



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022

## MINUTES OF PROCEEDINGS

No 44

WEDNESDAY, 6 APRIL 2022

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- 1 The Assembly met at 10 am, pursuant to adjournment. The Acting Speaker (Mr Parton) 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 wanggiralidjinyin.

*This is Ngunnawal country.*

*Today we are all meeting on Ngunnawal country.*

*We always pay respect to Elders, female and male.*

The Acting Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

### 2 LEAVE OF ABSENCE TO MEMBERS

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Mr Barr and Mr Pettersson for today for health reasons.

Question—put and passed.

### 3 MINISTER FOR EDUCATION AND YOUTH AFFAIRS—PROPOSED MOTION OF NO CONFIDENCE

Ms Lee (Leader of the Opposition), by leave, moved—That this Assembly expresses no confidence in the Minister for Education and Youth Affairs for failing to keep students, teachers and school communities safe.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 5		NOES, 12	
Mr Hanson		Ms Berry	Ms Orr
Ms Lawder		Mr Braddock	Dr Paterson
Ms Lee		Ms Cheyne	Mr Rattenbury
Mr Milligan		Ms Clay	Mr Steel
Mr Parton		Ms Davidson	Ms Stephen-Smith
		Mr Gentleman	Ms Vassarotti

And so it was negatived.

#### 4 PETITION—PETITION NOTED

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

Ms Vassarotti, from 113 residents, requesting that the Assembly call on the Government to install a zebra crossing outside the Nipperville Childcare Centre in Watson (e-Pet 8-22).

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

Debate ensued.

Question—put and passed.

#### 5 WORK HEALTH AND SAFETY—PSYCHOSOCIAL HAZARDS—GOVERNMENT RESPONSE TO RESOLUTION OF THE ASSEMBLY—12 MONTH UPDATE—MINISTERIAL STATEMENT—PAPER NOTED

Mr Gentleman (Minister for Industrial Relations and Workplace Safety), in response to the resolution of the Assembly of 30 March 2021, made a ministerial statement to update the Assembly on the safety of workers in relation to psychosocial hazards and presented the following paper:

Work health and safety—Psychosocial hazards—Government response to the resolution of the Assembly of 30 March 2021—12 month update—Ministerial statement, 6 April 2022.

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

Debate ensued.

Question—put and passed.

#### 6 SUPPORTING OUR COURTS TO DELIVER JUSTICE FOR THE TERRITORY—MINISTERIAL STATEMENT—PAPER NOTED

Mr Rattenbury (Attorney-General) made a ministerial statement concerning the Government's support for the ACT Courts and presented the following paper:

Supporting our Courts to deliver justice for the Territory—Ministerial statement, 6 April 2022.

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

Question—put and passed.

**7 A.C.T. DISABILITY STRATEGY—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Davidson (Minister for Disability) made a ministerial statement concerning the development of a 10 year disability strategy and presented the following paper:

ACT Disability Strategy—Ministerial statement, 6 April 2022.

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

Question—put and passed.

**8 MINISTERIAL ARRANGEMENTS**

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

**9 QUESTIONS**

Questions without notice were asked.

**10 QUESTION ON NOTICE NO 647—ANSWER—MOTION TO TAKE NOTE OF FAILURE TO PROVIDE ANSWER WITHIN TIME PROVIDED FOR BY THE STANDING ORDERS**

Mrs Kikkert, pursuant to standing order 118A, asked Ms Davidson (Minister for Mental Health) for an explanation concerning the answer to question on notice No 647.

Ms Davidson gave an explanation.

Mrs Kikkert, pursuant to standing order 118A(c), moved—That this Assembly note that the Minister for Mental Health has failed to provide an answer to question on notice No 647 by the due date and has failed to provide a satisfactory explanation for that failure.

Debate ensued.

Question—put and passed.

**11 LEAVE OF ABSENCE TO MEMBER**

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Burch for today and tomorrow for CPA business.

Question—put and passed.

**12 LEAVE OF ABSENCE TO MEMBER**

Mr Braddock moved—That leave of absence be granted to Mr Davis for today for health reasons.

Question—put and passed.

