



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022

MINUTES OF PROCEEDINGS

No 53

THURSDAY, 9 JUNE 2022

- 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

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Steel for today's sitting due to personal reasons.

Question—put and passed.

3 PETITION—MINISTERIAL RESPONSE—RESPONSE NOTED

The Clerk announced that the following response to a petition had been lodged:

Ms Stephen-Smith, Minister for Health—Response to petition No 3-22, lodged by Mr Braddock on 22 March 2022, concerning a request for free Rapid Antigen Tests for teachers at community language schools, undated.

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

Question—put and passed.

4 INVESTMENT IN NEW SCHOOLS AND SCHOOL MODERNISATIONS—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for Education and Youth Affairs) made a ministerial statement concerning investment in new schools and school modernisations and presented the following paper:

Investment in new schools and school modernisations—Ministerial statement, 9 June 2022.

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

Question—put and passed.

5 LISTEN. TAKE ACTION TO PREVENT, BELIEVE AND HEAL REPORT—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED

Ms Berry (Minister for the Prevention of Domestic and Family Violence) made a ministerial statement concerning the Government response to the Listen. Take Action to Prevent, Believe and Heal Report and presented the following papers:

Listen. Take Action to Prevent, Believe and Heal—

Report presented to the ACT Government by the sexual assault prevention and response steering committee, dated December 2021.

Government response.

Ministerial statement, 9 June 2022.

Ms Berry moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

6 A.C.T. GOVERNMENT'S COMMITMENT TO MINIMISING THE HARM CAUSED BY ALCOHOL AND OTHER DRUGS—UPDATE—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED

Ms Stephen-Smith (Minister for Health) made a ministerial statement to update the Assembly on the ACT Government's commitment to minimising the harm caused by alcohol and other drugs and presented the following papers:

ACT Drug Strategy Action Plan 2018-2021—

Progress Report 2020-21, dated June 2022.

Review, dated June 2022.

Drugs of Dependence (Personal Use) Amendment Bill 2021—Select Committee—Report—*Inquiry into the Drugs of Dependence (Personal Use) Amendment Bill 2021*—Government response.

ACT Government's commitment to minimising the harm caused by alcohol and other drugs—Update—Ministerial statement, 9 June 2022.

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

Debate ensued.

Question—put and passed.

7 RE-ENVISIONING OLDER PERSONS MENTAL HEALTH AND WELLBING IN THE A.C.T. STRATEGY 2022-2026—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Davidson (Minister for Mental Health) made a ministerial statement concerning re-envisioning older persons mental health and wellbeing in the ACT Strategy 2022-2026 and presented the following papers:

Re-envisioning Older Persons Mental Health and Wellbeing in the ACT Strategy 2022-2026—

Towards our Vision.

Ministerial statement, 9 June 2022.

Ms Davidson moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

8 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022

Mr Rattenbury (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about justice and community safety.

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 Parton) and the resumption of the debate made an order of the day for the next sitting.

9 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION AMENDMENT BILL 2022

Mr Rattenbury (Minister for Water, Energy and Emissions Reduction), pursuant to notice, presented a Bill for an Act to amend the *Climate Change and Greenhouse Gas Reduction Act 2010*.

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 Parton) and the resumption of the debate made an order of the day for the next sitting.

10 INTEGRITY COMMISSION AMENDMENT BILL 2022

Ms Burch (Speaker), pursuant to notice, presented a Bill for an Act to amend the *Integrity Commission Act 2018*.

Paper: Ms Burch presented an explanatory statement to the Bill.

Title read by Clerk.

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

Debate adjourned (Mr Barr—Chief Minister) and the resumption of the debate made an order of the day for the next sitting.

11 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly of the absence of Minister Steel and advised the Assembly that questions without notice normally directed to Minister Steel could be directed to Mr Barr.

12 QUESTIONS

Questions without notice were asked.

13 COMBUSTIBLE CLADDING—STATEMENT BY MINISTER

Ms Vassarotti (Minister for Homelessness and Housing Services), by leave, made a statement regarding combustible cladding.

14 PRESENTATION OF PAPERS

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

Annual Reports (Government Agencies) Act, pursuant to subsection 8(5)—Annual Reports (Government Agencies) Directions 2022—Notifiable Instrument NI2022-308, dated 3 June 2022.

Health, Ageing and Community Services—Standing Committee—Ninth Assembly—Report 9—*Interim Report on Child and Youth Protection Services (Part 1)*—Government Response to recommendation 10.

Human Rights Act, pursuant to subsection 33(2)—Corrections Management Act—Declaration of incompatibility, dated 21 April 2022.

Inspector of Correctional Services Act—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Escape of a detainee from a secure escort on 9 July 2021 (CIR 01/22)—Government Response.

