



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

2020–2021

MINUTES OF PROCEEDINGS

No 23

THURSDAY, 5 AUGUST 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 HEALTHY WATERWAYS FOR BETTER URBAN LAKES AND PONDS—MINISTERIAL STATEMENT—PAPER NOTED**

Mr Rattenbury (Minister for Water, Energy and Emissions Reduction) made a ministerial statement concerning healthy waterways for better urban lakes and ponds and presented the following paper:

Healthy waterways for better urban lakes and ponds—Ministerial statement, 5 August 2021.

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

Debate ensued.

Question—put and passed.

3 PRIVATE BUILDINGS CLADDING SCHEME—MINISTERIAL STATEMENT—PAPER NOTED

Ms Vassarotti (Minister for Sustainable Building and Construction) made a ministerial statement to update the Assembly on the measures taken to support the testing, assessment and rectification of potentially combustible cladding on privately-owned buildings, and presented the following paper:

Private Buildings Cladding Scheme—Ministerial statement, 5 August 2021.

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

Question—put and passed.

4 ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021

Mr Steel (Minister for Transport and City Services), pursuant to notice, presented a Bill for an Act to amend legislation about road transport, and for other purposes.

Paper: Mr Steel presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Mr Steel moved—That this Bill be agreed to in principle.

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

5 PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—INQUIRY—ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2)—REPORTING DATE

Ms Clay, pursuant to notice, moved—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.

Question—put and passed.

6 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—REPORT 6—REPORT ON THE CONDUCT OF MR PARTON MLA—REPORT ADOPTED—APOLOGY BY MEMBER

Ms Burch (Chair) presented the following report:

Administration and Procedure—Standing Committee—Report 6—*Report on the Conduct of Mr Parton MLA*, dated 5 August 2021, together with a copy of the extracts of the relevant minutes of proceedings.

Mr Braddock, by leave, moved—That the report be adopted.

Question—put and passed.

Mr Parton, in accordance with Recommendation 1 of the Report, made an apology to the Assembly.

7 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 2—INQUIRY INTO THE 2020 A.C.T. ELECTION AND THE ELECTORAL ACT—REPORT NOTED

Mr Hanson (Chair) presented the following report:

Justice and Community Safety—Standing Committee—Report 2—*Inquiry into the 2020 ACT Election and the Electoral Act*, dated 28 July 2021, including a dissenting report (Ms Clay), 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.

8 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Mr Hanson (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Justice and Community Safety.

Paper: Mr Hanson, pursuant to Continuing Resolution 5A, presented the following paper:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 January to 30 June 2021.

9 ECONOMY AND GENDER AND ECONOMIC EQUALITY—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Ms Castley (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Economy and Gender and Economic Equality.

Paper: Ms Castley, pursuant to Continuing Resolution 5A, presented the following paper:

Economy and Gender and Economic Equality—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 January to 30 June 2021.

10 WORK HEALTH AND SAFETY 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.

11 MINIMUM AGE OF CRIMINAL RESPONSIBILITY—MINISTERIAL STATEMENT—PAPER NOTED

The order of the day having been read for the resumption of the debate on the motion of Mr Rattenbury (Attorney-General)—That the Assembly take note of the paper (viz):

Minimum age of criminal responsibility—Ministerial statement, 24 June 2021—

Debate resumed.

Question—put and passed.

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

The order of the day having been read for the resumption of the date on the motion of Mr Barr (Chief Minister)—That the Assembly take note of the paper (viz):

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

Debate resumed.

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

13 QUESTIONS

Questions without notice being asked—

Paper: Mr Steel (Minister for Transport and City Services) presented the following paper: Light Rail to Woden—Construction traffic impacts—Question time brief, dated 26 July 2021.

Questions continued.

14 FULL MESOSCOPIC STUDY—PAPER—PROPOSED ORDER TO TABLE

Mr Hanson, by leave, moved—That, in accordance with standing order 213A, Mr Steel (Minister for Transport and City Services) table the full Mesoscopic study by close of business today.

Debate adjourned (Mr Barr—Chief Minister) and the resumption of the debate made an order of the day for a later hour this day.

15 PRESENTATION OF PAPERS

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

Auditor-General Act, pursuant to section 21—Auditor-General's Report No 4/2021—ACT Government's vehicle emissions reduction activities—Government response.

Coroners Act, pursuant to subsection 57(4)—Inquest into the death of Kaitlin O'Keefe McGill—Government response to Coronial recommendation, dated 5 August 2021, together with a statement, dated 5 August 2021.

