



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021

MINUTES OF PROCEEDINGS

No 18

TUESDAY, 22 JUNE 2021

- 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 RESPONSES—PETITIONS AND RESPONSES NOTED

Petitions

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

Mr Parton, from 278 and 31 residents, respectively, requesting that the Government improve traffic safety at the intersection of Lawrence Wackett Crescent and Tharwa Drive in Theodore (e-Pet 17-21 and Pet 20-21).

Ms Orr, from 153 residents, requesting that the Government fund a bubbler and other amenities at Bonner Oval (e-Pet 7-21).

Mr Cain, from 2128 residents, requesting that the Government stop the closure of community green waste and landscaping supplies at Canberra Sand and Gravel in West Belconnen (e-Pet 19-21).

Pursuant to standing order 99A, this petition stands referred to the Standing Committee on Planning, Transport and City Services.

Ministerial response

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

Mr Gentleman (Minister for Planning and Land Management), dated 16 June 2021—Response to petition No 8-21, lodged by Mrs Kikkert on 30 March 2021, concerning requested expansion of the shops at Kippax Fair.

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

Debate ensued.

Question—put and passed.

3 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—REFERENCE—THEODORE—TRAFFIC MANAGEMENT—PETITIONS

Mr Parton, pursuant to standing order 99, moved—That the petitions relating to improving traffic safety in Theodore at the intersection of Lawrence Wackett Crescent and Tharwa Drive be referred to the Standing Committee on Planning, Transport and City Services.

Question—put and passed.

4 COVID-19—UPDATE ON GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPERS—PAPER NOTED

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

COVID-19—Update on Government response—Ministerial statement, 22 June 2021.

Status of the Public Health Emergency due to COVID-19—Chief Health Officer Report 15—10 June 2021, dated 22 June 2021.

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

Question—put and passed.

5 A.C.T. GOVERNMENT'S WORK TO CREATE SUSTAINABLE CANBERRA JOBS—UPDATE—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER

Mr Barr (Chief Minister) made a ministerial statement concerning an update on the ACT Government's work to create sustainable jobs in Canberra and presented the following paper:

ACT Government's work to create sustainable Canberra jobs—Update—Ministerial statement, 22 June 2021.

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

Debate adjourned (Ms Cheyne—Assistant Minister for Economic Development) and the resumption of the debate made an order of the day for the next sitting.

6 CHOOSECBR—MINISTERIAL STATEMENT—PAPER NOTED

Ms Cheyne (Minister for Business and Better Regulation) made a ministerial statement concerning ChooseCBR and presented the following paper:

Update on ChooseCBR—Ministerial statement, 22 June 2021.

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

Question—put and passed.

7 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 6—STATEMENT BY CHAIR

Mr Hanson (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 6, dated 15 June 2021, together with a copy of the extracts of the relevant minutes of proceedings—

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

8 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—TIMEFRAME FOR GOVERNMENT RESPONSES—STATEMENT BY CHAIR

Mr Hanson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) will now request that Government responses to Scrutiny report comments on bills be provided before the Bill comes back for debate, and that Government responses to Scrutiny report comments on delegated legislation be provided by a specific date, being the last of the six sitting days from the tabling of the instrument in which the Assembly may choose to disallow the instrument.

9 ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021

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.

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.

10 QUESTIONS

Questions without notice were asked.

11 PRESENTATION OF PAPERS

Ms Burch (Speaker) presented the following papers:

Auditor-General Act, pursuant to subsection 17(4)—Auditor-General's Report No 5/2021—Management of Closed-Circuit Television Systems, dated 18 June 2021.

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Detention Centre by the ACT Inspector of Correctional Services—Healthy Centre Review of Bimberi Youth Justice Centre 2020, dated June 2021.

Planning, Transport and City Services—Standing Committee—Bills referred but not inquired into—Loose-fill Asbestos Amendment Bill 2021—Correspondence to Speaker, dated 10 June 2021.

Standing order 191—Amendments—Courts and Other Justice Legislation Amendment Act, dated 3 and 7 June 2021.

12 PRESENTATION OF PAPERS

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

Human Rights Act, pursuant to subsection 43(1)—Protection of Rights Services Review—Final Report, dated February 2021.

Government response.

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 374 to the Territory Plan—Kaleen Indoor Sports Club: Kaleen section 89 block 4—Zone change and amendments to the Kaleen Precinct Map and Code.

Subordinate legislation (including explanatory statements unless otherwise stated)

Canberra Institute of Technology Act and Financial Management Act—

Canberra Institute of Technology (CIT Board Member) Appointment 2021 (No 1)—Disallowable Instrument DI2021-86 (LR, 1 June 2021).

