



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022

MINUTES OF PROCEEDINGS

No 37

TUESDAY, 8 FEBRUARY 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 **HUNGA-TONGA ERUPTION AND TSUNAMI—STATEMENT BY SPEAKER—STATEMENT BY MEMBER**

The Speaker made a statement concerning the eruption of the Hunga Tonga-Hunga Ha-apai volcano, and the subsequent tsunami, which has affected water supplies and caused widespread damage and loss of life in Tonga.

Mrs Kikkert, by leave, also made a statement in relation to the matter.

- 3 **ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—COVID-19 SAFETY MEASURES—STATEMENT BY CHAIR**

Ms Burch (Chair), pursuant to standing order 246A, and following discussions between the Standing Committee on Administration and Procedure and party leaders, made a statement concerning safety measures to be followed in the Assembly building during the Omicron outbreak.

4 PETITIONS AND MINISTERIAL RESPONSES—PETITIONS AND RESPONSES NOTED—PAPER

Petitions

The Clerk announced that the following Members had lodged petitions for presentation:

Mr Davis, from 12 residents, requesting that the Assembly call on the ACT Government to install speed limit signs on Bateman Street, Kambah (Pet 1-22).

Ms Lawder, from 536 residents, requesting that the Assembly call on the ACT Government to conduct an inquiry into the use of Auslan to provide information and services to the deaf community, strengthen legislation and policy for the provision of Auslan across both the public and private sectors, develop agreed objectives and targets for the provision of services and information in Auslan and publicly report progress against these (e-Pet 33-21).

Pursuant to standing order 99A, this petition stands referred to the Standing Committee on Education and Community Inclusion.

Ministerial responses

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

Mr Steel (Minister for Transport and City Services), dated 30 November 2021—Response to e-petition No 9-21, lodged by Ms Lawder on 16 September 2021, concerning improvement of operations at Domestic Animal Services.

Mr Steel (Minister for Transport and City Services), dated 30 November 2021—Response to e-petition No 25-21, lodged by Mrs Kikkert on 16 September 2021, concerning bicycle routes from Holt to the Belconnen Town Centre via Drake-Brockman Drive and Southern Cross Drive.

Mr Steel (Minister for Transport and City Services), dated 30 November 2021—Response to e-petition No 21-21 and petition No 40-21, lodged by Ms Lee on 6 October 2021, concerning a review of parking and traffic management in Campbell.

Mr Steel (Minister for Transport and City Services), dated 30 November 2021—Response to petition No 41-21, lodged by Mrs Jones on 8 October 2021, concerning upgrades to the Lyons Shops.

Mr Steel (Minister for Transport and City Services), dated 30 November 2021—Response to e-petition No 31-21 and petition No 38-21, lodged by Mr Parton on 16 September 2021, concerning the waiving of fines and penalties incurred in July 2021 in the new 40 km speed zones in Civic.

Ms Berry (Acting Treasurer), dated 16 December 2021—Response to e-petition No 36-21, lodged by Mr Braddock on 16 September 2021, concerning income support for recipients of Commonwealth social welfare.

Mr Steel (Minister for Transport and City Services), dated 3 February 2022—Response to e-petition No 27-21, lodged by Ms Lawder on 9 November 2021, concerning improvements to the Fadden Hills Pond playground.

Mr Steel (Minister for Transport and City Services), dated 3 February 2022—Response to e-petition No 15-21, lodged by Ms Clay on 9 November 2021, concerning upgrading of the Melba recreational space.

Mr Steel (Minister for Transport and City Services), dated 3 February 2022—Response to e-petition No 12-21, lodged by Ms Vassarotti on 9 November 2021, concerning a public toilet facility at the Hackett Shops.

Ms Berry (Deputy Chief Minister), dated 7 February 2022—Response to e-petition No 26-21 and petition No 43-21, lodged by Dr Paterson on 9 November 2021, concerning the installation of a LED lighting system at the Waramanga playing fields.

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

Debate ensued.

Paper: Mr Davis presented the following paper:

Petition which does not conform with the standing orders—Kambah—Installation of speed limit signs on Bateman Street—Mr Davis (146 signatures).

Question—put and passed.

