



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023

## MINUTES OF PROCEEDINGS

No 95

TUESDAY, 12 SEPTEMBER 2023

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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 DEATH OF DR DAMIAN WEST PSM

Mr Barr (Chief Minister) moved—That this Assembly expresses its deep regret at the death of Dr Damian West PSM, a valued colleague and friend who cared deeply, worked passionately and truly sought to make a difference in the public service, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Ms Lee (Leader of the Opposition), Mr Rattenbury (Leader of the ACT Greens), Ms Berry (Deputy Chief Minister), Mr Gentleman (Minister for Planning and Land Management), Mr Steel (Special Minister of State) addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

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*Suspension of sitting:* The Speaker, at 10.26 am, suspended the sitting and announced that the Chair would be resumed at the ringing of the bells.

*Resumption of sitting:* The bells having been rung, the Speaker resumed the Chair at 10.32 am.

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### **3 PETITIONS—MINISTERIAL RESPONSES—RESPONSES NOTED**

The Clerk announced that the following responses to petitions had been lodged:

Mr Gentleman (Minister for Planning and Land Management), dated 31 August 2023—Response to e-petition No 012-23 and petition No 016-23, lodged by Ms Clay on 6 June 2023, concerning the incorporation of the Ainslie Volcanics site into the Mount Ainslie Nature Reserve.

Mr Gentleman (Minister for Planning and Land Management), dated 31 August 2023—Response to e-petition No 013-23, lodged by Ms Clay on 31 May 2023, concerning Callum Brae Nature Reserve and proposed crematorium development.

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

Question—put and passed.

### **4 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 33—STATEMENT BY CHAIR**

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 33, dated 4 September 2023, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

### **5 ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY—STANDING COMMITTEE—REPORT 8—INQUIRY INTO THE WASTE MANAGEMENT OF ABSORBENT HYGIENE PRODUCTS—REPORT NOTED**

Dr Paterson (Chair) presented the following report:

Environment, Climate Change and Biodiversity—Standing Committee—Report 8—*Inquiry into the waste management of absorbent hygiene products*, dated 6 September 2023, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

### **6 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—PETITION 006-23—GUNG AHLIN—A.C.T. POLICING RESOURCES IMPROVEMENT—STATEMENT BY CHAIR**

Mr Cain (Chair), pursuant to standing order 246A, informed the Assembly that following consideration of a petition concerning ACT Policing resources improvement in Gungahlin, the Standing Committee on Justice and Community Safety had resolved not to inquire into this matter.

**7 MOTION—LEAVE NOT GRANTED**

Mr Gentleman (Minister for Planning and Land Management) sought leave to move a motion concerning the interim draft of the Territory Plan 2023.

Objection being raised, leave not granted.

**8 SUSPENSION OF STANDING ORDERS—PRECEDENCE TO MOTION**

Mr Gentleman (Minister for Planning and Land Management) moved—That so much of the standing orders be suspended as would prevent Mr Gentleman from moving a motion relating to the interim draft of the Territory Plan 2023.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 16		NOES, 9
Mr Barr	Ms Orr	Mr Cain
Ms Berry	Dr Paterson	Ms Castley
Mr Braddock	Mr Pettersson	Mr Cocks
Ms Burch	Mr Rattenbury	Mr Hanson
Ms Cheyne	Mr Steel	Mrs Kikkert
Ms Clay	Ms Stephen-Smith	Ms Lawder
Ms Davidson	Ms Vassarotti	Ms Lee
Mr Davis		Mr Milligan
Mr Gentleman		Mr Parton

And so it was resolved in the affirmative, with the concurrence of an absolute majority.

**9 PLANNING ACT—TERRITORY PLAN 2023—INTERIM—PROPOSED APPROVAL**

Mr Gentleman (Minister for Planning and Land Management) moved—That this Assembly:

- (1) notes that:
  - (a) the Territory Plan sets out a statutory framework for the future development of the ACT and is primarily used to decide development applications and to make other planning related decisions;
  - (b) pursuant to section 46 of the *Planning Act 2023* the object of the Territory Plan is to ensure, in a manner not inconsistent with the National Capital Plan, that the planning and development of the ACT provides the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation;
  - (c) a draft Territory Plan has been made in accordance with Part 20.3, Transitional—territory plan of the *Planning Act 2023*;
  - (d) the draft Territory Plan, as notified under the *Legislation Act 2001*, is being provided to the Assembly for approval as an interim Territory Plan under section 609 of the *Planning Act 2023*;

- (e) if the draft interim Territory Plan is approved by the Assembly, in accordance with section 609 of the *Planning Act 2023*, it will commence on a day fixed by the Minister for Planning and Land Management by written notice; and
  - (f) the draft Territory Plan has also been provided to the Standing Committee on Planning, Transport and City Services for a decision on whether to conduct an inquiry in accordance with section 608 of the *Planning Act 2023*; and
- (2) approves the draft Territory Plan as an interim Territory Plan under section 609 of the *Planning Act 2023*.

*Paper:* Mr Gentleman (Minister for Planning and Land Management) presented the following paper:

Planning Act, pursuant to section 45—Territory Plan 2023—Notifiable instrument NI2023-540, dated 5 September 2023.

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

## 10 APPROPRIATION BILL 2023-2024

The Assembly, according to order, resumed consideration at the detail stage—

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### *Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Mr Hanson, by leave, spoke on Part 1.7—Justice and Community Safety Directorate.

Consideration resumed on Part 1.8—Major Project Canberra—

Debate ensued.

Proposed expenditure agreed to.

Part 1.9—Community Services Directorate—

Debate ensued.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

## 11 QUESTIONS

Questions without notice were asked.

## 12 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Bills, referred to Committees, pursuant to resolution of the Assembly of 2 December 2020, as amended—Correspondence—

Bills—Not inquired into—

Building (Swimming Pool Safety) Legislation Amendment Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 11 September 2023.

Circular Economy Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 11 September 2023.

Government Agencies (Campaign Advertising) Act, pursuant to section 20—Independent Reviewer—Report for the period 1 January to 30 June 2023, dated 1 September 2023, prepared by Bill Campbell AO KC.

Legislative Assembly (Members' Superannuation) Act, pursuant to section 11A—Australian Capital Territory Legislative Assembly Members Superannuation Board—Annual Report—2022-2023, dated 5 September 2023.

Standing order 191—Amendment to the Crimes Legislation Amendment Bill 2022, dated 5, 6 and 7 September 2023.

### 13 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business) presented the following papers:

Cost of Living Pressures in the ACT—Select Committee—Report—Inquiry into Cost of Living Pressures in the ACT—Government response, dated September 2023.

Estimates 2023-2024—Select Committee—Correction to Transcript of Evidence—25 July 2023 Hearing—Statement by Minister for Disability, dated September 2023.

Remuneration Tribunal Act, pursuant to section 10—Determination 9 of 2023—Part-time Public Office Holder—Chair and Members, Law Reform and Sentencing Advisory Council—Part-time Public Office Holder—President and Members, Restricted Medical Treatment Assessment Board, dated 24 August 2023, together with accompanying statement.

Public Sector Management Standards, pursuant to section 56—Engagements of long-term Senior Executive Service members—Schedule—1 March to 31 August 2023, dated September 2023.

Trans-Tasman Mutual Recognition Act, pursuant to section 6A—

Trans-Tasman Mutual Recognition (Northern Territory Container Deposit Scheme) Endorsement 2023—Notifiable instrument NI2023-416, dated 14 July 2023.

Trans-Tasman Mutual Recognition (Tasmanian Container Deposit Scheme) Endorsement 2023—Notifiable instrument NI2023-415, dated 14 July 2023.

#### **Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act and Financial Management Act—

ACT Teacher Quality Institute Board Appointment 2023 (No 2)—Disallowable Instrument DI2023-218 (LR, 31 August 2023).

ACT Teacher Quality Institute Board Appointment 2023 (No 3)—Disallowable Instrument DI2023-217 (LR, 31 August 2023).

Architects Act—

Architects Board (Commercial Lawyer Member) Appointment 2023—Disallowable Instrument DI2023-213 (LR, 24 August 2023).

Architects Board (Community Interests Member) Appointment 2023—Disallowable Instrument DI2023-214 (LR, 24 August 2023).

Architects Board (Registered Architect Member) Appointment 2023—Disallowable Instrument DI2023-212 (LR, 24 August 2023).

Cemeteries and Crematoria Act—Cemeteries and Crematoria (Immersion of Cremated Remains in Flowing Water) Code of Practice 2023—Disallowable Instrument DI2023-215 (LR, 24 August 2023).

Gene Technology (GM Crop Moratorium) Act—

Gene Technology (GM Crop Moratorium) Advisory Council Appointment Revocation 2023 (No 1)—Disallowable Instrument DI2023-220 (LR, 31 August 2023).

Gene Technology (GM Crop Moratorium) Advisory Council Appointment Revocation 2023 (No 2)—Disallowable Instrument DI2023-221 (LR, 31 August 2023).

Nature Conservation Act—Nature Conservation (Fees) Determination 2023 (No 2)—Disallowable Instrument DI2023-216 (LR, 28 August 2023).

Official Visitor Act—Official Visitor (Corrections Management) Appointment 2023 (No 1)—Disallowable Instrument DI2023-222 (LR, 31 August 2023).

Public Place Names Act—Public Place Names (Denman Prospect) Determination 2023 (No 1)—Disallowable Instrument DI2023-223 (LR, 7 September 2023).

Terrorism (Extraordinary Temporary Powers) Act—Terrorism (Extraordinary Temporary Powers) Public Interest Monitor Panel Appointment 2023 (No 1)—Disallowable Instrument DI2023-219 (LR, 31 August 2023).

Work Health and Safety Act—Work Health and Safety Amendment Regulation 2023 (No 1)—Subordinate Law SL2023-19 (LR, 28 August 2023).

**14 COST OF LIVING PRESSURES IN THE A.C.T.—SELECT COMMITTEE—REPORT—INQUIRY INTO COST OF LIVING PRESSURES IN THE A.C.T.—GOVERNMENT RESPONSE—PAPER NOTED**

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Cost of Living Pressures in the ACT—Select Committee—Report—Inquiry into Cost of Living Pressures in the ACT—Government response.

Debate ensued.

Question—put and passed.

**15 DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT ACT 2022—PROPOSED DELAYED COMMENCEMENT**

Mr Hanson, pursuant to notice, moved—That this Assembly calls on the Government to delay the commencement and operation of the *Drugs of Dependence (Personal Use) Amendment Act 2022* until December 2024.

Debate ensued.

Mr Pettersson, by leave, was granted an extension of time.

Debate continued.

Question—put.

The Assembly voted—

AYES, 8

Mr Cain  
Ms Castley  
Mr Cocks  
Mr Hanson  
Mrs Kikkert  
Ms Lee  
Mr Milligan  
Mr Parton

NOES, 15

Ms Berry  
Mr Braddock  
Ms Burch  
Ms Cheyne  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Gentleman  
Ms Orr  
Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith  
Ms Vassarotti

And so it was negatived.

## 16 WARAMANGA—STREET NAMING CONVENTIONS

Dr Paterson, pursuant to notice, moved—That this Assembly:

(1) notes that:

- (a) the ACT Government currently operates ACTmapi, a search tool that collaborates with the community to offer information about the origins and importance of place names in the ACT. These names encompass various aspects, including Australian flora and fauna, prominent figures like writers and artists, scientists, and words from the Aboriginal and Torres Strait Islander vocabulary;
- (b) the names of suburbs, streets, and places in the ACT pay tribute to Australia's remarkable people, geography, heritage and history. These names honour a diverse array of individuals, both well-known figures and those whose achievements might have been less publicised. They collectively embody our Indigenous heritage, national treasures, and captivating stories, which are beautifully reflected in the names of our national capital;
- (c) each suburb in the ACT follows a distinct theme for naming its streets and significant places, often related to nature reserves or parks. For instance, Throsby's theme revolves around native fauna, while Reid's theme incorporates Aboriginal words;
- (d) dating back to 1927, the ACT has maintained a longstanding policy governing the naming of streets and suburbs. This policy was established by a committee tasked with naming the streets and suburbs of the ACT;
- (e) Waramanga, situated in the ACT's Weston Creek district, was established in the late 1960s. As per the ACT Government, the name Waramanga pays tribute to the Warumungu Aboriginal people in the Tennant Creek region of the Northern Territory;

- (f) ACTmapi provides brief historical and significant descriptions for each street name in a suburb to preserve the city’s cultural identity. However, in the case of Waramanga, it only mentions the suburb’s theme;
  - (g) new Canberra suburbs receive more comprehensive coverage with a wealth of information. For instance, even a small cul-de-sac like Elphick Street in Bonner, boasts a 200-word biography of its namesake. This discrepancy is concerning, especially considering that Bonner shares a similar theme with Waramanga, focusing on Aboriginal cultural groups;
  - (h) a nearby southside suburb, Red Hill, with its theme of ships and explorers, includes detailed descriptions of Captain Cook’s second in command and various colonial ships in the street names;
  - (i) Waramanga’s residents could benefit significantly from active engagement with the Government to promote their local history and place names. Sharing information about street names can inspire community involvement in preserving and celebrating Waramanga’s rich history and culture;
  - (j) street names offer valuable context for urban planning and development decisions. An understanding of the historical and cultural significance of street names can influence choices related to infrastructure, landscaping, and community development; and
  - (k) Aboriginal and Torres Strait Islander street names in the ACT recognise the cultural significance, extensive history, traditions, and profound connection to the land of Indigenous communities and their people. Proper recognition serves as a heartfelt acknowledgment and respect for this cultural heritage; and
- (2) calls on the ACT Government to:
- (a) engage in stakeholder collaboration (including consultation with the Aboriginal and Torres Strait Islander Elected Body and the Australian Institute of Aboriginal and Torres Strait Islander Studies) to incorporate pertinent details regarding the street names in Waramanga;
  - (b) consider implementing a comprehensive evaluation of the content provided on ACTmapi as a measure to enhance and bolster the cultural identity of the ACT; and
  - (c) report back to the Assembly by June 2024 to provide an update on progress.

Debate ensued.

Question—put and passed.

## **17 APPROPRIATION BILL 2023-2024**

The Assembly, according to order, resumed consideration at the detail stage—

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### *Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.9—Community Services Directorate—

Debate ensued.



Proposed expenditure agreed to.

Part 1.10—Superannuation Provision Account—agreed to.

Part 1.11—Housing ACT—

Debate ensued.

Ms Vassarotti (Minister for Homelessness and Housing Services) addressing the Assembly—

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*Adjournment negatived:* It being 6.30 pm—The question was proposed—That the Assembly do now adjourn.

Mr Gentleman (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

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Ms Vassarotti continued.

Proposed expenditure agreed to.

Part 1.12—Environment, Planning and Sustainable Development Directorate—

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

## **18 ADJOURNMENT**

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Question—put and passed.

And then the Assembly, at 6.37 pm, adjourned until tomorrow at 10 am.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting.

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**Tom Duncan**  
Clerk of the Legislative Assembly