Canberra Institute of Technology (CIT Board Member) Appointment 2021 (No 2)—Disallowable Instrument DI2021-87 (LR, 1 June 2021).

Electoral Act—Electoral (Fees) Determination 2021—Disallowable Instrument DI2021-88 (LR, 1 June 2021).

Public Trustee and Guardian Act—Public Trustee and Guardian (Fees) Determination 2021—Disallowable Instrument DI2021-85 (LR, 27 May 2021).

Road Transport (General) Act—Road Transport (General) Applications for Registration—Written-off Vehicles Declaration 2021 (No 1)—Disallowable Instrument DI2021-89 (LR, 28 May 2021).

13 HUMAN RIGHTS ACT—PROTECTION OF RIGHTS SERVICES REVIEW—FINAL REPORT—GOVERNMENT RESPONSE—PAPER NOTED

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

Human Rights Act, pursuant to subsection 43(1)—Protection of Rights Services Review—Final Report—Government response.

Debate ensued.

Question—put and passed.

14 ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2)

Ms Clay, pursuant to notice, presented a Bill for an Act to amend the *Road Transport (Safety and Traffic Management) Act 1999* and for other purposes.

Paper: Ms Clay presented an explanatory statement to the Bill.

Title read by Clerk.

Ms Clay moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Steel—Minister for Transport and City Services) and the resumption of the debate made an order of the day for the next sitting.

15 CHOOSECBR REVIEW

Ms Castley, pursuant to notice, moved—That this Assembly:

- (1) notes the Government's ChooseCBR scheme has been plagued with problems with serious questions about its integrity and how it has been monitored;
- (2) further notes:
 - (a) following a failed trial last December, the Government revamped ChooseCBR saying it was designed to support small businesses hit hard by the pandemic;
 - (b) only 336 small businesses participated in the failed trial and less than one quarter of eligible businesses signed up for the revamped scheme;
 - (c) despite the Business Minister telling the Assembly on June 3 the Government had made ChooseCBR "as simple as possible", after only two days it was forced to shut it down with the Minister saying the Government had underestimated demand and there were problems with the system's database and capacity;
 - (d) pressure tests were conducted to check if the crashed scheme could be revived;
 - (e) businesses pulled out of the scheme saying the system was unreliable and had caused too much distress for staff and customers;
 - (f) just 24 hours after ChooseCBR was relaunched last Friday, the allocated funds were exhausted;
 - (g) serious questions have been raised about the scheme's integrity such as how it was monitored to ensure vouchers were not misused and people were doing the right thing;

- (h) before the launch, the Canberra Liberals raised concerns with the Minister's office about how auditing would be conducted so Canberrans could have confidence in the scheme's integrity;
 - (i) it is unclear if the \$2 million went to businesses that genuinely needed support;
 - (j) some businesses put in more than 15 hours of work to be eligible for the scheme only to receive \$20 or \$50 benefit; and
 - (k) the Canberra Liberals support measures that genuinely help our 30 000 small businesses which employ one in four Canberrans, but the Minister must be upfront with the community about how the scheme operated; and
- (3) calls on the ACT Legislative Assembly to write to the ACT Auditor-General by the end of this sitting week requesting he conduct a comprehensive audit of ChooseCBR including but not limited to:
- (a) which businesses benefitted and by how much;
 - (b) how many people benefitted and by how much;
 - (c) any misappropriation of funds;
 - (d) what times of the day and night vouchers were redeemed; and
 - (e) administrative and marketing costs as well as the costs of designing the website and fixing the raft of technical problems.

Debate ensued.

Paper: Ms Cheyne (Minister for Business and Better Regulation) presented the following paper:

ChooseCBR independent review—Correspondence to the ACT Auditor-General, from the Minister for Business and Better Regulation, dated 22 June 2021.

Ms Cheyne moved the following amendment: Omit all words after "scheme" first occurring and substitute:

"has resulted in over \$5.1 million being spent in Canberra small businesses;

- (2) further notes:
- (a) 797 businesses redeemed at least one voucher;
619 businesses redeemed 10 or more vouchers;
267 businesses redeemed 50 or more vouchers;
133 businesses redeemed 100 or more vouchers; and
19 businesses redeemed 500 or more vouchers;
 - (b) the top six business types for voucher redemption were food retailing; cafes, restaurants and takeaway food services; recreational goods retailing; pharmaceutical, cosmetic and toiletry goods retailing; clothing, footwear and personal accessory retailing; and personal services; and

- (c) more than 30 000 customers redeemed vouchers;
- (3) further notes that the Government will procure an independent and comprehensive review of the ChooseCBR program including:
 - (a) program design and implementation;
 - (b) the spread of activity across businesses and consumers;
 - (c) an evaluation of the stimulus impact to determine if something similar would be appropriate in the event of a further economic downturn;
 - (d) any other relevant matter; and
 - (e) that the review will be publicly released by the last sitting day of 2021;
- (4) further notes that as per the *Auditor-General Act 1996* section 7 (2), the Auditor-General cannot be directed in relation to whether or not a particular audit is to be carried out but that he seeks input on the audit program, including from members of the Assembly; and
- (5) further notes that the Minister for Business and Better Regulation has written to the Auditor-General advising that:
 - (a) an independent review of the ChooseCBR program will be undertaken;
 - (b) the results of this review will be shared with the Auditor-General for his consideration; and
 - (c) the Minister welcomes engagement with the Auditor-General regarding his work program, including, but not limited to, if the Auditor-General made a decision to undertake an audit into the ChooseCBR program.”.

Debate continued.

Ms Cheyne, who had already spoken, by leave, again addressed the Assembly.

Debate continued.

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

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the Government’s ChooseCBR scheme has resulted in over \$5.1 million being spent in Canberra small businesses;
- (2) further notes:
 - (a) 797 businesses redeemed at least one voucher;
 - 619 businesses redeemed 10 or more vouchers;
 - 267 businesses redeemed 50 or more vouchers;
 - 133 businesses redeemed 100 or more vouchers; and
 - 19 businesses redeemed 500 or more vouchers;

- (b) the top six business types for voucher redemption were food retailing; cafes, restaurants and takeaway food services; recreational goods retailing; pharmaceutical, cosmetic and toiletry goods retailing; clothing, footwear and personal accessory retailing; and personal services; and
 - (c) more than 30 000 customers redeemed vouchers;
 - (3) further notes that the Government will procure an independent and comprehensive review of the ChooseCBR program including:
 - (a) program design and implementation;
 - (b) the spread of activity across businesses and consumers;
 - (c) an evaluation of the stimulus impact to determine if something similar would be appropriate in the event of a further economic downturn;
 - (d) any other relevant matter; and
 - (e) that the review will be publicly released by the last sitting day of 2021;
 - (4) further notes that as per the *Auditor-General Act 1996* section 7 (2), the Auditor-General cannot be directed in relation to whether or not a particular audit is to be carried out but that he seeks input on the audit program, including from members of the Assembly; and
 - (5) further notes that the Minister for Business and Better Regulation has written to the Auditor-General advising that:
 - (a) an independent review of the ChooseCBR program will be undertaken;
 - (b) the results of this review will be shared with the Auditor-General for his consideration; and
 - (c) the Minister welcomes engagement with the Auditor-General regarding his work program, including, but not limited to, if the Auditor-General made a decision to undertake an audit into the ChooseCBR program.”—
- be agreed to—put and passed.

16 E-SCOOTER SHARE SCHEME EXPANSION

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

- (1) notes the Dockless Shared Micromobility Guidelines and Policy announced by the ACT Government in July 2020 that enables an e-scooter share scheme to operate in the ACT;
- (2) notes the commencement of an e-scooter share scheme in September 2020 operated by Neuron Mobility and Beam that provides 1 500 devices across central Canberra and Belconnen for short term use;
- (3) further notes that the ACT Government is currently undertaking a review of the e-scooter share scheme;
- (4) acknowledges the recent YourSay Community Panel that found that:

- (a) in total 65 percent of Canberrans support the shared e-scooter scheme in the ACT with the highest levels of support among users of the scheme and younger Canberrans;
 - (b) support for expanding the scheme to other areas of Canberra was at 63 percent which followed the same characteristics as the primary support question; and
 - (c) Gungahlin residents have the highest support for expansion to their region at 80 percent of local respondents; and
- (5) calls on the ACT Government to enhance the e-scooter share scheme. This could include, but not be limited to:
- (a) expanding the geographical coverage of the share scheme to cover more districts, including Gungahlin and Mitchell;
 - (b) increasing the number of permitted e-scooters in the scheme and providing more designated parking areas;
 - (c) exploring opportunities to use the scheme to improve commuter connections to our public transport network;
 - (d) continuing to run public safety campaigns to ensure that e-scooters are used in ways that promote safety for riders and all members of the community; and
 - (e) continually assessing the operators of the shared scheme to ensure that their offering is safe, price competitive and responsive to the needs and priorities of the Canberra community.

Debate ensued.

Mr Parton moved the following amendment:

After paragraph (5) (c) insert new paragraph (5) (ca) and (5) (cb) as follows:

- “(ca) undertake a review of e-scooter accidents and collisions with a view to creating a safer environment for both users and pedestrians;
- (cb) ensure centres in Woden and Tuggeranong are included in expansion plans for e-scooter services;”.

Debate continued.

Amendment negatived.

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

17 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 4:59 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly