



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023

MINUTES OF PROCEEDINGS

No 93

WEDNESDAY, 30 AUGUST 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 DEATH OF MR GRAEME NEATE AM

Mr Rattenbury (Attorney-General) moved—That this Assembly expresses its deep regret at the death of Mr Graeme Neate AM, President of the ACT Civil and Administrative Tribunal, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Mr Barr (Chief Minister), Ms Lee (Leader of the Opposition) and Ms Vassarotti (Minister for the Environment) addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

3 PETITION—PETITION NOTED

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

Mr Braddock, from 68 residents, requesting that the Assembly call on the ACT Government to install traffic calming and pedestrian safety measures at the intersection of Gribble and Hibberson Streets in Gungahlin (e-Pet 011-23).

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

Debate ensued.

Question—put and passed.

4 GROWING AND RENEWING PUBLIC HOUSING PROGRAM—TENANT RELOCATION PROCESS REDESIGN UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for Housing and Suburban Development) made a ministerial statement concerning the tenant relocation process within the Growing and Renewing Public Housing Program and presented the following paper:

Growing and Renewing Public Housing Program—Tenant relocation process redesign update—Ministerial statement, 30 August 2023.

Ms Berry moved—That the Assembly take note of the paper.

Question—put and passed.

5 ABSENCE OF QUORUM

The attention of the Speaker was drawn to the fact that a quorum of Members was not present.

The bells having been rung, and a quorum formed—

6 VIETNAM WAR—50TH ANNIVERSARY OF THE END OF AUSTRALIA’S INVOLVEMENT—MINISTERIAL STATEMENT—PAPER NOTED

Ms Davidson (Minister for Veterans and Seniors) made a ministerial statement concerning the 50th anniversary of the end of Australia’s involvement in the Vietnam War and presented the following paper:

50th anniversary of the end of Australia’s involvement in the Vietnam War—Ministerial statement, 30 August 2023.

Ms Davidson moved—That the Assembly take note of the paper.

Question—put and passed.

7 HEALTH INFRASTRUCTURE PLAN AND NORTH CANBERRA HOSPITAL—UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Health) made a ministerial statement concerning the progress of the implementation of the ACT Government’s health infrastructure plan and presented the following paper:

Health infrastructure plan and North Canberra Hospital—Update—Ministerial statement, 30 August 2023.

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

Debate ensued.

Question—put and passed.

8 HEALTH WORKFORCE UPDATE—ASSEMBLY RESOLUTIONS OF 7 OCTOBER 2021 AND 28 JUNE 2023—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPER NOTED

Ms Stephen-Smith (Minister for Health) made a ministerial statement concerning ACT Health workforce, in response to two resolutions of the Assembly relating to healthcare services (resolution of 7 October 2021) and support for nursing and midwifery workers (resolution of 28 June 2023) and presented the following paper:

Health workforce update—Healthcare services—Assembly resolution of 7 October 2021—ACT Health workforce—Support for nursing and midwifery workers—Assembly resolution of 28 June 2023—Government response—Ministerial statement, 30 August 2023.

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

Debate ensued.

Question—put and passed.

9 STROMLO FOREST PARK MASTERPLAN—MOUNTAIN BIKING—ASSEMBLY RESOLUTION OF 20 OCTOBER 2022—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPER NOTED

Mr Steel (Special Minister of State) made a ministerial statement concerning mountain biking in the ACT, including the progress of the implementation of the Stromlo Forest Park masterplan in response to the Assembly resolution of 20 October 2022, and presented the following paper:

Stromlo Forest Park masterplan—Mountain biking—Assembly resolution of 20 October 2022—Government response—Ministerial statement, 30 August 2023.

Mr Steel moved—That the Assembly take note of the paper.

Question—put and passed.

10 CIRCULAR ECONOMY BILL 2023

Mr Steel (Minister for Transport and City Services), pursuant to notice, presented a Bill for an Act to reduce waste and promote a circular economy, 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 (Ms Lawder) and the resumption of the debate made an order of the day for the next sitting.

11 BUILDING (SWIMMING POOL SAFETY) LEGISLATION AMENDMENT BILL 2023

Ms Vassarotti (Minister for Sustainable Building and Construction), pursuant to notice, presented a Bill for an Act to amend legislation about swimming pool safety, and for other purposes.

Paper: Ms Vassarotti 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.

Ms Vassarotti moved—That this Bill be agreed to in principle.

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

12 QUESTIONS

Questions without notice being asked—

Paper: Mr Steel (Minister for Transport and City Services) presented the following paper:

Better Suburbs—Progress update—2022-23—Transport Canberra and City Services Directorate.

Questions continued.

13 PRESENTATION OF PAPERS

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

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Architects Act—Architects Board (Academic Architect Member) Appointment 2023—Disallowable Instrument DI2023-211 (LR, 17 August 2023).

Board of Senior Secondary Studies Act—

Board of Senior Secondary Studies Appointment 2023 (No 2)—Disallowable Instrument DI2023-207 (LR, 14 August 2023).

Board of Senior Secondary Studies Appointment 2023 (No 3)—Disallowable Instrument DI2023-208 (LR, 14 August 2023).

Duties Act—Duties Regulation 2023—Subordinate Law SL2023-18 (LR, 10 August 2023).

Emergencies Act—Emergencies (Multi-Hazard Advisory Council Members) Appointment 2023 (No 1)—Disallowable Instrument DI2023-204 (LR, 10 August 2023).

Legal Aid Act—Legal Aid (Commissioner—ACTCOSS Nominee) Appointment 2023—Disallowable Instrument DI2023-205 (LR, 7 August 2023).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods Amendment Regulation 2023 (No 2)—Subordinate Law SL2023-17 (LR, 7 August 2023).

Remuneration Tribunal Act—Remuneration Tribunal (Fees and Allowances of Members) Determination 2023—Disallowable Instrument DI2023-206 (LR, 14 August 2023).

Transplantation and Anatomy Act—

Transplantation and Anatomy (Designated Officers) Appointment 2023 (No 57)—Disallowable Instrument DI2023-209 (LR, 17 August 2023).

Transplantation and Anatomy (Designated Officers) Appointment Revocation 2023 (No 1)—Disallowable Instrument DI2023-210 (LR, 17 August 2023).

Utilities (Technical Regulation) Act—Utilities (Technical Regulation) (Listed Dams) Determination 2023—Disallowable Instrument DI2023-203 (LR, 27 July 2023).

14 PUBLIC HOUSING STOCK

Mr Parton, pursuant to notice, moved—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.

Mr Davis, by leave, moved the following amendments together:

1. After paragraph (1)(e), insert:

“(f) the tri-partisan Select Committee into Cost of Living Pressures in the ACT tabled its report on Thursday 11 May 2023. The Committee made 52 recommendations aimed at addressing cost of living pressures in the ACT, with 8 recommendations specifically related to the Growing and Renewing Public Housing program. In particular, the Committee’s recommendation 26, which states “The Committee recommends that the ACT Government honour its commitment made in the Parliamentary and Governing Agreement to increase its public housing portfolio by 400 properties by 2025”.

2. After paragraph (2)(c), insert:

“(d) honour its aim the Parliamentary and Governing Agreement to deliver a total of 400 additional public housing dwellings by 2025.”.

Debate continued.

Amendments agreed to.

Question—That the motion, as amended, viz:

“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;
- (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

- (f) the tri-partisan Select Committee into Cost of Living Pressures in the ACT tabled its report on Thursday 11 May 2023. The Committee made 52 recommendations aimed at addressing cost of living pressures in the ACT, with 8 recommendations specifically related to the Growing and Renewing Public Housing program. In particular, the Committee's recommendation 26, which states "The Committee recommends that the ACT Government honour its commitment made in the Parliamentary and Governing Agreement to increase its public housing portfolio by 400 properties by 2025"; 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;
 - (c) rule out any additional extensions to the deadline on the addition of 400 new dwellings to the public housing stock; and
 - (d) honour its aim the Parliamentary and Governing Agreement to deliver a total of 400 additional public housing dwellings by 2025."—

be agreed to—put and passed.

15 SCHOOL CANTEENS

Mr Davis, pursuant to notice, moved—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.

Debate ensued.

Question—put and passed.

16 APPROPRIATION BILL 2023-2024

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

Schedule 1—Appropriations—Proposed expenditure—

Part 1.1—Education Directorate—debated and agreed to.

Part 1.2—ACT Local Hospital Network, Part 1.3—ACT Health Directorate and Part 1.4—Canberra Health Services, taken together and agreed to, after debate.

Part 1.5—Chief Minister, Treasury and Economic Development Directorate—

Debate ensued.

Debate adjourned (Mr Gentleman—Minister for Industrial Relations and Workplace Safety) and the resumption of the debate made an order of the day for the next sitting.

17 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 6.44 pm, adjourned until tomorrow at 10 am.

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

Tom Duncan
Clerk of the Legislative Assembly