



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

MINUTES

Meeting no: 8 **Type:** Private meeting
Date: Tuesday 16 August 2022
Venue: Prince Edward Island Room, Assembly Building

Present: Mr James Milligan MLA (Chair)
Mr Andrew Braddock MLA (Deputy Chair)
Dr Marisa Paterson MLA

Secretariat: Dr David Monk
Adele Chynoweth
Jo Cullen
Kathleen de Kleuver
Samuel Thompson

Guests: Tom Duncan, Clerk
Julia Agostino, Deputy Clerk
Rachel Turner, Executive Manager of Business Support
Minister Mick Gentleman MLA
Dr Damien West, Deputy Director-General of the Chief Minister, Treasury and Economic Development Directorate

1. Commencement of meeting

1.1. The meeting commenced at 1.30pm.

2. Risk assessment and WHS requirements

2.1. The Committee deliberated on the draft risk assessment for managing COVID risks in holding Estimates Hearings.

2.2. The Committee resolved [MILLIGAN] to accept the risk assessment as amended.

3. Invitation to Minister Gentleman to attend private hearing.

3.1. The Committee resolved [PATERSON] to request the Secretariat to ask that Minister Gentleman and Dr Damien West, join the private meeting to discuss the hearing arrangements with a view to come to a mutually acceptable arrangement.

3.2. The Committee noted that Mr Gentleman's office made several inquiries regarding the meeting including whether an oath was required, the purpose of the meeting, whether the Minister could appear online with officials. The Committee also noted that the secretariat had advised Mr Gentleman's office that an oath wasn't requested, of the purpose of the meeting, that Dr West would also attend and that the meeting would be face to face in the Prince Edward Island Room.

4. Confirming minutes of previous meetings

4.1. The Committee resolved [BRADDOCK] that the minutes of meeting #5, 6 and 7 on 10 August 2022, 12 August 2022 and 15 August 2022 respectively be agreed.

5. Meeting with Minister Gentleman and Dr Damien West

- 5.1. Guests and the Secretariat except for Dr Monk and Ms Rachel Turner left the room. Minister Gentleman and Dr West joined the Committee in the Prince Edward Island Room.
- 5.2. Minister Gentleman and Dr West proposed that the Committee could meet the requirements of the Prohibition Notice by consulting with officials through the Minister. Dr West could then consult with Directors-General who could propose a small number of their staff to attend, who would also be consulted on the Committee's risk assessment for hearings. Minister Gentleman could manage the consultation with ministers. Once the Speaker and Committee believed that they had met the requirements of the Prohibition Notice, then the Speaker could apply to WorkSafe ACT for the Notice to be lifted. If WorkSafe agreed, they would advise the Speaker.
- 5.3. The Committee thanked Minister Gentleman and Dr West for their attendance and stated that they would consider the proposal.
- 5.4. Minister Gentleman and Dr West withdrew. The guests and secretariat returned to the room.
- 5.5. The Committee deliberated on the meeting with Minister Gentleman and Dr West.
- 5.6. The Committee deliberated on whether witnesses attending as officials were actually workers of the Legislative Assembly, as per the *Work Health and Safety Act 2011*.

6. Break

- 6.1. The Committee had a break from 2.50pm to 2.55pm.
- 6.2. The Chair re-opened the meeting.

7. Hearing arrangements

7.1. The Committee resolved [BRADDOCK] that:

- 7.1.1. The Chair write to all ministers, statutory office holders, officers of the legislative assembly and the Speaker to provide the hearing risk assessment and that in order to meet the requirements to lift the prohibition notice, they are consulting with them as witnesses on the risk assessment and ask them to respond by close of business Wednesday 17 August 2022.
- 7.1.2. As the Committee are unable to consult the numerous ACT public servants to appear as witnesses, ACT public servants will not be able to attend until the prohibition order is lifted.
- 7.1.3. To recommence the Estimates hearings on 22 August 2022 in line with the current Hearing Schedule for that week. Hearings that were to be held during the current week, are to occur in the week starting 29 August 2022.

7.1.4. Hearings would be conducted in the Chamber.

7.2. The Committee deliberated on the draft media release.

7.3. The Committee resolved [PATERSON] to issue the media release as amended at the same time as letters were sent outlining these arrangements to be approved out of session.

7.4. The Committee resolved [PATERSON] that its members would informally advise party leaders of its proposed arrangements for hearings.

8. Adjournment and Next Meeting

The next meeting is scheduled for 9.00am on Monday 22 August 2022, unless otherwise advised.

The Committee adjourned at 3.10pm.

CONFIRMED

James Milligan
Chair

17 August 2022