



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

TENTH ASSEMBLY

16 SEPTEMBER 2021

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Thursday, 16 September 2021

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Thursday, 16 September 2021

MADAM SPEAKER (Ms Burch) (10.00): Members:

Dhawura nguna, dhawura Ngunnawal.
Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.
Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

The words I have just spoken are in the language of the traditional custodians and translate to:

This is Ngunnawal country.
Today we are gathering on Ngunnawal country.
We always pay respect to Elders, female and male, and Ngunnawal country.

Members, I ask you to stand in silence and pray or reflect on our responsibilities to the people of the Australian Capital Territory.

Papers

Madam Speaker presented the following papers:

Notice amending the 2021 sitting pattern of the Legislative Assembly for the Australian Capital Territory—Special Gazette No S2, Thursday, 19 August 2021.

Copies of email requests to the Speaker, requesting that the scheduled sittings of Tuesday, 31 August, Wednesday, 1 September and Thursday, 2 September 2021 not proceed:

Mr Barr	Mr Gentleman	Mr Parton
Mr Braddock	Mr Hanson	Dr Paterson
Mr Cain	Mrs Jones	Mr Pettersson
Ms Castley	Ms Lee	Mr Steel
Ms Clay	Mr Milligan	Ms Stephen-Smith
Ms Davidson	Ms Orr	Ms Vassarotti

Notice amending the 2021 sitting pattern of the Legislative Assembly for the Australian Capital Territory—Special Gazette No S3, Monday, 23 August 2021.

Copies of email requests to the Speaker, requesting that the Assembly sit on Thursday, 16 September 2021 at 10 am:

Mr Barr	Ms Clay	Ms Orr
Ms Berry	Ms Davidson	Mr Pettersson
Mr Braddock	Mr Davis	Mr Rattenbury
Mr Cain	Mr Hanson	Mr Steel
Ms Castley	Ms Lee	Ms Stephen-Smith
Ms Cheyne	Mr Milligan	Ms Vassarotti

Petitions

The following petitions were lodged for presentation:

Public housing—maintenance—petition 37-21

By Mr Parton, from 14 residents:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

- public housing tenants in the ACT feel that they are being ignored when they seek help on fixing the poor conditions of their dwellings;
- Canberra’s public housing tenants have a reasonable entitlement to a dwelling that is safe to live in and the ACT Government has an obligation to provide public housing that is free of risks to health and safety of residents;
- the provision of maintenance services to ACT public housing tenants in the last financial year was unsatisfactory.

Your petitioners therefore request the Assembly to call on the ACT Government to:

- ensure that maintenance requests from public housing tenants are dealt with within the required time frame; and
- rectify all public housing dwellings that are in breach of or below health and safety standards.

Roads—speed limits—petitions 31-21 and 38-21

By Mr Parton, from 1,286 and 17 residents in substantially the same terms:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

The following residents of the ACT draw to the attention of the Assembly:

- the imposition of additional 40kph speed limit zones in Civic has produced extremely perverse outcomes for Canberrans;
- thousands of individuals have been penalized for failing to comply with extremely confusing signage regimes in the new speed limit areas;
- the so-called grace period combined with lack of effective warning and signage and a massive number of fines demonstrate a callous government failure.

Your petitioners, therefore, request the Assembly to call on the ACT Government to:

- waive the fines and penalties incurred in the month July 2021 in the new 40kph speed limited zones in Civic; and
- take action to make it absolutely clear as to where these speed limits apply.

Pursuant to standing order 99A, the petitions, having more than 500 signatories, were referred to the Standing Committee on Planning, Transport and City Services.

Domestic Animal Services—dogs—petition 9-21

By Ms Lawder, from 114 residents:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

The following residents of the ACT draw to the attention of the Assembly: Signatories acknowledge that Domestic Animal Services (DAS) is an important community amenity which assists in ensuring a safe neighbourhood environment.

However, there must be steps taken to ensure that DAS continues to be a more effective and transparent service.

Your petitioners, therefore, request the Assembly to call on the ACT Government to:

Call on the Minister for City Services to improve operations at DAS including but not limited to:

- (1) Require dog owners to take preventative action to prevent barking dogs disturbing the community
- (2) Request that DAS is more transparent with the broader community regarding their practices and investigations
- (3) Require DAS to be more accountable to the community for the outcomes of their investigations
- (4) Recognise that Canberrans deserve an effective and transparent DAS considering the high rates they pay
- (5) Amend relevant legislation such as the Domestic Animals Act, rules, laws and procedures to effect the above.

Municipal services—cycle lanes—petition 25-21

By Mrs Kikkert, from 21 residents:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

The following residents of the ACT draw to the attention of the ACT Assembly: that (1) Drake-Brockman Drive is a single carriageway road and is the primary route to the city for many Ginninderry, Holt and Higgins residents;

- (2) the duplication of Drake-Brockman Drive is forthcoming;
- (3) population growth is rapid in the Ginninderry area, and demand for safe bicycle lanes is increasing;

- (4) the bicycle lane between Macnaughton Street and Kingsford Smith Drive is very narrow with faded lane markings and symbols, making cyclists feel unsafe; and
- (5) the bicycle lanes along both sides of Southern Cross Drive from Holt to the Belconnen Town Centre occur in discontinuous segments.

Your petitioners, therefore, request the Assembly to call on the ACT Government to:

- (1) improve the bicycle routes on both sides of Drake-Brockman Drive;
- (2) ensure that designs for the duplication of Drake-Brockman Drive include shifting the bicycle lanes from on-road to exclusively off-road;
- (3) ensure the bicycle lanes on both sides of Southern Cross Drive are continuous along its entire length from Holt to the Belconnen Town Centre;
- (4) where it is not possible for the bicycle lane on Southern Cross Drive to be on the road, ensure there are smoothed kerb transitions between the road and nearby paths.

COVID-19—disaster payments—petition 36-21

By Mr Braddock, from 588 residents:

To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory

The following residents of the ACT draw to the attention of the Assembly:

The Australian Unemployed Workers' Union Canberra writes on behalf of all ACT unemployed workers and residents who rely on social security payments.

It is unconscionable that anyone should live in poverty in an affluent country's most affluent city. Yet 50,000+ Canberrans are forced to rely on social security payments that are well below the Henderson Poverty Line. Worse still, 90% of low-income Canberrans are locked out of federal COVID disaster payments (Source: Australian Council of Social Service), and 100% are locked out of ACT test-and-isolate payments.

A significant body of new research finds people in poverty are unable, not unwilling, to comply with COVID guidelines. We are forced into making unsafe choices because better options are unavailable. These include having to shop more frequently and in person rather than using delivery and continuing to work in high-risk situations because we cannot afford to lose income. This jeopardises public health and puts everyone at risk.

Your petitioners, therefore, request the Assembly to call upon the Government to support people on social security and protect our whole community by disbursing, from the Territory budget, disaster payments of \$200/week - backdated to the beginning of lockdown 12/08/2021 - to all ACT residents surviving on federal Income support until such a time as their payments are raised above the Henderson Poverty Line (currently \$83/day).

Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Economy and Gender and Economic Equality.

The Clerk having announced that the terms of the petitions would be recorded in Hansard and referred to the appropriate ministers for response pursuant to standing order 100, the petitions were received.

Ministerial responses

The following responses to petitions have been lodged:

Planning—diversity—petition 6-21

By **Mr Gentleman**, Minister for Planning and Land Management, dated 31 August 2021, in response to a petition lodged by Ms Orr on 2 June 2021 concerning the recognition and representation of women, especially women of diverse backgrounds and First Nation leaders, in place naming and public statues.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 2 June 2021 providing Petition No 6-21, lodged by Ms Suzanne Orr MLA, concerning the representation of women, especially women of diverse backgrounds and First Nation leaders, recognised in place naming and public statues in the ACT.

The petition calls on the ACT Government to look to promote equality and diversity in the people we recognise through public commemoration; increase the prominence of women in place naming conventions across the Territory; and identify opportunities to increase the representation of women, especially of diverse backgrounds and First Nations leaders in our public statues.

The ACT Place Names Advisory Committee (the committee) provides advice to me about the naming of divisions (suburbs), public places and the commemoration of eminent Australians. The committee shares my commitment for place names which recognise our diverse and inclusive community, both locally and nationally. This aligns with a range of commitments in the ACT with respect to LGBTIQ+ inclusion and visibility.

The Commonwealth holds responsibility for the naming of public places on National land in the ACT and for the commissioning and installation of statues of national significance.

Minister for the Arts, Tara Cheyne MLA, has provided advice to me about the representation of women in the ACT Government's Public Art Collection and about measures to address the gender imbalance of women as artists and subjects in the collection.

The Public Place Names Act 1989 was amended in 2002 to require consideration of the number of women and men after whom divisions or public places have

been named in the last 10 years, and whether the names of women are well represented. I have strengthened the requirement for greater diversity by approving new guidelines under the Act which provide for 'the desirability for the totality of public place names in the ACT to be reflective of diverse cultural situations and cognisant of community sensitivities'.

I am pleased that over the past 10 years, three divisions have been named recognising notable women, that is, Lady Gertrude Denman GBE, Dame Jean Macnamara DBE and Judith Wright. In addition, the names of six public parks have been determined to recognise the contribution of women such as Judy Harris OAM, for Aboriginal health services; poet Rosemary Dobson AO, a longstanding supporter of poetry and literature in the ACT; and architect, Gene Willsford.

In relation to division names, I am advised that the Australian and New Zealand Rural and Urban Addressing Standard ASNZ4819-2011 provides that locality names (including divisions) shall not be duplicated in Australia. The names of some prominent female leaders in Australian history, including Edith Cowan and Henrietta Grenville, cannot be easily considered for the ACT as the locality names Cowan and Grenville already exist in other states.

I can confirm that the gender representation in new road names in the ACT has steadily improved over the past 10 years to approximately 40% women and 60% men. I acknowledge that it can be difficult to identify women for posthumous commemoration under some established nomenclature themes, such as 'Defence Personnel' in Campbell. In recent years, the committee has made sure that new division themes provide for wider opportunities to recognise women and diversity.

In Denman Prospect, the theme 'activism and reform' has enabled place names commemorating activists including LEontine Cooper, Muriel Matters, Nellie Martel and Nessie Skuta and a pioneer for women's rights in the law, Joan Rosanove QC. In total the road names commemorate the names of 41 women compared to 22 men. Since 2016, leading female architects and town planners have been commemorated in Taylor, named for Florence Taylor MBE, including Margaret Feilman, Heather Sutherland and Helen Proudfoot.

During the current committee term, I am expecting new place names will be determined in Jacka (valour and community service); Kenny, named for Sister Elizabeth Kenny, (nurses and health administrators); Macnamara (science and technology) and Whitlam (arts and culture) to posthumously recognise a range of women for their significant contribution to the community.

I encourage the petitioners to nominate women for commemoration by completing the electronic 'Proposal for Commemoration' form available from the ACT Place Names website or by contacting the Co-chair of the ACT Place Names Advisory Committee at email placenames@act.gov.au.

Regarding public statues in the ACT, the ACT Government owns and manages 117 public artworks. The Commonwealth Government, private individuals and companies also own public artworks located in public spaces across the Territory. As noted by the petitioners, statues in the ACT including those in the ACT Public Art Collection do not fully reflect the diversity of our community.

Women are poorly represented, not only as artists but also as subjects in the collection.

Historically, male artists have dominated the practice of sculpture in Australia. This is reflected in the make-up of the ACT Government's collection. Of the 117 artworks in the collection managed by artsACT, 83 artworks are by male artists, 24 works by female artists and 11 by male and female artists working together.

The ACT Government is looking to increase diversity in the ACT Government's public art collection. The Minister for the Arts has advised me that a first step towards addressing this gender imbalance in the collection is to amend the ACT Public Art Guidelines. The Guidelines are currently being amended to highlight how to apply diversity, equality and inclusion principles to the artwork commissioning process. Although the Guidelines are not mandatory, for artworks to be accepted into the collection for long term care and management by the ACT Government it will need to be demonstrated that these principles have been applied to the commissioning process.

I trust this information is of assistance.

Gordon—traffic management—petition 13-21

By **Mr Steel**, Minister for Transport and City Services, dated 30 August 2021, in response to a petition lodged by Mr Davis on 2 June 2021 concerning improvements to traffic management in Gordon.

The response read as follows:

Dear Mr Duncan

Thank you for your letter dated 2 June 2021 regarding petition 13-21, lodged by Mr Johnathan Davis MLA. The petition has requested improvements to traffic management in Gordon, as such, my response to the petition is detailed below.

Transport Canberra and City Services (TCCS) considers a range of factors such as traffic volume and speed data, crash history and surrounding land use to identify the need for, and priority of, traffic calming measures on residential streets. High priority streets are then further investigated. Traffic calming measures are generally recommended on streets where there is evidence of inappropriate speeds or crash history, and therefore major safety concerns.

I am pleased to advise that TCCS completed a traffic study on Knoke Avenue in June 2021. This investigation included a review of current traffic speed, volume and crash data, as well as pedestrian and cyclist activity on the street. The study developed a traffic management plan to mitigate identified road safety concerns. The outputs of this will be considered for implementation under a future Capital Works Programs after being assessed through the ACT Budget process.

With regard to the other streets, an analysis of crash history over the last seven years shows that there have been:

- four reported crashes on Harry Hopman Circuit
- one reported crash each on Schofield Place, Violet Grover Place and McGrowdie Place

- no reported crashes on Leahy Place, Hindle Place, Pails Place, McVilly Close, Thurgood Court, Shean Place, Robert Lewis Court and Chipperfield Circuit.

These findings indicate that these roads have good safety records, are performing well and are not priority streets for further investigation. As such, there are no immediate plans for any further investigations on these streets.

TCCS will consult with ACT Policing and the new childcare centre to address traffic management and anti-social driving behaviour in the southern streets of Gordon. TCCS will continue to monitor these roads and take action as necessary.

I trust the information provided above has been helpful.

Fisher—footpaths—petition 18-21

By **Mr Steel**, Minister for Transport and City Services, dated 30 August 2021, in response to a petition lodged by Dr Paterson on 2 June 2021 concerning improvements to the footpath along Ballarat Street in Fisher.

The response read as follows:

Dear Mr Duncan

Thank you for your letter dated 2 June 2021 regarding petition 18-21, lodged by Dr Marisa Paterson MLA. The petition has requested for improvements to the footpath along Ballarat Street in Fisher, as such, my response to the petition is detailed below.

The ACT Government recognises the importance of improving community paths and cycling facilities to provide safe and attractive routes in the ACT for people to use. The Government is working to better connect existing path networks and create new connections considering demand and community interests. The suburb of Fisher was built in the era when there was less allowance for walking and cycling. Roads classified as minor collectors or access roads usually did not have separate walking or cycling facilities.

Currently, ACT Government encourages Active Travel and promotes walking and cycling as preferred mode of transport wherever possible. Roads such as Ballarat Street accommodates all modes of transport and is shared with all users equally. In addition to this, to appreciate the presence of pedestrians and cyclists, the speed limit has been reduced to 50k/hr.

ACT Government is working towards improving walking and cycling network and providing infrastructure that accommodates and promotes active living. As constituents may appreciate, this is a significant undertaking that needs to be approached strategically including assessing and prioritising requests.

All requests received by the community are assessed based on firstly whether a safe path can be provided for all path users and then prioritised based of factors including demand and proximity to community infrastructure like schools, shops and public transport. The list of community path requests is dynamic as new requests are received, assessed and added to the priority program.

Transport Canberra and City Services (CS) receives many requests for community path missing links each year, and priority is given to sites that satisfy the above criteria, in addition to inclusion to the strategic path network for the whole district. A link to the strategic path network can be accessed through <https://activeinfrastructure.net.au/>. This tool assists ACT Government in identifying and prioritising interventions in the Active Travel Network.

An assessment of the proposed path has been conducted by TCCS and the overall analysis has found that the works are not an immediate priority. However, as mentioned, the community path priority list is dynamic as new requests are received and works are completed. As such, the proposed path will be reconsidered as part of the annual review process and subject to relative priorities across the ACT may be included as part of a future capital works program.

I trust the information provided above has been helpful.

Roads—safety—petitions 17-21 and 20-21

By **Mr Steel**, Minister for Transport and City Services, dated 14 September 2021, in response to petitions lodged by Mr Parton on 22 June 2021 concerning traffic safety at the intersection of Tharwa Drive and Lawrence Wackett Crescent, Theodore.

The response read as follows:

Dear Mr Duncan

Thank you for your letter of 22 June 2021 regarding petition 17-21 and 20-21, lodged by Mr Mark Parton MLA. The petition has requested improvements to the intersection of Tharwa Drive and Lawrence Wackett Crescent in Theodore.

Transport Canberra and City Services (TCCS) has completed a traffic study on the conditions at the Tharwa Drive and Lawrence Wackett Crescent intersection. The study considered current traffic speed, volume, pedestrian data and crashes reported in the last five-year period.

The study found that there was low level speeding on Tharwa Drive across this intersection (about 5% – 7.5% over the posted speed limit), there had been 20 reported crashes at the intersection over the last five-year period of which seven resulted in injuries, the majority of crashes involved right-turning vehicles, and there were no crashes involving pedestrians, cyclists or motorcyclists.

The collisions being experienced at this location meet the criteria set by the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications for consideration within the Black Spot Program of a minimum of three injury collisions within a 5-year period. However, to be eligible for funding from the Australian Government through the Black Spot Program project proposals need to be able to demonstrate a benefit to cost ratio of at least 2 to 1.

The Tharwa Drive and Lawrence Wackett Crescent intersection traffic study includes the development of practical options, which are further assessed through a ‘Safe Systems’ infrastructure assessment and ‘benefit cost assessment’ for all

users of the road corridor. The traffic study proposed three primary treatments as safety improvements and to reduce the associated social and economic cost of road trauma. The treatments and associated combinations provide four options, which include:

1. signalisation of the intersection;
2. modifications to the island on Lawrence Wackett Crescent;
3. reducing the speed limit to 60 km/h; and
4. the combined option of reducing the speed limit to 60 km/h whilst also providing modifications to the island on Lawrence Wackett Crescent.

The traffic study identifies that each of the proposed options would result in benefit being gained when compared to the existing conditions at the Tharwa Drive and Lawrence Wackett Crescent intersection. The study recommended signalisation of the intersection as the most suitable treatment due to multiple collisions involving right turning vehicles at this intersection. However, this option was only able to demonstrate a benefit to cost ratio between 1.72-1.79, so is not eligible for funding through the Black Spot Program. The other options all demonstrated a benefit cost ratio of greater than 2.

The ACT Government will consider improvements to the intersection in the context of safety priorities across the ACT.

I trust this information is of assistance.

Sport—Bonner Oval—petition 7-21

By **Ms Berry**, Minister for Sport and Recreation, dated 14 September 2021, in response to a petition lodged by Ms Orr on 22 June 2021 concerning a proposed bubbler and other amenities at Bonner Oval.

The response read as follows:

Dear Mr Duncan

Thank you for your letter dated 22 June 2021 regarding petition 7-21, lodged by Ms Suzanne Orr MLA. The petition requests the installation of a water bubbler at the Bonner Oval as part of the August 2021 budget and to prioritise other amenities at Bonner Oval where possible.

The ACT Government places a high emphasis on ensuring that investment in public infrastructure is planned and delivered according to need and balanced against other priorities. We welcome suggestions and correspondence from the community highlighting priorities that they see in their local areas that would benefit their community.

The government has invested in sporting infrastructure in the growing Gungahlin region including the Taylor Neighbourhood oval, lighting at the Amaroo playing fields, the community recreation park in Moncrieff, and the refurbished Nicolls synthetic playing fields.

The ACT Government is committed to supporting sporting participation and ensuring the community has access to fit for purpose sporting facilities. To this

end, the government has committed to a program of works benefiting sports in the ACT over the next four years. Funding has been allocated to irrigation upgrades at Amaroo and cricket facilities at Taylor and a new football facility at Throsby.

In relation to the request for the installation of a water bubbler at Bonner Oval, I am pleased to report that the installation of a bubbler is scheduled. The timing of this installation will be contingent on the impacts of the current COVID-19 lockdown on resources and materials. The bubbler will complement existing facilities including the recent installation of LED sportsground lighting. The petitioners' call for prioritisation of other facilities at Bonner has been noted and TCCS Sport and Recreation Facilities will continue to work with sporting communities and peak bodies to identify priorities for further upgrades.

Thank you for raising this matter. I trust this information is of assistance.

Motion to take note of petitions

MADAM SPEAKER: Pursuant to standing order 98A, I propose the question:

That the petitions and responses so lodged be noted.

Public housing—maintenance—petition 37-21

MR PARTON (Brindabella) (10.06): I seek leave to table an out-of-order petition which is an electronic version of the maintenance of public housing petition. It secured 271 signatures, to make the total almost 300.

Leave granted.

MR PARTON: I table the following out-of-order petition:

Petition which does not conform with the standing orders—Public housing—Maintenance.

There were some people who asked me: “Are you even going to speak to these petitions? Surely they have lost some currency in the height of this COVID crisis?” I told them that these petitions are even more important in the height of this pandemic because they highlight the gap between the haves and the have-nots—a gap that is ever present here in Canberra. But thanks to the COVID crisis—and, some are suggesting, thanks in part to the way that it has been dealt with in this jurisdiction—that gap is widening every day.

Being confined to your home for months seems pretty cruisy if you are living on an MLA wage; if you are in a public housing residence that is falling down around you, and, try as you might, you cannot get the most basic maintenance problems dealt with, it is an ongoing nightmare—an absolute nightmare. The ongoing public maintenance debacle has affected many tenants who have been plunged into lockdown, not the

least of whom are the Condamine Court residents, who found themselves trying to navigate their way through a quarantine period without a functioning intercom system. Despite the fact that that job had been logged multiple times over many months, it had not been dealt with.

This petition calls on the government to ensure that maintenance requests from public housing tenants are dealt with in a required time frame and that the government rectifies all public housing dwellings that are in breach of, or below, health and safety standards. I am genuinely staggered that I have to bring a petition to this chamber in attempt to get this government to follow through on basic human rights.

Roads—speed limits—petitions 31-21 and 38-21

MR PARTON (Brindabella) (10.08): I turn now to the 40-kilometre speed zone petition. Because this enforcement disaster has captured thousands of Canberrans, I can guarantee that quite a number of the people who have multiple fines are also facing a complete loss of income because of the pandemic. I dread to think how many Canberrans are locked up in their homes without regular income and are still trying to figure out how on earth they are going to pay for multiple fines incurred at a time when they did not believe that they were driving outside of the law. I know the call will come from those opposite that these people can apply for hardship relief to stagger their payments in the same way that the call has gone to businesses to apply for relief. I note that many of those businesses are still waiting, and that some of them are closing while they are waiting.

The outcome from this new speed zone was so perverse that this government should show some heart and waive the fines incurred in the month of July. The NRMA is firmly of the belief that individual warnings should have been issued. The Chief Minister was firmly of the belief that individual warnings should have been issued. Certainly, that was his view when he appeared on ABC radio and suggested, some months ago, that warnings had been issued.

This petition calls upon the government in these extremely tough times, when people are facing what many believe are insurmountable challenges, to simply show some heart and remove one of those challenges by waiving the fines issued in the month of July in the CBD zone.

COVID-19—disaster payments—petition 36-21

MR BRADDOCK (Yerrabi) (10.10): I wish to talk about my petition from the Australian Unemployed Workers Union, which gathered 588 signatures. I am proud of the fact that it did so—and in less than a week. As a member of this Assembly and as Greens spokesperson for democracy, it is my duty and pleasure to bring many and varied community voices into this Assembly—particularly the voices of those who struggle to be heard. Whenever they are in agreement with Greens' values of social justice, ecological sustainability, grassroots democracy, peace and non-violence, I will bring their voices here.

I support the Australian Unemployed Workers Union and their call to pull people out of poverty, because it will help make the ACT community safer and because it is the right thing to do. Am I sure that the ACT government is able to plug the gap left by the federal government's dereliction of duty? No. The ACT government lacks the financial means of the commonwealth. The ACT government lacks the legal and administrative mechanisms of the commonwealth—for example, the bank account details of these individuals. Even if the ACT had all of these things, it would be dependent on the act of cooperation of the commonwealth, which is showing no inclination to help these people—fellow Canberrans who have a right to a dignified life.

I am calling for sustained advocacy to the federal government to make all the pandemic-related federal government supports available to those who are on income supports and also to increase all social security payments, so they provide a liveable income of at least \$80 a day, enabling recipients to live above the poverty line. I raise this petition unsure of what more the ACT government can do, but in the spirit of calling on the ACT government to leave no stone unturned and no opportunity overlooked in looking at how these people can be helped. It is in that spirit that I commend the petition to the Assembly.

Municipal services—cycle lanes—petition 25-21

MRS KIKKERT (Ginninderra) (10.12): Today I present a petition signed by certain residents of the ACT asking this Assembly to improve bicycle routes along Drake Brockman Drive and Southern Cross Drive. The bicycle routes along Drake Brockman Drive are faded and narrow. With the forthcoming duplication of Drake Brockman Drive and William Hovell Drive, it is important that we have dedicated off-road bicycle lanes for the safety of both cyclists and drivers. In addition, the bicycle routes along Southern Cross Drive are fragmented and would benefit from being made contiguous.

I would like to take this opportunity to offer my thanks to the community members who raised these issues with me, and to thank the Ginninderry planners who readily made themselves available to discuss the Drake Brockman duplication and for the efforts they have taken to consult with the community and myself on the project. It is my pleasure to represent these residents. I commend this petition to the Assembly.

Question resolved in the affirmative.

Health and Community Wellbeing—Standing Committee Report 2

MR DAVIS (Brindabella) (10.13): I present the following report:

Health and Community Wellbeing—Standing Committee—Report 2—*Report on Inquiry into the Carers Recognition Bill 2021*, dated 24 August 2021, together with a copy of the extracts of the relevant minutes of proceedings—

I move:

That the report be noted.

The Carers Recognition Bill 2021 was referred to the committee on 23 June. In accordance with the committee's resolution as it affects the consideration of bills, the committee decided to inquire into the bill. The committee notified Madam Speaker and Ms Suzanne Orr MLA of its intention to inquire into the bill. The committee sought views on the bill from organisations in the caring community and from the community more broadly. The committee received six submissions on the bill. The committee then held one hearing on 27 July and took evidence from several carers representatives as well as from Ms Suzanne Orr MLA.

I should note that, to date, the ACT Assembly has never enacted a recognition bill of the type of the Carers Recognition Bill 2021. The bill, in its current form, expressly does not seek to create in any person a legal right or give rise to any civil cause of action. The objects of the bill centre around recognition of carers as individuals and the value they bring to those they care for in the wider community. The bill also proposes new reporting requirements against care relationship principles for care and carer support agencies.

While new to the territory, all other jurisdictions except Tasmania have enacted similar legislation. Though substantially similar, each jurisdiction's law varies in detail. The committee's report provides an appendix in which such legislation in Australian jurisdictions can be noted. The committee supports the bill, recommends that the Assembly support the bill, and recommends that the government support the bill in its passage through this Assembly.

The committee has made a total of 13 recommendations which will clarify, in the committee's view, such matters as the role of carers in advocacy on policy as well as providing care; informal carers' connections with a care relationship; recognition for the needs of informal volunteer and family carers; possible stronger reporting requirements than appear in the bill; support for carers from a suitable source of guidance to enable carer entities to meet reporting requirements; and the contribution bereaved carers make to caring policy.

This is a very worthwhile legislative initiative. The committee recommends its consideration, and commends Ms Suzanne Orr MLA for presenting the bill, along with the committee's report to the Assembly.

Question resolved in the affirmative.

COVID-19 pandemic response—lockdown Ministerial statement

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.17): On 12 August, the ACT entered a lockdown period following the notification of a

COVID-19 positive case with an unknown source of infection in the community. Since this time, we have recorded over 500 cases, over 130,000 tests have been conducted, and, unfortunately, many Canberrans have been hospitalised, including requiring treatment in the intensive care unit. This is the most significant public health challenge we have ever faced as a city.

I thank every Canberran who has done the right thing in support of the lockdown effort. It has been an amazing community effort to protect our families, our friends and our cities. The efforts have managed to stop our outbreaks becoming an exponential outbreak like we have witnessed in New South Wales and Victoria. We are in a race to vaccinate as many Canberrans as we can, as quickly as we can. ACT government clinics are now administering over 27,000 doses a week, and every vaccination is one step closer to a safer Canberra.

But there remain many people who are yet to get vaccinated. In the ACT and across the world what we are seeing is a pandemic of the unvaccinated. Vaccines are providing protection to people, their families and communities every day, but there is still a risk for tens of thousands of Canberrans who have not yet had the opportunity to get vaccinated. That is why I have been clear that we face a difficult two months ahead. Until we reach 80 per cent to 90 per cent of the eligible population fully vaccinated, strong public health measures, effective testing, rapid contact tracing, effective isolation and quarantine measures are the tools we have at hand to avoid our local outbreak exponentially increasing—with the commensurate hospitalisations and deaths that that would cause.

Based on the severe public health risk that remains in the territory and the Canberra region, the Chief Health Officer has now confirmed that the ACT lockdown should be further extended for a four-week period until Friday, 15 October. It is a difficult time for all Canberrans—for families, for friends and for businesses—and the next few weeks in particular will be challenging. The government and all of the professional and hard-working officials that assist us understand the impact the decision to impose strict public health restrictions has had.

There is light at the end of the tunnel. With our high and increasing levels of vaccine take-up, Canberrans can be confident that there will be better times before the end of the year—holiday time with loved ones, a staged return to regular schooling and a more normal working life. As the Doherty Institute modelling has shown, there are three effective measures to combat this virus: reducing the movement of people; testing, tracing, isolating and quarantining; and, most importantly, vaccination.

National cabinet has agreed to a national plan to transition Australia's national COVID-19 response, as we gradually shift from existing pre-vaccination settings, which were focused on continued suppression of community transmission of the virus, to post-vaccination settings focused on the prevention of serious illness, hospitalisation and fatalities. Of course, central to this plan is vaccinating as many people as possible as soon as possible. We are treating this as a race; we always have treated this as a race. The national plan outlines targets of 70 per cent and 80 per cent of double-dosed, fully-vaccinated coverage of people aged 16 years and over. I have made it clear that the ACT is focused on reaching well above 80 per cent vaccination

coverage. We are well on the path to achieve that; not just ACT residents aged 16 years or over, but for the entire population who are eligible for a vaccine at this point in time—that is, Canberrans 12 years and older. We will not leave teenagers behind.

Based on current trajectories, the nation is anticipated to reach the 70 per cent and 80 per cent vaccination milestones in mid to late October and early to mid November. On our current trajectory, the ACT could reach 90 per cent by the end of this period. This is our goal. The ACT's vaccination rollout has already yielded some of the strongest results in the nation. Seventy-five per cent of the eligible adult population has now received at least one dose of a vaccine and 51 per cent are fully vaccinated.

Until eligible Canberrans have had the chance to get vaccinated, public health measures are required to stem transmission of the virus and keep the community safe. After an extended COVID-free period for this city—amongst the longest in the nation—the current lockdown has been incredibly challenging for Canberrans. The ACT government has acted at all times on the expert health advice to suppress the spread of the virus and to protect Canberrans' health. We have only opened up economic sectors when we have been advised it is safe to do so, as advised by the Chief Health Officer. One of the sectors permitted to recommence work has been the construction industry, which began reopening under strict COVID-safe requirements from 3 September.

Further minor economic and social restriction easing was announced on Tuesday, to come into effect at 11.59 pm this Friday 17 September. This includes enabling small businesses currently permitted to operate click-and-collect services with two people, to increase that to have up to five people in a business at any one time, or one person per four square metres, whichever is fewer; allowing real estate agents to conduct in-person house inspections by private appointment; and enabling social and recreational sport to go ahead with up to five people, including things like social golf, tennis and rowing, but not including coaching, training or competition activity.

Access Canberra and WorkSafe ACT have been conducting patrols of construction sites and businesses to ensure work is conducted in a COVID-safe manner. This is done to protect not only the workers on those sites but the entire community. Given the impact that the outbreak and the necessary lockdown have had on businesses and employees, the ACT government has implemented a series of support initiatives. The ACT and commonwealth governments are jointly funding COVID-19 business support grants of up to \$20,000 for employing businesses and \$7,500 for non-employing businesses, for those businesses that have experienced a 30 per cent decline in turnover as a result of the current lockdown.

Yesterday we reached agreement with the commonwealth government to provide additional funding through this program—another \$10,000 for all employing businesses and \$3,750 for non-employing businesses. The commonwealth has also agreed to partner with the ACT government for additional one-off top-up payments to be made for larger businesses. This grants program is a massive undertaking; it is the largest such program in the territory's history. We are focused on properly assessing

applications to get this money paid as quickly as possible to eligible businesses, whilst ensuring the scheme is not defrauded.

Of the 7,558 applications received as at close of business yesterday, 3,471 have already been assessed and 1,325 applications have been approved, or a total of nearly \$22 million. The remaining applications are being assessed by more than 100 officials dedicated to this job, to ensure that the grants flow to businesses as quickly as possible. We have also established a COVID-19 small business hardship scheme, which will allow eligible small businesses that demonstrate a 30 per cent revenue loss from the June quarter to the September quarter to receive up to \$10,000 in credits for payroll tax, utility charges and rates.

Workers who have been unable to earn an income during the lockdown, including sole traders, have been eligible for the commonwealth government's COVID-19 disaster payment. We acknowledge that some sectors will take longer to recover. The tourism and accommodation sectors, for example, had been particularly hard hit before our lockdown by ongoing border closures and travel restrictions, so we have provided a series of rebates on fixed charges and grants, depending on the size of the tourism operation.

As part of the announcement made yesterday on the extension of the business support grants scheme, the ACT and commonwealth governments have agreed to jointly fund a further grants scheme for businesses in the tourism, accommodation, arts and events, and hospitality industries. We estimate that approximately 2,000 businesses will be eligible for this additional one-off grant. The ACT government will also provide an additional \$200 increase in the utilities concession, supporting the 31,000 most vulnerable households in our community. This is in addition to the \$100 increase that was announced earlier, meaning the value of the concession for this current fiscal year will be \$1,000 across 31,000 eligible households.

We have also put in place emergency support measures to help residential and commercial tenants and landlords impacted by the public health emergency. This includes waiving rent payments for community sector tenants of government-owned properties that have been affected by the public health crisis. In line with the support offered in 2020, commercial landlords who provide at least one month of rent relief to tenants that have been significantly affected by the pandemic will receive a credit on their commercial rates.

The ACT government has also extended the contracts for more than 110 staff in our Jobs for Canberrans program, which has provided employment opportunities to more than 500 people across priority areas within the ACT Public Service, including City Services, Access Canberra, health and education. We are also extending all other ACT public sector temporary contracts due to expire, by an additional six weeks. We are continuing to work with the community sector to bolster community services and outreach, and, today, the government announced a significant package of investment to ensure those that need it most in our community will continue to receive the support they need. This includes additional funding to continue to provide tailored and targeted support services and programs in the community.

Of course, this has been a particularly tough time for many school students, their families and teachers, as they navigate the challenging environment of remote learning. The Deputy Chief Minister and the Chief Health Officer have been planning a pathway forward for ACT schools and early childhood education and care services, that is drawing on the work of the AHPPC nationally and local health advice. Returning kids safely to the classroom is a challenge that the ACT, New South Wales and Victoria are experiencing, and we are currently undertaking the same risk assessments and logistical planning. As an essential part of this effort, we have prioritised vaccinations for teachers and staff in schools, early childhood education and care. We have also prioritised year 12 students, given the importance of this year in determining their further education and career choices.

Based on the advice from the Chief Health Officer, the government has developed a plan for the first four weeks of term 4 in schools. Year 12 students will return to on-campus learning on Tuesday 5 October, the beginning of term 4. Year 11 students will return to on-campus learning from week 3, Monday 18 October, subject, of course, to the health advice at the time. Students from preschool to year 10 will continue remote learning for at least the first four weeks of term 4. Our goal, though, is to get kids back to face-to-face learning as soon as it is safe to do so, and we will continue planning for the phased return to on-campus learning for P to 10 in term 4.

The coming weeks and months require a balance between gradually easing restrictions and protecting the Canberra community until the entire community has had the opportunity to get vaccinated. As outlined in the ACT's COVID-19 pathway forward released on Tuesday, vaccination is the main pathway to move safely beyond the current situation. When the nation moves forward with the national plan at 70 per cent vaccination coverage, full effective vaccination coverage, in mid-to-late October, and 80 per cent by early-to mid-November, the ACT's vaccination program will put our city in a very strong position to begin the process of reopening.

The pathway forward has three guiding principles—first and foremost, putting the health and wellbeing of the community at the forefront of decision making; secondly, getting as many people back to work as soon as we can; and thirdly, supporting Canberrans' mental health. It reiterates our commitment to move through the phases of the national plan that we signed up to, with ACT's vaccination targets based on the eligible vaccination program—that is, those 12 and older. We will not leave teenagers behind. This is the safest path forward, and it will lead to a safer summer holiday period, a safer Christmas for Canberrans, and a safer and more confident Canberra in 2022.

I present the following paper:

COVID-19 outbreak in the ACT and necessary lockdown, business support and the pathway forward—Update—Ministerial statement, 16 September 2021.

I move:

That the Assembly take note of the paper.

MS LEE (Kurrajong—Leader of the Opposition) (10.31): I thank the Chief Minister for providing this update to the Assembly on the COVID-19 outbreak in the ACT. First, the Canberra Liberals thank our tireless, hardworking front-line health, emergency and community support staff, who are working around the clock to keep our community safe. This is, as the Chief Minister has pointed out, the most significant public health challenge this city has ever faced, and I do not, for a second, presume that it is easy being a decision-maker at any level during this time. As many in this chamber will have recognised, the Canberra Liberals have largely been supportive of our health measures to keep Canberrans safe. We supported the health advice and we supported the cancellation of our scheduled sitting week despite the inevitable delay to the already delayed 2021-22 ACT budget. My office even offered up to the Chief Minister my own staff to support the pandemic response.

We have, however, been fierce advocates for those Canberrans who have felt forgotten, who have felt left behind, who have felt unheard during this lockdown. Every single one of us in this chamber is privileged to be able to continue drawing a salary. Aside from the Chief Minister, his key ministerial colleagues and officials, most of us have been able to continue, to some extent, to work safely from home. Many of our small businesses and many of our essential workers are not so fortunate. Thousands of Canberra local businesses were forced to shut their doors within hours of the lunchtime announcement on 12 August that the ACT would be plunged into a seven-day lockdown. And whilst we acknowledge that it was a decision that had to be made, and made quickly, this government had been telling Canberrans for months that it was prepared—that it was ready—in the event of a lockdown.

With the outbreak in Sydney moving to regional New South Wales and coming ever closer to our border, most Canberrans hoped the delta variant would not reach our city but thought it was probably inevitable. And on 12 August we got the news that everyone dreaded but most had probably predicted. Today we hit five weeks into what was initially a seven-day lockdown, and on Tuesday the lockdown was extended to 15 October. After fierce negotiations and advocacy from the industry stakeholders and the Canberra Liberals, including our senator, we welcomed the safe reopening of the construction industry, which will not only keep thousands of Canberrans in jobs but will also ensure that the viability of our economic future is able to be salvaged to some degree. We also welcomed the changes to restrictions that meant non-food businesses could recommence click-and-collect and contactless delivery operations so that they could feed their families, pay their bills and keep staff employed.

Whilst Canberrans buckled down and did their part to suppress the virus, the Chief Minister was urging everyone to get vaccinated as this is the key weapon in the fight against this virus. And Canberrans responded marvellously. We boast some of the highest vaccination rates in the country, and the take-up of vaccinations, especially amongst our younger cohort, is encouraging. Canberrans did this because, first and foremost, we care about our families, our friends and our community. We all wanted to do our part to keep our city safe. Canberrans did this because we knew that if we all played our part in suppressing the virus we would get back our freedoms and our livelihoods. And Canberrans did this because we believed, in good faith, that this government would follow through on its word that it was ready—that it was prepared.

Tuesday, 14 September was going to be the day that this government would let Canberrans know what the plan was—the roadmap, the pathway forward—as we deal with this virus. On Tuesday, 14 September what we got was a loss of hope, a loss of confidence and a loss of trust that this government has a plan, a roadmap, a pathway out of this lockdown. After Tuesday’s announcement, businesses are no clearer on what their short-, medium- and long-term future looks like. After Tuesday, the thousands of businesses that have already been holding on for five weeks with no income are still no closer to receiving that critically needed support.

In the Chief Minister’s statement, he said that as at yesterday, 7,558 applications for business support had been received and that 3,471 had been assessed, with 1,325 approved. That is 1,325 out of 7,558 applications—17.5 per cent of applications received—have been approved, leaving a staggering over 80 per cent of businesses without the critically necessary support, leaving them crippled and in the dark about when or if they are going to ever receive the support that they desperately need.

One silver lining in this figure is that it is an improvement on the woefully inadequate figure we saw in the first two weeks of the scheme opening up, where only 400 applications had been approved out of some 6,000 applications—a staggering 6.7 per cent of businesses had received the critical lifeline that they needed. And if that was not bad enough, this is the figure that floored me this morning: out of the 7,558 applications, the Chief Minister says that 3,471 have been assessed but only 1,325 have been approved. That means that 38 per cent of the applications that have been assessed—not 38 per cent of those who have applied—have been approved. This leaves a startling 62 per cent of applications that have either been rejected or stalled because, presumably, the businesses have been asked for more information.

The Chief Minister has put the blame on businesses—when he is not putting the blame on the federal government—for these unacceptable delays. He accuses businesses of being frauds, of not being able to submit a simple application or to provide relevant information. During desperate times like this, if more than 60 per cent of businesses that have applied are being asked to provide more information or are being turned away, then there is something wrong with the system. I have heard from countless businesses that, in good faith, they have submitted their applications—some within the first few hours of the scheme opening—only to be asked weeks later for more information that they were never asked for in the first place, information that was not part of the original guidelines for the application, pushing them to the back of the queue again.

Our businesses needed support from the moment we were plunged into a lockdown. Our businesses needed support from the moment the support package was announced. Our businesses needed support from the moment they submitted their application. Our businesses needed support from the moment the lockdown was extended, with no meaningful lifting of restrictions for business operations. This is a significant failure on the part of this government. Our business community is suffering and will continue to suffer if this is not addressed urgently.

The announcement that was made on Tuesday was, to put it plainly, heartless. The hopes that many Canberrans had pinned on the leadership—the clarity in anticipating a clear roadmap out of lockdown—was just not there. Instead, we got the most minor of tweaks to our existing health directions. We got a defensive Chief Minister, who blamed the federal government, the New South Wales government, and at times even the media for his woefully inadequate pathway forward. Today, when I saw this statement, I had a glimmer of hope. After all, the ministerial statement is titled “Update on the COVID-19 outbreak in the ACT and necessary lockdown, business support, and a pathway forward”. Note: “the pathway forward”. Instead, what we got was more of the same. There was no further detail about what the future beyond the lockdown will look like for the ACT. There was inconsistent information about what restrictions might start to ease at 70, 80 and 90 per cent of vaccinations. There was no clarity about whether we will start seeing restrictions which are different to our current restrictions in October, November or the end of the year.

This is why my motion for debate later today will call on this government to provide a clear plan forward for a safe transition out of lockdown. The Chief Minister is not heartless. He is not immune to the desperate plight of our business community, and he is certainly not ignorant of the need for a clear plan that will provide hope for our community. I look forward to the debate on my motion later today, but I also take this opportunity to implore the Chief Minister to listen to the desperate pleas of our community and provide our city with a plan for a safe transition out of lockdown. If he does so, he will provide to our community not just a plan but hope—and hope is something that we all desperately need—that we will get through this and that there is, indeed, light at the end of the tunnel.

Question resolved in the affirmative.

COVID-19 pandemic response—update Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.43): I rise to provide an update on the COVID-19 situation in the ACT and the actions that the government is taking in response to the current outbreak to protect the health and wellbeing of Canberrans and to supplement the Chief Minister’s statement today. Since my previous update to the Legislative Assembly on 3 August, of course the COVID-19 situation has changed considerably, both in the ACT and in our neighbouring states of New South Wales and Victoria. All three jurisdictions are learning just how difficult it is to suppress the Delta variant. In the ACT we have experienced a challenging five weeks responding to an outbreak that began in August and we are continuing a whole-of-community effort to suppress this outbreak.

I begin by thanking the incredible team that has stepped up to respond to the outbreak. This has been a multi-agency effort led by the ACT Health Directorate and Canberra Health Services, with all ACT government directorates contributing to the response. I thank the Outbreak Management Team, the Outbreak Support Team, the Health Emergency Control Centre, the Clinical Health Emergency Coordination Centre and the Public Information Coordination Centre for their tireless work.

I thank ACT Policing, Access Canberra, the Health Protection Service, WorkSafe ACT and the Australian Defence Force members for their important engagement, compliance and enforcement work and all other ACT directorates and agencies that have adjusted their services in myriad ways to ensure that their critical work can continue. I thank the many non-government organisations that have done so much in so many ways, not only in response to outbreaks of concern but also in continuing to provide their essential services to support our community. We also continue to work closely with the commonwealth Department of Health and relevant New South Wales local health districts, particularly Southern and Murrumbidgee. Together as a community we have responded strongly to this outbreak.

This has been a trying time for Canberrans. However, the community's efforts to stay at home, follow the public health directions, to minimise travel and contact with others during this period of lockdown have been so very vital to our efforts in reducing the spread of this outbreak. I acknowledge that this has been an incredibly challenging time for many in our community. These decisions are not taken lightly but are taken on the very best advice to protect the health and wellbeing of Canberrans. I thank the entire Canberra community for continuing to do the right thing to keep Canberra safe and strong.

The significant increase in COVID-19 case numbers in Australia, particularly within New South Wales over the past month, has been largely driven by the spread of the highly contagious Delta variant. Lockdown and restrictions and strong public health social measures continue across New South Wales and Victoria in an effort to slow and suppress the spread of the virus.

The situation has been more stable in other jurisdictions. However, Queensland, South Australia, Western Australia and the Northern Territory have all recorded sporadic new cases. The Delta variant has presented challenges for the commonwealth, state and territory health authorities in reducing the potential of cases seeding across jurisdictions. This situation is playing out in many other countries around the world as well.

In New South Wales the COVID-19 situation is continuing to evolve, with more than 14,000 active locally acquired cases in the state as of 14 September. The New South Wales government implemented stay-at-home orders for all of regional New South Wales from 5 pm on 14 August following the detection of positive cases in several local government areas that were not already under stay-at-home orders. Greater Sydney, Central Coast, Blue Mountains, Wollongong and Shellharbour remain under similar stay-at-home orders as case numbers continue to rise.

The ACT declared the entire state of New South Wales a COVID-19 affected area from 5 pm on 12 August due to an increase in positive cases reported in areas outside the Greater Sydney region. Travel restrictions remain in place for anyone travelling from New South Wales to the ACT, requiring all travellers to obtain an approved exemption prior to entry, including ACT residents.

The exception to this is the standing exemption for New South Wales residents living in the region surrounding the ACT, which permits entry to the ACT for the approved essential reasons under the ACT's lockdown restrictions. New South Wales residents who live in specific postcodes surrounding the ACT are permitted to enter without an exemption and, similarly, ACT residents can travel backwards and forwards.

Standing exemptions have also been developed for New South Wales residents who live within the Southern New South Wales Local Health District or in the New South Wales local government areas of Cootamundra, Gundagai, Hill Tops, Junee Shire, Snowy Valleys and Wagga Wagga, which are within the Murrumbidgee Local Health District, to permit entry into ACT health facilities for urgent or critical health care.

ACT Health received 28,435 exemption requests from New South Wales travellers between 20 June and 30 September. Of these applications, 11,852 have been approved; 8,051 have been declined; 5,582 have been withdrawn or an exemption is actually not required under the public health direction; and the remaining applications are waiting for further information or requiring processing.

