposed new clause 3A

Page 2, line 8—

insert

**3A Div 2.2 not to apply to certain offences
New section 9B (ca)**

insert

- (ca) to a person accused of an offence against the *Road Transport (Safety and Traffic Management) Act 1999*, section 7 (Furious, reckless or dangerous driving) that is an aggravated offence under that Act, section 7A (1) (b) (which is about repeat offenders); or

2

Clause 5

Page 2, line 12—

[oppose the clause]
