



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022

## MINUTES OF PROCEEDINGS

No 46

**TUESDAY, 3 MAY 2022**

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- 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 PETITIONS AND MINISTERIAL RESPONSE—PETITIONS AND RESPONSE NOTED

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

Ms Lee, from 16 and 152 residents, requesting that the Assembly call on the ACT Government provide funding for a community-led upgrade of Braddon Park (Pet 14-22 and e-Pet 2-22).

### **Ministerial response**

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

Ms Davidson (Minister for Disability), undated—Response to e-petition 33-21, lodged by Mrs Lawder on 8 February 2022, concerning a proposed inquiry into the use of Auslan in the ACT.

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

Question—put and passed.

**3 ACTING SPEAKER—APPOINTMENT—PAPER**

The Speaker informed the Assembly that, pursuant to standing order 6A, the Acting Speaker had appointed Mr Pettersson as Acting Speaker for the period 15 to 17 April 2022, and presented the following paper:

Acting Speaker—Instrument of appointment—Mr Pettersson, dated 14 April 2022.

**4 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—STANDING ORDER 113A—PROPOSED AMENDMENT—STATEMENT BY CHAIR**

Ms Burch (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Administration and Procedure had resolved to include consideration of the amendment of standing order 113A in the major review of all standing orders which will commence mid-2022, in accordance with the Committee's terms of reference.

Mr Hanson, by leave, made a statement in relation to the statement.

**5 MEMBERS' CODE OF CONDUCT—POSSIBLE BREACH—REFERRAL TO COMMISSIONER FOR STANDARDS**

Ms Lawder, by leave, moved—That this Assembly:

- (1) notes:
  - (a) Mr Davis has circulated a letter in the electorate regarding the Greens Federal election candidates;
  - (b) that this letter uses Mr Davis' ACT Legislative Assembly contact details;
  - (c) a letter to MLAs from the Clerk of the Assembly was circulated on 11 April 2022 regarding use of Assembly resources for federal campaigning; and
  - (d) that using his Assembly contact details as part of federal electioneering is in breach of the Members' code of conduct; and
- (2) calls on this Assembly to refer Mr Davis' actions to the Commissioner for Standards.

Debate ensued.

*Paper:* Ms Lawder, by leave, presented the following paper:

Letter from Mr Davis to constituents—Screen shot of Facebook post.

Question—put and passed.

**6 CORONAVIRUS (COVID-19)—A.C.T. GOVERNMENT RESPONSE—UPDATE—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED**

Ms Stephen-Smith (Minister for Health) made a ministerial statement to update the Assembly on the ACT Government response to the COVID-19 emergency and presented the following papers:

Status of the Public Health Emergency due to COVID-19—

Chief Health Officer Report 25—April 2022, dated 8 April 2022.

Chief Health Officer Report 26—May 2022, dated 2 May 2022.

Coronavirus (COVID-19)—ACT Government response—Update—Ministerial statement, 3 May 2022.

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

Question—put and passed.

**7 SET UP FOR SUCCESS: AN EARLY CHILDHOOD STRATEGY FOR THE A.C.T.—PHASE ONE IMPLEMENTATION PLAN—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Berry (Minister for Early Childhood Development) made a ministerial statement concerning the implementation plan for Set up for Success, an early childhood strategy for the ACT and presented the following paper:

Set up for Success: An Early Childhood Strategy for the ACT—Phase One Implementation Plan—Ministerial statement, Tuesday, 3 May 2022.

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

Question—put and passed.

**8 2021-22 HIGH-RISK WEATHER SEASON (BUSHFIRE AND STORM)—SUMMARY—MINISTERIAL STATEMENT—PAPER NOTED**

Mr Gentleman (Minister for Police and Emergency Services) made a ministerial statement concerning a summary of the 2021-22 high-risk weather season and presented the following paper:

2021-22 High-Risk Weather Season (Bushfire and Storm)—Summary—Ministerial statement, Tuesday, 3 May 2022.