Planning and Development Act—Applications to amend—Notices of decisions—DA201936662 and DA202037196 (Common Ground Dickson).

Public Accounts—Standing Committee—Report 5—*Inquiry into the Auditor-General's Report No. 5 of 2021: Management of Closed-Circuit Television Systems*—Government response.

Status of the Public Health Emergency due to COVID-19—Chief Health Officer Report 27—June 2022, dated 1 June 2022.

15 HUMAN RIGHTS ACT—CORRECTIONS MANAGEMENT ACT—DECLARATION OF INCOMPATIBILITY—PAPER NOTED

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

Human Rights Act, pursuant to subsection 33(2)—Corrections Management Act—Declaration of incompatibility, dated 21 April 2022.

Debate ensued.

Question—put and passed.

16 ANNUAL REPORTS (GOVERNMENT AGENCIES) ACT—ANNUAL REPORTS (GOVERNMENT AGENCIES) DIRECTIONS 2022—NOTIFIABLE INSTRUMENT NI2022-308—PAPER NOTED

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

Annual Reports (Government Agencies) Act, pursuant to subsection 8(5)—Annual Reports (Government Agencies) Directions 2022—Notifiable Instrument NI2022-308.

Question—put and passed.

17 PLANNING AND DEVELOPMENT ACT—APPLICATIONS TO AMEND—NOTICES OF DECISIONS—DA201936662 AND DA202037196 (COMMON GROUND DICKSON)—MOTION TO TAKE NOTE OF PAPER

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

Planning and Development Act—Applications to amend—Notices of decisions—DA201936662 and DA202037196 (Common Ground Dickson).

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

18 INSPECTOR OF CORRECTIONAL SERVICES ACT—REPORT OF A REVIEW OF A CRITICAL INCIDENT BY THE ACT INSPECTOR OF CORRECTIONAL SERVICES—ESCAPE OF A DETAINEE FROM A SECURE ESCORT ON 9 JULY 2021—GOVERNMENT RESPONSE—MOTION TO TAKE NOTE OF PAPER

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

Inspector of Correctional Services Act—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Escape of a detainee from a secure escort on 9 July 2021 (CIR 01/22)—Government Response.

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

19 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 5—INQUIRY INTO THE AUDITOR-GENERAL'S REPORT NO. 5 OF 2021: MANAGEMENT OF CLOSED-CIRCUIT TELEVISION SYSTEMS—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:

Public Accounts—Standing Committee—Report 5—*Inquiry into the Auditor-General's Report No. 5 of 2021: Management of Closed-Circuit Television Systems*—Government response.

Question—put and passed.

20 HEALTH, AGEING AND COMMUNITY SERVICES—STANDING COMMITTEE (NINTH ASSEMBLY)—REPORT 9—INTERIM REPORT ON CHILD AND YOUTH PROTECTION SERVICES (PART 1)—GOVERNMENT RESPONSE TO RECOMMENDATION 10—PAPER NOTED

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

Health, Ageing and Community Services—Standing Committee—Report No 9—*Interim Report on Child and Youth Protection Services (Part 1)*—Government Response to recommendation 10.

Question—put and passed.

21 STATUS OF THE PUBLIC HEALTH EMERGENCY DUE TO COVID-19—CHIEF HEALTH OFFICER REPORT 27—PAPER NOTED

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

Status of the Public Health Emergency due to COVID-19—Chief Health Officer Report 27—June 2022.

Question—put and passed.

22 FEDERAL GOVERNMENT ELECTION COMMITMENTS

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

- (1) notes that:
 - (a) former Prime Minister Scott Morrison called a Federal election on 10 April 2022;
 - (b) the Federal election was held on 21 May 2022; and
 - (c) Prime Minister Anthony Albanese was elected to lead a majority Labor Government;
- (2) further notes that:
 - (a) Senator Katy Gallagher is likely re-elected;
 - (b) Andrew Leigh MP is likely re-elected;
 - (c) Alicia Payne MP is likely re-elected;
 - (d) David Smith MP is likely re-elected; and
 - (e) David Pocock is likely elected to the Senate;
- (3) acknowledges the majority Labor Government's Federal election commitments in the ACT, such as:

- (a) \$15 million for the Australian Institute of Sport precinct;
 - (b) \$10 million for youth accommodation at the Canberra Institute of Technology in Woden;
 - (c) \$5 million for Gorman House Arts Centre;
 - (d) \$5 million towards Northside bicycle paths;
 - (e) \$3.225 million to improve Canberra's waterways;
 - (f) \$1 million for crisis accommodation for women fleeing domestic violence;
 - (g) \$800 000 for tennis facilities in Weston Creek;
 - (h) \$750 000 to progress the University of Canberra Sports Hub;
 - (i) \$450 000 to revegetate Jerrabomberra Creek;
 - (j) \$250 000 for upgrades in nine local schools;
 - (k) three community batteries in Casey, Dickson and Fadden; and
 - (l) an urgent care clinic to be located on Canberra's Southside; and
- (4) calls on the ACT Government to work:
- (a) collaboratively with Prime Minister Anthony Albanese and his majority Labor Government to deliver their election commitments in the ACT; and
 - (b) with all Members of the 47th Parliament of Australia to ensure that the interests of the ACT are well served.

