



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021

MINUTES OF PROCEEDINGS

No 20

THURSDAY, 24 JUNE 2021

- 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 TRADE MISSION TO NEW ZEALAND—MINISTERIAL STATEMENT—PAPER NOTED

Mr Barr (Chief Minister) made a ministerial statement concerning the recent trade mission to New Zealand and presented the following paper:

Trade mission to New Zealand 26-29 May 2021—Ministerial statement, 24 June 2021.

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

Question—put and passed.

3 NAMADGI NATIONAL PARK—RECOVERY AND MANAGEMENT—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Planning and Land Management) made a ministerial statement concerning recovery and management in Namadgi National Park and presented the following paper:

Recovery and management in Namadgi National Park—Ministerial statement, 24 June 2021.

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

Debate ensued.

Question—put and passed.

4 MINIMUM AGE OF CRIMINAL RESPONSIBILITY—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Rattenbury (Attorney-General) made a ministerial statement concerning the minimum age of criminal responsibility and presented the following paper:

Minimum age of criminal responsibility—Ministerial statement, 24 June 2021.

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

Debate ensued.

Debate adjourned (Ms Lee, Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

5 WORK HEALTH AND SAFETY AMENDMENT BILL 2021

Mr Gentleman (Minister for Industrial Relations and Workplace Safety), pursuant to notice, presented a Bill for an Act to amend the *Work Health and Safety Act 2011*, and for other purposes.

Paper: Mr Gentleman 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 Gentleman moved—That this Bill be agreed to in principle.

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

6 CRIMES LEGISLATION AMENDMENT BILL 2021

Mr Rattenbury (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about crimes, and for other purposes.

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 (Ms Lee, Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

7 SENIOR PRACTITIONER AMENDMENT BILL 2021

Ms Davidson (Minister for Disability), pursuant to notice, presented a Bill for an Act to amend the *Senior Practitioner Act 2018*.

Paper: Ms Davidson 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 Davidson moved—That this Bill be agreed to in principle.

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

8 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—REPORT 5—REPORT ON THE CONDUCT OF MR MILLIGAN MLA—REPORT ADOPTED

Mr Davis (Assistant Speaker), on behalf of Ms Burch (Chair), presented the following report:

Administration and Procedure—Standing Committee—Report 5—*Report on the Conduct of Mr Milligan MLA*, dated 24 June 2021, together with a copy of the extracts of the relevant minutes of proceedings.

Mr Hanson, by leave, moved—That the report be adopted.

Debate ensued.

Question—put and passed.

9 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—INQUIRY—COMMUNITY CORRECTIONS—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 and report on community corrections.

10 PAPER—PETITION OUT-OF-ORDER

Ms Orr, by leave, presented the following paper:

Petition which does not conform with the standing orders—Bonner Oval facilities—Ms Orr (250 signatures).

11 LOOSE-FILL ASBESTOS LEGISLATION AMENDMENT BILL 2021

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.

12 MINISTERIAL ARRANGEMENTS

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

13 QUESTIONS

Questions without notice were asked.

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

Cleaning up our ACT: Single-use plastics ban—ACT Government leaflet and flyer.

Paper: Ms Stephen-Smith (Minister for Health), by leave, presented the following paper:

Media release—Pilot healthcare facility to provide better healthcare for growing Molonglo region, dated 16 September 2020.

14 EXECUTIVE MANAGER, BUSINESS SUPPORT BRANCH—RETIREMENT—STATEMENT BY SPEAKER

The Speaker made a statement concerning the retirement of the Executive Manager of the Business Support Branch, Ian Duckworth, and acknowledged his contribution to the Assembly. Mr Rattenbury (Attorney-General) and Mr Hanson, by leave, also made statements.

15 COMMISSIONER FOR STANDARDS—REFERENCE—STATEMENT BY MEMBER

Ms Lawder, by leave, made a statement regarding an incident which she has referred to the Commissioner for Standards.

16 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—MEMBERSHIP

Mr Hanson, pursuant to standing order 223, moved—That Ms Lawder be discharged from the Standing Committee on Economy and Gender and Economic Equality and Ms Castley be appointed in her place.

Question—put and passed.

17 PRESENTATION OF PAPER

Ms Burch (Speaker) presented the following paper:

Legislation Act, pursuant to subsection 228(1)—Schedule of relevant committees to be consulted in relation to appointments made by Ministers to statutory offices, dated 23 June 2021.

18 PRESENTATION OF PAPERS

Mr Steel (Special Minister of State) presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to subsection 8(5)—Annual Reports (Government Agencies) Directions 2021—Notifiable Instrument NI2021-373, dated 18 June 2021.

Bimberi Youth Justice Centre—Bimberi Headline Indicators Report—June 2021.

Financial Literacy Education and School Banking Programs—Government response to Assembly resolution of 10 February 2021.

Victims of Crime Financial Assistance Scheme—Review—Projects Assisting Victims' Experience and Recovery (PAVER) Review, dated February 2021.

University of Canberra Act—

Pursuant to section 36—University of Canberra—Annual Report—2020, dated April 2021.

Pursuant to section 43 (3)—Report on the Review of the University of Canberra Act—dated 26 May 2021.

19 BIMBERI HEADLINE INDICATORS REPORT—PAPER NOTED

Mr Steel (Special Minister of State), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Bimberi Youth Justice Centre—Bimberi Headline Indicators Report—June 2021.

Debate ensued.

Paper: Ms Davidson presented the following paper:

Bimberi Youth Justice Centre—Bimberi Headline Indicators Report—June 2021—Tabling statement, dated June 2021.

Question—put and passed.

20 LAKE TUGGERANONG—UPGRADES

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

(1) notes:

- (a) the importance of Lake Tuggeranong as the primary recreation area for Tuggeranong community since opening in 1987;
- (b) that residents would like to see improved amenities at the lake with particular consideration to:
 - (i) number of toilets and their amenity;
 - (ii) improved signage;
 - (iii) landscaping and replanting of bushes and grass;
 - (iv) number of tables, bins and barbeques to cater to local demand;

- (v) recreational facilities for young people; and
 - (vi) path improvements for pedestrians and cyclists; and
- (2) calls on the ACT Government to:
- (a) consult with the Tuggeranong community to inform improvements and future upgrades;
 - (b) consider further upgrades to Lake Tuggeranong in future ACT budgets; and
 - (c) support Tuggeranong Lake Carers to engage in this process.

Debate ensued.

Question—put and passed.

21 STUDENT PARTICIPATION IN DEMOCRACY

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

- (1) acknowledges that:
- (a) in 2019, the ACT Assembly declared support for the ACT Strike for Climate demonstrating the Government's support for youth-led climate action;
 - (b) the foundations of the ACT Education Directorate's Future of Education Strategy are to:
 - (i) place students at the centre of their learning;
 - (ii) empower teachers, school leaders and other professionals to meet the learning needs of all students;
 - (iii) build strong communities for learning; and
 - (iv) strengthen systems to focus on equity with quality;
 - (c) civics and citizenship education is a core component of the Australian curriculum where students develop understanding of the Australian political process and critical engagement with social issues;
- (2) notes:
- (a) best practice pedagogy requires teachers to provide students with opportunities to lead and direct their learning and create bridges between new knowledge and the outside world;
 - (b) a responsive and relevant education system is underpinned by community involvement and recognises the role of the community, families, and civil society in the education of young people;
 - (c) engaging in peaceful protests and non-violent direct actions is an important form of political expression, essential for a well-functioning democracy; and

- (d) since October 2018, Australian students have demonstrated their leadership, political understanding, and the use of peaceful protest through the School Strike 4 Climate movement which has seen over 350 000 Australians leave work and school to support action on climate change; and
- (3) calls on the ACT Government to:
 - (a) give effect to an ongoing policy of support for teachers and schools to allow for students to attend organised peaceful protests or demonstrations that accord with standard ACT Government policies around the management of peaceful protest;
 - (b) consider strengthening support to Elections ACT and the ACT Legislative Assembly education offices to support teachers to offer increased civics and democracy education for ACT school students; and
 - (c) provide a copy of this motion to the Education Directorate and instruct them to ensure that, consistent with the Australian curriculum and the *Australian Education Act 2013* (Cth), public schools should provide all students with an understanding of, and ability to participate in, civil society and democratic processes.

Debate ensued.

Question—put and passed.

22 REFERENCE TO COMMISSIONER FOR STANDARDS—STATEMENT BY MEMBER

Ms Orr, by leave, made a statement concerning Ms Lawder's statement made earlier that day regarding an incident which had been referred to the Commissioner for Standards.

23 ADJOURNMENT

Ms Cheyne (Minister for Human Rights) moved—That the Assembly do now adjourn.

Debate ensued.

Ms Orr, by leave, was granted an extension of time.

Debate continued.

Suspension of standing orders—Extension of debate: Ms Orr moved—That so much of the standing orders be suspended as would prevent the adjournment debate continuing for a further 15 minutes.

Question—put and passed, with the concurrence of an absolute majority.

Debate continued.

Mrs Jones, by leave, was granted an extension of time.

Question—put and passed.

And then the Assembly, at 5:16 pm, adjourned until Tuesday, 3 August 2021 at 10 am.

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

Tom Duncan
Clerk of the Legislative Assembly