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

Debate ensued.

Question—put and passed.

**9 PUBLIC HOUSING—IMPROVING THE APPLICATION PROCESS—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Vassarotti (Minister for Homelessness and Housing Services) made a ministerial statement concerning improvements to the public housing application process and presented the following paper:

Improving the public housing application process—Ministerial statement, Tuesday, 3 May 2022.

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

Debate ensued.

Question—put and passed.

**10 AGE-FRIENDLY CITY PLAN—SECOND PROGRESS REPORT—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED**

Ms Davidson (Minister for Veterans and Seniors) made a ministerial statement concerning the Age-Friendly City Plan second progress report and presented the following papers:

Age-Friendly City Plan—

Action Status Update (Second Progress Report), January 2021-December 2021.

Second progress report—Ministerial statement, Tuesday, 3 May 2022.

Ms Davidson moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

**11 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 15—STATEMENT BY CHAIR**

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 15, dated 27 April 2022, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

**12 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 5—INQUIRY INTO FAMILY VIOLENCE LEGISLATION AMENDMENT BILL 2022—REPORT NOTED**

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee—Report 5—*Inquiry into Family Violence Legislation Amendment Bill 2022*, dated 14 April 2022, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

**13 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—INQUIRY—HOUSING AND RENTAL AFFORDABILITY—STATEMENT BY CHAIR**

Ms Castley (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Economy and Gender and Economic Equality had resolved to conduct an inquiry into and report on housing and rental affordability in the ACT.

**14 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—INQUIRY—FUTURE OF THE WORKING WEEK—STATEMENT BY CHAIR**

Ms Castley (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Economy and Gender and Economic Equality had resolved to extend the deadline for submissions for its inquiry into the future of the working week to 28 October 2022.

**15 QUESTIONS**

Questions without notice were asked.

**16 PRESENTATION OF PAPERS**

Ms Burch (Speaker) presented the following papers:

Bills referred to Committees, pursuant to resolution of the Assembly of 2 December 2020, as amended—Correspondence—Bills—Not inquired into—

Domestic Violence Agencies Amendment Bill 2022—from the Standing Committee on Health and Community Wellbeing, dated 28 April 2022.

Education Amendment Bill 2022—from the Standing Committee on Education and Community Inclusion, dated 28 April 2022.

Fair Trading and Other Justice Legislation Amendment Bill 2022—from the Standing Committee on Justice and Community Safety, dated 13 April 2022.

Radiation Protection Amendment Bill 2022—from the Standing Committee on Health and Community Wellbeing, dated 28 April 2022.

Standing order 191—Amendments—Road Transport Legislation Amendment Bill 2021 (No 2), dated 11 April 2022.

**17 PRESENTATION OF PAPERS**

Mr Gentleman (Manager of Government Business) presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2021—Canberra Institute of Technology, dated 25 March 2022.

COVID-19 Emergency Response Act, pursuant to subsection 3(3)—COVID-19 Measures—Report No 14—Reporting period 1 January to 31 March 2022.

**18 COVID-19 EMERGENCY RESPONSE ACT—COVID-19 MEASURES—REPORT NO 14—MOTION TO TAKE NOTE OF PAPER**

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

COVID-19 Emergency Response Act—pursuant to subsection 3(3)—COVID-19 Measures—Report No 14—Reporting period 1 January to 31 March 2022.

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

**19 ANNUAL REPORTS (GOVERNMENT AGENCIES) ACT—ANNUAL REPORT 2021—  
CANBERRA INSTITUTE OF TECHNOLOGY—PAPER NOTED**

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2021—Canberra Institute of Technology.

Question—put and passed.

**20 LEAVE OF ABSENCE TO MEMBER**

Ms Lawder moved—That leave of absence be granted to Ms Lee (Leader of the Opposition) for today's sitting due to illness.

Question—put and passed.

**21 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—  
WORKING CONDITIONS OF CASUAL AND CONTRACT WORKERS IN THE A.C.T.—  
REQUEST TO CONSIDER**

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

- (1) notes that:
  - (a) over two million Australians are employed casually, representing around one in five Australian workers;
  - (b) people working in casualised work are some of the most economically vulnerable in our community;
  - (c) certain occupations and industries are highly insecure and workers in these industries do not usually have access to sick and carer's pay;
  - (d) sick and carer's pay provides financial security and protects workers wellbeing when they are unable to attend work;
  - (e) the COVID-19 pandemic has highlighted the dangers to workers and our workplaces when insecure workers feel compelled, for financial reasons, to attend work whilst sick; and
  - (f) the Victorian Government has recently announced it will introduce the Victorian Sick Pay Guarantee to provide up to five paid sick days for casual workers per year;
- (2) acknowledges the work of the ACT Government to:
  - (a) better protect workers by legislating a labour hire licensing scheme that has promoted responsible practices in the labour hire services industry;
  - (b) utilise its purchasing power to improve standards in certain industries through the Secure Local Jobs Code;
  - (c) implement and expand the portable long service leave scheme to ensure that workers in transient industries are able to access this workplace entitlement;

- (d) protect workers who lost their job in the COVID-19 pandemic with the Jobs for Canberrans initiative; and
  - (e) establish the Secure Employment Framework to support the transition from insecure work arrangements to permanency within the ACT public sector; and
- (3) calls on the ACT Government to:
- (a) continue to materially improve the working conditions of ACT residents; and
  - (b) investigate providing sick and carer's pay for casual and contract workers who work in industries that do not usually have access to sick and carer's pay. This investigative work should be undertaken in consultation with relevant trade unions and other stakeholders.

Mr Cain moved the following amendment:

Omit part (3) and substitute:

- “(3) calls on the ACT Government to continue to materially improve the working conditions of ACT residents;
- (4) requests that the Standing Committee on Economy and Gender and Economic Equality consider investigating the impact of the provision of sick and carer's pay for casual and contract workers who work in industries that do not usually have access to sick and carer's pay;
- (5) requests the Committee to consider investigating:
- (a) the current working conditions in the ACT for casual and contract workers;
  - (b) the provision of sick and carer's pay for casual and contract workers who work in industries that do not usually have access to sick and carer's pay; and
  - (c) any other related matters; and
- (6) requests the Committee, should it inquire, to determine a reporting date based on the Committee's capacity.”

Debate continued.

Question—That the amendment be agreed to—put and passed.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
- (a) over two million Australians are employed casually, representing around one in five Australian workers;
  - (b) people working in casualised work are some of the most economically vulnerable in our community;
  - (c) certain occupations and industries are highly insecure and workers in these industries do not usually have access to sick and carer's pay;

- (d) sick and carer's pay provides financial security and protects workers wellbeing when they are unable to attend work;
  - (e) the COVID-19 pandemic has highlighted the dangers to workers and our workplaces when insecure workers feel compelled, for financial reasons, to attend work whilst sick; and
  - (f) the Victorian Government has recently announced it will introduce the Victorian Sick Pay Guarantee to provide up to five paid sick days for casual workers per year;
- (2) acknowledges the work of the ACT Government to:
- (a) better protect workers by legislating a labour hire licensing scheme that has promoted responsible practices in the labour hire services industry;
  - (b) utilise its purchasing power to improve standards in certain industries through the Secure Local Jobs Code;
  - (c) implement and expand the portable long service leave scheme to ensure that workers in transient industries are able to access this workplace entitlement;
  - (d) protect workers who lost their job in the COVID-19 pandemic with the Jobs for Canberrans initiative; and
  - (e) establish the Secure Employment Framework to support the transition from insecure work arrangements to permanency within the ACT public sector; and
- (3) calls on the ACT Government to continue to materially improve the working conditions of ACT residents;
- (4) requests that the Standing Committee on Economy and Gender and Economic Equality consider investigating the impact of the provision of sick and carer's pay for casual and contract workers who work in industries that do not usually have access to sick and carer's pay;
- (5) requests the Committee to consider investigating:
- (a) the current working conditions in the ACT for casual and contract workers;
  - (b) the provision of sick and carer's pay for casual and contract workers who work in industries that do not usually have access to sick and carer's pay; and
  - (c) any other related matters; and
- (6) requests the Committee, should it inquire, determine a reporting date based on the Committee's capacity."—

be agreed to—put and passed.

## **22 AUSTRALIAN PUBLIC SECTOR CONTRACTORS AND CONSULTANTS**

Notice No 2, Private Members' business have been called on—

Mr Hanson, by leave, in the absence of the proposer, pursuant to notice, moved—That this Assembly:



- (1) notes:
  - (a) the announcement made by the Labor Senator for the ACT, Katy Gallagher, to cut \$3 billion from Australian Public Service contractor and consultant jobs if Labor is elected;
  - (b) the majority of these jobs are in Canberra;
  - (c) these Canberra jobs have been called “wasteful spending” by the Australian Labor Party;
  - (d) they will be replaced by only \$500 million in front line jobs, mostly outside Canberra; and
  - (e) this would equate to the loss of thousands of highly skilled jobs in Canberra, and billions of dollars cut from the ACT economy;
- (2) writes to the Leader of the Australian Labor Party defending Canberra jobs in the public and private sectors;
- (3) calls on the Federal Opposition to drop the policy of massive job cuts in Canberra; and
- (4) condemns ACT Labor Senator Katy Gallagher for proposing a \$3 billion hit to Canberra jobs, and the ACT economy.

Debate ensued.

Ms Orr moved the following amendment:

Omit all text after ‘That this Assembly’ and substitute:

- “(1) notes:
- (a) the announcement made by the Labor Senator for the ACT, Katy Gallagher, on a genuine strategy to address the rapid increase in expenditure by the Morrison Government on the outsourcing of public service work to private consultants, contractors and labour hire firms, to do the work previously done more cost-effectively by public servants. The policy announced will rebuild capability, restore skills and improve job security back in the Australian Public Service after nearly a decade of cuts, privatisation and outsourcing;
  - (b) the Coalition have cut 5 000 jobs from the Australian Public Service in Canberra as part of their decentralisation agenda, harming the capability of APS agencies;
  - (c) the infamous and detrimental move of the Australian Pesticides and Veterinary Medicines Authority from Canberra to Armidale by Barnaby Joyce in 2016;
  - (d) in the six years after coming to Government in 2013, the current Coalition Government cut more than 12 000 jobs from the Australian Public Service, driving away long term governance and policy expertise and increasing workloads for remaining public servants;

- (e) Australian Public Servants have endured a decade of real wage cuts and arbitrary caps on wage increases through the current Coalition Government's flawed and unfair approach to Enterprise Bargaining, and this has a flow on impact on the ACT economy;
  - (f) the COVID-19 pandemic has demonstrated the importance of a strong capable public sector to deliver outcomes for the community;
  - (g) that Senator Gallagher and the Australian Labor Party have a policy of real wage increases and genuine negotiations with union members and their representatives, this will benefit both Australian Public Servants and the ACT economy. Labor's plan includes a strategic reinvestment of nearly \$500 million as part of the first phase of rebuilding capability in the public service— including 1,080 new secure frontline service delivery jobs at Services Australia, the Department of Veterans' Affairs and the National Disability Insurance Agency which will improve the delivery of services to Australians; and
  - (h) that the Australian Greens have a policy to revitalise the Australian Public Service by restoring the number of public service jobs to match 2012 levels; lift public sector wages by 4% p/a over the next four years to pull wages up across the private sectors; and limit outsourcing to labour hire firms and the big four accountancy firms to 7.5% of the agency's budget;
- (2) calls on the Speaker on behalf of the Legislative Assembly to write to the Leaders of the Australian Labor Party, The Australian Greens, the Federal Liberal Party and the National Party noting the Assembly's support for the creation of a strong Australian Public Service and secure public sector jobs;
  - (3) calls on the Federal Coalition to drop their policy of massive job cuts in Canberra; and
  - (4) commends both the Australian Labor Party and the Australian Greens on their policies of developing and strengthening the Australian Public Service and supporting policy frameworks that will provide a pathway to secure employment."

