



Legislative Assembly for the Australian Capital Territory

2020-2021

Notice Paper

No 33

Tuesday, 30 November 2021

The Assembly meets this day at 10 am

ASSEMBLY BUSINESS

Orders of the day

- 1 **PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE:**
Presentation of report on the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2) and the Road Transport Legislation Amendment Bill 2021, pursuant to order of the Assembly of 2 December 2020, as amended 11 February, 30 March and 22 April 2021 and order of 16 September 2021.
- 2 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021—SELECT COMMITTEE:** Presentation of report on the Drugs of Dependence (Personal Use) Amendment Bill 2021 and any other related matters, pursuant to order of the Assembly of 11 February 2021, as amended 16 September 2021.

EXECUTIVE BUSINESS

Orders of the day

- 1 **APPROPRIATION BILL 2021-2022:** (*Treasurer*): Further consideration at detail stage—Schedule 1—Part 1.14, City Renewal Authority (*from 25 November 2021—Ms Stephen-Smith*).

- 2 **APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2021-2022:**
(*Treasurer*): Agreement in principle—Resumption of debate (*from 8 October 2021—Mr Gentleman*).
- 3 **EMERGENCIES AMENDMENT BILL 2021:** (*Minister for Police and Emergency Services*): Agreement in principle—Resumption of debate (*from 9 November 2021—Mr Milligan*).
- 4 **PUBLIC HEALTH AMENDMENT BILL 2021:** (*Minister for Health*): Agreement in principle—Resumption of debate (*from 10 November 2021—Mrs Jones*).
- 5 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:**
(*Attorney-General*): Agreement in principle—Resumption of debate (*from 9 November 2021—Mr Cain*).
- 6 **JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2021:**
(*Attorney-General*): Agreement in principle—Resumption of debate (*from 11 November 2021—Mr Hanson*).
- 7 **COAG LEGISLATION AMENDMENT BILL 2021:** (*Chief Minister*): Agreement in principle—Resumption of debate (*from 4 August 2021—Ms Lee*).
- 8 **ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021:** (*Minister for Transport and City Services*): Agreement in principle—Resumption of debate (*from 5 August 2021—Mr Parton*). (*Referred to Standing Committee on Planning, Transport and City Services for report by 30 November 2021*).
- 9 **GOVERNMENT PROCUREMENT AMENDMENT BILL 2021:** (*Special Minister of State and Minister for Industrial Relations and Workplace Safety*): Agreement in principle—Resumption of debate (*from 10 November 2021—Mr Cain*).
- 10 **UPDATE ON THE ACT GOVERNMENT'S WORK TO CREATE SUSTAINABLE CANBERRA JOBS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 5 August 2021—Ms Orr*) on the motion of Mr Barr—That the Assembly take note of the paper.
- 11 **ABORIGINAL AND TORRES STRAIT ISLANDER LED REVIEW—OVERREPRESENTATION IN THE TERRITORY'S JUSTICE SYSTEM—GOVERNMENT RESPONSE TO RESOLUTION OF THE ASSEMBLY—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 8 October 2021—Mrs Kikkert*) on the motion of Mr Gentleman—That the Assembly take note of the paper.

PRIVATE MEMBERS' BUSINESS

Notices

- *1 **DR PATERSON:** To present a Bill for an Act to amend the *Public Place Names Act 1989*. (*Notice given 25 November 2021*).

*2 **MS LEE:** To move—That this Assembly:

- (1) notes that *The Canberra Times* article of 25 November 2021 reported that workers compensation data was publicly available online, resulting in a serious privacy breach for 30,000 public sector employees;
- (2) recognises:
 - (a) that this incident has led to a loss of confidence in the ACT Government to protect employee confidentiality; and
 - (b) caused significant distress to employees whose personal information was included in this data breach; and
- (3) calls on the ACT Government to:
 - (a) establish an independent external review into the breach of workers compensation data breach as reported in *The Canberra Times* on 25 November 2021;
 - (b) table the terms of reference of the review, including the details of the reviewer, in this Assembly by the last sitting day in February 2022; and
 - (c) table the findings of the independent external review in this Assembly by the last sitting day in September 2022. (*Notice given 29 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*3 **MS CLAY:** To move—That this Assembly:

- (1) notes that:
 - (a) the ACT has 31 dryland ovals including 14 in the Belconnen region and these make up a significant part of our outdoor community space;
 - (b) climate change is leading to a hotter, drier Canberra climate;
 - (c) these 31 dryland ovals were converted from irrigated sports fields due to the millennium drought, the cost of irrigation and the increasing amount of water needed to upkeep these sports fields;
 - (d) the cost to convert a dryland oval back into an irrigated sports field is more than one million dollars and the upkeep on these fields is considerable;
 - (e) dryland ovals are now first and foremost informal sporting and recreation spaces available to use for the whole community;
 - (f) dryland ovals are a community resource that are currently underutilised and residents near these ovals would like a better use of this large amount of local community space;
 - (g) ACT Government values dryland ovals as a community and recreational space, and wants to preserve them as publicly-owned green spaces;
 - (h) local communities provide valuable feedback about what is in and around their suburbs, and should play an active role in the development of their suburb;

- (i) some communities are already well advanced in discussions with ACT Government about the future of their dryland oval, such as the Florey community who have been engaging with the Florey Primary School over the past year; and
 - (j) community members have suggested many low-cost climate resilient ways that dryland ovals could be repurposed for community use, including but not limited to:
 - (i) community-constructed BMX dirt bike tracks;
 - (ii) nature playgrounds;
 - (iii) community run micro-forests or urban rewilding projects;
 - (iv) adventure playgrounds;
 - (v) enclosed dog off-leash areas;
 - (vi) community gardens;
 - (vii) outdoor exercise areas; and
 - (viii) disc golf courses;
- (2) further notes that the ACT Government:
- (a) recently released a draft Play Space Strategy and is currently consulting on this;
 - (b) is due to commence a review of Public Land Management Plans for urban open spaces, including dryland ovals, in 2022; and
 - (c) has an Adopt-a-Park program, which provides grants funding to support community-led initiatives on urban open area land including micro-forests; and
- (3) calls on the ACT Government to:
- (a) conduct public consultation on land management plans for urban open spaces with the local community, including on the 31 dryland ovals, with residents, local Parent & Citizen groups, local businesses and local community groups;
 - (b) finalise updated land management plans, which will include specific consideration of dryland ovals and incorporate the feedback and aspirations on their future use received from the local community;
 - (c) promote the Adopt-a-Park initiative and engage closely with community groups wanting to start projects to improve dryland ovals and other open spaces for community uses;
 - (d) continue to work with the Florey Primary School and the community on commitments to improve the Florey oval to provide more active open space for the school and local community; and
 - (e) report back to the Assembly on progress on this motion by the first sitting week in 2023. (*Notice given 29 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*4

MR PETTERSSON: To move—That this Assembly:

- (1) notes that:
 - (a) the ACT Government recognised the need for expanded entertainment options in Gungahlin by selecting the site on the corner of Efkarpidis Street and Hinder Street for a cinema development in 2012;
 - (b) a competitive tender process was undertaken in 2013 and the site was released to the purchaser;
 - (c) following a range of delays on the part of the successful tenderer, the project was given approval in 2017, however, construction was further delayed due to legal action between two competing cinema operators;
 - (d) new plans were lodged and approved in 2020, with construction due to start in mid-2020;
 - (e) on 12 November 2021, *The RiotACT* reported that the developers still had no timeline to start construction. If construction had commenced on schedule, the complex would have been completed in February 2022;
 - (f) the Gungahlin community has been waiting for the completion of this cinema project for almost 10 years; and
 - (g) there is ongoing uncertainty surrounding this project and when Gungahlin residents will finally have a cinema;
- (2) acknowledges the:
 - (a) release of Draft Variation No 364 – Gungahlin Town Centre by the ACT Government;
 - (b) recent inquiry from the Standing Committee on Planning, Transport and City Services into Draft Variation No 364 – Gungahlin Town Centre; and
 - (c) forthcoming ACT Government response to the standing committee's inquiry; and
- (3) calls on the ACT Government to:
 - (a) confirm its ongoing commitment to delivering a cinema in Gungahlin;
 - (b) meet with the developer of Gungahlin cinema, Krnc Group, within the month to determine their capacity to secure finance, commence construction within the development approval deadlines and deliver a cinema complex for the residents of Gungahlin;
 - (c) consider setting an end date for the completion of works under the lease;
 - (d) revise the guidelines for granting extensions on development applications to ensure greater certainty for the community on development timeframes; and

- (e) encourage retail, entertainment and hospitality providers to commence or expand operations in Gungahlin. (*Notice given 29 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*5 **MR HANSON:** To move—That this Assembly:

(1) notes:

- (a) that the ACT Division of Australian Education Union recently released their study called *Under-staffed, under-resourced, under-appreciated: The teacher shortage and its impact on our schools – the biggest survey of ACT public school educators ever conducted in the ACT*;
- (b) that study found:
 - (i) nearly all respondents (97 percent) said they work more than their maximum weekly hours. This includes working on the weekends, evenings and during periods of leave or stand down;
 - (ii) 79 percent say they work excessive hours every week:
 - (A) 59 percent of classroom teachers say this happens every week; and
 - (B) 70 percent of primary level classroom teachers say this happens every week;
 - (iii) almost all teachers report working unpaid overtime every week with more than 40 percent of them working 10 or more hours, and even more hours when weekend work is included;
 - (iv) teachers regularly supply classroom materials and resources from their own pockets; and
 - (v) according to the report “The harsh reality is that ACT public school teachers subsidise the ACT Government’s spending on education to the tune of at least \$75 million every year on salaries alone”;

(2) further notes:

- (a) wage theft is a major issue in modern Australia, is criminalised in some states and is being reviewed in all others;
- (b) the Australian Council of Trade Unions has claimed wage theft has reached “epidemic” proportions and the exploitation of workers is widespread, while Victorian Minister for Industrial Relations, Tim Pallas, has said “wage theft is an insidious crime”; and
- (c) many cases have been brought to courts, tribunals and the Fair Work Ombudsman relating to wage theft and underpayment via individual or class actions or through self-reporting; and

- (3) calls on the ACT Government to:
- (a) self-report the salaries, working conditions and underpayments of those working in the ACT education system to the Fair Work Ombudsman for review and assessment; and
 - (b) if that review shows teachers have worked unpaid overtime or otherwise subsidise the ACT Government, undertake an assessment as to the amount of that underpayment and proper compensation be paid to teachers. (*Notice given 29 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

*6 **MR DAVIS, MR BRADDOCK:** To present a Bill for an Act to amend the *Electoral Act 1992*. (*Notice given 25 November 2021*).

*7 **MRS JONES:** To move—That this Assembly:

- (1) notes:
- (a) the current mental health system in the ACT is comprised of the following facilities and teams:
 - (i) mental health teams including Adult Community Mental Health teams, and the Older Persons Mental Health Community team;
 - (ii) accommodation and inpatient services including the Dhulwa Secure Mental Health Unit, Gawanggal Mental Health Unit at Calvary, the Mental Health Short Stay Unit, Adult Mental Health Unit, Adult Mental Health Rehabilitation Unit, the Extended Care Unit, the Adult Mental Health Day Service, the Older Persons Mental Health Inpatient Unit, and Ward 2N; and
 - (iii) community-based services including the Forensic Mental Health Service, the Perinatal Mental Health Consultation Service and the Adult Step Up Step Down Program;
 - (b) mental health disorders are prevalent amongst people in the custody of the ACT at the Alexander Maconochie Centre;
 - (c) drug and alcohol rehabilitation services are provided by the community sector and are not co-located with, or delivered in conjunction with, mental health services in the ACT;
 - (d) in 2018, the NHMRC Centre of Research Excellence in Mental Health and Substance Use found that:
 - (i) more than one-third of individuals with an alcohol and other drug use disorder had at least one comorbid mental health disorder, but the rate was even higher among those in alcohol other drug treatment programs; and
 - (ii) there are a large number of people who present to alcohol and other drug treatment who display symptoms of disorders but did not meet the criteria for a diagnosis of a mental health disorder;

- (e) the Productivity Commission Inquiry Report on Mental Health of 30 June 2020 found that “[m]any people with mental illness and comorbid physical health problems or substance use disorders do not receive integrated care, leading to poor outcomes, including premature death,” and recommended that “[m]ental health services should be required to ensure treatment is provided for both mental illness and substance use disorder for people with both conditions”; and
 - (f) the Territory has a responsibility to treat people with both mental health disorders and alcohol and other drug use disorders in a holistic and integrated way;
- (2) calls on the Minister for Mental Health to report to this Assembly:
- (a) about how treatment services for people in the ACT with both mental health disorders and alcohol and other drug use disorders will be integrated, and when; and
 - (b) on how many:
 - (i) accommodation and inpatient beds and places; and
 - (ii) community-based services;
 will provide integrated treatment for people in the ACT with both mental health disorders and alcohol and other drug use disorders; and
- (3) resolves that the Drugs of Dependence (Personal Use) Amendment Bill 2021, standing in the name of Mr Pettersson, not be brought on for debate until five (5) sitting days after the Minister for Mental Health has reported back to this Assembly. *(Notice given 29 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **CARERS RECOGNITION BILL 2021:** *(Ms Orr):* Agreement in principle—Resumption of debate *(from 23 June 2021—Ms Davidson).*
- 2 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021:** *(Mr Pettersson):* Agreement in principle—Resumption of debate *(from 11 February 2021—Ms Stephen-Smith). (Referred to Select Committee on Drugs of Dependence (Personal Use) Amendment Bill 2021 on 11 February 2021 for report by 30 November 2021.)*
- 3 **ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2):** *(Ms Clay):* Agreement in principle—Resumption of debate *(from 22 June 2021—Mr Steel). (Referred to Standing Committee on Planning, Transport and City Services for report by 30 November 2021).*
- 4 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:** *(Mr Cain):* Agreement in principle—Resumption of debate *(from 9 November 2021—Mr Gentleman).*

- *5 **CORRECTIONS MANAGEMENT AMENDMENT BILL 2021:** (*Mrs Kikkert*):
Agreement in principle—Resumption of debate (*from 25 November 2021—
Mr Gentleman*).
-

ASSEMBLY BUSINESS—continued

Orders of the day—continued

- 3 **PROPOSED AMENDMENT TO STANDING ORDER 113A:** Resumption of debate (*from 16 September 2021—Mr Rattenbury*) on the motion of Mr Hanson—That standing order 113A be amended by omitting “all non-Executive Members seeking to speak have asked at least one question” and substituting “nine original questions have been asked by any Opposition Member, and other non-Executive Members seeking to speak have asked at least one question”.
-

Last sitting day in 2021

- 4 **COVID-19 2021 PANDEMIC RESPONSE—SELECT COMMITTEE:** Presentation of report on any matter relating to the ACT Government’s health and financial response and any other matter relating to the COVID-19 pandemic as it relates to the ACT, pursuant to order of the Assembly of 16 September 2021.

31 May 2022

- 5 **STANDING COMMITTEES:** Presentation of reports on calendar and financial year annual and financial reports for 2020-2021, pursuant to order of the Assembly of 2 December 2020, as amended 11 February, 30 March, 22 April and 16 September 2021.

30 September 2022

- 6 **EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE:**
Presentation of report on the prevalence of and, mechanisms for, reporting of vilification and threats of physical violence on persons in the Territory, pursuant to order of the Assembly of 11 November 2021.
-

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at www.parliament.act.gov.au/parliamentary-business/in-the-chamber/chamber-documents.

Redirected question

(Redirected question—30 days expires 26 December 2021)

542 **MS CASTLEY:** To ask the Minister for Climate Action—

- (1) In relation to the Sustainable Household Loan Scheme and evidence provided during Estimates that debt collectors would be sent in if debts incurred through the scheme were not paid, how late will repayments have to be for debt collectors to be sent in.
- (2) Will the debt collectors be contracted by the scheme administrator or the Government.
- (3) What level of credit assessment will occur on applicants to minimise the need for debt collectors.

Unanswered Questions

418, 421, 423, 426, 428, 429, 431, 433, 436-439, 441, 449, 467, 469, 473, 474, 478, 482-485, 487-489, 491, 500, 506, 509-515, 517-523, 525-530, 532-541, 543-550.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

3 November 2021 *(extended to 2 January 2022, pursuant to order of the Assembly of 16 September, as amended 7 October 2021)*

Red Hill Integrated Plan—Proposed amendment—Minister for Planning and Land Management—Petition lodged by Mrs Jones (Pet 24-21). *(Referred to Standing Committee on Planning, Transport and City Services on 3 August 2021.)*

4 November 2021 *(extended to 2 January 2022, pursuant to order of the Assembly of 16 September, as amended 7 October 2021)*

Red Hill Integrated Plan—Proposed amendment—Minister for Planning and Land Management—Petition lodged by Mrs Jones (Pet 29-21).