I give a big shout-out to the exemptions team, who have been working around the clock and under enormous pressure since mid-June 2021 to consider and respond to every exemption application on a case-by-case basis. Assessment of exemptions is done in a compassionate and empathetic way, taking account of individual circumstances and the level of risk being managed.

The situation in New South Wales continues to be monitored, with a particular focus on the region surrounding the ACT. Positive cases have recently been detected in nearby Queanbeyan and Yass, and we expect the risk of incursion to remain high due to the spread of cases across the state.

In Victoria the COVID-19 situation has continued to evolve since Greater Melbourne entered lockdown on 5 August. Case numbers have continued to grow in Greater Melbourne during the lockdown period, with cases seeding into regional Victoria. The Victorian government broadened the lockdown to the entire state of Victoria on 22 August.

In line with this decision, the ACT declared Victoria a COVID-19 affected area from 6 pm on 22 August, which requires all travellers to seek an exemption before entering the ACT, including ACT residents. Until 9 am on 13 September, ACT Health had received 799 exemption applications to enter the ACT from Victoria, of which 344 applications have been approved, 155 have been declined, 237 are awaiting processing or require further information and 63 were withdrawn or an exemption is not required under the public health direction.

With outbreaks continuing to occur across the country, we all need to remember to maintain our COVID-safe behaviours and keep up to date with the latest health advice. This includes using the Check In CBR app when out and about, for contact tracing purposes. Our fantastic digital team continues to refine and update the Check In CBR app by responding to feedback and suggestions from the community. The latest

version of the app now provides a direct notification if you have visited a site which has been identified as a COVID-19 exposure site.

The ACT government has also recently released the Check in CBR card to make it easier for people to check-in. The card is free and designed for those people who do not have a smartphone or who are unable to download and use the Check In CBR app. The card contains a unique QR code that can be scanned by the majority of businesses and venues in the ACT. This means that people can check-in more quickly and it provides a more private mechanism to check-in, as people do not have to verbally provide their personal details.

As of 14 September, more than 24,000 venues had registered with Check In CBR, more than 51 million people had checked in and the app had been downloaded 960,722 times. In addition, almost 6,500 Check In CBR cards have been requested.

As the Chief Minister has said, the ACT's COVID-19 vaccination program is nation leading. The government's priority is to ensure that the rollout progresses in an efficient, accessible and, above all, safe manner. Today we will reach a new benchmark, with 80 per cent of the ACT's population aged 16 and over having received their first COVID-19 vaccination dose by the end of the day. More than half of our 12-plus population is fully vaccinated. Increased vaccine supply means that the ACT is well on track to give every Canberran over the age of 12 the opportunity to be fully vaccinated before the end of the year. We are aiming for more than 90 per cent vaccination coverage of all eligible Canberrans.

The recent spread of COVID-19 across the ACT has demonstrated that virus transmission remains persistent among the unvaccinated members of the community. The spread of the virus has highlighted the fact that there are many people living in our community who face barriers for accessing mainstream health services. These include people with disability, people for whom English is a second language and people living in insecure accommodation for whom every day can be a challenge.

While our ACT government vaccination clinics are successfully delivering about 25,000 COVID-19 doses each week, we are also focused on delivering more targeted, mobile and in-reach programs that are essential to reduce the risk of ongoing virus transmission among marginalised communities or population groups who, for very good reason, are less likely to engage in traditional mainstream health services.

I am pleased to report that 87 general practices and respiratory clinics across the ACT have been approved as commonwealth COVID-19 vaccine sites. These clinics are working to administer Pfizer and AstraZeneca vaccines to eligible Canberrans. The commonwealth has also confirmed that, in the coming few weeks, up to 68 pharmacies across the ACT will receive supplies of the Moderna vaccine, which will substantially increase the territory's vaccination capacity.

The ACT government has three mass vaccination clinics in operation. The Calvary Public Hospital clinic is administering the AstraZeneca vaccine, and the clinic at the Canberra Airport and the AIS mass vaccination clinic, which was opened on 2 September, are helping to deliver more Pfizer vaccinations to Canberrans. The

Garran Surge Centre is no longer operating as a mass vaccination hub and has reverted to being a COVID-19 testing facility. I am also pleased to report that the capacity of the Access and Sensory COVID-19 Vaccination Clinic has increased to five days a week, following its relocation to the Weston Creek Community Health Centre on 13 September.

The ACT government COVID-19 vaccination clinics are administering vaccinations to identified priority groups, in line with the national rollout strategy. Recently, year 12 students and their exam facilitators were given priority access to Pfizer vaccination appointments at the AIS clinic so that they can be vaccinated before they attend their formative exams in term 4. All educators, teachers and staff who work directly with children and young people at ACT schools and childcare centres are also now eligible for priority appointments at our government-run clinics.

In line with the National Cabinet decision, from 17 September all residential aged care workers must have received at least one COVID-19 vaccination dose to enter their place of work. The commonwealth-led program for vaccinations in residential aged care facilities is being closely monitored by ACT Health. We encourage aged care workers to come forward for COVID-19 vaccination, and since early June ACT Health has offered all unvaccinated aged care staff access to priority vaccination appointments.

I am pleased to say that as at 15 September more than 97 per cent of aged care staff in the ACT had received their first dose, and 74 per cent are now fully vaccinated. ACT Health is continuing to work with the commonwealth Department of Health, Capital Health Network and the aged care sector to assist staff to receive vaccinations through fast-tracked appointments at ACT government clinics and primary care.

Under the national rollout, people who are pregnant are also a priority to receive a Pfizer vaccine, and there is a dedicated option on the ACT government COVID-19 vaccination booking line for them. On 1 September, eligibility for vaccination in the ACT clinics was opened up for people aged 16 to 29 years. On this single day, more than 14,000 bookings were made. Many of this cohort, more than 30,000, had registered their interest in anticipation of the expanded eligibility and were able to streamline their booking. More recently, I announced on Monday that young people aged 12 to 15 will be able to make a booking for a Pfizer vaccination from Monday, 20 September.

I thank all Canberrans who have already stepped up to receive a COVID-19 vaccination and I encourage all Canberrans to get vaccinated as soon as they are eligible.

The ACT entered lockdown on 12 August, as I have said, due to the identification of a positive case of COVID-19 with no known source of transmission and positive wastewater detections reported at the same time. The individual had been infectious in the community and had visited a number of public locations. A number of clusters have since been identified, with transmission linked to several education facilities, early learning centres, nightclubs and bars, social housing sites and retail businesses.

The government had been closely observing the deteriorating situation in New South Wales and had been actively preparing for the likelihood of cases in the ACT. Our public health teams had been busily refining outbreak response plans and plans to respond to cases in vulnerable settings.

I am very proud of the response effort to date. It has been a huge, collaborative effort and has involved the assistance of a significant number of surge staff to assist across many facets of the response, from retired nursing staff who heeded the call to re-join the workforce to assist with testing and other support, to a significant surge in contact tracing and assistance provided by Tasmania and Western Australia. We have a multi-agency response in place which incorporates multiple government directorates.

As of 15 September, there were a total of 541 cases linked to the current ACT outbreak. There are 243 cases currently active, seven of which are in hospital and one case in intensive care and requiring ventilation. A total of 298 cases associated with the current outbreak have recovered. Our thoughts are with those who are unwell with the virus at this time and we wish them a speedy recovery, especially those patients currently in hospital who are receiving the best of care thanks to our hospital staff.

The ACT's outbreak response has extended to supporting residents in two social housing complexes, following the identification of positive cases of COVID-19. A multi-agency response has been providing significant support to quarantined residents through the delivery of food and other essential items, mental health support and on-site COVID-19 testing and vaccination. ACT Health has worked with Housing ACT, ACT Policing, Canberra Health Services, the Community Services Directorate, the Emergency Services Agency and non-government organisations to communicate with residents at these locations and address their specific needs.

I particularly thank our non-government partners in this response, including the Canberra Alliance for Harm Minimisation and Advocacy (CAHMA), ACT Shelter, Directions Health Services, the Health Care Consumers Association, Community Services #1, Community Options, Argyle Housing, CatholicCare and other health, housing and homelessness sector organisations. While we recognise that there have been some rocky moments along the way, we have remained committed throughout to working closely with the organisations that are trusted by tenants in order to provide the best possible response to this challenging situation.

Condamine Court housing in Turner was first identified as a COVID-19 close contact exposure location over the weekend of 21-22 August, which meant that everyone on site went into quarantine. Three cases have been linked to this exposure location. Happily, on 6 September all residents of Condamine Court were released from quarantine and the multi-agency response was concluded and stepped down. I reiterate my thanks to Condamine Court residents for working with our teams to sustain their quarantine in difficult circumstances.

Ainslie Village was identified as an exposure location following the identification of a positive case on 29 August. As of 13 September, there are nine cases linked to Ainslie Village. All cases and some close contacts are being quarantined off-site to protect the

health and wellbeing of residents and support staff. I thank Ainslie Village residents, the vast majority of whom are doing the right thing and working with our team to quarantine safely.

As of 13 September, nearly 90 per cent of cases in the current outbreak have been locally acquired and linked to a known case or cluster. Almost 10 per cent of cases remain unlinked and, to date, two cases have been identified as having been acquired interstate from an unknown source. A number of new cases remain under investigation and will be classified as linked or unlinked as interviews are undertaken.

On 14 September, there were more than 2,673 people in quarantine being supported by ACT Health, with 990 of these individuals identified as close contacts of locally acquired cases and more than 1,600 individuals from COVID-19 affected areas. Additionally, the ACT continues to manage the return of diplomats and government officials travelling to Canberra for official duties.

Testing numbers in the ACT have increased significantly in the last month due to the ACT outbreak. The ACT has recorded a total of 426,723 negative tests conducted as at 9 am on 15 September, throughout the entire pandemic. During the current outbreak testing numbers have ranged from around 1,500 a day to a peak of almost 8,500 a day, or 19.7 per 1,000 population. Peak testing demand was experienced very early in the outbreak and was driven, in part, by the large number of contacts associated with school clusters. Testing numbers have decreased significantly as fewer close contact exposure locations are identified.

Additional testing sites were stood up very quickly in addition to the ACT's existing testing sites at Exhibition Park in Canberra and the Weston Creek Walk-in Centre, which have continued to provide testing for the community, with operational improvements made at these locations to improve efficiency and waiting times. Testing services at Weston Creek, of course, transferred to the Garran COVID-19 Surge Centre on 9 September, and this has allowed the Access and Sensory Vaccination Clinic to operate at Weston Creek.

I also take this opportunity to acknowledge the commonwealth-funded, GP-led respiratory clinics, the Winnunga Nimmityjah Respiratory Clinic and private pathology providers that also provide testing in the ACT. Capital Pathology, in particular, surged quickly to help meet demand for testing and did a fantastic job establishing a number of sites in partnership with ACT government agencies.

I remind all Canberrans to get tested if they are experiencing any COVID-19 symptoms. Strong testing rates of approximately 3,000 tests per day are required for the ACT to maintain a sound level of surveillance across the community.

As the Chief Minister announced on 14 September, the ACT lockdown has been extended for a further four weeks until Friday, 15 October. When considering changes to the public health directions, there is a clear focus on the following principles: protection of public health; measures that see people getting back to work as soon as possible; and measures to support mental health and wellbeing. Ultimately, the aim of the lockdown is to limit movement across the territory and reduce the risk of further

transmission of the virus. Wearing a mask also remains a requirement for anyone aged 12 years and over upon leaving home, with exemptions permitted for those who are unable to do so due to health or other specific reasons.

In closing, the Acting Chief Health Officer provided the latest situational report to me on the status of the public health emergency due to COVID-19 in the ACT dated 8 September, which I will table. I will also table the Chief Health Officer's report dated 17 August. The September report outlined the COVID-19 situation in the ACT and across Australia, including the operational activity that has been undertaken in response to the outbreak and the associated COVID-19 compliance authorities. The Acting Chief Health Officer recommended that the public health emergency declaration remain in place at this time as we deal with the current outbreak and continuing risks.

The current situation in the ACT is a significant challenge for all of us. We know that lockdown is incredibly tough for many people, but I am proud of the way our community has responded despite the difficult circumstances. It remains vital that we continue to follow the public health directions to minimise the risk of transmission within the ACT and support the ongoing public health response.

We are moving at a rapid rate towards the vaccination targets set out in the national plan to transition Australia's national COVID-19 response, as agreed by National Cabinet. To the entire community, thank you for doing your part to stop the spread of COVID-19.

I present the following papers:

Status of the Public Health Emergency due to COVID-19—Chief Health Officer—

Report 17—9 August 2021, dated 16 September 2021.

Report 18—8 September 2021, dated 16 September 2021.

Coronavirus (COVID-19)—ACT Government response—Ministerial statement, 16 September 2021.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Financial Management Amendment Bill 2021

Mr Barr, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.03): I move:

That this bill be agreed to in principle.

Today I am introducing the Financial Management Amendment Bill 2021. After more than a year without any COVID-19 in the community, this outbreak has required us to act swiftly and decisively. Based on the advice of the Chief Health Officer on 12 August, the territory entered lockdown to limit the transmission of the virus. This, of course, had flow-on effects, including a delay in the 2021-22 budget and the introduction of the 2021-22 appropriation bills that were scheduled to be introduced on 31 August.

This bill seeks to introduce similar time-limited amendments that were agreed by the Ninth Legislative Assembly in 2020. This legislation is required to ensure the ongoing operations of government and to provide support to continue critical services to the ACT community.

The Financial Management Act 1996 currently limits the amount of funding available during the supply period to 50 per cent of the amount appropriated by the appropriation acts for the immediately previous financial year. This bill amends the FMA to increase the appropriation for the 2021-22 supply period from 50 per cent to 75 per cent and increases the amount available for the Treasurer's advance payments from one per cent of the appropriation to five per cent of the appropriation for the 2020-21 appropriation acts.

The increases for the supply period and the Treasurer's advance funding are necessary to ensure the ongoing operations of government and our ability to support the community and business over the course of 2021-22. The delay of the 2021-22 budget also means that it is necessary to extend the reporting time frames by one month for the audit of the 2020-21 annual financial statements of the territory. This amendment would result in the Auditor-General's audit opinion on the statements being provided to me by 30 November 2021.

Through the bill, the government continues to ensure the ongoing delivery of services and the necessary support to the community and business during these difficult times. I commend the bill to the Assembly.

Debate (on motion by **Ms Lee**) adjourned to a later hour this day.

Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021

Mr Rattenbury, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.06): I move:

That this bill be agreed to in principle.

I am pleased to present the Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021. Primarily, this bill permanently adopts COVID-19 measures from the COVID-19 Emergency Response Act 2020 and the COVID-19 Emergency Response Legislation Amendment Act 2020 that have been identified as delivering operational efficiencies and flexibility for government agencies and the community more broadly during the COVID-19 pandemic. The measures were identified by ACT government agencies to be of such benefit that they were recommended for permanent adoption to be available beyond the COVID-19 pandemic. The Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021 will amend 10 acts across the statute book.

The bill amends the Bail Act 1992 to allow undertakings to appear or comply with a bail condition to be given before the court remotely, such as by audiovisual means, providing an alternative to written undertakings. Traditionally, the court could only accept a written undertaking requiring the person to attend court. The COVID-19 measure means that a person appearing remotely can be released on bail if the person gives an undertaking to appear before a stated court at the place, date and time stated in the undertaking or as instructed by a police officer. A person can also now provide an undertaking to comply with bail conditions remotely, removing the need for physical attendance at the court.

Similarly, the bill amends the Crimes (Sentencing) Act 2005 to allow undertakings to comply with good behaviour obligations to be given before the court remotely. Before this was introduced as a COVID-19 measure, an offender who was convicted or found guilty of an offence and sentenced with a good behaviour order would be required to attend court to sign an undertaking to comply with good behaviour obligations.

The bill amends the Corrections Management Act 2007 to provide the ACT Corrective Services Commissioner with the option to issue long-term local leave permits for detainees. Currently, outside the COVID-19 public health emergency, local leave permits can be issued for a maximum of seven days. This amendment will provide up to three months of leave for local leave permits issued for long-term medical treatment or palliative care regardless of the COVID-19 pandemic situation. The permanent adoption of this measure will assist in reducing administrative burden arising from renewing expiring local leave permits and reducing the resources needed to escort detainees in the medical or palliative care setting.

Amendments to the Crimes Act 1900 and the Drugs of Dependence Act 1989 provide an alternative method for applying for search warrants other than in person. Traditionally, the applicant for a search warrant would give information under oath, in person, to the issuing officer when applying for a search warrant and would be able to make an application by telephone or other electronic means only in urgent cases. The

bill will allow search warrants to be sworn, applied for and issued electronically as an alternative to in-person applications. These measures were used during the COVID-19 emergency to limit situations requiring physical appearances and have been identified for permanent adoption because of their ongoing benefit in promoting efficiencies for the police and court. These measures also future-proof and modernise the process against future situations where personal applications may be impossible or not in the public interest.

The COVID-19 amendments to the Human Rights Commission Act 2005 were initially being developed with the intention that they would be a permanent amendment in 2019-20. They were included in the COVID-19 Emergency Response Legislation Amendment Act 2020 as a temporary measure to avoid delays to introduction, particularly because of the increased impact on vulnerable persons as a result of the COVID-19 pandemic. This bill permanently adopts this measure as originally intended, giving power to the ACT Human Rights Commission to hear and handle complaints about the treatment of vulnerable people. This function of the commission has proved to be a much-needed measure to address elder abuse and abuse of people with disability. This is evidenced by the fact that since the measure commenced, until the end of August, the commission has received 55 inquiries and 30 complaints.

The bill amends the Public Trustee and Guardian Act 1985 to broaden the Public Trustee and Guardian's, or PTG's, delegation of functions. The PTG's delegation power was expanded as a COVID-19 measure through the COVID-19 Emergency Response Legislation Amendment Act 2020, allowing the PTG to delegate most guardianship functions to a member of the office. This was recommended for long-term adoption by the independent protection of rights and services review. The bill adopts a principle-based approach to the delegation power of the PTG which differs from the initial COVID-19 measures. The new delegation approach will require the PTG, in making a delegation, to have regard to the type of function being delegated, including qualifications, knowledge and experience of the proposed delegate; the decision-making obligations under section 4 of the Guardianship and Management of Property Act 1991; and the obligations of the PTG under the Human Rights Act 2004.

Digital technology has been incredibly valuable throughout the pandemic, helping our community to stay connected and communicate safely. One such circumstance where digital technology and flexible communication methods have been embraced has been in our retirement villages. The bill amends the Retirement Villages Act 2012 to make permanent measures to allow resident committees of retirement villages and operators of retirement villages to authorise that a meeting of residents can be conducted through means other than in person.

Throughout the COVID-19 emergency period, resident committees or, where one does not exist, the residents of a retirement village have had the power to authorise that meetings be conducted via means other than in person. Similarly, where operators have called for a meeting, these meetings have been able to be held via alternative communication methods. By making these amendments permanent, the health and safety of retirement village residents can be upheld while also preserving their right to participate in meetings about the villages where they reside.

The bill amends the Taxation Administration Act 1999 to facilitate the establishment of a taxation deferral scheme, exemption scheme and rebate scheme outside the COVID-19 emergency. These measures were originally introduced as COVID-19 measures in response to the ACT economic survival package. It was identified that existing tax laws do not provide consistent powers for rebates, deferrals and exemptions across revenue lines, requiring the use of powers under various acts such as the Rates Act 2004 and the Financial Management Act 1996. This bill addresses this gap by providing one consistent set of powers for rebates, deferrals and exemptions across revenue lines, providing greater flexibility for the minister to exercise these powers by making a disallowable instrument.

Lastly, the bill makes one amendment which does not involve permanently adopting a COVID-19 measure. The bill amends the Associations Incorporation Act 1991 to extend the temporary measures previously put in place to allow associations to authorise annual general meetings to be held via methods of communication other than in person and provides the registrar-general with the power to declare a general extension for a period of time for certain requirements to be met under the act, including the holding of annual general meetings. There is no question that the COVID-19 emergency has changed how our community engages, and this is especially true for associations in the territory. Prior to the introduction of the temporary measures, associations were typically required to conduct meetings face to face, something which is simply not practical under the current circumstances.

The bill will extend the expiry of these measures to be the end of a 12-month period during which no COVID-19 emergency declaration has been in force. This extension period will ensure that both measures are in place for as long as they are needed to help associations function appropriately and keep their members safe. We have seen over the last 18 months or so that the pandemic is an ever-evolving situation.

It is necessary to further extend these provisions to ensure associations can continue to adapt to changing circumstances and operate both efficiently and in compliance with public health directions. I recognise that, unlike other measures in this bill, we are only extending the expiry of these provisions rather than making them permanent.

In terms of the registrar-general's power to provide a general extension of time for certain matters, this is a temporary measure to assist associations with problems they are universally experiencing because of the pandemic, such as needing to delay an annual general meeting. As such, it is not an appropriate candidate for permanency.

The COVID-19 pandemic has certainly been a life-changing experience for all of us. For the past 1½ years we have all been tested and we have had to change the way we live. In that process we have learned so many things. We have had to be resilient, care for each other and stand together as a community.

One thing is for certain, and that is the ACT is adaptable and innovative. We have found different ways to continue doing what needs to be done and, as a result, the measures proposed to be permanently adopted in this bill will be of benefit to our community long after the COVID-19 pandemic is behind us.

I thank the Minister for Corrections, the Minister for Health, Minister for Human Rights and the Treasurer for their contributions in developing this bill. I commend the bill to the Assembly.

Debate (on motion by **Ms Lee**) adjourned to the next sitting.

Legislative Assembly Proceedings during COVID-19 lockdown

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.18): I move:

That this Assembly:

- (1) acknowledging that the Assembly is meeting during a time where the Chief Health Officer has made health directions restricting movement in the Territory and mandating masks, and that the Assembly should ensure that at all times it is operating within the confines of the health advice and minimising the risks of COVID, resolves that:
 - (a) there should be a minimal number of Members and staff in the Chamber as possible while still allowing for the conduct of Assembly business;
 - (b) the Members intending to speak to matters that are being debated before the Assembly shall, as far as possible, be agreed to before any sitting day so as to minimise movement in the building; and
 - (c) questions without notice should continue to operate, but to decrease the presence of Members in the Chamber at any given time, non-executive MLAs, may ask more than one question each up to the normal allocation of non-executive questions for each party (e.g. if the Greens have three non-executive Members present on the sitting day they will have three questions, if any Member is absent on a sitting day the questions reduce proportionately). All whips will notify the Manager of Government Business within an hour of question time which Ministers are required to answer questions so that any Minister not required will not need to attend;
- (2) in circumstances where a standing order or a resolution of the Assembly requires a response (as at 16 September 2021) in August, September or October 2021, so much of standing orders be suspended as would enable such responses to be lodged within two months of the stipulated date; and
- (3) this suspension shall stay in place until 15 October 2021.

This motion formally adopts the informal practice of this place during last year's COVID-19 safe sittings. The motion sets out sensible principles. I believe it is also consistent with the agreement between the three whips in this place. It is important not only that this place continues to sit, even during COVID-19, but also that we do so in the safest possible way. This is being achieved by formalising past practice through this motion.

I want to thank both Mr Braddock and Mr Hanson for working with Ms Orr and for providing the list of ministers required for question time. I commend the motion to the chamber.

MR BRADDOCK (Yerrabi) (11.19): The Greens support the motion of the Manager of Government Business to suspend standing orders so that a number of practical, proportionate changes can be made that reflect the current public health challenges that face us.

As more people become fully vaccinated in the community—including the employees of this Assembly, political staffers and particularly our members—we, as an Assembly, will be able to return to normal operations as soon as possible. I therefore encourage everyone to get vaccinated, and that, as an Assembly, we also demonstrate leadership by all getting vaccinated as soon as possible.

Question resolved in the affirmative.

Legislative Assembly

Sitting pattern—amendment

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.20): I move:

That the resolution of the Assembly of 2 December 2020 relating to the sitting pattern for 2021, be amended by omitting:

“October			7	8
	19	20	21	22
November	9	10	11	
December		1	2”,	

and substituting:

“October		6	7	8
November	9	10	11	
	23	24	25	
	30			
December		1	2.”.	

I want to extend my thanks to all parties, and especially the whips, for helping to arrange the sitting pattern and calendar after the impact of the most recent COVID-19 outbreak in the territory. The revised calendar for the remainder of the year adopts almost all of the sitting days that would have normally occurred, had it not been for COVID. We have also agreed to maintain the same number of private member motion

slots in the revised sitting pattern. This motion and the next one are procedural motions that formalise what has been agreed.

Question resolved in the affirmative.

Legislative Assembly Committees—reporting dates

Motion (by **Mr Gentleman**) agreed to:

That the resolution of the Assembly of 2 December 2020, as amended 11 February, 30 March and 22 April 2021, which established general purpose standing committees, be amended by inserting paragraph (3A) as follows:

“(3A) calendar and financial year annual and financial reports for 2020-2021 stand referred to the relevant standing committee for inquiry and report by 31 May 2022 of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*.”.

Planning, Transport and City Services—Standing Committee Reporting date—amendment

MS CLAY (Ginninderra) (11.21): I move:

That the resolution of the Assembly of 5 August 2021 which altered the reporting date for the Standing Committee on Planning, Transport and City Services’ inquiry into the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2), be amended by including the Road Transport Legislation Amendment Bill 2021 in the inquiry and the committee to report to the Assembly by 30 November 2021.

We have two road safety bills before our committee. One was referred to us and we resolved to inquire into it on 1 July, and the other was referred to us and we resolved to inquire into it on 12 August. Both bills deal with very similar content. They both deal with road safety, with a particular view towards protecting vulnerable road users. Our committee has decided to run an inquiry and hearings into both at the same time. We are therefore seeking an extension of the reporting date for the first bill, so that we can report on both bills to the Assembly by 30 November.

Question resolved in the affirmative.

Drugs of Dependence (Personal Use) Amendment Bill 2021— Select Committee Reporting date—amendment

MR CAIN (Ginninderra) (11.22): I move:

That the resolution of the Assembly of 11 February 2021 which established the Select Committee on the Drugs of Dependence (Personal Use) Amendment Bill 2021, be amended by omitting “by the last sitting day in October 2021” and substituting “by 30 November 2021”.

I will be brief. The committee has been working productively throughout the inquiry. I would like to thank the Assembly's secretariat, headed by Mr David Monk, for their professional and diligent support. The committee has received 59 submissions and has held five public hearings, the last being on 30 July. These public hearings comprised almost four half-day sessions and one full day.

The committee's current reporting date is the last sitting day in October. My understanding is that, as a result of the motion moved this morning, that is now the 8th. For other obvious reasons, the COVID outbreak has slowed down the committee's consideration of its report. The committee has agreed that a reporting date at the end of November would allow it to consider the evidence more fully, while also completing its deliberations in a timely manner.

Finally, I would like to thank my committee colleagues, Deputy Chair Dr Marisa Paterson MLA and Mr Johnathan Davis MLA, for their contributions to a cooperative committee spirit as we consider the significant issue of harmful drug dependency. I commend the motion to the Assembly.

Question resolved in the affirmative.

Standing order 113A—amendment

MR HANSON (Murrumbidgee) (11.24): I move:

That standing order 113A be amended by omitting "all non-Executive Members seeking to speak have asked at least one question" and substituting "nine original questions have been asked by any Opposition Member, and other non-Executive Members seeking to speak have asked at least one question".

In effect, this motion seeks to make changes to the standing orders in line with what we have agreed to today on a temporary basis in an earlier motion; that is, in relation to question time, and Mr Gentleman's first motion, notice No 1. In essence, it allows any member of the opposition to ask a question in question time, rather than every member. At the moment the process is that every member asks a question. This motion would allow what Mr Gentleman moved before, and which we all agreed to. It was also the practice in the previous lockdown. For instance, Ms Lee, Mr Hanson or Ms Castley could ask five questions or three questions, as long as it adds up to nine, which is the total number of members of the opposition.

We are bringing this in because of the COVID-safe requirements that we have agreed to, in terms of limiting the number of ministers, and we have provided the information about which ministers are required.

I do not quite fathom why the government and the Greens are so resistant to this becoming an ongoing change, and why they seem to want to do it by seeking leave to amend standing orders, by way of a drip-fed process. At the end of the day, we are seeking to do something that we have all agreed in principle works effectively. It is entirely in accordance with the *House of Representatives Practice* because this is the

way that it is done on the hill. On the hill, Mr Albanese asks questions of the relevant minister based on the strategy of the opposition on the day, to get the most effect out of question time. It is not done on a rotation, with every Labor member on the hill asking a question in succession. No other opposition in the world, that I am aware of, operates like that.

Digging into the history of this matter, the only reason we have this standing order in the Assembly is because a disgruntled backbencher, way back before any of us was in the Assembly, changed the standing orders on the fly. I understand that this will not get the support of the Assembly today. Mr Braddock has kindly agreed to adjourn the debate on this motion so that we can bring it back on another date.

The other thing is: why do you lot care? If the opposition wants to do it this way, why have you all got your knickers in a twist about it? I just do not get it. This is the way we want to do business; this is the way we want to ask questions. We have a strategy for asking questions, just as you lot do. Why not just allow us to do that? Why are you demanding, in essence, in perpetuity, that every single member of the opposition must ask a question?

It is unclear to me, because there has been no substantive argument about what we have proposed. In actual fact, Mr Gentleman has just moved exactly the same motion, but he only wants it to have effect until 15 October. It is unclear to me why you would not agree to this on an ongoing basis. No-one in this place has been able to provide any substantive argument as to why we cannot do so. You have just argued for the same thing, but only until 15 October. It is all a bit strange as to why you would not agree to this on an ongoing basis, other than saying that we have to send it to a committee. That seems to be the default position of this mob.

Mr Rattenbury: Why do you want to silence your backbench, Jeremy?

MR HANSON: Mr Rattenbury interjects that I am trying to silence the backbench. We work as a team. Over on this side of the chamber, we work as a team. Certainly, since I have been in this place—I understand this has always been the protocol—we get together, work out a strategy and decide who is going to ask those questions. It is not a free-for-all, just as it is not on that side. The Greens and the Labor Party have all of their questions prepared. They work as a team; they ask their Dorothy Dixers. In fact, we had the bizarre situation earlier this year when, in answer to one of the Dorothy Dixers asked of Mr Steel, he simply re-read verbatim the ministerial statement that he had given earlier in the day.

This motion will not get up. I do not understand why. Nobody has given me an explanation as to why. It seems that those opposite are more concerned with process than outcome in this circumstance. Mr Braddock will adjourn it and, hopefully, we can come back after 15 October and make this a permanent change to the standing orders.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency

Services) (11.29): I understand that Mr Braddock will be seeking to refer this matter to the admin and procedure committee, but I will go to the context of what Mr Hanson has debated in the chamber. He advised us that he was going to do this; we advised him that this was a matter that was before the admin and procedure committee. It had been dealt with previously; if he wishes to raise it again in admin and procedure, he can do so.

What is happening here is that Mr Hanson is trying to circumvent what is happening in admin and procedure. We know that these debates come up every now and again in admin and procedure, and the usual practice is to work through those in that process and present the outcomes to the chamber. This is, as we have told Mr Hanson, an attempt to circumvent admin and procedure.

MR BRADDOCK (Yerrabi) (11.30): I must say that face masks detract from the entertainment in this place because you could not see me smiling while you were talking, Jeremy, as you went through your arguments as to why we should consider what is basically a permanent change in response to a temporary problem. As Mr Gentleman stated, it duplicates a motion that has already been referred by this Assembly to the Standing Committee on Administration and Procedure—a committee on which Mr Hanson and I both have the privilege to serve, and we delight in working together.

As I am sure all members of this chamber are aware, that committee has committed to undertake a review, including of question time. Would I say that it is perfect? Not necessarily, and that is why I wish to look into it during the middle of this term, once I have had the opportunity to examine more of the procedures in this place and learn about how we can improve them. This review will pay due attention to question time and at that point it will carefully consider the merits of Mr Hanson's argument.

By way of clarification, I am not seeking to adjourn the debate on this motion; I am seeking to refer it to admin and procedure so that it can be fully considered there. I will seek to move that this motion be referred to admin and procedure.

MADAM SPEAKER: Members, there is a tad of confusion. I have before us a proposal that this motion be referred to admin and procedure. You don't come to a sitting for a few weeks and it all goes out the window! Mr Braddock, we will need to adjourn the debate on this motion; then you will need to refer it on to admin and procedure. The question is that this motion be agreed to.

MR HANSON (Murrumbidgee) (11.32): In closing, Madam Speaker, I am a little bit confused about what is going on. Mr Braddock agreed to adjourn this. In the process of doing that, you do not get to speak; you stand up and adjourn the motion. That is what he agreed to do. I have been misled. Mr Braddock said one thing to me just before—

MADAM SPEAKER: I would change the language on "misled". There is an implication in this place for individuals who mislead the Assembly.

MR HANSON: I withdraw that particular language, but Mr Braddock said, “Yes, I’ll adjourn it,” and then stood up here and said, “I’m not going to adjourn it.”

Mr Braddock: A point of order, Madam Speaker.

MADAM SPEAKER: On the point of order, rather than the debate, Mr Braddock.

Mr Braddock: I stated I would refer the matter to admin and procedure, when I spoke to Mr Hanson.

Mr Rattenbury: Madam Speaker, may I seek your procedural guidance? There is confusion now because we are being asked to vote on a motion, and I think the intention is to send it to a committee. We have tied ourselves, it seems, into a little knot. If it is agreeable, I will move to adjourn the debate.

MADAM SPEAKER: We will adjourn the debate; then that motion will be referred.

Debate (on motion by **Mr Rattenbury**) adjourned to the next sitting.

Administration and Procedure—Standing Committee Reference

Motion (by **Mr Braddock**), by leave, agreed to:

That the proposed amendment to standing order 113A be referred to the Standing Committee on Administration and Procedure for inquiry and report.

COVID-19 2021 Pandemic Response—Select Committee Establishment

MS LEE (Kurrajong—Leader of the Opposition) (11.35): I move:

That:

- (1) in response to the August 2021 outbreak of COVID-19 in the ACT, a select committee be appointed to consider and report to the Assembly on any matter relating to the ACT Government’s health and financial response and any other matter relating to the COVID-19 pandemic as it relates to the ACT;
- (2) the committee be composed of:
 - (a) two Members to be nominated by the Coalition Government; and
 - (b) two Members to be nominated by the Opposition;to be notified in writing to the Speaker within two hours of this motion passing;
- (3) an Opposition Member shall be elected chair of the committee by the committee;
- (4) in conducting public hearings, the committee shall be mindful of the Public Health Emergency declaration, including that:

- (a) all efforts are made to minimise the time witnesses are required to be present;
 - (b) where a public hearing is scheduled, requiring government ministers, hearings are not held at the same time as National Cabinet or a meeting of the ACT Government Cabinet; and
 - (c) the above provisions only apply during the Public Health Emergency declaration;
- (5) for the purposes of this committee's operation, standing order 254D does not apply; and
- (6) the committee to report to the Assembly by the last sitting day of 2021.

The ACT is in the midst of what could be the greatest health and economic risk we have ever faced as a city. Small businesses have closed their doors, Canberrans have lost their jobs, thousands have faced weeks in quarantine, and hundreds have contracted the virus.

At the outset I thank all of the ACT's frontline healthcare workers, our teachers, our early childhood educators, our emergency staff and our volunteers who have been involved in the COVID response over the last five weeks and, indeed, over the last two years. We are all incredibly grateful for the work they have done and are continuing to do to keep our community safe.

This once-in-a-generation global pandemic has required government to act quickly and decisively to save lives. We have now lived with this virus for 18 months and know how scary things can and did get. In response to these complex and serious challenges, Australians have empowered their governments with unprecedented powers and bestowed an enormous sense of trust and goodwill on their political leaders to protect them and their livelihoods.

Here in Canberra, we did enormously well in beating down the infection numbers last year, through a combination of good management, good compliance and good luck. Even throughout a time when we saw outbreaks around the country, we found ourselves with the supreme good fortune of keeping the virus at bay, despite our very porous borders. But there was no holding back Delta and, in August this year, our lives changed within a matter of hours. The news hit Canberra hard and, with the announcement of a further four weeks of lockdown only two days ago, many Canberrans who were holding it together have been sent to the brink.

These are extraordinary times, Madam Speaker, and extraordinary times require extraordinary government decisions, and extraordinary government decisions require extraordinary power. Whilst we acknowledge the need for governments to make decisions that significantly impact the freedoms that we fiercely protect, most Australians recognise the need to do so to keep our community safe. But it is in these extraordinary circumstances, where extraordinary powers are being exercised, that governments should be holding themselves to the highest standard in their duty of care to its citizens. Now is not the time to diminish government scrutiny.

That is why I bring forward this motion today to establish a select committee to consider and report on the ACT government's health and financial response to the current COVID-19 pandemic outbreak. As we transition out of lockdown, and we eventually will, and into the COVID recovery period, the select committee will examine the government's response to the pandemic, focusing primarily on health and economic recovery, as well as the lasting impact it may have on education, housing, transport and any other policy areas that may arise.

It is more important now than ever that there is appropriate scrutiny of the government's response to the COVID-19 pandemic. Select committees on government responses to COVID-19 have been established in many legislatures across the country, including New South Wales, Victoria, here in the ACT last year and the Australian Senate. I hope that those opposite see this select committee as an opportunity—an opportunity to allow members of our community to have a genuine say on the government's COVID-19 outbreak response.

As the Chief Minister and his government must acknowledge, the Canberra Liberals have been largely supportive of the ACT government's response to this outbreak. We have supported the health advice, the measures that were needed to keep Canberrans safe, and we have put forward constructive proposals to support vulnerable members of our community. But this does not mean that they got, or are getting, everything right. Especially after Tuesday's announcement—the lockdown extension and lack of a plan—many Canberrans are seeking answers.

When will they get a plan that will see us safely transition out of lockdown? What milestones need to be reached with vaccinations before concrete details will be released for the resumption of businesses that have been shut from day one of lockdown? When, how and subject to what, will schools return to classroom teaching? What are the conditions, milestones or achievements that need to be met before we can meet with other households?

What will this vaccination race mean for Canberrans? What will happen when we reach 70, 80 or 90 per cent double doses? When borders do open up, what does the future of quarantine look like in the ACT? Will we start getting boosters after a certain percentage of the population has received double doses?

These are serious questions that must be asked here, and our community deserves answers from the Chief Minister, his cabinet and government officials. We also need to hear the voices of business, educators and our community groups. I welcome the call for the establishment of this select committee from the Human Rights Commission in an open letter that was signed by all of the commissioners and addressed to me, the Chief Minister and the leader of the Greens. It was, indeed, a welcome coincidence to receive this letter yesterday, seeing that I had submitted my motion for the establishment of this select committee on Monday. The commissioners noted:

Emergency power exercised by government must continue to be carefully monitored so that any disproportionate or inadvertent impacts are quickly

identified and corrected. It is equally, if not more, important now in the current lockdown that emergency measures and other effects are accountable to public scrutiny, interrogation and debate by the Assembly.

A select committee is good for our community and it is good for our democracy. We, as legislators, owe it to every Canberran to make sure that every decision made in the name of the pandemic is one that is in the best interests of the very citizens that voted to give us the privilege of being their voice in the chamber. I commend my motion to the Assembly.

MR BRADDOCK (Yerrabi) (11.42): I move the following amendment that has been circulated in my name:

Omit paragraphs (2) to (6), substitute:

“(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 Greens; to be notified in writing by each whip to the Speaker by close of business on 20 September 2021;
- (3) an Opposition Member shall be elected chair of the committee by the committee;
- (4) in conducting public hearings, the committee shall be mindful of the Public Health Emergency declaration, including that:
 - (a) all efforts are made to minimise the time witnesses are required to be present by scheduling designated hearing times, advising in advance which witnesses the committee wishes to call or topics that will be discussed, and other measures that minimise impact on essential government, non-government, business or other witness’s organisational resources;
 - (b) where a public hearing is scheduled requiring government ministers and/or officials, hearings are not held at the same time as National Cabinet, a meeting of the ACT Government Cabinet, or when another committee of the Assembly is holding hearings, or on a sitting day of the Assembly, and:
 - (i) these are to be held no more than once per fortnight for a maximum of two hours, with no directorate/agency or minister to appear for more than an hour; and
 - (ii) the committee must advise of the ministers, directorates and officers required and the committee’s intended lines of inquiry no less than one week prior;
 - (c) hearings are held virtually or via secure teleconference only;
 - (d) the above provisions only apply during the Public Health Emergency declaration; and
 - (e) the committee members endeavour to seek broad input from a range of community members and organisations into the COVID response;

- (5) for the purposes of this committee's operation, standing order 254D does not apply; and
- (6) the committee deliver its final report no later than the last sitting day of 2021."

I support Ms Lee's motion to establish a COVID-19 committee, because when government decisions are having such profound impacts on people's lives, it is more important than ever that the government is scrutinised. The Canberra community is placing an incredible amount of trust in us to keep them healthy and lead them through this crisis. A committee will ensure that we continue to be worthy custodians of that trust. We can assure the public that we are doing everything within the power of the Assembly to maintain accountability for these decisions which are impacting lives so much. The more that government decisions are impacting lives, the more scrutiny there should be. That is why we should be utilising all of the options available to us within our democracy to ensure transparency, accountability and scrutiny.

The committee will provide a much-needed opportunity for the Assembly to hear from the community. It will host hearings that will give a platform to many corners of the community to share their stories, ensuring that we continue to get the balance right and do everything we can to support the community during this crisis.

We have all made sacrifices in the name of public health, and I would like to thank the community for doing the right thing by following the health orders. The community trust decision-makers to have an unprecedented level of control over our lives. This is all, of course, for the greater good, to protect the lives and livelihoods of Canberrans. However, it would be a disservice to the Canberra community who have sacrificed so much if we do not ensure that there is continued scrutiny of these decisions. To not do so in a time of crisis when the community is sacrificing so much and trusting their leaders so much would mean that we were failing in our role as parliamentarians. The members of this place have a duty to the community—a duty to continually keep the government, ourselves and each other accountable. I support the scrutiny of government decisions; therefore, I support the establishment of this committee.

I will now outline the amendment that I have brought forward. It includes some minor changes. Firstly, it seeks to bring the make-up of the committee in line with the make-up of all committees during the term of this Assembly, being one member from each party. This also prevents the deadlock of a tied vote, which can become a feature of four-member committees.

I also seek to implement some practices to ensure that the committee's operations do not unduly impinge on officials who are already working day and night on the COVID response. Finally, I see that an important part of this committee's work is to listen to the community and to gather their feedback in a structured sense, so as to form a coherent picture. This is not to suggest that the government is not already listening, but with so much going on and so much government action, it is important to listen to, and make sure that we hear from, a diverse range of voices, including those whose voices are not as loud as others.

In this way, the committee can bring the community into this Assembly, help the government synthesise community sentiment and also help the committee to prioritise which parts of the government's COVID response it should scrutinise.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.45): Labor will be supporting the amendment moved by Mr Braddock. In response to the Leader of the Opposition's comments about transparency and scrutiny in the announcements that were made on Tuesday, I think this is an ongoing pattern of the opposition probably not really watching the press conferences and then indicating that we have not said X when we have actually been very clear. We have been discussing for weeks and months our decision-making processes and everything that goes into them. We work very hard to be transparent with the community.

The Chief Minister, the Chief Health Officer or the Acting Chief Health Officer and I go out to press conferences every day to answer every question that journalists put to us. I was on radio every single morning and now twice a week, so I think any accusation that we are hiding anything or that we are not being transparent is patently ridiculous. Of course, scrutiny by the parliament is also important.

Ms Lee: That's not what I said. You clearly weren't listening. Not once did I say that.

MS STEPHEN-SMITH: I heard Ms Lee in silence, but of course they are a bit thin-skinned over there; they have a bit of a glass jaw over there. We are very transparent, we are absolutely welcoming of scrutiny, and we will be supporting Mr Braddock's amendment. I do need to indicate that the Chief Minister stood up twice on Tuesday and yesterday with very clear information to the community about our decision-making processes. I would remind Ms Lee that we are in a global pandemic. One of the commitments that we have made to the ACT people is that we will not make promises we cannot keep.

The future at the moment is unpredictable, Mr Deputy Speaker. The future of this outbreak is unpredictable. We were clear that we knew we needed to extend this lockdown and we knew it was likely to be for four weeks. We thought it was really important that we told people that. The Chief Minister has also outlined what the steps beyond that are likely to look like. They are very likely to be similar to the way that we came out of lockdown last year. So any suggestion that that has not been talked about significantly and publicly is absolutely untrue.

MRS JONES (Murrumbidgee) (11.48): As we have discussed, at midday on Thursday, 12 August 2021, the government announced that the ACT would enter a seven-day lockdown from 5 pm that day. The Chief Health Officer's Public Health (Lockdown Restrictions) Emergency Direction 2021 (No 1) commenced. The measures in that direction were justified by the government because of the detection of COVID-19 in the ACT's wastewater and also the confirmation of the first case of local transmission of COVID-19 in Canberra since 2020.

Since that first lockdown on 12 August 2021, the Chief Health Officer has remade her lockdown direction seven times, with the Public Health (Lockdown Restrictions) Emergency Direction 2021 (No 8) commencing at 7 pm on 10 September 2021. There will inevitably be more lockdown restrictions. The measures being imposed by the government are sweeping, vast and unprecedented in the history of the ACT. It is my and the opposition's view that they have been warranted. However, they impose a huge personal cost on many individuals and households who have been forced into a way of living that is quite different to the freedoms that we are used to.

Since the start of the lockdown, I, as the shadow minister for health, mental health and wellbeing, the shadow minister for multicultural affairs and the Deputy Leader of the Canberra Liberals, have worked with the government in a constructive way to solve problems that have been brought to the opposition's attention. All Canberra Liberal MLAs have been busy troubleshooting the problems that have been brought to the opposition's attention.

Initially, it was hoped that the lockdown would be short-lived but, as the weeks have gone on, it has become clear and apparent that the Delta strain of COVID-19 is certainly much harder to contain than previous variants. The ACT community is slowly getting used to the idea that the disease will be an endemic part of living in this nation from now onwards.

The questions which arose at the start of the lockdown were predominantly practical in nature and I will say that the Minister for Health, Rachel Stephen-Smith, and her office have been indeed responsive in working at resolving issues raised. I thank her staff, in particular Catherine Bergin, who have taken many emails, letters and calls from me and my staff and found and implemented many solutions to problems that have been identified. Many issues have been resolved, but some questions remain about how the government has responded. They go to the health and safety of staff, as well as the preparation for this lockdown over the 18 months leading up to it.

We knew that there was a possibility, if not an inevitability, that we would end up in this situation and there are questions to be answered regarding the government's preparation. We are also reaching a place where, as an island in New South Wales, some Canberrans are beginning, rightly so, to worry about their future freedoms and the possible need for proof of vaccination. It is one thing to be asked to declare a health condition or suspected health condition upon entry into or interaction with a health service, but people start to wonder whether the unvaccinated—whether that will be a personal choice for health or religious reasons—may be expected to live as second-class citizens.

Ms Stephen-Smith interjecting—

MRS JONES: I am giving voice to their concerns, Rachel. The reassurance of the Chief Minister that he does not intend to go down that path is welcome. However, as the Human Rights Commissioner has outlined, these questions do warrant constructive and engaging public debate so that everybody can hear the message loud and clear.

Since 12 August to today, at least 13 directions have been made under the Public Health Act of 1998. These instruments are not notifiable instruments, but the legislation website says that they are included on the legislation register for information. While we are supportive of the measures of the public health directions, we do not believe that they should not be subject to scrutiny in this Assembly. More importantly, however, the response of the ACT bureaucracy, the best and the not so awesome, needs to be highlighted so that we can learn lessons to inform future service delivery.

