

# Matters of public importance—your Assembly @ work

**Sitting week—2 to 6 May 2022**

**Issue 4/2022**

## Government Business

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

### Bills introduced

###  [Health Legislation Amendment Bill 2022](https://www.legislation.act.gov.au/b/db_65938/) (presented 4 May)

###  Summary: This bill will amend the Medicines, Poisons and Therapeutic Goods Act 2008 to allow compliance testing to occur for sales of e-cigarettes to minors. The amendments will clarify that no smoking products may be sold via vending machines and will exempt community pharmacists from the requirement to source nicotine vaping products from a wholesaler who holds an ACT Tobacco licence. Amendments will also be made to the Tobacco and Other Smoking Products Act 1927, by this bill, to extend the application of Commonwealth therapeutics goods laws in the Territory. Amendments to the Transplantation and Anatomy Act 1978 will also be made to resolve technical legal compatibility issues between the Act and the Births, Deaths and Marriages Registration Act 1997.

###  [Terrorism (Extraordinary Temporary Powers) Amendment Bill 2022](https://www.legislation.act.gov.au/b/db_65938/) (presented 5 May)

###  Summary: This bill will amend Terrorism (Extraordinary Temporary Powers) Act 2006 to extend the operation of the Act for a further five years, to 19 November 2027, and requires that a further statutory review of the Act be provided to the Legislative Assembly a year before the expiry of the extension. The bill also makes several amendments aimed at strengthening human rights protections for individuals detained under the Act.

### Bills debated

###  [Fair Trading and Other Justice Legislation Amendment Bill 2022](https://www.legislation.act.gov.au/b/db_65843/) (presented 7 April)

###  Summary: This bill will amend fair trading legislation of the Territory to provide greater consumer protection outcomes. The amendments will include reforms to the regulation of the real estate industry to improve professional standards and qualifications and streamline the licensing framework for the industry. Amendments will be made to the licensing framework for gaming machine suppliers in the relevant legislation. The bill will also amend bookmaking legislation to provide that only corporations and not individuals or syndicates may hold a sports bookmaking licence. A number of minor and technical amendments will also be made to the Retirement Villages Act 2012 and the Retirement Villages Regulation 2013 to clarify uncertainties predominantly relating to meeting procedures.

###  Proceedings: Debate resumed on this bill on 5 May with all parties in the Assembly indicating support for the proposed legislation. The bill was agreed to in principle.

###  The bill was passed by the Assembly without amendment.

### Ministerial statements

On 3 May, the Minister for Education and Youth Affairs made a ministerial statement concerning phase one of the implementation plan for Set Up For Success, an **early childhood strategy for the ACT**. During the statement the Minister outlined key achievements made since the launch of the strategy in August 2020.

Improving the **public housing application process** was the subject of a ministerial statement made by the Minister for Homelessness and Housing Services on 3 May. During the statement the Minister informed the Assembly of improvements being made through the reimagining gateway services project, which is part of a series of major systems improvement projects being implemented by Housing ACT. Although these improvements will streamline the online application process the Minister confirmed that Housing ACT will also continue to provide face-to-face services, as they are vital for many people who are not in a position to use online application processes. Mr Parton MLA also addressed the Assembly on the subject.

**Recognition for first responders** was the subject of a ministerial statement made by the Minister for Police and Emergency Services on 4 May. During the statement the Minister highlighted that during the last three years the community had experienced some of the most extreme weather events in Australian history combined with the added complexity of a global pandemic and commended the volunteers and staff across all directorates of the ACT Government for their unwavering commitment in supporting the community through these difficult and ever-changing times.

On 4 May, the Minister for Skills provided an update to the Assembly on the **Skilled to Succeed strategy** launched on 29 April 2022. The Minister stated that a highly skilled workforce is the cornerstone for a strong and growing economy and added that the strategy outlined plans for harnessing the ambition and optimism that thrives in the community among local students and workers who are ambitious for their futures and optimistic about what their futures hold.

The Minister for Mental Health made a ministerial statement on 4 May in response to the Assembly resolution of 2 December 2021 concerning **mental health, alcohol and other drug use disorders treatment services**. During the statement the Minister stated that the Assembly’s resolution was important for the people in the community who experience both mental health and alcohol and other drug issues, including carers and families. The Minister went on to provide an overview of the ACT Government’s services and commitments to address co-occurring mental health and substance use issues and stated that she is committed to continuing to work closely with the Minister for Health to ensure that ACT services are closely integrated and able to provide the right care, at the right time, in the right place.

The **Home Energy Support Program and Business Fleet Advisory Service** was the subject of a ministerial statement made by the Minister for Water, Energy and Emissions Reduction on 5 May.

The Minister, during his statement, indicated that although the ACT is a small jurisdiction, it can show other jurisdictions, and the world, what is possible to achieve in the transition to a zero emissions future, while supporting Canberra households and businesses with the transition. The Minister also outlined the details of the two new innovation initiatives, being the Home Energy Support Program and Business Fleet Advisory Service. Ms Clay MLA also made a statement in relation to the minister’s statement.

On 5 May, the Minister for Health provided an update on the **Canberra Hospital Expansion Project** and outlined details of the work that had occurred on the project since her last update to the Assembly in February 2021. At the conclusion of the statement, the Minister stated that the project is a record investment in the future of the Territory’s health system and was the largest health infrastructure project since self-government. Ms Davidson MLA also made comments on the statement.

Further ministerial statements made during the sitting week related to:

 **Age-Friendly City Plan—Second progress report**—Minister for Veterans and Seniors *(3 May)*

 **Bimberi Headline Indicators Report**—Assistant Minister for Families and Community Services *(5 May)*

 **Ministerial Advisory Council on Ageing Work Plan**—Minister for Veterans and Seniors *(4 May)*

 **Summary of 2021-22 high risk weather season (bushfire and storm)**—Minister for Police and Emergency Services *(3 May)*

 **Update on the ACT Government’s response to the COVID-19 emergency**—Minister for Health *(3 May)*

 **Workplace Culture Within ACT Public Health Services—Biannual Update on the Implementation of the Recommendations of the Final Report and Update on the Assembly Resolution of 13 May 2021**—Minister for Health *(4 May)*

 **World Bee Day and the ACT’s Capital Food and Fibre Strategy**—Minister for the Environment *(4 May)*

 **World Day for Safety and Health at Work and Workers’ Memorial Day**—Minister for Industrial Relations and Workplace Safety *(4 May)*

 **Wrongful Conviction: Reforms to the Right to Appeal and Right to Compensation**—Attorney-General *(5 May)*

The full text of the statements can be found on the Assembly [*Hansard*](http://www.hansard.act.gov.au/hansard/2021/links/download.htm) site once finalised or view from [Assembly on Demand](https://aod.parliament.act.gov.au/).

## 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***

### Motions debated

On 3 May a motion was moved, referring to the Commissioner for Standards, the **actions of a member** in relation to correspondence with constituents. Following debate, the motion was passed by the Assembly without amendment.

A motion was moved by the Opposition, on 5 May, seeking to refer certain matters concerning workplace safety at the Dhulwa Secure Mental Health Unit to the Assembly’s Standing Committee on Health and Community Wellbeing. The terms of the motion included, among other matters, noting that staff turnover was high and violence has been an issue at Dhulwa since it opened. The motion sought to refer, to the committee, the adequacy of current security and staff safety arrangements, staff numbers and roles/positions to ensure staff are safe and protected and the current protocols and procedures for staff responding to, and reporting on, incidents and violence. During debate amendments moved by the Government included noting that on 5 April, the Australian Nursing and Midwifery Federation called for an inquiry into the Dhulwa and that on 2 May the Government committee to an inquiry into the legislative, clinical and governance framework to ensure that Dhulwa operates under best practice standards. The amendments also included that the Assembly defer a decision on the referral of the matter to the Assembly committee until the final report of the inquiry was published. The Government’s amendments were agreed to following a vote of the Assembly.

The amended motion was passed.

The ACT Greens moved a motion on 5 May seeking to refer the impact of **platform-based short-term accommodation** providers on rental affordability in the Territory to the Standing Committee on Planning, Transport and City Services. The motion included noting that the ACT is experiencing a shortage of long-term rental accommodation which is increasing rent and an entire residential dwelling which is used for platform-based short-term accommodation, is a habitable dwelling that is removed from the rental market. The motion requested, that if the committee chose to inquire into the matter, it investigate the current regulatory and planning settings for managing such accommodation and whether these settings may contribute to the number of long-term rental properties available in the ACT and where additional regulatory and planning settings are required to manage the ACT’s platform-based short-term accommodation industry.

The motion was passed by the Assembly without amendment following debate.

The full terms of the above motions can be found in the [Minutes of Proceedings](https://www.parliament.act.gov.au/parliamentary-business/in-the-chamber/chamber-documents).

## Private Members’ Business

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

### Motions debated

A motion concerning the **working conditions of casual and contract workers** in the ACT was moved by Mr Pettersson MLA on 3 May. The motion included noting that over two million Australians are employed casually, people working in casualised work are some of the most economically vulnerable in our community and that the Victorian Government had recently announced it will introduce the Victorian Sick Pay Guarantee to provide up to five paid sick days for casual workers per year.

The motion acknowledged the work of the ACT Government to, among other things, establish the Secure Employment Framework to support the transition from insecure work arrangements to permanency within the ACT public sector. The motion also included calling on the Government to continue to materially improve the working conditions of ACT residents and to investigate providing sick and carer’s pay for casual and contract workers who work in industries that do not usually have access to such pay with the work to be undertaken in consultation with relevant trade unions and other stakeholders. During debate an amendment was moved by the Opposition that included requesting 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 such pay. The proposed amendment was agreed after debate.

The amended motion was passed by the Assembly.

**Public transport workforce and timetables** was the subject of a motion moved by Ms Clay MLA on 4 May. The motion included noting that 62 percent of the ACT’s tracked climate emissions came from transport, primarily cars and that cars also contribute to congestion and poor air quality. The motion noted that public transport service frequency and reliability, particularly on weekends, are barriers to bus use for some Canberrans and that Transport Canberra has fewer women bus drivers than the national average. The motion also noted that Transport Canberra is operating on an interim timetable due to COVID-related staff absences and that weekend services are only available two hourly for most services after 12 pm on Saturdays and all day Sundays and the current Transport Canberra enterprise agreement does not support workplace flexibility. The motion called on the ACT Government to, among other things, expand Transport Canberra’s workforce to provide sufficient drivers to return to the regular timetable as soon as possible this year, to develop a Women in Transport Program that includes increasing the percentage of women across Transport Canberra’s driver roles and provide an option for new and existing drivers to work full or part-time without having to work a Monday to Friday work week. Although not opposing the motion, the Opposition outlined a number of concerns with its contents. The Government indicated support for the motion.

The motion was passed by the Assembly without amendment.

On 5 May, Ms Lee MLA moved a motion in relation to the ACT’s **land release program**. The motion included noting that in 2016 the National Capital Plan was amended, greatly reducing the amount of ACT land controlled by the Commonwealth and transferring it to the ACT Government’s jurisdiction and as part of the amended National Capital Plan, 726 hectares of land in Tuggeranong was identified as suitable for potential residential development. The motion also noted that there is a housing crisis in Canberra and there is a clear demand for blocks of land for detached housing. The motion included calling on the Government to provide Canberrans with more choice, including land for detached and medium-density housing in the Indicative Land Release Program, and give proper consideration to possible future suburban sites now permitted by the National Capital Plan with the Government to report back to the Assembly by the last sitting day in 2022. During debate, an amendment was moved by the Government that noted that the Government had conducted initial planning studies in West Murrumbidgee in 2015 and found that the area is restricted in terms of conservation areas and reserves, threatened species and ecological communities, heritage and topography and that these factors limit the developable area and makes infrastructure servicing expensive.

The amendment also noted that the Government had considered development in the West Greenway area in 2016 and found that certain groups opposed the development and that the area close to the Murrumbidgee River corridor was home to endangered flora and fauna as well as natural and built heritage sites. The amendment noted that the Government ruled out development in West Murrumbidgee in the 2018 Planning Strategy. The amendment called on the Government to continue a policy of 70 percent urban infill and 30 percent greenfields development and to continue to identify suitable locations for additional medium density development in inner suburbs. The Government’s amendment was agreed to following a vote of the Assembly.

The amended motion was passed.

Further motions debated during the sitting week related to:

 **Australian Public Sector contractors and consultants**—Mr Hanson MLA*(3 May)*

 **Importance of the defence industry to the Canberra community**—Mr Hanson MLA *(4 May)*

### Bill debated

###  [Crimes (Consent) Amendment Bill 2022](https://www.legislation.act.gov.au/b/db_65603/) (presented 8 February)

 *Summary:* This bill will amend the *Crimes Act 1900* by outlining the principles of sexual consent, providing a meaning of consent, articulating a set of circumstances under which consent is not deemed given and also introduces the concept of reasonable belief in relation to a person’s consent.

 *Proceedings:* Debate resumed on this bill on 5 May with all parties indicating support for the passage of the proposed legislation during debate. The bill was agreed to in principle. During the detail stage a number of amendments were moved and agreed to. The amendments were in response to comments made by the Assembly’s Scrutiny Committee or were minor and technical.

The amended bill was passed by the Assembly.

The full debate on the above motions and bill can be accessed from the Assembly [*Hansard*](http://www.hansard.act.gov.au/hansard/2021/links/download.htm) site once finalised or viewed on [Assembly on Demand](https://aod.parliament.act.gov.au/).

The full terms of the above motions can be found in the [Minutes of Proceedings](https://www.parliament.act.gov.au/parliamentary-business/in-the-chamber/chamber-documents).

## Petitions and petition responses

The following petitions were lodged—

* Funding for community-led upgrade of Braddon Park—two petitions lodged by Ms Lee MLA *(3 May)*

The following ministerial responses to petitions were lodged—

* Installation of speed limit signage on Bateman Street, Kambah—Minister for Transport and City Services *(4 May)*
* Proposed inquiry into the use of Auslan in the ACT—Minister for Disability *(3 May)*
* Refurbishment of Gungahlin skate park—Minister for Transport and City Services *(4 May)*
* Removal of the Moncrieff drying pad—Minister for Transport and City Services *(4 May)*

A copy of the petitions can be found on the [Assembly website](https://www.parliament.act.gov.au/parliamentary-business/in-the-chamber/petitions).

## Papers Presented

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

* ACT Aboriginal and Torres Strait Islander Agreement 2019-2028—Revised ACT Impact Statement 2021
* Approvals of Variations to the Territory Plan—
* Variation to the Territory Plan 368—City and Gateway South Northbourne Avenue Corridor
* Variation to the Territory Plan 369—Living Infrastructure in Residential Zones
* A Step Up for Our Kids Snapshot Report—A presentation of data covering 1 July 2017 to 31 December 2021
* Canberra Institute of Technology—2020-2021 Annual Report
* COVID-19 Measures—Report 14 for the period 1 January to 31 March 2022, pursuant to the *COVID-19 Emergency Response Act 2020*
* Our Booris, Our Way—Review—Six Monthly Update for the period July to December 2021
* Report of the Coroner in relation to the Inquest into the death of Blake Andrew Corney and Government response to the report
* Review of a Critical Incident by the ACT Inspector of Correctional Services—Hostage taking incident at the Alexander Maconochie Centre on 27 March 2021—Government Response

## Committee Activities

### Committee reports

#### Education and Community Inclusion—Standing Committee

####  [Report 3—Managing ACT School Infrastructure](https://www.parliament.act.gov.au/__data/assets/pdf_file/0005/1996745/Report-3-Management-ACT-School-Infrastructure.pdf)

#### Health and Community Wellbeing—Standing Committee

####  [Report 5—Review of ACT Health Programs—Children and young people and responses to Fetal Alcohol Spectrum Disorder (FASD)](https://www.parliament.act.gov.au/__data/assets/pdf_file/0009/1998153/HCW-Committee-report-V5-Tabling-3-May-2022.pdf)

#### Justice and Community Safety—Standing Committee

####  [Report 5—Inquiry into Family Violence Legislation Amendment Bill 2022](https://www.parliament.act.gov.au/__data/assets/pdf_file/0010/1988677/JCS-Report-5-Inquiry-into-Family-Violence-Legislation-Amendment-Bill-2022.pdf)

#### Scrutiny Committee

####  [Scrutiny Report 15](https://www.parliament.act.gov.au/__data/assets/pdf_file/0011/1992647/Report-15-27-April-22.pdf)

This report, presented on 3 May, contained the committee’s comments on four bills, 20 pieces of subordinate legislation, one government response and one Private Members’ response.

### Committee statements

#### Administration and Procedure—Standing Committee

The chair of the committee informed the Assembly, on 3 May, that the committee had resolved to include consideration of the amendment of standing order 113A, relating to question time, in the major review of all standing orders that will commence mid-2022.

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

####  On 3 May, the chair of the committee made a statement informing the Assembly that the committee had resolved to conduct an inquiry into and report on housing and rental affordability in the ACT.

####  The chair made a further statement on 3 May informing the Assembly that the committee had resolved to extend the deadline for submissions for its inquiry into the future of the working week to 28 October 2022.

#### Education and Community Inclusion—Standing Committee

####  On 5 May, the chair of the committee made a statement informing the Assembly that the committee had resolved to inquire and report on ACT skate parks.

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

####  On 5 May, the chair made a statement concerning the committee’s consideration of statutory appointments for the period 1 July to 31 December 2021. At the conclusion of the statement the chair presented the following paper:

* Schedule of Statutory Appointments for the period 1 July to 31 December 2021—Standing Committee on Environment, Climate Change and Biodiversity

### Government response to committee report

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

Report 9—Inquiry into the Impact of Revised Speed Limits in Civic—Petitions 31-21 and 38-21

## 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

**Wednesday, 1 June 2022.**

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