



# Matters of public importance—your Assembly @ work

**Sitting week—8 to 12 November 2021**

**Issue 10/2021**

## Remembrance Day

At 11 am on 11 November, proceedings were interrupted and all Members stood for one minute of reflective silence to commemorate the armistice which ended World War One and to remember the sacrifice of those who died or otherwise suffered in all wars and conflicts in which Australia has been involved.

## Government Business

***Includes business items presented to the Assembly by the Executive including bills, motions, and papers***

### ***Bills introduced***

[Civil Law \(Sale of Residential Property\) Amendment Bill 2021](#) *(presented 9 November)*

*Summary:* This bill will amend the *Civil Law (Sale of Residential Property) Act 2003* to provide additional protection to buyers who purchase a residential property off-the-plan by imposing conditions on the use of certain rescission clauses in off-the-plan contracts. The bill will also provide that a seller may apply for an order from the ACT Supreme Court permitting the rescission of the contract due to a delay event or sunset event, however, the seller must satisfy the Court that the order sought is just and equitable. Amendments to the Act also include a regulation-making power to prescribe additional circumstances in which the rescission of an off-the-plan property purchase contract may occur.

[Emergencies Amendment Bill 2021](#) *(presented 9 November)*

*Summary:* This bill will amend the *Emergencies Act 2004* by creating a legislative power to appoint the ACT Recovery Coordinator. The bill will amend the Act by requiring that emergency management in the Territory develops community resilience to emergencies. Amendments also include providing for the transition of the ACT Bushfire Council into the ACT Multi-Hazard Advisory Council and allowing for the appointment of an Assistant Emergency Services Commissioner. The bill will also include provisions relating to the declaration of a state of alert and state of emergency, the use of social media to inform the community about emergencies, the delegation of certain powers to a police officer and the issuing of fire permits.

[Government Procurement Amendment Bill 2021](#) (presented 10 November)

*Summary:* This bill will amend the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007* to increase the effectiveness of the Secure Local Jobs Code and allow for the obtaining of information or documentation to improve compliance with the obligations of the Code and to make determinations. The bill will also increase the monetary threshold for requiring a Labour Relations, Training and Workplace Equity Plan in services or works procurements that are primarily for construction work from a total estimated value of \$25,000 to \$200,000.

[Justice and Community Safety Legislation Amendment Bill 2021](#) (presented 11 November)

*Summary:* This bill will make minor and technical amendments to a number of Territory laws to improve the administration and operation of the laws for the more vulnerable members of the community and also to improve regulatory framework and the operation of the ACT Government and its agencies.

[Public Health Amendment Bill 2021](#) (presented 10 November)

*Summary:* This bill will amend the *Public Health Act 1997* by including temporary provisions to ensure that the Government's response to the COVID-19 pandemic can continue to effectively address public health risks as the Territory moves into the next phase of the public health response.

***Bills debated***

[City Renewal Authority and Suburban Land Agency Amendment Bill 2021](#) (presented 6 October)

*Summary:* This bill will amend the *City Renewal Authority and Suburban Land Agency Act 2017* to alter the definition of 'land' in the Act to remove limitations on the operations of the Suburban Land Agency where the leasehold system is used. The bill will also remove references to 'leases' to ensure that, if needed in the future, the Agency has the legal authority to buy and sell land in New South Wales.

*Proceedings:* When debate resumed on this bill on 11 November it received the support of all parties in the Assembly and was agreed to in principle.

The bill was passed without amendment.

[Planning and Unit Titles Legislation Amendment Bill 2021](#) (presented 8 October)

*Summary:* This bill will make minor policy, procedural and technical amendments to a number of Territory laws administered by the Environment, Planning and Sustainable Development Directorate and the Justice and Community Safety Directorate.

*Proceedings:* Debate resumed at the in principle stage of this bill on 11 November with all parties in the Assembly supporting the proposed legislation in principle.

The bill was passed without amendment.

***Motion debated***

A motion was moved by the Chief Minister on 10 November seeking the Assembly's approval for the appointment of Mr William 'Bill' Campbell AO PSM QC an **Acting Independent Reviewer of Campaign Advertising** with the motion being passed by a two-thirds majority, as required by the *Government Agencies (Campaign Advertising) Act 2009*.