16 December 2021

Maintenance of public housing dwellings—Minister for Housing and Suburban Development—Petition lodged by Mr Parton (Pet 37-21).

Civic 40 kph speed limit zones—Proposed waiving of fines and penalties—Minister for Transport and City Services—Petitions lodged by Mr Parton (Pet 31-21 and Pet 38-21). *(Referred to Standing Committee on Planning, Transport and City Services on 16 September 2021.)*

Domestic Animal Services—Improved operations—Minister for Transport and City Services—Petition lodged by Ms Lawder (Pet 9-21).

Drake-Brockman Drive—Bicycle lanes—Minister for Transport and City Services—Petition lodged by Mrs Kikkert (Pet 25-21).

Residents living on Federal income support—Treasurer—Petition lodged by Mr Braddock (Pet 36-21). *(Referred to Standing Committee on Economy and Gender and Economic Equality on 16 September 2021.)*

5 January 2022

Campbell—Proposed implementation of a parking and traffic management plan—Minister for Transport and City Services—Petitions lodged by Ms Lee (Pet 21-21 and Pet 40-21). *(Referred to Standing Committee on Planning, Transport and City Services on 6 October 2021.)*

7 January 2022

Lyons shops—Proposed upgrade of facilities—Minister for Transport and City Services—Petition lodged by Mrs Jones (Pet 41-21).

8 February 2022

Hackett shops—Proposed public toilet facility—Minister for Transport and City Services—Petition lodged by Ms Vassarotti (Pet 12-21).

Melba—Proposed upgrade to recreational space next to Melba High School—Minister for Transport and City Services—Petition lodged by Ms Clay (Pet 15-21).

Waramanga Playing Fields—Proposed installation of lighting—Minister for Sport and Recreation—Petitions lodged by Dr Paterson (Pet 26-21 and Pet 43-21). *(Referred to Standing Committee on Planning, Transport and City Services on 9 November 2021.)*

Fadden Hills Pond Playground—Proposed improvement—Minister for Transport and City Services—Petition lodged by Ms Lawder (Pet 27-21).

9 February 2022

Antisocial tenants in Gordon—Minister for Homelessness and Housing Services—Petition lodged by Ms Lawder (Pet 44-21).

10 February 2022

Coombs convenience store—Crime prevention—Minister for Police and Emergency Services—Petition lodged by Mrs Jones (Pet 45-21).

22 February 2022

ACT Human Rights Act—Complaints handling—Minister for Human Rights—Petition lodged by Dr Paterson (Pet 32-21). *(Referred to the Standing Committee on Justice and Community Safety on 23 November 2021.)*

COMMITTEES

Unless otherwise shown, appointed for the life of the Tenth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: *(Formed 3 November 2020):* The Speaker (Chair), Mr Braddock, Mr Hanson, Ms Orr.

Pursuant to resolution

ECONOMY AND GENDER AND ECONOMIC EQUALITY: *(Formed 2 December 2020):* Ms Lawder (Chair), Mr Davis, Ms Orr.

EDUCATION AND COMMUNITY INCLUSION: *(Formed 2 December 2020):* Mr Pettersson (Chair), Mr Cain, Mr Davis.

ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY: *(Formed 2 December 2020):* Dr Paterson (Chair) Mr Braddock, Ms Castley.

HEALTH AND COMMUNITY WELLBEING: *(Formed 2 December 2020):* Mr Davis (Chair), Mr Milligan, Mr Pettersson.

JUSTICE AND COMMUNITY SAFETY: *(Formed 2 December 2020)*: Mr Hanson (Chair), Ms Clay, Dr Paterson.

PLANNING, TRANSPORT AND CITY SERVICES: *(Formed 2 December 2020)*: Ms Clay (Chair), Mr Parton, Ms Orr.

PUBLIC ACCOUNTS: *(Formed 2 December 2020)*: Mrs Kikkert (Chair), Mr Braddock, Mr Pettersson.

Select

COVID-19 2021 PANDEMIC RESPONSE: *(Formed 16 September 2021)*: Ms Lee (Chair), Ms Clay, Ms Orr.

DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021: *(Formed 11 February 2021)*: Mr Cain (Chair), Mr Davis, Dr Paterson.
