



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021

MINUTES OF PROCEEDINGS

No 29

WEDNESDAY, 10 NOVEMBER 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 PETITION AND MINISTERIAL RESPONSE—PETITION AND RESPONSE NOTED

Petition

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

Ms Lawder, from 49 residents, requesting that the Assembly address antisocial behaviour in Gordon (Pet 44-21).

Ministerial response

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

Mr Gentleman (Minister for Planning and Land Management), dated 9 November 2021—Response to e-petition No 16-21, lodged by Mr Braddock on 3 August 2021, concerning the suspension of land auctions/sales at the Gungahlin Town Centre.

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

Question—put and passed.

**3 WORKSAFE A.C.T. ACTIVITIES AND INITIATIVES FOR YOUNG WORKERS—
MINISTERIAL STATEMENT—PAPER NOTED**

Mr Gentleman (Minister for Industrial Relations and Workplace Safety) made a ministerial statement concerning WorkSafe ACT activities and initiatives for young workers and presented the following paper:

WorkSafe ACT activities and initiatives for young workers—Ministerial statement, 10 November 2021.

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

Debate ensued.

Question—put and passed.

**4 GUNGALIN TOWN CENTRE—MINISTERIAL STATEMENT AND PAPER—PAPER
NOTED**

Mr Gentleman (Minister for Planning and Land Management) made a ministerial statement concerning the Gungahlin Town Centre and presented the following papers:

Gungahlin Town Centre—Government response to Assembly resolutions of 10 February and 2 June 2021.

Gungahlin Town Centre—Ministerial statement, 10 November 2021.

Mr Gentleman moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

**5 COVID-19 PANDEMIC LOCKDOWN—COMMUNITY SECTOR SUPPORT—MINISTERIAL
STATEMENT—PAPER NOTED**

Ms Stephen-Smith (Minister for Families and Community Services) made a ministerial statement concerning support for the community sector during the COVID-19 lockdown, in response to the resolution of the Assembly of 16 September 2021, and presented the following paper:

COVID-19 pandemic lockdown—Community sector support—Ministerial statement, 10 November 2021.

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

Debate ensued.

Question—put and passed.

6 URBAN FOREST STRATEGY—IMPLEMENTATION UPDATE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Mr Steel (Minister for Transport and City Services) made a ministerial statement to update the Assembly on the implementation of the Urban Forest Strategy and presented the following papers:

Urban tree canopy coverage—Government response to the Assembly resolution of 31 March 2021.

Urban Forest Strategy—Implementation update—Ministerial statement, 10 November 2021.

Mr Steel moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

7 PROFESSOR OF MENTAL HEALTH NURSING—MINISTERIAL STATEMENT—PAPER NOTED

Ms Davidson (Minister for Mental Health) made a ministerial statement concerning the establishment of the Professor of Mental Health Nursing role and presented the following paper:

Professor of Mental Health Nursing—Ministerial statement, 10 November 2021.

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

Question—put and passed.

8 SUSPENSION OF STANDING ORDERS—PRECEDENCE TO PRIVATE MEMBER'S MOTION

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would allow Mr Hanson to move his motion, in relation to correspondence from Senator Seselja, following the conclusion of Notice No 1, Private Members' business.

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

9 GOVERNMENT PROCUREMENT AMENDMENT BILL 2021

Mr Steel (Special Minister of State) and Mr Gentleman (Minister for Industrial Relations and Workplace Safety), pursuant to notice, presented a Bill for an Act to amend the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*.

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.

Mr Gentleman, as co-sponsor, spoke to the question.

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

10 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Berry for this sitting due to family reasons.

Question—put and passed.

11 PUBLIC HEALTH AMENDMENT BILL 2021

Ms Stephen-Smith (Minister for Health), pursuant to notice, presented a Bill for an Act to amend the *Public Health Act 1997*, and for other purposes.

Paper: Ms Stephen-Smith 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 Stephen-Smith moved—That this Bill be agreed to in principle.

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

12 A.C.T. GOVERNMENT CAMPAIGN ADVERTISING—ACTING INDEPENDENT REVIEWER—APPOINTMENT

Mr Barr (Chief Minister), pursuant to notice, moved—That, in accordance with section 12 of the *Government Agencies (Campaign Advertising) Act 2009*, this Assembly approves the appointment of Mr William “Bill” Campbell AO PSM QC as Acting Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 12 November 2021. This appointment is effective in instances when the Independent Reviewer—ACT Government Campaign Advertising cannot for any reason exercise the functions of the position.

Debate ensued.

The Speaker drew attention to the requirement of subsection 12(4) of the *Government Agencies (Campaign Advertising) Act 2009* that the motion be passed by a $\frac{2}{3}$ majority of Members.

The Speaker having directed that a vote be taken—

Question—put.

The Assembly voted—

AYES, 23

NOES, 0

Mr Barr	Mrs Kikkert
Mr Braddock	Ms Lawder
Ms Burch	Mr Milligan
Mr Cain	Ms Orr
Ms Castley	Mr Parton
Ms Cheyne	Dr Paterson
Ms Clay	Mr Pettersson
Ms Davidson	Mr Rattenbury
Mr Davis	Mr Steel
Mr Gentleman	Ms Stephen-Smith
Mr Hanson	Ms Vassarotti
Mrs Jones	

And so it was resolved in the affirmative, with the concurrence of a $\frac{2}{3}$ majority of Members.

13 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly that, due to the absence of Minister Berry, questions without notice normally directed to Minister Berry could be directed to Mr Barr.

14 QUESTIONS

Questions without notice were asked.

15 SUN SMART MESSAGING

Dr Paterson, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) Australia has the unfortunate title of being a world leader in skin cancer rates;
 - (b) skin cancer is one of the most easily preventable types of cancer—avoided through awareness and practice of sun safety behaviours;
 - (c) government, medical and scientific bodies and other organisations are very effective in conveying sun smart messages, particularly for children;
 - (d) research carried out in the summer of 2019 assessed parental and primary caregiver's attitudes towards sun safe hat and sunscreen use at a major children's playground in the ACT. Findings identified that:
 - (i) nearly one-third of caregivers were not wearing sunscreen;
 - (ii) nearly three-quarters were not wearing a sun safe hat for their entire period of time at the playground;

- (iii) over 80 percent believe it is important to model sun smart behaviours; and
 - (iv) 93 percent stated a desire for government supported sun safety messaging at playgrounds to reinforce and support good sun safety practices by parents/adults and the child/children in their care;
- (e) there is significant room for improvement in the use of sun safe hats and sunscreen for adults in ACT playgrounds; and
- (f) improved sun smart messaging would provide a public health benefit for dermatology and skin cancer prevention strategies; and
- (2) calls on the ACT Government to explore opportunities to convey sun smart/sun safety messaging—for parents and caregivers as well as children—in ACT playgrounds through:
 - (a) murals painted by local artists; and/or
 - (b) posters and other forms of signage.

Debate ensued.

Question—put and passed.

16 WITHDRAWAL OF ASSERTIONS MADE AGAINST SENATORS

Mr Hanson moved—That this Assembly:

- (1) notes:
 - (a) correspondence from Senator Seselja outlining that, in their joint motion of 8 October 2021, Ms Cheyne and Mr Rattenbury made false and misleading assertions about Senator Seselja and Senator McMahon; and
 - (b) that their false and misleading assertions in their motion have been made public and provided to all Federal Senators and Members; and
- (2) calls on Ms Cheyne and Mr Rattenbury to:
 - (a) withdraw their misleading assertions made about Senator Seselja and Senator McMahon;
 - (b) write to Senator McMahon and Senator Seselja apologising for their false and misleading assertions; and
 - (c) write to all Federal Senators and Members apologising for misleading them and explain that they have withdrawn their assertions.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 7

Mr Cain
 Ms Castley
 Mr Hanson
 Mrs Jones
 Ms Lawder
 Mr Milligan
 Mr Parton

NOES, 14

Mr Braddock	Ms Orr
Ms Burch	Dr Paterson
Ms Cheyne	Mr Pettersson
Ms Clay	Mr Rattenbury
Ms Davidson	Mr Steel
Mr Davis	Ms Stephen-Smith
Mr Gentleman	Ms Vassarotti

And so it was negatived.

17 BAIL 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.

Paper: Mr Hanson presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put.

The Assembly voted—

AYES, 7

Mr Cain
 Ms Castley
 Mr Hanson
 Mrs Jones
 Ms Lawder
 Mr Milligan
 Mr Parton

NOES, 14

Mr Braddock	Ms Orr
Ms Burch	Dr Paterson
Ms Cheyne	Mr Pettersson
Ms Clay	Mr Rattenbury
Ms Davidson	Mr Steel
Mr Davis	Ms Stephen-Smith
Mr Gentleman	Ms Vassarotti

And so it was negatived.

18 LIGHT RAIL VEHICLE FLEET

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

(1) notes:

- (a) the NSW Inner West Light Rail line has been decommissioned for 18 months because of structural issues with the CAF Urbos 3 light rail vehicles;
- (b) that the same vehicles are used on the ACT light rail line;
- (c) that the NSW CAF Urbos 3 vehicles were purchased seven years ago; and
- (d) that the ACT fleet was purchased two to three years ago; and

(2) calls on the ACT Government to:

- (a) report back to the Assembly on the risks for our light rail vehicle fleet by the second sitting week of 2022; and

- (b) advise the Assembly on the contingency planning it will undertake in the event the fault experienced in NSW and other countries emerges in the ACT light rail vehicle fleet.

Mr Steel (Minister for Transport and City Services) moved the following amendment: Omit all text after “That this Assembly”, substitute:

- “(1) notes that:
- (a) the NSW Inner West Light Rail line has been decommissioned for 18 months because of structural issues with the CAF Urbos 3 light rail vehicles;
 - (b) that the same vehicles are used on the ACT light rail line;
 - (c) that the NSW CAF Urbos 3 vehicles were purchased seven years ago; and
 - (d) that the ACT fleet was purchased two to three years ago; and
- (2) calls on the ACT Government to:
- (a) report back to the Assembly on outcomes of safety inspections on the light rail vehicle fleet by the last sitting day of 2021; and
 - (b) advise the Assembly on the contingency planning it will undertake in the event the fault experienced in NSW and other countries emerges in the ACT light rail vehicle fleet.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
- (a) the NSW Inner West Light Rail line has been decommissioned for 18 months because of structural issues with the CAF Urbos 3 light rail vehicles;
 - (b) that the same vehicles are used on the ACT light rail line;
 - (c) that the NSW CAF Urbos 3 vehicles were purchased seven years ago; and
 - (d) that the ACT fleet was purchased two to three years ago; and
- (2) calls on the ACT Government to:
- (a) report back to the Assembly on outcomes of safety inspections on the light rail vehicle fleet by the last sitting day of 2021; and
 - (b) advise the Assembly on the contingency planning it will undertake in the event the fault experienced in NSW and other countries emerges in the ACT light rail vehicle fleet.” —

be agreed to—put and passed.

19 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 5.28 pm, adjourned until tomorrow at 10 am.

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

*on leave

Tom Duncan
Clerk of the Legislative Assembly