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 14		NOES, 7
Mr Braddock	Dr Paterson	Mr Cain
Ms Burch	Mr Pettersson	Ms Castley
Ms Cheyne	Mr Rattenbury	Mr Hanson
Ms Clay	Mr Steel	Mrs Kikkert
Ms Davidson	Ms Stephen-Smith	Ms Lawder
Mr Davis	Ms Vassarotti	Mr Milligan
Mr Gentleman		Mr Parton
Ms Orr		

And so it was resolved in the affirmative.

The question—That the motion, as amended, viz:

“That this Assembly:

(1) notes:

- (a) the announcement made by the Labor Senator for the ACT, Katy Gallagher, on a genuine strategy to address the rapid increase in expenditure by the Morrison Government on the outsourcing of public service work to private consultants, contractors and labour hire firms, to do the work previously done more cost-effectively by public servants. The policy announced will rebuild capability, restore skills and improve job security back in the Australian Public Service after nearly a decade of cuts, privatisation and outsourcing;
- (b) the Coalition have cut 5 000 jobs from the Australian Public Service in Canberra as part of their decentralisation agenda, harming the capability of APS agencies;
- (c) the infamous and detrimental move of the Australian Pesticides and Veterinary Medicines Authority from Canberra to Armidale by Barnaby Joyce in 2016;
- (d) in the six years after coming to Government in 2013, the current Coalition Government cut more than 12 000 jobs from the Australian Public Service, driving away long term governance and policy expertise and increasing workloads for remaining public servants;
- (e) Australian Public Servants have endured a decade of real wage cuts and arbitrary caps on wage increases through the current Coalition Government’s flawed and unfair approach to Enterprise Bargaining, and this has a flow on impact on the ACT economy;
- (f) the COVID-19 pandemic has demonstrated the importance of a strong capable public sector to deliver outcomes for the community;
- (g) that Senator Gallagher and the Australian Labor Party have a policy of real wage increases and genuine negotiations with union members and their representatives, this will benefit both Australian Public Servants and the ACT economy. Labor’s plan includes a strategic reinvestment of nearly \$500 million as part of the first phase of rebuilding capability in the public service – including 1,080 new secure frontline service delivery jobs at Services Australia, the Department of Veterans’ Affairs and the National Disability Insurance Agency which will improve the delivery of services to Australians; and
- (h) that the Australian Greens have a policy to revitalise the Australian Public Service by restoring the number of public service jobs to match 2012 levels; lift public sector wages by 4% p/a over the next four years to pull wages up across the private sectors; and limit outsourcing to labour hire firms and the big four accountancy firms to 7.5% of the agency’s budget;

- (2) calls on the Speaker on behalf of the Legislative Assembly to write to the Leaders of the Australian Labor Party, The Australian Greens, the Federal Liberal Party and the National Party noting the Assembly's support for the creation of a strong Australian Public Service and secure public sector jobs;
- (3) calls on the Federal Coalition to drop their policy of massive job cuts in Canberra; and
- (4) commends both the Australian Labor Party and the Australian Greens on their policies of developing and strengthening the Australian Public Service and supporting policy frameworks that will provide a pathway to secure employment."—

be agreed to—put and passed.

## 23 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 4.46 pm, adjourned until tomorrow at 10 am.

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

\*on leave.

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**Tom Duncan**  
Clerk of the Legislative Assembly