



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**26 NOVEMBER 2019**

[www.hansard.act.gov.au](http://www.hansard.act.gov.au)

**Tuesday, 26 November 2019**

Petitions:

Active travel policy—petition 23-19 .....	4507
Active travel policy—petition 30-19 .....	4507
Car parking—Chifley Place—petition 28-19 .....	4508
Playground facilities in the inner north—petition 14-19 (Ministerial response) .....	4509
Yarralumla shops—petition 24-19 (Ministerial response) .....	4509
Roller derby facilities—petitions 20-19 and 25-19 (Ministerial response) ..	4511
Transport Canberra—advertising policy—petition 26-19 (Ministerial response) .....	4512
Motion to take note of petitions and responses.....	4513
Out-of-order petition .....	4513
Matters of public importance .....	4514
Adjournment debate.....	4514
Leave of absence.....	4514
Economic Development and Tourism—Standing Committee .....	4515
Justice and Community Safety—Standing Committee.....	4516
Education, Employment and Youth Affairs—Standing Committee.....	4516
Planning and Urban Renewal—Standing Committee.....	4518
Housing strategy and implementation plan—annual review (Ministerial statement) .....	4518
Health—occupational violence strategy (Ministerial statement).....	4523
Health infrastructure planning (Ministerial statement).....	4526
Mental health—patient data (Ministerial statement) .....	4533
Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019 .....	4537
Long Service Leave (Portable Schemes) Amendment Bill 2019 .....	4545
Questions without notice:	
ACT Policing—staffing.....	4550
Transport Canberra—bus timetables .....	4552
Crime—Tuggeranong .....	4553
Crime—Belconnen .....	4555
Infrastructure—south Canberra .....	4555
Crime—Gungahlin .....	4557
Crime—Molonglo Valley .....	4558
Crime—north Canberra .....	4560
Crime—north Canberra .....	4561
Alexander Maconochie Centre—safety.....	4561
Schools—infrastructure .....	4562
Public housing—disruptive behaviour .....	4564
ACT Policing—mental health .....	4565
ACT Health—SPIRE project.....	4566
Papers.....	4568
Leave of absence.....	4569
Papers.....	4569
Capital works program—progress report.....	4572
Consolidated annual financial statements 2018-19.....	4573
Planning and Urban Renewal—Standing Committee.....	4573

Estimates 2018-2019—Select Committee .....	4574
Estimates 2019-2020—Select Committee .....	4574
Sentencing (Parole Time Credit) Legislation Amendment Bill 2019.....	4574
Adjournment:	
Valedictory .....	4580
Multicultural affairs—Diwali .....	4580
Environment—climate change .....	4581
Valedictory .....	4581
Mental Health Month.....	4582
Spring fetes .....	4584
Planning—ACT planning strategy .....	4585
Schedules of amendments:	
Schedule 1: Crimes (Disrupting Criminal Gangs) Legislation	
Amendment Bill 2019.....	4588
Schedule 2: Sentencing (Parole Time Credit) Legislation	
Amendment Bill 2019.....	4589

**Tuesday, 26 November 2019**

**MADAM SPEAKER** (Ms J Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Active travel policy—petition 23-19**

*By Ms Le Couteur, from 426 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 that:

- on 16 May 2019, the ACT Legislative Assembly passed a motion acknowledging the climate emergency, which “requires urgent actions across all levels of Government”;
- the ACT has legislated target of zero net greenhouse gas emissions by 2045, and that meeting this target will require a significant reduction in greenhouse gas emissions from transport;
- Canberra wants to be Australia’s most walkable city, the cycling capital and an age-friendly city.

Your petitioners, therefore, request the Assembly to request the Government of the Territory to:

- set legislated transport targets that align with the ACT’s zero emissions targets;
- create an Active Travel Commissioner role to oversee the implementation of the ACT’s active travel policies, including targets;
- in the 2019-20 Financial Year, redirect funding from major roads programs to a major infrastructure program for walking, cycling and public transport;
- ensure all new buses purchased by Transport Canberra (including the 84 budgeted for purchase in 2019-20) are zero-emissions electric buses.

### **Active travel policy—petition 30-19**

*By Ms Le Couteur, from 12 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 that:

- on 16 May 2019, the ACT Legislative Assembly passed a motion acknowledging the climate emergency, which “requires urgent actions across all levels of Government”;

- the ACT has legislated target of zero net greenhouse gas emissions by 2045, and that meeting this target will require a significant reduction in greenhouse gas emissions from transport;
- Canberra wants to be Australia's most walkable city, the cycling capital and an age-friendly city.

Your petitioners, therefore, request the Assembly to request the Government of the Territory to:

- set legislated transport targets that align with the ACT's zero emissions targets;
- create an Active Travel Commissioner role to oversee the implementation of the ACT's active travel policies, including targets;
- in the 2019-20 Financial Year, redirect funding from major roads programs to a major infrastructure program for walking, cycling and public transport;
- ensure all new buses purchased by Transport Canberra (including the 84 budgeted for purchase in 2019-20) are zero-emissions electric buses.

### **Car parking—Chifley Place—petition 28-19**

*By Ms Cody, from 111 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 that the Chifley Place precinct is an increasingly popular area for both community recreation and small business activity throughout the week and on weekends. This is driven by quality community infrastructure, urban densification in the surrounding area and small business investment.

The available parking at Chifley Place, Chifley does not cater for the demand in the area and is impacting on access and safety in this popular community and business precinct.

Your petitioners, therefore, request the Assembly to call on the Government to look at ways to improve access and safety across the precinct and at a minimum consider the following improvements:

- Establish an overflow carpark with 60 additional spaces on the underutilised land below Chifley Place.
- Place a raised pedestrian crossing between the shopfronts and the park/public amenities.

*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:

### **Playground facilities in the inner north—petition 14-19**

By **Mr Steel**, Minister for City Services, dated 24 October 2019, in response to a petition lodged by Mr Rattenbury on 30 July concerning a destination recreation park for the inner north.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 30 July 2019 regarding petition number 14-19 lodged by Mr Shane Rattenbury MLA regarding a destination recreation park for the inner north.

The ACT Government is aware of a growing community demand for better playground facilities in established suburbs, particularly adjacent to local shops. The current approach to the provision and management of established playgrounds is being reviewed by Transport Canberra and City Services.

Community views and priorities for city services in general and play spaces in particular have been informed by the outcomes of the “Better Suburbs” deliberative democracy initiative. This initiative featured a four-day Citizens’ Forum that produced a Better Suburbs Statement which is available on the [www.yoursay.act.gov.au](http://www.yoursay.act.gov.au) website. The related Play Spaces Forum resulted in funding of \$1.9m being allocated by community representatives to a range of playground related upgrades and improvements across the city. This included the funding of a new Nature Play Space at Glebe Park.

A nature play area has also been built within Haig Park. There are also additional activities and equipment located in Garema Place. Further information about these installation and activities can be found at <https://www.act.gov.au/cityrenewal/whats-on>.

In addition, the Boundless destination playground is located on the Lake Burley Griffin foreshore near the National Carillon and offers a wealth of activities and inclusive equipment for children’s play.

I appreciate the input and the effort the residents have made in providing evidence to support the petition.

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

### **Yarralumla shops—petition 24-19**

By **Mr Steel**, Minister for City Services, dated 6 November, in response to a petition lodged by Miss C Burch on 20 August 2019 concerning upgrading Yarralumla shops.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 20 August 2019 regarding petition number 24-19 lodged by Miss Candice Burch MLA about upgrades to the Yarralumla Shops.

The ACT Territory Plan identifies the objectives of local shopping centres (CZ4 - Local Centre Zone) as to provide convenient shopping and services to meet the daily needs of their local communities and to enable a cultural and community identity appropriate to the place.

In the ACT there are 90 commercial shopping centres, including 66 local shops, 19 group centres, four town centres and Civic. All buildings within the centres are privately owned with the surrounding public areas on unleased land, in most instances, managed by the ACT Government. However, there are some instances where the leased land extends to include some to all the public spaces adjacent to the commercial buildings. For the Local Centre Zoned (CZ4) areas at the Yarralumla local shops, the public spaces, which are also referred to as the shopping precinct, are managed by the ACT Government through Transport Canberra and City Services Directorate (TCCS).

To identify shopping precinct priorities for upgrades across Canberra, each local shopping centre is assessed for its demonstrable need for improvement. The assessment considers the current provision, condition and suitability of the public realm with that centre, including public infrastructure such as parking areas, lighting, accessibility of public walkways, landscaping, signage, trees, etc. Where public realm falls within leased land, the lessee is responsible for these areas.

Local shopping precinct upgrades focus on measures to improve safety, amenity and function with funding contributions also sought from private parties to assist with the ongoing commercial viability of local shopping centres. Those local shopping precincts that receive improvements are likely to see increased turnover, so it's important to provide opportunity for private parties to co-contribute to such improvements.

In relation to safety and security concerns, TCCS has engaged an external consultant to design new bollards or similar measures to improve safety for patrons and retailers at the Yarralumla Shops. The design should be complete by June 2020.

An officer from TCCS has assessed the Yarralumla Shops and confirmed that TCCS maintain the streetlighting on the footpaths outside the awnings. All the lighting under the awnings at the shops are owned and maintained by the building owner. The streetlights on Bentham Street were updated approximately five years ago by TCCS. The remaining streetlights in the area have been added to the list for future replacement as part of the major upgrade of ACT's streetlight network to energy efficient Light Emitting Diode (LED) lights, which will improve the overall quality of lighting.

TCCS has also inspected and confirmed the provision of parking around the Yarralumla shops. There are currently on-street parking areas on Hutchins, Banks, Hooker and Mueller Streets for Yarralumla Shop patrons. Parking requirements for shops are defined in the planning guidelines Parking and Vehicular Access Guide. The current arrangements for the Yarralumla Shops meet the provision guide of six spaces per 100 sqm of gross floor area, with visitor's parking within 200 metres of the shops. A review of land custodianship, within a 100 metre radius from the shops, indicates that the only two publicly owned blocks are already allocated as carparking areas.

As an alternative to providing additional parking spaces, time restrictions have been applied to the public parking areas and on the nearby streets to improve the turnover. Mobility parking has also been provided in front of the shops to ensure accessibility near the Yarralumla Shop buildings for people with a disability.

The ACT Government has improved parking and amenities access around Yarralumla Shops over the last six years. Improvements to the pavement in the pedestrian area have also been undertaken to increase accessibility to amenities. In relation to other supporting public facilities and amenity, TCCS has repainted and repaired the seats and walls to improve amenity and has a regular cleaning program for the public realm, including daily cleaning of the toilet. Public toilet facilities are upgraded based on condition and are generally provided in high use areas including town and district parks, group shopping centres and sportsgrounds where private facilities are not available.

I understand that the Yarralumla Shops are a thriving local centre, which is highly valued by the local community. Thank you for raising this matter. I trust this information is of assistance.

### **Roller derby facilities—petitions 20-19 and 25-19**

By **Ms Berry**, Deputy Chief Minister, dated 12 November 2019, in response to petitions lodged by Ms J Burch on 13 August 2019 and 22 August 2019 concerning roller derby facilities in the ACT.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letters of 13 August 2019 and 22 August 2019 relating to the petitions (20-19 and 25-19) lodged by Ms Joy Burch MLA seeking the ACT Government to “urgently review existing facilities in both public and private ownership and to ensure that roller derby in the ACT has the required facilities for future growth and demand”.

I am pleased to advise the ACT Government has progressed several initiatives to support the sport of roller derby, including greater access to several ACT Government school facilities now and into the future.

This includes improvements to the gymnasium at the Hedley Beare Centre for Teaching and Learning in Stirling to support increased community access and usage of this facility by a range of sporting groups, including the Canberra Roller Derby League (CRDL). With the permission of the Education Directorate, the CRDL installed white line markings on the court for roller derby activities at this facility.

The Varsity Derby League was advised in September 2019 that there is currently some availability to hire the gymnasium at Hawker College. Members of the Varsity Derby League are currently investigating this option to determine if the venue will be suitable for its needs.

Regarding longer term facility options, I am pleased to advise the new ACT Government school to be located in Denman Prospect is being designed to accommodate a range of community programs outside of school hours.

Key aspects of the project will include:

- a larger two court indoor gymnasium and associated facilities (i.e. change rooms). This outcome is in line with the ACT Government response to the *Planning for Indoor Facilities and Other Sport and Infrastructure Report*: that the early planning and design for any new ACT Government schools will consider the current and future demand for indoor sporting facilities in that region;
- a range of sport court line markings, including roller derby, and provide dedicated community storage space;
- the local roller derby leagues (CRDL and the Varsity Derby League) have been identified as priority user groups and will be provided with the first opportunity to hire/access the indoor courts, outside of school hours, when the school opens in early 2021; and
- Sport and Recreation is working with the Education Directorate to investigate the suitability of the recommended floor surface for the new school gymnasium (as detailed in the current design):
  - The proposed floor surface is specified as ‘Pulastic 2000’ and has been installed at Margaret Hendry School in Taylor. A trial by roller derby players on the new surface installed at the Margaret Hendry School is being arranged during November 2019. This trial will test the suitability of the surface for the players and indicate what level of ongoing wear and tear there will be on the surface.
  - Should the proposed surface not be suitable for roller derby use, the Education Directorate will consider replacing the synthetic surface with a sprung timber floor system. This system has higher installation and maintenance costs and will need to be assessed against total project costs at this stage.

I am also aware the Southern Cross Stadium in Greenway has supported the delivery of roller derby events for many years. Recognising the ACT Government does not own dedicated indoor sport court facilities, I acknowledge that the private sector does, and will continue to, play an important role in providing indoor sport court facilities across the ACT.

Thank you for the opportunity to respond to this matter.

### **Transport Canberra—advertising policy—petition 26-19**

By **Mr Steel**, Minister for Transport, dated 25 November 2019, in response to a petition lodged by Ms Le Couteur on 22 October 2019 concerning Transport Canberra’s bus advertising policy.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 22 October 2019 regarding petition number 26-19 lodged by Ms Caroline Le Couteur MLA seeking amendments to Transport Canberra’s bus advertising policy.

Transport Canberra bus advertising must meet Australian Advertising Standards and adhere to the additional criteria set by Transport Canberra. More information on the standards can be found on the Transport Canberra website: <https://www.transport.act.gov.au/contact-us/advertise-with-us>

Each advertisement that is placed on Transport Canberra buses is reviewed by Go Transit Australia who manages advertising on the Transport Canberra bus fleet on behalf the Government. Whilst I understand and agree with the outrage from the community about the comments made by Mr Jones, in this case, as the advertisement advertises a radio station, and the advertisement does not display an offensive message, the advertisement meets the Australian Advertising Standards and Transport Canberra's guidelines.

Unfortunately, the ACT Government is not in a position to ban or remove the advertising at this time. I can confirm that we will be working to ensure that there will not be any Government advertising during the Alan Jones program.

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

### **Motion to take note of petitions and responses**

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

That the petitions and responses so lodged be noted.

### **Out-of-order petition**

**MS LE COUTEUR** (Murrumbidgee) (10.04): I seek leave to table an out-of-order petition with 89 signatures in the same terms as the paper petition and e-petition which we are noting on transport action for the climate emergency.

Leave granted.

**MS LE COUTEUR:** I present the following paper:

Petition which does not conform with the standing orders—Active travel—  
Ms Le Couteur (89 signatures).

These petitions have been backed by three of Canberra's community organisations: Pedal Power, the Conservation Council, and Living Streets Canberra. They respond to this Assembly's motion of earlier this year that acknowledged that Australia, and of course Canberra, faces a climate emergency.

The bushfires we are now seeing demonstrate that we are indeed in a climate emergency. These fires are not the fires of the past. They are the fires of our hotter, drier future. Bushfire crises in Australia used to last for only a few days, or weeks at the most. There have usually only been one or two major crises each year, and they have not been in spring.

This year we have had rolling bushfire crises since September, and the season still has another five months to run. These fires are also burning out rainforests that have never

been burnt before—for at least thousands but potentially millions of years. Some of these rainforests are World Heritage listed because they have survived since the Australian continent was attached to Antarctica. They are Gondwanaland forests. They are literally irreplaceable.

These rainforests have not evolved to survive fire. We are seeing the beginning of their extinction, even if we act now, given the temperature changes we potentially are seeing. It is particularly upsetting for me, as the background of where I used to live, the rainforest, is burning. It is dreadful.

These petitions call on the Assembly and the government to play their part in reducing greenhouse gas emissions by taking action on transport. In particular, the petitioners call for four actions: (1) legislated transport targets that align with the ACT's zero emissions targets; (2) an active travel commissioner role to oversee implementation of the ACT's active travel policies; (3) redirecting funding from roads to infrastructure for walking, cycling and public transport; and (4) ensuring that all new buses purchased by Transport Canberra are zero emissions. I urge the government to take these calls very seriously and take action on them.

Question resolved in the affirmative.

### **Matters of public importance**

#### **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 matters of public importance being discussed on this day and on Thursday, 28 November 2019.

### **Adjournment debate**

#### **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 time allocated for the adjournment debate continuing for 45 minutes for the next three sitting days.

### **Leave of absence**

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

That leave of absence be granted to Mr Pettersson for this week due to CPA business.

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

That leave of absence be granted for all members for the period 29 November 2019 to 10 February 2020.

## **Economic Development and Tourism—Standing Committee Report 7**

*(Quorum formed.)*

**MR HANSON** (Murrumbidgee) (10.11): I present the following report:

Economic Development and Tourism—Standing Committee—Report 7—*Inquiry into the Building and Construction Legislation Amendment Bill 2019*, dated 20 November 2019, together with a copy of the extracts of the relevant minutes of proceedings

I move:

That the report be noted.

This is the seventh report of the Standing Committee on Economic Development and Tourism. On 24 October 2019 the Assembly resolved that the committee inquire into the Building and Construction Legislation Amendment Bill 2019 and report no later than today. The committee presented the report out of session on 22 November.

Given the short time frame for this inquiry, the committee immediately called for submissions. The committee did not hold public hearings, as the committee believed that it was more important to provide as much time as possible for the preparation of the submissions. The committee received 12 submissions.

The committee has made seven recommendations. The recommendations largely seek further explanation from the government on the operation of the bill on key issues raised by stakeholders. On behalf of the committee, I would like to thank all the submitters for their efforts in putting together their contributions in the time frame available. I commend the report to the Assembly.

I want to raise some other comments on my own behalf; I did not want to raise them while presenting the report as the chair. In an annex, there is a recommendation that was not agreed to by all members of the committee. In essence, it goes to the point that we should not be debating this bill in a hurry.

A lot of very complex and controversial issues have been raised. The stakeholders who have submitted have asked for clarification and noted that there was no consultation prior to the bill being tabled. I recommend looking at the issues that have been raised. Whether you support them or not, I think it is prudent that we allow time for the issues to be properly canvassed, about consultation and the response from government, which I would expect at some stage this week to be adequately considered. If members of this place, be it the crossbench or the Liberal Party, want to make amendments, potentially they can then do so.

We have a committee process for a reason. These are very important issues. We in this place are all committed to the issue of building quality, but in this case I think it

would be prudent to wait until next year, perhaps the first sitting of next year, to allow time for deliberation and consideration of what are complex issues and to fully address all the issues that have been raised by stakeholders.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Scrutiny report 37**

**MS CODY** (Murrumbidgee) (10.14): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 37, dated 19 November 2019, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MS CODY:** Scrutiny report 37 contains the committee's comments on nine bills, proposed amendments to five bills, 20 pieces of subordinate legislation, five government responses, one regulatory impact statement and two national regulations. I commend the report to the Assembly.

## **Education, Employment and Youth Affairs—Standing Committee Report 7**

**MRS KIKKERT** (Ginninderra) (10.15): I present the following report:

Education, Employment and Youth Affairs—Standing Committee—Report 7—*Cessation of the Music for Colleges course*, dated 14 November 2019, including a dissenting report (*Mr Pettersson*), together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

The Standing Committee on Education, Employment and Youth Affairs self-referred this inquiry on 9 April 2019, following the referral of petition 18-18 from the Assembly. This report considers the decision to cease funding the music for colleges course and the implications of that decision. The committee also considered alternative options for advanced music study in the ACT. The committee received 26 submissions and held three hearings over the course of this inquiry. The report makes six recommendations.

The committee agreed that there is significant value in the continuation of an advanced music course for students who are gifted and talented in the arts. Such a

program should be funded and managed by the Education Directorate. Entry to the course should be by audition only, with priority given to students who attend ACT public schools without advanced music options at their local school. The course should be BSSS accredited in order to contribute to ATAR results. The committee as a whole agreed that artsACT should continue to support several programs, including girls rock and girls jazz, both aimed at young girls; community school of rock, for all members of the community; and my song, a mentorship program for Aboriginal youth.

The majority of the committee agreed that the ACT Education Directorate should redirect funds to ensure the immediate resumption of the H course in music once an acceptable agreement has been reached with the ANU School of Music. Mr Pettersson provided dissenting comments and a recommendation.

The committee would like to thank all those who participated in the inquiry, either by providing submissions or by attending as witnesses. I would like to thank Kate Harkins for all her hard work on this inquiry. I commend the report to the Assembly.