**13 PUBLIC SCHOOLS—RESOURCING**

Mr Hanson, pursuant to notice, moved—That:

- (1) this Assembly notes that:
  - (a) according to Table 4A.14 in the latest Productivity Commission Report on Government Services, the ACT Government has cut real expenditure per full-time equivalent student in public schools by 3.3 percent during the period 2010-11 to 2019-20;
  - (b) during the same reporting period, the Australian Federal Government funding to ACT public schools has increased by 42 percent; and
  - (c) during the decade reporting period, a critical shortage in teacher shortage, resources and infrastructure has emerged in the ACT;
- (2) in the Assembly committee inquiry into the Auditor-General's report on teacher quality, it was discovered that:
  - (a) teacher shortages were causing many classes to be combined, putting staff at risk, with teachers fearing for their safety in classes of up to 60;
  - (b) many staff did not have the time resources to do their job effectively;
  - (c) many teachers spent time assisting families with accessing support for their mental health, housing problems, medical issues and other welfare concerns;
  - (d) some schools do not have a school library or staff room because the space has been converted to classroom spaces while others were teaching in modified corridor spaces;
  - (e) not all staff had access to the technology they needed to do their work, especially casual teachers and learning support assistants;
  - (f) many teachers were unable to attend professional learning due to staffing shortages;
  - (g) Worksafe is currently investigating an ACT school over safety and teacher number concerns; and
  - (h) these are long standing, systemic issues due to ACT Government decisions; and
- (3) this Assembly calls on the ACT Government to:
  - (a) stop the funding cuts to ACT public schools;
  - (b) determine and publish the exact number of teachers needed in the ACT, and the areas in which they are required;
  - (c) deliver the 400 new teachers promised in the 2020 ACT election; and
  - (d) accelerate the infrastructure program to provide adequate learning space and resources for all teachers, relief teachers and support staff.

Ms Berry (Minister for Education and Youth Affairs) moved the following amendment:  
Omit all text after "this Assembly notes that", substitute:

- “(a) teachers and staff in ACT public schools have been working incredibly hard to deliver high quality education to Canberra families through the COVID-19 pandemic;
  - (b) the ACT Government values their work, and recognises this by offering the highest remuneration for public school teachers in the country;
  - (c) Table 4A.14 in the latest Productivity Commission Report on Government Services shows that ACT Government funding for public schools is the highest, per student, in the country (with the exception of the Northern Territory);
  - (d) the ACT Government is delivering on its election commitment to hire more than 400 teachers and support staff over this term of government;
  - (e) the ACT Government is also delivering on its election commitment to invest \$99 million over four years to renew public school infrastructure;
  - (f) in the 2021-22 Budget, the ACT Government announced an additional 25 youth and social workers will be employed in ACT public schools at a cost of \$7.4 million over the next four years to provide early intervention and support for students and their families;
  - (g) the ACT Government has invested in expanding telehealth services access to psychosocial supports in ACT public schools;
  - (h) WorkSafe ACT issued notices to the Education Directorate regarding Calwell High School, and the Directorate is complying with those notices;
  - (i) the routine collapsing and combining of classes, including creating oversized classes, is unacceptable and potentially unsafe;
  - (j) in response to feedback from unions, the Education Directorate has introduced a suite of workload reduction strategies to help ease the burden going into term 2; and
  - (k) the Standing Committee on Education and Community Inclusion is currently inquiring into the management of ACT school infrastructure and the ACT Auditor-General’s Report No 6/2021—Teaching Quality in ACT Public Schools; and
- (2) this Assembly calls on the ACT Government to:
- (a) respond appropriately to the WorkSafe notices;
  - (b) consider the health, safety and wellbeing of staff and students as the foremost priority when making decisions about the operation of schools;
  - (c) continue to take steps to address the work safety risks identified by staff in ACT public schools, including properly resourcing schools according to their needs, ensuring that class size limits are respected and addressing unsustainable workloads;
  - (d) report regularly and in a timely manner to unions on staff absences, including split, collapsed and cancelled classes, in a way that minimises additional reporting workload for schools; and

- (e) continue to work with unions to ensure the safety of public school workplaces and to reduce workload for teachers and school staff.”.

Debate continued.

Mr Hanson moved the following amendment to Ms Berry’s proposed amendment: Add:

- “(f) stop the funding cuts to ACT public schools;
- (g) determine and publish the exact number of teachers needed in the ACT;
- (h) deliver the 400 new teachers promised; and
- (i) accelerate the infrastructure program.”.

Question—That Mr Hanson’s amendment to Mr Berry’s proposed amendment be agreed to—put.

The Assembly voted—

AYES, 5		NOES, 12	
Mr Cain		Ms Berry	Ms Orr
Ms Castley		Mr Braddock	Dr Paterson
Mr Hanson		Ms Cheyne	Mr Rattenbury
Mr Milligan		Ms Clay	Mr Steel
Mr Parton		Ms Davidson	Ms Stephen-Smith
		Mr Gentleman	Ms Vassarotti

And so it was negatived.

Question—That Ms Berry’s amendment be agreed to—put and passed.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
  - (a) teachers and staff in ACT public schools have been working incredibly hard to deliver high quality education to Canberra families through the COVID-19 pandemic;
  - (b) the ACT Government values their work, and recognises this by offering the highest remuneration for public school teachers in the country;
  - (c) Table 4A.14 in the latest Productivity Commission Report on Government Services shows that ACT Government funding for public schools is the highest, per student, in the country (with the exception of the Northern Territory);
  - (d) the ACT Government is delivering on its election commitment to hire more than 400 teachers and support staff over this term of government;
  - (e) the ACT Government is also delivering on its election commitment to invest \$99 million over four years to renew public school infrastructure;

- (f) in the 2021-22 Budget, the ACT Government announced an additional 25 youth and social workers will be employed in ACT public schools at a cost of \$7.4 million over the next four years to provide early intervention and support for students and their families;
  - (g) the ACT Government has invested in expanding telehealth services access to psychosocial supports in ACT public schools;
  - (h) WorkSafe ACT issued notices to the Education Directorate regarding Calwell High School, and the Directorate is complying with those notices;
  - (i) the routine collapsing and combining of classes, including creating oversized classes, is unacceptable and potentially unsafe;
  - (j) in response to feedback from unions, the Education Directorate has introduced a suite of workload reduction strategies to help ease the burden going into term 2; and
  - (k) the Standing Committee on Education and Community Inclusion is currently inquiring into the management of ACT school infrastructure and the ACT Auditor-General's Report No 6/2021—Teaching Quality in ACT Public Schools; and
- (2) calls on the ACT Government to:
- (a) respond appropriately to the WorkSafe notices;
  - (b) consider the health, safety and wellbeing of staff and students as the foremost priority when making decisions about the operation of schools;
  - (c) continue to take steps to address the work safety risks identified by staff in ACT public schools, including properly resourcing schools according to their needs, ensuring that class size limits are respected and addressing unsustainable workloads;
  - (d) report regularly and in a timely manner to unions on staff absences, including split, collapsed and cancelled classes, in a way that minimises additional reporting workload for schools; and
  - (e) continue to work with unions to ensure the safety of public school workplaces and to reduce workload for teachers and school staff.”—

be agreed to—put and passed.

#### **14 BUS TRAVEL**

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

- (1) notes:
- (a) rising fuel prices have placed considerable cost of living pressures on Canberrans, especially at a time when many are already suffering;
  - (b) access to effective public transport is essential for our community;
  - (c) increased usage of public transport has benefits for the environment;

- (d) Tasmania has made bus travel free until the end of April to help with rising fuel prices and to ease congestion; and
  - (e) a Transport Canberra official noted that free bus travel is worth considering on radio on Thursday, 24 March 2022;
- (2) further notes:
- (a) the interim bus timetable was implemented following the start of the lockdown in August in response to decreased demand and driver availability;
  - (b) post lockdown patronage numbers are increasing on public transport in Canberra; and
  - (c) the interim timetable results in lengthy delays for crowded buses, disincentivising public transport usage; and
- (3) calls on the ACT Government to:
- (a) make bus travel free in the ACT for six weeks; and
  - (b) return to the full bus timetable.

