



Legislative Assembly for the Australian Capital Territory

2020-2021

Notice Paper

No 20

Tuesday, 3 August 2021

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Orders of the day

- *1 **SENIOR PRACTITIONER AMENDMENT BILL 2021:** *(Minister for Disability):* Agreement in principle—Resumption of debate *(from 24 June 2021—Mr Milligan).*
- *2 **CRIMES LEGISLATION AMENDMENT BILL 2021:** *(Attorney-General):* Agreement in principle—Resumption of debate *(from 24 June 2021—Ms Lee).*
- 3 **UPDATE ON ACT INFRASTRUCTURE PLAN—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate *(from 23 June 2021—Mr Gentleman)* on the motion of Mr Barr—That the Assembly take note of the paper.
- 4 **UPDATE ON THE ACT GOVERNMENT'S WORK TO CREATE SUSTAINABLE CANBERRA JOBS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate *(from 22 June 2021—Ms Cheyne)* on the motion of Mr Barr—That the Assembly take note of the paper.
- *5 **WORK HEALTH AND SAFETY AMENDMENT BILL 2021:** *(Minister for Industrial Relations and Workplace Safety):* Agreement in principle—Resumption of debate *(from 24 June 2021—Mr Milligan).*

- *6 **MINIMUM AGE OF CRIMINAL RESPONSIBILITY—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate (*from 24 June 2021—Ms Lee*) on the motion of Mr Rattenbury—That the Assembly take note of the paper.
- 7 **DOMESTIC VIOLENCE AGENCIES AMENDMENT BILL 2021:** (*Minister for the Prevention of Domestic and Family Violence*): Agreement in principle—Resumption of debate (*from 23 June 2021—Mrs Kikkert*).

PRIVATE MEMBERS' BUSINESS

Notices

- *1 **DR PATERSON:** To move—That this Assembly:
- (1) notes that:
 - (a) vaping is the inhaling of a vapor created by an electronic cigarette (e-cigarette) or other vaping device;
 - (b) ingredients in e-cigarettes include e-liquids and may or may not include nicotine and other toxic contaminants. The coil of an e-cigarette releases heavy metals which are inhaled;
 - (c) e-cigarettes are relatively new products, and the evidence is still evolving around their health impacts, however, studies have shown negative health impacts;
 - (d) in line with the nationally agreed principles that underpin the current *Policy and regulatory approach to electronic cigarettes (e-cigarettes) in Australia*, under the *Tobacco and Other Smoking Products Act 1927* (ACT) it is an offence to:
 - (i) supply vaping products to people aged under 18;
 - (ii) be reckless about whether the person to whom the vaping product is sold is under 18 years old (including failing to check identification);
 - (iii) purchase a vaping product for use by someone aged under 18 years old; and
 - (iv) display advertisement for e-cigarettes and vaping products;
 - (e) under the *Medicines, Poisons and Therapeutic Goods Act 2008* (ACT) it is an offence to commercially sell or supply liquid nicotine for use in e-cigarettes;
 - (f) the advertising of vaping products, including packaging, is not currently regulated under Commonwealth legislation;
 - (g) young people, under the age of 18, in our community are vaping, which can create pathways to tobacco smoking nicotine addiction;

- (h) ACT Health is working with the ACT Education Directorate to raise awareness of the impacts of e-cigarettes for children and young people;
 - (i) there is currently insufficient evidence to show whether e-cigarettes are effective in helping people to quit smoking; and
 - (j) in 2020, the ACT Government's submission to the Australian Senate Select Committee on Tobacco Harm Reduction, called for:
 - (i) effective internet safeguards to prevent children purchasing vaping products;
 - (ii) national regulations, or nationally recognised approach to flavoured nicotine vaping products;
 - (iii) regulation of e-cigarette packaging and product names to ensure their use is not marketed to appeal to young people;
 - (iv) display of health warnings or advisories consistent with evidence, as validated by the National Health and Medical Research Council; and
 - (v) requirement for child-proof packaging for nicotine liquid and nicotine salts; and
- (2) calls on the ACT Government to:
- (a) continue to develop programs that educate and inform Canberrans, particularly younger Canberrans, about the risks of e-cigarettes and prevent their uptake and use;
 - (b) review relevant ACT legislation to ensure current arrangements are contributing to minimising the harm being caused by e-cigarettes and vaping, across our community, and particularly young people;
 - (c) continue to advocate with relevant Commonwealth ministers for amendments to Commonwealth legislation to regulate e-cigarettes by:
 - (i) amending the national tobacco control legislation to expand the scope of the plain packaging and advertising legislation to include non-tobacco smoking products;
 - (ii) restricting the type of e-liquid flavours and vaping devices permitted to be sold in Australia to those that are less likely to appeal to children and young people; and
 - (iii) requiring child-safe packaging;
 - (d) seek consideration by the health ministers' meeting on stronger national measures for vaping products including e-cigarettes; and
 - (e) report back to the Assembly on progress no later than the first sitting week in December 2022. (*Notice given 30 July 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

***2 MR CAIN:** To move—That this Assembly:

- (1) notes the potential economic benefits of the use of e-invoicing by the ACT Government for the ACT's economy, including the:
 - (a) reduction in processing costs for businesses and not-for-profit organisations that provide goods and services to the ACT Government;
 - (b) reduction in payment times, which will speed up cash flow;
 - (c) reliability and security of the system, reducing fraud and errors; and
 - (d) automation of record keeping and information management, enabling organisations to more easily meet their regulatory obligations; and
- (2) calls on the ACT Government to implement e-invoicing in all ACT government directorates and agencies by 1 July 2022, in line with the Australian Government's policy. (*Notice given 2 August 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

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

- (1) notes:
 - (a) Canberra's hospitality and night-time economy has suffered greatly due to severe lockdowns across the country, particularly in NSW, with some restaurants, bars and cafes closing and many others reporting a huge downturn in trade and revenue;
 - (b) the impact on hospitality workers who have lost jobs while others face job losses, reduced hours and continued uncertainty and anxiety; and
 - (c) the ACT's job market is the weakest in the nation with unemployment surging in June to 4.9 percent from 3.6 percent in May, which ACT Treasury says represents 5,900 people who have lost their jobs; and
- (2) calls on the ACT Government to introduce a hospitality support package for hospitality venues, in line with tourism industry support, including:
 - (a) an emergency cash grant for hospitality businesses which have suffered a 30 percent (or greater) downturn to help them cover operating costs;
 - (b) extending the full rebate on the water and sewerage fixed charge component of their Icon Water bills for the first two quarters of 2021-22 to hospitality venues;
 - (c) extending the waiver for outdoor dining permit fees until the end of 2022;
 - (d) extending the scheme to allow pubs, bars and restaurants to sell takeaway alcohol until the end of 2021;
 - (e) waiving food business registration fees until the end of 2022; and

- (f) working with hospitality businesses on other support measures as the pandemic and restrictions continue. (*Notice given 2 August 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A*).

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MR BRADDOCK: To move—That this Assembly:

(1) notes:

- (a) the central and indispensable contribution of the multicultural community to Canberra’s civic, social, cultural, education and economic vibrancy;
- (b) the many multicultural community organisations, their employees, leaders and volunteers, that put their time, expertise and energy into making Canberra such a wonderful place to live;
- (c) the National Settlement Outcomes Standards published by the Settlement Council of Australia articulate that best practice settlement, including that “newly arrived individuals and communities are:
 - (i) assisted to develop their knowledge and understanding of Australia’s social and political systems, and reinforce knowledge of their rights and responsibilities;
 - (ii) supported to share their own stories and opinions, to ensure that their voices help to shape Australia’s civic and political landscape; and
 - (iii) supported to preserve their own cultural identity and values (for example, through establishing cultural community associations and facilitating celebrations)”;
- (d) language is an integral part of cultural retention, and the invaluable work of Canberra’s community language schools to provide language, and cultural connection and training; and
- (e) the work that the ACT Government has undertaken to improve the accessibility of programs and services for the multicultural community, such as holding community workshops and simplifying grant guidelines;

(2) further notes that despite these contributions:

- (a) multicultural community organisations have reported having difficulty successfully obtaining government grants to allow them full cultural and civic participation;
- (b) multicultural communities face a range of barriers in equitably accessing government processes, for example, submissions and consultation; and
- (c) many local community language schools do not have secure tenure over their classroom space, and their funding allocation has not been updated in more than a decade; and

- (3) calls on the ACT Government to:
- (a) table the independent review of Canberra community language schools including its recommendations, and the ACT Government response, by 31 October 2021, and for the ACT Government response to consider ways to:
 - (i) ensure the status and stability of Canberra’s community language schools by investigating long-term affordable access to suitable venues in which to hold their classes;
 - (ii) enhance the quality, efficacy and financial sustainability of Canberra’s community language schools by reviewing per head funding, looking to other states’ funding models as a benchmark; and
 - (iii) investigate providing training through Canberra Institute of Technology at minimal or zero cost to community group volunteers to enhance their skills, invest in the community sector, and provide transferrable skills and qualifications;
 - (b) commit to ensuring that the ACT, via both government and community services, meets National Settlement Outcomes Standards published by the Settlement Council of Australia;
 - (c) commit to increasing the accessibility of grants to multicultural community groups, for example through:
 - (i) increasing the ability for peak bodies to auspice small grants programs with minimal barriers to entry; and
 - (ii) running sector specific information and training sessions for grant applications;
 - (d) commit to increasing civic participation, for example, through targeted support to write submissions, for budget and other inquiry processes; and
 - (e) report back to the Assembly by June 2022 on progress, including how participation in (i) submissions and (ii) grant applications and recipients, have changed. *(Notice given 2 August 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

*5 **MR HANSON:** To present a Bill for an Act to amend the *Bail Act 1992*. *(Notice given 2 August 2021).*

*6 **MS ORR:** To move—That this Assembly:

- (1) notes that:
 - (a) there are over 8,000 ACT residents who have a National Disability Insurance Scheme (NDIS) plan;
 - (b) when the NDIS was founded, at its core was the principle of person-centred support with choice and control given to people with disability to make decisions that affect their lives;

- (c) there has been a notable shift by the Commonwealth Government in recent years from the core principles that the NDIS was founded on;
- (d) the proposed independent assessments was the most recent example of the move away from person-centred support with choice and control given to people with disability, however other examples such as the attempt by the Commonwealth to change the rules of the NDIS on access to sex work services and other decisions have also been examples; and
- (e) states and territories have maintained the original core principle by, where possible, pushing back on proposed Commonwealth changes;
- (2) supports the core principle of person-centred support that gives choice and control to people with disability;
- (3) calls on the ACT Government to respect the wish of the ACT Legislative Assembly and continue to champion an NDIS where person-centred support, that gives choice and control to people with disability, is a core principle; and
- (4) calls on the Commonwealth to honour the commitment made by disability ministers in July 2021 to co-design any changes to the NDIS with people with disability and their supporters. *(Notice given 2 August 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

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

- (1) notes that:
 - (a) recent events reaffirm that correctional officers (COs) work in dangerous and sometimes life-threatening environments;
 - (b) over the past 12 months, there have been three serious fires at the Alexander Maconochie Centre (AMC), one escape, and other dangerous encounters between detainees and COs;
 - (c) in a 2007 Australian study, COs reported higher rates of formal psychological stress claims than any other occupational group;
 - (d) post-traumatic stress disorder (PTSD) in COs is linked to threats of violence and actual injuries, and COs at the AMC are at times not armed with defensive equipment;
 - (e) depression and anxiety are linked to low levels of perceived support, and AMC staff have recently passed a motion of no-confidence against a senior member of management;
 - (f) other international studies show high prevalence of mental disorders and PTSD among COs;
 - (g) a 2019 staff survey at the AMC showed that:
 - (i) 82.5 percent wanted more stress management training;
 - (ii) 77.7 percent wanted training in how to deal with PTSD or trauma;

- (iii) 62.1 percent wanted confidential links to counsellors or therapists; and
- (iv) 52.4 percent wanted online or digital resources related to health and wellbeing;
- (h) detainees have access to on-site counselling, but COs do not; and
- (i) research shows that early intervention following a traumatic event greatly reduces levels of post-traumatic stress reaction; and
- (2) calls on the ACT Government to:
 - (a) provide in-person, on-site counselling services during business hours for AMC staff that can be accessed on demand shortly after a distressing incident;
 - (b) review the policy that governs whether COs are unarmed during escorts with an aim to provide safety for COs and their mental wellbeing; and
 - (c) report back to the Assembly on the progress of this initiative by the first sitting day of November 2021. *(Notice given 2 August 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **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 last sitting day in October 2021.)*
 - 2 **CRIMES (STEALTHING) AMENDMENT BILL 2021:** *(Ms Lee): Agreement in principle—Resumption of debate (from 22 April 2021—Ms Berry).*
 - 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).*
 - 4 **CARERS RECOGNITION BILL 2021:** *(Ms Orr): Agreement in principle—Resumption of debate (from 23 June 2021—Ms Davidson).*
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ASSEMBLY BUSINESS

Notice

- *1 **MS CLAY:** To move—That, notwithstanding the provisions of the resolution of the Assembly of 2 December 2020, as amended 30 March and 22 April 2021, that established the general purpose standing committees, the Standing Committee on Planning, Transport and City Services shall present its report on the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2) by 22 September 2021. *(Notice given 30 July 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **ESTIMATES 2021-2022—SELECT COMMITTEE—PROPOSED ESTABLISHMENT:**
Resumption of debate *(from 3 June 2021—Mr Braddock)* on the motion of Mr Hanson—That, notwithstanding the provisions of the resolution of the Assembly on 2 December 2020, as amended 30 March 2021, establishing the general purpose standing committees, that:
 - (1) a Select Committee on Estimates 2021-2022 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2021-2022, the Appropriation (Office of the Legislative Assembly) Bill 2021-2022 and any revenue estimates proposed by the Government in the 2021-2022 Budget and prepare a report to the Assembly;
 - (2) the Committee be composed of:
 - (a) one Member to be nominated by the Government;
 - (b) one Member to be nominated by the Opposition; and
 - (c) one Member to be nominated by the ACT Greens;
 - (3) members of the Committee are to be notified in writing to the Speaker within two hours of this motion passing; an Opposition Member shall be elected chair of Committee by the Committee;
 - (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report by the Committee;
 - (5) the Committee is to report by Tuesday, 7 October 2021;
 - (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation;
 - (7) for the purpose of taking evidence the following will constitute a quorum:
 - (a) two members of the Committee; or
 - (b) one member of the Committee and any other non-executive Member of the Assembly;

- (8) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
- (9) with the establishment of the Select Committee on Estimates 2021-2022, the general purpose standing committees will not now inquire into expenditure proposals contained in the Appropriation Bill 2021-2022.

Last sitting day in October 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.
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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 and answered questions

The following questions asked by the Member indicated have been redirected to the Minister indicated and answers have been received:

- 287 Minister for Police and Emergency Services (*Ms Castley*).
- 331 Minister for Housing and Suburban Development (*Mr Milligan*).
- 332 Minister for the Environment (*Ms Castley*).
- 333 Minister for Water, Energy and Emissions Reduction (*Ms Castley*).
- 345 Minister for the Prevention of Domestic and Family Violence (*Mrs Kikkert*).

Unanswered questions*(Redirected question—30 days expired 25 July 2021)*

- 337 **MRS KIKKERT:** To ask the Minister for Families and Community Services—In relation to the provision under section 425 of the Children and Young People Act that allows for someone other than the director-general to apply to the Childrens Court for a care and protection order for a child or young person, how many times and in what circumstances has application to the court been made under this section of the Act.

(30 days expired 25 July 2021)

- 335 **MRS JONES:** To ask the Minister for Health—
- (1) What is the current total number of FTE midwives available for pre and postnatal care at Calvary Hospital and The Canberra Hospital.
 - (2) How many women are on a waiting list to see a midwife.
 - (3) For the last three financial years (a) how many pre and postnatal appointments were made with midwives each year, (b) how many births took place at Calvary and TCH each year, and (c) how many births took place at Calvary and TCH with no midwife present each year.
 - (4) What are the alternative services available for expectant mothers who are unable to access midwife care and how often were each accessed this last financial year?
- 346 **MRS KIKKERT:** To ask the Minister for Families and Community Services—
- (1) What specific reforms have been introduced into the territory's care and protection services because of what was learnt on the Minister's December 2018 United Kingdom and Ireland study tour.
 - (2) What specific reforms are in process of being implemented in the territory's care and protection system because of what was learnt on the study tour mentioned in part 1.
 - (3) What specific reforms are planned for the territory's care and protection system because of what was learnt on this study tour.
 - (4) What specific reforms have been introduced into the territory's youth justice system because of what was learnt on this study tour.
 - (5) What specific reforms are in process of being implemented in the territory's youth justice system because of what was learnt on this study tour.
 - (6) What specific reforms are planned for the territory's youth justice system because of what was learnt on this study tour.

- (7) Considering that the Minister in her report noted that Family Group Conferencing (FGC) is ‘now embedded across the system’ in Leeds, UK, contributing to a 15 per cent reduction in ‘looked after children’, what is the ACT Government’s plan for embedding FGC across its child protection system.
- (8) What are the indicator-based outcomes that are higher for children and young people in foster and residential care in Scotland in comparison to children at home.
- (9) Are there any indicator-based outcomes that are higher for children and young people in care and protection in the ACT in comparison to children at home.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

20 July 2021

Yerrabi Pond—Proposed upgrade—Minister for Transport and City Services—Petition lodged by Mr Pettersson (Pet 5-21).

Chisholm Village—Proposed development—Minister for Planning and Land Management—Petitions lodged by Ms Burch (Pet 10-21 and Pet 11-21).

23 July 2021

Yerrabi Pond—Proposed upgrade—Minister for Transport and City Services—Petition lodged by Mr Pettersson (Pet 14-21).

2 September 2021

Place naming convention and public statues—Increasing the prominence of women—Minister for Planning and Land Management—Petition lodged by Ms Orr (Pet 6-21).

Southern Gordon—Traffic management plan—Minister for Transport and City Services—Petition lodged by Mr Davis (Pet 13-21).

Fisher—Proposed footpath development—Minister for Transport and City Services—Petition lodged by Dr Paterson (Pet 18-21).

21 September 2021

Theodore—Proposed improvement to increase safety at the Lawrence Wackett Crescent and Tharwa Drive intersection—Minister for Transport and City Services—Petitions lodged by Mr Parton (Pets 17-21 and 20-21).

Bonner Oval—Proposed water bubbler and prioritise other amenities—Minister for Transport and City Services—Petition lodged by Ms Orr (Pet 7-21).

West Belconnen—Keeping the community greenwaste and landscape supplies open at Parkwood Road—Minister for Planning and Land Management—Petition lodged by Mr Cain (Pet 19-21).

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

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