Presence of Auslan Interpreter on floor of the chamber: Pursuant to standing order 210, an Auslan interpreter was present on the floor of the Chamber during the motion to take note of the petitions and responses.

5 ECONOMIC UPDATE AND THE YEAR AHEAD—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Barr (Chief Minister) made a ministerial statement to provide an economic update and outlined the Government's priorities for the year ahead, and presented the following paper:

Economic update and the year ahead—Ministerial statement, 8 February 2022.

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

Debate adjourned (Mr Gentleman—Manager of Government Business) and the resumption of the debate made an order of the day for the next sitting.

6 CORONAVIRUS (COVID-19)—A.C.T. GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED

Ms Stephen-Smith (Minister for Health) made a ministerial statement to update the Assembly on the ACT Government response to the COVID-19 emergency and presented the following papers:

Status of the Public Health Emergency due to COVID-19—Chief Health Officer Reports—

No 21—December 2021, dated 7 December 2021.

No 22—January 2022, dated 10 January 2022.

No 23—February 2022, dated 7 February 2022.

Coronavirus (COVID-19)—ACT Government response—Ministerial statement, 8 February 2022.

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

Question—put and passed.

7 COVID-SAFE RETURN TO SCHOOL—MINISTERIAL STATEMENT—PAPER NOTED

Ms Berry (Minister for Education and Youth Affairs) made a ministerial statement concerning a safe return to school and presented the following paper:

COVID-safe return to school—Ministerial statement, 8 February 2022.

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

Question—put and passed.

8 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 12—STATEMENT BY CHAIR

Mr Hanson (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 12, dated 1 February 2022, together with a copy of the extracts of the relevant minutes of proceedings—

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

9 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 8—INQUIRY INTO GIRALANG SHOPS—INTERIM REPORT—REPORT NOTED

Ms Clay (Chair) presented the following report:

Planning, Transport and City Services—Standing Committee—Report 8—*Inquiry into Giralang Shops—Interim Report*, dated 9 December 2021, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

10 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 9—INQUIRY INTO THE IMPACT OF REVISED SPEED LIMITS IN CIVIC—PETITIONS 31-21 AND 38-21—REPORT NOTED

Ms Clay (Chair) presented the following report:

Planning, Transport and City Services—Standing Committee—Report 9—*Inquiry into the impact of revised speed limits in Civic—Petitions 31-21 and 38-21*, dated 20 January 2022, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

11 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 3—INQUIRY INTO THE AUDITOR-GENERAL’S REPORT NO. 1 OF 2020: SHARED SERVICES DELIVERY OF HR AND FINANCE SERVICES—REPORT NOTED

Mrs Kikkert (Chair) presented the following report:

Public Accounts—Standing Committee—Report 3—*Inquiry into the Auditor-General’s Report No. 1 of 2020: Shared Services Delivery of HR and Finance Services*, dated 9 December 2021, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

12 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 4—INQUIRY INTO THE AUDITOR-GENERAL’S REPORT NO. 6 OF 2020: TRANSFER OF WORKER’S COMPENSATION ARRANGEMENTS FROM COMCARE—REPORT NOTED

Mrs Kikkert (Chair) presented the following report:

Public Accounts—Standing Committee—Report 4—*Inquiry into the Auditor-General’s Report No. 6 of 2020: Transfer of Worker’s Compensation Arrangements from Comcare*, dated 4 February 2022, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

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

Mrs Kikkert (Chair) presented the following report:

Public Accounts—Standing Committee—Report 5—*Inquiry into the Auditor-General’s Report No. 5 of 2021: Management of Closed-Circuit Television Systems*, dated 4 February 2022, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

14 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—CONSIDERATION OF BILLS REFERRED TO COMMITTEES—STATEMENT BY CHAIR

Ms Burch (Chair), pursuant to standing order 246A, informed the Assembly that, after consideration by the Standing Committee on Administration and Procedure, a notice of motion has been lodged proposing that the resolution of the Assembly of 2 December 2020 be amended to allow committees three weeks from the date of presentation of a bill to decide whether to undertake an inquiry.