The press conferences by the Chief Minister and other ministers and officials have indeed been welcome, open and informative. However, there is no compulsion on those speaking to disclose full details of some matters. They continue at the whim of the Chief Minister, who has been generous, but who yesterday questioned the approach to journalism of a journalist whom he appeared to disagree with. The press conferences will not be recorded in *Hansard* and will not be able to be analysed for future reflection once recordings are taken off the websites of the agencies recording them, which is indeed an additional reason for the establishment of this committee.

Last year when we were asked to go home for a few weeks, during a much less intense lockdown, people were in shock about the whole situation. We established the COVID-19 select committee in order to keep on the record and officially check on the government's power. This allowed not only for the compulsion to answer questions but also for *Hansard* to record these public discussions. The companion to the ACT Assembly's standing orders states:

In the Australian parliamentary tradition, select committees, in contrast to standing committees, are established with specific terms of reference and set reporting dates. Select committees respond to issues that fall outside the remit of standing committees or are of such importance or urgency that a specific committee is considered necessary to examine them.

The Legislative Assembly has made extensive use of select committees ...

The existing standing committee structure of the Assembly was established when a global pandemic was thought to be a mere hypothetical possibility. Possibly, with the exception of the 2003 bushfires, there has never been an issue that has had a greater impact on Canberra or Canberrans that we have been dealing with.

The issues that I would like to put on the record that need to be inquired into include the lack of fit-testing of protective masks for nurses at the Canberra Hospital working on the COVID-19 wards, in the emergency department and in ICU. I was utterly astounded to be contacted by nurses, as we went into lockdown, who were afraid for their own safety because their masks had not been properly fit-tested. It took weeks to have that issue resolved. There is also the lack of fit-testing of masks for paramedics transporting COVID-19 patients to hospital.

The issues include: the process for nurses wanting to come back into the health system, and not the majority of those who have opted to come back have actually made it back into our system, from the latest data that we were given in press

conferences; the preparedness of the ACT government, given that 18 months have passed since the first COVID-19 case emerged in Australia, and the initial impact of the Delta strain appears to have far exceeded any modelling done by the ACT government; communication with those who were in home quarantine, a form of detention, and the lack of communication by ACT Health, leaving some in the belief that they could not leave this detention for days after their allocated time had expired; communication with those who had been in exposure locations and the current state of that communication; the human rights and responsibilities of the vaccinated and unvaccinated in the territory and how this will be managed; the return to school and how that will be managed; the mandating of vaccines for any specific workforces once all have had the opportunity to get vaccinations and any exemptions based on health, faith or other personal reasons; training in donning and doffing PPE for staff in the non-health facilities—for example, the AMC; the relief that is available via community service and partner networks and whether they have been appropriately funded; and the financial assistance for business, as well as for mental health care.

There is plenty of work for a COVID-19 select committee to do. There is precedent from the Ninth Assembly. Such a committee does not have to outlive the lockdown by far, except to have time to report on its findings; nor does it necessarily have to meet very often. I look forward to the ACT government's support for this modest and measured request for an appropriate scrutiny of the ACT government's hugely increased powers and their huge effect on the lives of those we are here to represent.

MS LEE (Kurrajong—Leader of the Opposition) (11.57): I thank all members for their contributions to this debate. It is pleasing that a select committee, in some form—not the original form that I sought in my motion—will be established. For all the reasons that I outlined in my beginning speech, it is a really important part of our parliamentary duty. It is a significant aspect of what we do in this place as members and the privilege that we have to be able to do it.

These are extraordinary times, as I outlined earlier. We have put our trust, our confidence, in goodwill, in the decision-makers, the political leaders of our city, to make those decisions and we have largely been supportive of them. But it cannot come with any diminished democratic and parliamentary scrutiny. It is during these times that we need it more than ever.

My original motion called for a four-member committee, two members from the opposition and two members from the coalition government. Of course, as is always the case in this place, the Greens like to straddle when it suits them. When it suits them, they are members of the government: “Hey, aren’t we part of the government that did this?” When it does not suit them: “We’re the Greens; we’re not part of the government.” Either way, I acknowledge that they have got the numbers and they are going to get it up. I note that Mr Braddock in his amendment has changed the composition of the committee to one member from each party.

Of course, I acknowledge the importance of the time and resources of our hardworking officials, the Chief Minister and all the ministerial colleagues who are working on this pandemic, as well as the business community, the industry groups and the community sector who are also under the pump in responding to this pandemic.

That is why my original motion specifically stated that time will be minimised to ensure that they are not wasting time away from their core duties of responding to this pandemic.

Going to some of the comments from the health minister, in trying to take a cheap political shot at me, she has completely disrespected the comments from the Human Rights Commission because, clearly, she either failed to listen or refused to take it in. This is a direct quote from the Human Rights Commission, which wrote:

... emergency powers exercised by government must continue to be carefully monitored so that any disproportionate or inadvertent impacts are quickly identified and corrected. It is equally, if not more, important now in the current lockdown that emergency measures and their effects are accountable to public scrutiny, interrogation, and debate by the Assembly.

This is in addition to the countless Canberrans, the thousands of Canberrans, who, after Tuesday, were left wondering whether their government had a plan at all. These are genuine questions that members of our community are asking and have every right to know. For the health minister to come into this place and basically dismiss these genuine questions that are being raised and then say, “We support the establishment of a select committee,” is either a flippant disregard and they are just going through the motions or they have been strong-armed by the Greens. They knew this was going to get up anyway: “Hey, we’d better not look like we oppose this because it looks like we might be hiding from transparency.”

Whilst we acknowledge that the support is going to be on the record from three parties, it is about our community and it is about keeping them safe. I have two amendments to Mr Braddock’s amendment. The first is that we want to make sure that the names of members that will comprise this committee are given by each party’s whip to the Speaker, in writing, by the close of business today, a sitting day. The second amendment seeks that, under paragraph 4(c), hearings are held virtually or via secure teleconference until such time as health directions permit face-to-face hearings. I seek leave to move my amendments.

Leave granted.

MS LEE: I move:

1. In paragraph (2)(c), omit the words “20 September 2021”, substitute “16 September 2021”.
2. Omit paragraph (4)(c), substitute:
“(c) hearings are held virtually or via secure teleconference until such time as health declarations permit face-to-face hearings;”.

This should not be controversial. I thank Mr Braddock and Ms Orr for the discussion that I had with them yesterday about both of those proposals. They said they are agreeable to them in principle, so there should not be any problem with getting support for the two amendments.

It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77. Ordered that the time allotted to Assembly business be extended by 30 minutes.

MS LEE: I thank all parties, and indeed all members, who have contributed to this debate. Last year when we established this select committee it was a unanimous decision. I was hoping that this would be the case today and indeed it is. I thank members for their support. I commend my amendments to Mr Braddock's amendment to my motion.

MR BRADDOCK (Yerrabi) (12.04): We support Ms Lee's amendments to my amendment to Ms Lee's motion and commend it to the Assembly.

Ms Lee's amendments to Mr Braddock's proposed amendment agreed to.

Mr Braddock's amendment, as amended, agreed to.

Original question, as amended, resolved in the affirmative.

Justice and Community Safety—Standing Committee Scrutiny report 8

MR HANSON (Murrumbidgee) (12.05): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 8, dated 24 August 2021, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR HANSON: Scrutiny report 8 contains the committee's comments on four bills, 104 pieces of subordinate legislation, four regulatory impact statements, three national regulations and three government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

Planning, Transport and City Services—Standing Committee Report 3

MS CLAY (Ginninderra) (12.06): I present the following report:

Planning, Transport and City Services—Standing Committee—Report 3—*Draft Land Management Plan: Canberra Urban Lakes and Ponds (Revised Report)*, dated 31 August 2021, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

Report 4

MS CLAY (Ginninderra) (12.07): I present the following report:

Planning, Transport and City Services—Standing Committee—Report 4—*DV365—Housing Choices—Co-Housing and Boarding Houses*, dated 26 August 2021, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

Statement by chair

MS CLAY (Ginninderra) (12.07): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services. On 30 March 2021, the Assembly referred a petition containing 781 signatures to the committee for its consideration. The petition requested the Assembly to call upon the ACT government to do everything within its powers to facilitate the existing owners of Kippax Fair to undertake the centre expansion as soon as possible, in accordance with the approved master plan.

The committee delayed its consideration of the terms of the petition until the Minister for Planning and Land Management had provided his response, which was tabled on 22 June 2021. The committee, at its meeting on 26 August 2021, agreed not to inquire further into the petition because, while the petition called for a direct sale, the government argued that the development opportunity should be a fair and transparent process and seek maximum benefit for the community through a competitive two-stage sales process.

Sitting suspended from 12.09 to 2 pm.

Questions without notice

COVID-19—government response

MS LEE: My question is to the Chief Minister. On Thursday, 9 September, in your daily press conference you said, “In planning for the months ahead,” and you also referred to “the next eight weeks”. You concluded with: “Our approach will support a gradual and safe reopening that supports people back into work. Details on Tuesday.” Chief Minister, why in Tuesday’s press conference did you fail to provide a road map or a plan for a safe transition out of lockdown or any details?

MR BARR: I did—it was released on Tuesday by way of media release and a one-page summary. I then provided further details on Wednesday and further details today.

MS LEE: Chief Minister, when will you provide details regarding a clear path out of lockdown, giving Canberrans the hope and certainty they were expecting to hear on Tuesday?

MR BARR: As we indicated on Tuesday with the pathway out, some of the particular thresholds relate to vaccination rates that are both local and national, and the exact dates in relation to those are not yet known. However, we did indicate the general principles associated with a gradual easing of restrictions.

We have been through this before. The pathway last year is the guidance I can provide the community—that is, a gentle easing out of restrictions is what will occur. That will include density caps, caps in terms of the number of people in particular venues and gradual easing of restrictions over a period of weeks—potentially months, depending of course on case numbers. All of that detail—the high level principles, the indicators in relation to local case numbers, vaccination rates, TTIQ capability—as outlined in the pathway forward we released on Tuesday. The government will provide further information as we get closer to the end of the lockdown period, including a review point later this month and then obviously advice ahead of 15 October.

MRS JONES: Chief Minister, why are you unable to provide greater certainty to Canberrans, when you know roughly when the community will reach the vaccination thresholds required to see a safe easing of restrictions outlined in the national plan?

MR BARR: Because I do not know what the case rate will be in the ACT at that time. The government will rely on the advice of our Chief Health Officer and health officials. This will be a decision taken on the basis of the public health advice. This is not a decision that is subject to political pressure. This is not a decision that will be determined by the lobbying of the Canberra Liberals. This is a decision that will be taken on advice from the Chief Health Officer.

I know we have a lot of epidemiological experts; we have got a lot more in recent times! But let me assure the community that the advice that we will take will come from our Chief Health Officer and that that advice will be heeded.

ACT Health—COVID-19 quarantine

MRS JONES: My question is to the Minister for Health. Minister, the delays in providing advice to people in quarantine at the peak of our outbreak meant that at that peak, as a result of bureaucratic bungling, many people remained in quarantine an additional three days, causing some to miss vaccine appointments. Having had over 12 months to prepare for such an outbreak, why did the government not have systems in place to properly match information about people in quarantine with their test results?

MS STEPHEN-SMITH: I thank Mrs Jones for the question. Of course, this topic has been covered on a number of occasions in our frequent press conferences. There were a number of issues that led to the delay in being able to match people's negative test

results with their records within the contact tracing system to enable them to be released from quarantine.

Madam Speaker, it is true that we have been in a global pandemic for 18 months, but it is not true that we have had Delta for 18 months. It has changed the game in relation to how close contacts are defined, which is why we had so many people in quarantine when we had those school outbreaks. That would not previously have been the case. Our contact tracing system had been working very well up until that point, and there were thousands and thousands of people all trying to come out of quarantine at the same time. There were a number of different issues related to the matching up of negative test results with people's records in the contact tracing system and, of course, lots of people trying to make phone calls in to our team that were not, unfortunately, all able to be answered in a timely way.

I have apologised to those people who were affected by this. I think it is grossly unfair of Mrs Jones to describe this as "bungling". Our team has been working incredibly hard to support the IT system, to run it and to answer phone calls and get back to people as quickly as it can. I absolutely recognise the distress that this caused for some people. In relation to vaccination appointments, those were rebooked as quickly as possible as soon as people came out of quarantine.

MRS JONES: A supplementary. Given this failing, Minister, how will the government be compensating the Canberrans who were arbitrarily detained, given we are a human rights jurisdiction?

MS STEPHEN-SMITH: I think most people in Canberra understand that we are in a global pandemic. These are extraordinary times and people have been outstanding in abiding by the public health directions to quarantine—

Mrs Jones: On a point of order, Madam Speaker.

MADAM SPEAKER: Mrs Jones.

Mrs Jones: The question was not about how Canberrans respond, and it goes to relevance. The question was: how will people be compensated for their arbitrary detention?

MADAM SPEAKER: Mrs Jones, you interrupted the minister about 20 seconds into the answer with a point of order. Ms Stephen-Smith.

MS STEPHEN-SMITH: As I was saying, the people of Canberra have been absolutely outstanding in understanding that quarantine—along with testing, tracing and isolation of positive cases—is a vitally important part of our public health response.

Mrs Jones: On a point of order, Madam Speaker, on relevance.

MADAM SPEAKER: Mrs Jones.

Mrs Jones: The question was about compensation. There has been no mention whatsoever of compensation and the minister will end up finishing before she gets to it. It is on relevance.

MADAM SPEAKER: Mrs Jones, there is no point of order. I cannot, as you well know, direct the minister to respond in a way that you would like. I think she is in the policy area; therefore, it is appropriate.

MS STEPHEN-SMITH: Thank you, Madam Speaker. I am not aware that I have been approached in relation to the matter of compensation by any individual. I am sure that Canberrans actually understand that our health team was working as hard and as fast as it could to ensure that everybody who was due to leave quarantine could do so.

MR HANSON: A supplementary, Madam Speaker. Minister, why have there been a series of so-called system errors that have led to IT failures and jammed phone lines, when the ACT had such a long head start of no cases for a year?

MS STEPHEN-SMITH: I think I can use two words to answer that question: Delta variant.

COVID-19—vaccination rollout

MRS JONES: My question is to the Minister for Health. Minister, in the last five weeks we have seen: people sent home after waiting hours and hours for a vaccine they had booked, because of an apparent issue with the booking system, and over 170 doses of Pfizer vaccine discarded because of bungling; Canberrans waiting for 10-plus hours on the phone to ACT Health to be allowed out of quarantine and getting nowhere; the booking system for the vaccine often completely overwhelmed; waiting lines for testing with no toilets or water at the beginning of the outbreak; and phone systems regularly unable to cope or crashing. Why, when we have had 18 months since COVID arrived in the world to prepare for this outbreak, were we so woefully unprepared for the realities of it?

MS STEPHEN-SMITH: I can assure people that no-one was sent home from the Australian Institute of Sport arena vaccination clinic. People who had bookings later in the evening were rebooked for later in the week, so that the team could get through everybody who was already waiting at the AIS arena. The team then implemented their wastage policy, to ensure that, with the additional vaccination doses that had been drawn up, as many of those as possible could be used. This team is incredibly efficient and has frequently been getting seven doses out of the six-dose phials. I think that accusing them of bungling, accusing them of not doing their jobs properly, is absolutely outrageous. There was a human error in the programming of the appointments for that day, and the team dealt with it extraordinarily well, given the circumstances that they faced.

In relation to the broader questions that Mrs Jones has raised, for our population size, and having regard to the speed with which this outbreak took off and the number of contacts that were identified in the first few days of the pandemic, it is not comparable

to pretty much any other outbreak across the country, for our size of jurisdiction. Every single jurisdiction has seen long waits for testing at the beginning of an outbreak. It is simply not possible to quadruple your testing capacity overnight. But the broad answer to all of Mrs Jones's questions is: the Delta variant has changed the game.

MRS JONES: Minister, why did you leave staff having to work with systems not properly stress-tested before we were in the middle of the biggest outbreak we have had to deal with in the ACT?

MS STEPHEN-SMITH: The team has been working incredibly hard to ensure that our systems were able to cope with the volume that they have seen, but this is a very large job for a relatively small jurisdiction. We have also been working, over time, to replace the contact tracing client management system, but we are working with a system that we have had for some time and that the team is familiar with, and they have worked very hard to ensure that it can do the job.

MR PARTON: Minister, why were our systems overwhelmed so many times and why were your assumptions about the severity of a possible outbreak so wrong?

MS STEPHEN-SMITH: I do not think that Mr Parton's question is covering any new ground there, so I will refer him to my previous answers.

Schools—remote learning

MR HANSON: My question is to the Minister for Education. According to reports in the *Canberra Times* today, medical experts have warned that schools should return "as soon as possible" because children have a low risk of severe symptoms but suffer "a heavy toll learning at home" and staying at home could affect children's social development. Your own ministerial statement today states that you have "only a plan for the first four weeks of term 4," while the Deputy Chief Medical Officer is quoted in the media today as saying the planning is still underway and there will be more said about that. Many parents have expressed anger, confusion and dismay at this lack of certainty or hope. One mum has told us she cries every day. Minister, when will you offer certainty and hope to ACT students, teachers and parents, and bring forward a plan for children from preschool to year 10?

MS BERRY: I thank Mr Hanson for the question. I think that question has been responded to by the Chief Minister and by the health minister. The Delta variant has meant that this virus moves differently within our school communities as well. It has reached into our schools and our early childhood sector in a way that the previous virus did not move in the ACT. So we need to take a fair amount of caution about our approach to returning to face-to-face education within our school communities.

Mr Hanson: Madam Speaker, a point of order on relevance: the minister may get to it, but the specific question was about when she will bring forward a plan. And I ask her to be directly relevant and tell us when we will see the plan.

MADAM SPEAKER: I think she is on track to describe her approach to returning students to schools.

MS BERRY: Thank you, Madam Speaker. I think I responded in my first sentence that the way this virus moves in our community needs to be dealt with cautiously and that a plan for a way forward will be based on the Chief Health Officer's advice on the safety of all of our community and how we can return in a safe way.

But on our schools and on the social and emotional wellbeing of our young people: our teachers are doing an absolutely incredible job in the circumstances that we are in, delivering a remote education, which is not ideal. Of course, everybody understands that; it is not an easy time for everyone. But they are doing the very best they can to ensure our children get the best possible education delivered remotely, as well as providing social and emotional wellbeing support through our telehealth program, which parents and families are encouraged to access if they are feeling concerned.

I know people will be feeling upset about this. It is a roller-coaster of emotions for parents, and they are most worried about their young people. *(Time expired.)*

MR HANSON: Minister what assessments has the ACT government done on the educational, social and mental health impacts of these lockdowns, and will you publish those results?

MS BERRY: There has been international research into the effect that lockdowns have on the whole world, which is going through an international health pandemic at the moment. It is, of course, not ideal for anyone. But what we have found through remote learning is that students and young people are learning things they might not necessarily ordinarily learn in a typical classroom or face-to-face education—things like social and emotional learning, self-directed education, understanding what an international health pandemic can look like.

Remote education is delivered by the professionals in the ACT, and we are delivering the best in the country, in my view. Our teachers are going above and beyond to make sure our students and young people are getting all the support they can, not just with their learning but also with their social, emotional and mental health and wellbeing, because that is just as important as delivering an education remotely during an international health pandemic.

MRS JONES: Minister, when will you deliver a plan: in term 4, halfway through term 4 or at the end of term 4?

MS BERRY: As the Chief Minister has said before me and the health minister has said before me, we will listen very carefully to the advice of our Chief Health Officer. We have the very best advice in the country, and Dr Kerry Coleman is providing that advice daily. We will take her advice in making those decisions on a plan for a way forward.

COVID-19—car sales

MS CASTLEY: My question is to the Minister for Business. Minister, Canberra's automotive industry is banned from contactless delivery of cars to local homes, yet Queanbeyan dealers can sell cars and are delivering vehicles into Canberra. The ACT

is the only jurisdiction in the country which has closed down car sales and deliveries. Minister, why are ACT businesses being penalised and, as a result, losing clients to New South Wales competitors, which can deliver cars while our local businesses are not allowed to?

MADAM SPEAKER: Are you taking this question, Ms Stephen-Smith?

MS STEPHEN-SMITH: Yes, because I am Minister for Health, and the Chief Health Officer is responsible for public health directions, under which, at the moment, our car dealerships are not able to operate. But that is an ongoing conversation with the Chief Health Officer, and we should have more to say about that in the next little while.

MS CASTLEY: Minister, what do you say to Canberran family car dealerships, who employ hundreds of workers—they sponsor footy teams; they contribute to the community—while they watch business go across the border and are unable to meet interest payments on cars that they are not allowed to sell?

MS STEPHEN-SMITH: I thank Ms Castley for the supplementary question. Of course, we absolutely understand that lockdown is very difficult. It is difficult for individuals and it is difficult for many businesses and business owners. We understand that, but we are in a lockdown. We are in a lockdown because we are in a global pandemic and because the delta variant has changed the game in terms of its transmissibility.

Mr Hanson interjecting—

MS STEPHEN-SMITH: So we are working through issues with a wide range of industries and businesses, to understand what can go ahead safely. But it is about cumulative risk. We have talked about this many times. If we have more people moving around the ACT doing all manner of small things that, by themselves, do not seem to create any public health risk, together they involve more people moving around, more people coming together and more people meeting up. I understand that things can be done contactlessly, but some often have to come together to do part of that job. That is the balance that we are constantly trying to strike. We recognise that it is very difficult, and that is why the Chief Minister has worked so hard—including with the Commonwealth government and his colleague Mr Frydenberg, the federal Treasurer—to ensure that we also have business supports in place.

MR PARTON: Minister, have you spoken personally to any of these local car dealers since lockdown, and when will you allow them to trade like the rest of the nation's car industry, which is facing the same delta variant as us?

MS STEPHEN-SMITH: I thank Mr Parton for the supplementary question. No, I have not personally spoken to any of these car dealerships, but I am very, very conscious of the issue. As I said in response to Ms Castley's first question, it is the topic of active conversation with the Chief Health Officer at the moment. We are certainly very well aware of this particular issue.

COVID-19—vaccination rollout

MR DAVIS: My question is to the Minister for Health and relates to vaccine rates. Minister, in an August briefing from ACROSS, the organisation cited serious concerns about high-risk groups being left behind in achieving COVID-19 vaccination coverage. Will the ACT have targets for these disadvantaged groups?

MS STEPHEN-SMITH: I thank Mr Davis for the question. One of the points that the Chief Minister and I have both made regularly at press conferences is that as we look at the 70 per cent fully vaccinated rate, the 80 per cent fully vaccinated rate and the 90 per cent fully vaccinated rate right across our community, we are also looking at the different parts of our community, particularly those who might be more vulnerable or who might have difficulty, for whatever reason, accessing mainstream health services.

That is exactly why we have established what we call the access to equity program for vaccination. The government has collaborated with the Capital Health Network and the commonwealth to support primary care organisations like Interchange Health Co-op and Directions Health Services, and also Companion House, to provide vaccinations right across diverse communities. This includes Directions providing outreach and mobile services across a number of social housing and other sites across Canberra.

So far—this data is a bit old—we have provided at least 500 COVID-19 vaccination doses to these community partners as part of the equity to access program. That is in addition to the doses provided by the commonwealth. The access to equity vaccination program works with each individual's trusted provider and established supports to optimise vaccine take-up and uses a variety of tools, including targeted communication and dedicated in-reach.

This week Canberra Health Services is also supporting Winnunga Nimmityjah, which had to close down for the first two days of this week as a result of a contact at Winnunga. Canberra Health Services is ensuring that they can continue to meet their appointments of about 120 people a day through there, as well, through the week while their staff are furloughed. On Monday and Tuesday, those people with appointments had the opportunity to come to AIS.

MR DAVIS: Minister, could you elaborate in more detail on specific in-reach and outreach programs that ACT Health is undertaking and will undertake to make sure that vaccinations reach those who need them the most.

MS STEPHEN-SMITH: I can speak about some of those things. Directions, as part of their mobile service, which we and the Capital Health Network fund, have been going around to a range of social housing sites offering vaccination. We have specifically worked with them to increase that in the inner north as we have seen the outbreaks associated with Condamine Court and Ainslie Village. We know that there is a lot of movement between different social housing sites within the inner north, so that has been a specific target and focus, with our Canberra Health Services team working alongside Directions to deliver that.

Interchange Health Co-op has been working with the Early Morning Centre to ensure that its clients can get access to vaccinations.

There are in-reach programs. Justice Health Services provides vaccinations at the AMC, the Alexander Maconochie Centre. As detainees are released, they also receive information about how to get their second dose of vaccine, if that has not already been achieved.

There are a range of other programs working with a wide range of community partners, including in the multicultural community, to ensure that communities that may lack some trust in mainstream health services and may need a more bespoke response are able to get that. We continue to work with a diverse range of communities.

I have not mentioned the access and sensory clinic, which is now located at Weston Creek, which is providing a supportive vaccination environment for people with disability. It has been running two days a week for some time at Garran and is now running five days a week at Weston Creek community health centre. That has been very much welcomed by people with disability. There is also the capacity to do in-reach where we need to. That is, of course, a commonwealth responsibility, but we are stepping up to support that.

MR BRADDOCK: Could you please explain how culturally and linguistically diverse cohorts will be reached out to, to ensure that they achieve vaccination targets?

MS STEPHEN-SMITH: I thank Mr Braddock for the supplementary question. The ACT Health Directorate runs the vaccination program as a broad program. Much of it is delivered through Canberra Health Services, but it is also delivered through our community partners, including, as I have mentioned, in partnership with the Capital Health Network and a number of primary care providers.

Opposition members interjecting—

MS STEPHEN-SMITH: Through those relationships, there is a very close working relationship between ACT Health and a number of multicultural community leaders. In fact, there is someone from the Office of Multicultural Affairs embedded—at the moment I think there are two people embedded—in ACT Health to ensure—

Opposition members interjecting—

MADAM SPEAKER: Members, can we have some silence.

MS STEPHEN-SMITH: that that work is done with individual communities to provide the most culturally appropriate and the most accessible supports for people to get vaccinated.

Business—COVID-19

MS CASTLEY: My question is to the minister for business. The ACT government has promised a COVID small business and hardship scheme with up to \$10,000 in

credits for payroll tax, utilities and other charges, yet the scheme will not start until October and the website states that detailed guidelines will be available in the coming weeks, which is no help to businesses on the brink. Given the scheme is meant to provide support for business hardship, why will it not kick off until October, two months after lockdown began?

MR BARR: Madam Speaker, I will take this one. The scheme is designed to deal with quarterly business activity and to compare one quarter pre-pandemic or pre-outbreak with the following quarter and to provide a further set of assistance to business on top of what has already been provided. So this will provide a further top-up later in the round of business supports.

Earlier in the round of business supports there was a targeted program—this is pre-outbreak—for tourism and accommodation providers, for example, who were experiencing a lack of demand because of the lockdowns in Sydney and Melbourne particularly. So waves of business support come through different programs and in different tranches. In this instance, these supports are credits against liabilities that are not immediately due. Most of those are quarterly, some are monthly liabilities to the ACT government. It will depend, of course, on the tax line.

MS CASTLEY: Chief Minister, why did it take until the fourth week of lockdown for businesses to start receiving funds as part of the ACT COVID-19 business support grants?

MR BARR: Funds were made available within the first week of the applications opening. We were able to negotiate our joint package with the commonwealth within two weeks. The equivalent New South Wales government scheme took three to four weeks from when they had their first cases before it was even opened! The New South Wales scheme still has a backlog in paying businesses out. The problem, ultimately, is that state-administered schemes are the least efficient way to deliver support directly to business. This is the point that the New South Wales Treasurer, Dominic Perrottet made repeatedly and publicly, including write an op-ed in the *Daily Telegraph* pointing this out.

We are not the only jurisdiction that has experienced frustration in this delivery model. I agree that it is not optimal. It would be much easier if it was done through the business activity statement system and through the Australian Tax Office, like JobKeeper was. It would have been much, much better. Money would have flowed much earlier. But, unfortunately, the commonwealth preferred this method. We then had to negotiate with them the eligibility criteria and the quantum of funding. That has changed multiple times for different states and territories.

You might recall Victoria went into this first and then New South Wales was given more than Victoria, promoting or further promulgating the view that the Prime Minister is the Prime Minister for New South Wales. So then Victoria's scheme had to be adjusted again. We had a different scheme for South Australia. We have too much inconsistency, and that is because we do not have a national scheme. But it is what it is, and we are doing our best to process thousands of payments as quickly as possible. *(Time expired.)*

MR MILLIGAN: Chief Minister, how many businesses will never reopen, as a result of your failure to deliver the much-needed support in time?

MR BARR: I hope no businesses will fall over. But as the Prime Minister, the federal Treasurer and the federal finance minister at the time said at the beginning of the pandemic, it may not be possible for government to be able to save every single business. It may not be possible.

Now, of course, businesses rise and fall regardless of pandemics. It is not that every business survives even in non-pandemic circumstances. And this is an incredibly tough time. People can draw inspiration from previous generations who have overcome circumstances and shown incredible resilience. I think of those who lived through the Second World War, those who lived through the Great Depression, who showed it is possible to rebuild and recover from incredible circumstances and incredible economic and social shocks. This generation will prove to be resilient, too.

COVID-19—restrictions

MS CLAY: My question is to the Minister for the Environment. Minister, access to our natural spaces is so important for our mental health, particularly during difficult times like the current lockdown. Our volunteer ParkCare and LandCare volunteers do an amazing job of looking after our land and managing weeds, and it is important for their mental health to get out and reconnect with nature. Recent changes to COVID restrictions allow picnics, exercise and other outdoor recreation, but these groups have been advised that they are unable to operate under current guidelines. What guidance can you provide landcare and catchment groups and their volunteers about when they may be able to return to outdoor working bees?

MS VASSAROTTI: Thank you, Ms Clay, for the question. To support the ACT government health restrictions, the Environment, Planning and Sustainable Development Directorate has closed a number of reserves and campgrounds. It also paused all environmental volunteering activities and limited operational work to essential services only.

The parks and reserves outside urban areas, such as Namadgi National Park, Tidbinbilla Nature Reserve and Cotter Precinct, have been closed to support the health directions, and that is around limiting our engagement outside our own households, encouraging people to restrict travel within regions and limiting the time permitted for outdoor recreation.

The timing of the recommencement of the volunteer activities through ParkCare, Waterwatch and Frogwatch are being carefully considered. We know that volunteers play a key role in our environmental programs, but this does need to be balanced against the risks presented by COVID-19. We also understand the mental health impacts of volunteering, and we want to get them back to work as soon as possible. We need to look at the health advice. Issues such as limitations on how long people can be out and the level of interaction between households and people will be key elements that will impact on health restrictions.

While we are not able to see environmental volunteers out right now, I am really pleased that we have been able to move to provide them with additional resources, including today's announcement of \$3.5 million to support the important work of organisations that are supporting environment volunteers. I am really looking forward to getting them out as soon as we can.

COVID-19—Condamine Court

MR PARTON: My question is, I imagine, to the Minister for Housing and Suburban Development. It relates to the recent cases of COVID transmission at Condamine Court. Last year's Victorian wave very clearly showed us that any COVID transmissions at high and medium-density public housing complexes were extremely problematic and needed to be dealt with swiftly. An exasperated Emma Campbell from ACTCOSS was reported in the *CityNews* as saying:

It's clear that we have not been listened to and that lessons from other jurisdictions have not been learned.

Why didn't we learn from Victoria, and why were we so poorly prepared for the Condamine Court outbreak when it occurred?

MS VASSAROTTI: I thank the member for the question. In relation to the response to the COVID outbreak in two social housing sites in the ACT, I actually suggest that we were well prepared and we were able to get out on site and provide a multi-agency response very quickly. This was led by Health, and saw a range of services come together to provide a range of health, material aid and other support services. There were some bumps along the road. Certainly, as we were working with different parts of the sector, and different organisations were providing different types of services, it did take us a little bit of time to ensure that we were doing everything that we needed to do.

In terms of the work that Housing ACT did, in the first 48 hours of the outbreak, in order to support ACT Health and to ensure that clients were looked after, a dedicated hotline was opened—a 24-hour, seven-day-a-week service for residents at Condamine—and at Ainslie Village, when it was also impacted. It was established and has been operating since Sunday, 22 August. Government and non-government organisations have worked together to ensure that food and services have been provided throughout the quarantine period. We have also had Directions working with other organisations to provide vaccinations, as the health minister has talked about.

In relation to the support that has been provided, it has been significant and it has been comprehensive. There have been times when clients, while we have been operating in really difficult and challenging circumstances, have been frustrated, and services have been able to provide additional support when needed. (*Time expired.*)

MR PARTON: Minister, why were residents told to fill out a grocery shopping list on the first night of the crisis, a list that was never collected, and why were residents left in the dark about food supplies for at least 24 hours?

MS VASSAROTTI: At the beginning of the outbreak at Condamine, there were people who went in straightaway to ensure that people knew what was going on, and information was collected about the types of needs to be provided. The Community Services Directorate then came in and provided some essential services. It did take some time for us to work out how to best support these clients, and by the second week of the pandemic—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, we do not need your commentary.

MS VASSAROTTI: There were a range of strategies provided, because we are dealing with people—we have people with different types of needs and different requirements, and we were trying to provide a very person-centred response. So we were going to see some different things trialled during the period. My understanding, from the feedback provided, in particular, is—was because we provided that 24-hour line that people could access so that they could tell services what their needs were—that we were able to respond to needs as they emerged.

MR HANSON: Minister, how many compliance checks were done of residents at Condamine Court, and how many police actions were taken as a result of breaches over the two weeks of quarantine there?

MS VASSAROTTI: I thank Mr Hanson for the question. That is something that I will need to take on notice. There was a multi-agency response that happened over the period of quarantine and it did involve ACT Policing. A range of strategies were put in place. We certainly looked at how we could provide people with all the support they needed in order to maintain their quarantining. We will get you some specific information on notice about any specific notices that were required to support quarantining.

ACT Corrective Services—COVID-19

MR HANSON: My question is to the Minister for Corrections. Minister, on 11 September a man from a vulnerable community at Jervis Bay was subjected to a bewildering, chaotic and disorganised series of events. In a single day he was detained at the AMC, released on bail, told he was a close contact for COVID-19, directed to isolate at ANU, told he could not isolate at ANU, taken to an interstate caravan park for isolation, told he was not a close contact after all, stranded without money or identification, and told he would need to isolate at home despite having no way of getting back there. Minister, what damage has this man's interaction with the ACT corrections system caused him, and what has your government done to repair this damage?

MR GENTLEMAN: I thank Mr Hanson for the question. This is a matter that I have asked officials, of course, to look into. I am also mindful that it may remain before the courts.

In terms of the COVID-19 advice provided, I understand that, between the time the Magistrates Court bailed the individual and his release from AMC, there was a positive detection of COVID-19. Pending formal health advice, ACT Corrective Services adopted a cautious practice, assuming there might be a broad impact.

However, a formal health advice later that day advised that this was not the case. The clear advice was also that the detainee was neither a close nor casual contact. I understand ACT Corrective Services arranged for a hotel for the individual and Corrections staff continued contact with the man to ensure his welfare. Staff also visited the detainee the following day to provide him with additional support, including further food and other items.

In relation to other matters relating to this matter, I have asked that these be looked into, and I am awaiting advice from officials.

MR HANSON: A supplementary, Madam Speaker. Minister, were this detainee from Jervis Bay and the detainee who tested positive for COVID-19 ever in the police watch house, the court cells, the court transport vehicle or the same building at AMC together?

MR GENTLEMAN: No.

MRS JONES: A supplementary, Madam Speaker, Minister, what arrangements were in place pre-pandemic for the transportation of detainees back to Jervis Bay following release from the AMC, and what are the current arrangements?

MR GENTLEMAN: I thank Mrs Jones for the question. It is an important one. It is part of the planning that ACT Corrective Services has been doing since COVID started last year in regard to transporting detainees across the ACT and, of course, interstate into other jurisdictions. I had a detailed brief from the acting commissioner yesterday. He has put in place particular transport options for detainees that may be close contacts of COVID detainees or be COVID detainees themselves. I am very pleased with the work that they have done—

Mrs Jones: On a point of order, Madam Speaker, on relevance.

MADAM SPEAKER: Mrs Jones.

Mrs Jones: The minister was asked what were the arrangements before COVID and what are the arrangements now—not that they are there: we assume they are there. On relevance, what are the exact arrangements? He was briefed on them yesterday. Can he not tell us anything about them?

MADAM SPEAKER: Thank you, Mrs Jones. The minister has a minute and a half to get to that point of the question.

MR GENTLEMAN: Thank you, Madam Speaker. It is important that, of course, we do highlight the arrangements that are in place in a high example, if you like, because

I will not go into details for travelling arrangements for detainees across the city or interstate. It is a matter for the security of operations of the AMC and the security and safety of their staff as well. I can say, of course, that there were arrangements that have changed because of the COVID situation. I believe that the AMC has done an extremely good job and acting commissioner—

Mrs Jones: A point of order, Madam Speaker. On relevance, is the minister genuinely not able to tell us how he moves people from here to Jervis Bay?

MADAM SPEAKER: I think the inference in that was around security concerns and he was not going to go into detail. I could be paraphrasing you, Minister—

MR GENTLEMAN: Yes, they move them by vehicles.

Minister for Disability—COVID-19 response

MR MILLIGAN: My question is to the Minister for Disability. Minister, the lockdown began at 5 pm on Thursday, 12 August. You wrote to the federal Minister for the National Disability Insurance Scheme on the 27 August asking for “urgent assistance” for Canberra’s disability sector, which was particularly vulnerable during this lockdown. The letter was sent to the wrong address. Minister, why did it take you over two weeks to advocate on behalf of these vulnerable Canberrans?

MS DAVIDSON: I thank Mr Milligan for the question. I would like to start by acknowledging the incredible work that is being done by people in the disability sector and in the disability community to share information with each other and support each other during a very difficult time. It has been very challenging for everyone. In regard to supports from the NDIA, I had a conversation with the federal minister on the day that the first cases were discussed in the media conference, and expressed to her the need for support. Conversations then continued between various officers.

There were several requests made to the NDIA for support, about which we had not received a lot of response. We eventually resorted to contacting the federal minister directly to ask for some help, which has resulted in some assistance now being provided. It would, however, have been really helpful if the level of assistance that we were able to access in the ACT through the NDIA was more closely aligned with the level of assistance that is being provided to New South Wales. That would have been very helpful for the sector here, particularly in regard to additional funding for NDIS providers, who are having to manage workforce shortages because of close contacts being in quarantine as well as the additional PPE requirements. But, yes, we have been working on trying to get more support from the NDIA.

MR MILLIGAN: Minister, how long was this vital federal assistance delayed because you sent correspondence to the wrong address?

MS DAVIDSON: I do not believe it is sending something to the wrong address if you send it directly to the federal minister’s email address which is correct. Whether they have the right business processes in place to pass that on is another matter. In any case,

it was resolved very quickly afterwards, and we are very thankful for having some support.

MS CASTLEY: A supplementary. Isn't this failure to adequately communicate with your federal counterpart just another example of your government being woefully unprepared to deal with a COVID outbreak in the ACT?

MS DAVIDSON: Actually, there has been a remarkable level of communication between my office and the federal minister. We have called each other; we have texted each other; we have emailed each other, and we have written letters. As a result of that, we have had some level of assistance from the NDIA that we might not have had, had we not been able to have those conversations, and I am very thankful for that.

Housing ACT—COVID-19

MR BRADDOCK: My question is for the minister for housing services. Some of the residents in public and social housing are the most vulnerable in our community, with complex and overlapping vulnerabilities. What measures are being taken to support this cohort specifically during the outbreak of COVID in public housing in the ACT?

MS VASSAROTTI: I thank Mr Braddock for the question.

Mr Hanson interjecting—

Mrs Jones interjecting—

MADAM SPEAKER: Members! Mrs Jones, that's enough.

Opposition members interjecting—

MADAM SPEAKER: Members, it is the last question of question time. Can we just get on with it.

MS VASSAROTTI: The safety and wellbeing of staff, tenants and the community is a really key priority. We want to assure everyone that Housing ACT is still open online and over the phone and continues to provide essential services and support. There still are face-to-face services for clients, but people need to make a call to make an appointment.

While we are rescheduling formal client visits during the lockdown, in urgent situations or for people who need intensive support, visits can be triaged and undertaken using social distancing protocols. In our 20 multi-unit property sites we continue to have housing managers conduct walkthroughs and maintain a safe presence on site. At the beginning of the pandemic, we did welfare calls on a number of tenants who required support.

As we have already talked about, a key issue will be ensuring that these vulnerable Canberrans will be vaccinated. We have already provided quite significant information regarding some elements of the vaccination work that has been done.

MR BRADDOCK: Minister, moving forward, how will the government continue to support the health and livelihoods of tenants for the remainder of the lockdown?

MS VASSAROTTI: The ACT government has introduced a range of programs to support the community through this challenging time. Many of these will include our public housing tenants. This week the Chief Minister announced that the ACT government would provide an additional one-off \$200 increase to the utilities concession. That is supporting the most vulnerable people in our community. This means that this year the utilities concession for the 31,000 eligible households in the ACT will increase from \$700 in the last financial year to \$1,000.

Since the beginning of the crisis, we have progressively made announcements and introduced support packages in areas including food and material aid and mental health support. I was really pleased to be part of today's \$26 million package that ensures that those most in need in our community will continue to receive support as we respond to the latest local outbreak of the COVID-19 virus. Key elements include \$8.6 million over three years to expand the capacity of homelessness services, \$509,000 for the pandemic response team to continue to implement the ACT government community recovery road map, and an additional \$100,000 to support ongoing access to emergency food relief for those in need.

In relation to supporting tenants who may be in financial stress that is impacting their ability to pay rent, I welcome the ACT government's Residential Tenancies (COVID-19 Emergency Response) Declaration 2021 and the protection it provides to tenants who are impacted by COVID-19. This will include Housing ACT tenants.

Housing ACT will continue to work with tenants to sustain their tenancies during the moratorium period. *(Time expired.)*

MR DAVIS: Minister, if you had a direct line to the Prime Minister, what federal government interventions would you ask for that you think would most assist the ACT's public housing tenants?

Mrs Jones: Madam Speaker, that is a hypothetical question. It is out of order.

MADAM SPEAKER: It may be. Members, there was a question here about how many. It goes both ways. I am going to rule it out of order.

Mr Barr: Further questions can be placed on the notice paper.

Papers

The Clerk presented the following papers:

Full Mesoscopic study—Paper—Resolution—Order to table 5 August 2021—
Copies of letters from the Chief Minister to the Clerk—

Advising that no such document exists, dated 18 August 2021.

Providing further clarification, dated 18 August 2021.

Madam Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report—Supplementary Report to Court Transport Unit Vehicle—Romeo 5 (Report No 3/2021), dated 31 August 2021.

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Use of force to conduct a strip search at the Alexander Maconochie Centre on 11 January 2021 (CIR 01/21), dated 31 August 2021.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 19(4)—ACT Climate Change Council Annual Report 2020-21, dated 28 July 2021, together with a statement from the Minister for Water, Energy and Emissions Reduction responding to the advice/recommendations made in the report.

Standing order 191—Amendments to the Crimes Legislation Amendment Bill 2021, dated 10 and 11 August 2021.

Bills referred to Committees, pursuant to the resolution of the Assembly of 2 December 2020, as amended 30 March and 22 April 2021—Correspondence—

Bill—Inquiry—

Road Transport Legislation Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Planning, Transport and City Services, dated 19 August 2021, advising that this Bill would be inquired into in conjunction with the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2).

Bills—Not inquired into—

Bail Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Justice and Community Safety, dated 11 August 2021.

COAG Legislation Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Economy and Gender and Economic Equality, dated 11 August 2021.

COVID-19 Emergency Response (Check-in Information) Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Justice and Community Safety, dated 11 August 2021.

Mr Gentleman presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 14—Extension of time for presenting 2020-21 Annual Reports—Statement of reasons, dated 15 September 2021.

ACT Implementation Plan—National Agreement of Closing the Gap (Closing the Gap—Jurisdictional Implementation Plan), dated September 2021.

Crimes (Controlled Operations) Act, pursuant to subsection 28(9)—Annual report 2020 21—Australian Criminal Intelligence Commission, dated 26 July 2021.

Crimes (Surveillance Devices) Act, pursuant to subsection 38(4)—

Annual Report 2017-18—ACT Policing Surveillance Device—Corrigendum.

Annual report 2020 21—Australian Criminal Intelligence Commission, dated 26 July 2021.

Review of the Renewables Auction 5—Summary report, dated September 2021.

Emergencies Act, pursuant to subsection 203(2)—Review of the operation of the *Emergencies Act 2004*, dated August 2021.

Family and domestic violence—Legislative reforms—Government response to the resolution of the Assembly of 30 March 2021, including a statement.

Financial Management Act—

Pursuant to section 26—Consolidated Financial Reports—2020-21 Interim Result—Financial quarter ending 30 June 2021, dated September 2021.

Pursuant to subsection 30F(3)—2020-21 Capital Works Program—Progress report—Year-to-date 30 June 2021, dated September 2021.

Government responses to the Assembly—Copy of letter to the Speaker from the Manager of Government Business, dated 7 September 2021.

Heavy Vehicle National Law as applied by the *Heavy Vehicle National Law Act 2012* (Qld) and by the law of States and Territories—Heavy Vehicle National Legislation Amendment Regulation 2021 (2021 No 42), together with an explanatory statement.

Inspector of Correctional Services Act—Reports of Reviews of Correctional Centres by the ACT Inspector of Correctional Services—Government responses—

Riot and serious fires at the Alexander Maconochie Centre on 10 November 2020.

Serious fire at the Alexander Maconochie Centre on 14 November 2020.

Mental Health (Secure Facilities) Act 2016—Update on review—Statement, dated 16 September 2021.

New programs to address homelessness in the ACT—Update—Revised ministerial statement, dated September 2021.

Planning and Development Act, pursuant to subsection 161(2)—Exercise of call-in powers—Statements by Minister, including Notices of Decision—Development applications—

No 202138619—Blocks 792 and 820 Section 0 Gungahlin, dated 16 September 2021.

No 202138630—Block 792 Section 0 Gungahlin, dated 16 September 2021.

No 202138715—Block 792 Section 0 Gungahlin, Block 849 Section 0 Gungahlin, Block 1 Section 164 Harrison, Block 1 Section 165 Harrison, Block 2 Section 127 Harrison and Block 11 Section 5 Harrison, dated 16 September 2021.

Public Sector Management Standards, pursuant to section 56—Engagements of long term senior executive service members—1 March to 31 August 2021, dated September 2021.

Work health and safety—Psychosocial hazards—Government response to the resolution of the Assembly of 30 March 2021—Six-month update, dated September 2021.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act and Financial Management Act—

ACT Teacher Quality Institute Board Appointment 2021 (No 1)—Disallowable Instrument DI2021-196 (LR, 26 July 2021).

ACT Teacher Quality Institute Board Appointment 2021 (No 2)—Disallowable Instrument DI2021-197 (LR, 26 July 2021).

Animal Diseases Act—Animal Diseases (Endemic Diseases) Declaration 2021—Disallowable Instrument DI2021-198 (LR, 26 July 2021).

Animal Welfare Act—

Animal Welfare (Animal Day Care Establishments) Mandatory Code of Practice 2021—Disallowable Instrument DI2021-194 (LR, 22 July 2021).

Animal Welfare (Overnight Animal Boarding Establishments) Mandatory Code of Practice 2021—Disallowable Instrument DI2021-190 (LR, 26 July 2021).

Animal Welfare (Sale of Animals in the ACT other than Stock and Commercial Scale Poultry) Mandatory Code of Practice 2021—Disallowable Instrument DI2021-192 (LR, 22 July 2021).

Board of Senior Secondary Studies Act—

Board of Senior Secondary Studies Appointment 2021 (No 2)—Disallowable Instrument DI2021-193 (LR, 29 July 2021).

Board of Senior Secondary Studies Appointment 2021 (No 3)—Disallowable Instrument DI2021-200 (LR, 29 July 2021).

Gaming Machine Act—Gaming Machine (Emergency Community Purpose Contribution—Local Live Performance Industry) Declaration 2021—Disallowable Instrument DI2021-214 (LR, 31 August 2021).

Leases (Commercial and Retail) Act—Leases (Commercial and Retail) COVID-19 Emergency Response Declaration 2021—Disallowable Instrument DI2021-218 (LR, 1 September 2021).

Liquor Regulation—Liquor (COVID-19 Emergency Response—Permit Fee Waiver) Declaration 2021 (No 2)—Disallowable Instrument DI2021-189 (LR, 22 July 2021).

Long Service Leave (Portable Schemes) Act—Long Service Leave (Portable Schemes) Mental Health Community Coalition ACT Employer Declaration 2021—Disallowable Instrument DI2021-191 (LR, 16 July 2021).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods Amendment Regulation 2021 (No 1)—Subordinate Law SL2021-19 (LR, 17 August 2021).

Public Place Names Act—Public Place Names (Yarralumla) Determination 2021—Disallowable Instrument DI2021-195 (LR, 22 July 2021).

Public Trustee and Guardian Act—Public Trustee and Guardian (Investment Board) Appointment 2021 (No 2)—Disallowable Instrument DI2021-201 (LR, 5 August 2021).

Racing Act—

Racing Appeals Tribunal Appointment 2021 (No 1)—Disallowable Instrument DI2021 186 (LR, 8 July 2021).

Racing Appeals Tribunal Appointment 2021 (No 2)—Disallowable Instrument DI2021 187 (LR, 8 July 2021).

Residential Tenancies Act—Residential Tenancies (COVID-19 Emergency Response) Declaration 2021 (No 3)—Disallowable Instrument DI2021-216 (LR, 1 September 2021).

Road Transport (Driver Licensing) Act, Road Transport (General) Act and Road Transport (Vehicle Registration) Act—Road Transport (Vehicle Registration) Amendment Regulation 2021 (No 1)—Subordinate Law SL2021-18 (LR, 9 August 2021).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2021 (No 7)—Disallowable Instrument DI2021-188 (LR, 14 July 2021).

Road Transport (General) Application of Road Transport Legislation Declaration 2021 (No 8)—Disallowable Instrument DI2021-199 (LR, 26 July 2021).

Working with Vulnerable People (Background Checking) Act—Working with Vulnerable People Background Checking (Fees) Determination 2021 (No 1)—Disallowable Instrument DI2021-202 (LR, 3 August 2021).

Business—COVID-19

MS LEE (Kurrajong—Leader of the Opposition) (2.55): I move:

That this Assembly:

(1) notes:

- (a) the COVID-19 outbreak in the ACT and subsequent lockdown from 12 August 2021 has been a challenging time for all Canberrans;
- (b) our thanks to the Canberrans working on the frontline to keep our community safe;
- (c) the effort made by all Canberrans to suppress the virus; (d) many ACT businesses have not been able to operate in their usual way or in any form for over four weeks;
- (e) the significant impact the current lockdown is having on ACT businesses;
- (f) ACT businesses have borne the economic brunt of the lockdown, including mental health impacts, with many significantly concerned for the future of their business and the long-term economic viability of the ACT;

- (g) that the Chief Minister has estimated there are approximately 10,000 businesses eligible for government business support;
 - (h) that in the first two weeks of applications for government business support:
 - (i) approximately 6000 businesses had applied (comprising about 60 percent); and
 - (ii) approximately 400 businesses had been approved for support (comprising about 6.7 percent of current applications);
 - (i) the vast majority of eligible businesses have not received critically necessary support;
 - (j) that this uncertainty is causing great distress for business owners, their families and the Canberrans employed by these businesses; and
 - (k) the significant impact this ongoing lockdown, uncertainty for the long-term management of the pandemic and the delays to critically needed support is having on the mental health of business owners, their families and their staff; and
- (2) calls on the ACT Government to:
- (a) define a clear path forward for ACT businesses, including a clear and transparent plan for the safe transition out of the lockdown;
 - (b) establish a COVID-19 Business Recovery Taskforce comprising of representatives and leaders from the business community across a range of sectors, for the purpose of:
 - (i) developing a recovery plan for ACT businesses;
 - (ii) informing post-COVID business measures; and
 - (iii) providing a direct voice to the ACT Government from business;
 - (c) publish the terms of reference and members of the taskforce by the last sitting day in October 2021; and
 - (d) report on progress of the Taskforce to the Assembly by the last sitting of 2021.

On behalf of the Canberra Liberals I thank everyone from the frontline working hard to keep our community safe. Our community's heart has been on full display in Canberrans rallying to look out for one another. Canberrans have been through so much over the last five weeks. Many Canberrans felt the anxiety and stress of waiting to hear the numbers during the Chief Minister's daily press conferences at 11.45 each day. Many Canberrans have felt the enormous pressure of trying to balance supporting our children through remote learning whilst also staying dedicated to day jobs, within the challenging boundaries of working from home.

For too many Canberrans, the last five weeks have meant being forced to wait patiently at home to be able to reopen their businesses and begin trading. For these Canberrans, each and every day of lockdown is met with uncertainty, with diminishing hope that their businesses will ever be the same. Many Canberrans pinned their hopes on Tuesday, 14 September as the day that we would be provided with a plan—a road map, a pathway forward on how the ACT would safely transition out of

lockdown and a beacon of hope for our city for the future. Many Canberrans were rightfully disappointed, frustrated and angry at what they heard—but, most importantly—what they did not hear from the Chief Minister.

The brutal reality is that the four-week lockdown extension is the nail in the coffin for many businesses, who will not recover from this. Countless businesses have told us point blank that they have been left behind by this government. What we were all expecting from this week's road map was a pathway for the future—but it is, in fact, a road map to nothing. There was no plan, no clarity and no hope for a safe transition out of lockdown. There were the most minor of tweaks to current health directions, none of which will help Canberra businesses put food on the table, pay the bills or keep their staff employed.

Canberra businesses have done the right thing in supporting the health advice to keep our community safe, and each and every one of them has done their part in doing this at cost to their own mental health and wellbeing and their own financial security. It has had a huge toll on their family and staff. What we heard—or, more importantly, what we did not hear—earlier this week was a huge slap in the face to every Canberran that has been doing the right thing for our community, and it is clear that this Labor-Greens government is leaving behind our businesses.

This week I spoke to the Anderson family. John and Lyn gave life and soul to the high street in Gold Creek 29 years ago. When the pandemic first locked us down in early 2020, the Andersons took it upon themselves to give their tenants rent relief before any government support was even announced. As they were reeling from the significant impact restrictions that resulted in complete and utter decimation of their financial security, they were hit with rates notices and bills that see them facing a bleak future.

With so many of these tenants unable to trade during this lockdown, the Andersons are terrified about what the coming months will mean for them or the 30 family-owned businesses at Gold Creek. This is a heart-breaking situation for the Andersons, who one tenant described as the best landlords in the world and pleaded with me to do something for. John pleaded with me, “We can't see the light at the end of the tunnel, and neither can most of these businesses.” Sadly, it appears the Andersons are not eligible for many of the business grants available, because of the way their operations are structured. Just as micro businesses that turn over less than \$75,000 have little to no support, there are other business structures that are told they are not eligible for the much-needed support.

I got an email from another small business owner who employs 35 Canberrans across three sites. He completed all three business grant support submissions for their business on the very first day that the applications opened and completed a request for further information the same day it was requested. That was more than two weeks ago and he still has not received a single dollar while his business has lost 90 per cent of its revenue.

Each time in his daily press conferences that the Chief Minister is asked about the government support scheme and its delays, he talks about the need to make sure that

there is no fraud by those trying to take advantage of the system. Of course fraud is a concern, but the question remains as to what preparation was done before lockdown to prepare for what was obviously going to be a system to provide government support to business during this time?

Many business owners tell me that being accused of being frauds is deeply, deeply hurtful and it erodes any trust they have that their government has their back. The vast majority of businesses will, and do, do the right thing. The vast majority of businesses are in critical need of support. They were already struggling when the Sydney outbreak severely impacted trade in the territory. They needed the reassurance of support as soon as we were plunged into lockdown. They needed support when the support scheme was announced. They needed support when they submitted their applications. And they needed support when the lockdown extension was announced earlier this week.

This morning the Chief Minister delivered his ministerial statement and confirmed that as at yesterday 7,558 applications for business support had been received; 3,471 had been assessed and 1,325 approved—1,325 out of 7,558 applications. That means 17½ per cent of businesses that are in desperate need of support have been approved, leaving over 80 per cent of businesses wondering when they will ever hear from this government about this critically needed support.

This is an improvement on the woefully inadequate 6.7 per cent of businesses that received support in the first two weeks of the scheme, but it still leaves the vast majority of businesses crying out desperately for help. The more concerning figure, though, as I said this morning, is that only a staggering 38 per cent of applications of the number of applications assessed—not submitted—have actually been approved. More than 60 per cent—more than 60 per cent—of applications that have been assessed have not been approved. This is staggering and is just downright cruel.

I note that Treasurer Frydenberg, Senator Seselja and the Chief Minister jointly announced further support for businesses yesterday afternoon, including further support for those struggling in the tourism, accommodation, events, hospitality and the arts sectors, and this is welcome to many Canberra businesses in this category.

Moving on from the unacceptable delays and problems that have plagued the ACT government support schemes, the business community need a clear plan forward. So many had pinned their hopes on getting this from the Chief Minister on Tuesday this week, and they are rightfully frustrated, disappointed and angry that they got nothing that gave them the ability to hope, to plan, to look forward. As one business owner told me only this morning:

We need a plan forward, especially into Christmas. November and December are traditionally our biggest revenue of the year. At this stage, it is difficult to plan for stock, staffing, et cetera, when we might still be in lockdown.

Another business owner sent me this message:

The absence of clarity is hard to justify. In the lead up to Christmas, the busiest time of year for many businesses, the lack of clarity on whether, when, what

form, we will be able to open or not just as further unnecessary pressure, that could easily be negated by some form of a plan.

I understand that at today's media conference when asked about details of a plan the Chief Minister stated—and he did so again at question time—that at the two-week check-in time into this four-week lockdown extension he will try and provide a little bit more information. Whilst this is welcome, because I think it is the first time perhaps that he has acknowledged that people do need more detail, it must be followed through. Many Canberrans assumed and expected that Tuesday, 14 September was going to be the day they got that plan and those details. They did not.

Let's not forget that for a lot of businesses the next two weeks are going to be extremely tough. There are businesses that have been fortunate enough to receive the much-needed government support and there are businesses that have been able to pivot and trade in some form. But there are also thousands of businesses that have and continue to be locked down from day 1, and each and every day they are losing income whilst their business expenses continue to roll in and stack up.

As the health minister so eloquently reminded us before lunch and during question time, this is a global pandemic. Businesses were closed down overnight and lost all of their income just as quickly. The ACT government cannot treat this like any other government grant scheme. Businesses needed support from day 1, and they need this support right now because they are bleeding.

Canberrans are eating into life savings. They are worried about not being able to put food on the table. They are stressed about how they are going to pay their rent. Many have stopped paying themselves a wage and many have heartbreakingly needed to let staff go. Some of these staff members are like family to them. They have been with these businesses from day 1 and were a critical part of these businesses as they grew.

Businesses need our support. For five weeks now, many businesses have gone without any income, and behind each one is a family that has also gone without an income. These businesses and these families need support, they need respect and, most of all, they need hope.

The business support needs to go beyond financial assistance. We need to make sure we are giving businesses a direct voice to government to develop a recovery plan, to inform post-COVID business measures and to allow the government to hear from businesses direct about how we can move forward.

The Chief Minister has said he is talking to industry groups daily, but the feedback we are getting is that the current way of doing things is not working. Any consultation being undertaken from the business community about the plan forward is not being included in the decisions that are being announced. What we are hearing is that the decisions being made that impact significantly on businesses are being made by people who do not know business.

As you are aware, Madam Speaker, in April this year the Canberra Liberals, through shadow minister for business, Leanne Castley, called on the ACT Labor-Greens government to establish a small business ministerial advisory council, and every single member of the Labor and Greens parties voted against it. If it had been established, it would have been a direct voice of business to government, to provide strategic and insightful feedback direct to the—

Ms Cheyne: On a point of order, Madam Speaker, under standing order 52 members should not reflect adversely on a vote that has taken place in this place.

MADAM SPEAKER: That is a good reminder to members to keep that in mind. Ms Lee.

MS LEE: If it had been established it would have been the direct voice of business to government, to provide strategic and insightful feedback direct to government about what businesses need at this critical time. Small businesses are the engine room for our economy, but, more than that, they are our fellow Canberrans. They are our mums, they are our dads, they are our friends and they are our neighbours—and they are hurting.

The reality is that this government has the opportunity to admit they do not necessarily have all the answers, and no-one will hold that against them because no-one has all the answers in this time. The health minister this morning dismissed a call for a plan from thousands of Canberrans by saying that we are in uncertain times. This is true. But what is also true is that the Canberra community deserves to be treated with respect.

No-one is asking for something to be set in stone that will be held against this government if the pandemic circumstances deteriorate significantly. As one industry leader said to me:

Canberrans get it. They want a plan. But they are also aware that there is a pretty big asterisk next to any plan that is announced at this time.

Today this government has a choice to make—the choice to support my motion, support small business, and support Canberrans who are doing the right thing at the cost of their own mental wellbeing, their own financial security and those of their family and staff, who desperately need our support.

I call on this government to define a clear path forward to ACT businesses, including a clear and transparent plan for the safe transition out of lockdown. I call on this government to establish a COVID-19 business recovery task force to be a direct voice of business to the government to assist in the territory's economic recovery. I call on this government to provide hope to the thousands of Canberrans who feel their voices are not heard. *(Time expired.)*

MS CASTLEY (Yerrabi) (3.14): I rise today in full support of Ms Lee's notice of motion, calling on the government to establish a COVID-19 business recovery task

force. A health crisis like we have seen across Australia and across the world calls for leadership. People look to their political leaders for information, for financial and other support, for a sense of reassurance and hope and, most importantly, for a plan about how that leader will manage a crisis and lead their community out of it. The ACT Chief Minister has failed this test of leadership. He has failed the Canberra community, in particular the business community, by serving up larger doses of lockdown and nothing else. The reason the Chief Minister did not detail a clear path out of lockdown on Tuesday as he promised he would and as everyone expected is simply that he does not have one. The Chief Minister does not have a clear path out of lockdown.

We all know about the health crisis in our midst, but this notice of motion today is not about that; it is designed to respond to a different crisis. We are seeing in Canberra a business crisis, but of course you will not hear about that from the government. The government talks about business support, but that is almost an oxymoron, because most of the struggling small businesses have received no support—not one cent in their bank accounts—and they have no idea when any money might appear. So much for business hopes of surviving lockdown—no financial support and no clear path out.

Yesterday we learned the popular Chisholm Tavern will shut its doors, and I fear this is just the beginning. Canberra businesses are bleeding. The Chisholm Tavern said in a statement yesterday:

Again, We are locked down for another month as of yesterday, which makes the total of nine weeks lockdown unmanageable as far as keeping the business afloat.

It's with sad regret that we will not be opening the Tavern doors again. Not because we want to retire, not because we don't love all the regulars and those who have come to enjoy the atmosphere and the food, it's going to be impossible to manage the restrictions that the government will put in place yet again.

I emphasise that last sentence:

Not because we want to retire. It is going to be impossible to manage the restrictions that the government will put in place yet again.

The ACT government had no plan to support business when it first announced the lockdown, and, tragically, we are starting to see the business fallout. Canberrans have slaved to develop these businesses and to get them off the ground. Canberrans and have put their hearts and souls into them. They employ hundreds and thousands of Canberrans. These businesses deliver sleepless nights and stress, with the constant barrage of bills, overheads, debt and worry. Sometimes business owners question, 'Is it worth it?' Tragically, yet not surprisingly, as a result of this government's severe lockdown and failure to support business, we are starting to see that Canberra businesses are answering that question with a no. And I fear the worst is yet to come.

Canberra's small business sector has been completely let down by the ACT government. The government failed to prepare for the lockdown and provide clarity, certainty and financial support. That has become crystal clear to me from the daily emails I receive from business sharing their tales of despair about issues ranging from

lengthy application and processing times, changing of goal posts on what documentation is to be provided, and being denied access to premises to fill online orders for click and collect. Salons that have had to leave washing machines full of wet towels. There has been confusion about the length of support packages, and complications over ACT and New South Wales border regulations to name a few, not to mention the fact that the vast majority of our businesses are waiting for financial help.

I still have a job and a fortnightly pay cheque. So does everyone in this Assembly chamber. But many Canberrans are not so fortunate, which is why many people feel desperate. They are the people Canberra Liberals leader, Ms Lee, is addressing in her motion today—the mighty small business warriors who toil day in and day out, and employ thousands of Canberrans yet rarely get a proper look-in with this government.

Earlier this year, I moved a motion calling on the government to establish a small business ministerial council, and we know the outcome. Is it because this government does not want to hear from the business community, a community which feels let down? They feel let down by government.

As a former small business owner, I worry most about the struggling operators—the gardeners, hairdressers, music teachers, builders, beauty therapists, retailers, hire car drivers, fencing specialists, handymen, gym owners, dry cleaners and taekwondo instructors. I refer to the hairdresser with several salons in grave danger of not surviving this lockdown who quotes herself as having a small tribe of primary-aged kids. I refer to the garage door and fencing business that has stood down most of its 30 staff and wonders how long it can continue to function this way.

I fear for the small builder and father of three who employs 14 staff and wonders, “Should we just sit here with our heads in the sand and watch everyone go broke?” I fear for the beauty therapist in my electorate of Yerrabi who writes: “Bills are piling up. Small operators are floundering, and this is putting even further strain on my already fragile business”.

I also refer to the cafes and bars that have not fully recovered from last year’s lockdowns and will not be able to cover the costs involved in the one person per four metre rule. What about the events companies that have had no work since March 2020? There are no events on the horizon, so they are facing no income until 2022. That is almost two years without money coming in, yet the overheads still exist—insurance, vehicle costs, commercial rent, bank fees and, let’s not forget, their personal mortgages and families to feed.

Small businesses are bleeding across Canberra, yet five weeks after lockdown the overwhelming number are still waiting for financial support. This is hopeless. Considering the ACT government’s own promised small business hardship scheme offering credits of \$10,000 for fees and charges will not kick off until October, and businesses are still in the dark about details, what help is that?

Business expenses exist every day, every month and every year, and they increase. A couple of months ago I read in the *Canberra Times* a story about photographers

Amanda and Caleb Thorson who have run their studio for 12 years, saying that they had become used to the emotional rollercoaster of running a small business. What really struck me were Amanda's words, "You learn to live with the stress. It becomes normal. It is just a different way of life that a lot of people do not understand". Amanda is right—small business is a different way of life that a lot of people do not understand, but we do expect our government to understand, don't we?

You would think the needs and issues of small business being smashed in this lockdown would be of particular concern and importance to our government right now. Yes, that is what you would hope for, but it is not the case. Instead, we have more severe lockdowns with little to no support or understanding of the plight of small business.

That is why this motion calls for a defined path for business out of lockdown—in other words, a path of hope and possibility for small business, a path and a plan that a government should provide because governments are meant to lead. The Liberal leader's motion also highlights the urgent need for a business recovery task force so small business can tell our ministers exactly how it is and what they need. It is not rocket science; it is called leadership. Sadly, the small business sector is yet to see any leadership from this government—just bigger dollops of hardship, little understanding of their world, and promised support yet to eventuate.

MS CHEYNE (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (3.23): I move:

Omit all words after "notes" (first occurring), substitute:

- “(a) the COVID-19 outbreak in the ACT and subsequent lockdown from 12 August 2021 has been a challenging time for all Canberrans;
- (b) our thanks to the Canberrans working on the frontline to keep our community safe;
- (c) the effort made by all Canberrans to suppress the virus;
- (d) many ACT businesses have not been able to operate in their usual way or in any form for over four weeks;
- (e) the significant impact the current lockdown is having on ACT businesses;
- (f) ACT businesses have borne the economic brunt of the lockdown, including mental health impacts, with many significantly concerned for the future of their business;
- (g) the significant economic support that the ACT Government has put in place to support businesses, including:
 - (i) grants funded in a 50:50 arrangement with the Commonwealth Government and administered by the ACT Government, including:
 - (A) the COVID-19 Business Support Grant of one-off grants of \$20 000 for eligible employing businesses and \$7500 for eligible non-employing businesses;

- (B) the COVID-19 Business Grant Extension payment of \$10 000 for all employing businesses and \$3750 for non-employing businesses, paid to all businesses who were eligible for the COVID-19 Business Support Grant in industries still significantly impacted by the health restrictions;
- (C) additional one-off top-up payments for larger businesses at the following rates:
 - (aa) \$10 000 for employing businesses with a turnover greater than \$2 million and less than \$5 million;
 - (ba) \$20 000 for employing businesses with a turnover greater than \$5 million and less than \$10 million; and
 - (ca) \$30 000 for employing businesses with a turnover greater than \$10 million; and
- (D) further one-off grants to businesses in the tourism, accommodation provider, arts and events and hospitality industries at the following rates:
 - (aa) \$1000 for non-employing businesses;
 - (ba) \$3000 for employing businesses with turnover less than \$2 million;
 - (ca) \$10 000 for employing businesses with turnover greater than \$2 million and less than \$5 million; and
 - (da) \$20 000 for employing businesses with turnover greater than \$5 million;
- (ii) the COVID-19 Small Business Hardship Scheme providing up to \$10 000 in credits for payroll tax, utility charges, rates and other selected fees and charges;
- (iii) \$10 000 commercial rates credit for landlords who offer rent relief to tenants impacted by COVID-19 and additional protections;
- (iv) reinstating the Local Business Commissioner to connect businesses with relevant areas of government to access information on commercial tenancy measures and financial assistance; and
- (v) providing free accredited mediation services to businesses whose tenancy disputes are complex and cannot be resolved without formal mediation;
- (vi) bringing back HOMEFRONT to support local artists with grants of up to \$10 000;
- (vii) providing up to \$75 000 for individual accommodation providers and \$15 000 for small private tourism operators through the Accommodation and Tourism Venue Operator support program; and
- (viii) providing up to \$15 000 for small tourism operators and boutique accommodation providers through the Small Tourism Operator COVID Recovery Payment; and
- (h) for the COVID-19 business support grants, as at Wednesday, 15 September:

- (i) 7558 businesses had applied; and
 - (ii) 1325 businesses had been approved for payments totalling \$21.8 million; and
- (2) calls on the ACT Government to:
- (a) work within the *ACT pathway forward*, released on Tuesday, 14 September, which outlines the principles for consideration of the easing of restrictions aligned with the National Plan for the safe transition out of lockdown;
 - (b) continue to engage regularly with business leaders and industry stakeholders across a broad range of sectors including through the Better Regulation Taskforce to guide and support the recovery pathway for ACT businesses and our broader economy;
 - (c) continue to engage with the Commonwealth to ensure joint funding support for businesses as we work towards achieving the objectives of the National Plan; and
 - (d) support the Territory's short-term economic recovery and long-term economic growth by:
 - (i) investing in long-term productivity enhancing infrastructure that supports short-term economic growth;
 - (ii) implementing policy and regulatory reforms that support long-term economic growth;
 - (iii) transitioning to a carbon-neutral economy by 2045;
 - (iv) stimulating the continued growth of key industry sectors in our economy such as cyber, defence, space and health; and
 - (v) working with the Canberra Economic Advisory Group to finalise their recommendations by the end of 2021 which will guide our short and medium term economic recovery.”.

The impacts of lockdown on businesses are severe, financially and emotionally. As a government, we have put restrictions in place that necessarily impact economic activity. This is not something any government wants to do, nor is the decision taken lightly. But as we know, there are no easy choices in this pandemic, and we have 18 months of real-world examples to learn from. We have seen what surging case numbers and tragic deaths do not only to public health but to business confidence and business resilience.

Canberra businesses are resilient, but that does not take away from the fact that they are doing it tough. As a government we are doing everything we can to ensure that as many businesses as possible are able to survive this lockdown and then reap the benefits of our expected V-shaped recovery. But it is a recovery that is only possible if we keep Canberrans safe and healthy.

The ACT government in partnership with the commonwealth is providing one-off grants to employing businesses of \$20,000 and non-employing businesses of \$7,500. Yesterday, we announced that with the commonwealth we will provide an additional \$10,000 for employing businesses and \$3,750 for non-employing businesses paid to

all businesses eligible for the grant in industries still significantly impacted by the health restrictions. They do not need to apply again.

We will also be providing one-off top-up payments for larger businesses of up to \$30,000, depending on their turnover, and further one-off grants in the tourism, accommodation provider, arts, and events and hospitality industries, recognising that these industries have been particularly hard hit, including before the current lockdown. These grants will range up to \$20,000, depending again on the business structure and turnover. The level of support is continually being reviewed in conjunction with the commonwealth government. As well as the increase in support yesterday, there will be a further review of support in conjunction with the commonwealth on 1 October, the midway checkpoint.

It is worth reminding the chamber that these supports while funded jointly, which is very welcome, are administered solely by the ACT government. There is no JobKeeper this time. JobKeeper is and would have been the most efficient delivery model. And perhaps if the commonwealth government had not wasted \$13 billion of taxpayer money to firms with rising revenues, we might be in a different position—an existing program could have been stood back up. But in the absence of JobKeeper this is what we have because this is what the commonwealth was prepared to work with us on, and it is not optimal.

It is worth also reflecting that the commonwealth's co-contribution to the grants was dependent on the Commonwealth Chief Health Officer declaring the ACT as a COVID hotspot. Despite what Ms Castley would have us believe, we announced those business support grants 13 hours after lockdown commenced. I want to commend the public servants who have stood this scheme up in record time. In doing so, the eligibility was negotiated with the commonwealth government and we rapidly engaged industry and business leaders on the guidelines and the requirements. The first payments were made within a week of applications opening.

This grants program is a massive undertaking. It is the largest program in the territory's history. It is worth hundreds of millions of dollars. And, as the Chief Minister said, we are focused on properly assessing applications to get this money paid as quickly as possible to eligible businesses while making sure the scheme is not defrauded. This is not your usual grants scheme, and we are not treating it as such. We have pulled in a huge amount of resources, but that has also to be commensurate with some of the risk.

We have supported business owners to submit quality applications by: providing detailed guidelines and regularly updated FAQs, hosting and participating in webinars, publishing e-newsletters, providing an online tutorial, and answering bespoke inquiries by phone and by email. We have also made a fact sheet available in multiple languages.

I have heard some calls in the past few days, including from those opposite, that we should just pay everyone quickly, not do the checks and balances, and chase down the fraudsters later. I need to take the opportunity to thoroughly reject this approach. It is important that we do this as quickly as possible, but it is important that we do it right.

All of us want the money to go to businesses quickly. But we also want the money to go to the businesses that need it quickly.

This is a very large program, and when there are large programs we unfortunately see some people looking to take advantage of that. It would be utterly irresponsible to not have checks and balances in place—for taxpayer money to go where it should not and then spend untold resources trying to claim it back. It would not be responsible and it would not be in line with what the community and businesses expect of governments nor of funds from the ACT or commonwealth government. If we took that approach, the opposition would then be criticising us for something they are currently calling for. It is the hallmark of the Canberra Liberals this parliamentary term—internal inconsistency.

We have been clear from the beginning that it would take us an average of 30 days from receiving a correctly lodged application to deliver payments. But that is the average; we will be faster than that for a significant proportion of applications. We have recently expanded the team and our capacity has increased as a result. I look forward to us getting more money out the door to our hard-working businesses quickly.

I thought it would be useful to talk a little bit about the processing of applications as they are assessed. When an application moves to an assessment stage, it is first checked for eligibility and once that is checked it goes through financial assessment, being assessed against the required evidence of a 30 per cent decline in turnover. If more information is required to prove eligibility, the business is contacted and once that information is required it goes back to that assessment team. They do not have to start again. It does not go to the bottom of the pile.

Generally, where we have sought more information, it is where evidence provided has just not been sufficient. Some of the most common examples are: where contact details or bank details do not match or have gaps, where BAS and bank statements are not attached to allow for checks on whether it is a legitimate business, or where there is no proof of payroll for employing businesses. Sometimes the information we have needed is quick and straightforward for the team to assess once they receive it back and other times it takes a little longer. But, pleasingly, the number of cases where we have sought more information is decreasing.

I know there has been commentary about the requirement for bank statements. We recommend that businesses provide this. Bank statements do not always demonstrate a 30 per cent decline in turnover—sometimes they do, but certainly not always—and we understand that. There are many ways a decline in turnover can be demonstrated, because every business is different. But bank statements confirm the bank details of a business and a link to the businesses ABN. This ensures we can pay the business quickly once they are approved.

Separately to the jointly funded programs, we had prepared for and stood up quickly our own support programs providing landlords with a \$10,000 commercial rates credit when they offer rent relief to their tenants, and reinstating Brendan Smyth as the local business commissioner. We have brought back HOMEFRONT, supporting our still

very hard hit local arts businesses with grants of up to \$10,000. We are providing up to \$75,000 to individual accommodation providers and up to \$15,000 to small private tourism operators. This is additional money that has and will continue to be flowing to businesses. We have also extended the Canberra Business Advice and Support Service until March 2022, with businesses receiving up to four hours of free access to expert advice. If they have already used the four hours that was available up to 12 August they can access another four hours for free.

Turning now to our engagement with businesses, I have been engaging every single day with businesses. My focus has been on supporting businesses in a constructive way and in the way they have wanted to engage. There are many direct voices to government, including to me. That includes industry forums, and as soon as lockdown began a forum of business and industry leaders was stood up, together with key officials. It has met on average every second day of this lockdown, and I have been at every single one of these meetings. Ministers Gentleman and Vassarotti have been regular attendees at meetings of the construction industry and officials, which was meeting at least three times a week. Other engagement includes direct calls to business owners and business leaders at all hours and on all days. It includes engaging with representations made from people calling or writing to my office and text messages and social media messages, including late at night and early hours of the morning, all responded to personally by me.

This is a time when we need to band together to support our businesses, to be constructive and to direct them to where there is support. The opposition talk about wanting the best for business, but in some cases they have done the opposite of being constructive, and I will share one example that is incredibly distressing. A week ago the opposition leader posted on social media about the business support grants and that by her numbers, “at this rate, it will be July 2022 before all eligible businesses receive any support”. This is completely untrue. Why would anyone, let alone a community leader, wilfully provide that sort of false information? It is telling and frightening that the opposition leader wanted to political point-score at the expense of business owners’ mental health. For a party that support small business, they have been silent on JobKeeper. They essentially accused businesses of fraud during ChooseCBR, and now they are trying to scare them when they are at their most vulnerable. It is unconscionable conduct.

The announcement on Tuesday was difficult; no-one is denying that. But we provided certainty about the next four weeks. This has been difficult to digest for us all, not least for our business sector. It was not a decision taken lightly. There are many variables and unknowns, including what the future case rate will look like, and that has influenced the lockdown continuing. We cannot forget just how transmissible this virus is, how deadly it is, and we are still seeing transmission in our community among workers and vulnerable sectors of our community. We are vulnerable as an island in New South Wales, where we are all still in a vaccination race. Those variables and unknowns also mean we have more to work through. We do not want to open up again only to be sent back into lockdown. How devastating that would be.

The ACT’s COVID-19 pathway forward has three guiding principles: putting the health and wellbeing of our community the forefront of our decision-making; getting

as many people back to work as soon as we can; and supporting Canberrans' mental health. We will provide more detail as we move through this period. But we have provided certainty that based on the health advice for these four weeks the changes will be minimal.

As we move forward through this period and into the medium and longer terms, we will continue to consult with businesses—individually and with established groups and forums. We will continue to engage with our businesses leaders and industry representative groups on a regular basis, taking into account their feedback, together with the health advice.

We already have a recovery taskforce. Members may recall that the government established the Canberra Economic Recovery Advisory Group last year to bring together business leaders and industry experts to advise the government on short- and medium-term opportunities to strengthen and grow our economy. Our strengths are reflected in the membership of CERAG, including people from small innovative businesses, universities, finance and economics, creativity, and entrepreneurial experience. What Ms Lee calls for exists.

The group is developing advice for the Chief Minister and government about ensuring we are in the best possible position to address short and medium-term challenges to position the ACT for recovery. It will be critical to help ensure our V-shaped recovery is as sharp as it can possibly be. We will continue to invest in infrastructure that supports productivity, in addition to our ambitious agenda for climate action—an investment of over \$300 million over the next five years. We will continue to pursue regulatory reforms that promote economic growth and make it easier for businesses to do business in the ACT, no matter their size. We have had a very big engagement agenda with small business communities to date to assist us in helping make doing business better, with initiatives identified to strengthen business information and communications, simplification of government to business interactions, and improvements to regulated practice.

The months ahead will be challenging; there is no doubt about it. There will continue to be a degree of uncertainty. Our resilience will be tested. We are working around the clock to support our small businesses. Again, I want to put on the record my thanks to all of the public servants who are working day and night, seven days a week, particularly the public servants in my directorates that are supporting small businesses and especially the teams in Access Canberra and economic development. They have absolutely stood up and have given it their all. They are working as hard and as fast as they can in a way that is genuinely engaging with businesses in a compassionate way. No-one wants to be here, but we will get through this.

MR DAVIS (Brindabella) (3.39): We all deserve access to secure and meaningful work. For many of us, owning and operating a small business is a dream come true. I know it was for me as a small business operator prior to my election to this place. The ACT Greens will be supporting the amendments put forward by Minister Cheyne, which reflect the significant work the government is doing to support small business at this time.

In my experience, small business owners overwhelmingly go to great lengths to support and care for their employees, as opposed to larger organisations who get away with charging abysmal wages through a range of legal loopholes. It is our small businesses who hire locally, pay fairly and stand in solidarity with their workers. Small businesses are so special because they exemplify grassroots democracy. They are our local book shops, cafes and florists. They are our ideas and projects that bring our communities to life.

Let me begin by asking all Canberrans to reflect critically on their own purchasing power and to continue to support small Canberra businesses during this time not big corporations, if it can be avoided. Check in on your local and see if they offer click and collect, buy something to be home delivered to a loved one. Pop out for a coffee in a COVID-safe way on your daily walk, Pick up some reusable fabric masks from someone who sews them in their home. All of these acts add up and are so important to ensuring local businesses stay afloat.

Small business owners are not one-dimensional; they are also health care consumers, public transport commuters, parents who send their children to public schools and people who volunteer in their local communities. As a small-businessperson prior to my election, I would hold any politician in contempt who tried to treat me as a monolith. Sometimes the conversation around small business becomes so reductive that we are unable to see the whole humanity of business owners and small business workers. We forget to see them as members of our community who also deserve their health to be protected above all else.

Small business owners are not a political tool; they are members of our community who deserve us to consider their needs in the broad and complex context of this crisis. In my experience, the stress of running a small business can be all consuming. It takes people away from their families and friends, and it can feel like you are living under a cloud of stress and worry. I know personally that business owners need to balance books on a knife edge and become accountants, maintenance workers, people managers, social workers, innovators—the list goes on.

During this current COVID outbreak, whilst businesses are trying to stay afloat and are rapidly adapting their services to survive, I appreciate just how difficult it is for them to also work out how best to engage with their local government and ask for what they need. Instead they look to the ACT government to come forward and support them, which is what we are trying to do. There is no doubt in my mind that being a business owner in this situation is extremely difficult, which is why I am strongly supportive of the huge effort of the minister and the broader government to support businesses at this time.

The government understands how integral it is for business to continue to operate so that Canberrans can keep working, keep earning an income and keep having a sense of purpose and motivation. The last thing I want to see is people losing their jobs and a sense of purpose at the same time. That would be a recipe for disaster.

The government has been opening themselves up to meeting with small businesses as much as possible throughout the pandemic, and even more so during the current

outbreak in Canberra. When we went into lockdown, the ACT government began by meeting with small business peak bodies every day and has since been meeting tri-weekly, to discuss the impacts of the lockdown on their members and discuss solutions that complement our public health goals.

The minister has been consistently meeting with the Hotels Association, Canberra Business Chamber, Canberra Women in Business, the Canberra Region Tourism Forum, the Australian Retailers Association and the National Retail Association, and has assured me she will continue to do so. These tri-weekly meetings are on top of the already existing already formalised advisory committees the ACT government has to advise on business and economic growth.

Last year, the Chief Minister appointed the Canberra Economic Recovery Advisory Group, who are charged with the responsibility of advising on the whole-of-government strategy to ensure that Canberra recovers from the serious economic impact of this public health crisis. This advisory group has economists, industry representatives, community sector partners, unions and small business owners, all to provide advice to the ACT government on how we can continue to protect and create local jobs. This work is occurring alongside the ACT Better Regulation Taskforce, another formalised body, representing the private sector by advising the government on the needs of business as we recover from the pandemic.

The government has also reinstated the COVID-19 Local Business Commissioner, the former alternative Chief Minister and Liberal Party leader Brendan Smyth. He is charged with providing personalised support through his office to individual small business owners. The support he has been able to provide has been substantially increased by this government and will continue to be agile, given the unfolding situation. I encourage any small business person who is struggling at the moment to reach out to Mr Smyth's office for advice and for support. It is ironic that the Canberra Liberals try to argue that the government is not doing anything to support small business when the government has in fact appointed one of their former leaders into a high-profile position to provide this support.

The ACT government heard that businesses were struggling with click-and-collect restrictions and they responded adequately, allowing more businesses to find ways to operate, with more staff on premises with click and collection and deliveries available to any business who could operate in a COVID-safe way. We will continue to make these judgements, balancing public health goals with keeping people in work and our community strong.

The ACT government knows small businesses are struggling financially and, to its credit, moved quickly to create a range of financial supports to keep them afloat within days of this outbreak. The significant economic support the ACT government has put in place to small business includes but is not limited to: COVID-19 business support one-off grants of \$20,000 for eligible employing businesses and \$7,500 for eligible non-employing businesses; further one-off grants for businesses in the tourism, accommodation provider, arts, events and hospitality industries; bringing back HOMEFRONT to support local artists with grants of up to \$10,000; a COVID-19 small business hardship scheme providing up to \$10,000 in credits for

payroll tax, utility charges, rates and other selected fees and charges; \$10,000 commercial rates credit for landlords who offer rent relief to tenants impacted by COVID-19; providing up to \$75,000 for individual accommodation providers and \$15,000 for small private tourism operators through the accommodation and tourism venue operator support program; and providing up to \$15,000 for small tourism operators and boutique accommodation providers through the small tourism operator COVID recovery payment.

Regretfully, rolling out these supports in a transparent and structured way requires time. It requires time to process applications, it requires time to acquit eligibility requirements, and it requires time to get money into bank accounts. It requires time even if over 100 public servants are working seven days a week to get that money out the door. That is the reality of running a government—we are obligated to ensure that government money is spent in a way that avoids fraud but ensures money is going to where it is needed and not into the pockets of those who do not need it. The irony of having to explain this to the Canberra Liberals is plain, after they raked this government backwards and forwards over the coals over the ChooseCBR program, falsely accusing the government of allowing fraud to occur.

The motion put forward by Ms Lee demonstrates that Canberra Liberals have not done their homework. They have wasted this limited opportunity to genuinely advocate for their constituents, by recycling old policy rehashed yet still outdated to stir up anti-government sentiment. As a Green, I am all for recycling under normal circumstances but, frankly, to put forward this PMB asking the government to do what they are already doing is embarrassing, and it shows the Canberra Liberals have not been listening to government and have not been spending time genuinely considering the best interventions they can offer at this sensitive and complex time.

Calling on the government to establish a COVID-19 business recovery task force is asking the government to replicate existing functions. Should we let this motion pass as drafted by Ms Lee, we would waste the already stretched time of our business sector leaders and representatives, senior public servants and ministers by making them rinse and repeat.

I am disappointed that the Canberra Liberals have used every waking moment in this crisis to the ACT government's response to small business when this government is doing all it humanly can to support Canberrans, with no thanks to the Canberra Liberals' federal counterparts, who are making it damn near impossible to offer adequate support to those in need. But more on that in a few moments.

This is opposition for opposition's sake. Frankly, we have seen this unfold all day in this Assembly. We were rightly discussing the need for accountability and transparency earlier this morning in this extremely difficult time, and part of this accountability in the Westminster system is doing this through the opposition. Canberrans expect better. They expect you to learn about and understand what government is already doing so you can help advocate for us to do it better, not advise us to develop functions that already exist!

MS LEE (Kurrajong—Leader of the Opposition) (3.48): I thank all members for their contributions to this debate. There is no doubt that Canberra businesses are doing it tough. Whilst a lot of talk, of course, must go to the financial support and the economic concerns that are plaguing our small businesses, one of the things that I want to finish on is mental health. These Canberra business owners are suffering and suffering now. The fact that they expected and did not get a clear plan moving forward on Tuesday is exacerbating the strain on their reliance, on their trust, when it comes to what they thought they could confidently rely on the government to do for them. It is clear that they have been forgotten.

The minister mentioned a couple of things. She accused me of scaremongering. Numbers do not lie, and these are based on figures she herself gave a journalist to explain how the government support scheme was rolling out. Based on those numbers, 5,500 applications at the time, with 375 approved, that was an accurate statement. I have said repeatedly today that it is good to see that that number has actually improved, but still we are seeing 17½ per cent of businesses that have received support. That leaves a staggering number, over 80 per cent, of businesses that have applied that have still had nothing.

The minister went to great lengths to explain the number of ways that she has been engaging with businesses. In fact, that does not support her argument that there is a direct voice to business; it actually makes it worse. If she is doing that much engagement then she is paying them lip service by not taking into consideration what she has heard when it comes to the decisions that are being made. That is the reality in terms of so-called consultation from this government. We have seen it play out when it comes to planning decisions and we see it now. That is disgraceful at a time when businesses are suffering badly.

Madam Speaker, let me give you a few more stories that we have heard. A small business owner from my electorate of Kurrajong got in touch with me via social media. She told me that after making the application, after hearing nothing and after being kept in the dark, she rang the business line to check on the progress of it. She said that she needed to know so that she could pay the rent. She was told—and this was on the hotline—“Tell your landlord to keep his pants on.” This left her so distressed she was in tears and made to feel that everything she had worked for was worthless. She was made to feel worthless.

Event planners, who have seen a whole year’s wedding season lost, applied for support and received nothing. Taxi drivers were not eligible for the grant, given their work turnover, a lot of the time, was under \$75,000 a year. They were relying on the goodwill of family and friends to help pay bills. So many business owners have told me that the grant application is cumbersome and, even when they do make the application, they are kept in the dark. Even in this economic climate, would it not be easier to just apply for a business loan?

I have heard from musicians who have had zero employment since lockdown started and are really worried that the federal payment of \$750 a week will finish well before the ACT government releases a plan and confirms when or how venues will allow live

entertainment to go back. Car dealers who have worked so hard to come up with a COVID-safe plan are really confused about why cars ordered months ago cannot have contactless collection. Tradespeople who have vehicles in the shop now have to wait even longer before they can get them back so they can get to work, even under the restrictions applied to the construction and maintenance industry.

Mr Davis is all high and mighty and goes on about how we have not done our homework. Maybe Mr Davis should realise that, whilst he was in his nappies, I was sitting at home when my parents' business was going broke, a seven-year-old, opening the door to a debt collector who came round to our house demanding that he be let in so he could take note of any assets. So before he starts mouthing off and saying that we have not done our homework, he needs to get his facts straight.

Madam Speaker, my motion is about giving our business community a plan and some clarity. It is not just the Canberra Liberals calling for it. Canberra Airport's Stephen Byron has come out swinging, saying, "Where is the plan that was promised?" Canberra Business Chamber's Graham Catt has said that Canberra businesses are severely disappointed at the lack of clarity around what a plan is going to look like. We are talking about thousands of Canberra businesses that are pleading with this government to just keep them updated and make sure that they do not forget that these are our fellow Canberrans—our mums and dads, our friends, our neighbours, our grandparents and our sons and daughters—that are doing it tough. For so many, they do not see light at the end of the tunnel.

What I am calling for with my motion, Madam Speaker, is for this government, the Chief Minister, to provide some hope for our business community. We need that hope now more so than ever. These are business owners already on the brink who fear that they will not survive. The Canberra Liberals will not be voting for Ms Cheyne's amendment. I commend my motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

Noes 8

Ms Berry	Ms Orr	Mr Cain
Mr Braddock	Dr Paterson	Ms Castley
Ms Burch	Mr Pettersson	Mr Hanson
Ms Cheyne	Mr Rattenbury	Mrs Jones
Ms Clay	Mr Steel	Mrs Kikkert
Ms Davidson	Ms Stephen-Smith	Ms Lee
Mr Davis	Ms Vassarotti	Mr Milligan
Mr Gentleman		Mr Parton

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

COVID-19 2021 Pandemic Response—Select Committee Membership

MADAM SPEAKER: I have been notified, in writing, of the following nominations for the membership of the Select Committee on COVID-19 2021 Pandemic Response, and those are Ms Clay, Ms Lee and Ms Orr.

Motion (by **Mr Gentleman**) agreed to:

That the Members so nominated be appointed as members of the Select Committee on the COVID-19 2021 Pandemic Response.

Community sector organisations—COVID-19

MR DAVIS (Brindabella) (4.00): I move:

That this Assembly:

(1) acknowledges that:

- (a) the ACT community sector has been a vital partner in the ACT Government's response to the current outbreak of COVID-19;
- (b) this partnership has helped the Government respond effectively to significant and complex public health challenges by providing support to communities and individuals facing disadvantage;
- (c) ACT community sector organisations have experienced significant increased need for their existing services as well as demand for their crisis response;
- (d) since the lockdown began, many of these organisations have experienced a significant drop in their incomes from:
 - (i) reduced revenue and cashflow impact from fee-for-service activities, including early childhood education provision and disability support;
 - (ii) reduced rental revenue from affordable rental tenants facing COVID-induced financial hardship;
 - (iii) cancelled fundraising events; and
 - (iv) significantly reduced philanthropic donations due to financial uncertainty for businesses and individuals;

(2) further acknowledges that:

- (a) this sudden increased demand comes at a time when the ACT community sector has been grappling with significant increased costs arising from several important yet costly reforms, including:
 - (i) the Fair Work Commission's 2021-22 equal remuneration decision;
 - (ii) increases to superannuation; and
 - (iii) the ACT Portable Long Service Leave Scheme;

- (b) COVID-19 has been ruthless in exploiting social inequity around the world and the current outbreak in the ACT is having a disproportionate effect on already vulnerable people; and
- (c) it is precisely the people most affected by the current COVID-19 outbreak that are some of the most likely to seek assistance from the ACT's community sector;
- (3) thanks the ACT community sector for their significant contribution to the ACT Government's response to COVID-19 and invaluable support for Canberrans facing disadvantage; and
- (4) calls on the ACT Government to:
 - (a) continue to work closely with the ACT community sector in the Government's response to COVID-19;
 - (b) examine options to provide financial support and security to community sector organisations during this period, including:
 - (i) providing security of funding for ACT community sector organisations impacted by the delayed budget;
 - (ii) providing as much flexibility as possible for all ACT community sector organisations contracted to provide non-COVID related services, noting how important the ongoing provision of those services is to the ACT;
 - (iii) providing rent relief for all ACT community sector organisations renting from the ACT Property Group;
 - (iv) increasing the indexation of contracts to meet the Consumer Price Index;
 - (v) considering the impact of the recent increase to the superannuation guarantee percentage and the Fair Work equal remuneration decision when determining budget allocations to ACT community sector organisations; and
 - (vi) providing a temporary rebate on payroll tax;
 - (c) explore options to provide additional financial supports to Canberrans on low incomes; and
 - (d) report back to the Assembly on the above by 10 November 2021.

COVID-19 has been ruthless in exploiting social inequity around the world, and Canberra has not been immune to this. I rise today to speak to the motion circulated in my name that highlights the significant impact that COVID-19 has had on vulnerable communities in Canberra. This includes people living in poverty, people who are homeless, people who have alcohol and other drug dependencies, people working in the gig economy and recent migrants.

From the start, but evermore stark now, we have known that this pandemic has separated the haves and have-nots from every walk of life, be that the business community, as we have just discussed, or those who are living on the absolute margins in our city. This motion draws to stark attention and, frankly, has been a fantastic advocacy tool to highlight the experiences of the disadvantaged in this city

and calls for more structural support for the services that work so closely with these communities.

It is devastating to me and my ACT Greens colleagues that the most recent COVID-19 outbreak has disproportionately impacted those experiencing marginalisation, discrimination and poverty in Canberra. This knowledge has had my Greens ministerial colleagues working day in and day out fighting for the rights and safety of marginalised people. Some of the most important interventions we have been able to achieve include closely supporting people quarantining in public and community housing, implementing an evictions moratorium and increasing the capacity of much-needed mental health services through new funding. We have been able to achieve these things because the ACT Greens hold strong strategic partnerships with the ACT community sector.

We know that what is unfolding in Canberra has been replicated across Australia and around the world. The Australian Institute of Health and Welfare last week released their report into the direct and indirect health effects of the first year of COVID-19 in Australia. This research found that there were almost four times as many deaths due to COVID-19 among people in Australia from the lower socio-economic group compared to those from the highest group.

Evidence from other countries has shown the increased risk of developing COVID-19 and dying from it from those in low socio-economic groups. The explanation for this is complex, but it boils down to this: without enough money to live on, people are forced into precarious positions. They live closer together, they take on riskier work outside of the home and they have to leave their houses to meet their basic needs, such as grocery shopping. Would you believe that there is no home delivery for a shop under \$50 at Woolies or Coles? People in these groups are also more likely, unjustly, to experience comorbidities from COVID-19.

What this situation underlines is that Canberra is a diverse and complex city filled with different communities of many varied different needs. Despite how we are portrayed, we are not a city of the white middle classes and our responses cannot be limited to these groups. I am proud to be a Green member of this Assembly. I am proud to represent a party that, at its core, has a commitment to social justice. It is absolutely clear that social and economic inequality is not only a social justice but clearly a public health risk. The public health crisis unfolding in the city is most definitely a social justice crisis too.

The ACT community sector has been as integral to supporting disadvantaged communities throughout this pandemic just as they have been integral to supporting these communities prior to it. These organisations have been operating at 200 per cent since the ACT went into lockdown as they provide frontline services, advocate for their communities in crisis and provide lifesaving, targeted and effective public health information.

According to Emma Campbell, the CEO of the ACT Council of Social Service: “Responding to this outbreak has required sensitive and deep connection to the communities most impacted by this virus. I extend my sincere thanks to every

community organisation working on the front lines and providing strategic advice to government including, but not limited to, Canberra Multicultural Community Forum, Meridian, Canberra Community Law, Mental Illness Education ACT, Directions Health Services, Havelock House, the Perinatal Wellbeing Centre, ATODA, ACTCOSS, the Mental Health Community Coalition, the ACT Shelter and community housing providers.”

I am calling on my colleagues in this Assembly to join me in thanking the ACT community sector for their significant contribution to the ACT government’s response to COVID-19 and invaluable support for Canberrans facing disadvantage.

I would like to highlight the work of Canberra’s Aboriginal and Torres Strait Islander community-controlled organisations, including Winnunga Nimmityjah Health Service, which have been absolutely fundamental to supporting their mob in this lockdown and getting people access to vaccines. Their work in the AMC is commendable. I send them strength and my support as they continue to respond to their exposure last week. I call on the ACT government to ensure that Aboriginal community-controlled organisations are included and prioritised in the work arising from this motion.

I would also like to highlight the lifesaving work of the Canberra Alliance for Harm Minimisation and Advocacy (CAHMA) and Hepatitis ACT. The alcohol and other drugs sector has been at the forefront of efforts to assist the most disadvantaged during the COVID-19 pandemic. Drawing on connections with and a longstanding trust established with people who use drugs, CAHMA staff have worked around the clock to provide basic assistance to and human connection with people in quarantine at Condamine Court and Ainslie Village.

Specialist alcohol and other drug services providers have provided normal clinical services and reached out to priority communities with in-reach testing and vaccination to help people stay safe and reduce the spread of infection. This work has been done in close coordination with the ACT government health services. It has been done with support by other community sector organisations, like Hepatitis ACT, who have also provided much-needed assistance to priority populations.

The government learned well from the earlier portion of the pandemic response in the territory. The community sector has expressed its appreciation for the improved flow of information between government and the community sector and the spirit of collaboration to contain the spread of the virus and assist Canberra’s most disadvantaged citizens.

My motion calls on the government to provide clarity, support and assurance to the ACT community sector organisations, whose leadership has been integral to the ACT government’s successful and just response to this outbreak. I call on the ACT government to continue to work closely with these community sector organisations on the government’s response to the outbreak. I hope that, through this motion, the ACT government will commit to continuing to provide certainty, flexibility and support around funding at a time when these organisations have been hit hard financially by the lockdown.

Furthermore, and made increasingly pertinent through this lockdown, this sector requires a considered response from government on its funding arrangements to account for ever-increasing costs. We must not forget the many thousands of Canberrans that are employed by the community sector. That this sector is disproportionately supporting these organisations to retain and properly pay their staff is not only a hallmark of a left-wing progressive government but also a form of economic stimulus too.

This motion also calls on the government to explore options to provide additional financial support to Canberrans on low incomes. We know that making it easier for people to stay home safely is vital to ending this lockdown. We all know that this is not a state or territory government responsibility. Welfare is up to the federal government. It is laid out in black and white in section 51 of the Australian Constitution—not too far below quarantine, actually.

The Liberal-National parties have absconded from their duty to provide a basic level of income to keep people safe, to ensure their dignity and uphold their human rights. The failure of the federal government to do their job by supporting low income workers, people working in the gig economy, people unable to find work, people living on the disability support pension and people who have just lost their casual job has left an enormous hole in the response to this outbreak around the country.

The impact is lived daily here in Canberra, as it is across marginalised communities around Australia, who are all struggling to get by in a pandemic while living below the poverty line. It is outrageous and it is shameful that in a country as wealthy as ours the federal government cannot bring themselves to tax their billionaire mates and ensure our safety and eventually see through to our recovery.

Unlike the spin the feds are pedalling, the problem is not that we are spending too much in this pandemic. The problem is that we are taxing the rich far too little. Credit where credit is due: the Canberra Liberals have been advocating for their community by writing regularly to the Chief Minister on a range of issues. But in scrolling the Leader of the Opposition's website, there is one letter missing. It is a letter to their federal counterparts calling on them to raise the rate and reinstate JobKeeper. Before my Liberal colleagues get upset about my drawing this Assembly's attention to the shortcomings of the federal government, it is worth pointing out that the New South Wales Liberal Treasurer, Dominic Perrottet, who is no friend of the progressive side of politics, said recently:

People are in danger of slipping through the cracks particularly those on income support that don't qualify for the current disaster payments. As case numbers escalate or remain stubborn, there will need to be extra financial support from the federal government. We believe that JobKeeper was instrumental in keeping the nexus between workers and businesses.

During the pandemic, billionaire Kerry Stokes made over \$570 million. His companies took millions in corporate welfare, like JobKeeper, and cut workers' wages. Meanwhile, Stokes bought a new jet. At the same time, millions of people lost their jobs. More women lost their jobs than men and did more unpaid work, and one-third of young people went jobless. These issues have not ended just because Scotty from

marketing wants us to behave like they have. The power of large multinationals and billionaires continues to go unchecked. Many of these people pay little or no tax on their huge profits. This is money that could be spent to bring people out of poverty and to properly substantially fund community organisations to do their vital work.

It is impossible not to see keeping people in poverty as a political strategy choice by our federal government to push down the workers, the single parents, women and migrants. The reality is that I am a member of a smaller local government trying to pail water out of a boat filling up and Scotty from marketing drilled the holes in.

Raising the rate of JobSeeker saved lives during the first and second waves of the pandemic; there is no doubt about that. We must not forget that this happened with the stroke of a pen after powerful advocacy—

Mrs Jones: On a point of order. Mr Assistant Speaker, is the member supposed to refer to the Prime Minister by his appropriate title?

MR DEPUTY SPEAKER: Indeed, he is. You make a good point, Mrs Jones. I was very close to stepping in there. If you could refer to the Prime Minister by his correct title, Mr Davis?

MR DAVIS: I withdraw. Thank you, Mr Deputy Speaker.

Raising the rate of JobSeeker saved lives through the first and second waves of this pandemic; there is no doubt about that. We must not forget that it happened with the stroke of a pen after powerful advocacy from the trade union movement. The situation we are now in must reignite the calls to raise the rate permanently. We need the basic welfare payment to be above the poverty line. The OECD agree with us on this. Just this month, in their September economic survey, they pointed out:

The income shock from falling into unemployment in Australia is much larger than in other countries and minimum income supports remain well below the relative poverty line.

Indeed:

“One estimate suggests that 85 per cent of recipients of unemployment benefits will be in poverty.”

Mr Deputy Speaker, some may argue that I am politicising this terrible situation. Of course I am. Inequity is political and I will always call out those responsible for it.

To end, I would like to reaffirm our gratitude to the ACT community sector for their lifesaving, community strengthening and invaluable partnership with the ACT government. This is a relationship to be immensely proud of. I acknowledge all of the hardworking, underpaid and overworked staff across our community sector organisations who can all too often, in a city like Canberra, be tempted into lucrative, well-paying public service jobs but continue to remain active, hardworking, compassionate members of a sector supporting Canberra’s most vulnerable and most disadvantaged.

They do that because they are not motivated solely by income or working conditions. They do that because they are motivated by a sense of social justice. They do that because they are motivated to look after people who are doing it toughest. Their hard work and commitment during these particularly challenging times, when so many of those people are putting themselves in harm's way—perhaps even risking infection themselves—to make sure that Canberrans do not miss out on the things they need to live a good and dignified life, is nothing short of extraordinary. I stand in solidarity with all people experiencing extreme hardship at this time. I promise that the ACT Greens will continue to work our hardest in government and from the crossbench to ensure that your views and your needs are represented in this place.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (4.14): I would like to thank Mr Davis for the opportunity to address this important issue today, and for his commitment to addressing social and economic inequality in everything that we do in this Assembly. As someone who has spent many years in the community sector, no-one would be surprised to hear that I am a strong advocate for the sector. The strength of my view has only increased over the past year.

The ACT is fortunate to have a strong community sector who provide vital services to so many people in our community. Recent times, though, have provided a live case study of their importance and, in so many respects, demonstrate what I have always known—that a strong and well-positioned community sector is simply indispensable in a modern human services system. Many of Canberra's non-government organisations can move quickly to respond to challenges, have existing relationships of trust with their clients, and great community networks which can operationalise services quickly.

I would like to focus for a moment on a point that Mr Davis made in his motion. The global experience of the COVID-19 pandemic, with its health and economic impacts, has not created social inequality but it has been merciless in exposing and exacerbating those inequities. The people in our community who have been most impacted by the pandemic are those most likely to need the vital services that our community sector delivers.

That is why our local NGOs have been on the front line in supporting the ACT government's response to COVID-19. They have been invaluable partners in delivering food relief, through assisting with meals in Housing ACT's Condamine Court and Ainslie Village, phone and internet access, and activity packs to assist with the requirement to quarantine. Additionally, NGOs have been working closely with CSD to provide support to our multicultural community, particularly households quarantining due to a positive COVID contact.

I would like to give special thanks to Community Services #1, Communities@Work, St Vincent de Paul, Companion House and Multicultural Hub in particular. These are just a few examples of the many NGOs who are going above and beyond their contracted responsibilities to deliver services across the ACT.

ACT Health and Community Services directorates have written to all funded non-government providers offering a flexible approach to organisations adversely affected by COVID-19. Organisations experiencing significant impacts on capacity or services that cannot be delivered have been encouraged to implement alternative modes of service delivery to meet the needs of the people they support. Routine reporting requirements have been deferred to reduce their administrative burden during this period, and we have committed to continue payments to contracted organisations during the lockdown period even where outputs are unable to be met.

The ACT government has established regular communication channels to keep our community partners informed about the COVID-19 response as the pandemic progresses. The Minister for Health has hosted two interactive webinars to date with ACT Health and Community Services Directorate funded NGOs, which I have also attended. I am pleased to report that the first webinar was held on 12 August 2021, the day on which the ACT lockdown was announced. A third webinar is scheduled for 22 September 2021. The webinars have been important for sharing information, helping to maintain relationships and hearing from community organisations about any new or emerging issues of concern.

I have also held online meetings for the disability sector, to better understand community concerns and answer questions as we continue to manage positive cases among people with disability and disability care workers. Being able to provide open and honest information to the community, and to the NGOs who work with those most at risk in our community, is very important to me.

From 17 August 2021, the COVID-19 NGO Working Group was re-established to address key issues and concerns for NGO partners during the COVID-19 response. The group meets twice-weekly and includes representatives of ACT Council of Social Services, Carers ACT, Health Care Consumers Association, Families ACT, and the ACT Health and Community Services directorates.

Together, the ACT Health and Community Services directorates manage approximately \$150 million in recurrent annual funding for services delivered by non-government partners. This includes over 250 services delivered by more than 120 organisations.

During the ACT's first lockdown in 2020, the ACT government allocated \$7 million to assist NGOs to support people in our community experiencing disadvantage. Building on this, we have announced additional funding in recent weeks to extend a range of mental health and community supports delivered by community partners during the current lockdown period, and I will have more to say on this in the coming days.

As is clear from this data, the ACT government has a strong and enduring relationship with the local community sector and looks forward to building on that in the coming years. It is crucial that the relationship remains strong, that we continuously improve how we work together, and that the NGO sector is supported to remain ready to help our community. This is the foundation of a strong social compact.

It should be said that a well-funded, well-led and well-supported community sector is not an end in itself. That is not the only measure that matters, as important as it is. It is so crucial to achieve this, to ensure that the people who rely upon the sector's services continue to be able to access the supports that make a real difference in their lives, whether it be advice on managing their long-term condition or seeking some peer support in dealing with life's challenges. We all deserve to live a life of dignity, to be able to exercise choice and control in our lives, and to work towards a better future. The community sector is a crucial partner in enabling this, helping to create a better Canberra for all of us.

The pandemic has continued, and continues, to teach us things about our society. The virus has played an important role in holding up a mirror to aspects of our society, to question how much we value our essential workers, including our cleaners, supermarket workers and care workers, and how much we tolerate insecure work and insecure housing. To address Mr Davis's motion specifically, it has taught us about the value of the community sector in addressing these issues.

As we move through the current outbreak, we need to consider how we address the long-lasting economic and mental health impacts of this pandemic in the important work of community recovery. We will win this not by fighting what we hate but by saving what we love. We will take on board the lessons from recent times about responding to a crisis. We will apply them in our future planning for our human services system, with directorates working collaboratively with each other and with our valued NGO partners to continue supporting the life of our Canberra community day in, day out. This is a crucial aspect of our work as we build a better normal.

MRS KIKKERT (Ginninderra) (4.21): I move the following amendment that has been circulated in my name:

Omit paragraph (4)(d), substitute:

“(d) develop a comprehensive strategy to deal with the causes and symptoms of poverty in Canberra by establishing a poverty task force; and

(e) report back to the Assembly on the above by 10 November 2021.”.

I will start by thanking Mr Davis for moving this motion today. Before speaking directly to the amendment, I wish to speak to the motion in general, which the Canberra Liberals fully support in principle. The motion notes the vital role that community sector organisations have been playing during the current outbreak of COVID-19. That is true, but it is likewise true that the community sector was playing a vital role in our territory long before this pandemic.

For far too long, far too many Canberrans have faced disadvantage of many kinds, including sometimes crippling obstacles. It has been the community sector that has in so many cases made the difference between coping and falling through the cracks, between barely surviving and thriving.

Mr Davis's motion repeatedly states that the community sector has been helping the ACT government to respond to problems arising from the current outbreak. The

reality, of course, is that community partners do what they do to help the community. They would be doing their job to help the vulnerable and disadvantaged with or without the ACT government. The Canberra Liberals recognise this and, on behalf of the opposition, I express our deepest gratitude to each and every community organisation in Canberra.

It is also true that community sector organisations are facing significant challenges right now, including a perfect storm of increased costs, including operation and administrative costs, decreased revenue, and a massive surge in demand caused by COVID-19 and the response intended to manage that outbreak. I know from my conversations with community organisers that their organisations and other service providers are in a very difficult space. Let me share some of those examples.

OzHarvest is a food rescue organisation. Each week in Canberra they rescue between five and seven tonnes of food that would otherwise be thrown away and currently provide it to 64 local charities that help to feed people in need. I have worked alongside them as a volunteer, and I strongly encourage others to do the same. Their life-sustaining services require three things. Firstly, donations of surplus food from supermarkets, cafes, delis, corporate kitchens, airlines, hotels and other food businesses; secondly, volunteers; and, thirdly, donations of cash to make all of this happen.

We can only imagine what the impact of the current lockdown has been on the Canberra chapter of OzHarvest. As noted in the motion, financial uncertainty has significantly reduced what struggling businesses and individuals can afford to give in cash donations across our community. Moreover, many of OzHarvest's regular suppliers are closed or running at reduced capacity. Local manager Belinda estimates that supplies of donated food are down by at least 30 per cent. At the same time, demand for food in the community has increased by between 20 and 30 per cent.

The CEO of one community service provider just this week pointed out to me what increased demand for existing services and crisis response has meant for her organisation, which now finds itself with both employees and volunteers not only working longer hours but also needing to work seven days a week. This kind of response is completely unsustainable without extra assistance being given, and it is beyond time for the ACT government to step in and provide some of this much-needed financial support.

Mr Davis's motion specifically calls on the government to examine options to provide financial support and security to community sector organisations during this period. It is true that the current period is a particularly difficult one, but the pandemic has not created new problems as much as it has merely revealed and intensified existing ones. It is essential that community sector organisations be given support and security now; but it is unwise to pretend that the fix needed is temporary or that it can simply go away when lockdown ends.

Statistics released just last month by the ACT Council of Social Services were sobering. In October last year, the number of Canberrans living below the poverty line had increased to 38,300 people, of which 9,300 were estimated to be children below

the age of 15. People living in my electorate of Ginninderra are now the most disadvantaged in the territory, with 10.5 per cent of them living in poverty. According to data from the ANU Centre for Social Research and Methods, the current lockdown has almost certainly worsened these figures.

The ACT has the nation's highest rate of rental stress among lower income private rental households, according to the Productivity Commission, with 73 per cent of households paying more than 30 per cent of pre-tax income on housing. Canberra is now the most expensive capital city in which to rent, according to Domain's June 2021 rental report. Earlier this year, Anglicare found that there were only four private rental properties in all of Canberra that were within the affordability range of a single parent earning minimum wage and raising two children. For such a family, relying on social housing is not a viable option either, with the average waiting time for standard housing being 3.8 years. Where are these families supposed to live?

Whilst housing is the most significant expense for low income households in the ACT, there are many other sources of financial stress. Over the past 20 years electricity prices in Canberra have increased by almost 60 per cent, while gas prices have doubled. Health and education in the ACT both cost 18 per cent more now than they did when I was first elected just five years ago, and food costs have increased by more than 10 per cent as well.

I share these figures, firstly, because they indicate a very serious problem with poverty here in the nation's capital; and, secondly, because they make it very clear that significant disadvantage has been allowed to flourish in the ACT for far longer than the last 18 months. In fact, I think I can safely say that we would not be in such dire straits right now if the ACT government had been more proactively addressing disadvantage in the territory before COVID-19 hit us. I am likewise confident that emerging from the current lockdown will not somehow magically change the fact that nearly one out of every 10 Canberrans is living in poverty.

Once again, community sector organisations play a central role in assisting and supporting disadvantaged residents—something they have been struggling to do for the last several years. The CEO of another community services provider told me frankly earlier this week:

Additional support during a COVID lockdown and supporting agencies with the overall financial impact of the pandemic ... should not mask the fact that the community sector started from a low funding base prior to the pandemic at the beginning of last year.

The Canberra Liberals went to the election last year deeply concerned by the growing disadvantage in our community. We promised the people of Canberra a poverty task force to develop a comprehensive strategy to deal with the causes and symptoms of poverty in Canberra. Such a task force would work directly with stakeholders, including community sector organisations, industry and members of the public to find the best way forward so that vulnerable Canberrans could be supported and the number of residents living below the poverty line could be reduced.

In the very first sitting week this year, we took the opportunity to call on those opposite to stop talking and start taking this issue seriously. We were ignored, but we have not given up and, to be perfectly clear, we have no intention of giving up.

For this reason I have moved my amendment, which calls once again for the creation of a poverty task force to provide a comprehensive strategy for how to stop and then reverse the growing number of Canberrans who can no longer afford a roof over their heads or proper food on their plates. The impact of the current lockdown has made this proposal even more essential.

The last time that the Canberra Liberals brought this proposal to the Assembly, the Chief Minister tried to deflect any responsibility by laying all blame at the feet of the commonwealth government, just as Johnathan has done today. I have spoken to enough Canberrans to know that this strategy—

Mr Gentleman: A point of order.

MR DEPUTY SPEAKER: Yes, Mr Gentleman.

Mr Gentleman: As the Liberals indicated earlier, Mr Deputy Speaker, members of this parliament should be referred to by their parliamentary names, as was the case with the Prime Minister earlier.

MR DEPUTY SPEAKER: Yes, indeed.

MRS KIKKERT: I withdraw; Mr Davis.

I have spoken to enough Canberrans to know that the strategy did not work very well for Mr Barr last time, and I suspect that it will work even less so this time. Canberrans are a clever lot, and all but the most partisan can see through flimsy excuse-making. As we frequently have to remind those opposite when they forget what they were elected to do, this is not the federal parliament. We are the Legislative Assembly of the Australian Capital Territory. Canberrans expect their local government to provide solutions, not excuses.

I understand that Labor and the Greens may be reluctant to have a poverty task force tell them that some of their policy setting or budget priorities are wrong. I am the mother of five children; I both understand and recognise such defensiveness. But now is not the time to be defensive. If a poverty task force tells us there is absolutely nothing that the ACT government can do differently to alleviate disadvantage in this territory, I think we can all agree that this would be worth knowing, and the Chief Minister could crow about this finding until the next election. It is pretty obvious to everyone, however, politician and punter alike, that the reluctance of those opposite is not based on the fear that they might be told that they are doing a good job. The only question at this point is whether their pride is more important than people.

People in our community are hurting—quite possibly, more people than at any other time in the territory's existence. Community sector organisations have been struggling

for some time to meet the needs of these people, and they know full well that they need support and security for longer than this lockdown might last.

On behalf of every Canberra household who is struggling right now, I appeal to those opposite finally to accept the reality that we have a problem. It is a big problem, and one that is not going away right now, or any time soon, unless we start doing something different from what the government has been doing. We need a poverty task force. We need the clarity, vision and direction that a poverty task force would provide. I commend my amendment calling for the establishment of this task force to the Assembly.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.35): The Labor Party and the government will not be supporting Mrs Kikkert's amendment but I thank her for bringing it forward and giving us the opportunity to have the debate yet again. I particularly thank Mr Davis for bringing this very important motion to the Assembly and recognising the role of community sector partners in the response to the COVID-19 pandemic and the role of non-government organisations right across our community every day, every week, every year.

In relation to the poverty task force, Mrs Kikkert is absolutely right: this is not federal parliament. We do not have responsibility for income support. The plain fact is that raising the rate of NewStart, JobSeeker or whatever they want to rename it next is the single biggest thing that can be done to address poverty. And this not theoretical.

When the rate of JobSeeker was increased in 2020 in response to the COVID-19 pandemic, fewer people were living in poverty. Fewer people were seeking material and financial aid through the community sector because people could actually, for the first time in many, many months, or years for some of them, afford to pay their bills, not just scrape by but actually get a haircut. That meant they could actually go to a job interview. They could actually get themselves organised to seek that work that they are expected to do by the commonwealth government.

This is not rhetorical. This is very, very real. That was why our Chief Minister was the first leader of a state or territory government to support the call by ACOSS and the community sector to raise the rate of what was then NewStart and is now JobSeeker.

But back to Mr Davis's motion, which I very much and sincerely thank him for bringing forward to the Assembly today: it is one of the great privileges of my job, right across the three portfolios, to engage and work with so many committed and skilled non-government organisations. Of course, the government will be supporting Mr Davis's motion and I welcome the Assembly's endorsement for our ongoing work and for improvement in the way that we partner with the community sector. I am pleased also that we are particularly highlighting the work of the community sector in supporting Canberrans throughout the COVID-19 pandemic, especially in the last several weeks of lockdown.

In my ministerial statement this morning, I particularly acknowledged the non-government partners who have worked with us in the response to the quarantine requirements at Condamine Court and Ainslie Village. I thanked at that time the Canberra Alliance for Harm Minimisation and Advocacy (CAHMA), ACT Shelter, Directions Health Services, Health Care Consumers Association, Community Services #1, Community Options, Argyle Housing, CatholicCare and other health, housing and homelessness sector organisations.

Of course, as always happens when you make a list, I did neglect to include Hepatitis ACT on that list. I was reminded of that by Mr Davis's comments and I therefore particularly acknowledge that Hepatitis ACT, as a trusted organisation for tenants and residents, has been a vital partner in this response.

This, of course, is an opportunity to bring the Assembly's attention to some of the additional support that the government has provided to the sector, support that is provided in recognition of the vital and increased role of non-government organisations in supporting some of the most vulnerable people in our community during this pandemic. This includes significant new measures announced today that will be included in the 2021-22 ACT budget. I am pleased that Mr Davis's fortuitously timed motion provides an opportunity to outline these measures in greater detail, as Ms Davidson has already done in some respect.

The strong partnership between the government community sector underlines our shared objective to support the diverse needs of Canberrans and combat disadvantage in all its forms. Together, ACT Health and the Community Services Directorate manage approximately \$150 million in recurrent annual funding for health and community services delivered by non-government partners. This includes more than 250 services delivered by more than 120 organisations.

Among the measures in the upcoming 2021-22 budget announced today is an increase to the base funding for community organisations. This increase will help organisations meet the higher wages costs, following the recent Fair Work Commission decision to increase the national minimum wage and award wages by 2.5 per cent. Of course, this is a decision that ACT Labor warmly welcomes. It builds on the historic equal remuneration order decision that recognised that the largely female community sector workforce was underpaid relative to others for the work that it did.

We have always supported ensuring that community sector workers are paid well; and the increase in the indexation will pay fairly. I do not think that anyone would actually argue that community sector workers are paid well, unfortunately. The increase in funding that we are providing will ensure that community sector organisations can pay these wage rises without reducing the services that they provide to the community. This additional funding is calculated as an increase to the wage price index component of the current community sector indexation formula. Providing this funding should give confidence and certainty to our partner organisations and will help to ensure that we are able to retain a stable, skilled, community sector workforce here in the ACT.

As Mr Davis's motion notes, lockdowns present significant challenges for the community sector in terms of both workforce capacity and service delivery. As part of our response to the pandemic, the Community Services Directorate and the Health Directorate have been, as Ms Davidson said, undertaking ongoing engagement with the government's community sector partners. This has included regular briefings with sector partners on the evolving situation; and this is not a one-way flow of information. I have greatly valued the feedback from community sector partners about what they are seeing on the ground.

As Ms Davidson indicated, directorates have written to all our funded non-government providers, offering a flexible approach to organisations adversely effected by COVID-19. I note that Ms Lee and Mrs Jones wrote to the Chief Minister about this the other day. I encourage any community sector organisations that were expressing concern about this matter to get in touch with their relationship manager and, if that was not helpful, to escalate that, because we are very committed to ensuring that there is flexibility and that organisations do not lose funding as a result of not being able to do their work in the way that they would normally do it.

Additionally, the ACT government has announced measures to support commercial renters by waiving rent payments for the month of September for any business and community sector tenants of government-owned properties that have been affected by the COVID-19 lockdown. Tenants who have experienced a 30 per cent reduction in turnover in August will be eligible for a full waiver of their September rent payments.

During the ACT's first COVID-19 lockdown in 2020, the ACT government allocated \$7 million to assist non-government organisations to support people in our community experiencing vulnerabilities and disadvantage during the public health emergency. We are building on this with more-targeted support for the sector as the ACT continues to navigate its most challenging conditions since the pandemic began.

This includes \$200,000 to community organisations to provide emergency relief and other crisis services, including additional support for women and children impacted by domestic and family violence; and for the Aboriginal and Torres Strait Islander and veteran communities. An additional \$515,000 has been announced to support food relief in culturally and linguistically diverse communities and for international students and temporary visa holders. This will include support for a range of community organisations, including Community Services #1 and Companion House, in the delivery of urgent material aid to respond to the increased need seen for this type of support among families who are isolating due to a COVID-19 case in a household. It also funds liaison staff from trusted community providers to support multicultural communities affected by COVID-19.

Today the government announced a \$26 million package of measures ahead of the 2021-22 budget, which others have touched on and which I will not go into detail on because I am running out of time.

I do note the broader issues that Mr Davis's motion presents and acknowledge that there are broader challenges being faced by the community sector that are outlined in

clause 2 of Mr Davis's motion. I can assure Mr Davis and the Assembly that these concerns have been the subject of much consideration and engagement between the government and the sector.

In addition to the increase to base funding for contracted partners that has been announced today, further work is underway to understand the full costs of ongoing non-government organisation service delivery through a sustainability review being undertaken in partnership between the Community Services Directorate and ACOSS. The review is due for completion in late 2021 and I do look forward to receiving the report.

In my final moments, I sincerely thank all our community sector workers who work so hard every day.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.45): I do confirm that the ACT Greens will not be supporting the amendment of Mrs Kikkert around the establishment of a poverty task force. As eloquently outlined by Minister Stephen-Smith, this is an issue that we have discussed quite a lot in previous Assembly sittings and is something that we believe has been well and truly talked about.

However, there is common ground. Absolutely the ACT government recognises that there are a number of key issues and has been responding to those issues through a range of support packages, including increasing the utilities concession, if we talk about the cost of energy; significant increases in relation to food relief; and also in relation to some of the additional assistance to community sector organisations that have been discussed by Minister Stephen-Smith today.

I speak in support of Mr Davis's motion, particularly in my role as Minister for Homelessness and Housing Services. I am someone who also has come from the community sector, so I absolutely understand the important work that they do every single day, every year, in responding to a pandemic and responding to general issues. In my role as minister, I see the work of the community sector, particularly the specialist homelessness sector, each day as they support the Canberra community. I have also witnessed the way they have risen to the challenges of the pandemic, working closely with government to deliver the crisis response while continuing their existing services. I particularly thank the community sector partners that have helped deliver services at Ainslie Village and Condamine Court at a very difficult time. This has certainly been a partnership.

The COVID pandemic and lockdown have been incredibly hard for everyone; but the impacts are not being felt equally amongst us. This is evident with the increasing number of people accessing homelessness services in the ACT. That is why today the ACT government has announced a range of budget measures that assist the community sector to deliver services and community needs. Today's announcement has included the commitment of \$8.63 million to be invested into specialist homelessness services in the 2021-2022 budget. This is real action. This is action that will go on beyond the time of the pandemic. This is in addition to the investments that

have included \$1.9 million in the 2020-2021 budget for five specialist homelessness programs supporting crisis accommodation, transitional housing, domestic violence counselling, education, support and advocacy services in response to COVID-19 as part of the government's commitment to increase the capacity of the sector.

This is something that we have been working on closely with the community sector to make sure that we are outcomes-focused and have a genuine co-design approach to better support Canberrans in need and reach the goal of a home for all. It is about targeting the critical issues that the sector is seeing to improve outcomes for all. This funding is part of the ACT government's commitment to invest \$80 million in specialist homelessness services over the term and improve access and outcomes for people in need. This is action, not talking about action.

Additionally, this will see an across-the-board boost for community sector organisations, raising their funding base by 12.7 per cent. This base funding rate has not increased for approximately nine years. So this is a significant commitment that will help the sector deliver early intervention and crisis support and improve outcomes for people at risk of or experiencing homelessness.

The 12.7 per cent increase in funding across the specialist homelessness sector comprises a 10.2 per cent increase from the ACT government, alongside the 2.5 per cent increase for community sector indexation that was spoken about by Minister Stephen-Smith. It will be applied across the specialist homelessness sector based on existing funding and is therefore not a single amount provided to all organisations in the sector but are different amounts, dependent on the current level of funding. This funding will help specialist homelessness services enhance their resources and do work such as retaining sector knowledge, security and the retention and attraction of skilled staff, and the provision of equipment to support the delivery of more outputs and achieve better outcomes, in turn reducing staff burnout due to the workload pressures that they are feeling.

The ACT government will continue to deliver on its commitment to expand the capacity of the specialist homelessness sector. We look forward to working with them as we focus on outcomes of service users, and that balances early support and crisis responses for those who are experiencing or at risk of experiencing homelessness.

I take the opportunity to personally thank all the staff working in community sector organisations. These essential workers, who have continued to provide support, are doing it most tough in this challenging time. We deeply value your partnership and know that the work that you do every day makes a difference to the lives of individuals and households and makes our community a more inclusive, compassionate and connected place.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (4.51): Mr Deputy Speaker, I have received advice that Mrs Kikkert's amendment offends standing order 136. I ask that you rule it out of order.

MR DEPUTY SPEAKER: Mr Gentleman, in response to that, I understand that standing order 136 allows the Speaker discretion to disallow any motion or amendment which is the same in substance as any question which has been resolved in the affirmative or negative during that calendar year, and I understand that this matter came to the chamber in February. I note that standing order 136 is an order which gives the Speaker discretion to disallow any motion or amendment which is the same in substance. My view is that the circumstances around poverty have changed so dramatically because of the onset of the COVID debate that I rule, as Deputy Speaker, that I will allow it to proceed.

MR DAVIS (Brindabella) (4.53): I will speak to the amendment and close the debate. This is what most would call a very good day at the office. From back here in the boondocks on the crossbench I put a motion on the notice paper that reflects an open letter to the Chief Minister from the peak community organisations. To have my friends in the executive come into the chamber today with \$26 million worth of new money—in particular, \$8.6 million for specialist homelessness services—certainly makes me feel as if I can go home today having completed a job well done.

I would like to thank all the ministers for their contributions, particularly the ministers who have spoken—both Labor ministers and Greens ministers who have carriage for portfolios in this government which look after Canberra’s most marginalised and disadvantaged, through the disability and homelessness space to health, of course—for their continued willingness to collaborate with the crossbench and all members of this chamber who are prepared to put good ideas before them. It is very much appreciated, and I am very grateful for that.

Mrs Jones: I think it is mostly your ideas, not so much anyone else’s.

MR DAVIS: In my comment I used the words “good ideas”, Mrs Jones. That is why, unfortunately, the Greens are unable to support the amendment circulated by Mrs Kikkert. I will deal with the amendment before moving to my remarks in closing. Mrs Kikkert rightly rose to her feet to support the poverty task force amendment circulated in her name by noting that it was a policy that the Canberra Liberals took to the last election. I do not need to remind you, Mr Deputy Speaker, of the result of the last election. I think that reflected the Canberra community’s lack of appetite for more talkfests and task forces when, instead, they need new money and real action. I am delighted to see that the government has come to the chamber today with new money and real action as opposed to yet another talkfest.

I grow increasingly troubled and frustrated that the Canberra Liberals policy approach to every complex problem that seems to be facing the Canberra community of late is yet another task force. I understand and appreciate on a human level the frustration among the Canberra Liberals ranks with the constant reminder that I, and other progressive members of this Assembly, feel obliged, when we speak about poverty and inequality in this city, not to do that in isolation. We simply must speak about the federal government’s dereliction of duty. We simply must speak about the fact that they are not willing to provide income support payments that bring people out of

poverty. To ignore that fact while discussing poverty and inequality in this city would be incredibly frustrating and really difficult.

Mrs Kikkert rightly pointed out, in her comments on my motion, a range of ways that she thought the government could support more people who were vulnerable. Many of them were great ideas. But she had a long list, and not one of them was that simply giving money to people who do not have money is a very effective way to alleviate poverty or that the over-reliance that some of the most marginalised in our community have on stressed community organisations is, in part, because they do not have the dignity of being able to support themselves through adequate income support payments. Those people have to call 1800 numbers. They have to line up at food banks. They have to know where their local community pantry is, and they have to wait for a while on a public housing waiting list.

No-one in this place takes joy in any of those things and no-one in this place puts a value on those things, but they are the realities of the situation. The ACT government continues to do all that it can do, but it is worth noting that in my motion I call on the government to do a number of things that would not have happened otherwise. That is a reflection of how this government—the crossbench, the executive and the backbench—can collaborate and bring a range of different perspectives to a public policy challenge in a way that gets better outcomes for Canberrans.

I grow increasingly frustrated that the Canberra Liberals wince in their chairs when I mention the dereliction of duty by the federal government, as if they cannot say anything about it. I hear Mrs Jones interjecting. The deputy leader of her political party in the New South Wales state parliament, who has responsibility for managing that budget, took it upon himself to write an article in the *Daily Telegraph* calling out his own party. We all have choices in politics, and the Canberra Liberals have a choice. The Canberra Liberals have a choice to join with ACT Labor and the ACT Greens in advocating for an immediate rise of income support at a time when Canberra's most vulnerable desperately need it. Their colleague in the New South Wales parliament has done that in a broadsheet. That is a choice available to them. That is a choice that the Canberra Liberals continue to avoid making.

They have been very critical, but I will give the Canberra Liberals credit because in some instances I agree with them when they talk about the ways that the ACT government can increase supports for the most vulnerable and marginalised in our community. That is why the government today has done exactly that—with \$26 million of brand new money. That is why I brought a motion to this Assembly, almost copying and pasting an open letter from peak community organisations to the government, telling the government exactly what it is they need to remain viable in order to provide supports to Canberra's most vulnerable. We ripped off the letter and we whacked it on the notice paper, and things are going to start happening as a result of that. That was a choice I made when I learned I would have the option of bringing a motion to private members business in today's sitting.

Each one of the members of the cabinet has a choice when they go into cabinet and make budgetary decisions. They have chosen to give \$26 million in the next budget to support services. They have chosen to give \$8.63 million of that money to specialist

homelessness services. They have chosen to give a \$1,000 utility rebate to low income Canberrans who struggle with what is often the most expensive impact on the household budget—the utilities. These are the things that are within the territory government's control. With respect to those things that are within its control, the territory government continues to make allowances and amends. The government reflects on policy and does all it can to advocate for and to make life easier for Canberra's poorest, most vulnerable and most disadvantaged.

Listeners might have noticed that I am getting a little bit agitated in my closing remarks. I am getting agitated in my closing remarks because I grew up poor. I grew up in public housing in Palmerston. I did not finish my education because I needed to go to work.

Mrs Jones: Do you think you are the only one?

MR DAVIS: I know I am not the only one, Mrs Jones. I know there are a lot of people in Canberra who live pay cheque to pay cheque. I have made the point a number of times today, during my speech, that I understand because I have experienced poverty in this rich city. I get it. That is why I continue to come into this place and give speeches and pass motions and advocate for more money, more investment and more resources for the people in Canberra who are doing it toughest. I am proud to do that, and I will continue to do that. And I will continue to annoy all of my ministerial colleagues from both parties with email after email, letter after letter, every time I see a shortcoming in this government's approach to looking after Canberra's most vulnerable. I will continue to do that.

Similarly, I have written to my federal government colleagues asking them to continue to agitate with their federal government colleagues for a rise in income support payments. If the Canberra community gets anything out of this debate this afternoon, it will be that the Canberra Liberals will always point out the flaws in the ACT government, as they are obliged to do as an opposition, but they will do nothing else. They will not bring new policy to this place; this amendment is a recycled policy from the territory election that was not supported by the electorate. They will not write to their federal government counterparts and ask them to immediately raise Canberrans out of poverty with real money so that they can pick themselves up by the bootstraps and support themselves and not rely heavily on the community sector, which, as we have already discussed today, is stretched beyond means.

It is frustrating because there are too many Canberrans doing it too tough at the moment. There are members of this place who would waste the one sitting day that was scheduled in the middle of a lockdown. The Canberra Liberals would waste the opportunity to put all of the most pressing issues faced by this city to a debate and to a vote; they could not bring themselves to say that, yes, Dominic Perrottet is right, the New South Wales Liberals are right: poor people do not have enough money.

Mrs Jones: We are supporting your motion.

MR DAVIS: Mrs Jones, I think you know well that I am responding to Mrs Kikkert's comments in the debate, as is my prerogative in the closing remarks. In the remaining

45 seconds of my time, I appeal genuinely to the Canberra Liberals. I appreciate we have had a go at each other today. I appreciate the debate has been robust. I appreciate it has been ageist at times, and I look forward to reminding young Canberrans about that when they are reflecting on this place. I am appealing to the Canberra Liberals most sincerely. So much of what they have said today about poverty in Canberra is true. I am not asking for a no; I am asking you for a yes. I am asking you to write to Senator Seselja, speak with the Prime Minister and advocate for enough money to raise Canberrans who are living in poverty out of poverty.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 15

Mr Cain
Ms Castley
Mr Hanson
Mrs Jones
Mrs Kikkert
Ms Lee
Mr Milligan
Mr Parton

Ms Berry
Mr Braddock
Ms Burch
Ms Cheyne
Ms Clay
Ms Davidson
Mr Davis
Mr Gentleman

Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

Question resolved in the negative.

Original question resolved in the affirmative.

COVID-19 Emergency Response Legislation (Check-in Information) Amendment Bill 2021

Debate resumed from 4 August 2021, on motion by **Ms Stephen-Smith**:

That this bill be agreed to in principle.

MS LEE (Kurrajong—Leader of the Opposition) (5.08): The purpose of the COVID-19 Emergency Response (Check-in Information) Amendment Bill is to ensure that the legislation reflects the expectations of Canberrans in relation to the safety and integrity of their personal information. This bill will ensure that highly personal information collected through the ACT government's Check In CBR mobile app is exclusively reserved for contact tracing purposes and compliance activities.

Personal information collected by the app about its users must be provided directly to, and stored by, ACT Health and ACT Health alone. Personal information must only be stored for 28 days, and then must be permanently deleted, unless a particular user is subject to an investigation in relation to public health and contact tracing matters. After a year of the app's operation, this bill is an attempt to remove the potential

disclosure of highly personal information that could be disclosed under the Territory Privacy Principles, as set out in the Information Privacy Act 2014.

Throughout this pandemic, Canberrans—and indeed all Australians—have been compelled by their government to comply with a significant number of public health directions, many of which have placed serious restrictions on our freedoms. Canberrans, in good faith, have placed a significant level of trust in the ACT government to do the right thing by them and by the community to ensure that any personal data that is collected about them is stored with the greatest of security and is used solely for the purposes for which it had been provided.

Canberrans have listened to the health advice. They have respected the health advice. They have supported the health advice. They have been, and are, doing the right thing. Our businesses are taking on greater levels of responsibility, whether it be ensuring that their patrons are checked in, that their staff are wearing face masks, or that their venue capacities are not exceeded so that social distancing measures can be complied with. Juggling these additional responsibilities on top of the demands of running a business, especially in this current climate, is not something the government should take for granted.

These public health measures, while integral to the safety of our community, are by no means an insignificant imposition. For the last 20 months, but especially throughout this current lockdown, the ACT government has been asking a lot of Canberrans. In doing what has been asked of it, the community has placed its trust in the government to act in its best interest. Trust in government is an essential ingredient for compliance, and this trust must also not be taken for granted. So it was deeply concerning that in July the ACT government did not hold up its end of the bargain. The Minister for Health had assured the Canberra community repeatedly that the only people in government that had access to the Check In CBR app data, which the government itself had mandated businesses collect, were ACT Health staff—and only for the purposes of contact tracing.

But when businesses began receiving letters from the Chief Minister's directorate, citing information collected from the Check In CBR app data, to threaten businesses with fines of \$5,000 for lower-than-expected check-in numbers, it became apparent that the ACT government had not been upfront with the community about how this data was being used. These threatening letters failed to account for the significant downturn caused by the Sydney lockdown, which crippled businesses right across the city—so much so that the government itself was forced to announce a tourism and accommodation support package to offset these costs only weeks later.

We must not forget the duty that we have to our community to ensure that when the government imposes new laws or regulations on our citizens it does so with the purpose and intention which had been agreed. In sharing this data across the Public Service, the government sent a clear message to businesses: we do not trust you. That was an awful insult to the many thousands of businesses that were already doing it so tough through this pandemic, and who were taking the onus to ask everyone who entered their venue to check-in and provide their personal information to the

government. How can businesses expect their customers to do the right thing when their government failed to do so?

This legislation is vital in restoring the faith that Canberrans have so willingly, in good faith, placed on this government throughout this pandemic, and which they will likely be doing for a deal longer. Whilst we all acknowledge these are extraordinary times, governments of all colours, and at all levels, must ensure that transparency in their decisions which impact our freedoms and their duty of care to its citizens must be at its highest. I note that Mrs Jones has amendments to this bill that she will speak on. I commend those amendments to the Assembly.

MS DAVIDSON (Murrumbidgee) (5.14): I rise today as the Greens spokesperson on digital technology in support of these amendments to the COVID-19 Emergency Response Act 2020. In a world where we increasingly live connected-wise using mobile devices, we also produce digital exhaust—a trail of data points often living on servers in a cloud that can be used to pinpoint where we have been, who we are in contact with, what we do, and what our interests and affiliations are. These data points now include check-in apps used for COVID tracing. There are some who would say to those COVID tracing data points, “You truly belong with us here among the clouds,” although their intentions may not always be about contact tracing.

The ability to quickly identify contacts when someone has tested positive for COVID is vital to protecting community safety and minimising the spread of the virus. But it is also important that we continue to protect the safety of those at risk of domestic and family violence or abuse by third parties. A model of security for a contact tracing tool is that it is narrowly focused on public health can be a risk for personal security. We saw this play out in the commonwealth government’s COVIDSafe app. One of the flaws in the app was that the phone kept a plain text database log of its own contacts, showing the make and model of every phone it had been in contact with but no other identifiers.

In a domestic abuse situation, it would not be hard for an abuser to either force their victim to hand over an unlocked phone and check logs, or have preinstalled spyware to enable them to check the logs whenever they like. For example, if the abuser knows that their victim’s sister has an iPhone 6 and they can see that there has been a series of contacts between the victim’s phone and an iPhone 6, the abuser could easily work out where and when the victim might be meeting up with someone who could support them in escaping violence. For this reason, WESNET, Australia’s peak body for specialist women’s domestic and family violence services, recommended that people experiencing abuse think carefully about the safety implications before using COVIDSafe. By comparison, the Check In CBR app provides the gold standard for both public health safety and personal security by only storing check-in data on ACT health-controlled servers, destroying data after 28 days, and providing training and support in its safe use to public health officers who have access to the data.

The name provided by the user does not have to be their legal name, as long as there is a contact phone number or email address that is correct in the event of contact tracing. We can all safely use Check In CBR knowing that we are supporting public health and contract tracing whilst still having the choice to remain anonymous about

where we go and who we are in contact with. The amendments in this bill will strengthen personal security by ensuring that territory and state courts are not able to access the data in this app for purposes other than COVID-19 contact tracing or investigation and prosecution of offences in relation to contact tracing.

Anything that might raise personal security concerns about the use of check-in apps has the potential to undermine public health. If we are to survive this pandemic, the only way is together. That requires all of us to build trust with each other and with the organisations and systems we rely on. For example, if the ACT government wanted to know who attended a meeting to plan a protest event in Canberra, these amendments mean they cannot use Check In CBR data. I hope that commonwealth legislation is also quickly amended to ensure that Check In CBR data cannot be accessed using a federal court order for purposes other than contact tracing.

I would, of course, be happier if Check In CBR code was released as open source. This would enable the open-source community to identify any issues and help them get fixed as quickly as possible, and increase levels of trust in the community. But even without the code being released, Minister Stephen-Smith's amendments to further protect the data from access, other than by approved contact tracing, are very welcome, and I support this.

MRS JONES (Murrumbidgee) (5.18): The Canberra Liberals support the COVID-19 Emergency Response (Check-in Information) Amendment Bill 2021. The bill will amend the COVID-19 Emergency Response Act 2020, to provide for important protections for any data collected via the Check In CBR app.

The bill is a result of concerns raised by the ACT Human Rights Commissioner about how Canberrans' data obtained by the Check In CBR app will be protected. The bill provides assurance to the Canberra community that data provided via the app will be protected from misuse, particularly at the interface between customers and business, which is critical to ensuring community support and, more importantly, use of the app.

The opposition received a briefing on the bill on Monday, 13 September. We thank the government for engaging with us constructively to ensure that the important protections included in this bill become law as soon as possible.

The bill has been considered by the scrutiny committee, which raised several concerns about the operation of the bill. Following the consideration by the scrutiny committee, the opposition will be moving amendments to the bill to strengthen the protections included in it. The first amendment will ensure that public servants are certain about what activities data collected via the app may be used for, by requiring the government to list any "related purposes" in the definition of permitted purposes in regulation. The second will ensure that an equivalent penalty to that which applies to the general public for misuse of any data also applies to authorised officers. This is an important addition and protection.

The third amendment will make certain that data cannot be used for any purpose other than the purpose contemplated by the bill, unless that purpose is specifically permitted by regulation. Currently the proposed definition of committed purpose in 2C would

allow access to the Check In CBR data for “another purpose related to undertaking contact tracing”. We believe that this would require officials to make judgement calls about whether or not specific activity is related to undertaking contact tracing, which could lead to varying interpretations and potentially inappropriate access. Our amendment would require that any related purposes be specifically listed in regulation, thereby ensuring clarity and certainty about any use of Check In CBR data for purposes that were not directly related to contact tracing.

Our second amendment would replace the proposed subsection 2E(4), which currently provides a direction that authorised persons must not use Check In CBR data for a purpose other than a “permitted purpose”, with an offence provision equivalent to that applying to all other members of the community. The real privacy risk is that the cache of data collected by the Check In CBR app will be misused in or by a government, where the data is actually aggregated and stored, not by businesses trying to run a busy coffee shop or supermarket.

Our amendment would make it an offence for an authorised person—that is, a contact tracer who already has access to the data—recklessly or intentionally accessing or using the data for a purpose that is not a permitted purpose. Importantly, this amendment will not make inadvertent or accidental access or misuse of data by an authorised person an offence—only reckless or intentional access and misuse. The amendment deals with the risk that authorised persons might use their access to data to look up neighbours’ movements or worse.

Indicating that it will not support this amendment, the government has said that such improper conduct by authorised persons would be dealt with via the ACT public service values and signature behaviours—that is, the code of conduct. The Canberra Liberals, however, are aware that the ACT government has, rightly, engaged people from other jurisdictions, such as Western Australia and Tasmania, to assist with contact tracing. How these people would be dealt with via the ACT code of conduct if they misuse data is totally unclear.

Our third amendment would insert a new section 2H into the bill and clarify that the protections in the bill prevail over all other territory legislation. The purpose of this amendment is to make it crystal clear that other government agencies and officials who might have specific information gathering powers, such as the AFP or the ACT Revenue Commissioner, cannot access any information collected by the Check In CBR app.

Proposed section 2F of the bill would prevent any data collected from being admitted as evidence in court. However, the protection would not prevent the data from being accessed and used by the police for criminal intelligence purposes, such as identifying personal movements or associations.

When the government installed point-to-point speed cameras on Hindmarsh Drive, we on this side of the chamber were assured that the information collected would not be used for any other purpose. About six months later, we FOI-ed the use of the data and discovered that police had accessed the data on multiple occasions to identify personal movements. Can the government absolutely assure us that this will never happen with

this data? Our amendment is critical to ensuring public confidence in the Check In CBR app, as it would make it crystal clear and legally certain that any access by another territory agency or officer is unlawful.

It is disappointing that the government has indicated that it will not support our amendments to this bill. The amendments would have made certain how data collected under the Check In CBR app could be used and equivalent penalties imposed on authorised persons for the misuse of data as apply to other Canberrans. The government's attitude appears to be that nothing done with this cache of data within government can be wrong. But shopkeepers running a business pose a risk to personal privacy on account of collecting a small fraction of the total amount of data from their customers.

This morning the government indicated that it would not support these amendments. The health minister provided me with certain assurances. I seek leave to table that letter so that the Canberra community can be aware of those assurances.

Leave granted.

MRS JONES: I table the following paper:

COVID-19 Emergency Response (Check-in Information) Amendment Bill
2021—Copy of letter from Mrs Jones to the Minister for Health, dated
16 September 2021.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.24), in reply: I want to thank everyone who has spoken on the COVID-19 Emergency Response (Check-In Information) Amendment Bill 2021 today and to thank everyone for their support for the bill. I also want to take the opportunity to thank the scrutiny committee for its comments on the bill. I have written to the chair of the scrutiny committee, Mr Hanson, with a detailed response to the committee's comments.

This bill seeks to strengthen the protection of personal information collected through the Check In CBR app. This is the crux of the issue that Ms Lee got stuck on. For some time, the Canberra Liberals have been confused about the Check In CBR app information in the way it is defined in the bill.

This app aims to protect the individual personal information about app users checking in at venues. So I am an app user and I am checking in at a venue, and this protects the information about where I have checked in. This is the definition of check-in information; it specifically excludes information relating to the registration of a business activity or undertaking to use the Check In CBR app and statistical or summary information. We have been providing statistical and summary information regularly at press conferences when we talk about how many people have downloaded the app, how many people have checked in through the app and how many businesses have registered for the app.

In the case that Ms Lee talks about, what was provided to individual businesses was the check-in information about those individual businesses, to alert them to the fact that it appeared that check-ins were not as high as might have been expected and they may want to do something about that to ensure that they had appropriate processes in place to meet their legal obligations under the public health direction. That is not a use of personal information through the Check In CBR app; that is a use of statistical and summary information.

This type of information may be used from time to time to communicate with a business about its check-in numbers. But that is not relevant to what we are talking about with this particular bill, which is designed to protect personal information. It is difficult, because when I make comments at press conferences, I am generally responding to questions that I am asked. Then those comments may be taken out of context, because the questions I am asked are about personal information where people check in as individuals. Then that comment is taken to also include data and summary information when that was not the intention and that was not what I was asked about. It is completely conflating two different types of data and information.

This bill is about the increased protection of personal check-in information. It responds specifically to the Human Rights Commission and some instances we have seen in other jurisdictions, including Queensland, Victoria and Western Australia, where check-in data has been requested by law enforcement agencies in the investigation of serious criminal offences.

I emphasise that there is no suggestion that check-in data has been accessed by law enforcement agencies in the ACT. In fact, ACT Policing have been very clear that they would prioritise public confidence in the app. Also, the evidentiary value of check-in information is likely to be relatively low compared to all the other information about whether and when a person might have visited a venue that is held and can be sourced by police who are undertaking an investigation.

This bill has been brought forward to provide absolute certainty for the community. Amendments in the bill will ensure that personal information collected through the Check In CBR app will only be admissible as evidence in a court proceeding for the purposes of investigating or prosecuting an offence for failing to comply with a public health direction in relation to contact tracing; giving false or misleading information in relation to contact tracing; or, if my amendment is passed, an offence that is created by this bill.

The new offences in the bill are intended to safeguard against the misuse of personal information collected by the Check In CBR app, including the collection, use, protection and obstruction of this personal information. People defined as authorised collectors of check-in information, other than an authorised person in the ACT government, would be prevented from collecting contact tracing information in a way other than through the Check In CBR app, through an alternative way that is permitted under a public health direction, or by exemption by the Chief Health Officer.

The offence provision essentially seeks to prevent third-party systems, or persons, from collecting check-in information which could then be potentially used for other

purposes, such as direct marketing. Further, the offence provisions in the bill would prohibit the use of check-in information by anyone other than an authorised person or an authorised collector for the limited purpose of disclosing check-in information to an authorised person in accordance with a public health check-in requirements emergency direction and deal with failing to take reasonable steps to protect check-in information that is held by an authorised collector or failing to take reasonable steps to destroy check-in information that is held by an authorised collector at the end of the contact tracing period, which is 28 days from collection, or another period prescribed by regulation unless the information is actually required for contact tracing purposes or to investigate a breach of the direction.

The government's compliance and enforcement agencies will continue to engage with businesses and undertakings to inform them of the new offences prior to commencement 30 days after the passage of the bill. They will also continue to engage with them more broadly around compliance and enforcement matters.

I want to thank the Canberra community for embracing the use of the Check In CBR app and for their continued efforts in complying with public health directions and advice. That protects all of us, including those who are most vulnerable in our community. The bill provides another layer of surety and reassurance for individuals who are using the Check In CBR app whose information could identify where they have been.

I flag that I have a very minor government amendment to the bill. As Mrs Jones indicated, she was briefed on it earlier in the week. I will be seeking leave to move this minor and technical amendment and I will speak to it very briefly when the time comes.

I again thank everyone for participating in the debate. I sincerely thank Mrs Jones for her careful consideration of this bill. While we will not be supporting her amendments, I am glad that she tabled my letter; I was going to table it if she did not. In the interests of time, I will avoid going through the detailed reasoning as to why we are not accepting the opposition's amendments. But I did think it was important to address Ms Lee's comments on the first proposed amendment and part of the reason why that amendment is not supported.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 4, by leave, taken together and agreed to.

Clause 5.

MRS JONES (Murrumbidgee) (5.33): I seek leave to move amendments to this bill that have not been considered by the scrutiny committee.

Leave granted.

MRS JONES: I move amendment No 1 circulated in my name [*see schedule 1 at page 2679*].

This amendment, as mentioned in my previous speech, would amend the definition of a permitted purpose in proposed section 2C to require that any purpose related to contact tracing be prescribed by regulation.

Whilst the minister has gone into some detail on her view of the purposes of this bill and the difference between the aggregate and the personal data, and whilst we completely agree with the protection of personal data, there is a reasonable discussion to have. People have a concern about it every time they check in. I do not know about you, but every time I check in there is a little bit of me that worries. That is why the bill is important and that is why it would be very good to prescribe by regulation what a permitted purpose is.

We have already had surprises in the community, like the letters that went out to business that had a rather threatening tone. That is why people were arcing up about them—about the data. Everybody was trying to help the situation, but then they were asking what the data was being used for and why the Chief Minister’s directorate had it?

I know that it is not personal data; it is data in the aggregate. Nonetheless, in not supporting this amendment, it is worth the government considering prescribing the uses of the data and making that very clear to the public. The public have a right to know what their data is used for and to not just be asked to trust that everything will be okay.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.34): As I have indicated, the government will not be supporting Mrs Jones’s amendment. Fundamentally, it is because the example that she provided does not relate to the information that is covered under the act. I will go back to my letter because it is important to understand “permitted purpose” alongside the definition of “contact tracing”, and why there might be another purpose related to contact tracing that would be permitted. Examples provided in the bill are to assess the integrity or security of the check-in information and to provide support services.

The directorate has advised that there is actually a risk, if we have to prescribe by regulation, that something will be missed. If there is a cyber-attack or some other unforeseen circumstance, the IT people will not be able to access that Check In CBR information to find out exactly what is going on, and that will be really critical regarding the safety and security of the system. Fundamentally, that is the reason we are not supporting this amendment.

Amendment negatived.

MRS JONES (Murrumbidgee) (5.36): I move amendment No 2 circulated in my name [*see schedule 1 at page 2679*].

My second amendment seeks to amend the proposed new section 2E(4) to make it an offence for an authorised person to recklessly or intentionally access or use protected information. As was discussed earlier in the debate, it is not just people working in the ACT who are accessing this data for contact tracing purposes; we have partner organisations in other states who are presumably not subject to precisely the same employment status as those in the ACT. Nonetheless it would impose a higher bar for those in government on their use of the data, as well as a similar level of protection for the use of the data by those who are outside government.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.37): As I have flagged, the government will not be supporting Mrs Jones's amendment. We do understand the intent of it, but we think that use of the data by authorised officers is already very well covered by existing mechanisms, which probably have more significant sanctions in them than would be created by this measure.

Amendment negatived.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.37): I seek leave to move an amendment to this clause that has not been considered by the scrutiny committee.

Leave granted.

MS STEPHEN-SMITH: I move amendment No 1 that has been circulated in my name [*see schedule 2 at page 2679*]. I table a supplementary explanatory statement to the amendment.

This is a very minor and technical amendment, as I have indicated. Essentially, part of the bill enables check-in information to be used for the purpose of investigating and prosecuting an offence that had previously included only the offence of failing to comply with a public health direction or giving false or misleading information. It was identified that the bill itself creates offences that would not be able to be investigated or prosecuted without access to the Check In CBR information, because they relate specifically to the use of Check In CBR information. This amendment simply adds another reason for the check-in information to be used for investigating or prosecuting an offence against this particular part of the bill. I commend the amendment to the Assembly.

Amendment agreed to.

MRS JONES (Murrumbidgee) (5.39): I move amendment No 3 circulated in my name [*see schedule 1 at page 2679*].

This amendment seeks to insert a new section, 2H, into the bill, which would have the effect that the privacy protections in the bill prevail over other territory laws. This is quite important when we consider third parties attempting to access this data in the future. This cache of data should be given a higher level of protection than most territory data, simply because of its nature and because there is a compulsion on all residents basically to allow themselves to be tracked wherever they go. This gives rise to great concerns about how such data would be used.

I do not think that the bill as it stands has sufficient protection. I do not think that the justification given by the government that it has not been sought until now by the AFP is sufficient. Certainly, such commitments have been made before about data collection by government, and it turned out that I was right. I would love to be wrong in this case, but time will tell.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.41): As I indicated, the government will not be supporting this amendment. Accessing information for investigative purposes unrelated to contact tracing would indeed be contrary to the permitted purposes for which check-in information can be used under the bill. It is also important to bear in mind that check-in information is destroyed after it is no longer needed.

Mrs Jones, I recognise that all of your amendments are very well intentioned. This one also has pretty broad implications, and there was just no way that we could have considered the breadth of the implications of this amendment in the time frame available, so we will not be supporting this amendment.

Amendment negatived.

Clause 5, as amended, agreed to.

Remainder of bill, by leave, taken as a whole and agreed to.

Bill, as amended, agreed to.

Domestic Violence Agencies Amendment Bill 2021

Debate resumed from 23 June 2021, on motion by **Ms Berry**:

That this bill be agreed to in principle.

MRS JONES (Murrumbidgee) (5.42): I am grateful for the opportunity to speak today on behalf of Mrs Kikkert, who has had to go home as she is unwell, on the Domestic Violence Agencies Amendment Bill, which the Canberra Liberals will be supporting today.

On 22 February 2016, a board of inquiry into system-level responses to family violence in the ACT was appointed, in the week following the horrific murder of

Bradyn Dillon, a nine-year-old boy known to Child and Youth Protection services in the ACT. The inquiry produced a report, often known as the Glanfield inquiry report, a couple of months later, in April 2016, which made many important recommendations.

These recommendations addressed not only many of the issues in our care and protection system here in the ACT, but also measures to prevent and reduce domestic and family violence in this territory. Bradyn was one of several victims who have died at the hands of family violence in the ACT. There are also many who have suffered harm and even grievous injuries in this territory at the hands of domestic or family violence. Territory data collected in 2019 showed that 41 per cent of all assaults recorded in the ACT were related to domestic or family violence.

In 2018, the Australian Domestic and Family Violence Death Review Network developed a national minimum dataset to better analyse domestic and family violence deaths throughout Australia. This bill will establish a domestic and family violence incident review, which will review both deaths and incidents resulting in serious harm, which will meet the requirements of that dataset.

In addition, it will provide valuable data to this territory so that emerging patterns can be identified that will inform policy, procedural and legislative changes that will help to prevent and reduce the number of deaths and other incidents involving domestic and family violence—similar in function to the ACT Children and Young People Death Review Committee, which was established in 2011. I note that the proposed review function in this bill will be established within the public service, like the New South Wales model, so that the review outcomes can be directly reported to the minister and inform governance more readily.

The bill will establish a domestic and family violence review coordinator, a position that will be taken on by the Coordinator-General for Family Safety, which will provide for a number of powers, including establishing advisory committees and supporting independent advisers, as well as information access powers that will enable the coordinator and their team to create a register of domestic and family violence incidents in the ACT or involving ACT residents.

The coordinator is also given powers to share information with authorised entities such as the Australian Domestic and Family Violence Death Review Network so that national data can be collated and analysed, and they are given the power to request and even require information to be provided, which can be enforced via penalties.

The collection and management of people's personal identifying information, demographic data, relevant health records, criminal and family violence history, interactions with community-based services, and other personal circumstances must be handled with the utmost care. It reminds me of a debate we have had just recently. This bill recognises the importance of privacy rights, as well as the need to collect and collate data that is essential to preventing domestic and family violence. I have noted the safeguards and limitations provided for in this bill, and look forward to seeing how it operates in practice in holding the government to account where there are any concerns that are manifested.

This bill addresses one of the many recommendations given by the Glanfield inquiry report, five years later, and there are still several recommendations that remain to be implemented. Since Mrs Kikkert was first elected to office, she has repeatedly called on the ACT government to implement these important recommendations, and will no doubt continue to do so for the ones that are awaiting further action.

She said in this chamber, in early 2017, shortly after she was first elected to this Assembly—and she repeats it again—that she is committed to supporting all legislation that supports victims. She has personal lived experience of domestic violence and is committed to supporting all legislation that enables better mechanisms and decision-making to achieve better outcomes for individuals, families and communities in the ACT. She is committed to preventing, reducing and ultimately eliminating domestic and family violence in our city, as am I. I am pleased to commend this legislation to the Assembly in general.

MR DAVIS (Brindabella) (5.47): Madam Speaker, simply, this Domestic Violence Agencies Amendment Bill will save lives. Giving the Coordinator-General for Family Safety the ability and the responsibility to undertake systemic reviews of serious domestic and family violence incidents will allow us to better understand the patterns of this violence and the interventions necessary to prevent death and other serious harms.

Of course, we already know the high-level pattern of domestic and family violence in this city and around the country. The Australian Institute of Criminology reports that the most common relationship between a homicide victim and an offender is a domestic relationship. On average, one woman a week is murdered by her current or former partner. I pay respects and acknowledge the loss of 38 people who have lost their lives so far this year due to family and domestic violence.

We know that COVID-19 has exacerbated domestic and family violence and put increased strain on our already overworked crisis response and legal services. This legislation represents a broader cultural shift in the thinking around family and domestic violence, from considering each incident as an isolated event—a bad apple, if you will—to seeing family and domestic violence for what it is—a social and systemic problem.

We have domestic violence campaigners, feminists and survivors to thank for this conceptual transformation that has occurred over many decades. Seeing domestic and family violence as a cultural, gendered problem that is everyone's responsibility is vital to not only preventing deaths because of violence but also grappling with the systemic oppression of gender minorities that leads to these tragic and avoidable events.

This is about doing everything we can to prevent preventable deaths. This legislation brings us into line with other jurisdictions in Australia that have established family violence death reviews. This legislation will allow us to make systemic change locally, as well as contributing to those important national conversations through the national network.

This is essential, not only because the commonwealth plays an important role in the prevention of family and domestic violence, but also because family violence does not always occur within state and territory boundaries, and families experiencing violence may be spread across or move between different jurisdictions.

Being a smaller jurisdiction, the ACT has an opportunity to undertake important, in-depth, qualitative research into the experiences and nature of family violence in this city. While this is clearly a national crisis, the localised patterns of violence are essential to forming effective localised responses that make sense to our domestic violence crisis services, our justice system, our diverse communities and our survivors. This qualitative work will also be an essential part of forming a national picture by integrating our information with national qualitative datasets.

While the coronial process is designed to look at each individual case of death resulting from family violence, this legislation appoints a domestic and family violence review coordinator to look at all of these instances with a view to identifying patterns and areas, and reviewing further research and interventions. This is a very important step.

I also look forward to seeing what the Attorney-General's current coronial reform process will lead to. I hope that it will deepen the coronial process, allowing for systemic analysis, as well as restorative processes for families to understand how their family member died.

It is an absolute tragedy that we must be having these conversations. However, it is a mark of a significant shift in the way that we view family and domestic violence that compels and allows us to be here today making these important changes.

I commend the minister for this important work, and I thank all of the public servants, domestic and family violence sector workers and advocates for their work in getting us to this position today. It is my sincere hope that this work will lead to important further evidence-based reform and interventions. I look forward to being able to advocate for that within this Assembly and supporting those reforms when they come before us.

I am incredibly grateful for this government's ongoing commitment to reform in this space. I would like to publicly put on record and acknowledge my gratitude to the minister for her welcoming inclusion of my voice and my perspective in the government's ongoing sexual assault response and prevention task force work. It is another very important part of the reform work that is necessary in this jurisdiction to ensure an end to gendered violence.

Domestic and family violence absolutely is a systemic issue, and it is our responsibility to ensure that we treat it as such.

MS LEE (Kurrajong—Leader of the Opposition) (5.52): As Mrs Jones pointed out, the Canberra Liberals welcome this Domestic Violence Agencies Amendment Bill, and will be supporting it today. The ACT in many ways has strived to be a nation

leader when it comes to the mitigation and prevention of domestic and family violence throughout our community. That is why it was a great disappointment that the ANU review into the Family Violence Act 2016 sat without a response, without action, for a year, before the Canberra Liberals called on the government to formally respond to that scathing review. We know that this response was tabled earlier this afternoon.

Lack of action on the recommendations from that review prompted us to release an exposure draft of legislation designed to strengthen sentencing laws when it comes to family violence offences. This was released for public consultation in May this year. I acknowledge the Attorney-General for tabling the government bill, which in some way goes to addressing the issues that I raised with my draft legislation. We note, of course, that we are yet to debate these bills.

Madam Speaker, the Australian Human Rights Commission's 2016 report titled *A National System for Domestic and Family Violence Death Review* highlighted the value and great importance of establishing a domestic and family violence review mechanism for all Australian jurisdictions. I note and commend that, at the time of this report's release, the ACT had already committed to introducing a domestic and family violence death review mechanism, within the ACT government's ongoing response to family violence.

Amongst the recommendations in the Human Rights Commission's report was the need for cross-jurisdictional consistency in relation to how incident data was being collected and used. Consistency throughout the recording and review mechanisms in the states and territories ensures that right across Australia governments can work together more efficiently to undertake meaningful nationwide analysis into the root causes of these crimes. If we want to effectively address this insidious issue of domestic and family violence in our society, we must ensure that these incidents can be thoroughly reviewed and analysed.

This bill establishes a domestic and family violence review coordinator, who will lead the reviews into deaths occurring in the context of domestic and family violence. Whilst the establishment of this role will provide some independence from the Minister for the Prevention of Domestic and Family Violence, which will be essential to ensure that the integrity of their important role is maintained, and we welcome this amendment, I sincerely hope that this government provides adequate support and that the coordinator is not bogged down with bureaucratic red tape that takes vital resources away from essential services.

Every member in this place recognises the scourge on our society that is domestic and family violence. The physical, psychological, emotional and social harm of violence in the home or inside the trustful bounds of a domestic relationship can severely damage those affected for their entire lives. A family or a relationship ought to be a unit of protection, love and empathy in our society. Perpetrators of violence within the bounds of a domestic or family relationship betray the trust of vulnerable people, reliant upon them for protection, love and care. And our laws must reflect the particular evil that is domestic and family violence.

The pandemic, the lockdowns and the associated cost is contributing to surging instances of domestic and family violence. Research conducted by the Centre for Justice at the Queensland University of Technology earlier this year surveyed over 360 domestic and family violence agencies across Australia about their experiences throughout the pandemic and extended lockdowns throughout the country. Distressingly, more than two-thirds of the agencies surveyed reported increased clientele and demand for their valuable services. Individuals who had never experienced domestic violence throughout their entire lives had become subjected to this appalling and unacceptable behaviour.

For many women and children, these lockdowns were used by perpetrators to inflict further control over their victims and to further isolate them from society. Whilst domestic and family violence is by its very nature a crime that is perpetrated by cowards behind closed doors, lockdowns have made this shadow pandemic an even more invisible issue in our society. The Canberra Liberals support the passage of this legislation and look forward to seeing the important work of the coordinator, where their role has become more important than ever.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (5.57), in reply: I want to acknowledge and thank everybody for their contributions today to this important bill. I particularly wanted to acknowledge Mrs Kikkert's contribution, through Mrs Jones, and just reflect on the fact that, if it is one in four women who are affected by domestic and family violence, it means there are five women who are elected members in this place who would be affected by domestic and family violence or have some lived experience. I expect there are probably more than that, because it is often a hidden matter that people do not often talk about. I acknowledge Mrs Kikkert's contribution to this very important conversation and the work going ahead through this domestic and family violence death review.

The bill and the death review itself confirm the ACT government's strong commitment to the prevention of domestic and family violence. They show a strong commitment to better understanding the dynamics of domestic abuse and identifying the opportunities for systems and services to intervene early and effectively.

The impacts of domestic and family violence on women and children and on the community more broadly are devastating. Police in Australia deal with 657 domestic violence matters every day. That amounts to an incident every two minutes. That number, sadly, is increasing. One woman is killed in Australia every seven to nine days by her current or ex-partner. These statistics and the stories behind them are hard to hear, but as the 2020 Australian of the Year, Grace Tame, has said:

History, lived experience, the whole truth, unsanitised, and unedited, is our greatest learning resource. It is what informs social and structural change.

It is important for our nation—the whole world, in fact—to listen to survivors’ stories. Whilst they are disturbing to hear, the reality of what goes on behind closed doors is much more so.

In this place I have talked about and reflected on my own conversations with people in my community, particularly leading up to elections but beyond—on their doorsteps and on their phones. I know every other person here has had thousands of those conversations as well. I reckon in those conversations there would not be too many who, when you were talking to them on the doorstep of their homes, would be disclosing that they had been a victim of domestic and family violence or that they were fearful that they were going to perpetrate that violence. It remains such a hidden issue in our communities, even when you are on the front door of it happening. That is why it is so important to really understand what is going on in our community but also in the privacy of our own homes and our suburbs.

The death review will allow us to hear the stories of lived experience unedited and unsanitised, and to change the practices and systems based on the learnings that they provide. One of the key reports that prompted the implementation of this legislation and the establishment of the death review in the ACT was the 2016 Domestic Violence Prevention Council review into domestic and family violence deaths in the ACT.

Even with the limited scope of the review, we learned some key and important things for the ACT. It demonstrated that first contact services often did not recognise the risk to victims because they focused on physical violence and not the coercive control that indicates serious risks of ongoing and severe violence—that first contact and other mainstream services missed key risk factors like separation and pregnancy, which are indicative of increased risk of severe and escalating violence.

The review also showed that the community workers and the victims themselves had issues identifying domestic and family violence and did not know what supports and services were available. These were all important findings. While the government, of course, continues to respond to those findings, there need to be mechanisms, such as a permanent death review, to enable a continuation of this learning and improve understandings and responses to domestic and family violence.

Because the ACT is a small jurisdiction, and to maximise learnings, the scope of the death review is broader than those of most other Australian jurisdictions. The ACT death review will include examination of near fatal assaults and accidents where domestic and family violence was known or suspected to be present. This means that we do not have to wait until a woman or child is murdered to learn how to improve systems and responses.

It also allows for a diverse range of services and for people to refer a possible matter to the death review for consideration, which might not have been formally identified by the service or justice system as having a domestic violence presence. Given statistics show that the majority of domestic and family violence is not formally recorded, this expanded remit is critical to obtaining as full a picture of domestic and family violence in the community as possible.

As I stated when I first introduced this legislative amendment, one of the key strengths of domestic and family violence death reviews is that, in making recommendations, they do not place blame on workers or agencies for domestic fatalities. Instead, death reviews, the risk and error are inevitable aspects of a coordinated delivery of complex services in complex circumstances, and perpetrators are ultimately held responsible for the deaths of the victims.

However, as I noted earlier, and as the national death review network 2018 report notes, death reviews have shown that domestic and family violence deaths can be considered as preventable deaths. They are preventable by learning from these deaths how to intervene earlier, how to provide the right supports for women and children, and how to keep eyes on the perpetrators and better hold them to account. This bill provides a mechanism that will be key to working this out.

I thank the scrutiny committee for its consideration of this bill.

I will finish with a quote from the Australian Domestic and Family Violence Death Review Network 2018 data report, which also echoes the earlier words from Grace Tame:

While it is an honour—

and I would say a duty—

to bring a greater voice to those who have lost their lives to domestic and family violence, our sympathies extend to the families and friends left behind, forever changed by their loss.

Madam Speaker, I too send my own deepest sympathies as well. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Budget—2021-22 postponement

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (6.05), by leave: I move:

That, due to the ongoing COVID-19 situation and lockdown restrictions that came into effect in the Territory on 12 August 2021, I seek that this Legislative Assembly resolve:

- (1) pursuant to section 5 of the *Financial Management Act 1996*, to delay the introduction of the Appropriation Bill 2021-2022 and the Appropriation (Office of the Legislative Assembly) Bill 2021-2022 and 2021-22 Budget; and
- (2) to a consequential delay of the presentation of the 2021-22 Budget Review until after 15 February 2022.

In relation to the above, I also seek this Legislative Assembly to acknowledge:

- (1) the Government will introduce the Appropriation Bill 2021-2022 and the Appropriation (Office of the Legislative Assembly) Bill 2021-2022 and 2021-22 Budget into the Legislative Assembly on 6 October 2021;
- (2) the introduction of the Financial Management Amendment Bill 2021 which would make the following time-limited amendments to:
 - (a) section 7 to increase supply provisions to 75 percent of the amounts appropriated through Appropriation Acts for the 2020-21 financial year;
 - (b) section 18(2) to increase the amount available to be appropriated for Treasurer's advances for the 2021-22 financial year to five percent of the total amount appropriated by all Appropriation Acts for the year;
 - (c) section 24(3A) to extend the timeframes for the 2020-21 annual financial statements of the Territory by one month such that:
 - (i) the Under Treasurer must give the Auditor-General the annual financial statements for the Territory for the 2020-21 year in sufficient time for the Auditor-General to give an audit opinion about the statements within five months after the end of the financial year; and
 - (ii) the Auditor-General must give an audit opinion to the Treasurer within five months after the end of the 2020-21 financial year;
- (3) that, subject to the passage of the Financial Management Amendment Bill 2021 by the Legislative Assembly, I will write to the Auditor-General outlining the revised timeframe for the Under Treasurer to provide the 2020-21 annual financial statements of the Territory to the Auditor-General for his review and for the audit opinion to be provided to me;
- (4) as a consequence of the present situation, including the delay of 2021-22 Budget, some amendments to reporting requirements and timeframes under the *Financial Management Act 1996* may be required; and
- (5) that all parties will be consulted if any further alternative fiscal processes or legislative amendments are required.

The motion seeks the Assembly's agreement, pursuant to section 5 of the FMA, to delay the introduction of the Appropriation Bill 2021-2022, the Appropriation (Office of the Legislative Assembly) Bill 2021-2022 and the 2021-22 budget, and a consequential delay to the presentation of the 2021-22 budget review until after 15 February 2022.

Specifically, the passage of this motion would see the government introduce the appropriation bills, the Office of the Legislative Assembly appropriation bill and the budget to the Assembly on 6 October. This would also mirror, I guess, the debate that

is going to follow this one in relation to some minor amendments to the FMA for 2021 in relation to supply provisions and the Treasurer's advance and the time frame for the 2021 annual financial statements that are required for the Auditor-General. It is relatively straightforward, Madam Speaker. These dates have been provided earlier and I understand briefings have been provided to all parties in terms of the forward sitting program and the changes to the FMA Act. I commend the motion to the Assembly.

MS LEE (Kurrajong—Leader of the Opposition) (6.06): The Canberra Liberals will be supporting the Treasurer's motion today. The immediate days that followed after the ACT was plunged into a lockdown on 12 August were a time of great uncertainty and, in some cases, fear for many Canberrans. It became clear within a few days that the short, sharp, seven-day lockdown that was originally announced was going to be extended. Given the uncertain nature of the health situation at the time, all parties in this chamber agreed to the cancellation of the scheduled sitting week beginning 31 August. This was the date that was also, of course, scheduled for the delivery of the 2021-22 ACT budget.

The past five weeks have seen many Canberrans face hardship in a way that they have never faced before. With the lockdown extension announced on Tuesday for a further four weeks, there is no doubt that our immediate future also holds uncertainty for many Canberrans already doing it tough. Any government faced with challenges like this must step up and respond in the best interests of its constituents. I am sure that we can debate back and forth about whether each and every decision has achieved that, and we have seen that throughout the day. We acknowledge that the Treasurer's motion to delay the budget is a necessary step based on decisions that were made at a time where none of us knew what our short and medium-term future would hold for the precarious health situation in the capital.

I note that the Treasurer's motion confirms the introduction of the Financial Management Amendment Bill, which will be debated after this motion. I will go into more detail about those amendments at that time. Importantly, however, this motion acknowledges the Treasurer's commitment to consult all parties if any further fiscal process or legislative amendments are required. I welcome that inclusion in the motion. The Canberra Liberals support the motion.

MR RATTENBURY (Kurrajong) (6.08): The Greens will also be supporting this motion as flagged by the Chief Minister. These are really necessary mechanical changes in light of the circumstances that have arisen—the cancellation of the sitting in late August, when the budget was meant to be scheduled, and the realignment of the budget calendar. I thank the Chief Minister for the earlier consultation on the proposed model. I think there has been a good discussion amongst the parties. We have a clear pathway forward and we are very pleased to support the motion.

Question resolved in the affirmative.

Standing orders—suspension

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent the Financial Management Amendment Bill 2021 being called and debated forthwith.

Financial Management Amendment Bill 2021

Debate resumed.

MS LEE (Kurrajong—Leader of the Opposition) (6.10): The Financial Management Amendment Bill 2021 seeks to make amendments to the Financial Management Act 1996, and the bill was, of course, tabled earlier today. As our already delayed budget is once again delayed to 6 October, the passage of this bill today is necessary to ensure that appropriate funds are available to government to continue running the territory.

Continuing our constructive working relationship with the government to ensure that the necessary functions of government can continue during this lockdown, the Canberra Liberals will be supporting this bill. Whilst we will be supporting this bill today, I do put on the record our call to be kept well-informed about the government's use of appropriated funds during this important period for our community.

As representatives of the Canberra community, I am sure that all members in this place have witnessed and empathised with the economic hardship that so many Canberrans are currently facing. Government spending priorities during the coming months must support those Canberrans doing it tough, our small businesses that have kept our city moving but have been so let down by the delays in the processing of critically needed business support payments, and our vulnerable Canberrans who have lost income or other support they rely on.

There are three main parts of this bill. The first is clause 4, which amends section 7(1)(c) of the FMA. The FMA currently limits the amount of funding available to the government during the supply period to 50 per cent of the amount appropriated for the immediately previous financial year. Clause 4 increases that to 75 per cent of the amount appropriated in the appropriation acts for the 2020-21 financial year.

In a briefing on this bill, we were advised that the figure of 75 per cent was calculated based on the number of months delay in delivering the budget beyond the financial year. We note that this 75 per cent increase, whilst higher than the usual 50 per cent in any other financial year, is lower than the 100 per cent increase that we saw last financial year when the pandemic first hit our city.

The second is clause 5, which amends section 18(2)(a) of the FMA. Clause 5 increases the Treasurer's advance from one per cent to five per cent. This is a significant increase, representing a significant sum of money. Last year, the FMA was also amended to increase the Treasurer's advance from one per cent to five per cent. We understand that last year the Treasurer's advance approved as a percentage of total appropriation was 0.7 per cent, or about \$42 million—clearly not coming anywhere near five per cent. We were advised in our briefing that this amendment is being

proposed because it “reflects the heightened risks and uncertainties associated with the current health and economic situations,” and we accept that assessment.

The third is clause 6, which amends section 24(3) of the FMA. Clause 6 requires the Under Treasurer to provide the Auditor-General with the annual financial statements of the territory for the financial year in sufficient time for the Auditor-General to provide an audit opinion about the statements within five months after the end of the financial year. This is an additional month from the agreed reporting period as outlined in the FMA and an increase of two months from any other non-pandemic affected year.

We understand that the Auditor-General has been consulted and understands the requirements for extension. That advice was also sought from the Government Solicitor’s office to ensure that all legal requirements can be met pursuant to the requirements under this section. I thank the staff in the Treasurer’s office for providing us with the draft bill and also for answering my questions in the briefing taken yesterday afternoon.

Madam Speaker, I confirm that the Canberra Liberals will be supporting this bill today to ensure that the necessary functions of government can continue. We will, however, continue to maintain a close eye on government expenditure, as is our duty and our role, not only because government decisions must be transparent and accountable at all times but also because each and every one of us knows how significant this time is for our economy and the impacts it has and will have on many Canberrans.

MR RATTENBURY (Kurrajong) (6.14): Similar to my comments on the last motion, this Financial Management Amendment Bill 2021 today adjusts the mechanics around the necessary changes that have arisen from the change in the timing of the budget and the need to step outside the usual framework for when the budget is handed down. For the second year in a row, the budget timetable has been thrown into chaos compared to what we are used to, with the normal winter period for estimates hearings and the like. Instead we will be considering it in spring. This is, of course, very necessary in order to accommodate the situation in which we find ourselves.

It is also unusual to bring in a bill and pass it on the same day. Of course, it is outside the standing orders, but I appreciate the early circulation of this bill and the opportunity for people to be briefed on it so that it is a no-surprises situation. Everyone was made well aware of the necessity of passing this bill today.

Ms Lee has given a good summary of the bill. Given the hour, I will not make any further comments, other than to indicate that the Greens support this, having regard to the necessary circumstances.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (6.15), in reply: I thank all parties and speakers for their support of this dull, but very essential, piece of legislation.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

COVID-19 pandemic—workers and volunteers

MRS JONES (Murrumbidgee) (6.15): I am very pleased to speak for the last time that I need to speak today. There are so many to acknowledge for their service to our city over the last month, in particular. I refer to the diligent Canberrans who have done their best to follow the health advice and directions and, in doing so, no doubt averted unnecessary pain and suffering for the vulnerable in our city. COVID-19 has the capacity to sweep through society so quickly, and the current Delta strain can, we fear, quickly overwhelm the health system's capacity. I give thanks from the heart to everyone for doing the right thing, as tough as it is and it has been. I do not diminish how difficult it has been.

Many in the community sector have given their time and resources again and again to assist those that I know are in need. Our frontline uniformed and health services have backed our city up once again, from police to paramedics, nurses and doctors. Our public servants, who keep the whole machine of government working—not just for Canberra but in many cases for the whole country—have blended parenting, working from home and keeping it together for weeks and weeks. I thank you.

I want to acknowledge the huge-hearted Garry Malhotra and his team of volunteers who have fed thousands and thousands of Canberrans. Garry is part of our highly successful Indian diaspora in Canberra, who have demonstrated so much thought and skill by feeding the masses.

I was very fortunate to spend a morning assisting with packing boxes with vegetarian curry and rice for delivery a week or two ago. Garry posted his Helping Hands initiative to the Canberra Notice Board Group. He is a humble man and his family spent the first couple of weeks and a great deal of their own money setting up this project at the golf club site in Narrabundah. They have fed people who are alone at home, all the way through to health workers at the testing centres. It has been impressive to watch this work grow, as the needs have become better known, to include pureed fruits and vegetables for babies, and hampers for older Canberrans in need. It has been a genuinely amazing grassroots community response, growing from the ground up. It goes to show that what can start with a small seed can grow into a huge tree supporting so many.

I thank the government for chipping in \$7½ thousand to the group. I imagine there will be the possibility of additional support in the future, if the lockdown goes on. Thanks also to the Rotary Club, who have partnered with Garry to assist him some more.

A special thanks from me to all of those involved in another project which we undertook to fill a gap and help some of the larger multicultural families in quarantine for a long time, as each member of the household inevitably gets the Delta strain of COVID, and quarantining with an extended household is a tough job. As a mum of a big household, I know this experience with other illnesses.

After the needs of these family groups were raised with me and with Elizabeth Lee, I thought that there were people in this city who would take the opportunity to assist these families, and I was right. The need was raised with Elizabeth and I late in the third week of lockdown and, by the middle of the next week, a team and a response had been organised to supply large boxes of the right foods to these families. So we got Canberra Hand in Hand going. First, thanks to Elizabeth and the Canberra Liberals team for their support. It is an unusual thing for an opposition to be involved in, but when things get tough, we all want to help out and do what we can.

My special thanks go to Andrew Dale. This man is a one-man powerhouse of kindness and, as per his work for south coast families in the aftermath of last year's fires, Andrew put his vast catering and supply chain skills to work, suggesting and putting together a response and suppliers who we knew would say yes to helping out.

Huge thanks go to Frank Commisso from Go Troppo Fruit Market and his absolutely solid, hardworking team, especially Mrs Commisso, Joel Commisso, Marcus Commisso and Frank's drivers, who all spent a day packing and preparing the boxes and helping to deliver them.

I thank Brett Palmer of Longpark Meat who, like Frank, supplied goods at cost price. Go the local businessmen! It is not an easy time for many in business, but these humble giants have helped us.

I thank the volunteers who manned the collection point and helped with the administration side of things—Rafi (Rafaella), Danielle, Daniel, Michelle, Dave, Kate, Andrew, Leo, Daniel, Bill and Elli. You are all trusted and big-hearted friends; thanks for being there for our community.

Thanks go to Ian McKay from the Southern Cross Club, to Sam and Chin Wong for advice and support, and to the charity who made the whole thing possible, Picking up the Peaces, who are a big supporter of our community.

COVID-19 pandemic—business

MS CASTLEY (Yerrabi) (6.21): I will never forget the day, 13 years ago, back in 2008, when my husband and I closed the door on our business for the last time. We had spent months working hard to avoid closure, but, in the end, we had to admit defeat. We knew we could not recover and had to call it a day.

That is why I am so devastated for all of the businesses struggling and bleeding through lockdown across Canberra. My heart goes out to all of them because I understand. I know firsthand what it feels like to have that chest-crushing stress of not being able to cover your costs, of being forced to decide whether you keep pushing for one more month, or whether to just throw in the towel and walk away.

I must confess that, when our business failed, admitting defeat was a hard pill to swallow. We felt embarrassed; we felt we had let down our staff and our families. We had to reinvent ourselves and find a new dream, and that was very hard—so very hard.

I share this story today to highlight the stark difference between my experience, as traumatic as it was, and what we are witnessing across Canberra as lockdown and a lack of support from this government force businesses to the wall. I am on my feet today not to talk about my plight 13 years ago but to salute the courageous business owners in Canberra today—the hundreds of them, perhaps thousands, who are facing closure through no fault of their own.

They have been forced to draw on their personal finances and business savings, forced to borrow money from families, parents, siblings and in-laws. But this money can only last for so long. I have said it before: businesses save for a rainy day. But this is the longest rainy day they have had to face, and it is brutal.

I do not know anyone who can afford to live for nine weeks without an income to cover their personal expenses, let alone have wages to pay, commercial rent, utilities, insurance, bank fees and vehicle registrations; the list goes on. Yet that is what our businesses are expected to do.

It is a completely different world that few people outside business truly understand. To all of the business warriors across Canberra today—mum and dad businesses, the micro businesses and sole traders, the third or fourth generation businesses, the young entrepreneurs, the businesses operating from a garage or a spare bedroom, the employers who carry a huge extra slice of responsibility and burden—to all of you and those that I have missed, I want to send a heartfelt and most sincere message of encouragement.

No “rah-rah, we’re all in this together; we can get through it together,” because that is rubbish. We are not all in this together. Business has it tougher than most, and many are on their knees. Nobody but a business owner is responsible for the heavy weight of the financial responsibilities they carry. But please know that someone in this place, this comfortable chamber called the Legislative Assembly, so far removed from the everyday lives and struggles, does understand, has lived through it and will continue to work hard and fight for you the best way that I can.

Question resolved in the affirmative.

The Assembly adjourned at 6.25 pm until Wednesday, 6 October 2021 at 10 am.

Schedules of amendments

Schedules 1

COVID-19 Emergency Response (Check-in Information) Amendment Bill 2021

Amendments moved by Mrs Jones

1

Clause 5

Proposed new section 2C, definition of *permitted purpose*, paragraph (c)

Page 5, line 25—

after

undertaking contact tracing

insert

prescribed by regulation

2

Clause 5

Proposed new section 2E (4)

Page 7, line 13—

omit proposed new section 2E (4), substitute

- (4) An authorised person commits an offence if—
- (a) the person accesses or uses information; and
 - (b) the information is check-in information; and
 - (c) the person is reckless about whether the information is check-in information; and
 - (d) the access or use is for a purpose other than a permitted purpose.
- Maximum penalty: 40 penalty units.

3

Clause 5

Proposed new section 2H

Page 9, line 5—

insert

2H Interaction with other laws

- (1) This part applies to check-in information despite any other law that would otherwise permit access to or use of check-in information.
- (2) Subsection (1) does not apply to a law prescribed by regulation.

Schedule 2

COVID-19 Emergency Response (Check-in Information) Amendment Bill 2021

Amendment moved by the Minister for Health

1

Clause 5

Proposed new section 2F (2)

Page 7, line 18—

omit proposed new section 2F (2), substitute

- (2) Check-in information may be used for the purpose of investigating or prosecuting—
 - (a) an offence against this part; or
 - (b) an offence for failing to comply with a public health direction in relation to contact tracing; or
 - (c) an offence for giving false or misleading information in compliance or purported compliance with a public health direction in relation to contact tracing.
-

Answers to questions

Housing—land tax (Question No 362)

Mr Cain asked the Treasurer, upon notice, on 6 August 2021:

- (1) How many vacant residential properties were assessed for land tax, for each quarter in each financial year from 2018-19 to present.
- (2) What was the total value of land tax levied, for each quarter in each financial year from 2018-19 to the present.
- (3) How many vacant residential properties were taxed, broken down by each suburb, for each quarter in each financial year from 2018-19 to present.

Mr Barr: The answer to the member's question is as follows:

- (1) & (3) Land tax applies to properties that are not an owner's principal place of residence. Given this, the ACT Revenue Office does not collect and record data that identifies vacant residential properties.
- (2) The total land tax assessed for each quarter of the financial years 2018-19, 2019-20, and 2020-21 is tabled below. There is no data for 2021-22 as yet.

Financial Years	Total land tax – Quarter 1 ('000)	Total land tax – Quarter 2 ('000)	Total land tax – Quarter 3 ('000)	Total land tax – Quarter 4 ('000)
2018-19	\$34,381	\$34,465	\$33,854	\$34,374
2019-20	\$36,125	\$36,038	\$35,658	\$35,556
2020-21	\$37,601	\$37,621	\$36,401	\$37,459

Government—lease arrangements (Question No 363)

Mr Cain asked the Treasurer, upon notice, on 6 August 2021 (*redirected to the Minister for Planning and Land Management*):

- (1) How many development leases had their commencement date during the financial years of (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (2) Are development leases classified as residential land, rural land or commercial land as each of these is defined under the Rates Act 2004.
- (3) What reasoning lead to such classification(s) referred to in part (2).

Mr Gentleman: The answer to the member's question is as follows:

(1)

Financial Year	Total
2016-17	9
2017-18	14
2018-19	14
2019-20	7
2020-21	10

(2) Determining whether a development lease is residential, rural or commercial land requires consideration of the Crown Lease purpose clause and the use of the land.

Relevant factors include:

- (a) the land use zone in which the parcel sits;
- (b) the deed attached to the development lease and what works that deed requires to be carried out;
- (c) subdivision plans.

In accordance with the definitions in the *Rates Act 2004*, rateable land is:

(a) Residential land if:

- (i) Leased for residential purposes only; or
- (ii) Leased for residential and other purposes, but used for residential purposes only; or
- (iii) It is included in the common property of a community title scheme, provided:
 - 1. at least one parcel of land in the scheme is residential land (as per i or ii above); and
 - 2. no parcel in the scheme is leased for a commercial purpose.

(b) Rural land if:

- (iv) Leased for the purpose of primary production only; or
- (v) Leased for the purpose of primary production and other purposes, but used mainly for primary production; or
- (vi) It is included in the common property of a community title scheme, provided:
 - 1. no parcel of land in the scheme is residential land; and
 - 2. no parcel in the scheme is leased for a commercial purpose.

(c) Commercial land if not residential land or rural land.

(3) See response to question 2.

Sport—maintenance of sports grounds and ovals (Question No 364)

Ms Castley asked the Minister for Sport and Recreation, upon notice, on 6 August 2021:

- (1) How are sports grounds and ovals maintained.
- (2) What is the budget to maintain sports grounds and ovals (a) this financial year and (b) for the last three financial years.

- (3) How often are sports grounds and ovals mowed.
- (4) What maintenance work and improvements are currently being done at sports grounds and ovals and can the Minister provide detail, cost and length of time for each project.
- (5) How is maintenance work determined and prioritised.
- (6) Given that Hall residents cannot play cricket on their sports ground as the pitch is too lumpy, can the Minister advise if this problem is being fixed; if so, when will the oval be fixed.

Ms Berry: The answer to the member's question is as follows:

- (1) The 284 hectares of irrigated sportsgrounds are maintained by staff from the Transport Canberra and City Services (TCCS), Sport and Recreation Facilities (SRF) team. This team undertakes or arranges all required maintenance including mowing, irrigation, fertilising, turf renovation and maintenance of associated facilities such as pavilions and lighting. Maintenance such as mowing is undertaken year-round as required, while some more intensive maintenance is undertaken in the twice-yearly shutdown periods between the winter and summer seasons.

- (2) Actual expenditure for the last three years is:

2018-2019	\$38,884,729
2019-2020	\$38,862,437
2020-2021	\$39,208,722
2021-2022	\$39,685,927 (Forecast Budget)

- (3) Sportsgrounds are usually mown once a week or as needed in winter and twice a week in summer.
- (4) In addition to routine maintenance, works are currently underway at: Curtin District Playing Fields irrigation and meter pit upgrade (cost \$480,000, completion December 2021); Stirling water meter pit upgrades (cost \$80,000, completion August 2021); Boomanulla Oval modular building upgrade (cost \$500,000, completion December 2021). A program of further works for the upcoming financial year is being finalised.
- (5) Maintenance seeks to provide safe and fit for purpose facilities. Maintenance work is prioritised and determined through advice from qualified greenkeepers within the SRF team, in light of identified needs and issues, feedback from users and sporting peak bodies and with consideration of the available budget. Improvements are prioritised based on asset condition, safety/risk considerations, usage levels, feedback from users and sporting peak bodies and in light of the available budget.
- (6) The cricket facility at Hall consists of a concrete pitch in good condition and an outfield which is partly irrigated (part of the adjacent irrigated Hall Field 1) and partly dryland grass. The cricket facility is fit for its intended purpose for social/informal use rather than as a facility suitable for competition and no works are currently planned to this area.

**Crime—wage theft
(Question No 365)**

Ms Castley asked the Minister for Business and Better Regulation, upon notice, on 6 August 2021 (*redirected to the Minister for Industrial Relations and Workplace Safety*):

- (1) Who is the responsible minister for issues about wage theft disputes in the ACT.
- (2) Can the Minister provide, for each year since 2016, reported wage thefts in the ACT.
- (3) Are there unreported wage thefts and can the Minister provide any information in relation to this.
- (4) Has the Minister investigated the issue of unreported wage thefts and can the Minister provide any figures.
- (5) Is the actual wage theft figure higher; if so, how much higher.
- (6) Why are some wage thefts not reported or recorded.
- (7) What is the Government doing to reduce wage theft in the ACT.
- (8) What success has the Government had in reducing wage theft.
- (9) How much funding does the Government provide for initiatives to reduce wage theft.
- (10) Will the Government make wage theft a criminal offence under ACT legislation; if so, what progress has been made; if not, can the Minister explain why not.

Mr Gentleman: The answer to the member's question is as follows:

In answer to questions 1 to 6 and 10:

The Fair Work Act 2009 (Cth) (FW Act) is the primary source of employment rights, conditions and entitlements for workers in the Territory. As such, matters relating to the underpayment of workers falls within the Commonwealth Government's jurisdiction.

The Federal Fair Work Amendment (Supporting Australia's Jobs and Economic Recovery) Bill 2021 (Cth) contained amendments to criminalise the underpayment of wages in certain circumstances when it was introduced in December 2020. Those provisions were removed from the Bill that was passed by the Federal Parliament in March 2021. Details of the Federal Amendment Bill can be sourced from the Federal Parliament of Australia website and Federal Register of Legislation website.

Compliance with the FW Act is administered by the Fair Work Ombudsman. Outcomes of compliance and enforcement activities conducted by the FWO can be sourced from www.fairwork.gov.au.

Since October 2020, the ACT Magistrates Court has been able to hear certain matters within the FW Act small claims jurisdiction, which may include matters relating to the

underpayment of wages. Any matters relating to the underpayment of wages that may have been decided by the ACT Magistrates Court since October 2020 would be publicly available on the Magistrates Court website.

In answer to questions 7 and 8:

The ACT Government has introduced a number of measures designed to support compliance with workplace laws and standards in the ACT, specifically:

In 2020, the ACT Government introduced a labour hire licensing scheme under the *Labour Hire Licensing Act 2020* to encourage responsible practices in the ACT labour hire sector. This legislation commenced on 27 May 2021 and a transition period applies until 27 November 2021 to allow labour hire providers to obtain a licence.

To obtain a licence, labour hire providers must be able to demonstrate a history of compliance with workplace laws and standards, including the *Fair Work Act 2009* (Cth).

Information about the new labour hire licensing scheme is publicly available on the WorkSafe ACT website (www.worksafe.act.gov.au), the ACT Legislation Register website (www.legislation.act.gov.au) and in the *Labour Hire Licensing Act 2020* and supporting legislative instruments.

In 2019, the ACT Government introduced the secure local jobs code which provide a suite of requirements for entities that contract with the ACT Government for territory-funded work. The secure local jobs code requirements allow the Government to audit the compliance history of entities with workplace laws and standards to ensure contracts are only be provided to entities that meet the highest ethical and labour standards.

Information about the secure local jobs requirements is publicly available at: <https://www.procurement.act.gov.au/supplying-to-act-government/securelocaljobs>.

In response to question 9:

Funding for initiatives such as the ACT's labour hire licensing scheme and secure local jobs requirements can be found in the ACT Budget Papers.

Government—underquoting by developers (Question No 366)

Ms Castley asked the Minister for Housing and Suburban Development, upon notice, on 6 August 2021 (*redirected to the Minister for Sustainable Building and Construction*):

- (1) Is the Government aware of developers underquoting to win large building contracts; if so, can the Minister provide any relevant information.
- (2) Is the Government aware of developers underquoting below the actual costs of the project; if so, can the Minister provide any relevant information.

- (3) Is the Government aware of developers (a) substituting cheaper materials than those specified in the contract to meet their underquoted costs and (b) claiming these products are equal to those originally specified in the contracts; if so, can the Minister provide any relevant information.
- (4) Is the Government aware of developers not paying or under-paying contractors/subcontractors/staff on projects to meet their underquoted costs; if so, can the Minister provide any relevant information.
- (5) Is the Government aware of the substitution of poorer quality materials leading to higher operating, repair and environmental costs.
- (6) Does the Government (a) monitor or (b) regulate any of the practices referred to above; if so, how.
- (7) What is the success of government regulations to prevent such practices.
- (8) How much funding does the Government provide to regulate and monitor developer practices.
- (9) Does the Government plan to expand their regulation/monitoring of the above practices; if so, can the Minister provide relevant details.

Ms Vassarotti: The answer to the member's question is as follows:

- (1) No.

Typically, a 'developer' is the landholder, and they may engage the services of a builder or head contractor to oversee and co-ordinate the construction of a building on their behalf who will usually then engage or sub-contract work to other trades and suppliers as required. In some circumstances the developer may hold the necessary licenses and co-ordinate the work directly. The terms of these engagements are a private matter for the parties involved and the Government does not collect this information.

- (2) No, as indicated above the Government does not monitor the terms of contracts between private businesses.
- (3) (a) No, as above. (b) No, as above.
- (4) No, as noted above the Government does not have a role in monitoring the contract terms between private businesses.
- (5) No, as above.
- (6) As noted above the Government does not have a role in monitoring the contract terms between private businesses. There is a comprehensive building regulatory system in place in the ACT. The regulatory system includes a number of legislative instruments that set out the standards and performance requirements for buildings constructed in the ACT, including referring to the National Construction Code. Access Canberra, as the regulatory authority, checks compliance with these laws which includes, but is not limited to the following:

- the Building Act 2004
- the Construction Occupations (Licensing) Act 2004
- the Planning and Development Act 2007
- the Unit Titles Act 2001
- the Electrical Safety Act 1971
- the Gas Safety Act 2000

Further information on regulatory actions taken by Access Canberra can found in The ACT Construction Occupations Annual Report. In addition to the above, the ACT Building and Construction Industry (Security of Payment) Act 2009 establishes an adjudication process so that people who carry out construction work, or supply goods and services, can receive timely payment.

- (7) As noted above the Government does not have a role in monitoring the contract terms between private businesses.
- (8) As noted above the Government does not have a role in monitoring the contract terms between private businesses.
- (9) As noted above the Government does not have a role in monitoring the contract terms between private businesses. The ACT Government does have a strong commitment to the ongoing improvement of the building regulatory system and has already undertaken extensive reforms to improve practices and standards across the industry. The Parliamentary and Governing Agreement of the 10th Legislative Assembly outlines a number of commitments targeted at improving building quality and the Government has also committed to recommendations arising from the former Standing Committee on Economic Development and Tourism's Inquiry into Building Quality.

COVID-19 pandemic—land tax credit (Question No 367)

Ms Lee asked the Minister for Housing and Suburban Development, upon notice, on 6 August 2021 (*redirected to the Treasurer*):

- (1) How many land tax credit applications have been received as part of the ACT Government's COVID-19 Economic Survival Package.
- (2) How many land tax credit applications have been approved.
- (3) What is the total value of rebates provided to landlords under the scheme and can the Minister provide a breakdown of the value per application.
- (4) How many land tax credit applications have been refused and what were the reasons for refusal.
- (5) How many other schemes did the Government consider before implementing the land tax credit scheme and what were those schemes.
- (6) Did the Government consider paying the rent shortfall directly to landlords, as is the case with the Tasmanian scheme; if so, why did the Government decide not to go with this option; if not, why not.

- (7) Has the Government considered any changes to the scheme since its introduction and have these changes been introduced; if not, why not.
- (8) When does the scheme currently finish.
- (9) Is the Government considering extending the scheme past its current end date; if so, what will be the end date.

Mr Barr: The answer to the member's question is as follows:

- (1) As at 13 August 2021, 988 applications have been received.
- (2) As at 13 August 2021, 801 applications have been approved.
- (3) As at 13 August 2021, the total value of rebates provided under the scheme was \$854,242. The average credit per application was \$1,066.
- (4) As at 13 August 2021, 187 applications have not been approved.

Applications are assessed against the eligibility criteria for the scheme. Applications are not approved if they fail one or more of the criteria. The most common reasons for applications not being approved are:

 - a. the rent reduction was less than the required 25 per cent;
 - b. the tenant was not same tenant between March 2020 and when the rental reduction occurred (which is one of the criteria); or
 - c. the application did not include all of the required information.
- (5) The Government considered a range of options before implementing the land tax credit scheme. Leveraging the ACT's land tax system enabled the scheme to be implemented quickly and without significant administration and compliance costs as it provided a mechanism to validate the property owner and a low-cost method for payment.
- (6) Paying the rent shortfall directly to landlords was considered. Cash payments would have involved more significant administration and compliance costs and exposed the Territory to a greater risk of fraud.
- (7) The Government extended the scheme a number of times, following consideration of the effectiveness of the scheme and the circumstances at the time.
- (8) The scheme ended on 30 June 2021. Applications can be submitted until 31 August 2021.
- (9) The Government continues to monitor the impacts of the COVID-19 pandemic, including the recent outbreak in the Territory, on households and is providing additional assistance to Canberrans who need it.

Arts—funding (Question No 370)

Ms Castley asked the Minister for Business and Better Regulation, upon notice, on 6 August 2021:

- (1) Who were the recipients of the Government's Amp It Up! Fund to support the music industry and how much did each recipient receive.

- (2) How many people/operators applied and how many were unsuccessful.
- (3) Can the Minister provide the reasons why these people/operators were unsuccessful.
- (4) Who assessed the applications and what were the criteria to apply and for assessment.
- (5) Did the Minister have any role in which people/operators were successful.
- (6) Did the agency/directorate which assessed the applications prepare a list for the Minister to approve of operators it believed should receive funding.
- (7) Did the Minister agree to this list or did the minister make any changes.
- (8) If the Minister did make any changes to the list can they provide details of those changes.
- (9) Why was the program only open from 3 to 17 May.
- (10) Can the Minister provide a breakdown of how much money was spent, in total, on the scheme including for marketing and communications
- (11) What other government schemes have been announced since and including 2019 to support the music and hospitality industries and can the Minister provide details of each program including (a) how much money has been awarded, (b) who received funding and how much for each, (c) how many people/operators applied and how many were unsuccessful and why and (d) what was the purpose/aim of each scheme.
- (12) For Amp It UP! and the other government schemes to support the music and hospitality industry, has there been any review of the schemes; if so, can the Minister provide details, review costs and findings.

Ms Cheyne: The answer to the member's question is as follows:

- (1) Successful recipients are detailed online at: <https://www.act.gov.au/business/business-support/amp-it-up-supporting-live-gigs>
- (2) 35 applications were received. 23 were successful and 12 were unsuccessful.
- (3) The number of successful applicants was limited to the available program budget. The 12 unsuccessful applications did not address the assessment criteria as strongly as the successful applications.
- (4) Applications were assessed by a panel comprised of one representative from each artsACT and VisitCanberra (Economic Development, Chief Minister, Treasury and Economic Development Directorate), and one representative from MusicACT. Applications were assessed on merit against the following criteria:
 - i. demonstrated history and role of the venue in supporting a diversity of original music and performance artists;
 - ii. evidence that 50 per cent of the performances in the program include ACT- based artists;
 - iii. demonstrated capacity and capability of the venue to effectively deliver the program; and

iv. demonstrated capacity to positively impact the careers of ACT-based musicians and performance artists.

- (5) The assessment panel recommended 23 applications for funding, with 19 of those 23 applications able to be funded within the initial allocated budget. The Minister for Business and Better Regulation had no role in determining which applications were recommended for funding. The Minister for Business and Better Regulation sought on advice on how all 23 applications assessed by the panel to be recommended for funding could be funded.

The Minister agreed to a method proposed by the Chief Minister, Treasury and Economic Development Directorate to fund all 23 applications assessed by the panel to be recommended for funding.

- (6) Yes, the Chief Minister, Treasury and Economic Development Directorate prepared a brief with recommendations from the assessment panel for agreement by the Minister for Business and Better Regulation.
- (7) The Minister for Business and Better Regulation agreed to the recommendation to fund all 23 applications assessed by the panel to be recommended for funding. The Minister did not make any changes to the list of 23 applications recommended by the panel for funding.

- (8) N/A.

- (9) The program was open for two weeks from 3 to 17 May 2021, allowing sufficient time to complete a relatively simple application form. MusicACT was contracted to assist with the administration of the program, and this contract included MusicACT's provision of an Amp it Up! Industry briefing and one-on-one assistance for applicants on request during the application period.

A two-week application period also ensured the program could be delivered in a timely manner to meet the program goal of COVID-19 recovery support for small to medium sized live music venues, responding to an urgent need as identified and advised by the sector.

- (10) The Program cost a total of \$840,000 which was made up of \$790,000 in funding to successful applicants, \$40,000 for MusicACT to assist in administering the program, and \$10,000 for MusicACT to deliver a forum later in 2021 on the night-time economy. The forum on the night-time economy will explore its economic and social benefits, and any barriers to realising these benefits.
- (11) There have been no other funding programs or schemes specific to the music industry.

A range of licence and fee waivers have been offered to the hospitality industry to assist it through the COVID-19 pandemic, including the following:

- The food business registration fee waiver has been extended until 31 March 2022. If food business registration has been prepaid for more than one year in advance, an additional 12 months will be added to the licence.
- The outdoor dining permit fee waiver has been extended for another 12 months, until 30 June 2022.

- The annual licence fee waiver for some liquor licensees has been tapered to provide a 50 per cent fee reduction for 12 months from 1 April 2021 to 31 March 2022. Eligible licensees include nightclub licence, restaurant and café licence, bar licence, general licence, catering licence, special licence and club licence.
- On 1 July 2021, the Government announced that "on liquor" licensees will be able to sell takeaway alcohol and offer it for home delivery until 30 September 2021.

As a result of the COVID-19 lockdown the ACT entered from 12 August 2021, the ACT Government is also offering COVID-19 Business Support Grants and a COVID-19 Small Business Hardship scheme for all eligible businesses, regardless of their industry. More detail on these two measures is available online at: <https://www.act.gov.au/business/business-support/covid-19-economic-support-for-business>.

- (12) Successful applicants to the Amp it Up! Program will need to acquit their funding as part of the standard reporting requirements. No formal review is planned.

Throsby—property sales (Question No 371)

Ms Castley asked the Minister for Housing and Suburban Development, upon notice, on 6 August 2021 (*redirected to the Attorney General*):

- (1) Is the Government aware of contracts being rescinded at “Vivace” in Throsby and then offered for sale at a higher price; if so, can the Minister provide information on this.
- (2) Is the Government aware of other developers rescinding contracts and selling the same units at a higher price; if so, how many and can the Minister provide details.
- (3) What consultation has the Government had with tenants whose contracts have been rescinded and what has been the result or outcome of these consultations.
- (4) Will the Government remedy or compensate people affected by the rescinding of contracts; if not, why not.
- (5) Will the Government reissue the ACT First Home Owner Grant for people who applied to buy a property in Vivace and had their contract rescinded; if not, why not.
- (6) What is the Government doing to prevent ACT developers from rescinding contracts in the future.
- (7) Will the Government, or a separate entity, provide financial remedies for conveyancing bills for entering a sales contract that was rescinded; if not, why not.
- (8) Is the Government considering additional help for first home buyers; if not, why not.

Mr Rattenbury: The answer to the member’s question is as follows:

- (1) The Government is aware that some contracts were rescinded at the “Vivace” development in Throsby.

Further information on the framework for the rescission of contracts is provided in the response to question 4 below.

- (2) The Government is aware of an instance in 2015 of a developer rescinding a contract and selling the unit at a higher price. The details of that matter are addressed in an ACT Civil and Administrative Tribunal case *Tummala v Tiger Property Group Pty Ltd* (Civil dispute) [2016] ACAT 118.
- (3) The Government has been contacted by several affected “Vivace” purchasers or their family members. The government will consider whether the concerns raised warrant legislative reform.
- (4) No.

A contract to purchase off-the-plan is an agreement to purchase a property which has not yet been built. As many things can go wrong during the building process, there are certain risks associated with contracts of this nature. To assist in managing these risks, many off-the-plan contracts include a ‘sunset clause’. A sunset clause provides a period of time for the completion of a development and creates a right to rescind the contract if the specified period of time elapses.

Sunset clauses can protect both purchasers and developers from the risk that the development takes longer than either party anticipated.

The use of sunset clauses is not prohibited by ACT law.

- (5) No.

The First Home Owner Grant is available for eligible applicants who entered into a transaction, with a commencement date prior to 30 June 2019, to buy a new or substantially renovated home. The commencement date of a transaction is the date on which the contract was signed and exchanged, or in the case of building a home, the day the foundations start being laid.

From 1 July 2019, the ACT Government replaced the First Home Owner Grant with an expanded Home Buyer Concession Scheme, which is available for both new and existing homes including off-the-plan purchases, providing more choice for first home buyers.

- (6) A right to rescind provided by agreement in a contract can benefit one or both parties to a contract.

The Government is considering whether legislative reform to constrain the creation or exercise of rights of rescission by developers is warranted.

- (7) No.

Conveyance duty is levied on the dutiable value of the property and is only payable for transactions which occur. As such, conveyance duty does not apply to rescinded contracts.

Otherwise, please see the response to question 4 above.

- (8) The Government's aim is to eventually abolish stamp duty, so it is no longer a barrier to anyone seeking to enter the housing market or move to a home better suited to their needs. In the meantime, the Government is targeting duty concessions to households most in need of assistance, including first home buyers.

Through the Home Buyer Concession Scheme (HBCS), first home buyers with a gross household income of \$160,000 or less (plus \$3,333 for each dependent child) do not have to pay any stamp duty on the purchase of a home up to \$1 million, saving them up to \$35,910 in 2021-22.

First home buyers that do not meet the income eligibility criterion for the HBCS can apply to defer the stamp duty payable on a purchase of a home up to \$750,000. Home buyers do not have to start paying the deferred duty until five years after the transaction date and the duty does not have to be paid in full until 10 years after the transaction date.

In addition, The Government is helping all home buyers not eligible for the HBCS by reducing stamp duty in every Budget. This is a key element of our tax reform program, and our long-term commitment to phase out stamp duty and improve housing affordability in the ACT. As a result, a home buyer today pays \$13,715 less in stamp duty on an \$750,000 property than they would have paid without tax reform.

Municipal services—Fix My Street portal (Question No 372)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

- (1) Can the minister advise how many "Fix My Street" requests were received for the financial year of 2020-2021.
- (2) How many requests were received, for each of the categories referred to in question on notice No 284, in the financial year of 2020-2021.

Mr Steel: The answer to the member's question is as follows:

- (1) 47,283.
- (2) Categories used between financial years vary. The 2020-21 categories include:

Category	
BBQs & picnic areas	619
Drinking water	154
Drinking water & taps	155
Election Signs	120
Fencing & Bollards	1116
Fencing & Bollards	712
Grass & weeds	3224

Grass, Trees & Shrubs (other)	2
Kerbs & gutters	291
Lakes, ponds & waterways	140
Naturestrips	10
On road cycle lanes	446
Parking & vehicles	6936
Parks & public spaces (other)	4
Playgrounds & outdoor equipment	1328
Roads & traffic	9838
Roads, parking and vehicles (other)	4
Shared paths	4636
Shelters/shade	850
Shopping Trolley	23
Signs	526
Sprinklers & fountains	76
Stormwater & sewerage	1709
Street lights	4179
Toilets	331
Trees & shrubs	9854
Grand total	47283

Planning—arts and entertainment precincts (Question No 373)

Ms Lawder asked the Minister for the Arts, upon notice, on 6 August 2021
(*redirected to the Chief Minister*):

- (1) When will the Estate Development Plan for the Kingston Arts Precinct be completed.
- (2) Will the report, referred to in part (1), be made available to the public; if so, when.
- (3) How has the Suburban Land Agency (SLA) consulted the Kingston community.
- (4) Are there mechanisms for community members and stakeholders to make their concerns known to the plan writers.
- (5) How has the SLA consulted with the artistic community.
- (6) Are there mechanisms for such community members to make their concerns known to plan writers.

Mr Barr: The answer to the member's question is as follows:

- (1) The Estate Development Plan (EDP) assessment is a statutory process managed by the Environment, Planning and Sustainable Development Directorate when the EDP is

lodged. The Kingston Arts Precinct EDP is in its early stages of design development and is likely to be lodged in the second half of 2022.

- (2) The EDP assessment process includes public notification and review of received comments.
- (3) Community and stakeholder engagement prior to EDP lodgement is the responsibility of the developer. The SLA has met with community groups when such requests were raised and has provided updates.
- (4) An established website www.kingstonartsprecinct.com.au provides the opportunity for the community comments to be relayed to the developer and the design team.
- (5) artsACT meets monthly with the arts organisations collocating to the Kingston Arts Precinct. The project design team meets with arts organisations when required. All community engagement activities have included discussions with arts organisations and the broader arts community.
- (6) Arts organisations have direct meetings with the design team when engaging on design development of their future purpose-built accommodation.

Building—combustible cladding (Question No 374)

Ms Lee asked the Minister for Sustainable Building and Construction, upon notice, on 6 August 2021:

- (1) How many privately-owned buildings has the Government identified with the presence of combustible cladding.
- (2) Has the Government completed modelling and/or projections in relation to the anticipated uptake of its voluntary cladding rectification program for privately-owned buildings; if so, what is the anticipated amount of voluntary self-identification of combustible cladding; if not, based on what advice has the Government received to budget for the scheme.
- (3) Can the Minister provide a list of the relevant stakeholders, individual, peak body, and corporate, that the Government has engaged with in relation to the establishment of the private buildings cladding scheme.
- (4) What policy advice did the Government receive in relation to the establishment of a voluntary scheme for privately owned buildings, rather than the adoption of the same audit it used for ACT Government-owned buildings.
- (5) Given that the ACT Government issues certificates of occupancy for privately-owned buildings, has the government received policy advice regarding its potential liability for the cost of (a) remediation works for buildings identified with combustible cladding, (b) remediation for buildings that have not reported the presence of combustible cladding, but experience combustion as a result of unidentified cladding and/or (c) relocating tenants/owners deemed to be occupying privately-owned buildings impacted by combustible cladding; if so, can the minister provide a copy of that advice.

- (6) What, if any, are the financial and/or legal safeguards the ACT Government plans to provide private owners to voluntarily self-report the presence of combustible cladding on their building in phase one of the scheme.
- (7) Based on what advice/investigation has the Minister estimated, through the media, the number of privately owned apartment buildings affected by the presence of combustible cladding at 90.
- (8) Has the ACT Government received advice as to what the approximate cost of conducting an assessment will be and will the \$20,000 cap be sufficient to cover owners' corporation expenses to conduct an assessment.
- (9) What supports will the Government provide to those owners' corporations that have already had inspections and assessments carried out at their own expense prior to the announcement of the grant program and will there be retrospective reimbursements.
- (10) Has the ACT Government sought advice from the Canberra Economic Recovery Advisory Group in relation to establishment of the Private Buildings Cladding Scheme; if so, can the Minister provide a copy of that advice; if not, why not.
- (11) Given that once a building is identified with the presence of cladding, it can make it very difficult to gain home-building insurance, what will the Government do to fill this gap should owners, who have had assessments carried out, be unable to take out insurance.
- (12) Has the ACT Government conducted consultation with private home-insurance providers in relation to its Private Buildings Cladding Scheme; if so, can the Minister provide a list of the insurance providers the Government has engaged with; if not, why not.

Ms Vassarotti: The answer to the member's question is as follows:

- (1) The Government has not undertaken general testing or assessment of privately owned buildings to confirm the presence of combustible cladding. The recently announced Private Buildings Cladding Scheme is designed to assist owners corporations identify the presence of potentially combustible cladding on their buildings. Desktop analysis suggests there may be around 90 buildings in the ACT which may be eligible for the Scheme.
- (2) The Government reviewed advice from other jurisdictions in designing the ACT scheme. However, as each jurisdiction has different program and regulatory settings, it is not possible to directly apply a number from elsewhere in forecasting likely ACT take-up. Therefore, the budget projections are conservatively based on full uptake of the maximum 50% rebate available for 90 buildings.
- (3) The Government engaged with a range of stakeholders in relation to the establishment of the Scheme, as listed below:
 - (a) ACT Law Society;
 - (b) A number of fire engineering firms in the ACT;
 - (c) Housing Industry Association ACT;
 - (d) Insurance Council of Australia;
 - (e) Legal Aid ACT;

- (f) Master Builders Association;
 - (g) Owners Corporation Network;
 - (h) Property Council of Australia;
 - (i) REIACT;
 - (j) Strata Communities Association (ACT); and
 - (k) NSW and Victorian Governments.
- (4) The audit undertaken for ACT Government-owned buildings was possible given the ACT Government owns those buildings. For privately-owned buildings, a different approach is required. The ACT Government cannot enter private sites and undertake testing and assessment of its own volition as it did with its Government-owned buildings.
- (5) Legal advice has been received and this advice has informed the Government's policy settings and assistance to the private sector. The ACT Government does not propose to release that legal advice.
- (6) The responsibility to identify and address any risk posed by combustible cladding lies with the owner of each building. It is the owner's responsibility to maintain safe premises. The Scheme has been established to assist private owners to undertake testing and assessment that they are otherwise responsible for.
- (7) In 2019 and 2020, ACT Fire and Rescue undertook an informal kerbside identification of buildings above two storeys that appeared to have cladding facades. They focussed on locations in the city centre, major town centres, transport corridors and areas that have experienced significant development. This data assisted the Government to understand the likely quantum of potentially affected buildings and identified around 90 apartment buildings that are 3 storeys or higher.
- (8) The ACT Government has experience in having this work done on its own buildings, and has engaged extensively with stakeholders, including professional services providers, to obtain information on the likely cost of conducting testing and assessment and considers that the \$20,000 (ex GST) cap will be sufficient to cover 50% of the reasonable costs of testing and assessment.
- (9) Owners' corporations that have already had inspections and assessments carried out at their own expense prior to the announcement of the grant program may be entitled to access the Scheme under criteria enabling retrospective access if they undertook the testing and assessment of their building between 27 August 2020 and 21 July 2021. The Government announced that it would fund a Scheme to address combustible cladding on 27 August 2020. Owners corporations who undertook testing and assessment activities prior to 27 August 2020 may be eligible for participation in the future second 'rectification' phase of the scheme.
- (10) The Government has not sought advice from the Canberra Economic Recovery Advisory Group.
- (11) The Government will not be entering into the provision or support of insurance coverage for private apartment buildings. There is a competitive national market for building insurance and combustible cladding is a well-known issue. A comprehensive testing and assessment report as an outcome of the first phase of this Scheme should assist Strata Managers and Owners Corporations to have well-informed discussions with insurance companies.

- (12) The Government has engaged with the Insurance Council of Australia, which is the representative body for the general insurance industry in Australia.
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**Planning—ACT Planning System Review and Reform Project
(Question No 375)**

Mr Cain asked the Minister for Planning and Land Management, upon notice, on 6 August 2021:

- (1) Can the Minister advise, in relation to consultation undertaken for the ACT Planning System Review and Reform Project, in 2021, excluding the district planning workshops held between 1-24 June 2021, what consultation (or consultations), public or private, have been done.
- (2) For any consultation/s that has/have happened, can the Minister list the entities and/or people consulted.
- (3) Has any of the consultation undertaken differed from what is presented on the ‘ACT Planning System Review and Reform’ website at <https://yoursayconversations.act.gov.au/act-planning-system-review-and-reform>.
- (4) Under the ‘Timeline’ heading on that website, what is meant by the term ‘working series’, listed as taking place between May and October 2021.

Mr Gentleman: The answer to the member’s question is as follows:

- (1) Consultation has occurred with the Environment and Planning Forum (EPF), the Stakeholder Working Series (SWS), and a Legislation Working Group.
- (2) Through the EPF, SWS and legislation group activities listed above, consultation has occurred with representatives of the following organisations:
 - a. Gungahlin Community Council
 - b. Inner South Canberra Community Council
 - c. Weston Creek Community Council
 - d. Belconnen Community Council
 - e. North Canberra Community Council
 - f. Woden Valley Community Council
 - g. Tuggeranong Community Council
 - h. Molonglo Valley Community Council
 - i. Owners Corporation Network
 - j. Royal Australian Institute of Architects
 - k. Building Designers Association of Australia
 - l. Council of the Ageing ACT
 - m. Cycling Promotions Fund

- n. Living Streets Canberra
- o. Consult Australia
- p. Housing Industry Association
- q. Master Builders Association
- r. Pedal Power
- s. Property Council of Australia – ACT Division
- t. Planning Institute of Australia
- u. Australian Institute of Landscape Architects
- v. Public Transport Association of Canberra
- w. Conservation Council ACT Region
- x. ACT Council of Social Services
- y. Youth Advisory Council
- z. Canberra Region Leaders Tourism Forum
- aa. Environmental Defenders Office
- bb. ACT Law Society

(3) The Yoursay website timeline correctly shows the broad public consultation initiatives undertaken for the PSRRP. This has been supplemented by the consultation processes outlined in (1) above.

(4) Meetings of the SWS.

Births—registration (Question No 376)

Mr Davis asked the Minister for Human Rights, upon notice, on 6 August 2021
(*redirected to the Minister for Business and Better Regulation*):

How many people, between 1 July 2014 and 30 June 2021, registered their newborn using the category (a) intersex, (b) indeterminate and (c) unspecified.

Ms Cheyne: The answer to the member's question is as follows:

There are fewer than ten entries in the ACT births register that meet the categories described. A further breakdown of the public record would increase the risk that a person's right to privacy was undermined.

Government buildings—refurbishment and upgrades (Question No 378)

Mrs Jones asked the Chief Minister, upon notice, on 6 August 2021:

- (1) Is the Government currently considering any plans or proposals to upgrade the ACT Government office building at 220 London Circuit, including upgrades in the nature

of refurbishment of, or the addition of, (a) facilities for the use of the Cabinet and (b) meeting rooms, reception areas, ante rooms, waiting areas, and lounges.

- (2) For each refurbishment or addition referred to in part (1), (a) what is the budgeted, projected or likely cost, (b) what is the source of funding, (c) when will work on the refurbishment commence and conclude and (d) can the Chief Minister provide all business cases, designs, plans, concepts, proposals, photos, diagrams etc.
- (3) For each refurbishment or addition referred to in part (1), can the Chief Minister provide details of the number of (a) kitchens or kitchenettes, (b) coffee machines, (c) fridges and freezers, and type of fridge or freezer (bar fridge, wine chiller fridge) and (d) televisions, monitors and video projection devices, proposed to be incorporated.
- (4) For each refurbishment or addition referred to in part (1), (a) who will be the main user or beneficiary of the refurbishment or addition and (b) what existing facilities or functions will need to be moved, reconfigured or discontinued to allow for the refurbishment or addition.

Mr Barr: The answer to the member's question is as follows:

The fit-out and furnishing of vacant space within the new ACT Government office building at 220 London Circuit is currently being considered.

Casey—sporting and recreation facilities (Question No 379)

Mr Milligan asked the Minister for Planning and Land Management, upon notice, on 6 August 2021:

- (1) Why is much of the land, suitable for sporting and recreation facilities, being applied to residential development in Casey.
- (2) Who is responsible for development on blocks 12 and 13, section 132, Casey.
- (3) What plans does the ACT Government have for providing sporting and recreation facilities in Casey.

Mr Gentleman: The answer to the member's question is as follows:

- (1) The remaining unleased land is in the Casey group centre. It is zoned CZ1 – Commercial Zone, which provides for the widest range of future uses that could best serve the residents of Casey, surrounding community and in the context of the district and city. This includes but is not limited to residential use.
- (2) This land has not been released for development.
- (3) The Environment, Planning and Sustainable Directorate (EPSDD) is currently undertaking a Gungahlin district community and recreational facilities assessment (the assessment) to inform a strategic approach to planning for community and recreational facilities in Gungahlin now and into the future. The assessment will inform consideration of sporting and recreation facilities across the entire Gungahlin district, including in Casey. Sporting and recreation facility provision is also considered and

coordinated in relation to broader provision in the City and with the Sport and Recreation division of Government.

**Access Canberra—Fix My Street
(Question No 382)**

Mr Cain asked the Minister for Business and Better Regulation, upon notice, on 6 August 2021:

- (1) When the upgrade to Access Canberra's website was undertaken in May 2021, can the Minister advise (a) the number of unresolved Fix My Street requests, (b) the number of Fix My Street requests that were not migrated into the upgraded system and (c) how many individuals were notified that their unresolved Fix My Street requests were no longer active.
- (2) How many individuals have registered for the new Access Canberra online portal.

Ms Cheyne: The answer to the member's question is as follows:

- (1)
 - (a) The platforms used to host the Fix My Street service utilise a live database which is constantly updated as requests are processed. Accordingly, a retrospective figure as at 1 May 2021 cannot be provided as all reports and queries lodged prior to migration to the new website platform remained on the work program for action by the relevant area.
 - (b) As the new website platform has a different user account structure, previous user accounts were not able to be automatically migrated; however, all reports and queries lodged through Fix My Street prior to migration remained on the work program for action by the relevant area post-migration.
 - (c) On 27 April 2021, ahead of the new platform's implementation, Access Canberra emailed the more than 66,000 users of the Fix My Street service who had opted-in to receive messages from the ACT Government and submitted a request within the previous two years. This email notified users that the platform hosting the Fix My Street service would soon change. It confirmed that while all reports and queries lodged through the superseded website remained on the work program to be actioned, differences between the old and new platforms meant previously submitted correspondence could not be migrated to the new platform. Users were invited to contact Access Canberra on 13 22 81 if they were following up, or wanted access to, requests they had submitted through the outgoing platform.

This information was also communicated directly with all Members of the Legislative Assembly, as well as the ACT's representatives in the House of Representatives and the Senate, by way of a letter I sent on 27 April 2021 (an example of which is included for reference). *(A copy of the letter is available at the Chamber Support Office).*

- (2) As of 5 August 2021, a total of 26,931 customers had linked their ACT Digital Account with the Access Canberra service since the new site was launched on 1 May 2021. While Fix My Street users may choose to submit their service requests anonymously, creating a digital account and linking this with Access Canberra

services allows a user to track progress and receive updates in response to their correspondence.

**Transport Canberra—bus services
(Question No 383)**

Mr Cain asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

- (1) Are there any plans to resume bus routes through Bindel Street, Aranda.
- (2) Are there any plans to use the bus shelter on Bindel Street, Aranda in an alternative location or for a purpose other than as a bus shelter.

Mr Steel: The answer to the member's question is as follows:

- (1) No.
 - (2) No. The bus shelter and bus stop on Bindel Street outside St Vincent's Primary School is used by QCity Transit as a pickup and set down for school services.
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**Planning—Territory Plan variations
(Question No 384)**

Mr Cain asked the Minister for Planning and Land Management, upon notice, on 6 August 2021:

- (1) Can the Minister advise, for the financial years 2011-12 to the present, the number of allowed requests to rezone RZ1 blocks to separately titled dual occupancies.
- (2) Of the number referred to in part (1), how many of those were Mr Fluffy blocks.
- (3) For all of the applications referred to in part (1), how many of those cases required a variation to the Territory Plan.
- (4) How many requests to vary the Territory Plan were rejected by the Minister prior to being presented to the Legislative Assembly.
- (5) How many requests to vary the Territory Plan were approved by the Minister and subsequently presented to the Legislative Assembly.
- (6) How many requests to vary the Territory Plan were rejected by the Minister in the first instance, then revised by the applicant and subsequently approved by the Minister for presentation to the Legislative Assembly.
- (7) How many requests to vary the Territory Plan were withdrawn by the applicant.
- (8) Does the Minister have discretionary powers to allow RZ1 blocks to be rezoned to separately titled dual occupancies.

Mr Gentleman: The answer to the member's question is as follows:

- (1) Zero.
 - (2) Zero.
 - (3) Zero.
 - (4) For the financial years 2011-12 to the present, zero.
 - (5) For the financial years 2011-12 to the present, 64 variations to the Territory Plan were approved by the Minister and subsequently presented to the Legislative Assembly.
 - (6) For the financial years 2011-12 to the present, zero.
 - (7) For the financial years 2011-12 to the present, zero.
 - (8) No.
-

**Roads—noise complaints
(Question No 385)**

Ms Castley asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

- (1) Has the Minister received correspondence from Buckingham Street, Amaroo, residents about noise from Horse Park Drive.
- (2) Will the Minister meet with residents of Buckingham Street, Amaroo, at a time they designate, to hear the noise.
- (3) Will the Minister inform me when this meeting is occurring.

Mr Steel: The answer to the member's question is as follows:

- (1) Yes.
 - (2) My office has responded to several items of correspondence in relation to this matter and I have requested Transport Canberra and City Services (TCCS) continue to engage with affected residents.
 - (3) See (2).
-

**Energy—Energy Efficiency Improvement Scheme
(Question No 386)**

Ms Castley asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 6 August 2021:

- (1) How many ACT households were connected to gas in the financial years (a) 2018-19, (b) 2019-20 and (c) 2020-21.
- (2) Has the ACT Government done any audits under section 19(3) of the Energy Efficiency (Cost of Living) Improvement Act 2012; if so, when.
- (3) What were the outcomes of these audits, including the financial years in which they were conducted and can the Minister provide (a) details and (b) copies of the audit/s.
- (4) How many ACT households received an Energy Efficiency Improvement (EEIS) Scheme rebate from the Tier 1 retailer in the financial years (a) 2018-19, (b) 2019-20 and (c) 2020-21.
- (5) Of those rebates referred to in part (4), can the Minister advise under which eligible activities the rebates were granted.
- (6) Can the Minister advise the dollar amount of the rebate for each household as well as the average rebate
- (7) How many households have been completely disconnected from gas since 2018 and can the Minister provide a (a) financial year and (b) suburb breakdown.
- (8) Has EvoEnergy been asked to provide data to estimate annual gas consumption separated into residential and non-residential consumers, as per the recommendations of the 2018-2019 and 2019-2020 Greenhouse as Inventory.
- (9) How many Tier 2 companies are there.
- (10) How many Tier 2 companies have elected to pay EEIS fines over the last three financial years and can the Minister provide a breakdown of companies and fines paid.
- (11) Have any Tier 2 companies engaged in abatement measures under the EEIS; if so, can the Minister provide details.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) Evoenergy is not required to report on the number of new residential connection requests each year. The Australian Energy Regulator (AER) monitors the number of active gas and electricity contracts in the ACT. Residential gas contract figures for the past 3 financial years are as follows:

ACT residential gas customer contracts

Q4 2018-19	Q4 2019-20	Q3 2020-21*
124415	126097	127401

* The AER has not released Q4 2020-21 figures

Source: Australian Energy Regulator - retail energy market performance market update

In comparison, residential electricity contract figures for the same time period are as follows:

ACT residential electricity customer contracts

Q4 2018-19	Q4 2019-20	Q3 2020-21*
175927	180833	183930

* The AER has not released Q4 2020-21 figures

Source: Australian Energy Regulator - retail energy market performance market update

- (2) In Energy Efficiency Improvement Scheme (EEIS) staff have been conducting compliance and auditing activities on electricity retailer's reports and eligible energy savings activities to determine their compliance with the Energy Efficiency (Cost of Living) Improvement Act 2012 (the Act) since it began in 2013. The specific audits mentioned under 19(3) of the Act, regarding independent auditing, have been required by the Administrator of the EEIS every year since 2015.
- (3) EEIS independent audits are based on a calendar year, in accordance with the compliance years defined under the Act. From 2015–2020 Independent Auditor, RSM Australia Pty Ltd, gave the opinion that all materials presented in the ActewAGL Compliance Reports were presented fairly in relation to:
- the number of activities completed;
 - the amount of abatement claimed;
 - the quantity of electricity sold;
 - the achievement of the priority household target and retailer energy savings obligation; and
 - confirmation that the delivery of on-ground activities was consistent with the EEIS Code of Practice.

Letters from the Independent Auditor for compliance years 2015-2020 are at Attachment A.

The full audit reports are not made available as they contain commercially sensitive information.

- (4) The EEIS does not provide or mandate rebates. The Act requires electricity retailers to make energy savings in households and small-to-medium businesses. Electricity retailers achieve this by either undertaking eligible activities that deliver energy efficient appliance upgrades, or by making a financial contribution to the scheme.

The EEIS sets the obligation on the retailers to make energy savings, via targets based on a percentage of their electricity sales. The Scheme legislates what energy saving activities retailers may undertake and the conditions under which they must conduct activities and report to the Government. The terms and conditions of the product offers made to consumers are not prescribed by the Scheme. Rebates and discounts that are offered to consumers are entirely a business decision of the electricity retailer.

During the 2018–19 financial year, over 88,000 energy saving items were installed in more than 3600 households and businesses by the Tier 1 retailer. During the 2019–20 financial year, over 50,000 energy saving items were installed in approximately 4,000 households and businesses by the Tier 1 retailer. Details for 2020/21 are not yet available as compliance and auditing activity has not yet concluded for this timeframe.

- (5) The EEIS does not provide or mandate rebates. Rebates and discounts that are offered to consumers are entirely a business decision of the electricity retailer and sit outside the parameters of the Scheme. However, EPSDD's Annual Reports do provide information on the number and types of eligible activities delivered by the Tier 1 retailer (see below for 2018-19 and 2019-20). Numbers of eligible activities delivered in 2020-21 are not yet available as compliance and auditing activity has not yet concluded for this timeframe.

(Details available at the Chamber Support Office).

- (6) As rebates are not provided or mandated under the EEIS, the Directorate has no legislative basis to place this reporting obligation on the electricity retailer. The Directorate therefore cannot provide the figures requested.
- (7) Evoenergy is not required to report this data to the ACT Government or the Australian Energy Regulator. The ACT Government has requested information from Evoenergy and they have advised that due to the complicated nature of disconnections versus abolishment and the other factors like rebuilds, there is no clear number that can be provided.
- (8) Yes, however Evoenergy is a distributor and once a connection is complete, they have limited visibility of the type of customers on their network. Evoenergy has provided the ACT Government with available consumption data, however this information is subject to several caveats due to data limitations and visibility issues outlined above.

Energy retailers would hold accurate consumption data. The Australian Energy Regulator is responsible for monitoring retailer performance and does not require energy retailers to report consumption / sales data by customer type. There is no requirement for energy retailers to report consumption/sales data by customer type in the ACT.

- (9) There were 19 Tier 2 Electricity Retailers operating in the ACT during the 2020 calendar year compliance period.
- (10) No Tier 2 retailer has paid the Shortfall Penalty or other penalty for non-compliance with the Act during the lifetime of the Scheme.
- (11) Most Tier 2 electricity retailers have elected to pay the Energy Savings Contribution to the Scheme. These contributions fund ACT Government energy saving initiatives in accordance with the objects of the Act. No Tier 2 electricity retailer has elected to undertake eligible energy saving activities to meet their Energy Savings Obligations under the Scheme. However, in 2017 Energy Australia delivered commercial lighting activities for a short period of time delivering 25.10706 t-co2-e (tonnes of carbon dioxide equivalence).

(A copy of the attachment is available at the Chamber Support Office).

Municipal services—infrastructure costs (Question No 387)

Mr Parton asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

What is the average cost of (a) a square metre of footpath, (b) an average repair to a footpath, (c) a kilometre of road and (d) of resealing a kilometre of road.

Mr Steel: The answer to the member's question is as follows:

Please note that the numbers provided below are broad estimates. They do not include:

- Variation in costs resulting from market forces (e.g. supply pressures, bulk buying)
- Variation in costs resulting from complexity of the project site (e.g. constraints, earthworks, concrete works, trees or service impacts)
- Design costs
- Management costs such as planning, procurement, coordination, and contract management.

- (a) The average cost for new footpath is between \$350.00 to \$450.00 per m².
- (b) The average repair cost to a footpath is approximately \$150.40 per m².
- (c) The average cost of new road (asphalt) is approximately \$600.00 per m².
- (d) The average square metre of road resealing cost is approximately \$8.30 m².