Debate ensued.

Question—put and passed.

23 CSIRO GINNINDERRA SITE HOUSING RELEASE

Ms Lee (Leader of the Opposition), pursuant to notice, moved—That this Assembly:

- (1) notes that:
- (a) in early 2022, the Australian Government committed to the sale of 243 hectares of the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Ginninderra site for housing development;
 - (b) demand for housing in Canberra, particularly detached housing, is at crisis point, and is not being met with an increase in the supply of land by the ACT Labor-Greens Government;
 - (c) the ACT Government's land release policy to have 70 percent of people living in high-density dwellings is making Canberra's housing crisis worse;
 - (d) nine out of 10 Canberrans would prefer to live in low or medium-density housing, such as a detached house or townhouse;
 - (e) the latest land release ballot for Macnamara for 51 blocks had over 1,700 entries on the day it opened in May 2022; and

- (f) other recent ballots have seen thousands of people applying for a small number of blocks, such as the March 2022 Whitlam ballot for 101 blocks, which had 12,417 entries;
- (2) calls on the leaders of all parties in the ACT Legislative Assembly to:
 - (a) write to their Federal counterparts urging them to support the release of the 243 hectare CSIRO Ginninderra site to the market as soon as possible; and
 - (b) table a copy of their respective letters in this Chamber by the last sitting day in June 2022; and
- (3) calls on the ACT Government to commit to allowing low and medium-density housing at the site, in keeping with Canberrans' housing preferences.

Ms Berry (Minister for Housing and Suburban Development) moved the following amendment: Omit all text after "notes that", substitute:

- "(a) in 2015, the previous leadership of the Australian Government encountered serious governance and commercial issues in attempting to sell 243 hectares of the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Ginninderra site for housing development;
- (b) despite interest from the ACT Government following 2015 and again recently, the outgoing leadership of the Australian Government failed to successfully make the CSIRO Ginninderra site available for housing;
- (c) under the election policy announced by the former Australian Government, planning decisions and consultations about the CSIRO Ginninderra site would have remained with the Commonwealth Government, with no guarantee of, or control over, good quality, affordable, environmental or community outcomes informed by engagement with Canberrans;
- (d) the ACT Government's commitments on affordable housing, housing supply, and environmentally sustainable development, including the 70 percent infill target, represent a vision for a sustainable, connected and liveable city, and the ACT's existing housing stock at 30 June 2021 comprised of approximately 115 000 single dwellings and 63 000 of all other types including apartments, townhouses and semi-detached dwellings;
- (e) the ACT Government is developing a robust planning framework and is experienced, through the Suburban Land Agency, at delivering new suburbs in line with its commitments and ensuring that those suburbs are environmentally sustainable, liveable, and offer the services that Canberrans need and the amenities they want;
- (f) the ACT Government has publicly recognised the importance of thorough community consultation on any future development at the greenfield CSIRO Ginninderra site, to ensure that environmental values are preserved, infrastructure and transport needs are met and the concerns of all Canberrans are heard and reflected in any future development on the site; and

- (g) any future development, and decision about the types of housing, including affordable housing, and the environmental importance of the site should be informed by detailed consultation and planning work by the ACT Government; and
- (2) calls on the Chief Minister and Minister for Housing and Suburban Development to jointly write to the Federal Minister for Finance, Senator the Hon Katy Gallagher, to seek her support for the transfer of the 243 hectare CSIRO Ginninderra site to the ACT Government as soon as possible for the purpose of release for housing; and
- (3) calls on the ACT Government to commit to ensuring that if it acquires the CSIRO Ginninderra site, a thorough consultation with the community will occur and any decisions about the relevant environmental factors, affordable and public housing priorities, related infrastructure and housing types ultimately delivered be informed by that consultation.”.

Debate continued.

Ms Berry, who had already spoken, by leave, again addressed the Assembly.

Question—That the amendment be agreed to—put and passed.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) in 2015, the previous leadership of the Australian Government encountered serious governance and commercial issues in attempting to sell 243 hectares of the Commonwealth Scientific and Industrial Research Organisation (CSIRO) Ginninderra site for housing development;
 - (b) despite interest from the ACT Government following 2015 and again recently, the outgoing leadership of the Australian Government failed to successfully make the CSIRO Ginninderra site available for housing;
 - (c) under the election policy announced by the former Australian Government, planning decisions and consultations about the CSIRO Ginninderra site would have remained with the Commonwealth Government, with no guarantee of, or control over, good quality, affordable, environmental or community outcomes informed by engagement with Canberrans;
 - (d) the ACT Government’s commitments on affordable housing, housing supply, and environmentally sustainable development, including the 70 percent infill target, represent a vision for a sustainable, connected and liveable city, and the ACT’s existing housing stock at 30 June 2021 comprised of approximately 115 000 single dwellings and 63 000 of all other types including apartments, townhouses and semi-detached dwellings;

- (e) the ACT Government is developing a robust planning framework and is experienced, through the Suburban Land Agency, at delivering new suburbs in line with its commitments and ensuring that those suburbs are environmentally sustainable, liveable, and offer the services that Canberrans need and the amenities they want;
 - (f) the ACT Government has publicly recognised the importance of thorough community consultation on any future development at the greenfield CSIRO Ginninderra site, to ensure that environmental values are preserved, infrastructure and transport needs are met and the concerns of all Canberrans are heard and reflected in any future development on the site; and
 - (g) any future development, and decision about the types of housing, including affordable housing, and the environmental importance of the site should be informed by detailed consultation and planning work by the ACT Government;
- (2) calls on the Chief Minister and Minister for Housing and Suburban Development to jointly write to the Federal Minister for Finance, Senator the Hon Katy Gallagher, to seek her support for the transfer of the 243 hectare CSIRO Ginninderra site to the ACT Government as soon as possible for the purpose of release for housing; and
 - (3) calls on the ACT Government to commit to ensuring that if it acquires the CSIRO Ginninderra site, a thorough consultation with the community will occur and any decisions about the relevant environmental factors, affordable and public housing priorities, related infrastructure and housing types ultimately delivered be informed by that consultation.”—

put and passed.

24 EXECUTIVE BUSINESS—PRECEDENCE

Ordered—That Executive business be called on forthwith.

25 DOMESTIC VIOLENCE AGENCIES AMENDMENT BILL 2022

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.

26 INTERNATIONAL DAY OF BIOLOGICAL DIVERSITY

Ms Vassarotti (Minister for the Environment), pursuant to notice, moved—That this Assembly:

- (1) notes that:

- (a) 22 May is the International Day of Biological Diversity, with the theme in 2022 being “building a shared future for all life”;
 - (b) this fits within the context of the United Nations Decade on Ecosystem Restoration, a rallying call for the protection and revival of ecosystems all around the world, for people and for nature;
 - (c) only with healthy ecosystems can we enhance people’s livelihoods, counteract climate change, and stop the collapse of biodiversity; and
 - (d) Canberra is a growing city with commitments to urban consolidation, with 70 percent of new housing developments to be within Canberra’s existing urban footprint. While it has unique wildlife and rich natural assets, there are currently 53 species and three ecological communities listed as threatened under the *Nature Conservation Act 2014*, highlighting the importance of maintaining our urban habitat;
- (2) acknowledges the significant work of the ACT Government to:
- (a) reform the ACT planning system to ensure we have the best tools to plan where people will live, how they will move around, how the natural environment will be protected and how our city will be resilient to the impacts of climate change;
 - (b) protect and grow a resilient urban forest through the Urban Forest Strategy;
 - (c) protect nature through the Nature Conservation Strategy;
 - (d) maintain and improve living infrastructure in Canberra to cool our city as the climate warms through the Living Infrastructure Plan; and
 - (e) reflect the key role of our natural environment in shaping the wellbeing of Canberrans, through the ACT Wellbeing Framework, which has indicators covering access to green spaces, tree canopy cover, and the quality of our air, water, and biodiversity health;
- (3) supports the ACT Government’s continued important work to protect and enhance biodiversity, which includes:
- (a) developing biodiversity and ecological connectivity decision support tools to guide planning and development decisions that will promote positive environmental outcomes across the city;
 - (b) identifying priority areas for ecological restoration to maintain and enhance habitat corridors for species to move and adapt to a changing climate;
 - (c) embedding biodiversity sensitive principles into urban design guidelines so that biodiversity and ecosystems services are stronger considerations in shaping future development in Canberra;
 - (d) delivering demonstration projects that show how we can enhance the biodiversity values of urban areas, while also providing other benefits such as spaces for recreation; and

- (e) working with committed and capable citizen scientists to carry out an extensive program to monitor, manage and restore biodiversity across reserves and green spaces; and
- (4) commits to protect, connect, and restore biodiversity and ecosystems to build a shared future for all life across the landscapes of the ACT.

Debate ensued.

Question—put and passed.

27 ADJOURNMENT

Ms Cheyne (Assistant Minister for Economic Development) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5:55 pm, adjourned until Tuesday, 2 August 2022 at 10 am.

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

*on leave

Tom Duncan
Clerk of the Legislative Assembly