**MR PARTON** (Brindabella) (10.17): In February last year, the music student community was advised that the H course in music that had been in existence for 35 years was to cease. The reason given was that a review of funding had determined a new direction to provide opportunities for all members of the Canberra community to engage with the School of Music. The funding involved was \$275,000 a year. For some, the trouble with the H course in music was that it was seen as elitist. It provided unique one-on-one tuition for talented musicians who had the potential to make a career in music.

In making this decision, the government, as is increasingly becoming its style, chose to ignore the pleas of current and former students. It chose to ignore the evidence of success in the talented musicians, talented composers, conductors and music administrators who attribute their success to their involvement with the H course. For over 35 years, the H course has produced an amazing array of success stories.

Award-winning Canberra conductor Leonard Weiss, who completed the course in 2010 while a student at Canberra Grammar School and now teaches H course students in classical music, said that the course had always attracted promising young musicians who often went on to illustrious careers. He is correct. I will quote him:

Looking back at my peers who went through the course with me, I know many of them are now overseas professionally, or are working either in Canberra or interstate teaching music to a very high level. It definitely sets you up with a very essential skill set.

In September last year we witnessed a delightful but passionate protest outside the Legislative Assembly when current—sadly no longer—potential and former students played, entertained and spoke with various MLAs who came to hear them.

In the same month, the Canberra Liberals tabled a motion calling on the government to reverse its decision to restore the \$275,000 a year funding for the H course in music. That was the Liberal motion. It came as no surprise to those of us on this side of the

chamber that both Labor and the Greens voted our motion down. They went, instead, with a meaningless amended version from the Greens which did not achieve anything.

Most disappointing and hypocritical—I cannot use any other word—was Greens MLA Caroline Le Couteur, who sponsored a petition that eventually, granted, did lead to this issue coming to the education, employment and youth affairs committee but had no intention of ever supporting this course being reinstated. The petition attracted 1,814 signatures. It was tabled in November last year.

The inquiry received 26 submissions. We had two public hearings in July this year. The evidence was overwhelmingly in favour of restoration of the course. The majority findings reflect the wishes of the petitioners and the majority of those who made submissions. It is disappointing that the committee could not deliver a unanimous report, but the outcome serves to highlight clearly the values that the Canberra Liberals place on listening to the community and serving their needs rather than the Labor-Greens approach, which is to tell the electorate that the government knows best and dismiss community opinion. We have seen this same approach in planning decisions and in legislation affecting the greyhound industry. It is a hallmark of this tin-ear government.

I thank the many passionate students, parents and former students who canvassed so hard for this government to see reason. This report provides that reason. It calls on the government to do the fair, sensible and appropriate thing, and restore the H course so that future music students who have a talent and a passion for their chosen career can get the very best opportunity for success. To deny them that opportunity is shameful.

Question resolved in the affirmative.

## **Planning and Urban Renewal—Standing Committee Statement by chair**

**MS LE COUTEUR** (Murrumbidgee) (10.22): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal. At a private meeting on 14 March 2018, the committee resolved to undertake an inquiry into development application processes in the ACT. At that time the committee set a reporting date of the last sitting day in November 2018 and this was later extended to November 2019. In light of the breadth of the terms of reference and in order to give the evidence received due consideration, the committee has now resolved that it intends to report before the end of the Ninth Assembly in 2020.

## **Housing strategy and implementation plan—annual review Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.22): I am happy to update the Assembly today on the work that the government has undertaken in the first year since the release of the ACT housing strategy. In addition to this ministerial statement, the

government has prepared the first annual progress report card on delivery against the strategy, which I have also released today.

The ACT housing strategy reflects the voices of our community. It recognises that a secure home is fundamental to people's lives and to their wellbeing. It is a road map for housing in the ACT into the next decade, and it acknowledges the unique and complex challenges that exist in the ACT housing market and puts in place strong policy interventions to meet the territory's diverse and changing needs.

The strategy builds on the 2007 affordable housing action plan, which set a foundation for a long-term commitment to provide housing for all households and income levels. The strategy takes a holistic view of housing and has a focus on affordability, increasing social housing assistance and reducing homelessness. The ACT housing strategy contains five strategic goals to deliver on its vision, and each strategy goal contains a range of objectives and actions to deliver on the goals. In total, the strategy includes 74 actions for the government to progress over the next 10 years.

The government has developed an implementation plan detailing the actions arising in the strategy to track and monitor progress against the housing strategy. This is a living document that will evolve as the government delivers on the strategy and provides a basis for the annual report cards, the first of which is released today. I am happy to report that the government has made good progress in the first 12 months of the strategy. Of the 10 actions identified for delivery in the 2018-19 financial year, all are either underway or complete. Of the six actions identified for delivery in the 2019 calendar year, five are either underway or complete. A further 39 actions, identified in the implementation plan for delivery as part of ongoing or annual commitments, are underway or are complete.

A significant amount of work was undertaken during the strategy's first year, and I will highlight a few of the key achievements. The first goal of the ACT housing strategy is an "equitable, diverse and sustainable supply of housing for the ACT community". Key to this is the provision of land and housing development opportunities to meet demand. The 2019-20 indicative land release program provides for the release of land in both urban renewal and greenfield locations. A key action is to dedicate at least 15 per cent of the annual land release target to the provision of community, public and affordable housing. The 2019-20 indicative land release program achieves this objective by dedicating 15 per cent of dwelling sites to affordable, community and public housing.

In 2017, at the housing and homelessness summit, I announced the affordable housing innovation fund. Stage 1 funding supported Community Housing Canberra to develop its affordable rental real estate model, HomeGround. The fund also provided funding towards two co-housing projects. Stage 2 projects, which were recently announced, will support projects which increase the supply of specialist disability accommodation, supportive housing for older women, an affordable rental housing model, the improved use of under-utilised community facilities land, and the development of a home-share model.

The ACT government is continuing to build strong partnerships with the community sector to effectively address homelessness in the ACT. Earlier this year the government released the findings of a study into the support requirements and accommodation options for people in the ACT with high and complex service needs, to inform progress against goal 2 of the housing strategy. The findings of the study have supported the progress of several initiatives and are being used to inform future planning across the specialist homelessness sector. The government has also directed significant funding towards helping people who are falling through the gaps or who are emerging as priority groups at risk of homelessness.

The 2018-19 budget included \$6.5 million in additional funding to support frontline homelessness services, particularly focusing on women and children escaping domestic and family violence, older women, and asylum seekers. This funding also includes expanding the reach of the ACT's central intake point, OneLink.

Part of this funding established a new \$1.9 million service to support older women who are homeless or at risk of becoming homeless, run by the YWCA. The service, known as NextDoor, provides dedicated early intervention support for older women at risk of homelessness and is targeted towards women over the age of 50, or 45 for Aboriginal and Torres Strait Islander women.

Earlier this month I announced a new partnership with CatholicCare and St Vincent de Paul to support 20 individuals with high and complex needs who are sleeping rough into permanent housing. This new program, called axial housing, will take a housing-first approach and provide a home to people who are sleeping rough and bring the supports they need to stay housed long term. This model has been very successful overseas and I am looking forward to seeing the results of this new approach.

Supporting the third goal of the ACT housing strategy is the ACT government's plan for growing and renewing public housing. This plan details how the public housing portfolio will be managed over the next five years. The plan guides investment of \$100 million—a record, nation-leading funding commitment to public housing—and includes targets to grow and renew public housing so that the portfolio meets current and future tenant needs. The ACT government is committed to renewing and growing public housing, with 1,200 new homes to be delivered under the plan, with an extra 200 homes for people in need of housing.

The fourth goal of the housing strategy, to increase affordable rental housing, has also seen significant progress, with the commencement of the land tax exemption pilot scheme in March this year. Under the scheme, eligible landlords may apply for a land tax exemption when they enter into an agreement with a registered housing provider to rent their property at 25 per cent less than market value.

One of the barriers for low to moderate income earners trying to enter the rental market is the up-front costs associated with commencing a new rental tenancy. In December last year the government established a new digital service, known as rental bond help, to assist low to moderate income earners with an interest-free loan to help

pay for their rental bond. Between November 2018 and 30 June this year, 644 new digital applications were received.

Another focus of the strategy is to work closely with the community housing sector to grow and diversify its capacity. In June the release of land via an expression of interest process for affordable housing in Taylor makes available six lots, comprising a total of 59 dwellings, which are restricted to registered community housing providers. The ACT government is also supporting Aboriginal and Torres Strait Islander managed community housing providers in the ACT to build their capacity. This work has been guided through dedicated consultation workshops with the Aboriginal and Torres Strait Islander community.

Under goal 5 of the ACT housing strategy, the government is working to provide Canberrans with more affordable homes for purchase. In this first year of the strategy, the government's affordable home purchase program was developed to assist low to moderate income earners to enter the home ownership market. The program has received approximately 135 eligible applicants and five developments with an affordable dwelling requirement on offer to the eligible applicants.

In the second year further work will be done to grow and diversify the community housing sector. This will include investing mechanisms to reduce the cost of land to support affordable rentals. The land tax exemption pilot has been extended and further financial incentives will be investigated to encourage the delivery of affordable home purchase dwellings on privately held leases. I look forward to updating our community as this work progresses. I present the following paper:

ACT Housing Strategy and Implementation Plan—Annual update—Ministerial statement, 26 November 2019.

I move:

That the Assembly take note of the paper.

**MS LE COUTEUR** (Murrumbidgee) (10.31): I am very pleased to see the housing minister present a report to the Assembly. Housing is one of the red-hot issues in the ACT at present. Anglicare's surveys continue to reveal that there is basically nothing affordable in the ACT and district for someone on social security payments or the minimum wage. Occasionally there are one or two properties, but effectively those parts of our population are well and truly priced out of our market. To put it mildly, that is not good. From that point of view I am really pleased that we have a housing strategy and I am really pleased that the minister has reported on it.

Having said that, I am less than 100 per cent pleased at the progress revealed in this strategy. Obviously I only got this this morning have just a couple of not even dot points to speak on. The minister says a key action is to dedicate at least 15 per cent of the annual land release target to the provision of community, public and affordable housing. That is really good. The question is: at what price?

All parties in the Assembly have been or will be lobbied by Havelock Housing. Members probably saw the article in the *Canberra Times* and we also discussed this in annual reports where Mr Wall had a fairly reasonable discussion about whether you can actually build affordable housing using the land offered by the ACT government. Havelock Housing are suggesting that it is problematic and Mr Wall's analysis in annual reports also suggested that it was problematic given the price at which the ACT government is selling land.

I am very pleased to see that we have now basically expended the affordable housing innovation fund. I am disappointed that the minister did not mention in her statement that this was part of the parliamentary agreement with the Greens. I am particularly pleased that some of that money is now going to the development of a home share model. We have been pushing for that a long time. If we are to solve our housing affordability problem we are not going to do it all by constructing new buildings at huge cost. We have to, among other things, make better use of our existing housing stock.

Home share is designed so that people who have larger houses and who are not in the usual younger people's share house market have a way to find a tenant who will work for them. It quite often will be an older woman in what was the family house but where the family have left and her husband has died. She will have a lot of space but she is not in the sort of share house market and will need a bit of help finding a tenant who will work for her. That tenancy can be on a very affordable basis because the older woman will quite possibly want someone to do the lawn mowing, help to do the heavy shopping and just be around so that if she falls someone will notice.

These schemes have been set up for disabled home owners and they have been popular in other parts of Australia and internationally. I am very pleased that this seems finally to be happening in the ACT; I just hope that it has been adequately funded so that it will not be another thing where we do a trial, we do not do it properly and then decide that it is not going to work and give up.

I note that part of the funding is \$1.9 million for a service to support older women who are homeless or at risk of becoming homeless through the YWCA. The service is known as Next Door. It sounds really good, but the sad thing is that it provides zero new beds. It is really great to support these women but they actually want and need somewhere to stay that they can afford. A similar scheme is being run for about the same amount of money via MARSS. Again, it is a great scheme except no money for beds. I am very pleased that we have a new scheme to support 20 individuals with high and complex needs who are sleeping rough into permanent housing.

It is good to see that the government is looking at the housing first approach, and I think we need to look at that more rather than just saying, "Oh, we're providing supports." Yes, that is better than nothing I guess, but I am not totally sure given the cost of some of it.

On the subject of cost, I draw the government's attention to the motion brought forward by my colleague Shane Rattenbury that was passed last Assembly about working out the costs of having homeless people in the ACT and whether from an

ACT government point of view it might be affordable to look at, at the very least, stopping street homelessness. Street homeless people tend to use hospital and health services and police and ranger services more than average, even if they possibly do not want to use all of those services.

Other jurisdictions in Australia, like Brisbane City Council, have looked at the sums on this and have worked out that it costs a lot of money to keep people homeless and that as a society we would be better off if we took a different approach and looked at solving the basic problems of homelessness rather than tinkering around the edges. I very much support the process of renewing public housing. Given that the government will be looking at better use of existing real estate I think that that is a positive thing.

I am interested to read that the fourth goal of the ACT housing strategy has seen considerable progress with the land tax exemption pilot scheme in March this year. As I have told people many times, this was an item of the parliamentary agreement in the Seventh Assembly and I was responsible for putting it there. I am glad it has finally happened but I repeat my call to make it happen in a way that it can work, that is, not a time-limited scheme.

I am very frustrated that it started off as a two-year scheme. If you are giving a tenant a no-cause eviction notice you have got to give them six months. The Greens are not against that, but I point out as a matter of practical reality that if you have a tenant who would not qualify to be part of this scheme you have to give them six months' notice. Then you have a year to offer them to move to a community housing provider and offer your house at 75 per cent market rental for someone who needs it. That is great. You sign them up for a year and under the original scheme as soon as that year is over you will have to give them notice again because it will be a six-month no-cause notice because you did not expect the land tax exemption to continue.

The government has recently said that it might continue for another couple of years. I again call on the government to make the scheme open ended. If you wish to do it as a trial and continue to restrict the number of houses involved to a hundred, at least give those hundred houses a fighting chance to work out if it can work.

I am very positive about the rental bond help program, except I am not quite sure how you would work out that it exists. Clearly, some 644 people have worked it out, which is really great, but I would love to see a lot more publicity so that more people can work it out. I am very pleased that the minister has delivered this report. There are some positives but not enough. We still have a housing affordability crisis in the ACT and I would like to see a lot more done.

Question resolved in the affirmative.

## **Health—occupational violence strategy**

### **Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and

Minister for Urban Renewal) (10.41): I am pleased to have this opportunity to update the Assembly on the work that Canberra Health Services, CHS, is undertaking to address the issue of occupational violence, OV, towards staff by patients, consumers and visitors to our health services. We have all been concerned by the impact of violence towards CHS staff, and I am encouraged to say that CHS is developing an organisation-wide and multifaceted approach to address these concerns.

The date of 9 November 2019 marked one year since the CHS OV strategy working group commenced. This working group is chaired by the CEO of CHS, Bernadette McDonald, and its goal was to develop, implement and monitor the CHS OV strategy. The group has a wide range of representatives from CHS, unions, consumer representatives and WorkSafe ACT. I am pleased to say that the working group members are enthusiastically embracing the opportunity to address the issue of occupational violence.

The CHS OV strategy has been developed in collaboration with Aspex Consulting. Their considerable work done to develop the strategy included a comprehensive literature review of best practice. Importantly, feedback was received from staff who experienced OV during site visits to a range of areas, including the emergency department, maternity, the Alexander Maconochie Centre, community-based staff across all clinical divisions, the Tuggeranong Community Health Centre, an aged-care ward, a general medicine ward, the adult mental health unit and Dhulwa Mental Health Unit.

I take this opportunity to thank the hundreds of CHS staff for their engagement in the consultation for the OV strategy and the ongoing commitment by the members of the OV strategy working group. Based on these foundational activities the eight areas of focus or elements of the OV strategy have been created: governance, prevention, training, response, reporting, support, investigation and staff/consumer awareness. The OV strategy has been endorsed and will be published soon.

To support the strategy the updated policy and procedure are currently going through the endorsement process and are expected to be finalised by the end of the year. The OV strategy will be measured through achievements and milestones as detailed in the implementation plan.

The organisation-wide work has been supplemented by immediate detailed work that has been undertaken by working group members. Some examples include improvements to the staff incident reporting system to reduce the time taken to report with fewer mandated fields required. Fact sheets were issued in January to support staff on how to report an OV incident and to support managers in supporting staff following incidents as well as how to investigate the incident.

Under the element of prevention, an OV risk assessment tool will be rolled out shortly. This tool will enable areas to identify any risks and hazards that may impact on the risk of OV, for example, security processes, access and egress, work processes, building design et cetera. Other aspects of this element include processes to ensure safe work design principles, tools for screening for the risk of violence, and a security

system review to ensure that CHS has the right mix of CCTV, duress equipment and security officer presence.

The current training program of OV at CHS is undergoing an evaluation with surveys recently sent to participants of OV training and the OV strategy working group. This evaluation will identify gaps and assist the organisation to implement a tiered approach to training based on best practice.

Response to incidents of OV is an area that CHS will be focusing on with the introduction of the code grey into the current emergency code system. The goal of the code grey is to intervene early with a clinically led response team to resolve issues quickly before OV escalates. This new emergency code will commence in 2021 once comprehensive planning work has been completed and a revised OV training program has been implemented.

I am pleased to advise that CHS in collaboration with ACT Health digital solutions is about to launch a pilot to test duress advice for community staff who deliver clinical care in people's homes.

Under-reporting of OV incidents in caring environments such as hospitals is a well-known issue across Australia. To address this, CHS is working on initiatives to make reporting less onerous but also to provide staff with information on what to report. The working definition of OV that is now used in CHS has been broadened to include incidents where the intent of the person is out of their control, for example, post anaesthetic, cognitive impairment, intoxication or symptoms of mental illness. This is to emphasise that any acts of OV, intentional or otherwise, require attention with a view to protecting staff.

I want to provide an outline of what CHS will look like after the three-year implementation plan has been delivered. CHS will be a health service that provides clear governance of all OV-related issues, has embedded business-as-usual prevention strategies, and has a workforce that is trained in all aspects of the strategy including de-escalation skills and OV management and response techniques as well as developing behaviour management strategies in collaboration with patients and carers.

CHS will respond to incidents, aggression and violence early using a code grey response with a well-trained, dedicated response team and will have a culture of reporting staff incidents of OV with more streamlined reporting systems. CHS will support their staff if an OV incident occurs, both immediately and on an ongoing basis to ensure a safe return to work, and incidents will be investigated to identify lessons learnt. Finally the organisation will have clear, mutual expectations of behaviour for staff, patients, carers and visitors.

I take this opportunity to thank the dedicated staff in CHS for progressing this important work and I look forward to improvements in the prevention and management of occupational violence at Canberra Health Services.

I present a copy of the following paper:

Estimates 2019-2020—Select Committee—Report—Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020—Recommendation 100—Strategies for tackling occupational violence in ACT public health facilities—Update—Ministerial statement, 26 November 2019.

I move:

That the Assembly take note of the paper.

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

## **Health infrastructure planning Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal) (10.48): I rise today in response to two resolutions in this place and three estimates committee recommendations about health infrastructure. The statement I am making today concerns the health infrastructure and planning aspects of the following: a resolution of the Legislative Assembly on 5 June 2019, which called on the government to “provide an update on territory-wide planning for health infrastructure by the last sitting day in 2019” and a resolution of the Legislative Assembly on 18 September 2019, which called on the government to report to the Legislative Assembly by the last sitting day of 2019 on “progress on the SPIRE project and its likely cost” and “progress in developing other significant health infrastructure programs, such as plans to upgrade infrastructure at Bruce.”

I also respond to the Legislative Assembly’s Select Committee on Estimates 2019-20 recommendations 82 and 87, which stated respectively:

The Committee recommends that the ACT Government, by the last sitting day of 2019, ensures the Minister of Health reports to the Legislative Assembly on plans to upgrade the Intensive Care Unit at the Canberra Hospital prior to the development on the Surgical Procedures Interventional Radiology and Emergency Centre.

The Committee recommends that the ACT Government, by the last sitting day of 2019, ensures the Minister for Health, table in the Legislative Assembly a detailed list of historical and projected milestones and their status for the Surgical Procedures Interventional Radiology and Emergency project.

Finally, I respond to the Legislative Assembly Select Committee on Estimates 2017-18 report recommendation 65, which stated:

The Committee recommends that the ACT Government provide a plan to the Legislative Assembly for how the Surgical Procedures Interventional Radiology and Emergency Centre will be built and open by 2023.

Given that these recommendations and resolutions cover similar topics, for the convenience of members I am responding to these recommendations and resolutions in this single ministerial statement. The non health infrastructure aspects of the resolutions I just mentioned, such as reporting on the 2019 flu season, will be dealt with separately to this statement today.

Madam Speaker, demand for health care in the territory is growing rapidly and this growth is forecast to continue. This is not unique to the territory. Right around the world, and certainly in other Australian jurisdictions, the demand for health services is increasing. As noted in the ACT government's infrastructure plan issued last month, between 2017-18 and 2031-32 public hospital admissions are expected to increase by 53 per cent and overnight stays by 52 per cent.

Over the past decade the ACT Labor government has invested more than \$1 billion in the territory's health infrastructure to ensure that Canberrans continue to have access to world-class care where and when they need it. We have opened a new hospital at the University of Canberra and we are about to open the fourth nurse-led walk-in centre in a network of five centres we are committed to delivering by the end of 2020.

We built the Canberra Region Cancer Centre and expanded and upgraded community health centres. As we enter the 2020s, the government is continuing to invest in health care for Canberrans and taking a proactive approach to futureproofing our health system for the years to come. About 20 per cent of the government's total infrastructure funding goes to health infrastructure and almost one-third of the government's annual budget is allocated to delivering healthcare services.

This demonstrates the government's commitment to responding to our growing community's needs for high quality free health care. Whether you are having a baby, seriously injured in an accident, experiencing chronic ill health, or need treatment for minor injuries and illness, we are building a health system that delivers the right care at the right time and in the right place.

Madam Speaker, within the ACT government, Canberra Health Services, the ACT Health Directorate and Major Projects Canberra are collaborating closely on planning and procuring the territory's largest investment in health infrastructure since self-government, the SPIRE project. SPIRE will deliver a new state-of-the-art emergency, surgical and critical care facility at Canberra Hospital, providing high quality, person-centred care in an environment that incorporates the latest advances in technology and models of care to improve healthcare outcomes and operational efficiency.

SPIRE will ensure that the acute care needs of our region's growing and ageing population are met today and into the future, and will form the anchor-point for future Canberra Hospital campus developments. The SPIRE project will deliver 148 inpatient beds, including 60 intensive care unit beds and 24 coronary care unit beds; 22 operating theatres; 114 emergency treatment spaces; 55 day surgery beds; integrated radiology and medical imaging facilities; and patient, carer and staff spaces for respite, learning and meeting.

In addition to these increases in critical care service capacity, the project offers improved access between the emergency department and critical care facilities. Importantly, SPIRE's location within the hospital campus will ensure that critical operations such as the helipad and emergency care can continue to operate, uninterrupted by major construction works.

This complex project requires considerable planning and consultation to ensure that we deliver the best possible outcomes. Ten clinical user groups have been established that will direct and review the developing specifications and designs for the new facility. These include the emergency department, surgical and procedures areas, and medical imaging.

A consumer reference group has been established in partnership with the Health Care Consumers' Association. This group will meet with representatives from the Canberra Hospital and the SPIRE project team on a regular basis throughout the planning and development phases of the project. As part of this initiative, consumer representatives will be a part of the design process and will be able to provide input which ensures that the SPIRE project delivers a new facility that best meets the needs of patients, carers, families and the community.

The project team is also engaging with local residents and the Garran Primary School, in addition to the broader Woden community, to capture and respond to their views and input regarding the project's design and construction. A community reference group is being established to enable the local community to have its voice heard throughout the planning and development of the SPIRE project. This will be an important mechanism for the community to provide comment and feedback, while also recognising that ongoing engagement with the broader community will be critical.

Madam Speaker, substantial progress has been made on the SPIRE project but we still have a long way to go and many decisions on detailed design will be made over the next six to 12 months. The procurement process for the main works began at an industry briefing on 24 October. An invitation for expressions of interest for the territory's design and construction partner was opened on 14 November. The government's procurement approach will see a head contractor engaged next year to further develop the project's design. This will enable pricing and further scope details to be finalised. The head contractor will then be responsible for the delivery of the capital works.

During the rest of this year and during 2020, work will continue on clinical engagement, significant stakeholder and community consultation, schematic and detailed design, and enabling works. Of course, the project's final program will depend upon the program put forward by the territory's construction partner during the procurement process. At this stage, the ACT government expects that main construction works will commence in 2021, with the construction of the project being complete by mid-2024, ahead of an operational commissioning period.

Onsite enabling works, in particular the movement of service areas to enable the demolition of buildings 5 and 24, are currently a key focus for the project team. Those

works are being planned in close consultation with Canberra Health Services. Demolition of buildings 5 and 24 is currently due to occur in late 2020.

Alternative locations have been identified for the administrative and training services currently housed in these buildings, and for the child at risk health unit. The Canberra Sexual Health Centre will be relocated to new facilities to be constructed on the site of the existing building 8. Preparatory works have commenced on the construction of the first modular building, which will house the Canberra Health Services staff currently located in building 24. The new areas for those functions that need to be relocated are being designed to meet the functional requirements of the users and the community. The relocation of staff and services from within buildings 5 and 24 will be staged throughout 2020.

Regarding milestones delivered to date, members will be aware that SPIRE was one of the government's most significant commitments at the 2016 election. Since the election, the government has undertaken a needs analysis, proof of concept design and a business case. The government has established a delivery team, commenced early works, conducted an industry briefing and now is in the procurement phase for the project. The time frames I have noted today remain consistent with the government's announcement in May this year. I am happy to report that very significant progress has been made and is being made on this very important project.

Madam Speaker, the SPIRE project received \$13 million of capital in the 2018-19 budget to progress early stages of design and a further \$53.7 million in capital funding in the 2019-20 budget. In 2019-20, the allocation for the outyears is shown as not for publication. This is prudent, and standard practice for large capital projects, in order to ensure value for money when the government approaches the market.

The 2019-20 budget includes infrastructure provisions of \$1.2 billion over the four years to 2022-23. These provisions provide funding for major capital works projects, including SPIRE, which are commercially sensitive. As the procurement process progresses, specifics on the financial details of the SPIRE project will be updated in the budget papers. What we can say now is what we have repeatedly said, that this project is expected to cost more than half a billion dollars, making it the single biggest investment in health infrastructure since self-government.

The intensive care unit at Canberra Hospital fulfils a critical role, serving not just Canberra but also the entire south-east region of New South Wales. Design work is currently underway to provide an extra eight intensive care beds to help cater for the increasing demand for critical care at Canberra Hospital. In the longer term, the new facility delivered by the SPIRE project will expand ICU capacity significantly. In the meantime, the current project will provide extra capacity before SPIRE comes online.

The project is being funded through an intergovernmental agreement between the territory and commonwealth governments. The commonwealth is providing the ACT with \$13.5 million for the project. This funding is certainly welcomed. Unfortunately the commonwealth has programmed the payment of the \$13.5 million in 2022-23 and 2023-24, which is at least 12 months after funding will actually be

required to pay for the project. Nevertheless, we are getting on with the planning work for this project and intend to deliver it in a timely way.

The Centenary Hospital for Women and Children has become a key part of the territory's health system. To ensure that it can continue to meet increasing demand, a \$50 million expansion will increase the capacity of the hospital and bolster the range of services it can offer, including services for women, adolescents, children and newborn babies with high care needs.

The Centenary Hospital for Women and Children expansion project will help meet increasing demand for obstetric, gynaecological, paediatric, adolescent and neonatal health care services across the territory and surrounding region. It will also provide new adolescent mental health services, including an inpatient unit and a day service.

Importantly, the project will utilise the expansion capacity built into the Centenary hospital during its original design and construction, which included a slab floor plate to enable an extra floor to be added as the need arose. Preliminary sketch designs are expected to be completed in coming weeks, with early works to progress the paediatric high care ward refurbishment having commenced in mid-November. The main construction works for the project are expected to commence in mid-2020, with completion due in mid-2022.

Canberra's nurse-led walk-in centres have been a fantastic innovation and an ACT Labor government initiative we can be proud of. These facilities provide an important service for Canberrans requiring non-acute care, so they can access timely, free treatment for minor injuries and illness. In addition to the walk-in centres we have delivered in Belconnen, Tuggeranong and Gungahlin, work is underway on two more centres. The Weston Creek centre is expected to open by the end of this year, with the inner north centre to open next year.

Canberra Health Services also operates a network of community health centres in Belconnen, Phillip, Gungahlin, Dickson, Civic, and Tuggeranong. These health centres will continue to provide important services such as dental, nutrition, rehabilitation, drug and alcohol, and mother and baby health.

The ACT government has also given a \$12 million grant to Winnunga Nimmityjah Aboriginal Health and Community Services for the construction of a new community health facility, which Winnunga will own. Work began on this important project in September this year. This new facility, which fulfils a 2016 election commitment, will enable Winnunga to deliver even better services to Aboriginal and Torres Strait Islander Canberrans in a way that is underpinned by self-determination and Aboriginal community control.

We also understand the growing areas of need across Canberra's health services. We are stepping up our investment in drug and alcohol services to help tackle drug dependence and see more people get the support they need. As part of this, the ACT Health Directorate is currently in discussions with Winnunga on the development of and consultation on a comprehensive model of care for a new culturally appropriate residential facility supporting drug and alcohol rehabilitation for

Aboriginal and Torres Strait Islander people in the territory. This is the first step in the development of a new facility. We anticipate that this feasibility work will be completed by mid-2020.

There is significant work underway to boost services at both Calvary Public Hospital Bruce and Clare Holland House. This government recognises that Calvary is a major part of the territory's health network, particularly on the north side of Canberra. We are expanding Calvary's capacity to perform elective surgery, with two new theatres being commissioned. One theatre will open in this financial year, and the second theatre in 2020-21. This will provide the necessary resources to expand the ACT's elective surgery program in the short term. The expansion will start with 250 more surgeries in 2019-20.

Construction on the \$6.7 million expansion of Calvary's emergency department is well underway and due for completion early next year. The expansion will deliver 24 additional treatment spaces, bringing the total to 61, and will see more doctors, nurses, administrators and other health professionals joining the hospital to support the physical expansion.

Works are also well underway to collocate the adult mental health unit and the older persons mental health inpatient unit, providing a cohesive mental health hub at Calvary. The upgrades will provide a more modern adult mental health unit, with improved ward layouts, allowing for increased security and visibility of patients, and an outdoor area. When completed later this year, these works will support the delivery of enhanced treatment and care.

A major expansion of the much-loved Clare Holland House will also begin later this year. The expansion will boost palliative care services in the territory as our community grows. It will increase the number of specialist inpatient palliative care beds and provide more features to enable patients to enjoy the company of loved ones, family and friends, as well as improved administration and clinical support spaces. The expansion has been made possible with the support of the Australian government and the Snow Foundation.

Canberra Hospital is the main tertiary hospital between Sydney and Melbourne. It is and will remain a vital asset for our community and region. With the SPIRE project underway, along with other projects such as the Centenary hospital expansion, it is timely to look at the overall future of the Canberra Hospital site to ensure that it continues to cater for the expected growth in demand for health care in the coming years and decades and can continue to provide a wide range of cutting-edge and world-class medical services.

To ensure that the clinical and logistical operations of the campus receive the full benefit of current and future capital investment projects, we are developing a core planning document for the entire site, the Canberra Hospital master plan. The master plan will provide a comprehensive planning framework setting out how the campus could change into the future. The change horizon is 20 years, from 2021 through to 2040.

The master plan will provide guiding objectives that will inform the development of options for implementing changes to the site, and act as a guide for ensuring that future changes reinforce or strengthen the features which are important to the campus. It will set out the development stages and design parameters for future development and investment phases to achieve a functional, collegiate, considered and efficient health campus. As well as physical infrastructure, the masterplan will help guide the provision of clinical services, along with important features such as car parking and environmental sustainability.

The infrastructure plan that the ACT government issued last month demonstrates our commitment to delivering the facilities and services our community needs into the future. The plan highlighted that planning needs to be undertaken in a systematic, long-term and considered manner so that our growing city can remain healthy, happy, livable and productive.

Canberra's north side has grown rapidly in recent years. Gungahlin was the second-fastest growing community in the country between 2011 and 2016 and continues to grow. Belconnen is expanding at Ginninderry and with new developments in the town centre. The construction boom along Northbourne Avenue is bringing revitalisation to the inner north. With this population increase, the government recognises that new and expanded facilities are needed in Canberra's north. That is why the government has commenced scoping works on the future of north side hospital services in the medium to longer term.

We are also planning for a new hydrotherapy pool on the south side, to complement the rehabilitation facility at the University of Canberra Hospital. I look forward to updating the Assembly on this work later in the week.

Cancer wards 14A and 14B at Canberra Hospital are currently under redevelopment to provide cancer and haematology inpatients with better facilities, new medical equipment and furnishings. More than \$17 million dollars has been invested in this project, which is on track for completion in the second half of 2020, with works on ward 14A due to be completed at the end of this year. Not only will this upgrade provide state-of-the-art facilities for those who need it; it will also provide an expansion of beds available for cancer, haematology and acute aged care patients by six. Additionally there will be more single bedrooms to support patient privacy, infection control and recovery, and daybeds in inpatient rooms to enable family members to be more involved.

The government is also investing in the upgrading and maintenance of existing assets. The upgrading and maintaining ACT health assets, or UMAHA, program began in 2016 and represents a capital investment of \$90.9 million. It is intended to minimise the risk of interruption to the delivery of health services and efficiently deliver remedial works on a planned basis.

The projects I have talked about today demonstrate the government's unshakeable commitment to continuing to provide Canberrans with world-class healthcare when and where they need it. From new hospitals and walk-in centres to expanded services

for women and children, underpinned by our significant investment in digital solutions and state-of-the-art technology, this government is continuing to build a territory-wide health system for the future.

I present a copy of the following paper:

Health infrastructure planning—Response to Assembly resolutions of 5 June and 18 September 2019, Select Committee on Estimates 2017-2018 Report—Recommendation 65, and Select Committee on Estimates 2019-2020 Report—Recommendations 82 and 87—Ministerial statement, 26 November 2019.

I move:

That the Assembly take note of the paper.

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

## **Mental health—patient data Ministerial statement**

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (11.08): I rise to address concerns that have been raised by members of the Assembly around the time it takes a mental health consumer to be admitted into a dedicated mental healthcare location. I would like to address these concerns by explaining the mental health services provided in the ACT and what the data is showing us.

Mental health, justice health and alcohol and drug services of Canberra Health Services are responsible for a number of mental health facilities across the ACT, including inpatient units at the adult mental health unit, the mental health short stay unit, the adult mental health rehabilitation unit at the University of Canberra Hospital, Dhulwa secure mental health unit, and the extended care unit at the site of the Brian Hennessy Rehabilitation Centre. There are also two inpatient units at the Calvary Public Hospital Bruce campus for acute low-dependency adults and older persons.

In recognition of the fact that a hospital admission is not always the best approach for people with mental health issues, the government also funds a broad range of community-based services, including community-based support programs, step-up step-down units and supported accommodation.

The Canberra Hospital emergency department is the only gazetted emergency department in the ACT and, as such, receives all police and ambulance transfers brought in for a mental health emergency assessment. Under the Mental Health Act 2015 this assessment must be done within four hours of presentation.

When a patient presents to the emergency department, whether it be under the Mental Health Act or coming in of their own volition, it can take time to assess their physical

medical condition before a diagnosis of a mental health illness can be made. This can be due to factors such as alcohol and drug use, people presenting with a physical trauma injury on top of their mental illness or the need to rule out other physical conditions that could be causing their psychological symptoms.

At Canberra Hospital the average wait time between presentation to the emergency department and assessment is less than two hours. Patients presenting to the emergency department with an immediate risk to life are prioritised, while people with less immediate risks to life are triaged accordingly.

All patients that present to the emergency department at either Canberra or Calvary hospital are risk assessed and admitted to the most appropriate inpatient unit for care. If a patient experiences deterioration of mental state while in a general ward, they are assessed by the mental health clinical liaison team and, if required, are transferred to the acute mental health unit.

In 2018-19 the journey of a person with a mental illness at Canberra Hospital would consist of an average waiting time of around 16 hours from the time of first presenting to the emergency department to the time of admission to an appropriate mental health inpatient ward. The breakdown of this time was around 1.3 hours in the emergency department waiting area, an average of 3.6 hours of assessment time by medical staff in the emergency department, and an average of 11.2 hours until they are admitted to a mental health ward. This 11.2 hour figure represents what is termed "bed block". Bed block is measured from the time a bed is requested after assessment is completed to the time the patient is taken to the ward.

In 2018-19 Canberra Hospital experienced an average bed block time of 11.2 hours for people with a mental illness awaiting admission. However, recent data shows a significant improvement. For the period July to October 2019, compared with the same period in 2018, there has been a 24 per cent, or one hour and 49 minutes, reduction in bed block, despite a five per cent increase in admissions.

The location of the adult mental health unit means transport needs to be arranged to safely transfer patients from the main hospital to the adult mental health unit. This is either by the adult mental health unit vehicle or via an ambulance transfer if the person has been sedated. Ambulance transfers can contribute to the delay in timely transfer of patients.

It is important to recognise that even though there has been a significant increase in mental health emergency department presentations resulting in admissions, in 2014-15 there were 692 presentations, whereas in 2018-19 there were 1,645 presentations resulting in admissions. Despite these increases in presentations, the ACT Health Directorate's data shows that since 2014-15 there has been a 42.7 per cent decrease in waiting times for people with a mental illness and a 36.9 per cent decrease in waiting times for people with a serious mental illness.

Several strategies have been introduced over the past six months to assist with reducing the wait times further by increasing capacity across the system. These measures include the establishment of a patient flow coordinator role, which provides

increased visibility of bed capacity across the system, including at Calvary Public Hospital Bruce, and supports a proactive approach to increasing the movement of patients. This includes reporting twice a day on bed capacity, including all inpatient units and the identification of patients suitable to be cared for in other settings. This enables creation of capacity for high dependency unit beds in particular.

Another initiative has been the establishment of a five-bed subacute pod in the adult mental health rehabilitation unit, which went live on 6 August this year and will run until the end of 2019 and support the ligature minimisation works occurring at the adult mental health unit, whilst concurrently demonstrating whether there is a need for additional subacute beds. This pod enables patients with barriers to discharge, such as housing availability or awaiting NDIS approval, to be cared for in a less restrictive environment than the adult mental health unit, with access to a broader range of day programs. These people are also able to continue to access the day programs post discharge, further supporting keeping them well in the community.

Canberra Health Services has employed a dedicated consultant psychiatrist in the emergency department, where traditionally the emergency department interface has been managed by a registrar with support from consultants from the consultation liaison service and the adult mental health unit. A dedicated consultant has been allocated full time during weekday business hours to the emergency department to enable timely assessment and planning for people presenting with mental illness. This has enabled better relationships with the emergency department consultants.

There has also been the establishment of a cross-directorate forum with the Justice and Community Safety Directorate, including emergency services, to identify and progress issues impacting across various services, with an aim to streamline processes which impact both emergency services and the emergency department at Canberra Hospital. Working with emergency services provides the opportunity to review the current processes for transfer to the emergency department under an emergency action. In 2018-19 there were 1,171 people with a mental illness transported to Canberra Hospital emergency department on emergency detention by authorised ambulance paramedic; and, of these 1,171 people, only 156—or 14.6 per cent—were assessed as requiring a three-day emergency detention.

In the 2019-20 budget the government provided funding to design an ACT model based on the PACER model from Birmingham in the UK. This model supports a joint response from police, ambulance and mental health clinicians to incidents where mental state is thought to be a factor. The three services provide officers to work together in vehicles that are available to respond to emergency calls, allowing early assessment of mental state and ensuring that people are only transferred to the emergency department where there is a determined need following this initial assessment. A pilot vehicle will be operational in December this year.

There has also been consideration of alternative approaches to court-ordered section 309 assessments, in collaboration with the Chief Psychiatrist. These alternative approaches will be investigated, including the feasibility of undertaking these assessments at the courts, rather than transferring all people under section 309 of the Crimes Act to Canberra Hospital emergency department for assessment.

Approximately 50 per cent of people referred by the courts for a section 309 of the Crimes Act assessment do not require admission to the Canberra Hospital.

Another initiative has been the creation of a four-bed area within ward 7B at Canberra Hospital, which often accommodates patients with physical health conditions that are concurrent to their mental illness, such as the physical effects of suicide attempts or eating disorders. There is a four-bed pod within ward 7B that has been identified as suitable and used intermittently for “surge” capacity for people with a mental illness. A risk assessment has been undertaken for the space, with some ligature risks found, and a plan of works has been developed to address these, with works due to be undertaken prior to Christmas. In the interim the identified risks are being managed through increased staffing levels and supervision. Preliminary work is also underway to investigate medium and long-term options to increase overall acute capacity across the territory.

Despite the strategies that I have just discussed being introduced, the management of some individual patients remains difficult, particularly in relation to those requiring seclusion and sedation in the emergency department. This creates challenges for their safe transfer to the high dependency unit within the adult mental health unit. For example, when patients are particularly aggressive and require significant amounts of sedation to manage their aggression, their transfer to the adult mental health unit requires medical supervision by an emergency department physician and transport by an ambulance, rather than by routine Canberra Health Services transport.

Canberra Health Services are working on a plan to manage these types of patients, including the consideration of individual management plans for known high-risk individuals to facilitate direct admission to the adult mental health unit. It is important to remember, when discussing services for people with mental illness, that the service must operate with the fundamental principle of least restrictive care at front of mind. This means inpatient admission is not and should never be the default decision for people presenting to the emergency department.

The adult community model of care is designed on a number of key principles which ensure that services adopt flexible practices and structures that best support the recovery choices of an individual and consider mental health care from a holistic perspective. This includes promotion of social inclusion, attention to physical wellbeing, the provision of culturally sensitive and appropriate services, and greater consideration of vulnerable populations and the social determinants of mental health.

In practice this provides for a stepped approach to care, with the aim of avoiding hospital admission whenever possible. The community program offers a range of services, including the assertive community outreach service, which works with people with complex needs to support them in the community. The home assessment and acute response team, HAART, offers intensive support for people in their homes and can visit people up to twice per day to either avoid an acute admission or to support early discharge following an admission.

There has also been investment in infrastructure in recent years to support this stepped approach to care. On 1 November I had the pleasure of turning the first sod on the site

of the south side step-up step-down unit adjacent to the Canberra Hospital. This facility will complement other existing step-up step-down facilities across the territory, providing an option for people who need additional support for a few weeks to avoid a hospital admission or following admission to assist them to transition back to the community. In May this year we opened the first of four supported accommodation houses, with two more scheduled to be completed next year. There is also a refurbishment of the extended care unit underway. All of these facilities will complement the existing acute capacity and better support people through the system.

It is important to acknowledge the work that the leadership of Canberra Health Services has done to improve the experience of mental health patients in the Canberra community. Considering that mental health presentations resulting in admissions to the emergency department at Canberra Hospital have increased by 137.7 per cent since 2014-15, the service has worked to reduce bed block and ensure that patients are transferred to an appropriate care setting. In partnership with consumers and carers, they continually look for ways to improve the quality and breadth of service provided to the community. PACER and the purpose-built step-up down facility are just two examples of that.

I would also like to take this opportunity to thank the staff of the mental health, justice health and alcohol and drug services of Canberra Health Services, who work every day with some of the most vulnerable people in our community to keep them well and safe and to ensure that they can live self-determined lives as they travel through what can often be a very long journey with mental illness. Finally, I would like to acknowledge all of those people with a lived experience of mental health issues whose unique insight informs and enables better service design. I present the following paper:

Mental health patient data—Ministerial statement, 26 November 2019.

I move:

That the Assembly take note of the paper.

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

## **Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019**

Debate resumed from 24 October 2019, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

**MR HANSON** (Murrumbidgee) (11.22): The Canberra Liberals will be supporting this bill. It contains a range of amendments to deal with issues of criminal gang activity, notably since the passage of anti-gang laws in all the other states and territory. These include new tiered defences of serious affray; tougher penalties for offences of fighting and offensive behaviour under the Crimes Act 1900; increased maximum penalties for offences committed in connection with criminal groups or committed by a person associated with a criminal group; a scheme to exclude certain people from

licensed premises; and the ability to cancel licenses under the Liquor Act 2010 or the Construction Occupations (Licensing) Act 2004.

It is apparent that these laws are in many ways a belated response to the disparity in laws between the ACT and other jurisdictions that do have anti-consorting laws. In fact this bill contains some provisions which, ironically, have been characterised by members of the community as having a greater impact on human rights than the anti-consorting and criminal control orders bills that the Canberra Liberals presented previously. Indeed, the ACT Bar Association has written a strident submission about the laws, which I note has been brought to the government's attention.

However, while we are in a position where the territory is left without anti-consorting laws, this bill does offer tools to allow law enforcement the ability to enforce actions on criminal gangs that they do not currently have.

I note that the government has some amendments but these are technical. We will be supporting these amendments as well as the bill in principle—noting the issues that have been raised by the Bar Association. The bottom line, in my view, is that the refusal to match other states on anti-consorting laws has resulted in what we have seen from the government: a patchwork of laws being introduced to address the issues that we have with criminal activity in this town, which seemed unabated and ongoing. That said, we will not be impeding law enforcement. Given that they have their hands tied behind their back in dealing with these gangs, we will be supporting these laws.

I thank the Bar Association for their submission and the attorney's office for providing us with a briefing. I welcome to Mr Ramsay's office the new senior legal adviser, Amy Kilpatrick, who provided quick answers to the questions we raised. I note that that is consistent with the responses. We may agree to disagree, Attorney-General, but we always get answers, whether we like them or not. I acknowledge that, and I continue to thank you for the ongoing advice that you provide. I thank Ian Hagan, again, from my office for his research and engagement with the minister's office and the community.

We will support these laws. The reality is that we would not be in the position we are in today if we had been proactive in bringing in the laws that we needed to back in 2009. This government's belligerent position to continue to ignore the calls for those laws to be introduced by chief police officers and others in the community so that we could have consistency with other jurisdictions means that we will continue to see not only more of this patchwork of legislation being brought in by the Attorney-General but also, no doubt, more violent activity in our community from criminal organisations.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (11.26): I am pleased to speak in support of the Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019. I thank the attorney for his work in helping to combat organised crime in the city.

Organised crime is an issue for all Australian states and territories. Our message to these groups and their associates is clear: ACT Policing will find you. They will disrupt your activities and you will be prosecuted for breaking the law. Our government has provided legislative tools and financial resources to ACT Policing to tackle organised crime in the ACT. This bill forms part of ongoing efforts to provide effective, lawful and human rights compliant measures to help keep our city safe. The reforms before us today build on a range of powers for law enforcement to tackle organised crime.

The Crimes (Fortification Removal) Amendment Bill 2018 introduced the ability for the police to apply to the Magistrates Court for an order directing the removal of a fortification, such as fortified doors and gates, from a property connected to a serious criminal offence. Fortifications have the effect of preventing the effective execution of search warrants by delaying police entry and providing an opportunity for people to leave or for evidence to be destroyed. The amendments introduced by the government work to prevent this and undermine the activities of criminal gangs.

The Crimes (Police Powers and Firearms Offence) Amendment Act 2017 created statutory crime scene powers to allow police to establish a crime scene in public or private premises in order to protect and preserve evidence. The act also introduced a new offence of drive-by shooting, punishable by a maximum of 10 years imprisonment. The new offence was in response to incidents of drive-by shootings in the ACT and was constructed so that it is only required that the firearm be discharged at a building rather than at a person. This reflects the type of behaviour engaged in by people involved in organised crime.

In 2019 the Firearms Act 1996 was amended to require defendants to prove that they have an interstate firearms licence or permit where they are charged with a number of offences relating to possession or use of firearms and ammunition. Prior to this amendment, a person could simply say they had held an interstate licence, and it was left to the prosecution to prove that they did not, which was not always a straightforward task. The amendment means that criminals, including those involved in organised crime, are not able to evade prosecution on a technicality.

Of course it is important to continually assess whether the measures in place are working as intended and what new measures might be required. The government continues to work closely with ACT Policing to understand the state of organised crime activity in the ACT and the response that may be required.

Adding to existing legislative measures, the bill before us introduces a range of measures which will expand the territory's ability to respond to serious and organised crime and to incidents of public disorder. The bill takes a multifaceted approach by strengthening the current regulatory schemes for liquor and construction, increasing maximum penalties for offences committed in connection with a criminal group or while the offender is associated with a criminal group, and targeting public order incidents through new tiered offences of affray and a civil mechanism to exclude people who are violent in the company of others from licensed premises.

I commend the bill to the Assembly.

**MR RATTENBURY** (Kurrajong) (11.30): The ACT Greens are supportive of this bill and of the intention and motivation of the government in seeking to find new and sophisticated ways of tackling organised crime and disrupting criminal gangs.

This is a complex area of legislation, where we need to find effective ways of legislating to protect community safety while at the same time being highly aware of the risks of unintended consequences. This is a careful balancing exercise, and the Greens believe that the Attorney-General and the Justice and Community Safety Directorate have succeeded in striking that balance in this bill. That said, we will be monitoring the impacts of this bill and any future amendments very carefully to ensure that we are not seeing any of those unintended outcomes.

Of particular note to me and to the Greens are the definitions of gang and organised crime. As the explanatory statement and the briefings I have received clearly indicate, this bill is aimed squarely at outlaw motorcycle gangs and serious organised crime. A quick review of the literature surrounding these definitional issues highlights that across Australia, and indeed the world, jurisdictions have struggled to come up with a consistent and uniform approach. These definitional questions are really important when it comes to ensuring that this legislation does what we intend it to.

When it comes to the amendment of the affray offence, there are two elements. The first requires that two or more other people are present and also engaging in the violent conduct or threat of violence. It has a maximum penalty of five years imprisonment. The second offence requires that five or more other people are present and also engaging in the violent conduct or threat of violence. It has a maximum penalty of 10 years imprisonment. Similarly, in other amendments in the bill, a criminal group is defined as a group of two or more people that has as an objective engaging in conduct which constitutes an indictable offence or obtaining a benefit for the group or someone else.

These definitions give us cause to pause and think carefully about their potential application. Could they, for example, be applied to family members or associates who may not necessarily be connected with what a reasonable person would describe as organised crime but perhaps happen to be present? Similarly, I am highly conscious of concerns that have been raised and subsequently realised regarding consorting laws in other states that have unduly targeted members of the Aboriginal and Torres Strait Islander community. I have talked about examples of those impacts in this place previously.

In line with the targeted approach outlined in the explanatory statement, and the position of ACT Policing, on balance we accept that this definitional approach should achieve the desired outcomes. In drawing this conclusion, I also put weight on the checks and balances that will be afforded to both ACAT and the Supreme Court in applying the penalties provided for under this legislation.

We believe that this legislation does deliver a strong message that thuggery and serious and organised crime are not welcome in this city, while guarding against misuse of such legislation. As a minister and as an ACT Greens member of the

Legislative Assembly but also as a member of this community who has lived here for many years, I do acknowledge the concerns of Canberrans in this space. It is impossible not to see the impacts of violence and intimidation on victims in our city who have been the subject of, or witness to, some very serious crimes over recent years. It is a difficult area of law enforcement to legislate in.

As our voting record has shown, the Greens have not to date felt that debates in the Assembly have offered the best way forward. But we do believe that this legislation has been drafted in a way that will make a real impact. We believe that it will strengthen the protection of our citizens and enhance law enforcement. That is why we will be supporting it while maintaining a focus on ensuring that it delivers what it has set out to. We are pleased to lend our support to this legislation today.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.34), in reply: I am pleased to close the debate on this important piece of legislation. I thank members for their support of this bill; it is important to have that trilateral support. I also place on record my appreciation to the people who have worked on this: the members of the JACS team, especially the criminal law team who have been working extensively over a number of months to draw all of this together. I also thank the scrutiny committee for its comments, and as a result of those I table a revised explanatory statement.

Of course, as we get the support for this bill it would not be a debate in relation to organised crime without there being a broken record from across the chamber with the Canberra Liberals regarding anti-consorting laws. I again place on the record that the government continues to work on matters that are both human rights compatible and also, importantly, effective. In doing that we will look at the evidence and not the opposition's grandstanding.

The evidence is clear and remains clear—the anti-consorting legislation and the criminal organisation control order legislation espoused by the Canberra Liberals are simply not effective in achieving their aims. Therefore, the government will not move in that direction and we will not be sidetracked by the broken record of the opposition. The government will continue to work in areas that are effective. The Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019 marks another stage in this government's effective work in tackling the threat to public safety caused by organised crime.

Individuals who operate in criminal gangs or organised crime often see themselves as operating outside the law. Clearly, this is unacceptable for the people of Canberra and the ACT is committed to implementing effective legislative approaches to disrupt criminal gangs and to make it harder for them to operate in the ACT. This bill supports the government's commitment to target, to disrupt and to prosecute criminal gangs in the ACT and makes amendments that focus on individual involvement in organised crime to support public safety.

The social structure and the behaviour of organised criminal groups is often characterised by a ready disregard for rules, laws and general social order, creating a public safety risk to the community. There are different aspects to public safety and this bill focuses on two different approaches. The first is to strengthen the regulatory schemes that ensure that the construction and liquor industries are not vehicles for criminal activity. The second is to improve the response to public order incidents and other gang-related offending.

The first series of amendments include introducing an exclusion order scheme to exclude certain people from specified licensed premises for a civil mechanism and also the cancellation of a licence under the Liquor Act 2010 or the Construction Occupations (Licensing Act) 2004 on the basis of a person's criminal activities.

The importance of strengthening regulatory schemes as a response to organised crime has been recognised by all of the first law offices in Australia through the Council of Attorneys-General. In June 2018 the council agreed that organised crime is a pervasive threat to the community and that all attorneys-general would have regard to a statement of guiding principles when developing legislative responses to organised crime.

One of those six principles is that jurisdictions should have a suitable occupational and industry regulatory regime to prevent criminal organisations and their members from entering into or operating through lawful occupations. The amendments to the ACT's construction and liquor licensing regimes contained in this bill support the commitment to the Council of Attorneys-General.

The bill introduces a civil-based mechanism into both those regulatory schemes to allow a construction licence or a liquor licence or permit to be cancelled if the criteria are met. The overarching criterion for cancellation is that the licensee or permit holder continuing to hold the licence or permit presents an unacceptable risk to community safety because of their criminal activity.

It is important to be clear that these provisions do not mean that anyone who has been convicted of an offence will be subject to an application by the Chief Police Officer to the ACT Civil and Administrative Appeals Tribunal or the Magistrates Court. The bill does not seek to remove the ability of someone to work simply because at some point in their life they have committed an offence. Rather, there must be a causal connection between the person's criminal activity and the unacceptable risk their continuing to hold the licence presents to community safety.

I acknowledge that these provisions may engage and limit certain rights of members of a criminal gang under the Human Rights Act 2004. However, as any restriction is limited to individuals who choose to be involved in criminal groups and activities, they are proportionate and the least restrictive possible.

The other category of amendments work in conjunction with the regulatory scheme amendments to improve responses to deter individuals from being involved in criminal gangs. Three types of amendments sit within this category, all working

together to strengthen our responses to criminal gangs in the ACT and to ensure that our law-abiding citizens are protected from violence associated with criminal groups.

The three amendments that improve public order responses include the new tiered offences of serious affray, amendments to the penalties for offences of fighting and offensive behaviour, and increased maximum penalties for specified offences committed in connection with a criminal group or committed by a person associated with a criminal group. These amendments will allow ACT Policing and the criminal justice processes to adequately respond to the unique nature and operation of criminal gangs.

The Australian Crime Commission has described criminal gangs as one of the most high profile manifestations of organised crime. Members may be involved in a range of criminal activities, including drug production and trafficking, firearms trafficking, serious fraud, money laundering, property crime and offences of violence. The ACC has noted that criminal gangs do not usually engage in organised crime as a collective unit but that generally the threat arises from small numbers of members leveraging off the OMCG and conspiring with other criminals for common criminal purposes.

The key purpose of these amendments is to acknowledge and respond to the increased danger, fear and panic caused to the public by more serious incidents of violence involving multiple people acting in common, and to discourage members of a criminal gang from using their criminality as a shield.

In relation to the new tiered offence of affray, the bill includes two additional offences of affray that sit alongside the current existing offence, which carries a maximum penalty of two years imprisonment. The two new offences ensure that there are appropriate criminal responses for acknowledging the serious incidents of public disorder when they are committed in company of other criminal gang members. The new offences carry a maximum of five years imprisonment where the violent conduct involves the offender and two or more people and a maximum of ten years imprisonment where the violent conduct involves the offender and five or more people.

In addition to the new tiered offences of affray, the bill also increases the maximum penalty for other similar public order offences such as fighting and offensive behaviour. The new maximum penalty for these offences is increased to 20 penalty units, which brings these less serious offences in line with other similar types of offending behaviours.

Finally, the bill establishes a new sentencing regime for specified offences committed in connection with or by a person associated with a criminal group. This operates only after a conviction and demonstrates the necessity for the courts to recognise that criminals who have some connection with a criminal group leverage that connection to commit criminal acts, in particular those I mentioned earlier which have been identified by the ACC.

Committing an offence while associated with a criminal group increases the maximum penalty for the offence by 10 per cent. This increased penalty reflects the

seriousness of gang-related offending and delivers a clear message that gang members are not above the law or free to commit offences with impunity.

The range of offences in this bill creates an evidence-based and human rights compliant way to target and disrupt organised crime and ensure public safety from criminal gangs. The bill affirms the government's commitment to strong and appropriate police responses and making Canberra a safer place to live and work.

As has been noted, I propose to move several government amendments to the bill, as a result of issues that have been identified following the introduction of the bill. The amendments are largely minor and technical and they will support the effective implementation of this important suite of measures and improve the safety of the ACT community. They are, however, important improvements that come from further listening. I place on record my thanks to Ms Cody for her work in bringing a number of these amendments to fruition. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.45), by leave: I move amendments Nos 1 to 9 circulated in my name together [*see schedule 1 at page 4588*]. I also table a supplementary explanatory statement to the amendments. The amendments arise as a result of issues raised after the introduction and they will ensure that the scheme operates as intended. The government has worked closely with ACT Policing, Access Canberra and the Human Rights Commission to ensure that the legislation is practical and human rights compliant.

The nine amendments will ensure that the ACT's commitment to target, disrupt and prosecute criminal gangs is clear and that the legislation operates in the way it was intended to protect public safety. All of the amendments are minor or technical. They will support and supplement the policy intent of the provisions of the bill. Amendments 1 and 7 require that ACAT must, rather than may, consider the need to minimise the possibility of criminal activity in the relevant industry when cancelling a licence. This ensures that ACAT considers the possibility of criminal activity before making a cancellation order and reflects the original policy intent of the provision.

Amendments 4 to 6 amend the definition of "person of concern" to have clearer language and remove ambiguity. This is again consistent with the policy intent. Amendments 8 and 9 will ensure that the new offence at section 187L of the Liquor Act only applies to a person currently subject to a cancellation order, again addressing ambiguity in the provision, consistent with the original policy intent.

Amendments 2 and 3 ensure that new section 69A operates as intended. These are technical amendments as necessary, as the definition of “involved person” currently applies only to new part 11B of the Liquor Act but the term is used in new section 69A. I commend the amendments to the Assembly.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

## **Long Service Leave (Portable Schemes) Amendment Bill 2019**

Debate resumed from 24 October 2019, on motion by **Ms Orr**:

That this bill be agreed to in principle.

**MR WALL** (Brindabella) (11.48): The bill before us today makes a number of changes to the long service leave scheme that operates in the ACT. The legislation before us today is, in large part, a solution searching for a problem. ACT Labor have made it very clear that there is an agenda behind this bill, an agenda that is ideologically driven, to dismantle the protections and the legal structure that drive investment in our local economy and create jobs. This is all being done in the name of a fair go for workers, yet it seeks to ultimately punish those that create the jobs.

I accept that a good portion of this bill is minor and technical in nature, and I accept that the amendments have been brought about by a review of the governance board. The recommendation has been to proceed with this bill for the technical components. However, not surprisingly, there is the stench of an anti-business and anti-job strategy here.

The part of this bill that causes me the greatest concern is clause 13, which introduces a new debt recovery provision, allowing the authority to pursue former directors of a company where there have been actions taken to strip assets. I acknowledge that there are company directors out there who do the wrong thing and have done in the past. However, a broadbrush approach and a very flimsy definition of phoenix activity are a significant issue for us to be legislating for today, particularly when it comes to teasing out the very important component of the activity, which is intent.

In this instance, I remain completely unconvinced that there is a problem to start with. I have been provided with no example by government, the minister or the officials who provided a briefing. I asked the officials who briefed me on this bill if they could point me to any cases where unpaid levies had become a bad debt as a result of phoenixing activity. There were no examples they could point to. In fact, when I asked how many instances of this had occurred, the response was that they thought there had been at least one. That is not a convincing case for dismantling the core structure that protects the investment so many people make across such a broad range of sectors. It is not just the construction industry that we are dealing with but also the

community services, aged-care and cleaning industries. There has been a failure to provide a justified case as to why such broad-reaching and groundbreaking powers are required under the long service leave scheme.

The powers also fail to recognise how some companies structure their affairs where the owners or the shareholders of the company are not the directors of the company. In many instances, those who have the financial stake and the financial interest in the company are not occupying the board position as a director that oversees governance. Holding those people to account—in many cases it is an accountant or a financial planner that is the director of the company, whilst the operator of the business is the shareholder—places liability in the wrong place and does not seek entirely to achieve the outcome that the government is intending.

This government has become complacent when it comes to effective consultation, particularly when it comes to business and, importantly, when it comes to the construction sector. Be it the secure local jobs code, work health and safety amendments or other measures that have passed, there has been a common thread: they are all swept through with little to no consultation. If there is consultation, recommendations made by employers and industry are all too often ignored.

That is the case with this bill. From consultation with stakeholders, as the opposition does routinely with all bills that come through this place, we found that a number of peak industry bodies were unaware of the legislation being presented a number of weeks ago or the intention to pass it this week. That reeks of a government unwilling to consult with all industry stakeholders. With policy after policy and legislation after legislation, industry just cannot keep up. There are battles on many fronts, and they have to pick and choose their battles wisely. To make matters worse, it is getting to the point where they are simply ignored and bypassed in any consultation process, as has been the case with this bill.

The Labor government do not consider the knock-on effects. There are knock-on effects for employers each time a new law comes to pass. The financial and administrative implications of these laws are never measured and are rarely acknowledged as being a possible by-product of some of their actions. This confirms my view that there is an ideological agenda at play here, an agenda to get the bosses. You only have to speak to the Chief Minister. That is exactly the kind of people we are trying to attract to Canberra to drive our economy, make substantial investments and grow jobs in the territory.

As I have flagged, the majority of this bill is technical in nature. The opposition has no concern with amendments clarifying calculations for leave entitlements and reaffirming the calculation measure for entitlements, should an employee be on workers compensation leave. The opposition does, however, remain deeply concerned about the provisions and the widespread agenda which we are seeing through a number of legislative reforms that seek to hold company directors personally liable or offering personal guarantees for actions of the legal entity that they have had governance responsibility for. The opposition will continue to work with industry and consult on how these changes are implemented and the impact they have. We remain very wary of granting these new powers to the government.

**MR RATTENBURY** (Kurrajong) (11.54): The ACT Greens will be supporting the Long Service Leave (Portable Schemes) Amendment Bill 2019. Long service leave is an important entitlement for the health and wellbeing of our workforce, financially and physiologically. It recognises years of hard work and service. The portable long service leave scheme aims to protect the entitlements of workers in industries characterised by high levels of mobility and casual employment.

Traditionally, long service leave only accrued to a person working for one employer over a significant period of time. Portable long service leave recognises that a person can have a career in the same or similar industries despite moving between employers. It ensures that people have access to long service leave entitlements similar to those of workers in more permanent employment. Leave and related entitlements offer positive benefits for employees but also for businesses and employers in areas including productivity, morale and staff retention.

The changes in this bill will work to provide more clarity for scheme participants and correct a range of administrative and technical matters. The change of terminology to “education and care services” to reflect the current language in early childhood education and care is a small but important one that recognises the crucial role of educators in the lives of Canberran children and young people.

The amendments to enable better compliance with and enforcement of the payment of interest and levies will further protect the rights and entitlements of workers within the portable long service leave scheme.

The changes in this bill work to ensure that businesses are meeting their requirements under the legislation and add clarity and certainty for those working in dynamic and sometimes volatile industries. It will be harder for unscrupulous employers to dodge their responsibilities to their workers, especially in the event of phoenixing. The legislation includes measures to enable both workers and workplaces to demonstrate their compliance with the requirements and to address any mitigating factors in disputes.

The ACT Greens have long been advocates for long service leave across industries, and for the fair and just application of the laws governing entitlements. We understand that the portable long service scheme is evolving, and will continue to evolve, to meet the needs of ACT workers and businesses. We believe this bill is part of that evolution and we are pleased to support it today.

**MS ORR** (Yerrabi—Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement) (11.57), in reply: I table a revised explanatory statement to the bill. In closing, I thank Mr Rattenbury for his comments. They are in stark contrast to Mr Wall’s probably more alarmist feedback. Long service leave is an important reward for long and faithful service. It is a benefit that the ACT government believes all workers should have the opportunity to earn. Unfortunately, modern contract and project-based employment arrangements have meant that workers in some industries, through no fault of their own, have been unable to accumulate and

access long service leave. This might occur, for example, when an employer's contract to provide a service to a client is terminated and a new contract for the same service is entered into with a new employer.

A worker engaged in the delivery of that service would quite often continue in their previous role, albeit with a new employer. As a result, they would lose continuity of service for long service leave purposes. These arrangements, which limit continuity of service with a single employer, are common in the construction, community services, cleaning and security industries. That is why they were selected for inclusion in the ACT's effective, progressive and world-leading portable long service leave schemes.

Long service leave, under the portable schemes, is accumulated for length of service in a particular industry, rather than a workers' length of service with a single employer. It is interesting to note that the Victorian government has recently legislated to expand the coverage of its construction industry based portable long service leave scheme to include the cleaning, security and community services industries. This essentially constitutes a harmonisation of coverage with the territory's portable long service leave schemes.

The ACT government and the portable long service leave schemes governing board are not resting on their laurels. On the contrary, both are committed to improving the performance of the schemes, including by making them more accessible to workers and covered employers and by improving education, compliance and enforcement activities.

The Long Service Leave (Portable Schemes) Amendment Bill 2019 is evidence of this commitment to continual improvement. The bill will provide better compliance and enforcement tools and regulatory incentives; more flexibility in crediting unrecorded service of a worker under the scheme; an ability for the Long Service Leave Authority to recover levies where there is evidence of phoenixing behaviour; and clarification around the terminology used to describe the community sector industry.

An employer in an industry is covered under the scheme if they fall within a covered industry. The obligation falls on covered employers to register with the Long Service Leave Authority. Once registered, employers must meet their obligations under the portable scheme, which, amongst other obligations, includes the lodging of quarterly returns and the payment of a levy in relation to registered employees identified and verified through the quarterly returns submitted by employers.

Both these steps are necessary in supporting a sustainable scheme that entitles workers in these industries to access portable leave entitlements. Unfortunately, the current legislation only allows for criminal offences to be prosecuted before the courts for non-compliance, which can be costly, or the application of a small late fee that does not reflect the amount of unpaid levies owed to the scheme.

This bill will amend the act to establish a better compliance framework. It will establish an interest regime to address the late payment of levies that is proportionate to the amount of levies owed by employers who fail to pay their levy on time. This

amendment will provide a greater incentive for employers to comply with their levy obligations in a timely way.

Enforcement will also be modernised under the bill. Inspectors will be able to monitor compliance by providing written notice to request and receive information without the need to physically enter a premise. It also enhances the powers given to inspectors to obtain, inspect and copy records. In doing so it will also extend safeguards to those providing information to inspectors by maintaining protections around the use of information in criminal proceedings. These changes will not only make enforcement activities more efficient for inspectors; they will also minimise the disruption to business that would otherwise occur should inspectors be entering a premise to obtain this information.

In addition to these amendments, a new infringement notice scheme will also be introduced under the Magistrates Court Act 2003 to better encourage employer compliance. The bill removes the legislative time frames for which the registrar can credit service for workers who have unrecorded leave. The bill gives the registrar of the Long Service Leave Authority the discretion to credit an unlimited amount of service if the levy can be paid and if satisfied a worker has worked in a covered industry for that period.

This bill will also amend the act to enable unpaid levy amounts to be recovered where phoenixing behaviour is demonstrated. Phoenixing behaviour disadvantages workers. It hurts subcontractors, creditors and employees, as they are left unpaid and out of pocket. The burden of phoenixing behaviour is unfairly borne by those who do comply with their obligations to pay levies to support the entitlements of workers to portable long service leave.

The bill addresses phoenix behaviour by introducing new powers for the authority to recover outstanding debts from the director or directors of a company involved in phoenix activity. Allowing the authority to pursue directors personally will provide a disincentive for this type of behaviour and support other measures that have been introduced by the commonwealth to curb this type of activity.

This bill will also update the terminology used for childcare services which are covered within the community sector industry under the portable leave scheme. In doing so, it aligns the language of the portable schemes legislation with modernised terminology used in the Education and Care Services National Law Act 2011. Specifically, the term “childcare services” will be replaced with “education and care services” as defined in the national education and care law.

Madam Speaker, educators of our children are no longer talked about as childcare workers. These workers play an important role in educating our children. The technical amendments in this bill will keep the scheme in step with current industry practices and acknowledge the important role of these workers as early childhood educators. These amendments do not, however, alter the current coverage of the scheme.

Portable long service leave encourages a fluid and efficient market of labour, skills and experience where they are needed most. Not only does the provision of portable long service benefit workers; it also benefits employers by providing an incentive for employees to keep working within a covered industry.

It is widely recognised that mental health conditions are rising and that approximately one in five Australians aged 18 to 65 will experience a mental health condition. We are working hard to support the wellbeing of our workers. The provision of portable long service gives employees the opportunity to have a well-deserved break, in recognition of the number of years that they have been working. It allows workers to take leave to reduce the risk of suffering from a mental health condition as a result of work, allowing them time to relax, recharge and return to work re-energised.

The bill will ensure that our portable leave legislation continues to operate effectively for the benefit of covered workers and employers. I would like to take this opportunity to thank the scrutiny of bills committee for carefully considering the bill. Some of these provisions are complex and technical, and in response to the comments by the committee I have revised the explanatory statement for this bill.

Long service leave is a benefit that all workers should enjoy as a reward for long and faithful service. It allows them to take a break from their jobs and spend time with their families and the community. It is crucial, then, that we continue to ensure the integrity of our portable long service leave scheme. I commend the Long Service Leave (Portable Schemes) Amendment Bill 2019 to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 12.06 to 2.00 pm.**

### **Questions without notice**

#### **ACT Policing—staffing**

**MR COE:** My question is to the minister for police. Minister, quite simply why do we have fewer front-line police in the ACT today compared to 2010?

**MR GENTLEMAN:** This government is very supportive of our police force by providing the best resources that we can. That is why in this budget we have committed more than \$35 million to ACT Policing to roll out the new police service model which will deal with policing in the ACT, providing more officers on the front line and more officers to deal with crime. Our crime disruption team is doing a fantastic job in the ACT in disrupting crime before it occurs and ensuring that when it does they can arrest the offenders, charge them and then appropriately incarcerate them.

**Mrs Dunne:** On a point of order on relevance, Madam Speaker, the question was: why do we have fewer front-line police today compared to 2010? I ask you to ask the minister to be directly relevant to the question.

**MADAM SPEAKER:** Have you concluded your answer, minister?

**MR GENTLEMAN:** I have.

**MR COE:** Minister, again, why do we have fewer frontline police in the ACT today compared to 2010, and why do we also have fewer police per capita in the territory than in any other jurisdiction in the country?

**MR GENTLEMAN:** Our police force works on crime intelligence, to ensure that we get the best results per dollar and per officer across the ACT. We have had an increase in arrests. I point to a number of occasions of work that our ACT police have done over this month. A 48-year-old Chisholm man will face court today charged with arson and weapons offences. Two drivers caught in separate incidents by ACT Policing on the night of Saturday, 16 November will face a total of 12 charges. Further, in November, police have charged three men following an aggravated robbery.

**Mr Coe:** Keep celebrating the crimes.

**MR GENTLEMAN:** I am talking about the work that our police officers are doing on the ground. We can have interjections of scare tactics from the current Leader of the Opposition but in fact what we are doing on this side of the chamber is investing in our police force, and those results are coming to fruition.

**Mr Coe:** A point of order.

**MADAM SPEAKER:** Resume your seat. A point of order, Mr Coe?

**Mr Coe:** Madam Speaker, we have had two very simple questions: why do we have fewer frontline police in the ACT compared to nine years ago, and why are there fewer police per capita in the ACT than in any other jurisdiction? He has not answered those questions.

**MADAM SPEAKER:** Minister, you have—

**MR GENTLEMAN:** Madam Speaker, I do not agree with the premise of his question. Every single year, we have invested in more frontline officers and we will continue to do so. Those opposite, of course, will vote against that investment. They continue each year to vote against our investment in ACT Policing, and we will support that investment.

*Members interjecting—*

**MADAM SPEAKER:** I was waiting for members to settle down before I gave you the call, Mr Parton. A supplementary question?

**MR PARTON:** Minister, why haven't our police numbers increased in the ACT in line with our growing population?

**MR GENTLEMAN:** Our numbers have increased. We have invested even more every single year in our ACT police force. We have announced the largest investment in staff resources, totalling \$34 million in this budget. In last year's budget, we built on the \$8.8 million commitment in previous budgets for new initiatives, including funding for enhanced protective security measures. Because of the investments we have made, ACT Policing will be receiving 69 new members out of the PSM.

### **Transport Canberra—bus timetables**

**MS LE COUTEUR:** My question is to the Minister for Transport. It relates to bus timetables over the holiday period. In previous years, the holiday timetable that applied generally for about three weeks over Christmas and New Year has been based on the weekend timetable. Are passengers going to see one local bus every two hours on weekdays during the holiday period?

**MR STEEL:** I thank Ms Le Couteur for her question. We have been working very closely with bus drivers to finalise a bus timetable for the holiday period. It will run for three weeks over Christmas. I look forward to releasing that soon. That will provide all of the details in relation to the frequency of services.

**MS LE COUTEUR:** Minister, how are you going to find sufficient staff for weekend services over Christmas, given that there appears to be an ongoing driver shortage over weekends? I imagine that over Christmas a lot of drivers will want to be on leave.

**MR STEEL:** I thank the member for her question. Of course we want all our workers to be taking some leave over Christmas to see their families and enjoy the holiday period. Much of the Christmas period does take place on ordinary working weekdays and we will have drivers able to undertake shifts. We have been working closely—and we are confident that we will have enough drivers to deliver the timetable that we have been working on—particularly with the Transport Workers Union delegates.

We have been recruiting drivers. Eleven have just finished recruitment training. More than 60 that have come on since April and the number keeps on growing every week as we continue our rolling recruitment program. We will be continuing that over Christmas and into the new year so that we have got more drivers to be able to deliver frequency of services. But I am very confident of the holiday timetable that we will soon be releasing to the public to view so that they can start planning their movements throughout the Christmas period. Particularly on Christmas Day there will be plenty of buses running.

**MISS C BURCH:** Minister, what are you doing to ensure reliability of the holiday timetable, given the reliability issues plaguing the current network?

**MR STEEL:** I have just outlined that we are continuing our recruitment process and we will continue that into the new year as well. We released the update to the Assembly in our quarterly update on our weekend bus reliability action plan, which outlines 10 actions on how we are improving reliability. Indeed, we have already seen reliability on the weekends reach 99.8 per cent over the past four weekends.

We have already seen reliability improve dramatically and we will increase the frequency of services once we have more bus drivers on board. However, the public can be assured that over the holiday period we will be having a timetable that will be public and that will be there for everyone to see, and those services will be delivered reliably.

### **Crime—Tuggeranong**

**MS LAWDER:** My question is to the minister for police. The media has reported multiple incidences of robbery using weapons, injuries to victims and threats of violence in Tuggeranong. Last weekend four incidents occurred over two hours involving up to four men driving around Calwell, Chisholm, Erindale and Kambah. In one incident, in Calwell, at around 9.47 pm a man is reported to have produced a knife and demanded that a woman hand over her handbag. In another incident, at 11.13 pm at the car park outside Vikings Chisholm, a woman was threatened and her handbag stolen. The woman received minor injuries. Minister, these are the latest in a string of crimes in Tuggeranong. What is your plan to tackle the issue of night-time crime in Tuggeranong?

*Mr Parton interjecting—*

**MADAM SPEAKER:** No interjections across the floor, Mr Parton.

**Ms Berry:** Madam Speaker, a point of order on the unparliamentary references to the minister. Mr Parton should withdraw that.

**MADAM SPEAKER:** I just heard a noise from your corner. I am not quite sure what language you used, Mr Parton. If it was unparliamentary, it would be polite to withdraw it.

**Mr Parton:** I withdraw.

**MR GENTLEMAN:** It is, of course, a very important question. When discussing crime across the city, it is important to remember the advice of successive chief police officers that Canberra is a very safe city. To help keep our city safe as it grows, the government is providing almost \$34 million to ACT Policing. This investment will see more police on our streets. We know that it is typical of the Canberra Liberals to pursue a scare campaign on the issue and make claims that are not supported by the data. In relation to Tuggeranong—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, you have asked a question. Allow the minister to provide the answer.

**MR GENTLEMAN:** In relation to Tuggeranong, the total number of offences reported has decreased by 13 per cent in the last financial year, and 27 per cent over the past five years. I congratulate the hardworking men and women of ACT Policing, who are doing this work. It is a great achievement, I think, for Canberra's south.

Incidences of crime are declining in Tuggeranong but when they do occur, ACT police respond in a timely manner. For example, police responded to reports of a disturbance at a house on Proctor Street in Chisholm last Wednesday, 20 November. Within two hours ACT police had located the alleged offender at Chisholm cricket oval and charged him with arson, possessing offensive weapons and assault occasioning bodily harm. We do continue to invest in ACT police numbers as the years go forward. If we look at the FTE headcount for 2017-18, 931—

*Opposition members interjecting—*

**MADAM SPEAKER:** Minister, try to ignore the interjections.

**MS LAWDER:** Minister, when will the residents of Tuggeranong who are out and about in the evenings see the benefits of your plan to address night-time crime in Tuggeranong?

**MR GENTLEMAN:** I thank Ms Lawder for her supplementary question. I have referred to the work that ACT Policing are doing in responding to crime in a timely manner. I have talked about the incident in Proctor Street in Chisholm last Wednesday. Early in October ACT police located and arrested a Gordon man in Monash and charged him with two counts of aggravated burglary and a breach of bail, following an overnight ram raid.

ACT Policing are continuing to work with Neighbourhood Watch and to engage with groups and residents in Tuggeranong to prevent and respond to incidents in a timely manner. The ACT government is continuing to work with and invest in ACT Policing to ensure that incidences of crime in Tuggeranong remain low and that they are responded to quickly when they do occur.

**MR PARTON:** Minister, are the residents of Tuggeranong wrong when they say that they do not feel safe when they go out at night?

**MR GENTLEMAN:** The response to government surveys in the past shows that Canberra is a safe city. The response from the Chief Police Officer indicates that Canberra is a safe city. The results of crime per capita show that Canberra is a safe city.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, please! Enough; you will start to be warned.

### **Crime—Belconnen**

**MRS KIKKERT:** My question is to the Minister for Police and Emergency Services. Minister, in recent weeks a woman in Macgregor was robbed by two men as she was getting into her car. Her screams drew her partner outside but not before the robbers got away with her handbag. Residents are shocked that this offence was committed in their street in broad daylight and have told us that they have lost their sense of security. Minister, what is your plan to tackle the issue of women's safety in Belconnen?

**MR GENTLEMAN:** I thank Mrs Kikkert for the question. The response from the government is to invest in front-line policing and a new police service model to ensure that police are able to intervene at the early stages in the social sense to ensure that crime does not occur in the first place. We do see crime occur in the ACT; we are not immune from seeing crime. We do have a safe city, and that is reported by the datasets that we see and also by the Chief Police Officer. I support our police on the ground. They do a fantastic job. They respond as soon as possible. We will continue to invest in our police force.

**MRS KIKKERT:** Minister, when will the women of Belconnen see the benefits of your plan?

**MR GENTLEMAN:** As I mentioned, we are working through the rollout of the PSM. The member will see benefits in safety across the ACT with the new police service model. We have seen how this works in other jurisdictions, particularly in the UK and in New Zealand as well just recently. We can say that a PSM in this sense of looking after the community is a much broader method of combatting crime and allowing our community to feel safe into the future.

**MRS DUNNE:** Minister, are the women of Belconnen wrong when they say that they do not feel safe getting into their cars?

**MR GENTLEMAN:** As I mentioned, the crime data statistics show that crime has decreased across the ACT over the 10-year period. I assure women across the ACT that Canberra is a safe place to be. We are not immune from crime, as I have said. That is why we are making the biggest investment ever in our ACT police force.

### **Infrastructure—south Canberra**

**MS CODY:** My question is to the Chief Minister. Chief Minister, can you outline the ACT government's plan for infrastructure on the south side?

**MR BARR:** I thank Ms Cody for the question.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members!

**MR BARR:** As members would be aware, the government released the infrastructure plan for the city for the coming decade. The plan involves significant investment in building and renewing key infrastructure right across our city, delivering better services and providing more local jobs. The plan involves investment across many suburbs in a range of different portfolio areas: health, education, transport and community services, amongst many. There will be a very significant level of infrastructure renewal and investment and we are focused on making the south side of Canberra that people love so much even better.

We are investing in transport options: extending light rail to Woden and duplicating major roads, including Athlon Drive, as well as building the Molonglo River bridge crossing. There is work underway in relation to significant new health infrastructure, not the least of which being the SPIRE project and the Centenary hospital expansions as well as the Weston Creek nurse-led walk-in centre. The south side of Canberra will be the first to benefit from the free household bulky waste collections that start from July of next year. There is significant investment in new schools and early childhood facilities in the growing Molonglo Valley.

Importantly though, Madam Speaker, there is also a focus on renewing existing assets and infrastructure. Across Tuggeranong, Woden, Weston Creek and Molonglo there are nearly 1,000 kilometres of footpath that will need renewal and investment.

*Opposition members interjecting—*

**MR BARR:** That is a key part of the government's focus on not only building new infrastructure but also on renewing existing infrastructure right across the city.

**MADAM SPEAKER:** Before I give you the call, I ask members on my left to keep the conversations amongst yourselves quieter. It is somewhat distracting when I am trying to listen to a response.

**MS CODY:** Chief Minister, what are some of the things Canberrans can expect to see in the near future?

**MR BARR:** I refer to significant improvements to almost 20 schools across Tuggeranong. We have seen investments in preschools like Monash, primary schools like Bonython and high schools like Lanyon. The schools infrastructure renewal program will continue. This morning Minister Steel made a series of significant announcements—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** You are warned, Mr Hanson.

**MR BARR:** in relation to the Tuggeranong town centre. Following the completion of upgrades to Anketell Street in August, there was very strong and positive feedback from businesses along the street and the broader community. The view was that these enhancements could be improved further if buses were taken off Anketell Street

permanently. We have listened to that feedback and, from April of next year, as Minister Steel has announced, buses will no longer go along Anketell Street. The town centre will be further revitalised by the existing laneway upgrade project to see Lake Tuggeranong more accessible, with greater accessibility for those who utilise the town centre.

We know that there is a lot of interest in actual, on-the-ground projects at a community level right across the city. The government, through the infrastructure plan, and through the last budget—the last three and the forthcoming budget—will be particularly focused on delivering those local infrastructure improvements, with both new assets and by renewing existing infrastructure right across the city.

**MR GUPTA:** Chief Minister, how much money is being brought forward for south-side roads in the commonwealth government and ACT government joint infrastructure package?

**MR BARR:** The commonwealth has announced, following some significant lobbying from the ACT government, that it will bring forward \$30 million for the first stage of upgrades to the Monaro Highway. The ACT government will bring forward an additional \$15 million. The Monaro Highway upgrades will provide a faster and safer commute for motorists on the south side, with a particular focus on road safety, removing traffic lights, roundabouts and other intersections and replacing them with separated interchanges.

This investment was foreshadowed but it was pushed well into the forward estimates period or even beyond the forward estimates. It is pleasing to see that, as a result of some considerable work within the ACT government, the commonwealth—though the project was initially perhaps overlooked—have belatedly come to the party and brought forward some money for this particular project. The ACT government is, of course, pleased to bring forward our contribution to this important project as well.

It demonstrates that when both levels of government work together, we can achieve good things for our community. We would look forward to the commonwealth making further announcements for the ACT; they have been few and far between in recent years.

### **Crime—Gungahlin**

**MR MILLIGAN:** My question is to the minister for police. Recent reports of robberies and street violence in Gungahlin are making many Gungahlin residents feel less safe in public and even in their homes. It is reported that children as young as 13 and 14 are part of gangs with names like eshays. They are now carrying weapons in public. Some are banned by police from certain areas of Gungahlin and the city. Minister, what is your plan to tackle the prevalence of youth gangs in Gungahlin?

**MR GENTLEMAN:** I thank Mr Milligan for the question. It is a very important question as we see the opportunity for young people to become involved in organised crime, and of course this is why we are investing even more in ACT police so that

they can, with their crime disruption team, work for the benefit of the ACT community in disrupting crime and reducing crime as we go forward.

It is a difficult situation when we see violence like this in our suburbs but I can assure the ACT community and indeed the parliament here that we are doing everything we can to resource our police to ensure that they have not only the numbers but also the resources to combat this crime. Our ACT police are working in an intelligence-led way to ensure that they work as best they can to reduce this sort of crime. That is why our investments are so strong.

**MR MILLIGAN:** Minister, when can residents of Gungahlin begin to see the benefits of your plan?

**MR GENTLEMAN:** We have seen a reduction in crime generally across the ACT over recent years. That is because we have resourced our ACT police, and they have done the strategic work with the community, including by their crime disruption team, to ensure the safety of Canberrans into the future. It has been pleasing to see that general crime trends have gone down. Overall offences reported for the 2018-19 financial year show a decrease of 5.9 per cent, or 2,047 offences, when compared to the previous financial year. Theft is down 12.5 per cent or 1,226 offences. We will continue to invest in our police. They will continue to work as best they can for our community.

**MR COE:** Minister, if increasing police numbers is the answer to reducing crime, why did successive Labor governments cut front-line police?

**MR GENTLEMAN:** I made it my mission to increase numbers and invest in ACT Policing. If we look at the most recent years, we have increased ACT Policing front-line officers from 677 to 710, and will continue to invest, unlike those opposite, who raise the scare campaign, advising Canberrans that it is a rough and tough place to live. It is a safe city. We will continue to invest in ACT Policing.

### **Crime—Molonglo Valley**

**MR HANSON:** My question is to the minister for police. Minister, last year's published Canberra crime statistics noted that the largest rise by region was the Molonglo Valley, Canberra's newest district. They further noted that one of the biggest hikes included the suburb of Coombs. This year it is reported that burglars were targeting homes in Coombs, with three homes broken into in a single afternoon. Minister, what is your plan to tackle the issue of robberies in the Molonglo Valley?

**MR GENTLEMAN:** My plan is to invest in ACT Policing and allow them to implement their operational strategy to reduce crime across the area. To keep our city safe as it grows, the ACT government is providing \$34 million to ACT Policing. This investment will see more police on our streets.

In relation to the Molonglo Valley, I have spoken directly to the Chief Police Officer. He has advised that crime in the area is comparable to other suburbs and areas within

our city. I am also advised that crime trends in the area show a 6.1 per cent decrease in overall offences in the past 12 months, being the period September 2018 to August 2019, when compared to the same period in the previous year.

Both ACT Policing and I understand that it is important to ensure that the community feel safe in our city. ACT Policing have been attending events in the area. For example, recent information sessions were held for residents at Charles Weston School in Coombs, attended by ACT Policing. They have also attended other community events in the area and, working with Neighbourhood Watch, intend to increase that surveillance.

**MR HANSON:** Minister, when will the residents of Molonglo actually see the benefits of your plan on the ground?

**MR GENTLEMAN:** As I said, crime has decreased 6.1 per cent. That is the information that the Chief Police Officer has provided me with. That is a reduction in crime on the ground. I am pleased that our officers are able to work with the resources and tools that we have been providing to them. As I mentioned, they work in an intelligence-led situation. So you will not always see them out on the streets where some people are asking for them. They are doing important work to ensure that they can destroy crime and stop it before it occurs.

**MISS C BURCH:** Minister, are residents in Molonglo Valley wrong to feel at risk of being robbed in their homes?

**Ms Orr:** Point of order, Madam Speaker. I seek your advice on whether asking a minister if people are wrong is an expression of opinion and therefore not allowable under standing order 117(c)(i).

**MADAM SPEAKER:** The standing orders could be interpreted that way but I think that the minister may be comfortable in responding to this one at this time.

**MR GENTLEMAN:** Madam Speaker, I will continue to reiterate—

**Mrs Dunne:** On the point of order—

**MADAM SPEAKER:** Minister, resume your seat.

**Mrs Dunne:** On the point of order, the minister has been asked a number of questions along this line and no-one has questioned them. I think this created a precedent.

**MADAM SPEAKER:** Mr Gentleman.

**MR GENTLEMAN:** I will continue to advise that the Chief Police Officer tells us that Canberra is a safe city. The statistics that we see in reporting show that Canberra is a safe city. We will continue to invest in ACT Policing. They will continue to invest in new and available resources to ensure that they can combat crime in the most intelligent and best way going forward.

**Crime—north Canberra**

**MS LEE:** My question is to the minister for police. Minister, in March last year I contacted you on behalf of a constituent about disturbances and illegal transactions being carried out at a particular house in North Lyneham. In May you replied, advising that police patrols would be increased and that neighbours should report suspicious activities to Crime Stoppers.

My constituent contacted me again in April this year, advising that not only had the situation not improved but it had, in fact, become worse and more widespread. This time you took four months to reply. My constituent contacted me again a further three months later to say nothing had changed. Minister, what is your plan to address reports of repeated illegal activity in North Lyneham?

**Mrs Dunne:** Ignore them, it seems.

**MR GENTLEMAN:** Contrary to Mrs Dunne's interjection, we simply do not ignore requests from the community to combat crime across the ACT. We continue to invest in our police force. In regard to this particular matter, I would have to have a look at the response from ACT police for particular matters. I do not go into operational matters.

However, if a member of this parliament writes to me I will respond as soon as possible. That would involve an amount of research about particular operations that are occurring in the suburbs. As I mentioned, my view is that ACT Policing are doing a good job. The stats show that as well. And we will continue to invest in ACT Policing.

**MS LEE:** Minister, when will the residents of north Lyneham see the benefits of your plan in light of reports of repeated illegal activity?

**MR GENTLEMAN:** I encourage residents to continue to report any incidents they can. Crime Stoppers is the best number, unless it is an emergency. Triple zero is the best number to report in that case. We will see, of course, the results of the work that ACT Policing does in response to crime across the ACT in our datasets each year. I would expect those to continue to drop, as the theme has been, following the investments that we are putting into ACT police.

**MISS C BURCH:** Minister, are the residents of north Canberra wrong to be disappointed when they report illegal activity over and over again and it is not addressed?

**MR GENTLEMAN:** I would not say that it is not addressed at all. Of course, police will address illegal activity whenever resources allow. That is why we are providing more resources for them into the future. Because we are a growing city, we understand that crime trends change. Police need to be adaptable and flexible when it comes to looking at those trends and ensure that they have the best operational capability in going forward to combat crime. That is why we on this side of the

chamber invest in ACT Policing, and we allow them to conduct their specific operations, which they have the skill and talent to do.

### **Crime—north Canberra**

**MISS C BURCH:** My question is to the Minister for Police and Emergency Services. Minister, the ACT Policing website tells us that until September 2019 the incidence of crimes and assault, sexual assault and burglary in Canberra's inner north was well above that in all other districts in Canberra. Minister, what is your plan to tackle this rate of crime in the inner north?

**MR GENTLEMAN:** I repeat that the plan is to keep investing in ACT police, in a modern police force that is intelligence-led in the way that they operate across the ACT. In relation to statistics, you will see them drift and operate up and down in various jurisdictions across the ACT. I continue to reiterate, however, that crime is trending down across the ACT. That is reported in our statistics. It is a result of the work that ACT Policing do and the investment that we have put into it.

**MISS C BURCH:** Minister, when will residents of the inner north of Canberra see a reduction in the rate of crime specifically in their area?

**MR GENTLEMAN:** I will continue to say that crime varies in every different jurisdiction. It is normally opportunistic when it comes to burglary and vehicle theft. We have seen that in the statistics provided by ACT Policing and published across the ACT. I will continue to reiterate the Chief Police Officer's words, and those of the previous Chief Police Officer, that Canberra is a safe city. We will continue those investments, and they will continue the work on the ground.

**MS LEE:** Minister, are the residents of the inner north wrong when they say that they are fearful of Canberra's highest levels of assault, sexual assault and burglary?

**MR GENTLEMAN:** The Canberra Liberals are scaremongering, talking about alleged crime and slurring our police force. The data in the annual report shows that the community has a high regard for our police. They feel safe in the city. That is reported in those statistics.

I ask the opposition to have a think about how they describe the operations of ACT police. We want to look after them. That is why on this side of the chamber we will continue to invest in our front-line officers and give them an opportunity to move into a new policing model.

### **Alexander Maconochie Centre—safety**

**MR WALL:** My question is to the Minister for Corrections and Justice Health. Minister, according to the Productivity Commission's report on government services, the AMC has one of the highest prisoner-on-guard assault rates in the nation. Minister, why does the AMC have one of the highest assault rates in the country?

**MR RATTENBURY:** I do not have that data immediately to hand, but I can say that we make extensive efforts to ensure the security of staff, detainees and visitors in the jail. We have a range of people, including justice health staff, lawyers and the like, coming through the jail, and there is a strong focus on security. We have a separation regime that is designed to keep apart people who should not be together. Our staff receive a range of training to help them manage these situations. Unfortunately there is violence in the jail at times, but there are efforts in place to minimise that as much as possible.

**MR WALL:** Minister, why have you failed in your leadership at the prison to provide a safe working environment for corrections officers?

**MR RATTENBURY:** As I said in my previous answer, the leadership at the jail works with staff to provide as safe an environment as possible through a range of techniques, including both physical protection and also intelligence-led work to identify detainees who might be a particular risk of assaulting our staff.

**MR HANSON:** Minister, why is workforce safety at the AMC among the worst in the country?

**MR RATTENBURY:** As I said, I do not have those figures to hand and I would like to go and check those. Across the country this is an issue for all corrections systems. It is a challenge for all of us. The AMC is unique in the Australian corrections context in being, I think, the only jail in the country that has the full set of classifications of prisoners, including females, so there are some particular challenges at the AMC.

### **Schools—infrastructure**

**MR GUPTA:** My question is to the Minister for Education and Early Childhood Development. Minister, what investments has the government made to upgrade the infrastructure at Canberra public schools?

**MS BERRY:** I thank Mr Deepak-Raj Gupta for his question. The government is committed to ensuring that every public school has the infrastructure to support high-quality education. That is why there has been investment of more than \$115 million to upgrade public schools right across the territory. Right across the city the government has upgraded classrooms, toilets, libraries, canteens and bike shelters, as well as gardens, landscaping and playground areas in schools to make sure that these spaces are positive and accommodating.

For example, in Tuggeranong, at Calwell High School the government has upgraded the science room and toilets, installed a new shade structure, added bike racks, upgraded lighting to energy efficient LED technology, and made heating and cooling improvements. All up the government has spent around \$500,000 on upgrades at this school.

The government's investment in public school infrastructure goes beyond just the basic things that allow learning and teaching to take place, to things like providing a

range of learning settings to meet different needs. For example, at Cranleigh School, a specialist school in my electorate, the government has upgraded calming spaces, an outdoor playground and security fencing, with more than \$200,000 in works.

The ACT government invests in public schools to make sure that every student has what they need to be included, and to learn and develop their interests, passions and life skills.

**MR GUPTA:** Minister, how is the government accounting for population growth in Canberra through investing in Canberra public schools?

**MS BERRY:** As Canberra grows, the government is making sure that schools grow with it. Every child has the right to access education and the government is making sure that this right is equally ensured for every young person. The government knows that education is an invaluable investment into the future of our community and is making sure that there is space for every child who seeks a place at their local school.

An important part of our efforts to account for increased student enrolments in ACT public schools is to expand its schools and build new schools. Over the past couple of budgets the government has allocated more than \$50 million to expand schools, particularly in Mr Gupta's electorate of Yerrabi, one of the fastest growing regions in Australia. The government is also building new schools and making permanent expansions where required.

The government kicked off its election commitment to expand Franklin Early Childhood School with transportable buildings, temporarily. Following the 2019 budget, the government is now getting on with work on a \$29.5 million construction of permanent buildings that will allow children to stay at this great school all the way to year 6.

In addition, as members will recall, the government opened a new primary school in Taylor, Margaret Hendry School, at the start of 2019. Over the coming years, the government has planning underway to construct new schools in Throsby, to open at the start of 2022, and east Gungahlin, due to open the year after.

**MS CODY:** Minister, what infrastructure upgrades has the government completed or is it planning for Canberra's south-side schools?

**MS BERRY:** I thank Ms Cody for the supplementary. In Ms Cody's electorate on the south side, the government is significantly investing in school infrastructure, including upgrades, expansions and new schools. Every single south-side school has received infrastructure investments.

Work will soon begin on a new primary school to open in Denman Prospect at the beginning of 2021, with \$47 million allocated in the 2018 budget. The school will cater for more than 600 students, with space for future growth. The government is also undertaking planning and feasibility work for a future year 7 to 10 campus. The government is making sure that school facilities are also available to the wider community. Yesterday I was joined by Ms Cody, Mr Steel and you, Madam Speaker,

to announce that this new public school will include a high quality purpose-built double gymnasium space suitable for roller derby as well as other indoor sports. It will include two full-sized courts with line markings for roller derby and other sports such as basketball, futsal or indoor soccer, netball, volleyball and badminton; seating; and additional space for community storage.

Other investments across the south side include draught proofing and tree planting at Alfred Deakin High School, a sensory garden and stormwater works at Curtin Primary School, a science lab upgrade at Telopea Park School and new transportable buildings at Red Hill and Mawson primary schools.

We also have work planned to upgrade other south-side schools into the future, including toilet upgrades at Canberra College, classroom upgrades for Wanniasa School senior campus, outdoor learning area upgrades at Caroline Chisholm School junior campus, rowing club facility upgrades at Lake Tuggeranong College, and student wellbeing upgrades at Calwell and Lanyon high schools.

### **Public housing—disruptive behaviour**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. Minister, ACT Housing's disruptive behaviour policy states that all ACT tenants and their neighbours are entitled to the quiet enjoyment of their dwellings. In question time earlier in the year we asked a series of questions about ongoing disruptive and criminal behaviour on a Conder street associated with two public housing dwellings. A number of residents on that street state that it has been impossible for them to quietly enjoy their dwellings for the past seven years. Minister, why did it take seven years for any real action in this space?

**MS BERRY:** I thank Mr Parton for the question but I did come to speak with Mr Parton about this particular issue and offered more conversations around this particular issue in the future if that was required. I am happy to do that on this particular matter because sometimes these issues are quite complex. They have a number of issues attached to them, including action from police as well as Housing ACT and other social services.

My response to Mr Parton's question today is that I am happy to come to talk with him in particular about this matter but, given that there are a number of complexities around it, it would be challenging for me to go through the detail of that in this place today.

**MR PARTON:** Minister, more broadly, what guarantees can you make that residents not just of this street but of many others can return to the quiet enjoyment of their own homes?

**MS BERRY:** Thank you for the question, Mr Parton. Housing ACT works very closely with residents to ensure that they can maintain a tenancy, and also live happily within their neighbourhood and be good neighbours. As well, when some Housing ACT tenants, like other tenants in the ACT, have other complex needs in their lives, Housing ACT works with them to make sure that they can get additional supports.

Sadly, some of the individuals who do need those extra supports have a number of complex issues within their lives on which they will need extra support. That will mean that on occasion Housing ACT will need to work more closely with those residents and with the neighbourhood as well. But, as with everybody who is in a private rental, they still have the same rights as anyone else, under the Residential Tenancies Act, to maintain their tenancy. Housing will work with them to do that.

I ask Mr Parton, if there are issues of a criminal nature that he is aware of, to invite those constituents to contact the police so that the issues are appropriately dealt with as a criminal matter.

**MS LAWDER:** Minister, why did it take Housing ACT seven years to take action in relation to these properties?

**MS BERRY:** I have responded to that question and I also will be having a conversation with Mr Parton on that.

**Ms Lawder:** No, we are entitled to ask a question in question time.

**MS BERRY:** You just might not get the answer you want.

### **ACT Policing—mental health**

**MRS DUNNE:** My question is to the Minister for Police and Emergency Services. Minister, what is the incidence of police developing mental fatigue and stress problems when dealing with crime as a result of your government's under-resourcing of police?

**MR GENTLEMAN:** Let me just put the fact out there that we are not under-resourcing police. In fact, this budget shows a \$34 million investment in police.

In regard to police wellbeing, of course it is a very important question and we want to ensure that we have the best support opportunities for ACT Policing. That is why we have been working with ACT Policing on, if you like, opportunities to access and discuss issues with individual officers. The AFP have a particular wellbeing program which works very well with police officers both nationally and, importantly, here in the ACT.

**Mrs Dunne:** On a point of order, Madam Speaker, the question was not about what is being done. The question was: what is the incidence of police developing mental fatigue?

**MADAM SPEAKER:** Minister, you have a minute to go. I know you have addressed the issue of resourcing but perhaps you could address fatigue.

**MR GENTLEMAN:** Thank you, Madam Speaker. I have not been briefed on any association between our increased investment in ACT Policing across a number of years and the mental health of ACT Policing officers. I will take the question on

notice, though, and ask ACT Policing if there is any relationship between this proposal that Mrs Dunne puts forward about funding for our officers and their wellbeing.

**MRS DUNNE:** Minister, what are the incidences of police being required to double shifts as a result of staff shortages? Is there a correlation between this and officers being absent due to staff shortages, burnout and mental fatigue?

**MR GENTLEMAN:** Madam Speaker, I go back to the conversations you and I have had before about shiftwork. When you are operating a 24-hour shift operation, you need to fill the shifts as best as possible. They are voluntary opportunities to fill those overtime shifts. Often it is an assistance to the family by way of monetary compensation. But, of course, it is a task on every officer who works a double shift. It is an exhausting job that they do. We need to ensure that when they do this sort of work, they are fully cognisant of what is occurring in their lives.

Indeed, station sergeants right across the ACT take on an individual task of looking after individual constables in the ACT, particularly those who do an amount of overtime. It is not unusual for officers to do overtime. In my previous job of 11 years, I worked overtime almost every month, and several shifts of overtime each month. Resourcing of this nature is necessary so that you can fill the shifts and be responsible to the ACT community. However, in regard to resourcing, we have invested more in the past years than ever previously across the ACT, and we will continue to invest in ACT Policing.

**MS CODY:** Minister, how is the government helping the wellbeing of first responders?

**MR GENTLEMAN:** We are doing our best to work with other groups, not just the wellbeing officers within ACT Policing but also R U OK? We had a great get-together earlier this year with officers at the national War Memorial to look at wellbeing opportunities and working with different groups such as R U OK? I congratulate ACT Policing on doing that particular work, and I look forward to investing more in the wellbeing of police officers across the territory.

### **ACT Health—SPIRE project**

**MS CHEYNE:** My question is to the Minister for Health, who otherwise had a break today. Minister, could you update the Assembly on the SPIRE project?

**MS STEPHEN-SMITH:** I thank Ms Cheyne for her question. The health of Canberrans will always be a key priority for this ACT government. We are getting on with the job of expanding the services available at Canberra Hospital to meet the needs of our growing and ageing city.

Earlier this month, the government called for expressions of interest from potential design and construction partners for the new state-of-the-art emergency, surgical and critical healthcare facility at Canberra Hospital. This represents the first phase of the

procurement process for the SPIRE project. The territory's delivery partner will be appointed by mid-2020.

The SPIRE project is being procured under an early contractor involvement model. Under this approach, the appointed contractor will work collaboratively with the territory to design and deliver the project, jointly identifying opportunities to improve design outcomes, optimise constructability and deliver whole-of-life cost efficiencies. During 2020, other enabling works projects will be delivered to allow the site for the new facility to be vacated and physical works to commence in early 2021.

These projects will create many local jobs and will provide opportunities for Canberra companies to contribute to the critical process of preparing the Canberra Hospital campus for the main construction phase of the SPIRE project.

The progress being made on this project does not stop there. Design of the almost 40,000 square metre facility is also being progressed, with input from clinicians, consumers and the community, particularly through the recent announcement of a community reference group.

With enabling works, procurement, consultation and design works now well underway, we are seeing important and tangible advancements being made on this important project, the biggest investment in health infrastructure since self-government.

**MS CHEYNE:** Minister, could you provide more information in relation to the community reference group?

**MS STEPHEN-SMITH:** I thank Ms Cheyne for her supplementary question and her interest in our engagement with the community. The ACT government strives to deliver high-quality, person-centred care in the right place at the right time. Our commitment to this objective is evidenced by the work underway to expand Canberra Hospital to include a new emergency, surgical and critical healthcare facility. The SPIRE project is an important and complex healthcare project for all Canberrans and it is essential that the territory work closely with clinicians, consumers and the local community to get it right.

Community reference groups, or CRGs, are a common part of large infrastructure projects. Last week I opened the call for nominations for a local CRG to ensure that residents have their voices heard throughout the planning and development of the SPIRE project. This will be an important mechanism for the community to provide comment and feedback, while also recognising the importance of ongoing engagement with the broader community.

The establishment of a local community reference group, which will hold its first meeting early in the new year, will complement the conversations already underway with the project's clinical user groups, specialist clinical advisory group and consumer reference group. It will also provide a conduit for Major Projects Canberra and Health to provide information back to the community as we see people joining this group who have good community engagement, and making this a two-way street.

Importantly, what we have heard from the community and these stakeholder groups is already influencing the design and building requirements of the SPIRE project. Detailed traffic modelling is underway and will also inform this ongoing work.

The SPIRE project and Canberra Hospital master planning process have created an opportunity to do what we can, working across government, to address some longstanding issues for the local community. I look forward to continuing the engagement with them towards that outcome.

**MS CODY:** Minister, what other infrastructure projects are being delivered to provide health services for Canberra's south?

**MS STEPHEN-SMITH:** I thank Ms Cody for her question and her strong interest in health services in Canberra's south. A key part of the infrastructure soon to be delivered, of course, is the Weston Creek walk-in centre. As the opening of the walk-in centre draws closer, staff from Canberra Health Services will provide opportunities for members of the community to find out more about the WIC and the services provided. The ACT Health app will also be updated to add the Weston Creek WIC so that consumers can get an indication of how busy the centre is at any given time.

There will be a number of opportunities for the community to receive more information directly about the new centre over the next few weeks. Staff from Canberra Health Services will be attending the Stromlo Cottage drop-in session tomorrow, 27 November, from 10 am and will also present that evening at the Weston Creek Community Council. Members of the community will be able to have a chat to Canberra Health Services staff about where the WIC will be, when it will open and what sorts of illnesses and ailments it can treat.

On Sunday, 1 December 2019 CHS staff will again join with the Molonglo mingle community at an information stall at the Molonglo Valley summer safety session from 11 am. Staff are also preparing to set up an information stall at Cooleman Court on Saturday, 7 December, allowing local residents to talk directly to nurses who staff walk-in centres about the types of services they can provide.

Finally, I am very pleased to advise that plans are on track for an official opening of the new Weston Creek walk-in centre in mid-December and I look forward to joining the community to mark that occasion.

**Mr Barr:** I ask that all further questions be placed on the notice paper.

## Papers

**Madam Speaker** presented the following papers:

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Correctional Centre by the ACT Inspector of Correctional Services—Healthy Prison Review of the Alexander Maconochie Centre 2019, dated November 2019.

Ombudsman Act, pursuant to section 21—ACT Ombudsman—Report No 5|2019—Quarterly report for the period 1 July to 30 September 2019, dated 30 October 2019.

Standing order 191—Amendments to the:

Litter Legislation Amendment Bill 2019, dated 30 October 2019.

Work Health and Safety Amendment Bill 2019, dated 30 October 2019.

## Leave of absence

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

That leave of absence be granted to Mrs Jones for today due to personal reasons.

## Papers

**Mr Gentleman** presented the following papers:

ACT Multicultural Framework 2015-2020—Second Action Plan—2019-2020—First report.

ACT Volunteering Statement Action Plan 2018-2021—Annual update.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2018-2019—

Canberra Health Services—

Corrigendum, dated November 2019.

Revised corrigendum, dated November 2019.

Transport Canberra and City Services Directorate (2 volumes)—Corrigendum, dated November 2019.

Australian Health Practitioner Regulation Agency and the National Boards, reporting on the National Registration and Accreditation Scheme—Annual Report 2018/19.

Estimates 2018-2019—Select Committee—Report—Appropriation Bill 2018-2019 and Appropriation (Office of the Legislative Assembly) Bill 2018-2019—Recommendation 78—Radiology training accreditation at Canberra Hospital—Response, dated November 2019.

Estimates 2019-2020—Select Committee—Report—Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020—

Recommendation 81—Remediation of outmoded technology—Status report.

Recommendation 154—Kingston Arts Precinct—Update.

Financial Management Act—

Pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2018-2019 financial year, dated 31 October 2019.

Pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 September 2019.

Pursuant to subsection 30F(3)—2019-20 Capital Works Program—Progress report—Year-to-date 30 September 2019.

Food and garden waste disposal strategies—Statement—Response to the resolution of the Assembly of 5 June 2019.

Freedom of Information Act, pursuant to section 39—Copies of notices provided to the Ombudsman—Freedom of Information requests—Decisions not made in time—

Community Services Directorate—CYF-20/20, dated 13 November 2019.

Transport Canberra and City Services—TCCS FOI 19-019, TCCS FOI 19-026, TCCS FOI 19-042, TCCS FOI 19-068, TCCS FOI 19-083, TCCS FOI 19-089, dated 29 October and 4 November 2019.

Health (National Health Funding Pool and Administration) Act, pursuant to subsection 25(4)—Administrator of the National Health Funding Pool—Annual report 2018-19, dated 1 October 2019.

Lifetime Care and Support (Catastrophic Injuries) Act, pursuant to section 100—ACT Lifetime Care and Support Scheme—Five year review, dated November 2019, incorporating the ACT Lifetime Care and Support Qualitative Review 2019 and Section 100 Review of the Lifetime Care and Support (Catastrophic Injuries) Act 2014, prepared by Finity Consulting Pty Limited.

Light Rail Stage 1—Increased demand—Statement—Response to the resolution of the Assembly of 14 August 2019.

National Health Funding Body—Annual Report 2018-19, dated 1 October 2019.

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 354 to the Territory Plan—Waterways: water sensitive urban design general code review and associated consequential amendments to Territory Plan codes, dated 13 November 2019, including associated documents.

Planning and Urban Renewal—Standing Committee—Report 9—Draft variation No 360—*Molonglo River Reserve: changes to public land reserve overlay boundaries and minor zone adjustment*—Government response.

Privileges 2019—Select Committee—Report—*Unauthorised Release of Committee Documents*—Government response to Recommendation 1, incorporating Participation in Legislative Assembly and Other Inquiries—Guidelines for Officials.

Reusable coffee cup zone trial—Response to the resolution of the Assembly of 15 May 2019.

School zone safety—

School Crossing supervisor Program Evaluation Report—

Statement—Response to the resolution of the Assembly of 13 February 2019.

Evaluation Report, prepared by First Person Consulting.

Schools Program Implementation Plan, dated November 2019.

Solar panel and battery recycling disposal—Statement—Response to the resolution of the Assembly of 5 June 2019.

Waste Management and Resource Recovery Act, pursuant to subsection 64U(2)—ACT Container Deposit Scheme—Annual statutory report 2018-19.

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Board of Senior Secondary Studies Act—

Board of Senior Secondary Studies Appointment 2019 (No 1)—Disallowable Instrument DI2019-239 (LR, 4 November 2019).

Board of Senior Secondary Studies Appointment 2019 (No 2)—Disallowable Instrument DI2019-240 (LR, 4 November 2019).

Board of Senior Secondary Studies Appointment 2019 (No 3)—Disallowable Instrument DI2019-241 (LR, 4 November 2019).

Board of Senior Secondary Studies Appointment 2019 (No 4)—Disallowable Instrument DI2019-242 (LR, 4 November 2019).

Civil Law (Wrongs) Act—Civil Law (Wrongs) Australian Property Institute Valuers Limited Scheme Amendment 2019 (No 1)—Disallowable Instrument DI2019-232 (LR, 7 November 2019).

Financial Management Act—Financial Management (Territory Authorities) Guidelines 2019—Disallowable Instrument DI2019-257 (LR, 25 November 2019).

Food Act—Food (Fees) Determination 2019 (No 1)—Disallowable Instrument DI2019-248 (LR, 7 November 2019).

Fuels Rationing Act—Fuels Rationing (Fuel Restriction Scheme) Approval 2019, including a regulatory impact statement—Disallowable Instrument DI2019-226 (LR, 10 October 2019).

Land Tax Act—Land Tax (Affordable Community Housing) Determination 2019 (No 2)—Disallowable Instrument DI2019-228 (LR, 14 October 2019).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods (Fees) Determination 2019 (No 1)—Disallowable Instrument DI2019-249 (LR, 7 November 2019).

Motor Accident Injuries Act—

Motor Accident Injuries (Business Plan) Guidelines 2019—Disallowable Instrument DI2019-237 (LR, 4 November 2019).

Motor Accident Injuries (Defined Benefit Application) Guidelines 2019—Disallowable Instrument DI2019-238 (LR, 4 November 2019).

Motor Accident Injuries (Income Replacement Benefit) Guidelines 2019—Disallowable Instrument DI2019-243 (LR, 4 November 2019).

Motor Accident Injuries (Internal Review) Guidelines 2019—Disallowable Instrument DI2019-244 (LR, 4 November 2019).

Motor Accident Injuries (Premiums and Administration) Regulation 2019—Subordinate Law SL2019-28 (LR, 17 October 2019).

Motor Accident Injuries (Premiums) Guidelines 2019—Disallowable Instrument DI2019-245 (LR, 4 November 2019).

Motor Accident Injuries (Quality of Life Benefit) Guidelines 2019—Disallowable Instrument DI2019-246 (LR, 4 November 2019).

Motor Accident Injuries (Treatment and Care) Guidelines 2019—Disallowable Instrument DI2019-247 (LR, 4 November 2019).

Motor Accident Injuries Levy Determination 2019 (No 1)—Disallowable Instrument DI2019-234 (LR, 24 October 2019).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2019 (No 2)—Disallowable Instrument DI2019-231 (LR, 17 October 2019).

Planning and Development Act—

Planning and Development (Lease Variation Charge Deferred Payment Scheme) Determination 2019 (No 2)—Disallowable Instrument DI2019-236 (LR, 28 October 2019).

Planning and Development (Remission of Lease Variation Charges—Affordable Rental Development Concession) Determination 2019—Disallowable Instrument DI2019-229 (LR, 14 October 2019).

Public Health Act—Public Health (Fees) Determination 2019 (No 1)—Disallowable Instrument DI2019-250 (LR, 7 November 2019).

Public Place Names Act—Public Place Names (Taylor) Determination 2019 (No 2)—Disallowable Instrument DI2019-227 (LR, 10 October 2019).

Radiation Protection Act—Radiation Protection (Fees) Determination 2019 (No 1)—Disallowable Instrument DI2019-251 (LR, 7 November 2019).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation (Manuka Oval) Declaration 2019 (No 2)—Disallowable Instrument DI2019-235 (LR, 24 October 2019).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2019 (No 2)—Disallowable Instrument DI2019-233 (LR, 24 October 2019).

Smoke-Free Public Places Act—Smoke-Free Public Places (Public Transport Interchanges) Declaration 2019 (No 1)—Disallowable Instrument DI2019-230 (LR, 17 October 2019).

Tobacco and Other Smoking Products Act—Tobacco and Other Smoking Products (Fees) Determination 2019 (No 1)—Disallowable Instrument DI2019-252 (LR, 7 November 2019).

### **Capital works program—progress report**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.56): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Financial Management Act, pursuant to subsection 30F(3)—2019-20 Capital Works Program—Progress report—Year-to-date 30 September 2019.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (2.56): The fiscal year program is

valued at \$804 million, as at 30 September 2019. \$137 million worth of capital investment that comprises \$112 million on infrastructure and \$25 million on ICT and plant and equipment has been delivered in the quarter. The performance of the program as at 30 September against program funding is 17 per cent. I commend the report to the Assembly.

Question resolved in the affirmative.

### **Consolidated annual financial statements 2018-19**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.57): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Financial Management Act, pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2018-2019 financial year.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (2.57): I am pleased to report that the consolidated statements received an unmodified audit opinion from the Auditor-General. The final 2018-19 headline net operating balance for the general government sector is a deficit of \$118.6 million, which is a \$33.5 million improvement compared to the interim outcome deficit of \$152 million. This variation relates to changes during the audit process, the most significant of which is the treatment of movements in workers compensation claims provision expenses arising from changes in discount rates.

Key financial indicators in the balance sheet remain strong, with net worth of \$14 billion and net debt of \$2.216 billion, which is \$913.6 million higher than in 2017-18. This is mainly as a result of the recognition of lease liabilities for public-private partnerships and higher other borrowings undertaken to fund the delivery of infrastructure initiatives.

The next update to the territory's financial position will be released with the 2019-20 budget review in February 2020. The financial statements today have been prepared in accordance with Australian accounting standards and are in line with the requirements of the Financial Management Act 1996. I commend the consolidated annual financial statements for the territory and audit opinion to the Assembly.

Question resolved in the affirmative.

### **Planning and Urban Renewal—Standing Committee Report 9—government response**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and

Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.58): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Urban Renewal—Standing Committee—Report 7—*Draft variation No 360—Molonglo River Reserve: changes to public land reserve overlay boundaries and minor zone adjustment*—Government response.

Question resolved in the affirmative.

### **Estimates 2018-2019—Select Committee Report 2018-2019—recommendation 78**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.59): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Estimates 2018-2019—Select Committee—Report—*Appropriation Bill 2018-2019 and Appropriation (Office of the Legislative Assembly) Bill 2018-2019—Recommendation 78—Radiology training accreditation at Canberra Hospital—Response.*

Question resolved in the affirmative.

### **Estimates 2019-2020—Select Committee Report 2019-2020—recommendation 81**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.00): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Estimates 2019-2020—Select Committee—Report—*Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020—Recommendation 81—Remediation of outmoded technology—Status report.*

Question resolved in the affirmative.

### **Sentencing (Parole Time Credit) Legislation Amendment Bill 2019**

Debate resumed from 19 September 2019, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR HANSON** (Murrumbidgee) (3.00): The Canberra Liberals will be supporting this bill. The bill introduces the concept of parole time credit into the ACT. It is a move that is consistent with other states across Australia and other countries. Parole time credit acknowledges the effort that an offender makes, such as actively engaging in work or rehabilitation, even if they were ultimately unsuccessful in completing their sentence while on parole. Many offenders in Canberra have setbacks during their parole, often due to relapse into drug use. In the event of such a parole breach, parole time credit recognises imperfect progress, rather than promoting the all or nothing model of parole that currently exists in the ACT.

On behalf of Mrs Jones, I would like to say that she is pleased to see that exceptions are being made to parole time credit and that that is the way that they will be applied. But she and the Canberra Liberals will keep a close eye on how this new parole time credit system and its expectations work over the coming years. My understanding is that an amendment is going to be moved by the minister, relating to a sunset clause. The opposition will be supporting the amendment.

As I said before, it is consistent that we welcome reforms that seemingly improve our justice system, but we will keep an eye on the way this rolls out on the ground. The opposition will support this legislation.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (3.02): I am pleased to rise to speak in support of this bill. Parole plays an important part in our criminal justice system. It has two main purposes. One is to provide support for parolees on their return to the community; the other is to monitor the behaviour of the parolee in order to ensure, as far as possible, that there will be no reoffending.

We know that serving a period of parole can be difficult. It is a period in which the parolee is often trying to re-establish connections that have been broken during a period of incarceration, however short or long that may have been. We know that the road to rehabilitation can be hard. Through the introduction of a parole time credit scheme in the ACT, we want to provide support and recognition to those that can achieve substantial periods of successful, crime-free living in our communities on their way to rehabilitation. Whilst on parole, a parolee is supported to access appropriate services, including education, employment, housing and drug and alcohol treatment. Research has found strong evidence that offenders released from prison on parole are less likely to reoffend than offenders released from prison without any supervision.

We know that Aboriginal and Torres Strait Islander prisoners are less likely to apply for, and less likely to be granted, parole than non-Indigenous prisoners. Despite being eligible for parole, some Aboriginal and Torres Strait Islander prisoners serve their entire sentence in prison before being released into the community without any supervision. To address this imbalance, one of the recommendations of the Australian Law Reform Commission in 2017 was to abolish parole revocation schemes that require time spent on parole to be served again in prison if parole is revoked. That is what a parole time credit scheme does.

Let me assure you, Madam Assistant Speaker, that this bill does not reflect any softening of the government's approach. What the introduction of this scheme represents is a considered and effective step towards the government's commitment to reducing recidivism by 25 per cent by 2025. By giving parolees credit for successful time on parole in the community, we are encouraging the offenders to apply for parole and to avail themselves of the support and the opportunities that are provided by parole. The more people we can support to successfully complete parole periods in the community, the better outcomes we will have for our entire community.

Recognising that parole is a different experience for each parolee, and wanting to maximise the benefits realised both by the parolee and by the community, we have given the court and the Sentence Administration Board discretion to allow parole time credit to be counted against time remaining on a sentence in special circumstances where it otherwise does not automatically apply. The advantage of providing the court and the Sentence Administration Board with this discretion is that it allows for an evaluation to take place of how the offender has engaged with their integration into the community and what commitment they have shown to their long-term rehabilitation.

Taken as a whole, this bill represents yet another example of the government's ongoing attention to the criminal justice system, in order to build communities and not prisons, and to develop Canberra as a restorative city. I commend the bill to the Assembly.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.06), in reply: I thank members for their support of this bill today. I introduced the Sentencing (Parole Time Credit) Legislation Amendment Bill to the Assembly in September. The bill introduces a parole time credit scheme into the ACT by amending the Crimes (Sentence Administration) Act 2005 and the Crimes (Sentencing) Act 2005.

Parole is a cornerstone of our criminal justice system, aiding rehabilitation and reintegration into society by allowing eligible offenders to finish their sentence in the community, subject to conditions set by the Sentence Administration Board. Currently in the ACT, while an offender is on parole they are not taken to have served any of the remaining period of imprisonment unless the parole order ends without being cancelled. Currently, when a parolee is returned to custody following a breach of parole conditions, they are liable to serve the remainder of the sentence that was outstanding at the time they were released.

When I presented this bill, I provided the Assembly with an overview of the provisions of the bill—namely, that new part 7.5A in the sentence administration act introduces a general rule that parole time credit applies to offenders who have had their parole order cancelled.

It provides exceptions to this rule for serious offenders who commit further serious offences while on parole, family violence offenders who commit further family violence offences while on parole, and offenders who commit any offences within

three months of their release on parole. The bill also provides a discretion for the court to apply parole time credit to offenders who fall within those exceptions if special circumstances exist.

Additionally, the bill sets out detailed methods for the calculation of parole time credit and includes provisions addressing how parole time credit will be applied when an offender commits a new offence in another jurisdiction while subject to a parole order made or registered in the ACT. The bill ensures administrative certainty in the application of the scheme by requiring the court and the Sentence Administration Board to state on the warrant, notice or order committing the offender to custody the date at which parole time credit stopped, and it includes transitional provisions which ensure that parole time credit will be available to all offenders who, on or after the commencement date, are on parole or who are in custody awaiting sentence for a new offence committed whilst on parole.

The practical effect of the bill is to ensure that, in general, if an offender's parole order is cancelled more than three months post release from custody but before the parole period has expired, the time the offender spent in the community in compliance with the conditions of their parole order is counted towards their remaining sentence. I will explore exceptions to this rule shortly.

The scheme established by the bill is in contrast to the current parole system, which provides little incentive for parolees to comply with parole conditions and severe punishment for what can at times be minor or administrative breaches of parole conditions. The current punitive approach operates as a disincentive for some offenders to even make an application for parole, thereby decreasing offender engagement with rehabilitation programs, increasing the prison population and leading to people being released from prison without any form of structured supervision.

The punitive effect of the current approach is amplified when an offender is subject to a long parole period and a breach occurs towards the end of that period. The offender's sentence is then effectively extended and the offender is removed from the community for longer than intended by the sentencing court. This defeats the very purpose of parole and diminishes the incentive for non-offending. Not counting time served on parole towards the overall sentence creates manifestly unjust outcomes.

Inevitably, incarceration leads to a disruption in a person's life, including loss of employment and potentially a loss of housing, relationships and social supports. We know that a release from prison without support to transition back into the community can lead an offender to a cycle of reoffending and ultimately poorer community safety outcomes. While on parole, an offender remains under sentence whilst being supported in their reintegration back into family life, employment or education and the continuation of programs begun in custody.

This bill supports the purpose of parole by creating an incentive for offenders to apply for parole without the associated fear that failure will inevitably lead to an increase in the overall time they spend serving a sentence. The bill introduces a scheme which recognises time spent on parole in compliance with parole conditions and rewards the positive actions of parolees towards rehabilitation.

I outlined earlier the exceptions to the general parole time credit rule. The government has reflected the Canberra community's views on offending in this bill with the exclusion from the general rule of repeat offenders of serious violent offences, including offenders who commit further family violence offences while on parole for previous family violence offending.

Murder, manslaughter, inflicting grievous bodily harm, threats to kill, torture, kidnapping, aggravated robbery and sexual offences are among the offences which, if committed whilst on parole for serious offending, will exclude the person from receiving the benefit of parole time credit. Reoffending of this type while on parole understandably invokes a community expectation of punishment and denunciation of the offender's behaviour.

While the bill establishes a presumption against granting parole time credit to offenders who meet these exceptions, the court has been provided with discretion to apply parole time credit in appropriate cases where special circumstances exist. Whether special circumstances exist will be a matter for the court. The inclusion of this discretion recognises that there may be cases where the nature of the further offending or the subjective circumstances of the offender should not necessarily preclude recognition of a prior period of compliance with parole obligations—for example, where there has been a lengthy period of compliance, the new offending is less serious or of a different nature to the original offending, or other circumstances exist which make it appropriate to recognise the time spent on parole as parole time credit.

In addition, offenders who commit fresh offences within three months of their release on parole are subject to the presumption against receiving parole time credit. Including this exemption in the scheme creates a further incentive for offenders to comply with parole obligations in the immediate period after their release, thereby giving themselves better chances of completing the parole period in the community.

The scheme created by the bill will make offenders think twice about engaging in further criminal conduct by making them subject to a presumption against parole time credit in particular circumstances when on parole for serious offences or family violence offences. The scheme promotes rehabilitation by crediting offenders for the time spent in the community in compliance with parole conditions.

This bill is an important step in bringing the territory's sentencing framework into line with other Australian jurisdictions and responds to the Australian Law Reform Commission recommendation in the *Pathways to justice* report regarding parole schemes in a considered and localised fashion.

The ACT government is committed to reducing recidivism by 25 per cent by 2025. Research by the Australian Institute of Criminology has found that parole supervision reduces the risk of reoffending. Evidence from other Australian jurisdictions suggests that introducing parole time credit in the ACT will play an important role in reducing the number of offenders being institutionalised in the AMC, but, more importantly, will see detainees value the privilege of active participation in pro-social rehabilitative

programs. This bill will continue to see the parole system used as a privilege and marker of good behaviour.

We have chosen to name the scheme “parole time credit” to reflect the strengths-based nature of the scheme and more accurately describe the benefit to offenders who live crime-free time in our community.

The bill provides for a delayed commencement date to better support the courts, relevant agencies, services and the legal fraternity to establish the necessary administrative arrangements to support the scheme, including systems to calculate combined sentences. The government is confident that these systems, which are successfully operating across other Australian jurisdictions, will be securely in place in the coming months.

I propose to move a government amendment to the bill in response to the Standing Committee on Justice and Community Safety report of 15 October 2019. This is a minor and technical amendment addressing the expiry time frame of one section inserted by the bill. I thank the scrutiny committee for their feedback.

The bill balances the introduction of a much-needed scheme to credit offenders who live in the community in compliance with their parole conditions with the need to ensure community safety and maintain the basis of the principles of sentencing, including punishment and deterrence. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.16): Pursuant to standing order 182A(b), I seek leave to move an amendment to this bill that is minor and technical in nature and that was not circulated in accordance with standing order 178A.

Leave granted.

**MR RATTENBURY:** I move amendment No 1 circulated in my name [*see schedule 2 at page 4589*]. I table a supplementary explanatory statement to the government amendment.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

## Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

## Valedictory

### Multicultural affairs—Diwali

**MR HANSON** (Murrumbidgee) (3.17): I take this opportunity—this time of the year has come around—to thank my colleagues and wish you all a very merry Christmas. I would like to thank all of the Assembly staff, especially Mr Hamish Finlay, the secretary of the EDT committee, for putting up with me again this year.

As always, I would like to thank my fantastic staff, Mr Ian Hagan and Ms Jessica Hynson, for their professionalism, loyalty and friendship. This week I have been lucky to have Suhaan Bhagria working in my office. I recognise him—the very handsome gentleman sitting there in the front row. Suhaan is doing work experience. He is currently at Canberra Grammar School. I have been very impressed with his attitude, his intelligence and his outgoing personality. I am again reminded that our future is in good hands.

Suhaan, if you had not guessed from his name, is from our local Indian community. I will take the opportunity to read some of the words that Suhaan has drafted for me to recognise the Indian community for their contribution in augmenting the diversity and cultural life of Canberra.

The recent Diwali celebration held in Coombs was open to everybody. It was an outstanding display of culture and a major success. The 2016 census communicates that the Indian population in Canberra is 10,414. With this increasing number, it is fantastic to see the enthusiasm and nature that they present their culture with. I am pleased that they are willing to share that with the community and I look forward to more functions like this in the future.

I was delighted to hear that people are having a wonderful time. It is marvellous that there was such a diverse group there, as they got to experience a culture which they may not have encountered before this event.

Events like this are not possible without volunteers. I would like to thank everybody who kindly and willingly volunteered and assisted in the production of this event. This thankyou is also extended to the people who were preparing and serving delicious refreshments on the day, as well as to the Sikh temple for providing some of the materials necessary.

Canberra is a very multicultural state and it is very important to respect and learn about other cultures. Having more events such as this will strengthen the community as well as allow people to express their culture as a result of having more interactions and building new relations. I would like to encourage more cultural communities

across Canberra to celebrate and share their culture, if they are comfortable in doing so, so that we can learn about one another, have a great time and build a stronger community.

Again, I wish you all a very enjoyable break.

Suhaan, thanks very much for those well-crafted words.

I look forward to the final year of this term, next year, which will be a challenging one for us all. I look forward again to the formation of the Liberal government; this time, hopefully, I am right.

### **Environment—climate change Valedictory**

**MS LE COUTEUR** (Murrumbidgee) (3.20): Summer used to be holiday time, a time of sun and sea, and definitely no school. But no longer. For me and many other Australians it has become a time of fear—fear of fire and floods—not the good times that we used to have in the holidays.

When former New South Wales Premier Neville Wran retired from politics, he was asked what his greatest achievement was. His immediate response was “saving the rainforests”. He was talking mainly about the Nightcap National Park, which is the boundary of the community where I used to live. It is a national park because of the actions of us all there, supported by some people in the city, to stop it being logged.

But the forests are no longer safe. These are the rainforests which are part of the Gondwana land which goes from Tasmania up to the top of Australia. If you had said that 40 years ago, when I was living there, no-one would have believed the idea that rainforests were going to burn. So what I want for Christmas is rain. I think that is what most of Australia wants for Christmas. We want slow, steady rain, nourishing rain. And I would like it for an early Christmas present, possibly even today.

Climate change is happening, and it is happening fast—faster than I thought it would. I can only hope that the fires light a fire in our collective consciousness so that we see a change in our political and corporate leaders, as well as our community, to drastically reduce greenhouse gas emissions and start repairing our planet.

This year in the Assembly had two big highlights. Firstly, the ACT Legislative Assembly declared that it is a climate emergency. Secondly, there was the launch of the ACT climate change strategy by my colleague Shane Rattenbury. What I am wishing for now is a rapid and effective implementation of that strategy.

Another huge positive has been the big debate on public transport. I am really pleased that all three parties of the Assembly are now standing up for better transport, at least as each individual party sees that. The debate has moved on to how to do it better, which is a great step forward. We need to do it better and we need to give Canberra public transport that works for all of us.

Another big positive of the Assembly this year has been a significantly increased emphasis on fairness, at least in the debates in the Assembly. Obviously, I am looking forward to a lot more action on fairness, but it is good that it is a part of our conversation, at least every week.

The other thing I am reflecting on is that this is going to be my last Christmas as an MLA and I have no idea what I will be doing this time next year.

I want to say thank you to everybody. I thank my constituents and the rest of Canberra who I enjoy talking to. We do not always agree, but it is good to know your point of view. I particularly thank members of the community who have supported my work, and especially the community councils.

I thank the PCO. I think the PCO has been overworked by my office. I am not sure if I should apologise for that, but I very much appreciate your hard work.

To the committee secretaries that I interact with, including Hamish, Annemieke and Andrea, and of course fellow committee members, thank you very much. I thank the Clerk's office and all the attendants. I thank the Greens party for keeping it all together for the year. Hopefully, with all the volunteers organising it, this time next year there will be a new Green MLA standing here for Murrumbidgee.

Lastly, I thank the Greens team in the Assembly: Allison, Eddy, Jason, Veronica, Georgie, who unfortunately has departed; and the staff in Shane's office, Matt, Lisa, John, Fiona, Sandra, Jarrah, Anna and the tireless Indra, who is very sensibly taking well-deserved long service leave. And of course I thank my colleague Shane.

Happy Christmas to us all.

## **Mental Health Month**

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.25): I would like to speak today about Mental Health Month. In the ACT we dedicate the month of October to celebrating Mental Health Month. It brings together community organisations, local groups, and health and wellbeing services. Canberrans across the territory get involved, participate, have some fun and learn a lot, in an effort to raise awareness and understanding of mental illness, reduce the stigma and discrimination and overall promote positive mental health wellbeing.

This year's Mental Health Month theme was conversations and connections. These two activities are integral to maintaining positive mental health and wellbeing. Conversations and connections have a transformative power to help someone with whatever they might be experiencing—to make them feel heard, included and important.

I am really proud of the work the Mental Health Community Coalition has done as organisers of Mental Health Month. I extend a special commendation to Maddie Cook from the MHCC, who, I understand, is much of the magic behind the organisation and coordination of the events. I also thank Simon and Leith, also from MHCC, who I know put a lot of work into the month as well.

This year's Mental Health Month had over 35 events for Canberrans to engage in. They were put on by the fantastic community organisations we have here in the territory. The effort and dedication it takes to be involved is significant, but the impact of these events is immeasurable. I am always impressed by the hard work of our community organisations and how much value and meaning they bring to people's lives.

I participated in a number of the Mental Health Month events, kicking off with an incredibly fun comedy night with a full house and, of course, a lot of laughs. The Health and Wellbeing Expo was a great way to reach out to the public both in celebration of positive mental health and to inform and engage with the community about services and organisations that are there to assist. The celebrity charity all-star baseball game was indeed a big night at the ballpark. Then there was the Talking Park Bench held by Wellways. This is a fantastic initiative that sets up a dedicated park bench in cities to encourage conversation among strangers.

The ACT Mental Health Community Network turned 20 years old, and I was pleased to celebrate this significant achievement with them. I attended the peer workforce panel event held by the MHCC—an area I believe has a lot of potential to benefit mental health service delivery. To wrap things up, I attended Music 4 Mental Health at the Polish Club and got to listen to the likes of Chris Endrey, Evan Buckley and other great musicians, as well as joining in an effort to learn to sing a song as part of a choir.

With so much on, I was not able to get to everything, but the variety on offer was amazing: the film festival, art workshops and exhibitions, sport and exercise, live music, education and information sessions and other social events. I thank everyone involved in the organisation of an event for the public to engage in and for providing such a wide range so that there was something to appeal to almost everyone, whether their primary interest is in sport, the arts, community support or learning.

Finally, I extend a special thanks to this year's Mental Health Awards winners. The winning organisations and individuals show us what can be achieved through dedication, imagination and understanding. The individual winners inspire us as unsung heroes in the lives of those they care about.

This year's winners are the Australian Kookaburra Kids Foundation ACT branch for the Mentally Healthy Communities and Workplaces Organisation Award; Elise Apolloni for the Mentally Healthy Communities and Workplaces Individual Award; the Way Back Support Service, Woden Community Service and the Connected Program for the Support for Individuals, Families and Carers Organisation Award; Jenny Adams for the Support for Individuals, Families and Carers Individual Award;

Jan Jolly for the System Capacity and Workforce Award; the Centre for Mental Health Research at the Australian National University for the Research, Evaluation and Quality Improvement Award; Katrina Bracher for the Lived Experience Ally Recognition Award for collaborative work with consumers; Tianne Casey for the David Perrin Award for a mental health consumer living independently; and Natalee Thomas, Terri Warner, Joanne Hargense and Bianca Rossetti for the Michael Firestone Memorial Scholarship, for furthering their education and self-development opportunities as a mental health consumer.

These winners were all chosen from an outstanding field of nominees. It was my privilege as the Minister for Mental Health to meet so many people doing great work of this kind. Roll on Mental Health Month 2020.

### **Spring fetes**

**MS CHEYNE** (Ginninderra) (3.30): I think November in the ACT really marks fete season—a lot of fairs and a lot of fetes, not just restricted to schools but also at some of our fantastic institutions in the ACT. Like you, Madam Assistant Speaker Lee, it has been a pleasure for me to be able to get along to so many of these.

I want to highlight what a fabulous, fun festive season it has been, kicking off at the start of this month with the CBR Fair Day at the Gorman House arts centre in Braddon, which is always a fantastic display of colour and light and also life and inclusion. I was very pleased to see what a fantastic turnout there was. While most of these fairs right across this month have been marked by very windy days, people did not have a difficult time enjoying themselves. It was a really stunning day.

That day also marked the Radford College Twilight Fete, which always has huge attendance. I was very pleased to see the huge number of people that turned out for that fete. Again, I was very pleased to get along.

But what is a fete if you are not behind the barbecue with some tongs in hand? Florey Neighbourhood Watch over 16 and 17 November had some huge days at Bunnings around town, including at Bunnings Belconnen, where they really put on a huge showing. I think there were no fewer than four or five trips to different supermarkets throughout the day as we were buying them out of frozen chopped-up onion as well as different levels of sausages. I have now learned that it is the Woolworths sausages that cook the most evenly and quickly. That is on the record for *Hansard* so that everyone knows when they are putting together a barbecue. Sorry, Coles. It had a huge turnout and raised an extraordinary amount of money for Neighbourhood Watch ACT, and it was a pleasure to attend.

I note the remarkable work of Florey Neighbourhood Watch in particular—and that the fabulous Florey Fair is coming up this Saturday and promises to be a really fun event—and also that Aranda is looking to restart its Neighbourhood Watch efforts. Given the focus on policing today, I think we can acknowledge that it is always great to have our community supporting our police in that partnership.

That day had a huge number of fetes otherwise, with the St Thomas Aquinas Primary School fete as well as the Macgregor Primary School fete, the Miles Franklin Primary School fete and, of course, Yes!Fest. So it was a really big day on the Belconnen calendar and I was pleased to get along to all of those.

The next day I was very pleased again to get along to the Weetangera Primary School fete, where I happily served many constituents and residents, and parents and children from the Weetangera Primary School, including our own local radio star Adam Shirley, who I acknowledge is present in the chamber today. The Weetangera Primary School fete had an incredibly well-run barbecue.

I think those fetes are such a good sign of communities coming together and showing the very best of what they can achieve with volunteers, often in a very short period of time, and raising an enormous amount of money for their school communities.

Finally, apart from what is coming up this weekend, last weekend was the Scullin Twilight Celebration. It is one year since the Scullin Community Group formed, and they have simply done an amazing job of revitalising those shops and bringing new life and heart to the entire Scullin community. Watching that come alive through volunteers who last year did not necessarily know each other and did not necessarily know their neighbours filled, I think, everyone who attended that celebration with joy.

Those are just a few highlights from the calendar. *(Time expired.)*

### **Planning—ACT planning strategy**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.35): I rise to speak to the recent success of the ACT planning strategy 2018 at the Planning Institute of Australia Awards for Planning Excellence held on 25 October. The Planning Institute of Australia is the national body for representing planning and the planning profession in Australia. At the ACT annual awards for planning excellence the institute awarded the Environment, Planning and Sustainable Development Directorate with a commendation for the best planning ideas, large project category. The commendation was given for the 2018 planning strategy, recognising its significance in guiding Canberra's future.

According to the Planning Institute, this award recognises outstanding planning ideas. In bestowing this award, the judges were impressed by the strategy's approach of building on previous strategic planning work and other strategies, as well as the central focus on community consultation and engagement. The judges also noted that the strategy represented a significant opportunity to bring together a variety of government priorities into a set of shared directions and actions.

I am pleased to add my congratulations to the strategic planning and policy team in the Environment, Planning and Sustainable Development Directorate on achieving this award. It confirms that we are on the right track in representing leading thinking and best practice in our strategic planning policy.

The Assembly will recall that the ACT planning strategy was released in December 2018, and this progressive and comprehensive government policy was shaped by significant community consultation. It demonstrates what we can achieve when government and the community work together. Importantly, the strategy's key directions are now guiding the ACT planning review to deliver a clear, contemporary and accessible planning system.

If Canberra simply keeps expanding outwards it will put increasing pressure on the valued natural resources that surround the city—our bushland and our grasslands and the ecosystems they support. Continued urban sprawl would increase travel distances, transport-related carbon emissions and infrastructure servicing costs. The planning strategy strikes the right balance between planning for our city's growth and protecting the unique character and amenity of our suburbs and bushland surroundings. This is something people told us was important during the consultation.

By marking out appropriate areas for infill development along transport corridors and close to town and group centres, the strategy plans for a broad spectrum of housing options. In particular, it plans for the missing middle—homes for people seeking something between large, freestanding homes and an apartment. We know that more Canberrans are choosing to stay in this city in their retirement and that one-person households are on the rise.

People told us they are looking to downsize, and we need to ensure that our growth caters for people who want to age in place. Supporting well-planned growth that is matched with community facilities means that we can better provide for diverse and affordable housing options in a well-connected and accessible neighbourhood.

Consideration of opportunities for future greenfield development around our existing urban area included proximity to existing urban areas, jobs and services, environmental qualities and transport connections. Creating and supporting a livable city is fundamental for future success and in attracting and retaining the ACT's important resource—its people.

Livable places combine well-designed built environments with economic prosperity and social connections and opportunities. They enable people to live healthy lifestyles, provide easy access and afford a wide range of facilities and services. The key to success will be maintaining and enhancing the good bones of our city and protecting the landscape character, heritage values and lifestyle offering that Canberrans value so greatly.

The planning strategy is full of great ideas for our city that were thought through carefully and were shaped by innovative community engagement. I am very proud that the ACT Planning Institute of Australia commended the strategy as the best planning ideas, large project category, at the institute's annual awards for planning excellence.

I thank EPSDD for the incredible work they have done over a number of years in ensuring that we have a future in the ACT and are able to live in an environment that

is exciting and close to the urban environment and places to recreate at the same time. To Ben Ponton, Erin and all of the EPSDD people who put so much hard work into our planning for the future, congratulations. Thank you for your service for the year. I have taken up the challenge of the Ben Ponton shirt opportunity and will continue to wear it with pride.

Question resolved in the affirmative.

**The Assembly adjourned at 3.40 pm.**

## Schedules of amendments

### Schedule 1

#### Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019

##### Amendments moved by the Attorney-General

1

##### Clause 4

##### Proposed new section 67 (2)

Page 4, line 1—

*omit proposed new section 67 (2), substitute*

- (2) For subsection (1)—
- (a) the ACAT must consider the need to minimise the possibility of criminal activity in the construction industry; and
  - (b) the matters the ACAT may consider include—
    - (i) whether the licensee has been convicted or found guilty of a relevant offence; and
    - (ii) non-conviction information about the licensee.

2

##### Clause 16

##### Proposed new section 69A (1) (a)

Page 28, line 6—

*omit proposed new section 69A (1) (a), substitute*

- (a) the person was involved with a licence or permit; and

3

##### Clause 16

##### Proposed new section 69A (3)

Page 28, line 15—

insert

- (3) In this section:
- involved*, with a licence or permit—see section 187H.

4

##### Proposed new clause 17A

Page 33, line 11—

*insert*

#### **17A New section 182A**

*in division 11.3, insert*

#### **182A Meaning of *person of concern*—div 11.3**

In this division:

*person of concern*—a person is a *person of concern* if—

- (a) the person is subject to a cancellation order made under part 11B (Cancellation of licence or permit for criminal activity); and
- (b) the cancellation order was made on the basis, or partly on the basis, of the criminal activity of the person.

5

**Clause 19**

**Page 34, line 1—**

*[oppose the clause]*

6

**Clause 21**

**Page 35, line 1—**

*[oppose the clause]*

7

**Clause 22**

**Proposed new section 187J (2)**

**Page 37, line 4—**

*omit proposed new section 187J (2), substitute*

(2) For subsection (1)—

- (a) the ACAT must consider the need to minimise the possibility of criminal activity in the liquor industry; and
- (b) the matters the ACAT may consider include—
  - (i) whether a person involved with a licence or permit has been convicted or found guilty of a relevant offence or had an exclusion order made against them; and
  - (ii) non-conviction information about a person involved with a licence or permit; and
  - (iii) the harm minimisation and community safety principles.

*Note* ***Harm minimisation and community safety principles—***  
see s 10.

8

**Clause 22**

**Proposed new section 187L (1) (b)**

**Page 39, line 20—**

*omit proposed new section 187L (1) (b), substitute*

- (b) the person is subject to a cancellation order for the licence made under section 187J; and

9

**Clause 22**

**Proposed new section 187L (2) (b)**

**Page 40, line 9—**

*omit proposed new section 187L (2) (b), substitute*

- (b) the person is subject to a cancellation order for the permit made under section 187J; and

---

**Schedule 2**

**Sentencing (Parole Time Credit) Legislation Amendment Bill 2019**

Amendment moved by the Minister for Corrections and Justice Health

**1**

**Clause 18**

**Proposed new section 1006 (4)**

**Page 16, line 17—**

*insert*

- (4) This section expires 12 months after the commencement day.
-