Education and Care Services National Law as applied by the law of the States and Territories—Education and Care Services National Amendment Regulations 2021 (2021 No 380—New South Wales), including an explanatory memorandum.

Environment, Climate Change and Biodiversity—Standing Committee—Report 1—*Report on Annual and Financial Reports 2019-20 and Estimates 2020-21*—Update on Recommendation 2, dated August 2021.

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Report—1 January to 30 June 2021.

Planning and Development Act, pursuant to subsection 161(2)—Exercise of call-in powers—Statement by Minister—Development application No 202138534—Block 1 Section 58 Garran, dated 5 August 2021, including a Notice of Decision, dated 5 August 2021.

Territory-owned Corporations Act, pursuant to subsection 19(3)—Statement of Corporate Intent—Icon Water Limited—2020-21 to 2024-25 Business Strategy.

Victims of Crime Financial Assistance Scheme—Review—Projects Assisting Victims' Experience and Recovery (PAVER) Review—Revised.

16 AUDITOR-GENERAL ACT—AUDITOR-GENERAL'S REPORT NO 4/2021—A.C.T. GOVERNMENT'S VEHICLE EMISSIONS REDUCTION ACTIVITIES—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:

Auditor-General Act, pursuant to section 21—Auditor-General's Report No 4/2021—ACT Government's vehicle emissions reduction activities—Government response.

Debate ensued.

Question—put and passed.

17 PLANNING AND DEVELOPMENT ACT—EXERCISE OF CALL-IN POWERS—DEVELOPMENT APPLICATION NO 202138534—BLOCK 1 SECTION 58 GARRAN—PAPER NOTED

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

Planning and Development Act, pursuant to subsection 161(2)—Exercise of call-in powers—Statement by Minister—Development application No 202138534—Block 1 Section 58 Garran, including Notice of Decision.

Debate ensued.

Question—put and passed.

18 BAIL AMENDMENT BILL 2021

Mr Hanson, pursuant to notice, presented a Bill for an Act to amend the *Bail Act 1992*.

Paper: Mr Hanson presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Hanson moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Rattenbury—Attorney-General) and the resumption of the debate made an order of the day for the next sitting.

19 NATIONAL DISABILITY INSURANCE SCHEME

Ms Orr, pursuant to notice, moved—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.

Debate ensued.

Question—put and passed.

20 ALEXANDER MACONOCHIE CENTRE—CORRECTIONAL OFFICERS—MENTAL HEALTH SUPPORT

Mrs Kikkert, pursuant to notice, moved—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;
 - (e) COs at the AMC are at times not armed with defensive equipment;
 - (f) depression and anxiety are linked to low levels of perceived support, and AMC staff have reported no confidence about some aspects of ACT Corrective Services (ACTCS) senior management while also welcoming the new commissioner;
 - (g) other international studies show high prevalence of mental disorders and PTSD among COs;
 - (h) 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;
 - (i) detainees have access to on-site counselling, but COs do not;
 - (j) research shows that early intervention following a traumatic event greatly reduces levels of post-traumatic stress reaction; and
 - (k) the existing peer support officers do quality work to support corrections staff; and
- (2) calls on the ACT Government to:
- (a) enhance wellbeing and mental health support for ACTCS staff, including COs, and explore options such as an on-site PTSD and trauma specialising counsellor;
 - (b) as part of the Government's response to the inspector's report, review the policy which governs whether COs are unarmed during escorts;
 - (c) report back to the Assembly on the progress of the initiatives as part of the Government's response to the inspector's review of the 9 July 2021 incident; and
 - (d) ensure that support services for staff are easily accessible and that staff are actively made aware of these supports.

Debate ensued.

Question—put and passed.

21 FULL MESOSCOPIC STUDY—PAPER—ORDER TO TABLE

The order of the day having been read for the resumption of the debate on the motion of Mr Hanson (see [entry 14](#))—

Debate resumed by Mr Gentleman (Manager of Government Business), who moved the following amendment: Omit all words after “study”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That, in accordance with standing order 213A, Mr Steel (Minister for Transport and City Services) table the full Mesoscopic study.”—

be agreed to—put and passed.

22 ADJOURNMENT

Ms Cheyne (Assistant Minister for Economic Development) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.11 pm, adjourned until Tuesday, 31 August 2021 at 10 am.

MEMBERS’ ATTENDANCE: All Members were present at some time during the sitting, except Ms Lawder*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly