



Legislative Assembly for the Australian Capital Territory

2020-2021-2022-2023

Notice Paper

No 107

Wednesday, 29 November 2023

The Assembly meets this day at 10 am

ASSEMBLY BUSINESS

Notice

- 1 **MS BURCH:** To move—That we, the Members of the Tenth Legislative Assembly for the Australian Capital Territory, having adopted a revised code of conduct for Members, reaffirm our commitment to the principles, obligations and aspirations of the code. *(Notice given 13 November 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

EXECUTIVE BUSINESS

Notices

- *1 **MR RATTENBURY:** To present a Bill for an Act to amend the *Liquor Act 2010* and the *Liquor Regulation 2010*. *(Notice given 28 November 2023)*
- *2 **MR STEEL:** To present a Bill for an Act to amend legislation about road safety, and for other purposes. *(Notice given 28 November 2023)*

Orders of the day

- 1 **EDUCATION (EARLY CHILDHOOD) LEGISLATION AMENDMENT BILL 2023:** *(Minister for Education and Youth Affairs): Agreement in principle—Resumption of debate (from 26 October 2023—Mr Hanson).*
- 2 **BUILDING AND CONSTRUCTION LEGISLATION AMENDMENT BILL 2023:** *(Minister for Sustainable Building and Construction): Agreement in principle—Resumption of debate (from 14 September 2023—Mr Parton).*
- 3 **NATURE CONSERVATION AMENDMENT BILL 2023:** *(Minister for the Environment): Agreement in principle—Resumption of debate (from 19 September 2023—Ms Lawder).*
- 4 **JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2023 (NO 2):** *(Attorney-General; presented by Assistant Minister for Economic Development): Agreement in principle—Resumption of debate (from 21 September 2023—Mr Cain).*
- 5 **COAG LEGISLATION AMENDMENT BILL 2021:** *(Chief Minister): Agreement in principle—Resumption of debate (from 4 August 2021—Ms Lee).*
- 6 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2023:** *(Minister for Human Rights): Agreement in principle—Resumption of debate (from 20 September 2023—Mr Cocks).*
- 7 **HUMAN RIGHTS (HEALTHY ENVIRONMENT) AMENDMENT BILL 2023:** *(Minister for Human Rights): Agreement in principle—Resumption of debate (from 26 October 2023—Mr Cain). (Referred to the Standing Committee on Justice and Community Safety on 26 October 2023.)*
- 8 **CRIMES LEGISLATION AMENDMENT BILL 2023:** *(Attorney-General): Agreement in principle—Resumption of debate (from 26 October 2023—Mr Cain). (Referred to the Standing Committee on Justice and Community Safety on 26 October 2023.)*
- 9 **VOLUNTARY ASSISTED DYING BILL 2023:** *(Minister for Human Rights): Agreement in principle—Resumption of debate (from 31 October 2023—Ms Lee). (Referred to Select Committee on the Voluntary Assisted Dying Bill 2023 on 31 October 2023.)*
- 10 **PARENTAGE (SURROGACY) AMENDMENT BILL 2023:** *(Minister for Human Rights): Agreement in principle—Resumption of debate (from 31 October 2023—Mr Cain). (Referred to the Standing Committee on Justice and Community Safety on 31 October 2023.)*
- 11 **SEXUAL, FAMILY AND PERSONAL VIOLENCE LEGISLATION AMENDMENT BILL 2023:** *(Attorney-General): Agreement in principle—Resumption of debate (from 2 November 2023—Mr Cain). (Referred to the Standing Committee on Justice and Community Safety on 2 November 2023.)*
- 12 **GOVERNMENT PROCUREMENT AMENDMENT BILL 2023:** *(Special Minister of State): Agreement in principle—Resumption of debate (from 2 November 2023—Mr Cain).*

- *13 **ASSISTED REPRODUCTIVE TECHNOLOGY BILL 2023:** (*Minister for Health*): Agreement in principle—Resumption of debate (*from 28 November 2023—Ms Castley*).
- 14 **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.
- 15 **OFFICE OF WATER—UPDATE ON CATCHMENT PLANS AND YERRABI FLOATING WETLANDS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Rattenbury—That the Assembly take note of the paper.
- 16 **FINANCIAL MANAGEMENT ACT—HALF YEARLY STATEMENT OF PERFORMANCE—PERIOD ENDING 31 DECEMBER 2022—ACT HEALTH DIRECTORATE—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 17 **FINANCIAL MANAGEMENT ACT—HALF YEARLY STATEMENT OF PERFORMANCE—PERIOD ENDING 31 DECEMBER 2022—ACT LOCAL HOSPITAL NETWORK—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 18 **FINANCIAL MANAGEMENT ACT—HALF YEARLY STATEMENT OF PERFORMANCE—PERIOD ENDING 31 DECEMBER 2022—CANBERRA HEALTH SERVICES—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 19 **FINANCIAL MANAGEMENT ACT—CANBERRA HEALTH SERVICES 2022-2023 BUDGET STATEMENT C—CORRIGENDUM—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 9 February 2023—Ms Lawder*) on the motion of Mr Gentleman—That the Assembly take note of the paper.
- 20 **WORLD DAY FOR SAFETY AND HEALTH AT WORK AND INTERNATIONAL WORKERS' MEMORIAL DAY:** Resumption of debate (*from 6 June 2023—Ms Cheyne*) on the motion of Mr Gentleman—That this Assembly:
- (1) notes the importance of World Day for Safety and Health at Work and International Workers' Memorial Day commemorated internationally on 28 April of each year and that:
 - (a) it is a day of reflection to remember and honour those who have lost their lives at work or from work-related injuries or illness;
 - (b) an opportunity to focus on the importance of health and safety at work and the joint responsibility shared by all in keeping our workplaces safe and fostering a positive work safety culture;
 - (c) all workers have the right to return home safely from work;

- (d) in 2023, the theme for World Day for Safety and Health at Work was “A safe and healthy working environment is a fundamental principle and right at work”, focusing on good work; work that is not only safe, but that is also good for us by contributing to our physical and psychological health and wellbeing; and
- (e) in 2023, the theme for Workers’ Memorial Day was “remember the dead, fight for the living”; and
- (2) express solidarity in reflecting on the importance of World Day for Safety and Health at Work and International Workers’ Memorial Day which occurred on 28 April 2023 by:
 - (a) formally recording a continuing and shared commitment to being a world-leading jurisdiction in work health and safety; and
 - (b) continuing to provide Territory workers with contemporary laws that recognise the complexity of modern workplaces and emerging hazards and keep pace with community expectations.

- 21 **URBAN OPEN SPACE LAND MANAGEMENT PLAN—DRAFT—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 19 September 2023—Mr Braddock*) on the motion of Mr Gentleman—That the Assembly take note of the paper.

PRIVATE MEMBERS’ BUSINESS

Notices

- 1 **MR CAIN:** To move—That this Assembly:
- (1) notes:
 - (a) the ACT Government announced on 11 September 2023 that dual-occupancy developments under a unit title will be permitted on Residential Zone 1 (RZ1) blocks of more than 800m²;
 - (b) the size of the second dwelling will be restricted to 120m² or less;
 - (c) the median land size in Canberra is 748m² according to Domain Group’s *Unique Housing Affordability Report*, published 10 February 2023;
 - (d) there are a large number of blocks sized much larger than 800m² in the ACT, particularly in older, established suburbs which contain blocks over 1000m²; and
 - (e) local building and construction industry stakeholders are concerned that a size limit will act as a deterrent to construct a second dwelling; and

- (2) calls on the ACT Government to:
 - (a) allow an owner of an eligible RZ1 block to exercise choice in the construction of the second dwelling by removing the 120m² restriction to allow a residence of a size that conforms to established planning regulations; and
 - (b) allow an owner the option of surrendering their lease for the issue of two separate leases. (*Notice given 27 November 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

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

- (1) notes:
 - (a) the importance of public housing residents' reasonable entitlement to a dwelling that meets the minimum energy efficiency standards;
 - (b) the Government's obligation to provide public housing dwellings that are energy efficient in particular ceiling insulation of a minimum R5 rating;
 - (c) in November 2020, the Government's Parliamentary and Governing Agreement for the 10th Assembly lists minimum energy efficiency standards regulation for rental properties as a policy issue of particular priority for the government;
 - (d) in 2021, consultations started to gather information on energy efficiency in ACT rentals, options for the energy standards and feedback on the roll out of the program;
 - (e) in 2022, the ACT Government considered feedback for the roll out of ceiling insulation;
 - (f) in November 2022, the ACT Government announced that from 1 April 2023 a minimum energy efficiency standard for rental properties will commence;
 - (g) Housing ACT were questioned in November 2022 if they knew the number of properties requiring an update, which they did not; and
 - (h) from then until November 2023, Housing ACT did not have the final number of properties requiring updates to meet the minimum ceiling insulation standard;
- (2) further notes the:
 - (a) Government has over 5,000 properties requiring updates to meet the minimum standards;
 - (b) Government has accepted funding from the Commonwealth to assist with these upgrades worth \$7.2 million; and
 - (c) ACT Government has expected these upgrades to take the full three years until the end of the phase-in period to be compliant; and

- (3) calls on the Government as a model landlord to:
 - (a) expediate the roll out of the program by completing the upgrades by the end of 2025;
 - (b) commit to on-going upgrades to ensure all properties remain compliant;
 - (c) provide a rental rebate for those in homes that do not meet the minimum standard;
 - (d) report back to this Assembly every three months to update on the progress of the upgrades; and
 - (e) report back to the Assembly, by the last sitting day of the 2023-24 financial year, with a full estimation of the total cost of the upgrades to minimum standards for the public housing stock. (*Notice given 27 November 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

3 **MR CAIN:** To move—That this Assembly:

- (1) notes:
 - (a) it is essential that the process of awarding public funds through procurement to consultants, contractors and third parties is transparent and accessible;
 - (b) the ACT Government continues to underperform on management of shared services, major projects and digital transformation; and
 - (c) in June 2023, it was reported that the ACT Government has wasted over \$77.6 million on the delivery of a since-abandoned Human Resources Information System, which only came to light through media reporting;
- (2) further notes:
 - (a) the ACT Auditor-General has published numerous reports in the 10th Assembly alone on ACT Government procurement;
 - (b) the ACT Auditor-General summarised the deficiencies present in the ACT's procurement management as "a lack of expertise, lack of practice, unawareness, in some cases even naivety";
 - (c) the status and progression of government procurement programs is disparate and inconsistently presented, as evidenced by the ACT Auditor-General's reports; and
 - (d) ACT Government procurement has lacked an aligned database, or single source of information, which collates and presents the details of procurement and tender data for public scrutiny; and
- (3) calls on the ACT Government to:
 - (a) prioritise transparent, efficient and effective expenditure of public monies;

- (b) seek industry and public consultation to improve the tracking and progression of tenders and contracts awarded by each individual agency, through a cross-agency, aligned database, which holds data on procurement separated by projects or packages across the whole-of-government; and
- (c) report back to the Assembly by 30 June 2024 to provide an update on (3)(a) and (3)(b). (*Notice given 27 November 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

4 **DR PATERSON:** To move—That this Assembly:

- (1) notes that:
 - (a) the ACT Government’s response to the 2021 Sexual Assault Prevention and Response Steering Committee report stated that the Government will give further consideration to introducing a specialist court for sexual offences in the ACT through close engagement with the ACT courts and tribunals;
 - (b) in August 2023, Dr Paterson MLA, together with the Canberra Rape Crisis Centre, the Domestic Violence Crisis Centre, A Gender Agenda, the YWCA, the Aboriginal and Torres Strait Islander Elected Body and Women with Disabilities ACT, wrote an open letter to the Chief Minister, the Deputy Chief Minister and the Attorney-General calling on the ACT Government to explore the implementation of a specialist offences court;
 - (c) the Chief Minister, wrote a reply to this open letter, encouraging Dr Paterson MLA to continue working in consultation with the Attorney-General, the Deputy Chief Minister and Minister for Women, to examine the establishment of a specialist court, and to investigate further reforms that could be undertaken to improve outcomes in our legal and support systems;
 - (d) on 9 November 2023, the Attorney-General chaired a Sexual Offences Court Roundtable attended by criminal justice stakeholders and victim-survivor advocacy groups;
 - (e) at the round table, the Attorney-General resolved to establish an advisory group to consider specialist approaches to sexual assault matters in ACT courts, and identify ways to improve the criminal justice experience for victims of sexual assault;
 - (f) on 12 August 2022, the Standing Council of Attorneys-General, of which Minister Rattenbury is a member, endorsed the Work Plan to Strengthen Criminal Justice Responses to Sexual Assault 2022-2027;
 - (g) the work plan identified as one of its three priority areas, a focus on “supporting research and greater collaboration to identify best practices, and to ensure actions are supported by a sound and robust evidence base”;

- (h) the outcome of this research is the review Specialist Approaches to Managing Sexual Assault Proceedings, published in August 2023, undertaken by the Australasian Institute of Judicial Administration, the Commonwealth Attorney-General's Department, the CQUniversity College of Law and Queensland Centre for Domestic and Family Violence Research; and
- (i) the review identifies, internationally, three models that may be adopted by courts or lists implementing a specialist approach to managing sexual offence proceedings:
 - (A) the sexual offender re-entry model;
 - (B) the victim-centred problem-solving model; and
 - (C) the specialist criminal sexual offences model; and
- (2) calls on the ACT Government to:
 - (a) examine the strengths and limitations of the three models as specified in the published review Specialist Approaches to Managing Sexual Assault Proceedings;
 - (b) identify which of the three models are appropriate for the ACT; and
 - (c) report this decision to the Assembly at or before the last sitting week in June 2024. (*Notice given 27 November 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 **CORRECTIONS MANAGEMENT AMENDMENT BILL 2021:** (*Mrs Kikkert*): Agreement in principle—Resumption of debate (*from 25 November 2021—Mr Gentleman*).
 - 3 **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.*)
 - 4 **MODERN SLAVERY LEGISLATION AMENDMENT BILL 2023:** (*Ms Clay*): Agreement in principle—Resumption of debate (*from 28 March 2023—Mr Steel*).
 - 5 **GAMING MACHINE AMENDMENT BILL 2023:** (*Dr Paterson*): Agreement in principle—Resumption of debate (*from 31 August 2023—Mr Rattenbury*).
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ASSEMBLY BUSINESS—continued**Orders of the day****Four months following when the Government review of the
Integrity Commission Act 2018 becomes available**

- 1 **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.

29 February 2024

- 2 **VOLUNTARY ASSISTED DYING BILL 2023—SELECT COMMITTEE:** Presentation of report on the Voluntary Assisted Dying Bill 2023, and any other related matters, pursuant to order of the Assembly of 31 October 2023.

14 March 2024

- 3 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** Presentation of report on the Crimes Legislation Amendment Bill 2023, pursuant to order of the Assembly of 28 November 2023.
- 4 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** Presentation of report on the Parentage (Surrogacy) Amendment Bill 2023, pursuant to order of the Assembly of 28 November 2023.
- 5 **JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE:** Presentation of report on the Sexual, Family and Personal Violence Legislation Amendment Bill 2023, pursuant to order of the Assembly of 28 November 2023.

INQUIRIES INTO BILLS BY STANDING COMMITTEES

(pursuant to standing order 174)

26 January 2024

Standing Committee on Justice and Community Safety

HUMAN RIGHTS (HEALTHY ENVIRONMENT) AMENDMENT BILL 2023: *(Minister for Human Rights):* Agreement in principle—Resumption of debate *(from 26 October 2023—Mr Cain).*

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 questions

1334, 1397, 1400, 1447, 1470, 1478, 1481, 1483, 1489, 1492.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

29 November 2023

Indian (Common) Myna bird control—Minister for the Environment—Petition lodged by Dr Paterson (e-Pet 017-23). *(Referred to the Standing Committee on Environment, Climate Change and Biodiversity on 29 August 2023.)*

Car parking on public green open spaces—Minister for Planning and Land Management—Petition lodged by Ms Vassarotti (e-Pet 004-23). *(Referred to the Standing Committee on Planning, Transport and City Services on 29 August 2023.)*

24 January 2024

Traffic flow and safety in Gungahlin Town Centre—Minister for Transport and City Services—Petition lodged by Ms Castley (e-Pet 015-23).

Improve public transport outcomes for Belconnen—Minister for Transport and City Services—Petition lodged by Ms Cheyne (e-Pet 023-23). *(Referred to the Standing Committee on Planning, Transport and City Services on 24 October 2023.)*

Mr Fluffy board of inquiry—Minister for Sustainable Building and Construction—Petition lodged by Mr Cocks (e-Pet 018-23).

Japanese domestic market number plates—Minister for Business and Better Regulation—Petition lodged by Mr Davis (e-Pet 019-23). *(Referred to the Standing Committee on Planning, Transport and City Services on 24 October 2023.)*

1 February 2024

Point Hut Pond Parkrun path—Minister for Transport and City Services—Petition lodged by Mr Parton (e-Pet 020-23).

2 February 2024

Protection of tree hollows—Minister for the Environment—Petitions lodged by Ms Clay (e-Pet 022-23 and Pet 028-23). *(Referred to the Standing Committee on Planning, Transport and City Services on 2 November 2023.)*

28 February 2024

Police presence at Kippax shops—Minister for Police and Emergency Services—Petitions lodged by Mr Cain (e-Pet 021-23 and Pet 030-23).

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), Ms Orr.

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

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 Milligan (Chair), 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.

Select

VOLUNTARY ASSISTED DYING BILL 2023: *(Formed 31 October 2023):* Ms Castley, Mr Cocks, Ms Orr, Dr Paterson.

Dissolved

COST OF LIVING PRESSURES IN THE ACT: *(Formed 9 February 2023):* Mr Davis (Chair), Ms Lawder, Dr Paterson. *(Presented 11 May 2023)*

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)*

ESTIMATES 2023-2024: *(Formed 15 May 2023):* Mr Parton (Chair), Ms Clay, Mr Pettersson. *(Presented 29 August 2023)*

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