## **Ministerial statements**

The Minister for Health made a ministerial statement on 9 November providing an update on the **ACT Government response to COVID-19**. During the statement the minister presented the Chief Health Officer's 19<sup>th</sup> report on the status of the Public Health Emergency due to COVID-19, dated October 2021.

On 9 November, the Minister for Health provided a Government response to the Assembly's resolution of 20 August 2020 concerning a **harm minimisation approach to alcohol and other drug use**. During the statement the minister outlined steps taken by successive ACT governments to implement harm reduction measures and provided details of funding included in the 2021-22 ACT Budget to continue to invest in and commit to harm reduction, treatment and support. The Opposition also made comments on the ministerial statement and indicated they would like to see more information on rehabilitative services, including residential programs.

**ACT Housing Strategy—Year 3 Report Card** was the subject of a ministerial statement made by the Minister for Housing and Suburban Development on 9 November. During the statement the minister stated that the Government's progress on implementing its housing strategy demonstrated its commitment to improving access to quality homes that are safe, secure and suited to the needs of all Canberrans. At the conclusion of the statement, the minister presented the ACT Housing Strategy—Year 3 Report Card. Members of both the ACT Greens and Opposition addressed the Assembly on the ministerial statement.

The Minister for Corrections provided an update on the **corrections portfolio** area on 9 November and outlined the progress made on a number of key initiatives completed or commenced over the last 12 months. The minister stated that the COVID-10 pandemic had had a profound impact on the lives of staff and detainees and acknowledged the added pressures experienced by all stakeholders during this time and the commitment of staff and service providers working in the corrections system. The ACT Greens also addressed the Assembly on the statement.

**WorkSafe ACT's activities and initiatives for young workers** was the subject of a ministerial statement made by the Minister for Industrial Relations and Workplace Safety on 10 November. In making the statement the minister stated that young workers aged between 15 and 24 are some of the most valuable but also the most vulnerable employees. The minister outlined initiatives implemented by the ACT Government to recognise the vulnerability of young people in the workforce and to address the issues facing these workers. A number of other members addressed the Assembly on this statement.

**Gungahlin Town Centre** was the subject of a ministerial statement made by the Minister for Planning and Land Management on 10 November. The minister outlined the Government's response to Assembly resolutions of 10 February and 2 June 2021 concerning planning and development within the Gungahlin Town Centre. Other members also addressed the Assembly in relation to the statement.

On 11 November the Minister for Health provided an update on the **implementation of recommendations of the Final Report of the Independent Review into the Workplace Culture within ACT Public Health Services**. During the statement the minister advised the Assembly that significant efforts are continuing to implement the recommendations of the Independent Review that was completed in March 2019 and outlined actions taken to date.

Other ministerial statements made during the sitting week related to:

**2021-2022 high-risk weather season preparedness and seasonal outlook**—Minister for Police and Emergency Services (9 November)

**Australia's Arts Capital: Statement of Ambition for the Arts**—Minister for the Arts (11 November)

**Coroner's Report into the death of Bradyn Dillon—Government response**—Minister for Families and Community Services (11 November)

**COVID-Safe return to education settings**—Minister for Education and Youth Affairs (9 November)

**COVID-19 pandemic lockdown—Community sector support—Government response to resolution of the Assembly of 16 September 2021**—Minister for Families and Community Services (10 November)

**Establishment of the Professor of Mental Health Nursing role**—Minister for Mental Health (10 November)

**Update on the implementation of the Urban Forest Strategy**—Minister for Transport and City Services (10 November)

**Update on zero emissions vehicles in the ACT**—Minister for Water, Energy and Emissions Reduction (11 November)

The full text of the statements made by Ministers can be accessed from the [Assembly Hansard](#) site once finalised.

## Assembly Business

*Includes any business relating to the establishment or membership of a committee or the proposed referral of a matter to a committee. It also includes business which proposes to amend, disallow, disapprove or declare void any instruments which are made under specific Acts agreed to by the Assembly. Assembly business also includes any notice or order of the day which deals with the administration of the Assembly or how the Assembly conducts its proceedings*

### **Bill introduced**

[Remuneration Tribunal Amendment Bill 2021](#) (presented 11 November)

*Summary:* This bill will amend the *Remuneration Tribunal Act 1995* by amending provisions to allow for the position of 'Whip in the Legislative Assembly of a registered party (other than the party to which the Chief Minister or Leader of the Opposition belongs) if at least four members of the Assembly are members of the party' to be declared an 'office' pursuant to section 73 of the *Australian Capital Territory (Self-Government) Act 1988*. The amendments would require the Remuneration Tribunal to inquire into, and determine, the remuneration and allowances to be paid, and other entitlements to be granted to, the 'office'.

### **Motions debated**

A motion proposing a **sitting pattern for 2022** was moved on 11 September. During debate an amendment moved by the Opposition was negated following a vote.

The motion was passed without amendment. The Assembly's sitting pattern for 2022 is as follows:

February	8	9	10
March	22	23	24
April	5	6	7
May	3	4	5
June		1	2
	7	8	9
August	2	3	4
September	20	21	22
October	11	12	13
	18	19	20
November	22	23	24
	29	30	
December			1

On 11 November, a motion was moved by the Opposition proposing that the Standing Committee on Education and Community Inclusion inquire into and report on the issue of **racism attacks** in the Territory, both verbal and physical. The motion outlined proposed matters to be considered by the committee and called on the committee to report back to the Assembly by 30 September 2022.

Following debate, the motion was passed by the Assembly without amendment.

The full terms of the above motion can be found in the [Minutes of Proceedings](#).

## Private Members' Business

***Includes items presented to the Assembly by all non-Executive Members, including bills and motions***

### ***Bill introduced***

[Civil Law \(Sale of Residential Property\) Amendment Bill 2021](#) (presented 9 November)

*Summary:* This bill will amend the *Civil Law (Sale of Residential Property) Act 2003* by requiring a unit seller to obtain a buyer's consent before ending an off-the-plan property contract using a sunset clause. The bill proposes that if consent is not given, the seller would be required to apply to the Supreme Court of the ACT to justify termination.

### ***Bill debated***

[Bail Amendment Bill 2021](#)

*Summary:* This bill will amend the *Bail Act 1992* by extending the list of offences that do not have the presumption for bail to include assaults on frontline community service providers as defined in the *Crimes Act 1900*.

*Proceedings:* The Government indicated it would not be supporting the proposed legislation when debate resumed on 10 November and outlined its reasons for not doing so. Agreement in principle was negated following a vote of the Assembly.

### **Motions debated**

**Housing and rental affordability** was the subject of a motion moved by Mr Parton MLA on 9 November. The motion included noting that the October 2021 CoreLogic Quarterly Rental Review indicated that the ACT has the highest median rental prices in Australia and also included noting that housing insecurity has a detrimental effect on the mental health of those Canberrans worried about getting a place to live and to raise a family. The motion called on the Government to declare a housing crisis in the Territory and to conduct an independent review on the impact of ACT Government policy on the rising cost of house prices and rent levels. It also called on the Government to report back to the Assembly by 30 June 2022. During debate an amendment was moved by the Government that noted that there is a housing affordability crisis unfolding across the OECD, including Australia, and that the 10<sup>th</sup> Assembly Parliamentary and Governing Agreement commits the Government to implementing policies designed to improve housing affordability. The amendment also included calling on the Government to continue to lobby the Commonwealth Government to take measures to improve housing affordability, including to create a National Housing and Homelessness Strategy and to review and assess the levers available to the ACT Government to address housing and rental affordability, as part of the ACT Housing Strategy, and provide an update to the Assembly by the last sitting day in 2022. The ACT Greens indicated support for the Government's amendment, which was passed following a vote of the Assembly.

The amended motion was passed by the Assembly.

Mr Pettersson MLA moved a motion on 9 November concerning **portable long service schemes**. The motion included noting the increasing trend towards insecure and casualised work that impacts modern employment patterns with only one in four Australians staying with the same employer for more than 10 years. The motion also included acknowledging the commitment from the ACT Government to work with Hair Stylists Australia to develop portable long service leave entitlements and called on the Government to expand the *Long Service leave (Portable Schemes) Act 2009* to include the contract catering industry and report on the progress of this to the Assembly by June 2022. The motion included calling on the Government to investigate further industries for inclusion in portable long service leave schemes such as the hospitality industry. During debate an amendment moved by the Opposition that called on the Government to publish guidelines for ministerial decision-making under certain sections of the *Long Service Leave (Portable Schemes) Act 2009* was negated following a vote of the Assembly.

The motion was passed by the Assembly without amendment.

**Action on climate change** was the subject of a motion moved by Ms Clay MLA on 11 November. The motion included noting that the COP26 climate summit in Glasgow has been billed as the world's last chance to meet the goals of the Paris Agreement and avoid a climate catastrophe and also included noting that the ACT Government has committed to achieving net zero emissions by 2045, and has set ambitious emission reduction targets for 2025, 2030 and 2040. The motion sought to have the Assembly endorse the ACT's membership and support for the Powering Past Coal Alliance and endorse, among other things, urgent prioritisation of zero-emissions transport, with programs and policies that support

active transport, public transport, and a rapid transition to zero emissions vehicles. The motion called on the Minister for Water, Energy and Emissions Reduction to write to his Federal counterpart, and also called on the leaders of all parties in the Assembly, to write to the Federal leaders of their political parties, urging them to commit to certain actions to address climate change. The motion called on the Chief Minister and leaders of all parties represented in the Assembly to table a copy of these letters and responses in the Assembly by the first sittings of 2022.

Following debate, the motion was passed by the Assembly without amendment.

Further items debated during the sitting week related to:

**Sun smart messaging**—Dr Paterson MLA (*10 November*)

**Possible structural issues in light rail vehicle fleet**—Mr Parton MLA (*10 November*)

**Initiatives to support night-time economy in town centres**—Ms Castley MLA (*11 November*)

**Withdrawal of assertions made against senators**—Mr Hanson MLA (*10 November*)

The full debate on the above motions can be accessed from the Assembly [Hansard](#) site once finalised.

## Petitions and petition response

The following petitions were lodged—

- Antisocial behaviour in Gordon—lodged by Ms Lawder (*10 November*)
- Coombs convenience store—Crime prevention (*11 November*)
- Fadden Hills Pond playground—lodged by Ms Lawder (*9 November*)
- Public toilet facilities at Hackett shops—lodged by Ms Vassarotti (*9 November*)
- Recreational area near Melba High School—lodged by Ms Clay (*9 November*)

This petition was referred to the Standing Committee on Planning, Transport and City Services

- Waramanga Playing Fields lighting (2)—lodged by Dr Paterson (*9 November*)

These petitions were referred to the Standing Committee on Planning, Transport and City Services

The following ministerial responses to petitions were lodged—

- Funding to upgrade Nicholls Oval—Minister for Sport and Recreation (*9 November*)
- Gungahlin Town Centre—Suspension of land auctions/sales—Minister for Planning and Land Management (*10 November*)

A copy of the petitions and petition responses can be found on the [Assembly website](#).

## Papers Presented

The following are papers of interest that were presented during the sitting week:

- Annual reports 2020-21—
  - Australian Criminal Intelligence Commission
  - Australian Capital Territory Legislative Assembly Members Superannuation Board
  - ACT and Region Catchment Management Coordination Group
  - Office of the National Rail Safety Regulator
  - Official Visitors Scheme

- Approval of Variations to the Territory Plan—
  - Variation 376—Demonstration Housing Co-Housing: Ainslie Section 25 Block 6
  - Variation 378—Bruce Section 32 Blocks 3 and 8: Supermarket
- A Step Up for Our Kids—Snapshot Report—A presentation of data covering the period 1 July 2016 to 30 June 2021
- Auditor-General’s Reports—Government responses
  - Report 5/2021—Management of Closed-Circuit Television Systems
  - Report 6/2021—Teaching Quality in ACT Public Schools
  - Report 7/2021—Procurement exemptions and value for money
- Bimberi Headline Indicators Report 2020-2021
- Bushfire Smoke and Air Quality Strategy 2021-2025
- Canberra Nature Park Reserve Management Plan 2021
- COVID-19 Measures—12<sup>th</sup> Report—For the period 1 July to 30 September 2021—Pursuant to section 3 of the *COVID-19 Emergency Response Act 2020*
- Government responses to Assembly resolutions—
  - Canberra Indian-Australian community support (*resolution of 13 May 2021*)
  - COVID-19 social and economic recovery (*resolution of 7 October 2021*)
- Homegrown Me explosion—Government response to Coroner’s recommendation from the inquiry into the origin
- Inquiry into the origin of the Homegrown Me explosion—Government response to the Coroner’s recommendation
- Inspector of Correctional Services Report of a healthy centre review of Bimberi Youth Justice Centre 2020—Government response
- Our Booris, Our Way—Implementation update for the period January to June 2021
- Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Hostage taking incident at the Alexander Maconochie on 27 March 2021
- Scope 3 Greenhouse Gas Emissions in the ACT – An investigation of current Scope 3 emissions and potential future reductions by the Commissioner for Sustainability and the Environment
- Statement of leases granted for direct sales for the period 1 July to 30 September 2021
- Territory rights—Resolution of the Assembly of 8 October 2021—
  - Correspondence from Senator the Hon Kim Carr together with a copy of a report by the Senate’s Legal and Constitutional Affairs Legislation Committee entitled *Ensuring Northern Territory Rights Bill 2021*
  - Correspondence from Senator the Hon Zed Seselja together with a copy of correspondence from Senator Dr Sam McMahon

## Committee Activities

### Committee reports

#### Economy and Gender and Economic Equality— Standing Committee

[Report 3—Appropriation 2021-2022 and Appropriation \(Office of the Legislative Assembly\) Bill 2021-2022](#)

## **Education and Community Inclusion— Standing Committee**

[Report 2—Appropriation 2021-2022 and Appropriation \(Office of the Legislative Assembly\) Bill 2021-2022](#)

## **Environment, Climate Change and Biodiversity— Standing Committee**

[Report 2—Appropriation 2021-2022 and Appropriation \(Office of the Legislative Assembly\) Bill 2021-2022](#)

## **Public Accounts— Standing Committee**

[Report 2—Appropriation 2021-2022 and Appropriation \(Office of the Legislative Assembly\) Bill 2021-2022](#)

## **Scrutiny Committee**

[Scrutiny Report 10](#)

This report contained the committee's comments on four bills, 18 pieces of subordinate legislation, three government responses and one private member's response.

### ***Committee statement***

#### **Standing Committee on Planning, Transport and City Services**

The chair presented a statement of the committee on 11 November in relation to petitions not being inquired into concerning Yerrabi Pond, Lawrence Wackett Crescent and Tharwa Drive in Theodore, and the closure of community greenwaste and landscaping supplies at Parkwood Pond.

### ***Government response to committee report***

#### **Administration and Procedure—Standing Committee**

On 11 November, the chair of the committee informed the Assembly that the committee had considered a position paper, prepared by the Clerk, in which he outlined the approach he intended to adopt in response to the recommendations of the **review of the committee support function** with the chair advising that the committee agreed with the Clerk's approach. The chair also advised that the Clerk had engaged a suitably qualified consultant to consult with relevant staff and recommend options for an organisational structure and expected to see the revised structure early next year, with a view to considering a budget submission for the 2022-23 Territory Budget. At the conclusion of the statement the chair presented the Clerk's position paper.

#### **Planning, Transport and City Services—Standing Committee**

Report 2—Draft Reserve Management Plan: Canberra Nature Park

## Members of the Legislative Assembly for the ACT

### *Electorate of Brindabella*

Ms Joy Burch (Australian Labor Party)  
Mr Johnathan Davis (ACT Greens)  
Mr Mick Gentleman (Australian Labor Party)  
Ms Nicole Lawder (Canberra Liberals)  
Mr Mark Parton (Canberra Liberals)

### *Electorate of Ginninderra*

Ms Yvette Berry (Australian Labor Party)  
Mr Peter Cain (Canberra Liberals)  
Ms Tara Cheyne (Australian Labor Party)  
Ms Jo Clay (ACT Greens)  
Mrs Elizabeth Kikkert (Canberra Liberals)

### *Electorate of Kurrajong*

Mr Andrew Barr (Australian Labor Party)  
Ms Elizabeth Lee (Canberra Liberals)  
Mr Shane Rattenbury (ACT Greens)  
Ms Rachel Stephen-Smith (Australian Labor Party)  
Ms Rebecca Vassarotti (ACT Greens)

### *Electorate of Murrumbidgee*

Emma Davidson (ACT Greens)  
Mr Jeremy Hanson CSC (Canberra Liberals)  
Mrs Giulia Jones (Canberra Liberals)  
Dr Marisa Paterson (Australian Labor Party)  
Mr Chris Steel (Australian Labor Party)

### *Electorate of Yerrabi*

Mr Andrew Braddock (ACT Greens)  
Ms Leanne Castley (Canberra Liberals)  
Mr James Milligan (Canberra Liberals)  
Ms Suzanne Orr (Australian Labor Party)  
Mr Michael Pettersson (Australian Labor Party)

## Next Sitting

Tuesday, 23 November 2021.

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