Planning—Woden town centre transport (Question No 388)

Mrs Jones asked the Minister for Planning and Land Management, upon notice, on 6 August 2021:

- (1) In relation to the Major Projects Canberra (MPC) DA 202138229 and MPC DA 202138251, which relate to the construction of bus layovers on Easty Street and the relocation of the Woden bus interchange to Callam Street, can the Minister confirm that (a) Easty Street south of Wilbow Street is almost entirely zoned as RZ4 'residential', (b) Easty Street also includes PRZ1 'parkland' (namely, Eddison Park and Woden Cemetery to the east, and Arabanoo Park to the west), (c) Easty Street also includes a complement of CZ2 'business' (largely to the north of Wilbow on the western side of Easty Street) and (d) no land adjacent to Easty Street is classified as TSZ1 transport.
- (2) To the extent the Minister cannot confirm the information in Part (1)(a)-(b), can the Minister provide the zoning of land surrounding Easty Street and Wilbow Street.
- (3) Can the Minister confirm that (a) MPC DA 202138229 and MPC DA 202138251 will see a small roundabout constructed at the intersection of Easty Street and Wilbow Street, (b) between 5 am and 11 pm each day, the roundabout will experience about 200 bus movements each day and if this is not the case, what is the anticipated number of bus movements each day and (c) between 5 am and 11 pm each day, bus movements will occur, on average, every 6 minutes and if this is not the case what is the anticipated frequency of bus movements.
- (4) Can the Minister provide the (a) acceptable or recommended noise levels for land zoned RZ4 'residential', including where they differ during different times of the day, (b) acceptable or recommended noise levels for land zoned PRZ1 'parkland', including where they differ during different times of the day, (c) acceptable or

recommended noise levels for land zoned CZ2 'business', including where they differ during different times of the day and (d) average, minimum and maximum noise levels emitted by Canberra Transport buses, disaggregated by type of bus.

- (5) Can the Minister explain how the ordinarily prohibited development of public transport facilities in PRZ1 'residential' can be reclassified as 'ancillary use' in the notice of decision for MPC DA 202138229, when the definition of 'ancillary use' for PRZ1 is '[supporting] the care, management and enjoyment of these open spaces including park maintenance depots [and] small-scale community activity centres'.
- (6) Can the Minister provide information on how MPC DA 202138229 and MPC DA 202138251 were approved
- (7) Were MPC DA 202138229 and MPC DA 202138251 correctly decided, and are they consistent with the requirements of the *Planning and Development Act 2007*.

Mr Gentleman: The answer to the member's question is as follows:

- (1) Items (a) – (c) are correct. However, in response to item (d), Launceston Street, located to the north of Easty Street, is zoned *TSZ1 Transport*.
- (2) Part (1)(a)-(b) are correct.
- (3) A roundabout currently exists at the intersection of Easty Street and Wilbow Street. No changes are proposed for this roundabout as part of the works approved under DA 202138229 or DA 202138251. I am advised that Transport Canberra is currently in the process of reviewing future bus service operations throughout Woden Town Centre.
- (4) Noise is regulated by the *Environment Protection Act 1997* and the *Environment Protection Regulation 2005*. This legislation does not apply to noise generated by vehicles on public roads, animals, or people. Recommended noises levels for each of the specified zones are shown in the table below. Noise levels for zones located within the Woden Town Centre are higher than those in other locations. I am advised that all works approved under DA 202138229 and DA 202138251 are located within the Woden Town Centre.

	Territory Plan Zone	Noise Level Day	Noise Level Night
(a)	RZ4	45 dB(A) Monday-Saturday 7am-10pm, Sunday and Public Holidays 8am-10pm	35 dB(A) Monday-Saturday 10pm-7am, Sunday and Public Holidays 10pm-8am
(b)	PRZ1	45 dB(A) Monday-Saturday 7am-10pm, Sunday and Public Holidays 8am-10pm	35 dB(A) Monday-Saturday 10pm-7am, Sunday and Public Holidays 10pm-8am
(c)	CZ2	55 dB(A) Monday-Thursday 7am-10pm, and Friday-Saturday 7am-11pm, and Sunday and Public Holidays 8am-10pm	45 dB(A) All other times
	Woden Town Centre	60 dB(A) Monday-Thursday 7am-10pm, and Friday-Saturday 7am-12am, and Sunday and Public Holidays 8am-10pm	50 dB(A) All other time.

(d)	All buses are required to meet ADR 83.00 which specifies standards for noise tests under specific conditions. The maximum noise a bus is allowed to emit is 80 dB(A) during a drive by. I am advised that all Transport Canberra buses comply with this requirement. Below is a table of the information provided by the ADR 83.00 test for each bus type from 2008.																		
<table border="1"> <thead> <tr> <th data-bbox="411 383 999 454">Bus Type</th><th data-bbox="1007 383 1382 454">Drive by Noise Level 50km/h dB(A)</th></tr> </thead> <tbody> <tr> <td data-bbox="411 461 999 495">Renault PR100.2</td><td data-bbox="1007 461 1382 495"><80</td></tr> <tr> <td data-bbox="411 501 999 535">Irisbus Agoraline</td><td data-bbox="1007 501 1382 535"><80</td></tr> <tr> <td data-bbox="411 542 999 575">Scania CNG</td><td data-bbox="1007 542 1382 575">78</td></tr> <tr> <td data-bbox="411 582 999 616">MAN CNG</td><td data-bbox="1007 582 1382 616">78</td></tr> <tr> <td data-bbox="411 622 999 656">Man Diesel</td><td data-bbox="1007 622 1382 656">76</td></tr> <tr> <td data-bbox="411 663 999 696">Scania 14.5m Steer Tag Euro V</td><td data-bbox="1007 663 1382 696">78</td></tr> <tr> <td data-bbox="411 703 999 736">Scania Artic Euro V</td><td data-bbox="1007 703 1382 736">78</td></tr> <tr> <td data-bbox="411 743 999 777">Scania Euro VI</td><td data-bbox="1007 743 1382 777">79</td></tr> </tbody> </table>		Bus Type	Drive by Noise Level 50km/h dB(A)	Renault PR100.2	<80	Irisbus Agoraline	<80	Scania CNG	78	MAN CNG	78	Man Diesel	76	Scania 14.5m Steer Tag Euro V	78	Scania Artic Euro V	78	Scania Euro VI	79
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(5) The Easty Street road reserve, north of Wilbow Street, is subject to two zones, those being *CZ2- Business and the PRZ1-Urban Open Space* zone which connects the open space areas of Arabanoo Park, Eddison Park and Woden Cemetery either side of Easty Street. All approved works in Easty Street are wholly within the road reserve.

(6) The relevant Notices of Decision for these development applications are attached.

(7) Refer to the attached Notices of Decision.

(Copies of the attachments are available at the Chamber Support Office).

Government—document management (Question No 389)

Ms Lee asked the Chief Minister, upon notice, on 6 August 2021 (*redirected to the Special Minister of State*):

Can the Chief Minister provide, in relation to document management, for each directorate and agency, a list of all classifications used in TRIM (or other document management systems) for material sent to ministerial offices.

Mr Steel: The answer to the member's question is as follows:

As the Special Minister of State (with responsibility for the digital records function), I am answering this question on behalf of the ACT Government. There are two classification types used by directorates and agencies in the TRIM and Objective document management systems for material sent to ministerial offices.

1. Titling Classifications (functions and activities) which enables effective retrieval from electronic document management systems - classifications relevant to material sent to ministerial offices are shown below.

Government & Stakeholder Relations	Acquisition
Government & Stakeholder Relations	Contract Management
Government & Stakeholder Relations	Customer Service
Government & Stakeholder Relations	Events
Government & Stakeholder Relations	Government & Assembly Matters
Government & Stakeholder Relations	Marketing & Publication
Government & Stakeholder Relations	Media Relations
Government & Stakeholder Relations	Partnerships & Collaboration
Government & Stakeholder Relations	Planning
Government & Stakeholder Relations	Policies & Procedures

2. Security Classifications – allocated to material in line with the ACT Government Protective Security Policy Framework – Protective Marking Standards. Depending on the content, information sent to ministerial offices could be classified: OFFICIAL, OFFICIAL: Sensitive or CABINET.

Light rail—safety poster artwork (Question No 391)

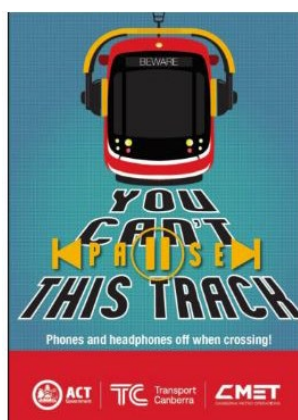
Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

In relation to the response to questions on notice 349 concerning light rail art wraps, what was meant by ‘one design was more suitable to be successfully adapted into a LRV Safety Wrap due to the dimensions of the artwork’, and specifically what was different about the dimensions of the winning artworks.

Mr Steel: The answer to the member’s question is as follows:

The design chosen to wrap the light rail vehicle contained individual elements that suited the layout required for the long landscape nature of the vehicle.

The design that was not chosen, which is shown below, is less suited for layouts that have a landscape orientation.



As such, Transport Canberra has instead used the above design as follows:

- A2 poster displayed in Gungahlin Marketplace.

- Included in Canberra Metro Operations (CMET) Light Rail Calendar in 2019.
- On a coaster provided to local hospitality establishments pre-Christmas 2019.
- As an anti-graffiti 'art wrap' to one of the Roadside Control boxes.
- It is displayed framed in CMET depot.
- Included in a Gungahlin Village Rail Safety Mural (Collage of a number of entries).
- Used in various articles on social media and CMET website.
- The runners up have also been used in similar ways to the joint winner, with the purpose of promoting the message of rail safety around the light rail.

**Lawson—footpaths
(Question No 392)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

- (1) In relation to the response to question on notice No 123 concerning paths in Lawson, can the Minister provide updates on the development and/or improvement to footpaths between western Lawson and the bus stops located at the University of Canberra Hospital and between western Lawson and the intersection of Wanderlight Avenue and Ginninderra Drive.
- (2) Have designs been completed.
- (3) When is it expected that these designs will be implemented.
- (4) Can the Minister provide a copy of what Transport Canberra and City Services has, following assessment of the path network in Lawson, identified as 'an alignment for the future path network that would connect Lawson to the University of Canberra and the Belconnen Town Centre'.

Mr Steel: The answer to the member's question is as follows:

- (1) As previously identified, Transport Canberra and City Services (TCCS) has conducted an initial assessment of the path missing link between Solong Street and Wanderlight Avenue.
- (2) TCCS has engaged a consultant to design the missing link. The design is anticipated to be completed by early 2022.
- (3) See above.
- (4) See above. The alignment will be confirmed through the design planning process, which is underway.

**Municipal services—shopping centres
(Question No 394)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

Given that the ACT Government announced local shop upgrades for Florey, Macquarie and Evatt shops in September 2020, for each of these local shops, can the Minister provide the (a) nature of the upgrade/s, (b) allocated cost and (c) start and completion dates for each upgrade (estimated if not yet completed).

Mr Steel: The answer to the member's question is as follows:

- (a) Local shopping centre upgrades at Lanyon, Macquarie and Evatt shops will focus on upgrades to the public realm, and where possible, improving general amenity to contribute to the overall revitalisation of the shopping centres.

Community consultation will be undertaken prior to the commencement of any works which will inform the improvements and assist in prioritisation.

- (b) The cost of the upgrades will be informed by the scope of works to be undertaken, which will be informed through community consultation.
- (c) Feasibility and design studies are expected to commence in the 2021-22 financial year and will inform the timeframe for construction.

Children and young people—care and protection review (Question No 396)

Mrs Kikkert asked the Minister for Education and Youth Affairs, upon notice, on 6 August 2021 (*redirected to the Minister for Families and Community Services*):

- (1) In relation to an external review mechanism for child protection decisions as discussed in hearings on Friday, 26 February 2021, when was the select tender 'to examine all the aspects of proposed models for external merits review' awarded.
- (2) Who was awarded the tender.
- (3) How many potential tenderers were invited to engage in this process.
- (4) What deadline has the successful tenderer been given for its final report to be submitted.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) Requests for project proposals were sent to consultants on 3 May 2021, with consultants invited to submit a proposal due to their expertise and experience. Submissions closed 28 May 2021. A successful provider was notified in mid-July, however the provider withdrew from the process at this stage.
- (2) No provider has been awarded the tender. The Community Services Directorate received responses to the request for project proposals and assessed the proposals. The top ranked tender proposal was received from an organisation that, following selection, provided advice that the specific individuals named in the proposal had left the organisation. This resulted in the process being discontinued. The Community Services Directorate is now in the process of issuing new requests for proposals.

- (3) The number of potential tenders invited was 15.
- (4) A date for submission of the final report has not been determined.

**Alexander Maconochie Centre—Oversight committee
(Question No 397)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

What recommendations has the Alexander Maconochie Centre Oversight Committee suggested to the ACT Government since its formation.

Mr Gentleman: The answer to the member's question is as follows:

Input from the Committee has seen ACT Corrective Services prioritise twelve policies for development and advanced training opportunities in crowd control for custodial staff. The Committee is also examining issues related to staff rostering and staff engagement.

**Alexander Maconochie Centre—Aboriginal and Torres Strait Islander detainee transfers
(Question No 398)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

- (1) How many Aboriginal and Torres Strait Islander detainees were transferred to NSW Corrections because of the November 2020 riot.
- (2) How many Aboriginal and Torres Strait Islander detainees have been transferred to NSW Corrections in the last 12 months.

Mr Gentleman: The answer to the member's question is as follows:

- (1) Four (4) detainees transferred to NSW Corrections following the 10 November 2020 incident identified as being from Aboriginal or Torres Strait Islander backgrounds.
- (2) Five (5) of the detainees that have been transferred to NSW Corrections within the last 12 months identified as being from Aboriginal or Torres Strait Islander backgrounds.

**ACT Corrective Services—staff health and safety
(Question No 399)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

What standard protective equipment such as stab-resistant vests and batons are correctional officers equipped with during (a) normal operating procedure in the Alexander Maconochie Centre (AMC), (b) targeted searches of AMC areas, cells and detainees, (c) targeted searches (where there is intelligence suggesting the presence of

weapons) of AMC areas, cells and detainees and (d) routine searches of AMC areas, cells and detainees.

Mr Gentleman: The answer to the member's question is as follows:

Depending on the risk assessment, including input from available intelligence, Correctional Officers may be provided with a range of Personal Protective Equipment including slash proof vests and batons for targeted searches of Alexander Maconochie Centre (AMC) areas, cells and detainees.

Alexander Maconochie Centre—service providers (Question No 400)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

Did the Minister advise in an answer to estimates question No. 111 (Standing Committee on Justice and Community Safety) that Telstra is the service provider for phones at the AMC and that a review to change the provider or reduce the cost to detainees for phone calls did not result in a change; if so, is the ACT Government considering negotiating with Telstra again to reduce or eliminate the fees detainees must pay to use the AMC phones given that they announced on 3 August 2021 that all payphones around Australia will be free; if so, when will the Government begin negotiations; if not, why not.

Mr Gentleman: The answer to the member's question is as follows:

Yes, Telstra is the current service provider for phones at the Alexander Maconochie Centre (AMC), with rates set under a standard agreement with the ACT Government. The review identified that it is not feasible to negotiate call rates under the agreement. The review also identified that it is not possible to change service providers at this time, due to current telecommunications infrastructure limitations.

ACTCS has commenced a process regarding the upgrade of infrastructure related to the Detainee Telephone System, while also providing detainees with alternative means of contacting family and support persons (e.g. supporting video calls etc).

While the cost of calls has not reduced, as noted in the response to Question on Notice 111, detainees have been provided with an additional \$20 per week in phone credit since April 2020.

ACT Corrective Services—induction officers (Question No 401)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

- (1) Do induction officers receive any specific training for their role and are there any minimum qualifications or certificates required to be an induction officer.
- (2) How many induction officers are employed at the Alexander Maconochie Centre (AMC) and how many positions are funded.

- (3) Is the role of an induction officer a dedicated one that deals only with the induction of detainees; if not, what other duties can an induction officer perform.
- (4) Do correctional officers or other positions within the AMC ever perform the roles of an induction officer.
- (5) Are induction officers based primarily within the AMC.
- (6) Is there a workspace in the AMC dedicated for use by induction officers.
- (7) What key indicators is an induction officer subject to, to evaluate their performance

Mr Gentleman: The answer to the member's question is as follows:

1. Induction Officers are Correctional Officers who receive the custodial recruit training, standard refresher training and training for induction operational procedures. The minimum qualifications or certificates required are the same as a Correctional Officer.
2. The total Full Time Equivalent (FTE) required to maintain the Induction Officer post is 3.3 FTE. There is also 1 FTE Induction Coordinator (a non-uniformed position).
3. Any Correctional Officer Level 1 could be tasked with the role of Induction Officer and could also be tasked with any other Correctional Officer Level 1 duties.
4. Any Correctional Officer Level 1 can perform the duties of Induction Officer. The role of the Induction Coordinator is an administrative position.
5. The Induction Officer and Induction Coordinator are based at the Alexander Maconochie Centre (AMC).
6. The Induction Officer uses the accommodation unit workspace with the other Correctional Officers in that area. The Induction Coordinator has a dedicated workspace in the AMC.
7. The Induction Officer is subject to the performance and classification of a Correctional Officer Level 1. The Induction Coordinator is subject to performance evaluation at the AS06 level in accordance with their Position Description.

Alexander Maconochie Centre—incidents (Question No 402)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

- (1) What disciplinary measures were taken against the inmates involved in the May 2021 riot, by Alexander Maconochie Centre (AMC) staff.
- (2) What actions were taken against the inmates involved in the May 2021 riot, by ACT Policing.
- (3) What disciplinary measures were taken against the inmates who were identified as the 'ring leaders' in the May 2021 riot, by AMC staff.

- (4) What actions were taken against the inmates who were identified as the ‘ring leaders’ in the May 2021 riot, by ACT Policing?

Mr Gentleman: The answer to the member’s question is as follows:

- (1) Three (3) detainees were issued disciplinary breaches in accordance with the *Corrections Management Act 2007*.
- (2) Charges were laid against two (2) detainees involved in the incident on 12 May 2021.
- (3) ACT Corrective Services is unable to action internal disciplines to detainees who are subject of police investigations for the same incident.
- (4) Please see answers above.

Alexander Maconochie Centre—accommodation (Question No 403)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

- (1) What are the names of each distinct area of the Alexander Maconochie Centre that contain living spaces for inmates such as AU North and RU1.
- (2) What is the design inmate capacity for each of these areas.
- (3) What is the current operating capacity for each of these areas.
- (4) How many inmates, as of 3 June 2021, are being housed in each area.

Mr Gentleman: The answer to the member’s question is as follows:

The name of each accommodation area of the Alexander Maconochie Centre is provided in the table below, as well as the corresponding design capacity, operational capacity, and number of detainees accommodated as at 3 June 2021. Please note that current operational capacity as outlined below reflects the capacity of each unit when operational (as distinct from the original design capacity). At present, two units (Accommodation Unit North and Remand Cells Unit 1) are undergoing repair works and as a result 76 beds are temporarily unavailable for use.

Design Capacity refers to the intended or designed bed capacity of the facility, based on the number of beds designed into each cell of the accommodation area. A facility’s design capacity will increase where additional facilities with additional beds are purpose-built in a prison. Design Capacity is a measure used in the Report on Government Services (ROGS).

Operational Capacity refers to the total number of beds in a facility which are available for daily use to accommodate detainees. It is distinguished between ‘design capacity’ in response to operational needs (such as double bunking of cells). Operational Capacity is a cross-jurisdictional Corrections concept.

Housing Unit	Design Capacity	Operational Capacity	Number accommodated as at 3 June 2021
Accommodation Unit East	28	28	26
Accommodation Unit North	28	28	0
Accommodation Unit South	28	28	23
Accommodation Unit West	28	28	17
Crisis Support Unit	10	10	5
Management Unit	14	14	9
Remand Cells A Unit 1	46	48	0
Remand Cells B Unit 2	34	42	39
Remand Cottage 2	20	32	17
Sentenced Cells A Unit 1	25	38	38
Sentenced Cells B Unit 2	25	38	36
Sentenced Cottage 1	20	28	23
Sentenced Cottage 2	20	28	26
Sentenced Cottage 3	20	28	26
Sentenced Cottage 4	20	32	30
Special Care Centre East Wing	19	19	9
Special Care Centre North Wing	19	19	7
Special Care Centre West Wing	19	19	3
Transitional Release Cottage	20	20	0
Womens Remand Cottage 1	10	16	16
Womens Remand Cottage 2	5	6	6
Womens Sentenced Cottage 1	10	16	15
Total	463	560	345

NB: the totals above include areas that are available for special, short term use (for example for health or disciplinary purposes).

Alexander Maconochie Centre—parenting programs (Question No 404)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

- (1) How many women detained at the AMC report having children under the age of 18 years, to the date that this question on notice was published.
- (2) How many of the women referred to in part (1) have participated in the program of (a) SHINE for Kids – Child/Parent Days, (b) Story Time, (c) Elders Family and Culture program and (d) Circle of Security.
- (3) What is their current program status, for example, completed, ongoing etc.

Mr Gentleman: The answer to the member's question is as follows:

- (1) As at 12 August 2021, 16 women detainees report having children under the age of 18 years.

(2) Of the women referred to in Question (1):

(a) nil have participated in the SHINE for Kids program as it is not currently available due to COVID-19 restrictions.

(b) two (2) women have completed the Story Time program, and one (1) is in the referral process.

(c) nil have participated in the Elders Family and Culture program, now known as the Mothers, Family and Culture program, as it is not currently available due to COVID-19 restrictions.

(d) nil have participated in the Circle or Security program as it is not currently available due to COVID-19 restrictions.

In considering the above it is important to note:

- data is presented as a snapshot point in time;
- on average, females spend relatively short periods in custody when compared to males;
- the AMC is a noted 'high-risk setting', and the COVID-19 pandemic and associated public health restrictions have impacted the availability of many face-to-face service providers and programs.

(3) Please refer to Q(2)(a)-(d).

Alexander Maconochie Centre—service providers (Question No 405)

Mrs Kikkert asked the Minister for Corrections, upon notice, on 6 August 2021:

- (1) Was the vocational education and training contract at the Alexander Maconochie Centre (AMC) ('contract') awarded to Foresite Training on 24 September 2018 after a public tender procurement process; if so, can the Minister provide the names of all Canberra-based businesses and service providers who competed in the tender.
- (2) What considerations were taken into account by the ACT Government when making the decision to award Foresite Training this contract over the competing Canberra-based service providers.
- (3) What is the current status of the tender for the provision of vocational education and training services at the AMC in the future, given the contract expired on 30 June 2021.
- (4) If a contract has already been awarded for vocational education and training services from July 2021 onwards, can the Minister advise who has been awarded the contract and the duration of the contract.
- (5) If a contract has not been awarded yet, when is the projected date of procuring a contract.

Mr Gentleman: I am advised that the answer to the member's question is as follows:

1. The vocational education and training contract was novated to Foresite Training on 24 September 2018, following an earlier open tender process. A range of providers competed in the tender process including the Canberra Institute of Technology, Australian Indigenous Leadership Centre Ltd, Australian Red Cross Society and Auswide Projects Ltd.
 2. As with all tender evaluations each submission was assessed against an agreed set of criteria to find the preferred supplier.
 3. A procurement process is in progress for the provision of Vocational Education and Training at the AMC. It is anticipated that the procurement process will be completed by December 2021. Procurement ACT are undertaking the process. Foresite Training is in the process of considering a deed of variation, extending the contract to 31 December 2021 and have continued to provide services.
 4. Not applicable.
 - 5 It is anticipated that the procurement process (open tender) will be completed by December 2021.
-

**Extinction Rebellion protest—deployment of services
(Question No 406)**

Mrs Kikkert asked the Minister for Police and Emergency Services, upon notice, on 6 August 2021:

- (1) What was the operational cost of deploying ACT Policing personnel to the site of the Extinction Rebellion protest on 3 August 2021 on Barry Drive near Marcus Clarke Street.
- (2) How many individual ACT Policing personnel were deployed here for the duration of the protest.
- (3) What was the operational cost of deploying Transport Canberra and City Services (TCCS) personnel to the site of the Extinction Rebellion protest.
- (4) How many individual TCCS personnel were deployed here for the duration of the protest.
- (5) What was the operation cost of deploying Fire and Rescue personnel to the site of the Extinction Rebellion protest.
- (6) How many individual Fire and Rescue personnel were deployed here.
- (7) What was the purpose of deploying TCCS personnel and ACT Policing to the site of the Extinction Rebellion protest.
- (8) Did the ACT Government receive any advance notice of the protest from Extinction Rebellion representatives; if so, what actions did the ACT Government take in response and did the ACT Government attempt to give any warning to the public before the protest commenced.

Mr Gentleman: The answer to the member's question is as follows:

- (1) \$27,468.53.
- (2) Forty nine ACT Policing personnel were deployed to this matter. These officers were also supported by National AFP resources from Search and Rescue, Negotiators, Discreet Operations, Quick Response Force and the Remote Piloted Aircraft System (RPAS) Team.
- (3) \$3,649.44.
- (4) Thirteen staff were deployed.
- (5) \$1,197.
- (6) Seven.
- (7) TCCS were deployed to manage disruption to the public transport services and implement traffic control measures that minimised the impact and ensured the safety on road users.
- (8) The ACT Government received advanced notice of the potential protest action by Extinction Rebellion on 28 July 2021. The ACT Government subsequently activated its guidelines for the management of protest action and held a whole of government briefing on 2 August 2021 to confirm the operational plan in support of ACT Policing as the lead agency.

ACT Policing provided warnings to the public on 3 August 2021 via its social media channels once the location and nature of the protest action was understood.

Aboriginals and Torres Strait Islanders—residential rehabilitation facility (Question No 407)

Mrs Kikkert asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 6 August 2021 (*redirected to the Minister for Health*):

What progress has been made to date on an Aboriginal and Torres Strait Islander run residential rehabilitation facility as referenced under pillar 3 of the 'Reducing Recidivism in the ACT by 25% by 2025' plan.

Ms Stephen-Smith: The answer to the member's question is as follows:

The ACT Government committed \$330,000 (GST exclusive) for the ACT Health Directorate to engage Winnunga Nimmityjah Aboriginal Health and Community Services (Winnunga), as the peak and only community-controlled Aboriginal and Torres Strait Islander healthcare provider in the ACT that provides services for adults, to develop a culturally appropriate Model of Care for an alcohol and other drug residential rehabilitation service. The Model of Care was provided by Winnunga to ACT Health Directorate officials in mid-2021.

Further planning is underway. A potential site for the residential rehabilitation facility has been identified, and Winnunga recently visited that site with ACT Health Directorate representatives.

Aboriginals and Torres Strait Islanders—health funding (Question No 408)

Mrs Kikkert asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 6 August 2021 (*redirected to the Minister for Health*):

- (1) What amount of funding did Worldview receive to pre/post release detainees and/or their families from the ACT Government in the (a) 2018-2019, (b) 2019-2020 and (c) 2020-2021 financial years.
- (2) What amount of funding did Worldview receive to employ young Aboriginal and Torres Strait Islander people from the ACT Government in the (a) 2018-2019, (b) 2019-2020 and (c) 2020-2021 financial years.
- (3) Does Worldview receive any other kind of financial support from the ACT Government.
- (4) When did Worldview first start receiving financial support from the ACT Government.
- (5) Will Worldview be receiving funding from the ACT Government for the 2021-2022 financial year; if so, how much funding will they be receiving; if not, why not?

Ms Stephen-Smith: The answer to the member's question is as follows:

1. Worldview Foundation has received funding via two grants through the ACT Health Directorate, Healthy Canberra Grants Program:

	2018-19	2019-20	2020-21	2021-22	Total
Smoke, Booze and Drug Free Prison Post Release	-	\$81,471	\$76,158	\$76,158	\$233,787
Pre-Release Non-Indigenous Supplement along with Post Release Activity Support	-	-	\$162,848	\$162,848	\$325,696
Total	-	\$81,471	\$239,006	\$239,006	\$559,483

The Smoke, Booze and Drug Free Prison Post-Release program provides support to Aboriginal and Torres Strait Islander detainees at the Alexander Maconochie Centre (AMC). This program aims to address issues associated with alcohol, tobacco and other drugs to support a more successful reintegration of detainees into the community, along with improvements in their health and wellbeing.

The Pre-Release Non-Indigenous Supplement along with Post Release Activity Support program aims to extend the achievements of the initial Smoke, Booze and Drug Free Prison Post-Release program to non-indigenous detainees of the Alexander Maconochie Centre (AMC).

2. Worldview Foundation received ACT Government funding in 2018-19, 2019-20 and 2020-21 via the Future Skills for Future Jobs Grants Program administered by Skills Canberra. The funding was provided for the delivery of targeted skills development programs, with a portion of the funding allocated to the employment of young Aboriginal and Torres Strait Islander people via an Australian Apprenticeship pathway or paid work experience.

	2018-19	2019-20	2020-21
Traineeships for Disadvantaged	\$50,000	\$45,472	-
Pre-apprenticeship Program for the Disadvantaged	-	-	\$25,000

3. Worldview Foundation received ACT Government funding of \$50,000 (GST exclusive) in 2019-20 via the ACT Adult Community Education Grants Program. This funding was provided for the delivery of the On-the-Job Training and Employability Preparedness program over two years from May 2020 until March 2022. The program supports Aboriginal and Torres Strait Islander long-term unemployed participants to undertake a one-month on-the-job and classroom-based employment preparedness program comprising non-accredited foundation skills training. To date, the program has supported four participants to gain employment.
4. In 2018-19 as under the Future Skills for Future Jobs Grants Program administered by Skills Canberra noted in question 2.
5. Refer to answer to question 1.

Bimberi Youth Justice Centre—youth workers (Question No 411)

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 6 August 2021:

- (1) Were 17 new youth workers reported to have commenced employment in June 2020 at the Bimberi Youth Justice Centre following a recruitment round; if so, how many of these 17 youth workers are still currently employed to the date this question on notice was published.
- (2) How many recruitment rounds occurred after the aforementioned recruitment round, on what dates did they occur and how many youth workers commenced employment as a result of each recruitment round.
- (3) How many youth workers commencing employment from each subsequent recruitment round are still currently employed to the date this question on notice was published.

Ms Davidson: The answer to the member's question is as follows:

1. Of the 17 Youth Workers, 16 have remained employed at Bimberi Youth Justice Centre (Bimberi).
2. There have been three recruitment rounds since June 2020. The table below outlines the month the recruitment was completed and the number of Youth Workers that were employed.

Recruitment completed	Number of Youth Workers employed
September 2020	4
March 2021	9
June 2021	12

3. One Youth Worker has since left following the recruitment round held in June 2021. All other Youth Workers remain employed at Bimberi.

Health—nicotine addiction (Question No 414)

Mrs Kikkert asked the Minister for Health, upon notice, on 6 August 2021:

- (1) What measures has the ACT Government implemented to address nicotine addiction in the Territory.
- (2) Can the Minister provide a list of services and organisations, both public and private, in the ACT that support Canberrans in overcoming nicotine addiction.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) The ACT Government is committed to investing in evidence based and practice informed harm minimisation approaches to tobacco. The Government's investment in overcoming nicotine addiction is guided by the *Healthy Canberra: ACT Preventive Health Plan 2020-2025* (Preventive Health Plan) and the *ACT Drug Strategy Action Plan 2018 2021* (DSAP). This investment continues our success in reducing smoking rates in the ACT, from 18.4 per cent in 2001 to 8.2 per cent in 2019.

The Preventive Health Plan guides the Government's investment through the Healthy Canberra Grants program and has invested \$1,133,074 (from 2019-20 to 2022-23) to reduce the impact of tobacco use in our community.

These grants support goals outlined in the DSAP, including to reduce smoking rates among high-risk population groups such as pregnant women, Aboriginal and Torres Strait Islander people, people in the Alexander Maconochie Centre, youth and people who use alcohol and other drugs.

The ACT Government also delivers programs and services directly and in partnership with community organisations to reduce the impact of tobacco in the community, including:

- People who smoke tobacco/are currently quitting/are planning to quit are able to access Quitline telephone counselling services, information, advice and support and cessation resources (Quit packs).
- The clients of ACT drug treatment services are provided with access to free nicotine replacement therapy (NRT).

- Aboriginal and Torres Strait Islander community controlled services provide health promotion activities and intervention activities such as brief intervention, counselling, and support for accessing NRT.
- Cancer Council ACT offers a range of cessation support services for people in the general community and in workplaces.
- Canberra Health Services provide NRT support, advice and Quitline referrals for patients in hospital who are smokers.
- The ACT Government is also supporting women to stop smoking when pregnant as part of its commitment to the Safer Baby Bundle, a national package of education and awareness measures aimed at reducing rates of stillbirth.
- The ACT Health [Help to Quit](#) webpage provides information on the ACT services assisting people to quit-smoking, including the Cancer Council ACT, Quitline and ACT pharmacies.

In addition to the programs outlined above the ACT Government has taken a number of steps to further reduce the harm related to tobacco smoke.

The ACT has introduced Smoke-free environments. These can help smokers who are trying to quit by encouraging more quit attempts and increasing the chances of a successful quit attempt. Evidence shows that the longer a smoke-free law is in effect, the more likely adults are to attempt to quit smoking and become former smokers. Smoke-free places also reduce the likelihood of uptake of smoking and associated nicotine addiction by young people.

Under the *Smoke Free Public Places Act 2003*, and its associated Declarations, smoking and vaping is prohibited in the ACT in:

- enclosed public spaces
- outdoor eating and drinking places
- at under-age functions
- within 10 metres of children's play equipment in public play spaces (by declaration)
- at declared public events; and
- within 5 metres of public transport stops and interchanges.

Smoking is also prohibited in cars with children under the *Smoking in Cars with Children (Prohibition) Act 2011*.

In 2016, the ACT Government introduced the *Smoke-Free Legislation Amendment Act 2016*. The 2016 amendments introduced a new definition of smoking products so that the sale and promotion of e-cigarettes would be regulated in the same way as tobacco and herbal products. This Bill was passed, making the ACT the first Australian jurisdiction to regulate e-cigarettes.

In 2019, ACT Health published a fact sheet on the [Health impacts of e-cigarettes for children, young people and adults](#) to provide advice about the risks and issues associated with these products.

In March 2019, the ACT Government provided a submission to the 2019 Commonwealth Department of Health Thematic Review of Tobacco Control Legislation, asking the Department of Health to consider amending the national Tobacco Control legislation to:

- expand the scope of the Plain Packaging legislation to include non-tobacco smoking products that have the potential to encourage children and young people to take up smoking;
- expand the scope of the Tobacco advertising prohibition legislation to explicitly regulate the advertising of non-tobacco smoking products;
- restrict 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
- require child-safe packaging for e-liquids.

In January 2020, the ACT Government provided a submission to the Therapeutic Goods Administration's (TGA) Proposed amendments to Nicotine in the Poisons Standard (2020), asking the TGA to reject an application by Tobacco company Phillip Morris for the TGA to amend the entry for nicotine in the Poisons Standard to allow heated tobacco products to be sold in Australia. The ACT Government cited a lack of evidence of health benefits, safety concerns for users and bystanders and the likely negative impact on reducing tobacco use in Australia. The TGA rejected Phillip Morris's application.

In November 2020 the ACT Government provided a submission to the Select Committee on Tobacco Harm Reduction (2020) requesting that:

- Australia's tobacco control achievements be protected;
- protection of children and young people be prioritised;
- non-nicotine e-cigarettes be subject to regulation to prohibit the sale or import of products and packaging designed to appeal to children and young people; and
- child proof packaging be mandated for e-cigarette products.

(2)

The below listed ACT Government funded services and organisations support Canberrans in overcoming nicotine addiction.

Service Provider	Service/program
Worldview Foundation	Healthy Canberra Grants program – focus on reducing smoking-related harm: <ul style="list-style-type: none"> • Smoke, Booze and Drug Free Prison Post Release
The Cancer Council ACT	Healthy Canberra Grants program – focus on reducing smoking-related harm: <ul style="list-style-type: none"> • Tackling Tobacco in the ACT
Directions Health Services (Specialist alcohol and other drug treatment service)	Healthy Canberra Grants program – focus on reducing-smoking related harm: <ul style="list-style-type: none"> • Butt it Out! Smoking Support Program
Worldview Foundation	Healthy Canberra Grants program – focus on reducing smoking-related harm: <ul style="list-style-type: none"> • Pre-release Non-Indigenous Supplement along with Post Release Activity Support

St Vincent's Hospital Sydney	ACT Quitline service – counselling, information, advice and support and cessation resources
Cancer Council ACT	Smoking cessation and support services
Alcohol, Tobacco and Other Drug Association	Access to free NRT to people attending alcohol and other drug treatment
Canberra Health Services	NRT support, advice and Quitline referrals
Gugan Gulwan Youth Aboriginal Corporation	Smoking cessation and reduction information and education, brief intervention and support for clients to access NRT
Winnunga Nimmityjah Aboriginal Health and Community Services	Health promotion, brief intervention, counselling, and support for clients to access NRT

Please note that primary care services, including general practice, also play a significant role in providing healthcare and information, support and referral to people with nicotine addiction.

Environment—Healthy Waterways project (Question No 415)

Mrs Kikkert asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 6 August 2021:

- (1) What innovative methods are being explored by the ACT Government for promoting healthy waterways, particularly regarding predominately concrete storm water channels.
- (2) What Indigenous land management techniques are the ACT Government exploring.
- (3) Is the ACT Government considering leaky weir techniques.
- (4) Is the Government funding any researchers or research specialising in the promoting of healthy waterways.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) The ACT Government is now planning 'Stage 2' of ACT Healthy Waterways, which includes the next phase of infrastructure, some investigations and other activities.

Infrastructure options are being considered to retrofit into existing suburbs. Innovative technologies being considered are—

- Subsurface wetlands
- Floating wetlands
- Pocket bioretention (i.e. street-scale raingardens)
- Bioretention swales
- Use of harvested stormwater for irrigation of public areas
- Leaky curbs (e.g. castellated kerbs, pipe kerb outlets)
- Passive watering (e.g. tree or shrub pits)

- Infiltration trenches
- Solar pumps to swales
- Permeable paving
- Leaky infrastructure e.g. ponds, wetlands and tanks
- Channel naturalisation

The technologies deployed in the next round of infrastructure will depend on the level of funding and their fit to the suburbs and locations selected for construction of water quality assets.

Innovative public education campaigns that aim to reduce the amount of leaves and grass clippings entering stormwater are also being designed. These will build on the results of a trial of 'The Leaf Collective' this past autumn, in ACT Government funded work.

- (2) ACT Government will continue to work with Ngunnawal Traditional Custodians to implement the objectives and outcomes identified in the ACT Water Resource Plan. The Environment Planning and Sustainable Development Directorate is currently recruiting a Ngunnawal Water Project Officer to support the integration of Ngunnawal values, knowledge, practices and aspirations into water planning and management, including the development of a cultural water flows program.
- (3) Yes, as indicated in the answer to Question (1).
- (4) The University of Canberra research team, led by Professor Fiona Dyer, is engaged for some further work on determining the sources of nutrient pollution coming from the Tuggeranong catchment, and on the response of Lake Tuggeranong (particularly blue-green algae) to nutrient inputs. Their research over the past three years has shaped the strategy for Stage 2 of Healthy Waterways.

Planning—community consultation (Question No 416)

Mr Cain asked the Minister for Planning and Land Management, upon notice, on 6 August 2021:

In relation to planning forums held in May and June 2021, for each of the eight locations of (a) Woden, (b) Molonglo Valley, (c) Gungahlin, (d) Tuggeranong, (e) Inner North, (f) Inner South, (g) Belconnen and (h) Weston Creek, can the Minister advise the number of (i) individuals who applied to attend in person, (ii) individuals who applied to attend online, (iii) actual in person attendees, (iv) actual online attendees, (v) individuals who were advised they could not attend in person, (vi) individuals who were advised they could not attend online and (vii) individuals who applied to attend in person but were directed to the online channel instead.

Mr Gentleman: The answer to the member's question is as follows:

The table below provides the figures of those who applied and attended (**items (i) – (iv)**) as requested by Mr Cain for each of the eight district planning forums held in June 2021:

	i) Applied to attend in person or 'either'	ii) Applied to attend online	iii) Actual in person	iv) Actual online
a) Woden	47	5	32	0
b) Molonglo Valley	44	5	17	1
c) Gungahlin	37	14	16	3
d) Tuggeranong	49	14	22	4
e) Inner North	56	8	25	6
f) Inner South	76	9	27	3
g) Belconnen	37	5	18	4
h) Weston Creek	33	3	8	0

Some comments in relation to the above data:

- Participants were given the option of choosing 'in person', 'online' or 'either' as their preferred attendance method when they registered through the YourSay platform. Those who chose 'either' were encouraged to attend in person, therefore they have been included in the figures for item (i) above.
- In the instance where an 'in person' participant was no longer able to attend, they were provided with the option of switching to 'online' attendance to facilitate greater participation overall.

In response to the remaining items:

(v) individuals who were advised they could not attend in person and (vi) individuals who were advised they could not attend online.

All participants who registered for workshops were provided with the opportunity to attend in person, with the exception of the Inner South workshop held on Thursday 3 June 2021.

Registrations for the Inner South workshop far exceeded the capacity available to accommodate all participants, with 85 registrations received prior to closing registrations on 28 May 2021. Due to COVID-19 capacity limits within venues and the nature of the facilitated activities undertaken at each workshop, the Inner South event was capped at 54 attendees inclusive of both in person and online attendance.

Upon closing registrations, independent facilitators Communication Link were provided with the registration list and randomly selected 54 individuals to attend. So as not to disadvantage anyone, the 'in person' and 'online' registrations were pooled together to conduct the random selection process. Of these, 46 had selected 'in person' or 'either' attendance and 8 had selected 'online'.

Therefore, 31 participants from the Inner South were advised they could not attend, based on the random selection process. Of these, 30 had selected 'in person' or 'either' attendance and 1 had selected 'online'.

(vii) individuals who applied to attend in person but were directed to the online channel instead.

As noted above, individuals were offered the opportunity to attend online if they were no longer able to physically attend their workshop due to their own personal circumstances. This was provided as an option available to attendees to take up at their own discretion. No individuals were directed to the online channel in place of 'in person' attendance.

Questions without notice taken on notice

Planning—Woden town centre transport

Mr Steel (*in reply to a question by Mr Hanson on Thursday, 3 June 2021*):

The capacity of the new interchange will accommodate up to 18 bus stops compared to 11 within the existing interchange. Removing the existing loop within the interchange improves operational efficiency and capacity for buses that are moving through the interchange.

Analysis indicated that in the immediate term, only 12-14 bus stops were required within the new interchange to accommodate current public transport demand, whereas the design proposes a higher volume to provide capacity for future growth. In addition, the interchange also provisions for two light rail platforms that provide potential capacity above the proposed 18 bus stops, until required for future light rail services.

The relocation of the bus layovers to Launceston Street means the existing layover spaces can be repurposed and returned to the community through improved public realm and as part of the proposed CIT Campus.

As part of the early design phase, the ACT Government commissioned two technical investigations into the public transport operations and road network operations; the Veitch Lister Consulting (VLC Report) and Jacobs 2021 traffic modelling reports (Jacobs Report). The purpose of both these studies was to identify any operational and safety considerations with the proposed CIT Campus-Woden project that could be addressed through the design phase. The design for the bus layovers and for the public transport interchange have considered all safety and operational matters raised in both the VLC and Jacobs Reports.

The Jacobs report revealed that there is sufficient capacity within the existing road network to accommodate the proposed road network changes and will also be used to inform longer-term road planning and infrastructure requirements within the Woden Valley.

Planning—Woden town centre transport

Mr Steel (*in reply to supplementary questions by Mr Hanson and Mrs Jones on Thursday, 3 June 2021*):

As part of the initial design undertaken by the ACT Government for the new Public Transport Interchange in Woden, a Road Safety Audit (RSA) was undertaken by a qualified engineer.

The RSA examined the proposed interchange roads and road related areas from the perspective of all road users with the intention of identifying road safety issues and areas of risk that could lead to road crashes.

All recommendations or issues raised in the RSA will be considered in the final design which will be undertaken by the contractor under the guidance of the ACT Government.

The contractor who undertakes the work will also undertake their own RSA's, one before works start and one at the conclusion of works. This ensures that any safety concerns are mitigated during the construction of the interchange before it is handed over to the ACT Government.

Alexander Maconochie Centre—incidents

Mr Gentleman (*in reply to a supplementary question by Mr Milligan on Tuesday, 3 August 2021*):

The current amount that is not offset by the Territory's insurer is \$5,000.

Alexander Maconochie Centre—incidents

Mr Gentleman (*in reply to a supplementary question by Mr Cain on Tuesday, 3 August 2021*):

The current amount that is not offset by the Territory's insurer is \$5,000.

ACT Corrective Services—staff health and safety

Mr Gentleman (*in reply to a supplementary question by Mrs Kikkert on Tuesday, 3 August 2021*):

ACT Corrective Services (ACTCS) is exploring the introduction of a range of Personal Protective Equipment (PPE).

ACT Corrective Services—detainee transfers

Mr Gentleman (*in reply to a supplementary question by Mrs Kikkert on Tuesday, 3 August 2021*):

The below table breaks down the total leasing cost for all Court Transport Unit vehicles leased from SG Fleet:

Callsign	Monthly rental cost (inc. GST)
Romeo 3	\$640.96
Romeo 4	\$106.22
Romeo 6	\$875.06
Romeo 5	\$3,906.74
Romeo 1	\$1,106.52

COVID-19—multilingual communication

Ms Stephen-Smith (*in reply to a supplementary question by Mr Braddock on Wednesday, 4 August 2021*):

The COVID-19 vaccination program is a Commonwealth led initiative. States and territories implement the phased vaccination rollout in line with Commonwealth advice and supply of vaccines. As part of the COVID-19 vaccination program, the Commonwealth Government is responsible for the supply of vaccines to state and territory governments, as well as to aged care and disability supported accommodation services, general practices and community pharmacies. As a result, the ACT Government does not collect data for the whole program.

The ACT Government has not captured specific data in relation to vaccination rates of culturally and linguistically diverse communities in the ACT but remains committed to ensuring all members of our community understand the ACT's COVID-19 response, including understanding how and where individuals can access vaccination.

Roads—speed limits

Ms Cheyne (*in reply to a supplementary question by Ms Lee on Wednesday, 4 August 2021*):

A total of \$78,065.71 was spent on the new and variable signage and the public information campaign for the 40km/h speed zones in the City, this includes:

- \$54,240.31 – New signage (including pavement markings)
- \$17,570.00 – Variable Message Signs (as at 5 August 2021)
- \$5,793.40 – Public information campaign (radio and social media)
- \$462.00 – Letterbox drop - printing and delivery of 2,000 letters in March 2021, to businesses and residences in the Braddon and Civic areas.

Each warning letter would cost over \$1 per letter in postage and stationery. In order to send warning letters, Access Canberra staff would have been required to first adjudicate each offence so as to retrieve data from the Rego ACT system to allow populating the warning letters with personalised information. Accordingly, the staffing costs are estimated to have been in the vicinity of \$300,000, including significant diversion of resources.

Parking—Civic

Mr Steel (*in reply to a question by Mrs Kikkert on Thursday, 5 August 2021*):

There are two proposed locations for construction site compounds to support early works as well as future raising London Circuit and light rail (City to Commonwealth Park) works. These proposed locations include the existing car parks on the corner of London Circuit and Constitution Avenue, and at 41-51 Marcus Clarke Street.

I can confirm that the corner of London Circuit and Constitution Avenue car park will be impacted initially from August/September 2021 through till 2024. It is anticipated only a partial closure of approximately 120 bays at the southern end will be initially utilised. From mid-2022 the raising London Circuit Main Works will impact approximately 50% of the parking bays available.

A site compound at 41-51 Marcus Clarke Street may result in a closure of the entire car park (approximately 160 car park spaces) until 2026.

The project team is currently engaging with the community about these compound locations and will provide updates on timing, impacts and any further changes. Signage will be installed in the coming weeks.

Other parking available in the surrounding areas is shown in the map at Attachment A.

(A copy of the attachment is available at the Chamber Support Office).