15 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—CONTINUING RESOLUTION 5AA—CHANGE TO PROTOCOLS FOR INVESTIGATING COMPLAINTS AGAINST MEMBERS—STATEMENT BY CHAIR

Ms Burch (Chair), pursuant to standing order 246A, informed the Assembly that, after considering whether it would be desirable for a Member to be informed when a complaint had been made against them to the Commissioner for Standards, but not further proceeded with, the Standing Committee on Administration and Procedure resolved that there was merit in a Member being aware of such a situation. A notice of motion has been lodged to amend Continuing Resolution 5AA to facilitate the new practice.

16 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—INQUIRY—FUTURE OF THE WORKING WEEK—STATEMENT BY CHAIR

Ms Castley (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Economy and Gender and Economic Equality had resolved to extend the deadline for submissions to its inquiry into the future of the working week.

17 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—INQUIRY—MEMORIALISATION THROUGH PUBLIC COMMEMORATION—STATEMENT BY CHAIR

Ms Castley (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Economy and Gender and Economic Equality had resolved to extend the deadline for submissions to its inquiry into memorialisation through public commemoration.

18 ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY—STANDING COMMITTEE—INQUIRY—ENVIRONMENTAL VOLUNTEERISM IN THE ACT—STATEMENT BY CHAIR

Dr Paterson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Environment, Climate Change and Biodiversity had resolved to conduct an inquiry into, and report on, environmental volunteerism in the ACT.

19 HEALTH AND COMMUNITY WELLBEING—STANDING COMMITTEE—INQUIRY—HEALTH PROGRAMS FOR CHILDREN AND YOUNG PEOPLE—REVIEW—STATEMENT BY CHAIR

Mr Davis (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Health and Community Wellbeing had resolved to change the reporting date for its inquiry into ACT health programs for children and young people.

20 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—INQUIRY—PETITION NO 32-21—HUMAN RIGHTS ACT BREACHES—COMPLAINTS—STATEMENT BY CHAIR

Mr Hanson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety had resolved to conduct an inquiry into Petition No 32-21 concerning complaints about breaches of the Human Rights Act.

21 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Mr Hanson (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Justice and Community Safety.

Paper: Mr Hanson, pursuant to Continuing Resolution 5A, presented the following paper:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2021.

22 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—PUBLIC PLACE NAMES AMENDMENT BILL 2021 AND ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021 (NO 2)—STATEMENT BY CHAIR

Ms Clay (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Planning, Transport and City Services had resolved not to conduct inquiries into the Public Place Names Amendment Bill 2021 and the Road Transport Legislation Amendment Bill 2021 (No 2).

23 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—PETITIONS NOS 13-21, 24-21, 21-21 AND 40-21—STATEMENT BY CHAIR

Ms Clay (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Planning, Transport and City Services had considered the following petitions:

No 13-21—Gordon—Traffic management plan;

No 24-21—Red Hill Integrated Plan—Housing development on the Federal Golf Course; and

Nos 21-21 and 40-21—Campbell—Review of parking and traffic—

together with the Ministers' responses, and had resolved not to inquire further into the petitions.

24 PUBLIC ACCOUNTS—STANDING COMMITTEE—INQUIRY—AUDITOR-GENERAL'S REPORT NO 4/2020—RESIDENTIAL LAND SUPPLY AND RELEASE—STATEMENT BY CHAIR

Mrs Kikkert (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had resolved to conduct an inquiry into, and report on, Auditor-General's Report No 4/2020—Residential Land Supply and Release.

25 PUBLIC ACCOUNTS—STANDING COMMITTEE—AUDITOR-GENERAL'S REPORTS NOS 5/2020, 10/2021, 11/2021 AND 12/2021—STATEMENT BY CHAIR

Mrs Kikkert (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had considered the following Auditor-General's Reports:

No 5/2020—Management of household waste services;

No 10/2021—2020-21 Financial Audits Overview;

No 11/2021—Digital Records Management; and

No 12/2021—2020-21 Financial Audits Financial Results and Audit Findings—

and had resolved not to inquire further into the reports.

26 PUBLIC ACCOUNTS—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Mrs Kikkert (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Public Accounts.

Paper: Mrs Kikkert, pursuant to Continuing Resolution 5A, presented the following paper:

Public Accounts—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2021.

27 STANDING COMMITTEES—MEMBERSHIP

The Speaker informed the Assembly that she had, on 9 December 2021, agreed to the following changes to the membership of a number of standing committees, proposed by the ACT Greens' Whip, pursuant to standing order 223:

Ms Clay be discharged from the Standing Committee on Justice and Community Safety and the Standing Committee on Justice and Community Safety (Legislative Scrutiny role);

Mr Braddock be appointed to the Standing Committee on Justice and Community Safety (including the Legislative Scrutiny role);

Mr Braddock be discharged from the Standing Committee on Environment, Climate Change and Biodiversity;

Ms Clay be appointed to the Standing Committee on Environment, Climate Change and Biodiversity.

Paper: The Speaker presented the following paper:

Standing Committees—Membership—Proposed changes—Copy of email correspondence between the ACT Greens' Whip and the Speaker, dated 9 December 2021.

Mr Gentleman (Manager of Government Business) moved—That the changes to the membership of the Standing Committees, as proposed, and agreed to by the Speaker, pursuant to standing order 223, be adopted.

Question—put and passed.

28 QUESTIONS

Questions without notice were asked.

29 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No 12/2021—2020-21 Financial Audits—Financial Results and Audit Findings, dated 15 December 2021.

No 13/2021—Campbell Primary School Modernisation Project Procurement, dated 22 December 2021.

Bills referred to Committees, pursuant to the resolution of the Assembly of 2 December 2020, as amended 30 March and 22 April 2021—Correspondence—

Bills—Inquiries—

Electoral Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Justice and Community Safety, dated 8 December 2021.

Financial Management Amendment Bill 2021 (No 2)—Copy of letter to the Speaker from the Chair of the Standing Committee on Public Accounts, dated 9 December 2021.

Bills—Not inquired into—

Corrections Management Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Justice and Community Safety, dated 8 December 2021.

Crimes (Policing) Legislation Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Justice and Community Safety, dated 8 December 2021.

Public Place Names Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Planning, Transport and City Services, dated 9 December 2021.

Road Transport Legislation Amendment Bill 2021 (No 2)—Copy of letter to the Speaker from the Chair of the Standing Committee on Planning, Transport and City Services, dated 9 December 2021.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 12(5)—ACT Greenhouse Gas Inventory for 2020-21—Prepared by Point.Advisory, dated 10 November 2021.

Inspector of Correctional Services Act, pursuant to subsection 30(2)—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), dated February 2022.

Integrity Commission Act, pursuant to subsection 213(2)—Special Report—Acquisition of Block 24, Section 65, Canberra City, dated 3 February 2022.

Standing order 191—Amendments to the Justice and Community Safety Legislation Amendment Bill 2021, dated 10 December 2021.

30 PRESENTATION OF PAPERS

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

COVID-19 Emergency Response Act, pursuant to subsection 3(3)—COVID-19 Measures—Report No 13—Reporting period 1 October to 31 December 2021, dated February 2022.

Justice and Community Safety—Standing Committee—Report 2—*Inquiry into the 2020 ACT Election and the Electoral Act*—Government response.

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 372 to the Territory Plan—Watson Section 76, dated 8 February 2022, including associated documents.

Planning, Transport and City Services—Standing Committee—

Report 4—DV365—*Housing Choices—Co-Housing and Boarding Houses*—Government response, dated February 2022.

Report 5—*Draft Variation to the Territory Plan No 364—Gungahlin Town Centre: Amendments to the Gungahlin precinct map and code*—Government response, dated February 2022.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Australian Capital Territory (Self-Government) Act, Emergencies Act, Road Transport (General) Act and Waste Management and Resource Recovery Act—Emergencies, Road Transport (General), Waste Management and Resource Recovery (Embassy and Diplomatic Residence Fees) Determination 2021—Disallowable Instrument DI2021-297 (LR, 20 December 2021).

Civil Law (Wrongs) Act—Civil Law (Wrongs) The Institute of Public Accountants Professional Standards Scheme 2021—Disallowable Instrument DI2021-296 (LR, 20 December 2021).

Climate Change and Greenhouse Gas Reduction Act—

Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2021 (No 1)—Disallowable Instrument DI2021-290 (LR, 20 December 2021).

Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2021 (No 2)—Disallowable Instrument DI2021-291 (LR, 20 December 2021).

Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2021 (No 3)—Disallowable Instrument DI2021-292 (LR, 20 December 2021).

Climate Change and Greenhouse Gas Reduction (Council Member) Appointment 2021 (No 4)—Disallowable Instrument DI2021-293 (LR, 20 December 2021).

Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2021—Disallowable Instrument DI2021-269 (LR, 25 November 2021).

Cultural Facilities Corporation Act and Financial Management Act—

Cultural Facilities Corporation (Governing Board) Appointment 2021 (No 1)—
Disallowable Instrument DI2021-285 (LR, 16 December 2021).

Cultural Facilities Corporation (Governing Board) Appointment 2021 (No 2)—
Disallowable Instrument DI2021-286 (LR, 16 December 2021).

Gaming Machine Act—Gaming Machine (Emergency Community Purpose
Contribution—Local Live Performance Industry) Declaration 2021 (No 2)—
Disallowable Instrument DI2021-273 (LR, 6 December 2021).

Independent Competition and Regulatory Commission Act—Independent Competition
and Regulatory Commission (Regulated Water and Sewerage Services) Terms of
Reference Determination 2021—Disallowable Instrument DI2021-278 (LR,
13 December 2021).

Leases (Commercial and Retail) Act—Leases (Commercial and Retail) COVID-19
Emergency Response Declaration Revocation 2021—Disallowable Instrument
DI2021-283 (LR, 16 December 2021).

Legislative Assembly (Members' Staff) Act—

Legislative Assembly (Members' Staff) Members' Salary Cap Determination 2021
(No 2)—Disallowable Instrument DI2021-276 (LR, 9 December 2021).

Legislative Assembly (Members' Staff) Speaker's Salary Cap Determination 2021
(No 2)—Disallowable Instrument DI2021-277 (LR, 9 December 2021).

Liquor Act—

Liquor (Permit Fee Refund) Determination 2021 (No 1)—Disallowable Instrument
DI2021-295 (LR, 20 December 2021).

Liquor (Permit Fee Refund) Determination 2021 (No 2)—Disallowable Instrument
DI2021-294 (LR, 20 December 2021).

Medicines, Poisons and Therapeutic Goods Regulation—Medicines, Poisons and
Therapeutic Goods (Vaccinations by Pharmacists) Direction 2021 (No 4)—Disallowable
Instrument DI2021-287 (LR, 16 December 2021).

Motor Accident Injuries Act—

Motor Accident Injuries (Defined Benefits Application) Guidelines 2021—
Disallowable Instrument DI2021-279 (LR, 13 December 2021).

Motor Accident Injuries (Income Replacement Benefit) Guidelines 2021—
Disallowable Instrument DI2021-280 (LR, 13 December 2021).

Motor Accident Injuries (Treatment and Care) Guidelines 2021—Disallowable
Instrument DI2021-281 (LR, 13 December 2021).

Plastic Reduction Act—Plastic Reduction (Public Event) Declaration 2021—
Disallowable Instrument DI2021-270 (LR, 24 November 2021).

Public Place Names Act—Public Place Names (Whitlam) Determination 2021 (No 1)—
Disallowable Instrument DI2021-288 (LR, 16 December 2021).

Public Sector Management Act—Public Sector Management Amendment Standards
2021 (No 1)—Disallowable Instrument DI2021-298 (LR, 22 December 2021).

Public Trustee and Guardian Act—Public Trustee and Guardian (Disposal of Unclaimed Deceased Person) Guidelines 2021—Disallowable Instrument DI2021-282 (LR, 16 December 2021).

Radiation Protection Act—Radiation Protection (Radiation Protection Series) Codes of Practice 2021—Disallowable Instrument DI2021-284 (LR, 16 December 2021).

Road Transport (General) Act—

Road Transport (General) (Pay Parking Area Fees) Determination 2021 (No 2)—Disallowable Instrument DI2021-274 (LR, 9 December 2021).

Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2021 (No 5)—Disallowable Instrument DI2021-271 (LR, 29 November 2021).

Road Transport (General) Application of Road Transport Legislation Declaration 2021 (No 9)—Disallowable Instrument DI2021-272 (LR, 6 December 2021).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2021 (No 1)—Disallowable Instrument DI2021-289 (LR, 16 December 2021).

Taxation Administration Act—Taxation Administration (Amounts Payable—Ambulance Levy) Determination 2021—Disallowable Instrument DI2021-275 (LR, 13 December 2021).

Workers Compensation Act—Workers Compensation Amendment Regulation 2021 (No 1)—Subordinate Law SL2021-29 (LR, 24 November 2021).

31 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REPORT 5—DRAFT VARIATION TO THE TERRITORY PLAN NO 364—GUNGALIN TOWN CENTRE: AMENDMENTS TO THE GUNGALIN PRECINCT MAP AND CODE—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:

Planning, Transport and City Services—Standing Committee—Report 5—*Draft Variation to the Territory Plan No 364—Gungahlin Town Centre: Amendments to the Gungahlin precinct map and code*—Government response.

Debate ensued.

Question—put and passed.

32 LEAVE OF ABSENCE TO MEMBERS

Ms Lawder moved—That leave of absence be granted to:

Ms Lee for this sitting week for COVID reasons.

Mr Cain for 8 February 2022 for COVID reasons.

Mrs Jones for the period 8 February to 1 April 2022 for personal reasons.

Question—put and passed.

33 CRIMES (CONSENT) AMENDMENT BILL 2022

Dr Paterson, pursuant to notice, presented a Bill for an Act to amend the *Crimes Act 1900*.

Paper: Dr Paterson presented an explanatory statement to the Bill.

Title read by Clerk.

Dr Paterson moved—That this Bill be agreed to in principle.

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

34 ECONOMIC RECOVERY

Ms Castley, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) the Chief Minister has said a sharp “V-shaped recovery” would keep the ACT economy strong after the 2021 lockdown;
 - (b) the outbreak of the Omicron-variant of COVID-19 has resulted in significant staff shortages across sectors, leaving many businesses unable to open and many Canberrans choosing to stay home; and
 - (c) despite ongoing low-level restrictions and nation-leading vaccination rates, many small businesses are experiencing the crippling effects of a shadow lockdown;
- (2) further notes:
 - (a) the latest CommSec State of the States report and Australian Bureau of Statistics Labour Force report reveal the ACT is the second worst performing economy in the nation, has the second highest level of unemployment at 4.5 percent and recorded the second lowest retail spending in Australia (January 2022); and
 - (b) SEEK’s December 2021 Employment Report revealed the ACT had the second largest decline in jobs ads from the previous month;
- (3) expresses concern that:
 - (a) the Labor-Greens Government have not addressed concerns related to the ACT’s job market; and
 - (b) Canberra’s private sector will continue to suffer under this Government’s excessive regulation, taxation and cost of doing business in the Territory; and
- (4) calls on the ACT Government to:
 - (a) acknowledge the ACT is not experiencing a V-shaped economic recovery; and
 - (b) release an updated economic recovery plan by the next sitting week of 2022 to support small business through Omicron and future variants of COVID-19.

Ms Cheyne (Assistant Minister for Economic Development) moved the following amendment: Omit all text after “That this Assembly”, substitute:

“(1) notes:

- (a) a ‘V-shaped recovery’ in the economy was observed following the conclusion of the ACT lockdown in October 2021, noting that there were different impacts across different industries;
- (b) the global emergence of the Omicron-variant of COVID-19 in late November 2021 has resulted in:
 - (i) significant staff shortages across sectors, leaving some businesses being closed for a period of time; and
 - (ii) some Canberrans choosing to stay home more than usual; and
- (c) despite limited ongoing restrictions and nation-leading vaccination rates, some small businesses are experiencing the effects of intermittent periods of lower than usual consumer confidence;

(2) further notes:

- (a) despite the pandemic, retail trade figures have grown each year from \$6.14 billion in 2019, to \$6.67 billion in 2020 and \$6.78 billion in 2021;
- (b) through the pandemic, the ACT has had one of the strongest performing labour markets of any jurisdiction around the country looking at single touch payroll, job vacancies, payroll tax receipts, and the labour force survey;
- (c) for 2020-21, ABS data shows the ACT had a 5.8 percent increase in the number of businesses, the largest growth in any State or Territory;
- (d) ABS retail trade turnover in the ACT increased by 19.2 percent in the month of November 2021 to \$616 million, the highest monthly outcome ever recorded and higher than its three-year average of \$542 million, and this record spend was sustained through December with \$596.6 million spent at ACT businesses during the month;
- (e) ABS retail sales data for the December quarter shows the ACT had a 12.4 percent rise, led by spending in discretionary industries and well ahead of the national average;
- (f) over the course of the pandemic, the ACT Government has provided almost half a billion dollars in support to local businesses, including direct financial support to almost 12 000 local businesses; and
- (g) despite the Commonwealth Treasurer announcing an end to emergency support, the ACT Government believes some support for businesses is still required and has extended:
 - (i) the closing date of the Small Business Hardship Scheme from 31 January to 28 February;
 - (ii) the food business registration fee waiver from 31 March to 30 June;

- (iii) the annual licence fee waiver for liquor licences (effectively a 50 percent fee reduction) from 31 March to 30 June for nightclub, restaurant and café, bar, general, catering special and club liquor licences; and
 - (iv) \$500 000 for a second round of Amp It Up! later in 2022; and
- (3) calls on the ACT Government to:
- (a) continue to assess and monitor the level of support being provided to businesses impacted by ongoing restrictions; and
 - (b) continue to encourage Canberrans to support local small businesses.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 4
Mr Braddock	Ms Orr	Ms Castley
Ms Burch	Dr Paterson	Mr Hanson
Ms Cheyne	Mr Pettersson	Mrs Kikkert
Ms Davidson	Mr Rattenbury	Mr Parton
Mr Gentleman		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) a ‘V-shaped recovery’ in the economy was observed following the conclusion of the ACT lockdown in October 2021, noting that there were different impacts across different industries;
 - (b) the global emergence of the Omicron-variant of COVID-19 in late November 2021 has resulted in:
 - (i) significant staff shortages across sectors, leaving some businesses being closed for a period of time; and
 - (ii) some Canberrans choosing to stay home more than usual; and
 - (c) despite limited ongoing restrictions and nation-leading vaccination rates, some small businesses are experiencing the effects of intermittent periods of lower than usual consumer confidence;
- (2) further notes:
 - (a) despite the pandemic, retail trade figures have grown each year from \$6.14 billion in 2019, to \$6.67 billion in 2020 and \$6.78 billion in 2021;

- (b) through the pandemic, the ACT has had one of the strongest performing labour markets of any jurisdiction around the country looking at single touch payroll, job vacancies, payroll tax receipts, and the labour force survey;
 - (c) for 2020-21, ABS data shows the ACT had a 5.8 percent increase in the number of businesses, the largest growth in any State or Territory;
 - (d) ABS retail trade turnover in the ACT increased by 19.2 percent in the month of November 2021 to \$616 million, the highest monthly outcome ever recorded and higher than its three-year average of \$542 million, and this record spend was sustained through December with \$596.6 million spent at ACT businesses during the month;
 - (e) ABS retail sales data for the December quarter shows the ACT had a 12.4 percent rise, led by spending in discretionary industries and well ahead of the national average;
 - (f) over the course of the pandemic, the ACT Government has provided almost half a billion dollars in support to local businesses, including direct financial support to almost 12 000 local businesses; and
 - (g) despite the Commonwealth Treasurer announcing an end to emergency support, the ACT Government believes some support for businesses is still required and has extended:
 - (i) the closing date of the Small Business Hardship Scheme from 31 January to 28 February;
 - (ii) the food business registration fee waiver from 31 March to 30 June;
 - (iii) the annual licence fee waiver for liquor licences (effectively a 50 percent fee reduction) from 31 March to 30 June for nightclub, restaurant and café, bar, general, catering special and club liquor licences; and
 - (iv) \$500 000 for a second round of Amp It Up! later in 2022; and
- (3) calls on the ACT Government to:
- (a) continue to assess and monitor the level of support being provided to businesses impacted by ongoing restrictions; and
 - (b) continue to encourage Canberrans to support local small businesses.”—
- be agreed to—put and passed.

35 AFFORDABLE HOUSING

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

- (1) notes that:
 - (a) the ACT Council of Social Service indicated in a media release on 25 January this year that “This years RoGS highlights that the ACT Government’s current housing policies are failing to address the ongoing crisis”;

- (b) the number of public housing dwellings in the ACT continues to fall and is below the number in 2012 (10 950) with the waitlist growing;
 - (c) dwelling condition has continued to decline with the amount of properties at an acceptable standard dropping from 80.2 percent to 73.4 percent for those without a disability;
 - (d) customer satisfaction rating has dropped from 29.6 percent very satisfied in 2018 to only 19.3 percent very satisfied in 2021;
 - (e) there are 164 fewer households in social housing in the ACT in 2021 compared to 2020, and this number is lower than a decade ago in 2012 (11 328) and its peak at 11 435 households in 2017;
 - (f) more than 30 percent of clients who approached homelessness services with a need for accommodation did not have their needs met; and
 - (g) the Government is neglecting those who are most vulnerable in the community and the lack of action is apparent; and
- (2) calls on the ACT Government to:
- (a) urgently review the implementation of its housing strategy;
 - (b) release the details and exact timeline of the delivery of all commitments in the Parliamentary and Governing Agreement which includes 400 additional public houses and 600 affordable rental dwellings;
 - (c) allow Community Housing Providers (CHPs) to address the shortfall of affordable homes through access to affordable land, rezoning to allow development by CHPs and rates exemptions; and
 - (d) report back to this Assembly by 31 March 2022.

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

- “(a) there is a housing affordability crisis unfolding across the OECD, including in Australia. The ACT is not immune from this;
- (b) higher-than-average incomes can hide the challenges lower-income families can face in the private rental market;
- (c) the strong ACT Government commitment to public housing and continued investment in the growth and renewal of public housing with \$100 million committed in the 2021-2022 ACT Budget;
- (d) while Report on Government Services data shows stock numbers fluctuate year on year, growth and renewal of public housing is not achieved in a linear process as tenants move out, homes are renewed and built, construction completed and new tenants move in;
- (e) to improve dwelling condition so tenants have safe and secure homes to live in, the ACT Government committed \$80 million in the 2021-2022 Budget to boost public housing maintenance; and
- (f) to assist clients of homelessness services with a need for accommodation, the ACT Government has committed to increase specialist homelessness services with over \$10 million invested over the last two budgets; and

- (2) calls on the ACT Government to:
- (a) continue to implement and review the implementation of the ACT Housing Strategy;
 - (b) deliver all housing commitments in the Parliamentary and Governing Agreement which includes 400 additional public houses and 600 affordable rental dwellings; and
 - (c) implement actions under the Housing Strategy to support Community Housing Providers to support the delivery of affordable housing.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 4
Ms Berry	Ms Orr	Ms Castley
Mr Braddock	Dr Paterson	Mr Hanson
Ms Burch	Mr Pettersson	Mrs Kikkert
Mr Davis	Ms Vassarotti	Mr Parton
Mr Gentleman		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
- (a) there is a housing affordability crisis unfolding across the OECD, including in Australia. The ACT is not immune from this;
 - (b) higher-than-average incomes can hide the challenges lower-income families can face in the private rental market;
 - (c) the strong ACT Government commitment to public housing and continued investment in the growth and renewal of public housing with \$100 million committed in the 2021-2022 ACT Budget;
 - (d) while Report on Government Services data shows stock numbers fluctuate year on year, growth and renewal of public housing is not achieved in a linear process as tenants move out, homes are renewed and built, construction completed and new tenants move in;
 - (e) to improve dwelling condition so tenants have safe and secure homes to live in, the ACT Government committed \$80 million in the 2021-2022 Budget to boost public housing maintenance; and
 - (f) to assist clients of homelessness services with a need for accommodation, the ACT Government has committed to increase specialist homelessness services with over \$10 million invested over the last two budgets; and
- (2) calls on the ACT Government to:
- (a) continue to implement and review the implementation of the ACT Housing Strategy;

- (b) deliver all housing commitments in the Parliamentary and Governing Agreement which includes 400 additional public houses and 600 affordable rental dwellings; and
- (c) implement actions under the Housing Strategy to support Community Housing Providers to support the delivery of affordable housing.”—

be agreed to—put and passed.

36 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 5.18 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Cain*, Mrs Jones* and Ms Lee*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly