



Legislative Assembly for the Australian Capital Territory

2020-2021-2022-2023

Notice Paper

No 92

Wednesday, 30 August 2023

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Notices

- *1 **MR STEEL:** To present a Bill for an Act to reduce waste and promote a circular economy, and for other purposes. *(Notice given 29 August 2023)*
- *2 **MS VASSAROTTI:** To present a Bill for an Act to amend legislation about swimming pool safety, and for other purposes. *(Notice given 29 August 2023)*

Orders of the day

- 1 **APPROPRIATION BILL 2023-2024:** *(Treasurer):* Agreement in principle—Resumption of debate *(from 29 June 2023—Mr Gentleman)*.
- 2 **APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2023-2024:** *(Treasurer):* Agreement in principle—Resumption of debate *(from 29 June 2023—Mr Gentleman)*.
- 3 **COAG LEGISLATION AMENDMENT BILL 2021:** *(Chief Minister):* Agreement in principle—Resumption of debate *(from 4 August 2021—Ms Lee)*.
- 4 **JUSTICE (AGE OF CRIMINAL RESPONSIBILITY) LEGISLATION AMENDMENT BILL 2023:** *(Attorney-General):* Agreement in principle—Resumption of debate *(from 9 May 2023—Mr Hanson)*.

- 5 **SUPREME COURT AMENDMENT BILL 2023:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 10 May 2023—Mr Cain*).
- 6 **BIOSECURITY BILL 2023:** (*Minister for the Environment*): Agreement in principle—Resumption of debate (*from 10 May 2023—Mr Cain*).
- 7 **JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2023:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 11 May 2023—Mr Cain*).
- 8 **COURTS LEGISLATION AMENDMENT BILL 2023:** (*Attorney-General*): Agreement in principle—Resumption of debate (*from 27 June 2023—Mr Cain*).
- 9 **PLANNING (CONSEQUENTIAL AMENDMENTS) BILL 2023:** (*Minister for Planning and Land Management*): Agreement in principle—Resumption of debate (*from 29 June 2023—Mr Cain*).
- 10 **ELECTORAL AND ROAD SAFETY LEGISLATION AMENDMENT BILL 2023:** (*Special Minister of State*): Agreement in principle—Resumption of debate (*from 29 June 2023—Mr Hanson*).
- *11 **VICTIMS OF CRIME AMENDMENT BILL 2023:** (*Minister for Human Rights and Attorney-General*): Agreement in principle—Resumption of debate (*from 29 August 2023—Mr Cain*).
- *12 **CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2023:** (*Minister for Families and Community Services*): Agreement in principle—Resumption of debate (*from 29 August 2023—Mrs Kikkert*).
- 13 **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.
- 14 **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.
- 15 **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.
- 16 **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.

- 17 **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.
- 18 **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.
- 19 **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.
- 20 **FERAL HORSES—IMPACTS AND MANAGEMENT IN THE AUSTRALIAN ALPS:** Resumption of debate (*from Wednesday, 7 June 2023—Mr Gentleman*) on the motion of Ms Vassarotti—That this Assembly:

- (1) notes that:
 - (a) the impacts of feral horses on the environment and biodiversity is in most cases catastrophic and leads to a loss of vegetation, the trampling of soils, the spreading of weeds, the erosion of stream banks and damage to threatened species, their habitat, and aquatic environments;
 - (b) there are significant populations of feral horses over the border in NSW that pose a significant threat to the ACT should incursions occur;
 - (c) in February 2023, the Senate referred the impacts and management of feral horses in the Australian Alps for inquiry;
 - (d) the ACT Government made a submission to the Senate inquiry that describes the critical need to protect the ACT's highly sensitive water supply and conservation areas from the feral horses; and
 - (e) the ACT Government continues to deliver monitoring and control programs to protect the ACT from feral horses and as a result there are no established populations of feral horses in the ACT; and
 - (2) supports:
 - (a) the ACT Government's ongoing zero-tolerance policy on feral horses in Namadgi National Park, outlined in the *Namadgi National Park Feral Horse Management Plan 2020*, which includes integrated best practices such as trapping, mustering, removal and aerial control management;
 - (b) ongoing detection and control action by the ACT Government to protect Namadgi National Park and other reserves from feral horses;
 - (c) the ACT Government position that there remains a misalignment of policy between the ACT Government and the NSW Government about the management of feral horses in the Australian Alps as described in the *NSW 2021 Kosciuszko National Park Wild Horse Heritage Management Plan*;
 - (d) the ACT Government position that these sensitivities must be addressed and that the ACT and NSW must continue to work towards achieving a coordinated and cohesive approach to feral horse management between the two regions; and
 - (e) that the Australian Government has significant powers and responsibilities to protect matters of national environment significance under the *Environment Protection and Biodiversity Conservation Act 1999* and has an important leadership role to ensure that state and territory initiatives to control feral horses are consistent with this Act.
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PRIVATE MEMBERS' BUSINESS

Notices

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

- (1) notes that:
 - (a) in August 2020, there were 2,209 people on the wait list for housing in the ACT. This month, there are now 3,175 on the wait list, an increase of 44 percent over three years;
 - (b) the Labor-Greens Government committed to adding 400 public housing dwellings to the stock by 2025 under the current Parliamentary and Governing Agreement, a commitment that was later revised to 400 dwellings by 2026-27;
 - (c) since 2017-18, there has been a net reduction in the public housing stock of 333 dwellings, despite the Government investing over a billion dollars into public housing growth and renewal since 2014;
 - (d) a member of this Government expressed his outrage over his own Government's failings in the public housing sector, stating that the raw number of assets owned by Housing ACT has been in a structural decline for at least two and a half years, constituting a potential breach of the Parliamentary and Governing Agreement; and
 - (e) recently, the ACT Ombudsman found that Housing ACT's signature growth and renewal policy was deeply flawed, causing significant distress to tenants. Housing ACT's communication with tenants impacted by the program was found to be impersonal and the decision-making process was not only flawed, but cruel and callous. The Minister for Housing and Suburban Development was then forced to apologise for the distress that her directorate caused to hundreds of public housing tenants; and
- (2) calls on the ACT Government to:
 - (a) publicly release a six-monthly snapshot of public housing stock, which would include complete numbers of renewed properties, newly built properties, properties sold, and existing properties purchased;
 - (b) provide a six-monthly update on the progress of meeting the growth and renewal targets; and
 - (c) rule out any additional extensions to the deadline on the addition of 400 new dwellings to the public housing stock. (*Notice given 28 August 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

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

- (1) notes that:
 - (a) nutritious food supports children and young people's health and wellbeing, academic achievement and brain development;
 - (b) childhood is a formative time for the development of healthy eating habits and lifestyles;
 - (c) ACT Health's Preventative Health Plan 2020-25 highlights that food choices are influenced by our environment, including schools, and chronic disease prevention includes reducing children's unhealthy food consumption levels;
 - (d) research estimates that up to one-third of a student's daily energy intake is consumed at school and can total up to 2,400 lunches over 12 years of schooling;
 - (e) responsibility for enabling children and young people's healthy eating habits while at school falls primarily on parents and carers, and is supported by teachers, school canteens, free school meal programs and paid meal programs;
 - (f) the ACT Government is piloting a free Meals in Schools program across five ACT public schools to ensure the program is designed to best meet the needs of individual school communities; and
 - (g) canteens play a role in:
 - (i) ensuring children and young people have food to eat at school;
 - (ii) influencing children and young people's food choices;
 - (iii) supporting equity of health and wellbeing in children and young people;
 - (iv) supporting parents and carers by providing additional meals for their children; and
 - (v) connecting schools with local communities;
- (2) further notes that:
 - (a) 31 ACT public schools do not have canteens;
 - (b) 42 percent of ACT public schools without canteens are in Tuggeranong;
 - (c) the establishment and management of canteens at ACT schools is at the discretion of individual schools and can be delivered by school management, Parents and Citizens Associations/Parent and Friends Associations, or outsourced to private businesses:
 - (i) the ACT Government does not provide any financial support through annual budgets to help schools or local communities establish or operate canteens;
 - (d) equity challenges exist for school communities striving to deliver financially sustainable canteens while also prioritising healthy food choices:

- (i) many canteen operations are dependent on volunteered time and expertise of school communities, which can be highly variable between communities; and
 - (ii) some school canteens are expected by school management to generate profits, while canteens at wealthier schools can operate at a loss;
 - (e) public school canteen menus are expected to comply with the *ACT Public School Food and Drink Policy*, national guidelines that classify foods according to a nutrition content traffic light system ('green', 'amber', and 'red' foods), and prioritise the availability of healthy foods:
 - (i) research shows that foods classified as healthy ('green' foods vs 'amber' and 'red' foods) under national guidelines are more expensive for canteens than unhealthy options;
 - (f) the ACT Government, through the 2023-24 ACT Budget, has reinstated funding for free annual menu assessments for ACT public school canteens in line with the *ACT Public School Food and Drink Policy*; and
 - (g) research has revealed potential trade-offs for school canteens between prioritising healthy food choices, the capacity and capability of volunteer staff, and the financial viability of operating canteens as a small business; and
- (3) calls on the ACT Government to:
- (a) conduct an audit of the kitchen and canteen facilities at every ACT public school;
 - (b) enshrine an agreed standard for school canteen facilities in the Education Directorate Infrastructure Specifications, which would inform future ACT Government infrastructure upgrades in ACT public schools where necessary;
 - (c) consult with school communities, the ACT Council of Parents and Citizens Association, the Australian Education Union and the ACT Principals' Association to investigate implementing a policy that would provide every ACT public school with an operational school canteen;
 - (d) reinstate free annual menu assessments for ACT public school canteens, funded in the 2023-24 ACT Budget, by the middle of 2024 to ensure that every ACT public school is providing children and young people food and drink options that align with the national guidelines and the *ACT Public School Food and Drink Policy*; and
 - (e) report back on all work completed as a result of this motion to the Assembly, including tabling the kitchen and canteen facilities audit, by the last sitting day in June 2024. (*Notice given 28 August 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

- 3 **DR PATERSON:** To present a Bill for an Act to amend the *Gaming Machine Act 2004*. (Notice given 21 August 2023)

Orders of the day

- 1 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:**
(Mr Cain): Agreement in principle—Resumption of debate (from 9 November 2021—Mr Gentleman).

Notices—continued

- 4 **MS ORR:** To move—That this Assembly:
- (1) notes that:
 - (a) today, 31 August, is the United Nations International Day of People of African Descent;
 - (b) the purpose of this day is to promote the extraordinary contributions of the African diaspora around the world and to eliminate all forms of discrimination against people of African descent; and
 - (c) the ACT is home to a thriving community of African Australians and people of African descent, which grows in population and in community spirit each year;
 - (2) further notes:
 - (a) the African-Australian community is represented by its peak body, the African Australian Council ACT, which represents and advocates on behalf of the African-Australian community in the ACT through one unified voice;
 - (b) this community promotes its diversity and celebrates its African cultural heritage in the wider community through many events, including:
 - (i) Africa Day;
 - (ii) Dera Night —‘Our Health, Our Way’;
 - (iii) Africa Festival in the Park;
 - (iv) Africa Youth Soccer Tournament; and
 - (v) Drum and Dance workshops; and
 - (c) the ACT Government is proudly committed to fostering a more inclusive Canberra, which recognises and respects the harmonious cultural and ethnic diversity of the ACT community and does this through many initiatives such as the annual Multicultural Festival and the recent *Multiculturalism Act 2023*;

- (3) recognises and acknowledges the contributions of the African community and people of African descent in Canberra; and
- (4) continues working with the African community to support their initiatives.
(Notice given 28 August 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

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

- (1) notes that the:
 - (a) Fetal Medicine Unit at Canberra Hospital had its training accreditation suspended;
 - (b) Obstetrics and Gynaecology Unit at Canberra Hospital has been placed on Provisional Accreditation for a period of six months;
 - (c) Canberra Region Medical Education Council revoked accreditation for the Plastic Surgery term; and
 - (d) Child at Risk Health Unit is having its training accreditation reviewed following significant concerns about shortfalls in senior specialist numbers;
- (2) further notes:
 - (a) the Minister has attributed these serious issues around the loss, suspension, and review of training accreditation to “known challenges” and “workforce challenges and shortages”;
 - (b) the Chief Operating Officer of Canberra Health Services (CHS) confirmed, in estimates, that doctors who receive reasonable training, experience and support are more likely to stay in Canberra after finishing their training;
 - (c) a draft report from the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) into the Obstetrics and Gynaecology Unit found that:
 - (i) “The hospital has repeatedly been made aware of areas in which the training offered is insufficient.”; and
 - (ii) “The workplace culture had deteriorated to the point where it did not appear to be one which prioritised training.”; and
 - (d) President of the ACT Australian Medical Association said on ABC Radio “I unfortunately have to say that it is more the fault of the government that hasn’t changed its mindset and hasn’t created identity for CHS to be able to then train the junior workforce and have the resources, that requires concerted efforts and I don’t see that happening.”; and
- (3) calls on the ACT Government to:
 - (a) report to the Assembly on the training accreditation status of all four units, including the work completed by CHS to restore accreditation to all four units by the final sitting week of 2023; and

- (b) provide and table the detailed workforce plan requested by RANZCOG for the Obstetrics and Gynaecology Unit in the first sitting week of October 2023. (*Notice given 28 August 2023. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

Orders of the day—continued

- 2 **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*).
- 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 **FREEDOM OF INFORMATION AMENDMENT BILL 2022 [NO 2]**: (*Ms Lee*): Agreement in principle—Resumption of debate (*from 21 September 2022—Mr Steel*).
- 6 **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.*)
- 7 **MODERN SLAVERY LEGISLATION AMENDMENT BILL 2023**: (*Ms Clay*): Agreement in principle—Resumption of debate (*from 28 March 2023—Mr Steel*).
- 8 **BAIL AMENDMENT BILL 2023**: (*Dr Paterson*): Agreement in principle—Resumption of debate (*from 28 June 2023—Mr Cain*).
- *9 **PAYROLL TAX AMENDMENT BILL 2023**: (*Ms Lee*): Agreement in principle—Resumption of debate (*from 29 August 2023—Mr Barr*).

ASSEMBLY BUSINESS

Order of the day

Two 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.
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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

There are no unanswered questions on notice.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

31 August 2023

Callum Brae Nature Reserve and proposed crematorium development—Minister for Planning and Land Management—Petition lodged by Ms Clay (e-Pet 013-23).

6 September 2023

Mount Ainslie Nature Reserve—Proposed expansion—Minister for Planning and Land Management—Petitions lodged by Ms Clay (e-Pet 012-23 and Pet 016-23).

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.*)

School bus for Lyons Early Childhood School—Minister for Transport and City Services—
Petition lodged by Ms Davidson (e-Pet 014-23). *(Referred to the Standing Committee
on Planning, Transport and City Services on 29 August 2023.)*

Woden Art Centre—Minister for the Arts—Petition lodged by Mr Cocks (e-Pet 005-23).

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), 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

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)*