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

- “(1) notes:
- (a) rising fuel prices have placed considerable cost of living pressures on Canberrans;
  - (b) access to effective public transport is essential for our community;
  - (c) increased usage of public transport has benefits for the environment;
  - (d) Tasmania has made bus travel free until the end of April to help with rising fuel prices and to ease congestion but has since faced reliability issues with delivering services in the context of COVID-related driver shortages;
  - (e) making public transport free would cost Transport Canberra approximately \$1.23 million per month, or around \$1.85 million for a six week period. This comes on top of significant revenue reductions for public transport anticipated to be in the order of \$20 million this year alone due to reduced public transport patronage due to COVID; and
  - (f) the Public Transport Association of Canberra has noted that making public transport free is not the right approach for improving patronage, with Chair Ryan Hemsley stating: “If there is money in the budget to make public transport free, there’s money available to make public transport better.”;
- (2) further notes:
- (a) the interim bus timetable was implemented following the start of the lockdown in August in response to decreased demand and driver availability;



- (b) the interim bus timetable continues to provide a high level of frequency—most Rapid routes are running at least every 15 minutes during the day and around every hour after 8 pm during the week, while the Rapid 10 and all local services are running at least every 30 minutes;
  - (c) post-lockdown patronage numbers are increasing on public transport in Canberra but, in the week ending 20 March, were still 34 percent below pre-COVID levels;
  - (d) reliability of services is extremely important to users as service cancellations and dropped services can be very disruptive to travel plans; and
  - (e) like many employers, Transport Canberra is facing COVID-related workforce availability challenges, with an average of approximately 35 drivers unavailable for work per day in recent times and unpredictable absences affecting workforce scheduling; and
- (3) calls on the ACT Government to:
- (a) consider the strategic and time-limited use of free public transport when there is network capacity to accommodate a potential increase in passengers and this is most likely to drive behaviour change, such as during the upcoming disruption associated with raising London Circuit and light rail; and
  - (b) continue monitoring the delivery of public transport services in line with health advice and driver availability, and return to the full timetable as soon as is practicable.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Ms Berry	Ms Orr	Mr Cain
Mr Braddock	Dr Paterson	Ms Castley
Ms Cheyne	Mr Rattenbury	Ms Lawder
Ms Clay	Mr Steel	Mr Milligan
Ms Davidson	Ms Stephen-Smith	Mr Parton
Mr Gentleman	Ms Vassarotti	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) rising fuel prices have placed considerable cost of living pressures on Canberrans;
  - (b) access to effective public transport is essential for our community;
  - (c) increased usage of public transport has benefits for the environment;

- (d) Tasmania has made bus travel free until the end of April to help with rising fuel prices and to ease congestion but has since faced reliability issues with delivering services in the context of COVID-related driver shortages;
  - (e) making public transport free would cost Transport Canberra approximately \$1.23 million per month, or around \$1.85 million for a six week period. This comes on top of significant revenue reductions for public transport anticipated to be in the order of \$20 million this year alone due to reduced public transport patronage due to COVID; and
  - (f) the Public Transport Association of Canberra has noted that making public transport free is not the right approach for improving patronage, with Chair Ryan Hemsley stating: “If there is money in the budget to make public transport free, there’s money available to make public transport better.”;
- (2) further notes:
- (a) the interim bus timetable was implemented following the start of the lockdown in August in response to decreased demand and driver availability;
  - (b) the interim bus timetable continues to provide a high level of frequency—most Rapid routes are running at least every 15 minutes during the day and around every hour after 8 pm during the week, while the Rapid 10 and all local services are running at least every 30 minutes;
  - (c) post-lockdown patronage numbers are increasing on public transport in Canberra but, in the week ending 20 March, were still 34 percent below pre-COVID levels;
  - (d) reliability of services is extremely important to users as service cancellations and dropped services can be very disruptive to travel plans; and
  - (e) like many employers, Transport Canberra is facing COVID-related workforce availability challenges, with an average of approximately 35 drivers unavailable for work per day in recent times and unpredictable absences affecting workforce scheduling; and
- (3) calls on the ACT Government to:
- (a) consider the strategic and time-limited use of free public transport when there is network capacity to accommodate a potential increase in passengers and this is most likely to drive behaviour change, such as during the upcoming disruption associated with raising London Circuit and light rail; and
  - (b) continue monitoring the delivery of public transport services in line with health advice and driver availability, and return to the full timetable as soon as is practicable.”—

be agreed to—put and passed.

**15 DOMESTIC ANIMALS LEGISLATION AMENDMENT BILL 2022**

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 Steel (Minister for Transport and City Services) presented a revised explanatory statement to the Bill.

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.

**16 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 5.21 pm, adjourned until tomorrow at 10 am.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting, except Mr Barr\*, Ms Burch\*, Mr Davis\*, Mrs Jones\* and Mr Pettersson\*.

\*on leave

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**Tom Duncan**  
Clerk of the Legislative Assembly