



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

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## **Wednesday, 2 December 2020**

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

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

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

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

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

### **Mr Lou Westende Motion of condolence**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.02): I move:

That this Assembly expresses its sorrow at the passing of former MLA Mr Lou Westende and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

I rise on behalf of the government to express great sadness at the passing of former member of the Assembly Mr Laurus Vant Westende OAM, known by most in Canberra as Lou Westende.

Mr Westende was born on 28 November 1925 and passed away on 28 August 2020, aged 94. Mr Westende was married to Mandy Thomas-Westende. They had three children—Dave, Tim and Karen—and he was a much-loved opa to Tiffany, Gemma, Lana, Jarrah, Reilly and Andy.

Mr Westende grew up in the Netherlands during the Depression and the German occupation. He spent three years in Indonesia with the Netherlands marines. This gave him a sense of freedom and personal independence.

He migrated to Australia and, soon after, joined Addressograph Multigraph, a company which produced addressing and duplicating machines. It was here that Mr Westende gained the knowledge and confidence to later start one of Canberra's early business successes, Instant Office Furniture, or IOF. Mr Westende and his wife built IOF into a national company with more than 300 employees.

In mid-1971 Mr Westende introduced an innovative idea—Canberra's first self-service stationery business. His business continued to grow and was relocated to a

new showroom and factory at Tennant Street in Fyshwick, where the iconic building still stands today. Mr Westende and Mrs Thomas-Westende retired in 1989, but within a year they were asked back, to get the business back on its feet, and within 10 years they had resurrected the business.

Mr Westende joined the Liberal Party soon after arriving in Canberra and, I am advised, served as president of the Woden branch in 1973. He continued to be an active party member throughout the 1980s and into the 1990s, when the ACT became self-governing.

At the 1992 territory election, Mr Westende was elected as a Liberal MLA. He retired from this place in July 1994, before the end of his term. It has been suggested that Mr Westende's retirement stemmed from his belief that the process of government was "too slow". We have never heard that said in this place. He returned to IOF and retired at the age of 75.

He was passionate about Canberra's business sector. His strong support for community activities and organisations such as Rotary earned him awards and broad public recognition in many fields. He was a life member of the National Press Club, the Canberra Dutch Club and the Southern Cross Club, and a member of the Commonwealth Club and the Rotary Club of Canberra East.

Mr Westende was awarded a Medal of the Order of Australia in 1997 for service to the community, and to business and commerce, particularly through the ACT Legislative Assembly, the ACT Chamber of Commerce and Industry and the National Gallery of Australia. He was awarded a Meritorious Service Medal in 1995 and was named an Honorary Ambassador to Canberra in 1998.

On behalf of the government, I extend our sincere condolences to Mr Westende's family and friends.

**MS LEE** (Kurrajong—Leader of the Opposition) (10.06): I thank the Chief Minister for moving this motion of condolence. On behalf of the Canberra Liberals, I express great sadness at the passing of Mr Laurus Westende OAM, one of the Assembly's early MLAs and a significant contributor to the values and framework of today's Canberra Liberals. Mr Westende—Lou—passed away in Canberra in August, aged 94.

Lou was actively involved in the Liberal Party for over five decades, serving as an MLA in the Second Assembly from 2002 to 2004. As a successful businessman, and using that business acumen, Lou was instrumental in laying the early financial foundations of the party, as well as establishing a branch structure for the new ACT division in the 1970s. He remained a dedicated member and supporter until his last day.

Lou's life is a classic and inspiring success story of a postwar immigrant who made an immense contribution to a new country and to the city that became his home. After growing up in wartime Netherlands, and following service in the Dutch marines in the Dutch East Indies, Lou migrated to Australia in 1951, moving to Canberra in the 1960s.

Beyond his enormous contribution to the Canberra Liberals, Lou was a prominent Canberra businessman whose civic contribution across a variety of fields was staggering. Lou was awarded a knighthood in the Order of Orange Nassau by Her Majesty Queen Beatrix of the Netherlands in 1995, in recognition of his work in enhancing the standing of the Dutch community in Australia. He also received a Medal of the Order of Australia in January 1997 for service to the community and to business and commerce, the ACT Legislative Assembly, the ACT Chamber of Commerce and Industry, and the National Gallery of Australia.

In May 2000 he was awarded l'Ordre Nationale du Merite by the then French President, Jacques Chirac, in recognition of his contribution to the development of relations between France and Australia. In 2001 Lou was awarded a Centenary Medal for voluntary services to the ACT, to the ACT Legislative Assembly and to Dutch-Australian friendship.

My former fellow member for Kurrajong, the late Steve Doszpot, paid tribute to Lou in the Legislative Assembly in 2015 on the occasion of Lou's 90th birthday. He and Steve were good friends and regular lunch partners, sharing a similar migrant and local business success history. In that birthday tribute, Steve quoted excerpts from Lou's inaugural speech in 2002, when Lou talked of the need for strong leadership from government and a firm and strong commitment by every member of the community. Those sentiments remain as relevant today as they were then.

A biography of Lou, written in 2005 by Doug Hurst, called *Fulfilment and success: the story of Lou Westende—a migrant*, highlights his many achievements, his large network of friends and contacts around the world, and his enormous ability to just get things done. In the book's foreword, written by another great Canberra Liberal, the Hon Margaret Reid, she says she came to know Lou as a passionate man who worked hard for the things he believed in. She wrote:

I know him as a man who is reliable. What he says he will do, he does.

The ACT owes a debt of gratitude to Lou—a great Canberran, a successful businessman, and a strong and consistent supporter of the Canberra Liberals and Liberal values. His was a life well lived and lived well.

A lasting legacy and example of Lou's connection and contribution to the ACT Legislative Assembly is a bronze sculpture in one of this building's courtyards, given as a gift to the Assembly in 1992. The sculpture is *Boy with a Parrot* by John Robinson and it is now a part of the Assembly's official collection of artworks.

Because of the COVID limitations that are still in place, I am, of course, deeply disappointed that close friends of Lou, former MLA Peter Kobold and his wife, Marjory, and Lou's family, cannot be present in the gallery today. I know they very much wanted to be. I know, however, that they will be watching this tribute through the Assembly on Demand portal.

Our thoughts and prayers are with Lou's wife, Mandy; his children and their partners—Dave and Tracey, Tim and Leesa, Karen and David; and his grandchildren and great grandchildren—Tiffany, Gemma, Lana, Jarrah, Reilly and Andy; as well as his many friends and family.

**MR RATTENBURY** (Kurrajong) (10.11): On behalf of the ACT Greens, I join my Assembly colleagues in expressing my condolences on the death of former ACT Legislative Assembly MLA Mr Lou Westende, who died in August this year at the age of 94.

While I have now been in this place for a while myself, Mr Westende's political career started and finished long before I was elected; in fact, he was elected even before the ACT Greens Party itself had been formed. Thus I do not have any personal knowledge of him, and I also did not watch the activities of the Second Assembly that closely, still being at university myself at the time. I reflect on the different time in the Assembly that that must have been, back in 1992 to 1994. The Assembly was not yet in this building and was meeting in offices across the road, in Nara House.

Mr Lou Westende, or Laurus, as he was named, was born in the Netherlands in 1925. His story is an inspirational one—a child of the Depression, a migrant who developed a successful business, who contributed to our community in many ways, but particularly through Rotary, and ended up in the ACT Legislative Assembly in 1992.

Mr Westende, who lived through the German occupation during the Second World War, joined the Netherlands marines, where he spent some years in Indonesia. He came to Australia after the war, at a time when many Europeans were migrating to Australia. This proud Canberran, like many who emigrated to this city, owned his own business and served the local community faithfully. Mr Westende is remembered not only for his great business intellect but for his generosity and dedication to ensuring that workers had greater rights.

In 1994 Mr Westende's small family business was the first to lodge a non-union enterprise bargaining agreement with the Australian Industrial Relations Commission. Mr Westende's company, IOF Modular Offices Manufacturing, applied for an enterprise agreement that would give his 20 manufacturing workers an extra \$15 a week while working an hour less each week. Despite being warned that it was too difficult or that there were too many hoops to jump through to lodge the agreement with the AIRC, Mr Westende fought for what was right for his staff and for his community.

In 2015 former MLA Steve Doszpot gave a speech in this place about Mr Westende for his 90th birthday, as Ms Lee noted, and that is when I learned about the many titles behind his name—OAM, RON and ONM. He was awarded a knighthood by Her Majesty Queen Beatrix of the Netherlands in 1995, in recognition of his work in enhancing the standing of the Dutch community in Australia. In May 2000 he was awarded l'Ordre Nationale du Merite by the President of the French Republic, in recognition of his devotion to France and his contribution to the development of relations between France and Australia. In 2001 he was awarded a Centenary Medal

for voluntary service to the ACT, the ACT Legislative Assembly and Dutch-Australian friendship. He also received an Order of Australia medal in January 1997 for service to the community.

It is fitting to quote from Mr Westende’s inaugural speech that he gave in 1992. He said:

I feel very honoured and privileged to be standing here as a member of the ACT Legislative Assembly but, more importantly, I am very conscious of the responsibilities that this honour and privilege entails. It is a responsibility that is indeed entrusted to all members of this Assembly by those who have placed us here—the people of the ACT—and we must never lose sight of this.

Those words, spoken 28 years ago, echo here this week, as eight new members make their first speeches and commence their time here as MLAs. Mr Westende’s life is a reminder to all of us here today to remain focused on service to the community. On behalf of the ACT Greens, I offer my condolences to Mr Westende’s wife, Mandy, and to his broader family.

*Question resolved in the affirmative, members standing in their places.*

## **Petitions**

### **Sport—Thoroughbred Park funding—petition 24-20**

*By Ms Clay, from 674 residents:*

#### **The Speaker and Members of the Legislative Assembly**

The following residents of the ACT draw to the attention of the Assembly that the horse racing industry is out of step with community expectations in the ACT. Despite protestations about jobs and “loving their animals” the primary motivator is financial and personal success and glory for the trainers and owners – not the horses. Horses lead an unnatural and restricted life while racing, and at worst end up as “wastage” in an industry that has no more use for them. They are stabled most of the day, unable to graze and suffer horrific injuries, occasionally visible, such as the 7 horses that have died during the Melbourne Cup over the last 7 years, but mostly hidden from public view.

The extreme mental and physical suffering these sentient beings experience “for fun” is not acceptable to most Canberrans. The conditions they live and die under, all at the behest of an industry with questionable ethics and subject to allegations of links with organised crime, goes against community expectations. Canberrans do not want to prop up this cruelty any longer.

Your petitioners, therefore, request the Assembly to call upon the Government to withdraw all public funding (understood to be in the vicinity of \$6 million annually) to Thoroughbred Park. This money should be redirected to support Canberra’s arts and entertainment industry, where animals are not exploited or abused.

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

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the relevant standing committee.*

### **Ministerial responses**

The following responses to petitions have been lodged:

#### **Planning—Chisholm development—petition 12-20**

By **Mr Gentleman**, Minister for Planning and Land Management, dated 7 September 2020, in response to a petition lodged by Ms J Burch on 13 August 2020 concerning proposed development in Chisholm.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 13 August 2020 providing petition No 12-20 lodged by Ms Joy Burch MLA regarding a proposed development at Block 44 Section 539 Chisholm.

Following the independent planning and land authority's (the authority) decision to refuse the original development application for the proposed development (DA201935300), the proponent lodged a reconsideration application with the authority on 21 July 2020.

The process for community input into development applications is outlined in the *Planning and Development Act 2007* (the Act).

The reconsideration application was the subject of major notification under the Act. All persons who made a representation on the original application were notified of the reconsideration application on 23 July 2020. The public notification period for the reconsideration application commenced on 28 July 2020 and ended on 17 August 2020, with the application published on the authority's website for public comment during this time.

I am advised by the authority that 21 representations were received during the notification period (one of which included the petition).

The reconsideration application was assessed by the authority against the planning requirements set out in the Act and the Territory Plan, including consideration of all issues raised in representations.

I am informed by the authority that reconsideration application has been refused. Notice of the decision was provided to the applicant and everyone who made a representation on the reconsideration application.

I trust this information is of assistance.

**Transport Canberra—Symonston bus services—petition 14-20**

By **Mr Steel**, Minister for Transport and City Services, dated 9 September 2020, in response to a petition lodged by Miss C Burch on 13 August 2020 concerning Symonston bus services.

*The response read as follows:*

Dear Mr Duncan

I refer to your letter of 14 August 2020 concerning Petition 14-20 lodged by Miss C Burch MLA regarding bus services in Symonston.

While the Government always attempts to provide as many public transport services as possible across our City, there are no current plans to reintroduce bus services on Narrabundah Lane, Symonston.

As part of the redesign of our public transport network in 2019, the Government had to weigh the benefit of providing bus services in different areas of the city. Unfortunately, in the past, when bus services have been provided in this area, very few passengers used them.

However, to accommodate school students living in this area, the Government provides two different school special services, each of which runs both morning and afternoon. These services, routes 2020 and 2024, provide access from the caravan park to local schools including Red Hill School, Forrest Primary School and Telopea Park School.

Eligible residents of the caravan park can also use Transport Canberra's Flexible Bus Service or community transport services.

I have asked Transport Canberra to consider opportunities to address the concerns raised in the petition as part of future improvements to the public transport network.

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

**Municipal services—Farrer—petitions 10-20 and 15-20**

By **Mr Steel**, Minister for Transport and City Services, dated 10 September 2020, in response to a petition lodged by Ms Cody on 13 August 2020 concerning amenities in Farrer.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 13 August 2020 regarding petition Nos 10-20 and 15-20 lodged by Ms Cody MLA requesting a public toilet to be installed at the Farrer Nature Play and Bike track.

I am advised by Transport Canberra and City Services (TCCS) that this matter was raised when liaising with the community about the nature play space, however no commitment to provide a toilet was made as part of this process.

The ACT Government provides public toilets in high use urban open space locations, such as district parks, larger shopping centres and for user hire at sports grounds, where private facilities are not available. TCCS is currently responsible for the maintenance of the public land at 90 shopping centres across Canberra, including 69 public toilets at shops and in urban parks.

The ACT Government will consider the proposal put forward by the Farrer community through the petition in future budgets.

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

**Animals—off-leash areas—petitions 16-20 and 17-20**

**Roads—pedestrian crossings—petition 19-20**

**Roads—disability parking—petition 20-20**

**Transport Canberra—bus layover—petition 11-20**

**Transport Canberra—Fraser bus terminus—petition 18-20**

**Waste—west Belconnen facility closure—petition 23-20**

By **Mr Steel**, Minister for Transport and City Services, dated 10 September 2020, in response to petitions lodged by Miss C Burch, Ms Lee, Mrs Kikkert and Ms Le Couteur in August 2020 concerning municipal services.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letters of 20 and 27 August 2020 regarding the following petitions:

- 16-20 and 17-20 lodged by Miss C Burch MLA regarding dog parks in Kingston and Campbell.
- Petitions 19-20 and 20-20 lodged by Ms Elizabeth Lee MLA requesting a pedestrian crossing on Windeyer Street and parking at the Watson Shops.
- Petitions 11-20 lodged by Miss C Burch MLA regarding the Turner bus layover and 18-20 lodged by Mrs Elizabeth Kikkert MLA regarding the Fraser West Bus Terminus.
- Petition 23-20 lodged by Ms Caroline Le Couteur MLA regarding the proposed closure of the West Belconnen Waste Facility.

**In response to Petitions 16-20 and 17-20**

The ACT Government appreciates that dog owners are a substantial section of park users and pets are recognised for their physical and mental health benefits. The demand for and usage of dog parks is being monitored to inform the future direction in the planning and provision of future facilities.

The seven fenced dog parks across Canberra are intended to serve large catchment areas and complement other dog exercise areas such as designated on leash and off leash areas and are strategically located and are well utilised by dogs and their owners.

An interactive map of dog-friendly exercise areas can be accessed through the Domestic Animals map located at <http://actmapi.act.gov.au> and further information regarding these areas can be found at [www.tccs.act.gov.au/city-living/pets/dogs/recreation-with-my-dog](http://www.tccs.act.gov.au/city-living/pets/dogs/recreation-with-my-dog).

**In response to Petitions 19-20 and 20-20**

I have asked Roads ACT to examine the traffic volume and speed on Windeyer Road and if appropriate look at the possibility of converting the existing pedestrian crossing into a pair of zebra crossings.

Investigations will be undertaken in October as to whether a zebra crossing is feasible for implementation. If feasible the installation of a crossing will be included in the Minor New Works program for delivery by 30 June 2021.

In relation to Disability Parking at Watson Shops, TCCS will investigate the request for disabled this request and consult the affected businesses about the provision of an additional disabled parking space adjacent to the existing disability parking space at the Watson shops.

**In response to Petition 11-20**

The Turner Bus Layover project has been under consideration by the ACT Government for many years and to ensure the best project outcomes for the community, extensive consultation has been undertaken. Consultation commenced in 2012 on the bus layover and interchange feasibility study, in 2013 a public exhibition was held and in 2014 consultation was undertaken on the draft variation to the Territory Plan. I am advised that in April 2020 another letter box drop was undertaken in the area to provide residents and local businesses with more details on the works, including hours and changed traffic arrangements.

While the ACT Government understands concerns about the development of a new bus layover, investment in essential public transport is necessary for our growing city. The new facility, which replaces an existing dirt car park on the site, will help Transport Canberra to run services efficiently, meaning that more bus services can be provided for our community, including Turner residents.

The petitioners note that Canberra is one of the most liveable cities in the world. Ongoing investment in our public transport system to provide more bus and light rail services is a key element of the Government's strategy to ensure that Canberra remains an easy and pleasant place to live. Without investment in our public transport network – whether that is through growing our bus fleet and expanding the light rail network to the southside or through smaller projects, such as the Turner Bus Layover – our city will not be as liveable in the future.

Given the importance of this and the extensive community consultation undertaken since 2012, the Government has no plans to delay construction of the Turner bus layover to undertake further consultation.

**In response to Petition 18-20**

While I appreciate residents' ongoing concerns about Transport Canberra's Fraser West Terminus, it is not feasible to stop using the terminus at this time, as it is an essential facility for operating bus services in Belconnen. However, I am advised that Transport Canberra is seeking to identify an additional site for a bus layover in the area, which may allow for a reduction in the number of buses using the Fraser West Terminus in the future.

To address immediate concerns raised by residents, Transport Canberra has:

- reduced the number of buses using the terminus as part of improvements to bus services across Canberra introduced in July 2020. This included a reduction in the number of local bus services starting or ending at the Terminus in peak times, as well as late at night;
- directed bus drivers not to idle buses for longer than five minutes at this location; and
- is making improvements to the terminus to help reduce noise for residents, including changes to landscaping.

I am advised that Transport Canberra has also recently consulted with residents in the area in relation to this issue and have updated the development plans to reflect community comments.

**In response to Petition 23-20**

The West Belconnen Resource Management Centre (WBRMC) is situated on Block 1586 which lies in the centre of the Ginninderry development, a major land development and release program.

As part of the Ginninderry development this site needs to be closed to undergo rehabilitation and handover to Ginninderry Joint Venture (GJV) for further development of the site into open public space with parkland, sportsgrounds and other suitable features. Landfilling operations for public disposals at the WBRMC ceased on 2 September 2020 to allow rehabilitation and closure of the site.

The rehabilitation of ACT landfills is a mandatory requirement under the *Environmental Protection Act 1997* and a strategic commitment of the ACT Government. Currently investigations are being carried out on landfill gas, soil and groundwater conditions that forms the basis of a human health risk assessment. This will inform rehabilitation requirements for the site and what future activities can be undertaken on and surrounding the rehabilitated site. Rehabilitation, capping and ancillary works will be undertaken later in 2020. Subsequently, once the rehabilitation works are complete, and Environmental Protection Authority approval is granted, the site will be handed over to the GJV.

The Canberra Sand and Gravel green waste drop-off facility will continue to operate until mid-2021, however, the licence for the CSG facility will cease on 30 June 2021 to facilitate site remediation and handover to GJV. A longer-term solution for the acceptance of green waste for Belconnen and North Canberra is being investigated as part of Waste Infrastructure Planning. An option of accepting green waste at the Mitchell Resource Management Centre or a new alternate site in North or North/West Canberra is part of these investigations and the community will be kept up to date.

Public waste drop off ceased at WBRMC in 2002. The public can drop off waste at the waste transfer stations located at Mitchell and Mugga Lane Resource Management Centres. Alternative options for the disposal of green waste is highlighted below;

- All households in Belconnen can apply for a Green Bin as part of the Green Bins collection service.
- Garden waste can be disposed of at Corkhill Bros. located at the Mugga Lane Resource Management Centre (MLRMC) free-of-charge for members of the public.
- Residents are also able to dispose of green waste at CSG in Vicars Street, Mitchell (fees apply) or at Weilwun Landscape Supplies on Morisset Road, Mitchell (fees apply).

Alternative locations for Recycling Drop off Centres include the facility located at Jolly Street within Belconnen. Others are at O'Brien Place, Gungahlin, Baillieu Court, Mitchell, Botany Street, Phillip and Scollay Street, Tuggeranong.

Work is underway to develop a 30 year Strategic Waste Infrastructure Plan, with a five year focus, that presents a clear and compelling outline of the ACT's waste infrastructure requirements to enable an effective transition to a more circular model of resource use and cater for the growing community. Ensuring the continuity of services to the community is a priority of the ACT Government.

I trust that the above information responds to the petitions noted.

### **Waste—proposed Fyshwick facility—petition 22-20**

By **Mr Steel**, Minister for Transport and City Services, dated 19 November 2020, in response to a petition lodged by Ms Lee on 27 August 2020 concerning waste processing.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 27 August 2020 regarding Petition 22-20, lodged by Ms Elizabeth Lee MLA, regarding the high-volume waste processing sites in Canberra's inner south. My response to the petition is detailed below.

The ACT Government's position on this matter is clear. The ACT Government does not support the CRS proposal and does not support the processing of red bin waste in Fyshwick. The Government is particularly concerned with the CRS waste proposal as it currently stands and is considering all available options to oppose the project.

Through the *Waste to Energy Policy 2020-25*, the ACT Government has already put a moratorium on waste to energy in the ACT. This policy was a result of the Government consulting with the community and led to a ban on waste incineration.

The *ACT Waste Management Strategy 2011-2025* refers to the Hume Resource Recovery Estate and acknowledges that further development of the site, to co-locate resource recovery facilities would be beneficial. This is reiterated in the Parliamentary Agreement for the 10<sup>th</sup> Legislative Assembly whereby the Government will seek advice on the best way to facilitate the location of waste processing facilities in Hume.

The ACT Government remains an active and engaged stakeholder in waste facility proposals and will ensure that key waste-related impacts and issues are addressed as part of waste facility proposals.

I trust this information is of assistance.

### **Arts—Live in Ya Lounge—petition 21-20**

By **Ms Cheyne**, Minister for the Arts, dated 26 November 2020, in response to a petition lodged by Ms Lee on 27 August 2020 concerning Live in Ya Lounge.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 27 August 2020 lodging petition No 21-20 lodged by Ms Elizabeth Lee MLA regarding Live In Ya Lounge, a live streaming music program run by Event Audio Visual Services (EAVS).

The local events sector has been significantly impacted by the COVID-19 pandemic. In recognition of this, the ACT Government committed more than \$6 million in economic stimulus to support local business and jobs in Canberra's creative industries.

The events industry has pivoted and adapted significantly to find ways to continue to provide the social, community, and health and wellbeing benefits that the arts deliver. EAVS took an innovative approach in its desire and commitment to support the arts sector with Live In Ya Lounge, and in doing so provided paid performance opportunities for local artists to continue to reach audiences safely, primarily through a donation funding model.

To help EAVS facilitate Live In Ya Lounge, the ACT Government provided a comprehensive assistance package, totalling \$94,990. Assistance included discounted venue hire, equipment hire and storage provided free of charge and a range of other measures available for local businesses in addition to ACT Government assistance for operations. The ACT Government also provided program funding for the provision of services to the Where You Are festival.

It is regrettable that, while the Canberra community valued Live In Ya Lounge, the donation funding model did not support its ongoing sustainability.

The ACT Government acknowledges and commends EAVS' efforts to support the local music industry and, in turn, the broader Canberra community through Live In Ya Lounge. The ACT Government remains committed to supporting the arts and events sector.

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

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

That the petition and responses so lodged be noted.

## **Sport—Thoroughbred Park funding—petition 24-20**

**MS CLAY** (Ginninderra) (10.20): Madam Speaker, I am happy to support this petition and continue the tradition of Greens MLAs bringing the voice of the community to the Legislative Assembly. The Greens have long supported petitions and their place in our democratic processes, and it will continue to be a priority of the ACT Greens in this Assembly term to bring community petitions to the Assembly.

The ACT Greens have a strong animal welfare agenda. This includes supporting horse ownership and horse riders. We are also committed to ensuring that horses are treated well and with consideration of strong animal welfare standards. I understand that most horse owners care deeply for their animals, and owners clearly play an important role in the animal welfare of their horses.

I also note that there is deep and growing community concern around injuries to and deaths of horses in the racing industry. These concerns are valid and worthy of ongoing discussion. The ACT Greens support the Australian Greens' calls for a national royal commission to further examine animal welfare issues in the horseracing industry.

In relation to the specific calls in this petition for more funding for the arts, I would like to highlight the ACT Greens' strong commitment to increased funding for the arts and for artists. As members would be aware, COVID-19 has had an immense impact on artists and the creative community, and we believe it is important to provide funding to artists so that they are able to create with increased certainty of funding for their industry during the pandemic.

I thank the petitioner and their supporters for their advocacy on these issues. I note that there are over 500 signatures, so this will be referred to a committee.

Question resolved in the affirmative.

## **Leave of absence**

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

That leave of absence be granted to Ms Lawder for today and tomorrow due to family reasons.

## **Nomination of Assistant Speakers Statement by Speaker**

**MADAM SPEAKER:** Pursuant to the provisions of standing order 8, I table a nomination for the appointment of Mr Pettersson as an Assistant Speaker, dated

9 November 2020, and the nomination of Mr Cain and Mr Davis as Assistant Speakers, dated 17 November 2020:

Pursuant to the provisions of standing order 8, I nominate Mr Pettersson to act as an Assistant Speaker.

Given under my hand on 9 November 2020.

Joy Burch MLA  
Speaker  
9 November 2020

Pursuant to the provisions of standing order 8, I nominate Mr Cain and Mr Davis to act as Assistant Speakers.

Given under my hand on 17 November 2020.

Joy Burch MLA  
Speaker  
17 November 2020

## **COVID-19 pandemic response—update**

### **Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.23): I rise today to provide the first update to the Tenth Legislative Assembly on the COVID-19 situation in the ACT and the plans, preparations and actions the government continues to take to protect the health and wellbeing of Canberrans. This reflects the commitment made in the last term of the Assembly to provide regular updates at the beginning of each sitting period. I am pleased to report that the ACT remains in a strong position, due to the excellent work of our public health and hospital staff and the cooperation and support of our community.

However, the situation we are seeing overseas is a reminder of the need to maintain specific public health measures and to work together as a community to maintain our vigilance to stop the spread. The number of new COVID-19 cases reported globally continues to rise rapidly. As of 30 November 2020, there have been more than 62.3 million confirmed cases, including more than 1.45 million deaths reported to the World Health Organisation. This resurgence in cases has resulted in many European countries, including the United Kingdom, France and Germany, reintroducing nationwide lockdowns similar to those implemented in recent months in Victoria.

As members will be aware, on 15 November 2020 three community-acquired COVID-19 cases were reported in South Australia, one of these a hotel quarantine worker. These were the first community-acquired cases reported in South Australia in five months. A further 14 new cases of COVID-19 were reported in South Australia on 16 November 2020. This cluster was linked to multiple high-risk settings, including an aged-care facility, a correctional facility and a hospital. SA Health issued several public health alerts to self-quarantine immediately and monitor for symptoms.

Several jurisdictions—Queensland, Tasmania, the Northern Territory and Western Australia—implemented border restrictions or quarantine requirements for SA or

Adelaide arrivals. New South Wales and the ACT kept borders open but established declaration processes for anyone arriving from South Australia, while Victoria closed its border for a short period until a similar declaration process could be implemented. On 19 November 2020 the ACT Chief Health Officer signed a public health direction requiring anyone travelling to the ACT who has been in South Australia in the past 14 days to complete an online declaration prior to entering the ACT. This situation in South Australia evolved rapidly and continues to be closely monitored by the ACT Chief Health Officer and the government. New cases linked to the South Australian Parafield cluster continue to be reported, with a total of 33 linked cases as at 1 December.

We remain alert to the possibility of new cases emerging in our community, particularly because of residents returning from COVID-19 hotspots. Our priority remains to test people presenting with COVID-19 symptoms and ensure that those approved returning travellers are quarantining safely.

As of 30 November, New South Wales had notified 32 new cases over the previous week and five cases in the last 24 hours. All notified cases have arisen from returned travellers in hotel quarantine. As of Monday, New South Wales had not reported a locally acquired coronavirus infection for 23 days. On 23 November 2020 New South Wales opened its border with Victoria and the ACT also removed restrictions on people travelling from Victoria.

Madam Speaker, this was able to be done with confidence because the COVID-19 situation in Victoria had improved so dramatically. The most recent locally acquired case was reported on 29 October 2020 and as of 1 December there were no active cases in the state. This is a remarkable feat and Victorians deserve the gratitude of all Australians for their fortitude in seeing through a very tough lockdown to get to this outstanding position. On 22 November Victoria moved to the last step in its road map for reopening, following no new cases in the state for 14 days. Progress to COVID normal is planned for when there are no new cases for 28 days, no active cases in Victoria and no outbreaks of concern in other states or territories.

Members may be aware that this is the 10th update on the ACT government's response to the COVID-19 pandemic that I have provided to the Assembly since I declared a public health emergency on 16 March 2020. Locally, I am pleased to report that the ACT has continued to do well in suppressing COVID-19. There continues to be no evidence of community transmission in the ACT.

Since my last update to the Assembly on 20 August, the ACT has recorded four new cases, all returned overseas travellers who were already in quarantine and have been expertly managed and supported by our public health teams. We currently have two active cases in the ACT. A total of 112 cases have recovered and sadly there were three deaths early in the pandemic.

As members may be aware, the most recent case of COVID-19 was detected in the ACT on 28 November 2020. The new case is a woman in her 20s who returned to Australia on the government-facilitated flight that arrived on 26 November. No other COVID-19 positive tests have been reported from returned Australians from this

flight. All guests except two small children were tested on day one of their quarantine and all will be tested again between day 10 and day 12, prior to being cleared to exit quarantine. Given the COVID-19 situation internationally, as people continue to return to Australia from overseas in the coming months there will be a high likelihood of further positive cases here from those in quarantine.

We should be proud of our work in suppressing COVID-19 but we must not become complacent. By keeping up the key COVID-safe behaviours we will be best placed to avoid a resurgence of the virus in our community. This starts with good hygiene and staying at home if you feel unwell. If you have cold or flu-like symptoms you should seek medical advice and get tested for COVID-19. Testing numbers remain consistently strong in the ACT, with 120,584 negative test results as of 1 December 2020. High rates of testing are essential to maintain rigorous surveillance and to closely monitor the situation as restrictions are eased. We are reminding the community to get tested if experiencing any of the common COVID-19 symptoms such as fever, cough, sore throat or shortness of breath.

National surveillance and testing plans are being updated to reflect the evolving situation in Australia, where there is a low prevalence of infection and of increasing fatigue with the pandemic. The ACT's plans are being updated accordingly. To strengthen our surveillance, the ACT has joined the NSW Health wastewater COVID surveillance program. Currently, a sample of wastewater is collected weekly from the Lower Molonglo Water Quality Control Plant, which receives wastewater from over 99 per cent of the ACT population.

ACT Health and Icon Water are working together to investigate a sampling strategy which would increase the number of sampling sites and reduce the catchment areas to approximately 100,000 people. Wastewater samples collected in October and November 2020 did not detect any trace of COVID-19. We will continue to monitor these samples.

Madam Speaker, a public health emergency declaration remains in force in the ACT. The Chief Health Officer provides the government with regular advice on the status of the public health emergency in the ACT and advised me on 17 November 2020 that the declaration should be extended for a further 90 days, due to the ongoing public health risk posed by COVID-19. The public health emergency declaration enables the Chief Health Officer to continue to take the necessary actions to reduce threats to public health, including issuing public health directions that aim to limit the spread of COVID-19 in our community. These directions include the requirement for returned travellers to undertake hotel quarantine and for confirmed cases of COVID-19 to self-isolate.

The ACT's public health response is guided by the advice of the Australian Health Protection Principal Committee and National Cabinet. All Australian jurisdictions are maintaining public health emergency status or similar at this time and are continuing to focus on suppression of COVID-19. While the situation in Victoria has improved significantly, it is likely that we will continue to see COVID-19 outbreaks until there is a vaccine sufficient to deliver widespread immunity. The most recent cluster in

South Australia serves as a strong reminder that the pandemic is not over and that we must remain vigilant.

Nevertheless, Madam Speaker, our good position in suppressing COVID-19 has enabled further cautious easing of restrictions, under strict COVID guidelines. This decision was put on pause when the South Australian cluster emerged, until the ACT Chief Health Officer was able to have confidence that the situation had been brought under control and the risk of cases moving into the ACT was low.

As of 9 am today, the ACT has moved to stage 4 of Canberra's recovery plan. These changes mean that venues can move to a one person per two square metres density requirement in indoor spaces, provided they use the Check In CBR app to collect patron contact details. If venues and businesses are not using the Check In CBR app they must continue to apply the venue capacity rule of one person per four square metres indoors and one person per two square metres for outdoor spaces. Patrons in an outdoor space can eat and drink while standing rather than having to be seated, but people must remain seated while consuming alcohol in indoor spaces.

Cinemas and movie theatres that use the Check In CBR app to collect patron contact details can sell up to 65 per cent capacity of each theatre, up to 500 people per cinema or theatre. Otherwise, cinemas and theatres must continue to maintain 50 per cent capacity. Large indoor performance venues, such as theatres and arenas, and enclosed outdoor venues with permanent tiered seating can have up to 65 per cent capacity throughout the venue, up to a maximum of 1,500 people. Events need to be ticketed and seated and a COVID-safe plan must be in place for each event. GIO Stadium and Manuka Oval can have crowds of up to 65 per cent capacity across the venue so long as each event has an appropriate COVID-safe plan in place. Finally, employees can return to work, with a COVID-safe plan, if it suits them and their employers.

So, Madam Speaker, we continue to move ahead cautiously, recognising that there will always be some in our community who consider that we are not easing restrictions fast enough, while others will have the opposite view. The impact of easing restrictions is being closely monitored to inform future decisions. With the most recent easing decisions taking effect today, the ACT will remain at its current stage until early 2021. Easing restrictions and allowing more people to gather leads to a higher risk, should we see a new case. That is why the Check In CBR app has been made mandatory for most venues to move to one person per two square metres or 65 per cent capacity indoors.

The Check In CBR app, developed in house by ACT Health, was launched in mid-September 2020 and now has around 2,800 venues registered and more than 80,000 downloads. The app is a contactless, secure and convenient way for people to sign into a Canberra venue and data is stored securely with ACT Health for 28 days, in the event that contact tracing is needed.

The app allows contact tracers immediate access to information about who was in a venue at a specific time. The simplicity of the information requested through the Check In CBR app, the security of data and the ability of the app to remember

individuals' details once entered are designed to lead to a higher adoption rate of the app and use at venues.

The ACT government has offered to share the app with other states and territories to support their contact tracing capabilities. This has now been taken up by the Northern Territory and Tasmania, who launched their own versions on 24 and 26 November, with support from ACT officials.

The Check In CBR app has also been praised by the Commonwealth Chief Scientist, Dr Alan Finkel AO, as an effective mechanism to assist our contact tracing team to have easy and fast access to contact tracing data, in the event it is required.

Dr Finkel was commissioned by the commonwealth government to undertake the national contact tracing and outbreak management review, which has reviewed systems and operations in all jurisdictions, with the aim of strengthening capacity and capability to effectively test, trace and isolate COVID-19 and ensure that our health systems are prepared. I am pleased to advise that the ACT was more broadly assessed as having strong contact tracing and outbreak management systems in place.

The review identified areas for continuous improvement and preventative public health measures for all jurisdictions in the areas of workforce and training; stress testing; end-to-end contact tracing; data exchange; outbreak management; technology systems; and community engagement. Like every jurisdiction, we will continue to refine and test our processes and strengthen our capacity to respond to any local outbreak.

Specific plans are in place to guide the management of outbreaks in a range of high-risk settings, including aged care; disability settings; corrections settings; high density housing settings; and primary care settings.

In addition to Dr Finkel's review, at the request of National Cabinet, the commonwealth commissioned the National Review of Hotel Quarantine, which examined hotel quarantine management, structures and operations across all jurisdictions except Victoria. ACT officials engaged closely with this review, which was conducted by Ms Jane Halton AO PSM.

Hotel quarantine is a primary mitigation strategy for controlling the spread of COVID-19 from any arriving international traveller who may be infected into the wider community. The national review report found that hotel quarantine has proven largely effective as a first line of defence against the importation of COVID-19 and is a necessary response to protect the community until a safe and effective vaccine is available.

I am pleased to advise that the ACT's quarantine program was assessed as suitable against the recommendations. The ACT was commended in several areas, including our focus on mental health and wellbeing support for persons in quarantine. There were also some areas identified for all jurisdictions, including the ACT, that we have worked on to further strengthen, in line with the best practice identified by the review. This includes making information about quarantine clear and easily accessible;

ensuring that our systems are adept to manage the flow of persons through quarantine; and providing further support for families and parents, including entertainment options.

We recognise that quarantine, particularly hotel quarantine, can be a challenging experience for people. Our public health team is focused on seeking to improve the experience by reducing stresses and anxieties where possible. Supporting mental health and wellbeing is a particular focus of the ACT's approach, with a dedicated team offering a range of supports to guests, including specific support for parents.

We expect quarantine to remain a requirement for returning international travellers for some time to come, except where the Australian government can advise that the risk is sufficiently low, such as with the arrangements now in place allowing travellers arriving from New Zealand to enter quarantine-free.

Madam Speaker, the Australian government has sought the assistance of states and territories to return thousands of vulnerable Australians that are waiting to return home. The ACT, along with all other jurisdictions, agreed at National Cabinet to prioritise Australians returning home and to work towards enabling more Australians who wish to return home to do so.

Between 13 November and Christmas 2020, the Australian government expects to bring an additional 27,000 Australians home, with further places becoming available once Melbourne Airport reopens to international arrivals. The ACT government has undertaken to assist, where we have capacity in our quarantine system, to facilitate the safe arrival and quarantine of returning Australian citizens and permanent residents.

The ACT received a government-facilitated flight on 26 November 2020, and travellers are being supported through their quarantine by ACT Health Directorate staff, with compliance support from ACT Policing and the Australian Defence Force. Further flights will continue to be received during 2021 if capacity allows.

We continue to work with the commonwealth government around the timing of these flights, where they come from and specific numbers of passengers who will arrive in Canberra. The ACT had already successfully received two repatriation flights since Australia closed its international borders. Since these flights, the ACT government has worked collaboratively with the commonwealth to review the ACT's hotel quarantine systems and procedures and implement measures to further strengthen our quarantine system and processes, in accordance with best practice guidelines identified in the review and lessons from other jurisdictions.

We are taking every precaution to minimise the risk to the community of these flights, including mandatory testing for workers at Canberra's quarantine hotels, as recommended by the Australian Health Protection Principal Committee. All travellers quarantining in the ACT are tested for COVID-19 twice during their stay. They receive a phone call, including a symptom check, from an ACT Health staff member every day of their quarantine, and any traveller who may become symptomatic is tested for COVID-19.

We are also working closely with hotel quarantine accommodation providers to ensure that infection prevention and control measures are in place and that staff are adequately trained in how to use personal protective equipment.

I want to take this opportunity to thank everyone involved in these operations. The Public Health Emergency Coordination Centre staff and the office of the Chief Health Officer plan and oversee the management of government-facilitated flights. The Clinical Health Emergency Coordination Centre and Canberra Health Services staff provide mental health support and undertake testing. ACT Policing and ADF staff are supporting compliance and providing security at the quarantine hotel. The Australian Border Force, Australian Federal Police, Canberra Airport and its staff, Transport Canberra and the ACT Ambulance Service all support the arrival process. Officials in the ACT Health Directorate and Chief Minister's directorate have worked with the commonwealth and with local hotels and other partners to coordinate arrangements. Hotels and their staff have been willing to help their fellow Australians return home after what has often been an extremely stressful time.

COVID-19 restrictions significantly impacted our public hospitals, reducing or suspending services important for health and wellbeing in our community. On 1 July the ACT government announced increased investment in our public health system to fast-track its recovery. Our success in suppressing the virus in the ACT has allowed the government to respond to the impact of COVID-19 on our health system. This investment will see a significant boost in activity throughout the rest of this financial year to address the impacts caused by the initial response.

Our plan includes funding to address the backlog caused by the national suspension of many category 2 and 3 elective surgeries in March, by delivering at least 16,000 elective surgeries in this financial year. I am pleased to advise that, as of 30 November, 881 of the 1,338 patients who were overdue at the commencement of the COVID-19 elective surgery catch-up program had been removed from the elective surgery waiting list. This is welcome progress in our health system recovery plan and for the people affected over the previous months. Thank you to our doctors, nurses, other health professionals and support staff who are making this possible.

Madam Speaker, Canberrans are to be congratulated for their combined efforts that have seen the ACT remain free of community transmission. We have every confidence that the ACT is in a very good position to respond, should we see any new cases emerge. Our recovery plan is focused on minimising risk as restrictions are eased and putting in place appropriate measures to manage these risks as best as possible.

For those who are planning to travel over the Christmas and New Year break, we encourage everyone to follow the guidance on both the ACT COVID-19 website and the COVID-19 website of the state or territory you are travelling to, and remember that while travelling it is your responsibility to maintain physical distancing and practise good hygiene, as well as to adhere to the rules of the jurisdiction in which you are travelling.

I encourage everyone to keep up our vigilance and help avoid the risk of undoing the good work that has put Canberra in such a good position.

I present the following paper:

COVID-19—Update on Government response—Ministerial statement,  
2 December 2020.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

### **COVID-19 Emergency Response Legislation Amendment Bill 2020 (No 3)**

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

Title read by Clerk.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.44): I move:

That this bill be agreed to in principle.

This bill extends certain COVID-19 measures that were adopted under the Emergency Response Act 2020 and the Emergency Response Legislation Amendment Act 2020 as it relates to COVID. The measures are due to expire, so extending them will maintain flexibility under certain ACT laws and assist operational areas to continue to provide services during the pandemic.

This is the fourth in a series of government omnibus bills enacted in response to the pandemic. The bills have made necessary changes to our legislative framework to ensure that the government is able to continue to carry out various tasks in a way that reduces risks associated with the emergency. In common with other COVID omnibus bills, the bill will amend a range of territory laws across ministerial portfolios. It primarily amends current expiry provisions for COVID-19 measures so that they can continue to be used for the duration of the emergency.

Certain measures, including those in the Bail Act, Corrections Management Act, Crimes (Sentence Administration) Act, Crimes (Sentencing) Act, Education Act, Family Violence Act, Personal Violence Act and Retirement Villages Act are due to expire on 8 April next year. Some of these measures have been identified as continuing to be of value during the pandemic and need to continue, particularly as the emergency will likely persist beyond April next year.

The bill therefore includes amendments to these measures, substituting current expiry dates and putting in new expiry provisions aligned with the expiry of the COVID-19 Emergency Response Act. This will be 12 months after the COVID declaration has ceased to be enforced. Members would be aware that the current declaration is presently due to end on 17 February next year. So the measures will remain in the relevant act for 12 months from the date that a COVID declaration, as further extended, ceases to be enforced. In the event that a further COVID emergency declaration is made in this period, the measure will once again become operative, as long as this occurs within 12 months of the end of the last declaration.

The purpose of this rolling expiry arrangement is to ensure that emergency response measures can be available to support operational and service responses in circumstances where there is a break of no more than 12 months between the emergency declaration being enforced. In most cases the measures can only be used if a COVID-19 emergency is enforced.

The bill also amends the expiry arrangements for other measures such as the Crimes Act, the Drugs of Dependence Act and the Evidence (Miscellaneous Provisions) Act which currently will expire on the first day that there is not a COVID emergency in force and part 12.3 of the Corrections Management Act, which currently expires 120 days after the COVID Emergency Response Act expires. The bill proposes that the expiry of these measures will now also align with the expiry of the COVID Emergency Response Act, being 12 months after a COVID declaration has ceased to be in force.

A small number of measures have been amended so that their expiry is not aligned with the expiry of the emergency response act. For example, the measures in the Associations Incorporation Act are currently due to expire on 8 April next year. These have been extended for a further six months and will now expire on 8 October next year. These measures allow incorporated associations to hold meetings other than in person, using alternative forms of communication to allow for proxy arrangements and to allow the registrar-general to give general extensions of time for prescribed periods within which certain things are required under the act. This further six-month transition period is necessary to give incorporated associations more time to amend their rules and to incorporate these more flexible arrangements, should they need them in the future.

The Supreme Court Act includes a measure which allows an accused to elect to be tried by a judge alone for offences that would normally be required to be heard by a jury. Currently this expires on 31 December 2020, unless another date is prescribed by regulation. This bill amends the expiry provision for the measure to provide for expiry on 30 June 2021. The measure needs to continue to assist the court in rescheduling trials and to avoid a backlog in trials developing at a time when COVID physical distancing measures require two courtrooms for each trial. The Attorney-General will progress a regulation to continue the measure beyond 31 December, until after the bill, to make sure that the new expiry date 30 June next year can be considered by this place in February of next year.

The bill also repeals COVID measures under sections 182 and 185 of the Crimes (Sentence Administration) Act. These measures permit a single judicial officer to exercise a supervisory function for the Sentence Administration Board in relation to intensive correction orders or parole and constitute quorum at the Sentence Administration Board meetings during the COVID emergency. These measures are no longer needed, as the board has been able to adopt the use of an audiovisual link to carry out its functions, in the event the need arises.

The bill makes technical amendments to the provisions for the extension of registrations under the Working with Vulnerable People (Background Checking) Act. These amendments repeal sections 60B and 60C of the act, which extended registrations due to end during the COVID-19 emergency period to a single fixed date six months after the end of the emergency. The bill replaces these provisions to extend registrations that end during the emergency period to end 12 months after the registration was due to end. The amendments to the Working with Vulnerable People (Background Checking) Act aim to ensure an effective and orderly transition back to normal registration processes. The expiry period for this measure remains at six months after the COVID-19 emergency ends.

Additionally, the bill makes two amendments to measures under the COVID-19 Emergency Response Act to support Legislative Assembly scrutiny of the emergency response measures. The first amendment—and this is important—changes the reporting period for the reporting of the application of emergency response measures. Reports are currently required after each month that a COVID-19 declaration is in force. This bill amends the reporting period so that reports will be made for each quarter that the declaration is in force, reflecting the practical reality of zero monthly reports most of the time so far. Quarterly reports will of course ensure that the Assembly is able to continue to monitor trends over time and aligns with the length of time a public health emergency declaration may be extended by the Minister for Health under the Public Health Act 1997.

The second amendment changes the presentation requirements for subordinate laws and disallowable instruments made under a COVID-19 emergency response measure. Currently, such subordinate laws and disallowable instruments must be presented within one sitting day after they are notified on the legislation register. This amendment will change this to two sitting days after notification, which will reduce the possibility that a subordinate law or disallowable instrument will be repealed as a result of failing to meet the presentation requirement.

At this point I am very happy to confirm that if any significant emergency response measures are used we will of course notify the Leader of the Opposition of these powers being exercised so that she is aware, in as close to real time as possible, of this action and the reason for it. That said, it is in fact extremely likely that the government would make a public announcement that everyone would be aware of about the use of most powers in any event.

Our response to the COVID situation has seen the government focus on supporting Canberra and Canberrans during this critical time. The measures adopted in this bill

and in the past bills have made an important contribution to COVID-safe practices but, most importantly, to the continued provision of services across government and the community. I thank the Attorney-General for his contribution in supporting the development of this bill, and I commend it to the Assembly.

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

## **Planning and Unit Titles Legislation Amendment Bill 2020**

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

Title read by Clerk.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (10.54): I move:

That this bill be agreed to in principle.

I am pleased to present the Planning and Unit Titles Legislation Amendment Bill 2020. The bill is part of the government's regular program of omnibus amendment bills that make minor policy and technical amendments to the statute book. Omnibus bills are an effective means of keeping the ACT's legislation up to date and give the government the ability to respond quickly to changing circumstances.

This bill contains minor policy and technical amendments to the following pieces of legislation administered by the Environment, Planning and Sustainable Development Directorate and the Justice and Community Safety Directorate: the Civil Law (Property) Act 2006; the Civil Law (Property) Amendment Regulation 2020; the Civil Law (Sale of Residential Property) Act 2003; the Planning and Development Act 2007; and the Unit Titles (Management) Act 2011. The bill makes changes to existing legislative provisions regarding unit titles and community concessional leases.

Many of the amendments relating to unit titles arose during the implementation of the government's stage 1 Managing Buildings Better reforms, and through discussions with the Unit Titles Consultative Group, which comprises industry and community representatives. They are minor amendments to make sure that legislation relating to unit titles, including the amendments introduced by the Unit Titles Legislation Amendment Act 2020, which came into effect on 1 November 2020, is effective and clear.

The provisions relating to community concessional leases are intended to make sure that the legislation providing for the community concessional lease scheme, introduced in the Planning and Development (Community Concessional Leases) Amendment Act 2019, operates as intended.

I would now like to outline the provisions in the bill. Stage 1 of the Managing Buildings Better reforms introduced new requirements for developers to give buyers of off-the-plan units a disclosure statement as part of the contract for sale. The disclosure statement gives important information about the progress of the development of the unit and the units plan. The buyer has clearer rights to rescind the contract for sale if the off-the-plan unit changes significantly prior to the contract settlement.

The bill amends the Civil Law (Property) Act to provide that if a subsidiary of a unit, such as a car park or a storage cage, decreases in size by 10 per cent or more in the disclosure statement for the unit, the change is a type 2 matter. This amendment applies to unit subsidiaries other than courtyards and balconies, which are type 1 matters, if they involve a decrease in area of 10 per cent or more.

Changes which are type 1 and type 2 matters give rise to certain rights for buyers to terminate a contract for sale if they are significantly prejudiced by the change. These amendments are intended to give buyers greater rights to terminate a contract if the size of any unit subsidiary is reduced by 10 per cent or more from what they were initially advised, and this change affects their use and enjoyment of the unit.

The bill also amends the Civil Law (Property) Act to clarify that, in calculating a change to a matter in a disclosure statement, whether it is type 1 or 2, any potential variation must be disregarded. Potential variation is the amount that may be indicated on the disclosure statement as the amount by which the size of the unit or subsidiary may vary.

This amendment makes clear that any allowable variation indicated on the disclosure statement is not to be considered in addition to the actual change in the area in calculating the maximum allowable variation before a change becomes a type 1 or a type 2 matter. The bill also provides for a definition of unit subsidiary by cross-referencing the definition in the Unit Titles Act 2001 for ease of interpretation.

The bill also removes duplication across the Civil Law (Property) Regulation and Civil Law (Property) Act by removing the provision in the regulation about a potential variation in a disclosure statement. This provision is now in the act.

Section 119 of the Unit Titles (Management) Act provides that an eligible person may request both a unit title certificate and a unit title update certificate from the owners corporation. A unit title certificate contains important information about the unit and the units plan.

The bill inserts a note into the Civil Law (Sale of Residential Property) Act to make clear that an eligible person can request a unit title update certificate. The bill also provides that an eligible person includes a person who enters into a contract for sale of a unit for which the information is required.

Buyers may not be aware of their ability to request a unit title update certificate during the process of purchasing a unit, even where they have already requested a unit title

certificate. An up-to-date unit title certificate is important so that the buyer has all relevant information, at a time that is as close as possible to the date of settlement of the sale. This note will remind buyers of their ability to request an update certificate.

The bill also removes the requirement to provide, as part of the sale of residential property, the minutes of owners corporation and executive committee meetings held in the two years before the day the property was first advertised or offered for sale or listed with an agent. This information will instead be required to be included in a unit title certificate, which is prepared under section 119 of the Unit Titles (Management) Act.

The requirement for a seller to provide unit titles corporation and executive committee minutes as part of the contract for sale has cost implications for the seller. The seller must provide these minutes; however, managing agents for an owners corporation may charge at their discretion to prepare the minutes. The unit title certificate, on the other hand, carries a maximum recoverable fee.

This amendment also intends to make clear who has responsibility to prepare these minutes. Section 119 of the Unit Titles Management Act makes it clear that the information in a unit title certificate is to be prepared by the owners corporation. Currently it is not clear who has responsibility for preparing the minutes to be included as part of the documents in the sale.

The bill amends section 253G of the Planning and Development Act. This section relates to community concessional leases. The bill substitutes the reference to “certificate of compliance” in section 253G with “certificate of occupancy”.

This section currently provides that if a community concessional lease includes a building and development provision which requires certain works to be completed, a community concessional lease provision means a provision stating that certain subsections of section 253G which relate to the uses of the Lease Act commence on the issue of the certificate of compliance.

In practice there can be a delay to issuing a certificate of compliance. A certificate of occupancy, on the other hand, is required as evidence that the building is fit for occupation and is, in practice, a more appropriate indicator that works required under the building and development provision of the lease have been completed.

The bill also amends the Planning and Development Act to ensure that a dealing in relation to the concessional lease with a building and development provision must be consented to by the Planning and Land Authority. Currently such dealings do not require the consent of the Planning and Land Authority, and there is a risk that the concessional lease could be transferred to an entity who does not meet the eligibility requirements to be a concessional lessee.

The bill clarifies that the definition of an eligible person in the Unit Titles Management Act includes a person who enters into a contract for sale for the unit in relation to which the access to information is required, removing any doubt that a buyer may request a unit title certificate under section 119 of the act.

The bill also amends the Unit Titles Management Act to exempt the chairperson at any general meeting from the restrictions on numbers of proxy votes and provide that the chairperson must exercise excess proxy votes.

Restrictions on proxy voting are introduced with the Unit Titles Legislation Amendment Act 2020, with the intention of avoiding voting behaviour such as vote stacking, which may lead to unfair meeting outcomes. Currently if a unit owner nominates to a proxy, that proxy is not eligible to hold the proxy vote due to having already reached the proxy vote limit. That owner may be unfairly and possibly unknowingly unable to vote.

Exempting the chairperson from proxy voting restrictions, and providing that the chairperson must exercise excess proxy votes, intends to make sure that all the unit owners can exercise their voting rights for the efficient and effective running of the meetings and, by extension, the efficient and effective management of the units plan.

A chairperson is generally also the chairperson of the executive committee, who not only has a casting vote on deadlock matters but also, as an executive member, is subject to the code of conduct and must act in the best interest of the units' owners corporation. As such, the chairperson is unlikely to partake in the sort of unfair behaviour that proxy voting restrictions were introduced to address.

This bill makes amendments that will improve, clarify and streamline legislation that relates to unit titles and the community concessional leases. While the amendments in the bill are minor in nature, the changes they make are necessary and worthwhile improvements to the ACT statute book.

I commend the bill to the Assembly.

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

## **Inaugural speeches**

**MADAM SPEAKER:** Before I call Ms Vassarotti, I remind members that it is traditional that inaugural speeches be heard in silence.

**MS VASSAROTTI** (Kurrajong) (11.04), by leave: As I begin my first speech as an elected member, I would like to acknowledge that we meet on land of the Ngunnawal people. I thank and pay my respects to elders past, present and emerging. As someone whose family story has intersected with local First Nations people for over a century, I recognise that sovereignty was never ceded and that this was, is and always will be Aboriginal land. I pledge to do what I can through this Assembly to engage with truth, work towards treaty and support the voices of First Nations people.

Madam Speaker, it is a tremendously humbling experience to stand here as an elected member of the Tenth Assembly. I thank the voters of Kurrajong who have put faith in me and the ACT Greens and have voted for a second Greens representative in the electorate for the very first time ever. I congratulate every other member of the

Assembly on their election and I sincerely look forward to the opportunity to work with you all as we work to represent the people of Canberra.

I take this opportunity to share a bit about myself and what has brought me to this moment. I am not someone who has harboured a long-term ambition for public office, and I have had a range of life experiences prior to taking on this role.

I am part of that rare breed of Canberrans, although there are a few of us here, who were born and bred in Canberra. While I was part of a generation born to parents who moved here as the public service and Canberra were expanded through the 1960s and 1970s, I have deep roots in this place, with my great-grandfather part of the Keefe and Cullan families, some of the original colonial families of the region. While my Italian great-grandparents were falling in love on a ship from northern Italy to Australia, my Irish great-grandparents were meeting on the steps of Sacred Heart Church in what is now Calwell.

My childhood in Canberra was pretty standard, as part of a fairly conventional family. It was loud. As one of six children, I found that there was always something happening. Throughout this time, while things were far from lavish—six children, one income and high interest rates put paid to that—we were never in any doubt that we were privileged and we needed to think about how we could contribute to our community. This is the lasting legacy of my parents, who have always been incredible role models, modelling hard work, community contribution, standing up for what is right, and not shying away from leadership when it was needed. In me they fostered a sense of social justice and a passion for getting involved to make things better for individuals and the community as a whole.

It is wonderful to have my dad here to share this moment, and a great sadness that my mother is no longer here to share a moment she would have loved, particularly with her passion for women's leadership. Our family will always be grateful to members in this Assembly when they paused for a moment eight years ago to recognise her contributions to the community.

It is a bit of a confession to make that, while growing up, I was not sure that Canberra was where it was all happening. Growing up, I was often known to declare that, as soon as I was able, I would be off to be part of a much bigger and more exciting world. It was not until much later that I realised that I was part of a generation who were growing up not just in Canberra but with Canberra. Our experiences mirrored those of the city as it grew and developed.

As I made decisions about study and professional life, despite my early declarations, it was always this city that offered the most enriching and meaningful opportunities. And so I went off to one of our world-leading universities. I only recently discovered that was at the same time as both the Chief Minister and the Attorney-General, though I was more likely to be found with the Deputy Chief Minister as I was working to pay my way through university.

Then I embarked on a career as a young graduate in the ACT public service. This was a choice made very deliberately because I knew that I was passionate about working

with local communities and making a tangible difference to lives locally. And what amazing experiences I had at this time—from being part of a team to set up a new environmental agency to leading some work around the accessibility of government agencies and being part of the bushfire recovery process following the devastating 2003 bushfires.

During this time in the public service, a very special opportunity came along to get involved in a project leading the very first ACT poverty inquiry, a joint project between the ACT government and ACT Council of Social Service. While I had always known that people in our local community were struggling, this was a transformational experience. I got to sit with people as they shared their experiences about being poor in a city that did not acknowledge that there was much disadvantage at all. It also included working with service providers who were fighting to access the resources to support these people and working with researchers who were developing methods to quantify the extent of a problem that until this point we had never named or acknowledged.

I am immensely grateful that I was able to contribute to a project that changed the face of our city's understanding of poverty and disadvantage and whose legacy, I believe, can still be seen today. It made me realise how the actions of a small group of people with a clear purpose, a commitment to evidence and the ability to ethically walk with people who are marginalised to support them to share their experiences could make a real difference.

It was in large part due to this experience that I made the decision, seen as very unusual at the time, to pursue different opportunities outside the public service. My life was changed when a group of women running an organisation whose vision was for women to reach their potential lived that value and appointed me to the role of Executive Director of YWCA Canberra. This was the entry point to an incredible journey of almost two decades of working with local, national and international community sector organisations.

Through working with the YWCA, but also with others—including the Council of Social Service movement, homelessness and community housing organisations, and health-based organisations—I have had the chance to work with the most talented, passionate and compassionate people you could ever meet, working to support people and fix the systems and structures that lead to disadvantage and marginalisation.

Through this time, I have become passionate about many issues: gender equity, homelessness, social exclusion, and marginalisation due to health status and sexual identity. I have worked to support people going through the most challenging of times through work on guardianship, mental health and energy hardship tribunals. I have worked to support people who have been cut out of health care because of issues such as drug use and I have worked to shine a light on the impacts of gambling harm that go far beyond individual responsibility and impact.

I have had many people speculate on what has motivated my interest in these issues. They are often surprised that it is not because of personal experience but because of a deep belief that we all need to take responsibility and that if we can bring our skills,

experience or influence to solve a problem that is hurting people, we must. As the saying goes, we accept the standard we walk past, and I passionately believe we should never walk past our neighbour or friend when we can support them.

While I have worked hard for many years to advocate for change, I decided a few years ago that it was time to get off the sidelines and get involved in political life. This decision was sparked through the experience of working with others to stop some of the worst measures of the infamous 2014 federal budget, which would have seen devastating impacts on some of the most marginalised people in our Australian community.

In working with political representatives who were proposing these ideas, I realised that they were not bad people but that often they were totally disconnected from the reality of most people's lives. I realised that we needed people in public life who were connected to the communities they serve and had been exposed to the diversity of people's experiences beyond the small circles that we usually travel in.

Madam Speaker, after providing some perspective on what has brought me to this point today, it is important that we look towards the future and what we need to do in this critical time for our city's evolution.

With drought, bushfires, smoke, hail and a pandemic that has triggered a health and economic crisis, the challenges we have faced in 2020 have been like no others. We will continue to face huge social and economic challenges in this term. We will need to bring creativity, collaboration and an ability to do things differently if we are to rise to the challenges we face.

In this most challenging of years, the recent local election has been for many a moment of reflection on the past and hope for the future. Regardless of which party we serve and represent, we, as members, all gather here because of our passion for our local community.

This term of the Assembly sees more ACT Greens than ever before. As a grassroots party, we come here without the support of vested interests or corporate donations. Rather, we are here because of the collective efforts of hundreds of volunteers who believed in our plan and who contributed their time, talents and passion. Thank you to everyone who has been part of our positive and constructive election campaign.

The ACT Greens are here in this place to tackle the big issues and to do politics differently. We build on a strong legacy. I want to particularly acknowledge the ACT Greens party leader, Shane Rattenbury, who has provided such ethical leadership through a number of terms of the Assembly. He is guiding and supporting us new ACT Greens members with generosity, grace and genuine care. I would like to personally thank Shane for his friendship and leadership in setting a culture where we support each other, raise each other up and demonstrate that we are stronger together than apart.

Colleagues, this term of the Assembly presents a remarkable opportunity for all of us. I know that many of you share my desire for the local community to feel more

connected and part of political life. I am sure that I am not alone in wanting our local community to feel included in decision-making and be confident that our political representatives are working with them, for them and in their best interests.

We have an opportunity in this Assembly to build and enhance trust in the political process. This starts with how we do things. The make-up of this Assembly will necessitate collaboration and working in partnership. This is yet another opportunity for us to show leadership and demonstrate to other jurisdictions what constructive, collaborative politics can look like.

It also clearly includes what we do. Collectively, across all our parties, we have made significant commitments to the community. This has included continuing the leadership on tackling climate change and ensuring that our city remains livable in a changing climate. This has included protecting our precious natural environment and responding to the ecological crisis that we face, connected with a changing climate and escalated by natural disasters, including drought and bushfires. It has included tackling our growing inequality crisis, addressing homelessness and disadvantage.

To address all these crises, we need to act. We cannot rely on individual ministers or MLAs to work in silos on these issues but must work collectively to achieve change. We will need to work together to ensure that the community's needs are put ahead of vested interests. We have made a great start, with a strong framework developed through the parliamentary and governing agreement. My focus over the next four years is to work tirelessly so that we do everything we can to make this city a more connected, caring, sustainable place.

I have deep gratitude for the opportunities I have been afforded to specifically shape some portfolio areas through ministerial responsibility. I particularly want to acknowledge and thank the Chief Minister for providing these opportunities. I commit to giving everything to ensure that these portfolios thrive.

This includes ensuring that we act decisively to respond to the ecological crisis we face and ensure that our biodiversity and ecosystems are protected. This includes championing and promoting building sustainability, accessibility and quality, continuing the reform work and rebuilding community confidence that the buildings we are designing and constructing are of high quality, will be livable even if our circumstances and abilities change, and are comfortable and climate resilient. This includes ensuring that everyone has a decent home to live in and that our social housing system is responsive to the wide range of people it caters for. It means protecting and celebrating our history and heritage and understanding how our history and our future needs can be complementary.

As I reflect on my journey and prepare for the future ahead, it is important to recognise the people who have supported me and will continue to do so. I stand on the shoulders of the giants who have had faith and belief in me, of those who have mentored and nurtured me. I will not look towards the gallery, because I will cry, but you will see a small representation of the people who have loved me, supported me, and chosen to be part of this rather winding journey. They are the friends, mentors and

teachers without whose wisdom and advice I could not have navigated the tough times and who have celebrated the good times with me.

I wish to take this moment to thank my extraordinary family. Brendon, thank you for being my life partner in every sense of the word. It was more than half our lifetimes ago that we came together. It is certainly true that you did not know what you were signing up for. You are my solid, steady partner who has always believed in me and enabled me to follow my dreams, take risks and dedicate all I have to my professional and volunteer life. I would also like to thank and acknowledge the three extraordinary young people who join him: Matilda, Reuben and Solomon. You are my joy, my greatest pride, and in all the craziness of life you are what is most important to me and your dad.

Madam Speaker, in concluding this speech I would just like to reiterate my deep gratitude for this opportunity to serve the voters of Kurrajong and Canberra more generally. I thank every person who has been part of my story to date and look forward to us all working together collectively over the next four years to make Canberra an even more caring, connected and livable city.

**MS DAVIDSON** (Murrumbidgee) (11.21), by leave: Madam Speaker, te, “hello” in the Yorta language of the Bangerang country where I grew up, and yuma, “hello” in the Ngunnawal language of our bush capital that is now my home. I acknowledge the traditional owners of this land, the Ngunnawal people, and pay my respects to their elders past, present and emerging. As I come into this place where we make laws, I think about what it means that we do so on land that was never ceded and will always be Aboriginal land. I commit to listening to and learning from First Nations people.

I am very happy today to be making my first speech in this Assembly, as another small foothill in the mountain range of Greens MLAs that have come before me: Lucy Horodny, Kerrie Tucker, Deb Foskey, Amanda Bresnan, Meredith Hunter and Caroline Le Couteur. I thank Shane Rattenbury, who has shown generosity and a fair bit of patience in helping all new Greens MLAs settle into our jobs.

Since 1995 Greens MLAs have made a real and lasting positive difference in the Assembly. Thanks to the Greens, we have legislated achievable climate targets; established Australia’s first ministerial portfolio of mental health; banned outright lies from political parties in election advertising—thank you, Caroline; and increased protections for biodiversity.

But our Greens MLAs do not do this work alone. There are more of us. We could not have achieved the things we have done so far without the work of committed staff and volunteers, especially Indra Esguerra, who has been a driving force within the ACT Greens since the very beginning. I would not be in this room today if not for the ACT Greens campaign staff over the past year and our wonderful team of volunteers as we engaged with the community about how we will build a better normal together. Election campaigns are hard work, but the Murrumbidgee Greens managed to make it joyful work too.

I am also very happy to be sharing this moment with my family, who have always been supportive, despite the missed time with them. Thank you, Ashley, Sophia, Juliet and William for coming on this journey with me. It was my daughter Sophia who gave me the push I needed to join the Greens six years ago, when she herself joined. The actions taken by young people to try and solve problems as big as the future of our planet, our society and our democracy are the reason I have hope for our future and why I believe 16-year-olds should have the right and the choice to vote.

Over the course of the 2020 campaign, everyone in this Assembly talked about wanting to make Canberra a better place. But it is what we do that really matters. Words without action mean nothing. Where there is common ground between what our Greens team committed to during the election campaign and what my Assembly colleagues from other parties said they wanted for our city, I expect that we will work together for the common good of everyone in our community.

To any of my Labor or Liberal colleagues who put politics above progressing towards a more equal, fair and respectful Canberra and care for our planet, I will not be angry with you; I will be disappointed. Doing politics differently means holding ourselves to a higher standard of integrity.

Seeing the election results come in on the night of Saturday, 17 October was beyond anything I had prepared for. I told Shane I would need to go for a bit of a walk to clear my head on the Monday, and he said I could have 24 hours. So I drove to the old Jerilderie stock route near the farm where I grew up, where there is no mobile phone access, just blue sky and red earth.

As I walked, I saw the same wildflowers that would have been growing there when my grandfather was a drover almost a century ago. I saw eagles like the one that lived in my dad's grain shed. I thought about the contribution to biodiversity of having open grasslands that are protected from overgrazing and development and what it means to hold onto that connection between what we do here in the short moment that is a human lifetime and the places that have been here forever. This is something our First Nations people know and understand all too well.

I come to this place after many years working in the community on housing affordability, economic inequality, women's health and ending violence against women. I have campaigned to protect green spaces and for public education and health care. Everything is connected, and the only way through hard times is together. This is the way my parents and my country upbringing taught me.

In the town where I grew up, there were more community associations than buildings because people working together is what builds a community. It is why I followed the example set by my parents and started volunteering as a teenager. I have lived in Canberra for over 25 years now, coming here after finishing high school, but that spirit of volunteering and being of service to my community continues.

When we talk about improving public transport, I think about a woman in Lanyon trying to get the kids to school on time and herself to a minimum wage job in Civic

that does not pay enough to cover car parking, with no partner to share the drop-offs and pick-ups. I think about a man in his 80s who cannot walk as far as he used to but still wants to get out to see friends without having to organise someone to drive him.

When I think about people on the long waiting list for counselling or psychologists, my first thoughts are for the people who cannot afford private services and the people who cannot wait months for a first appointment. And when I think about people on the waiting list for public housing, the ones I am most worried about are women and their kids in domestic violence crisis housing who are ready to move on with their life if only there was affordable, safe, long-term housing to move into.

I spent so many hours analysing data about economic inequality in Canberra, but when I look at the spreadsheets I do not see numbers. What I see are women working with no job security and for low pay in aged care, child care, disability care and the community sector. I see young people who lost their jobs in hospitality and retail because of COVID, just when they were thinking about moving out of home or starting university or making plans to see the world. I see the labour force permanently changed while housing costs continue to rise. I see capitalism failing.

When I look at our bush capital, I see tens of thousands of years of care and cultural history by the Ngunnawal, Ngambri and Ngarigo people. I think about how interconnected our wellbeing is with the wellbeing of the environment we live in. When our world is burning around us and we cannot breathe the air I hear our planet crying out for help.

I am here today because I want to build social infrastructure as well as housing infrastructure. I want to protect biodiversity. We can grow as a city without paving over the parks and reserves that are home to the diversity of birds and plants and wildlife in our bush capital. I want us to reach zero net emissions well before 2045 and I want us to do this by transitioning to a renewable economy, a Green New Deal that leaves nobody behind. This world is changing and we have a choice about how we manage that change. We can choose to do things differently.

It is a lot, I know. But I will not be doing it alone, because when the people of Murrumbidgee elected me as an MLA they did not just get me. There are more of us, and I do not just mean the six Greens MLAs here today. There is a whole community of people I want to work alongside in Woden, Weston Creek, Molonglo Valley and my favourite part of Kambah, where I could do five deliveries in under 30 minutes when I was a pizza delivery driver to pay the rent as a student.

Canberra is a city filled with people who think deeply about our future, have amazing skills to contribute and want to work together to make that better future happen. These are the people I want to work with. As Bobby Sands said:

Everyone ... has their own particular part to play. No part is too great or too small, no-one is too old or too young to do something.

So to all the community groups and the not-for-profits that are caring for people and for the planet, I am here for you; to those people who want to reset housing

affordability, create green jobs and shift our thinking to truly value care work, I am here for you; to all the Canberrans who believe we are stronger together and that all of us should have the opportunity and support to live a full and meaningful life, I am here for you—because together we will create the future we dream of.

A few last thank-yous, because there should always be space for more gratitude in this world: to the Women’s Electoral Lobby, to the community sector organisations I have worked for over the years and to the activist networks I have been part of, thank you for everything you have taught me and please keep telling me where there is work for me to do to make sure nobody is left behind. Thank you to Eva Cox for reminding me that if I really want to make change I cannot always be a good girl. And thank you to Canberra’s roller derby community for helping me find my voice and own my space and where I found out that if I am learning new things and pushing myself I will stack it every now and then. But the scars will be worth it for those moments when I am flying.

I look forward to the next four years of working with and for our Canberra community to make sure that we take care of people and the planet.

## **Plastic Reduction Bill 2020**

**Mr Steel**, pursuant to notice, presented the bill, its explanatory statement, a Human Rights Act compatibility statement and a regulatory impact statement.

Title read by Clerk.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.31): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Plastic Reduction Bill 2020 in the Assembly, together with the explanatory statement and regulatory impact statement. This bill enacts the ACT government’s policy to phase out single-use plastic in the ACT. The government is committed to taking leadership to responsibly manage our environment and tackling the growing problem of single-use plastic.

This bill will reduce Canberrans’ use of single-use plastic and reduce the impact that plastic has on our environment and our waste management and resource recovery systems. It sends a strong signal to the community about how we use plastic, as well as other single-use products, and will remove a significant number of non-recyclable items from our landfill, waterways and landscapes.

The bill prohibits the supply of identified single-use plastic items and establishes a framework for phasing out other products in the future, replacing the existing Plastic Shopping Bags Ban Act 2010.

The Plastic Reduction Bill is a result of extensive consultation, engagement and collaboration. The Canberra community, industry and business have provided strong

and sustained support for government to take action to reduce the consumption of single-use plastic.

In 2019 we asked Canberrans to have their say on phasing out single-use plastic in the ACT and we received over 3,300 responses. Overwhelmingly, our community wants us to act on phasing out problematic and unnecessary single-use plastic, and regulatory action is the most effective approach. This is consistent with equivalent action being taken in both domestic jurisdictions and internationally. It recognises that, while voluntary approaches are an important part of taking action on single-use plastic products, without regulatory action consumption of these products will remain at current levels and these products will remain present in the litter stream.

The bill is a result of extensive engagement and collaboration. The government has been consulting with the Plastic Reduction Taskforce, representing the needs and views of key local and national industry, business, environment and disability advocacy bodies. The task force has been integral to the development of the bill, and I thank them for their participation and support.

The ACT is leading a strong network of single-use plastic practitioners across all Australian jurisdictions, as well as New Zealand, who are also undertaking policy and/or regulatory action on single-use plastic.

The first tranche of single-use plastic products will be phased out from the commencement of the bill on 1 July 2021. From this date, supplying or providing the first tranche of prohibited plastic products, outlined in the government's plastics policy, will be prohibited. The bill expressly bans single-use plastic stirrers, cutlery and expanded polystyrene foam takeaway food and beverage containers, such as cups, plates, bowls and clamshell containers, as of 1 July 2021.

A regulatory impact statement has been prepared in relation to the bill and detailed analysis has been undertaken on the impact of phasing out the three products included in the first tranche. This is the first quantitative analysis of the phase-out of single-use plastic products in Australia. The high-level findings outlined in the social cost-benefit analysis indicate that a net benefit to the ACT can be achieved through the use of cost-effective plastic alternatives, combined with increased levels of consumer avoidance.

Drink stirrers will be prohibited because they are difficult to recycle and often end up in landfill. This is a product that has a clear, low-cost alternative, with bamboo and wooden single-use stirrers. Of course, this is a product where there are re-usable alternatives to the more sustainable single-use option, such as using a spoon. The regulatory ban on drink stirrers is simple to introduce and enforce in the ACT and has a high level of community and business support for action.

Plastic cutlery has also been identified as a difficult to recycle product in Australia and, as a consequence, ends up in landfill. There are readily available sustainable single-use alternatives made from bamboo and wood. Education during the transition phase will focus on these alternatives, as well as the clear re-usable options, such as taking metal cutlery to a picnic and washing it afterwards.

The bill also bans expanded polystyrene food and beverage containers, which have already been phased out by many businesses since the 1980s. Analysis in relation to a regulatory ban on expanded polystyrene containers shows a low impact, given the readily available re-usable and recyclable low-cost alternatives. It is important to note that the scope does not extend to packaging such as meat trays and furniture packaging at this stage. This will be addressed in the coming years through the national Australian Packaging Covenant Organisation's 2025 national packaging targets. Single-use plastic shopping bags under 35 microns thick are already banned in the ACT, and this will continue under this new legislation.

The second tranche of products that has been outlined in the plastics policy will be banned 12 months after commencement of the first tranche. This will occur on 1 July 2022. This will ban single-use plastic "barrier bags", such as those used for fruit and vegetables in supermarkets, as well as single-use plastic straws, and all products made from oxo-degradable plastic. A phase-out of these products has strong community support. However, the government will undertake detailed consultation with disability and health community advocates and representatives to develop regulations which will ensure that people who need straws can retain access to them.

As a result, these second tranche products are not yet expressly prohibited in the bill and will instead be prohibited under a regulation made under the act, once the details are settled, following consultation with the Plastic Reduction Taskforce.

The bill gives power to the minister to prohibit single-use plastic products by regulation. Our government recognises that, as global, national and local policy progresses in this area, the ban may need to go beyond the currently and expressly identified single-use plastic items to a broader list of prohibited plastic products. The regulation-making power in the bill provides the mechanism to ban not only future tranches of products identified in the plastics policy but also other plastic products that need to be addressed in the ACT in the future.

When using the power to phase out additional single-use plastic items, the bill ensures that the government must give public notice of the proposed regulation and must invite public submissions. It also provides that, when making a regulation, consideration of public submissions and the availability and suitability of any alternatives must be taken into account. The ACT government have already identified in our plastics policy that plastic-lined single-use coffee cups and lids, single-use plastic dinnerware, boutique or heavyweight plastic bags, and cotton ear buds with plastic sticks are being considered for future tranches of products to be phased out.

The bill also provides the responsible minister with powers to make exemptions. In making an exemption, consideration will need to be given to whether compliance with the bill is practical or in the public interest. A person's human rights will need to be considered, as well as whether compliance will have significant adverse effects on public health, property or the environment. This power will ensure that when we phase out straws, people with a disability or medical need will be able to continue to access these items.

With this bill the ACT, as a jurisdiction, will become the first state or territory jurisdiction to legislate to declare events to be single-use plastic free. The minister may declare both government and non-government events as single-use plastic free. This follows consultation showing that 90 per cent of respondents to our consultation believe that single-use plastic is a problem at events.

Plastic-free events could include, for example, Floriade, or major festivals and sporting fixtures. Importantly, this power includes restrictions around when the government may declare a non-government public event to be plastic free. These include that an event must not be declared less than three months before the start date, that there is an alternative product reasonably available, and that the declaration will not have an unreasonable impact on the event. Government will consult with event organisers prior to any declaration being made. A wider range of plastic items may be banned for declared public events than those prohibited for supply to the general community.

I want to acknowledge that, in introducing this bill, there will be some impacts from the implementation of the legislation, including short-term operational costs to industry, business, community organisations and consumers, as they adapt to the changes. I want particularly to thank local businesses and community groups who have already transitioned away from single-use plastic.

With the introduction of this bill, businesses should immediately and actively begin implementing the phasing out of prohibited plastic products. They should do so by using up existing stocks of single-use plastic, and purchase and transition to already available alternatives if necessary.

This follows extensive notice that has already been given by the ACT government, in the release of our plastics policy document in December 2019 and the release of the exposure bill and updated plastics policy in August 2020. The government will provide support through education and engagement initiatives that will help businesses in particular to meet these new requirements, but businesses should not wait to act.

While our first preference is education, we recognise that enforcement may be necessary from time to time. That is why this bill establishes a comprehensive compliance regime, to make sure that there is a level playing field for all businesses who are doing the right thing. These compliance measures build on those from the Plastic Shopping Bags Ban Act. It is the intention of the government that infringement notices will also be able to be issued under the act.

Strong regulatory action is required to address the growing volume of single-use plastic items that cannot be avoided, re-used or recycled. Unnecessary and problematic plastic has downstream costs for the environment, waste management systems and our health system.

This bill sets up a robust future framework to transition away from single-use plastic in our economy, starting with plastic products that our government has outlined in our

policy, and considering further products in the future. We have the evidence to say that the best way to reduce the environmental, social and economic impacts of these items is to reduce our consumption of single-use plastic products. We have the support of the community and business to take action to build a circular economy.

We look forward to continuing to work with our community and businesses across the ACT and other governments and, with our Plastic Reduction Taskforce, to implement the phase-out successfully under this legislation. I commend the bill to the Assembly.

Debate (on motion by **Mrs Jones**) adjourned to the next sitting.

## Legislative Assembly Sitting pattern 2021

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

That the Assembly shall meet as follows for 2021 unless an absolute majority of Members request, in writing, that the Speaker or in the absence of the Speaker the Deputy Speaker, or in the absence of both the Speaker and the Deputy Speaker the Clerk, fixes an alternative day or hour of meeting or the Assembly otherwise orders:

February	9	10	11	
March	30	31		
April	20	21	22	23
May	11	12	13	
June		2	3	
	22	23	24	
August	3	4	5	
	31			
September		1	2	
October			7	8
	19	20	21	22
November	9	10	11	
December		1	2	

**MR HANSON** (Murrumbidgee) (11.44): The opposition will be supporting this sitting pattern; but, in doing so, I note that the sitting pattern for 2021 has fewer sitting days than is the normal practice for this place. The opposition certainly understands that these have been unusual times; certainly, next year we will find ourselves in a position where we have two budgets being presented, which will require two series of estimates hearings, earlier and later in the year.

While acknowledging that, and supporting this motion as it stands, I want to put on the record that once we get through COVID and a degree of normalcy is restored, not

just to this place but to our community, we would expect that the number of sitting days, moving on to 2022 and beyond, would reflect the normal pattern of this place.

Question resolved in the affirmative.

## **Committees—standing Establishment**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.46): I move:

That:

- (1) the following general-purpose standing committees be established as set out in the table below. The purpose of such committees is to enhance the scrutiny of the Executive, to examine and suggest improvements to any bills referred to it, to enable the citizens of the Territory to engage and to participate in law-making and policy review, to enable financial scrutiny of the Executive's budget proposals and to review annual reports of taxpayer funded agencies;
- (2) the committees so established may inquire and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community and within the nominated areas of responsibility;
- (3) calendar and financial year annual and financial reports stand referred to the relevant standing committee for inquiry and report by 31 March of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*;
- (4) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar and financial year annual and financial reports at any given time;
- (5) all bills presented to the Assembly stand referred to the relevant standing committee for inquiry and report within two months from the presentation of the bill. Should the standing committee resolve not to undertake an inquiry, the chair shall advise the Assembly and the responsible minister within 14 days of the presentation of the bill in the Assembly;
- (6) all reports of the ACT Auditor-General tabled in the Assembly stand referred to the Standing Committee on Public Accounts for inquiry and report;
- (7) the committees so established are required to examine the expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget and prepare a report to the Assembly within 60 days of the presentation of the budget bills;
- (8) funds be provided by the Assembly to permit the engagement of external expertise to work with the Standing Committee on Public Accounts to facilitate the analysis of the budget;
- (9) the Standing Committee on Justice and Community Safety shall:

- (a) examine matters related to corruption and integrity in public administration;
- (b) inquire into and report on matters referred to it by the Assembly or matters that are considered by the Committee to be of concern to the community;
- (c) perform all functions required of it pursuant to the *Integrity Commission Act 2018*; and
- (d) monitor, review and report on the performance of the Integrity Commission and the Inspector of the Integrity Commission or the exercise of the powers and functions of the Integrity Commission and the Inspector of the Integrity Commission, including examining the annual reports of the Integrity Commission and the Inspector of the Integrity Commission and any other reports made by the Commission;

nothing in this resolution authorises the Committee to investigate a matter relating to particular conduct or to reconsider a decision to investigate, not to investigate or to discontinue an investigation of a particular complaint made to the Commission, or to reconsider the findings, recommendations, determinations or other decisions of the Commission or the Inspector in relation to a particular investigation or complaint;

- (10) the Standing Committee on Justice and Community Safety is also to perform a legislative scrutiny role of bills and subordinate legislation by:
  - (a) considering whether the clauses of bills (and amendments proposed by the Government to its own bills) introduced into the Assembly:
    - (i) unduly trespass on personal rights and liberties;
    - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
    - (iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
    - (iv) inappropriately delegate legislative powers; or
    - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny; and
    - (vi) consider whether any explanatory statement associated with legislation meets the technical or stylistic standards expected by the Assembly;
  - (b) reporting to the Legislative Assembly about human rights issues raised by bills presented to the Assembly pursuant to section 38 of the *Human Rights Act 2004*;
  - (c) considering whether any instrument of a legislative nature made under an Act which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law):
    - (i) is in accord with the general objects of the Act under which it is made;
    - (ii) unduly trespasses on rights previously established by law;
    - (iii) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or

- (iv) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly; and
- (d) consider whether any explanatory statement or explanatory memorandum associated with legislation and any regulatory impact statement meets the technical or stylistic standards expected by the Assembly;
- (11) in addition, the membership of the Standing Committee on Administration and Procedure, established under standing order 16, be composed of the:
- (a) Speaker, as Chair;
- (b) Government whip;
- (c) Opposition whip; and
- (d) ACT Greens whip;
- (12) each committee shall have power to consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly;
- (13) each committee be provided with necessary staff, facilities and resources;
- (14) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders;
- (15) each general-purpose committee shall consist of three members, nominated by each of the three whips, with the chair of each such committee agreed by the members of that committee; and
- (16) nominations for membership of these committees be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.

<b>Committee</b>	<b>Primary Wellbeing Indicator/s</b>	<b>Areas of Responsibility</b>
Administration and Procedure	Governance and institutions	As outlined in standing order 16
1. Planning, Transport and City Services	Access and Connectivity, Housing and Home	<ul style="list-style-type: none"> <li>• City Renewal Authority</li> <li>• Suburban Land Agency</li> <li>• Planning and Land Management</li> <li>• Transport</li> <li>• City Services including waste and recycling</li> <li>• Housing (excluding service provision)</li> <li>• Building and Construction</li> </ul>
2. Environment, Climate Change and Biodiversity	Environment and Climate Change	<ul style="list-style-type: none"> <li>• Climate Change</li> <li>• Climate Action</li> <li>• Environment</li> <li>• Heritage</li> <li>• Water and energy policy and programs</li> <li>• Emissions reductions</li> <li>• Environment and ecological sustainability</li> <li>• Commissioner for the Environment</li> <li>• Environment Protection Agency</li> </ul>

3. Economy and Gender and Economic Equality	Economy, Living Standards and Time	<ul style="list-style-type: none"> <li>• Chief Minister’s responsibilities</li> <li>• Treasury including taxation and revenue</li> <li>• Economic development and diversification</li> <li>• Tourism</li> <li>• Industrial Relations and Workplace Safety</li> <li>• Social impacts and outcomes of economic polices including gender considerations (excluding Office for Women)</li> <li>• Minister of State Responsibilities (excluding Justice and Community Safety Directorate reporting areas)</li> <li>• Business and Better Regulation</li> <li>• Arts</li> </ul>
4. Education and Community Inclusion	Education and Life-long Learning and Identity and Belonging	<ul style="list-style-type: none"> <li>• Early Childhood Development</li> <li>• Education</li> <li>• Youth Affairs</li> <li>• Skills</li> <li>• Aboriginal and Torres Strait Islander Affairs</li> <li>• Multicultural Affairs</li> <li>• Disability</li> <li>• Women (including the Office for Women)</li> <li>• Seniors</li> <li>• Veterans</li> <li>• LGBTIQ+</li> <li>• Sport and Recreation</li> </ul>
5. Justice and Community Safety	Safety and Governance and Institutions	<ul style="list-style-type: none"> <li>• ACT Electoral Commission</li> <li>• ACT Integrity Commission</li> <li>• Gaming</li> <li>• Minister of State (Justice and Community Safety reporting areas)</li> <li>• Emergency management and the Emergency Services Agency</li> <li>• Policing and ACT Policing</li> <li>• Corrective Services</li> <li>• Attorney-General</li> <li>• Consumer Affairs</li> <li>• Human Rights</li> <li>• Victims of Crime</li> <li>• Access to justice and restorative practice</li> <li>• Public Trustee and Guardian</li> <li>• Scrutiny of bills and subordinate legislation</li> </ul>
6. Public Accounts	Governance and Institutions	<ul style="list-style-type: none"> <li>• ACT Auditor-General</li> <li>• ACT Ombudsman</li> <li>• Office of the Legislative Assembly</li> <li>• Accounts of the receipts and expenditure of the ACT and its authorities</li> <li>• All reports of the Auditor-General which have been presented to the Assembly</li> </ul>

7. Health and Community Wellbeing	Health and Social Connection	<ul style="list-style-type: none"> <li>• Health and health system</li> <li>• Justice Health</li> <li>• Mental Health</li> <li>• Homelessness and housing services</li> <li>• Prevention of Domestic and Family Violence</li> <li>• Families</li> <li>• Community Services</li> </ul>
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I will speak briefly to the motion. I first want to thank my colleague and friend the government whip, Ms Orr, who has worked tirelessly to achieve a consensus on most of this motion. The motion proposes an entirely new set of committees, many with new remits.

Ms Orr should be proud that she has achieved this reform with the support of all government and opposition MLAs. While it is a procedural motion to establish an important part of the function of this place, the motion also contains a new precedent. If agreed, all bills for the first time will be referred to the standing committee. The committee will then have to decide whether to conduct an inquiry.

The change arises from the work in the previous Assembly and it builds on the government's work on transparency and accountability. In taking this step forward, we are also balancing the need for timely consideration of bills.

The referral and inquiry process is intended to scrutinise the bill and to provide timely advice back to the Assembly. Of course, whether an inquiry on the bill occurs is ultimately a decision for the standing committee.

Providing a two-month time frame achieves this balance. Committees can seek extension on reporting time frames. Having been here for a few Assemblies, I note that this occurs frequently. The two-month window also makes clear that the committee referral should not be used to filibuster the legislative process.

I encourage all members to support the motion before us as it has been presented.

**MR HANSON** (Murrumbidgee) (11.47): Certainly we will be supporting the motion, but I will be moving an amendment that has been circulated. On the broader aspects of the committees, we note the changes that have been made, and I guess it will play out to see whether that balance is right. I foreshadow that certainly in the last Assembly there was some rejigging as we proceeded between a couple of committees, as you will recall, Mr Assistant Speaker, with the EDT committee responsibilities and where they sat. I foreshadow that, as we move forward, if there is that necessity then we should not be inflexible and should allow that to occur.

My understanding is that there is a desire from the government to step away from select committees. That may cause issues as we proceed in terms of the amount of work that the standing committees have to do. If we are rigidly going to oppose select committees, that may in part limit the work and the scope of inquiries that standing

committees can do. On this side we are perhaps not as against select committees as has been expressed by the government.

My amendment should say paragraph 5, not paragraph 3—the amendment was written against an earlier version of the notice paper and I have amended the version the Clerk has. This is the issue we support—where bills are going to be referred to standing committees and those standing committees then have the option of conducting an inquiry into them. That principle, a new way of doing business, arises from an inquiry that was conducted by the Standing Committee on Administration and Procedure into the possible structures of the committee system for the Tenth Assembly.

Chapter 8 of that inquiry report is titled “Latimer House review recommendation—greater use of standing committees in examining bills”. It looks at both the Latimer House principles and precedents from other jurisdictions, particularly those parliaments that only have one chamber, as we do—notably Queensland.

I will just quote from that report.

Another secretary observed that referring bills to committees more regularly “could potentially improve the quality and legitimacy of the legislature and increase public trust in the Assembly”.

The Standing Committee on Health, Ageing and Community Services noted:

... in two other unicameral parliaments, namely New Zealand and Queensland, all bills are referred to committees, but ... the committees will usually report within six months of the date of referral ... Referring bills regularly to committees would also have the advantage of allowing the scrutiny of bills process—which is often very rushed—to be done in a more considered manner.

The Committee notes that the Commonwealth Parliamentary Association’s *Benchmarks for Democratic Legislatures* (which this Assembly has rated itself against twice—once in 2007 and once again in 2019) found in its latest review the following shortfall ... There is no requirement for legislation to be referred to a policy committee for inquiry and report.

So the principle is there, but, in examining that principle, it noted that the time frame allowed in other parliaments was up to six months. The motion from Mr Gentleman limits it to two months.

I read now from the recommendation of the tripartite committee report:

Should the committee decide to inquire into a bill, the minimum time for the committee to report would be two months and the maximum six months.

This report says that if the committee decides to instigate an inquiry, the time frame allowed is a maximum of six months. Those who sit on standing committees would be aware of the reason for that. I note that many in this chamber have not, but those of us who have understand that by the time you get referral from the sitting week—committees do not sit during sitting weeks—it is a week later, and if you are sitting

the following week it is not for two weeks. You sit at that point and have to make a decision about whether you are going to inquire into this.

If the answer is: yes, terms of reference have to be developed. You then have to put out a notice to the community that you are going to conduct an inquiry. You seek submissions, and you have to allow a reasonable period for people to consider that legislation to develop a submission to provide to the inquiry. The inquiry gets those submissions and it then needs time to consider those submissions. It then will potentially conduct public hearings, and that process takes a while. There is then a period for the report to be written, the report to be considered and then tabled.

That is impossible in two months. I was the chair of the EDT, and Mr Pettersson and Ms Orr were on that committee, when it conducted an inquiry into drones. We were told to do that within a real quick turnaround. Trying to do an inquiry in that time frame really limits the ability of the committee to do anything other than something cursory. If we are genuine about wanting to have a look at these bills and inquire into them and do something consistent with New Zealand and Queensland that adds value, then the committee has to have time to do its job.

The amendment I will move in a minute is about being consistent with what the tripartisan inquiry said—up to six months—and let's roll with that. I understand that the government may be concerned that this might be used as a tactic to delay and that they have got to get on with their business. I understand that, and that is why the amendment provides for each committee to write back within 14 days to say whether they are doing an inquiry or not.

I note the balance of power on every committee is with the government. The coalition government has the balance of power on every committee, so it would be impossible for the opposition to try and use this as any sort of political tactic to delay. I am not sure why we would want to, but that provision is there.

I also note that the government could, at any time, if a bill is particularly urgent, seek to suspend standing orders and move that a particular bill is not going to committee. If it was the will of the Assembly in that circumstance, that would be entirely reasonable, and it would not go to committee.

We support this tri-party initiative. It is a good one and it will improve this place. It gives the committees real value, but you cannot do it in a way that makes it impossible for the committees to actually do that. It then becomes worthless. It becomes a pointless amendment and the committees will either not bother doing an inquiry because there is not enough time or the inquiry will be cursory at best.

Having said that, I seek your support. Let's be consistent. If people on the admin and procedures committee were bothered to do all this work and come up with a recommendation, let's be consistent with that. In light of that, I move:

paragraph 5, omit "two" substitute "six".

**MR RATTENBURY** (Kurrajong) (11.55): The Greens are pleased to support this motion today and thank the various members that have worked to put it together and to come up with agreement on the various committee structures. I think there is a good grouping of issues in the committees here.

We are particularly pleased to see that the economy and gender and economic equality committee has been formed, because the Greens have particularly highlighted the issue of wanting to have a specific committee that looked at gender equality issues through the course of the election campaign. We think that having it explicitly drawn out provides an ongoing focus for a committee in its remit to keep a focus on these issues. We think that that will be a positive thing that will ensure that a range of questions get asked on an ongoing basis that should be asked to make sure that we continue to address issues of gender inequality in our city. I am pleased that it is also picking up economic inequality, which is a gender issue but there are a range of other measures of inequality. That committee has a very important role to play and I look forward to seeing the outcomes from that committee.

We are also pleased that there is a trial this year of not having an estimates committee but in fact having the issues committee look at the budget in the areas in which they have developed expertise. This is a topic that has been discussed in this Assembly for some time now. Over a number of years—I cannot think how many now—there has been an ongoing discussion about whether we should try this approach or stick with the traditional estimates committee, in which a subgroup of members has to sit in a room for two weeks non-stop and try to look at all the areas of the budget.

Everyone has always thought this could be a good way to do it but been a little uncertain about whether it is the right answer. So I think it is a positive that at least we have agreement amongst the parties that we will try it this year and see how it goes. The merit of it is that it will enable areas that have developed some expertise on an issue, particularly as we get a year or two into the Assembly, to really follow through with particular agencies and with particular ministers to scrutinise topics in more detail because they have that ongoing built-up knowledge.

The concern that has always been had is whether we will have an overall look at the budget and whether that will be a shortcoming in this chamber looking at the overall strategic direction of the budget. The public accounts committee has been charged with that role to some extent and has been authorised through this motion to be the one that will commission the external input into the budget review and the like.

I will be fascinated to see how it goes this year. I am positive about this change because I think it will bring a better level of expertise to key areas of the budget. But I think we should all go into this year's dual round of estimate sittings with an open mind on how this process goes. We will certainly be open to discussion with our Assembly colleagues on whether it does work as a process or whether we want to revert to the old way of doing it.

Finally, on Mr Hanson's amendment, we will not be supporting the amendment. I just had a very brief conversation with Mr Hanson. Having sat on the committee that made

that recommendation on admin and procedures last term, the actual wording, I accept, having now had the conversation with Mr Hanson and reread it, could read “a minimum of two months for the committee to do its work in a maximum of six months”. I do not think we really concluded in the last Assembly how long the committee should work for. We flagged that it needed to be, probably, in our minds, at least two months and possibly up to six months.

The Greens hold the view that we do want to see a process that is a bit quicker. I think it is different to an issues inquiry, where it takes a broad remit and looks at an issue in great depth, which is what the committees traditionally do. Instead, I think that the committees need to develop a different pattern in looking at the legislation.

**Mr Parton:** You want scrutiny but not great scrutiny.

**MR RATTENBURY:** If you look at the Senate, for example—and Mr Parton is freely interjecting, probably without any governance research—the Senate regularly puts legislation through its committees in six to eight weeks because there is a different pattern to looking at bills, where you are looking at a much more specific issue, potentially.

If a committee wants to seek an exemption, they can seek to do that and, as Mr Hanson highlighted in his comments, that will then come to the floor of this chamber, where there can be a vote if necessary. If the committee comes back and makes the case and says, “Actually this has proved to be really complex; we’ve had a large number of submissions,” so be it.

But I think we should set an expectation that we also want to keep the legislative program moving in this place. Some bills will not be that complex; they will require a very specific area of work. I think that is the process we need to work on through the committees over the next while, and if there is a concern then the admin and procedures committee can look at this. But I think we should put it upon ourselves to look to the examples like the Senate and seek to keep the program rolling quite well. That is why we are not proposing to support Mr Hanson’s amendment today.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (12.01): I felt it was necessary for me to speak, given that I probably spoke the most of anybody in the last parliamentary term about my desire for standing committees to review the budget, rather than a standalone estimates committee. I think the last time I spoke about it, but perhaps not, I said that I was resigned to this being pursued in the next term of parliament, which we now find ourselves in.

So I am very pleased that there has been a willingness across all three parties to try it a bit differently, to try it like it is being done in the commonwealth Senate, where we have standing committees which, over time, will become the experts in those particular areas, rather than having to have a group of people who might not necessarily be as interested in, or have the depth of knowledge on, come together for a

very cold and sometimes a bit lonely two and a half week period that has otherwise been in the middle of the year.

I want to support Minister Rattenbury's comments about the report from the Standing Committee on Administration and Procedure, given that we were the members that were on it. I do believe that that is what that recommendation is intended to reflect—those comments that Minister Rattenbury has just made.

**MR HANSON** (Murrumbidgee) (12.03), by leave: Following those speeches, it is really disappointing. Here we are, the great champions of Latimer House principles, and you are failing at the first test. They come into this place with the great rhetoric—we just heard it from their inaugural speeches, did we not—“no vested interests”, “We're here to shed light” and “collaboration”. This is the opportunity to do that. You failed at the first test. And there is Ms Cheyne, the champion of committees in the last Assembly. Now that she is a minister, I bet she has changed her tune from two months to six months.

It is very clear that the lesson from unicameral parliaments, Queensland and New Zealand, is six months. So to talk about the Senate, as Mr Rattenbury did, as the example—yes, it might go for six to eight weeks to the committee of the Senate, but that Senate then debates it separately in a separate chamber. That is the whole point. How long does that process take?

I am not surprised that those opposite come in here with their lofty ideals, with their speeches about the Latimer House principles, with their talk about collaborations and the importance of committees—and at the first hurdle you lot fail.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7

Mr Cain  
Ms Castley  
Mr Hanson  
Mrs Jones  
Mrs Kikkert  
Ms Lee  
Mr Parton

Noes 14

Mr Braddock  
Ms Burch  
Ms Cheyne  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Gentleman  
Ms Orr  
Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith  
Ms Vassarotti

Amendment negatived.

Original question resolved in the affirmative.

**Sitting suspended from 12.09 to 2.00 pm.**

## Questions without notice

### Building—industry capacity

**MS LEE:** My question is to the Chief Minister. Chief Minister, in the *Canberra Times* on 10 November you are quoted as saying that the government's \$4 billion infrastructure program would be your biggest challenge, suggesting that you had a "degree of concern" about the construction industry's capacity to complete the work. Chief Minister, when did you start to have these concerns and why did you not share them with the public before the election?

**MR BARR:** I thank Ms Lee for the question. I have been very clear about this for about a decade. The biggest challenge that the government faces in being able to deliver the capital program each year is supply-side constraints; that is, industry capacity. I think it stretches back over the entirety of the self-governing period. We are a small jurisdiction; we undertake big infrastructure projects; we need to import skills and labour. In the middle of a pandemic, that can be challenging.

I took the opportunity to meet with Infrastructure Australia in Sydney last week to discuss various matters around industry capacity and what is anticipated to impact on our program, largely through projects of the New South Wales and Victorian governments. We do not operate as an island in isolation from the rest of the Australian infrastructure market and it will be a challenge for every state and territory over the next few years to deliver their ambitious infrastructure programs because there will be supply-side constraints. What I am particularly concerned about is the deteriorating trade relationship with China, given that so much of the necessary equipment and products necessary to undertake a lot of construction in this nation are imported, including from China.

**MS LEE:** What steps, if any, did you take, either in the last 10 years or before the election, to assess the industry capacity before announcing what you were going to deliver in the election campaign?

**MR BARR:** Extensive meetings with industry peak organisations who go on the public record time and again and assure the government of their capacity to deliver the program, and in fact often argue for a larger program than we budget for. I do my best to take them at face value on what they say they will be able to deliver over a four-year period, but I note the reality of the availability of supplies, the availability of labour and the challenges that the pandemic and the impact of the size of the national infrastructure program will have across the next four years.

One thing that is particularly clear is that there is a level of infrastructure project size that can be absorbed by the local market and then there are other projects that clearly go to tier 1 contractors who operate nationally and internationally. Part of the programming challenge, if you like, around the delivery of infrastructure is getting the right balance between the two sets of infrastructure programs over the course of a four-year period.

We hit a sweet spot in the market with the delivery of stage 1 light rail, for example. That project hit the national market at the right time. We had a very competitive tendering process. We had a world-class consortium deliver a world-class project for the city. That set of circumstances does not present itself on every major project every single time. We need to be cognisant of that in our forward infrastructure planning.

In the 10-year plan that I outlined about 18 months ago we touched on these supply-side constraints. There is nothing new in this. It is simply a statement of the reality of the current market. *(Time expired.)*

**MR COE:** What specific projects are at risk of not being delivered and what is the government doing to manage those risks?

**MR BARR:** As I indicated in my previous answer, it will be the larger projects that have the greatest risk. That is common sense. That largely relates to time frames around procurement or planning approvals. The project that is the biggest challenge at the moment, it is very clear, is getting commonwealth approvals for further stages of light rail.

### **Environment—Healthy Waterways project**

**MR BRADDOCK:** My question is to the Minister for Water, Energy and Emissions Reduction, and is in relation to water policy. Minister, as the first Greens water minister in the country, can you please explain the benefits of the ACT's Healthy Waterways project.

**MR RATTENBURY:** Yes. This is a very valuable set of projects that has been underway for a number of years. The ACT Healthy Waterways project aims to reduce sediment and nutrient pollution in ACT lakes and waterways, and the problems that arise from that—things like algal blooms. This, of course, has been a source of great frustration for our community for a number of years.

Whilst many of our lakes and waterways are designed as part of the stormwater system, the community also sees them as important recreational assets. They like to be able to swim in them, let their dogs swim in them, and go kayaking and fishing and the like. For example, Lake Tuggeranong, which has experienced significant problems, has raised a lot of community concerns. The Healthy Waterways project is a partnership with the Commonwealth. We were able to get a commitment of \$80 million from the Commonwealth with money put in by—

*Mr Hanson interjecting—*

**MR RATTENBURY:** Funnily enough, Mr Hanson, you would remember—because you were here for the 2012 election—that the Liberal Party opposed trying to get that money from the commonwealth. The Liberals said we would never get it. When the Greens put that policy up at the 2012 election the Liberal Party said that it was impossible; that it was a pipe dream. I can give you the *Canberra Times* article if you like, Mr Hanson.

**MADAM SPEAKER:** Mr Hanson, members should not be having conversations. Mr Rattenbury, please return to the question.

**MR RATTENBURY:** It has been a very productive partnership, which has seen a series of projects across the city which have been about improving the water flowing into our lakes and waterways and getting the sediment out of some areas, whether it be ponds in certain parts of Canberra or rain gardens and the like and the significant work that has been done in Lake Tuggeranong.

These projects have all been about improving the quality of the water and, as an upstream member of the Murray-Darling Basin community, making sure that water coming out of Canberra and flowing out into the system is as good a quality as we can ensure, as part of our contribution to improving the environmental outcomes for that system.

**MR BRADDOCK:** Minister, what works remain outstanding from the Healthy Waterways project?

**MR RATTENBURY:** There are still a number of projects that are underway. The project is funded through to June 2021, so there is still work being done, but all the projects that are part of that next phase of work are on track and on budget. I am confident that all of them—bar one project, which needs a little more work—will be handed over to Transport Canberra and City Services or the Parks and Conservation Service on schedule. There are a number of other projects that have been identified, and I am certainly of the view that we should seek to work with the commonwealth to get more money to help to continue to roll out those projects, because they are making a difference to our water quality and I know the community values those projects very strongly.

**MR DAVIS:** Minister, is the ACT government looking to partner with the Australian government to expand the Healthy Waterways project?

**MR RATTENBURY:** Yes. As I just alluded to, there were a range of other projects that were identified. When this was first scoped, the experts sat down and came up with a list. The priority projects in that list have been funded, but there are more good projects on that list. We are certainly keen to work with the Commonwealth government, through the Murray-Darling Basin scheme or through other water projects, in a partnership, to continue to improve water quality here in the ACT and to make sure that those community assets are in as good a shape as they can be.

### **Parking—Cooleman Court**

**MRS JONES:** My question is to the Minister for Planning and Land Management. During the election campaign, Minister, your now cabinet colleague Ms Davidson circulated a flyer entitled “Save Cooleman Park”. In the flyer, Ms Davidson said, “The ACT government plans to turn Cooleman Park into a gravel car park”, “We cannot continue to destroy our green space” and “The Greens want Cooleman Park to be permanently protected as an open green space”. On 23 November the development

application for this car park was approved. Minister, why is this car park going ahead when your cabinet colleague promised it would not?

**MR STEEL:** I will take the question. As the Minister for City Services, this is my project, through Transport Canberra and City Services. Acknowledging the 2014 master plan for the Weston group centre, there has been an ongoing need and recommendation through that plan to have temporary car parking until the Molonglo commercial centre is built, noting that particularly the southern car park is under pressure. That is why the government, prior to the election, progressed this project, firstly through the budget, in the previous budget, and through the planning process. That project now is approved. We expect that work to get underway early in the new year. It will provide temporary car parking to be used for the Weston Creek community without creating disruption over the busy Christmas period for those wanting to access Cooleman Court.

**MRS JONES:** Minister, will the government change in any way the development of this car park, given Ms Davidson's election commitment?

**MR STEEL:** The ACT government is getting on with the work of building more car parking spaces for the Canberra community. I note that the alternative being put by the opposition is to build more car parking spaces at Weston Creek group centre as well. They would not reveal where—possibly on the Weston oval, on that quality green space there that is used for recreation. But we are getting on with the work of delivering it in the right location that is appropriately zoned. When the temporary car park is no longer needed, I expect that this land will be released for a community facility, as has been zoned, following the Weston Creek master plan and the change to the Territory Plan that came thereafter.

**MR HANSON:** Minister, did Ms Davidson mislead her electorate, then, when she promised to protect Coolo Park as green space?

**MR STEEL:** That is not a matter for me to answer.

**Mrs Jones:** It absolutely is.

**MADAM SPEAKER:** Members!

### **Government—economic management**

**MS ORR:** My question is to the Chief Minister. Chief Minister, can you inform the Assembly how the government is getting on with the job of delivering its commitments and economic recovery objectives through the two budgets in 2021?

**MR BARR:** I thank Ms Orr for the question. Yes, we will have two budgets—a mini-budget in February, on the first Tuesday when we return, and a more fulsome budget on 31 August, for the 2021-22 fiscal year. The government has commenced work on the February economic update. It is in the time frame when there would normally be a budget update. I foreshadow that this will be more significant than a

usual budget update, and it will build upon the supply provisions in the August economic and financial update that I provided prior to the territory election.

The February statement will have the most up-to-date data in relation to federal-state financial relations and the state of the economy, although I do note that today the national accounts figures came out and were quite positive for the nation. They also present a very positive picture of the ACT's performance over the last 12 months. We will take the next steps in the delivery of our infrastructure projects, some of which I touched upon in answer to the question from the Leader of the Opposition, as well as commencing the implementation of the parliamentary and governing agreement items that take the greatest priority in the work underway almost immediately.

The 31 August budget will be a more substantive and more traditional territory budget that will involve further rounds of community consultation within the usual time frames that people would be used to for the annual territory budget process. I add that it would be my expectation that by 2022 we would be able to return to near the usual budget cycle. *(Time expired.)*

**MS ORR:** Chief Minister, how is the territory's economy performing relative to other jurisdictions?

**MR BARR:** I am pleased to say that we are performing the best of all of the states and territories. That is testimony, frankly, to our ability to maintain control of the virus. Economic outcomes are strongly linked to public health outcomes. It is absolutely impossible to retain a strong economy if the virus is running rampant. It has been the states and territories that have led the way in this nation over the last nine months in response to this global pandemic—the states and territories, Labor and Liberal governments—because the public health response is led by the states and territories. It is through that good work, in Liberal and Labor jurisdictions, at a state and territory level, that we are in the position that we are in as a nation. We take great pride in how the ACT has responded to this pandemic, and it is there in our nation-leading economic performance.

**MR PETTERSSON:** Chief Minister, how will the budget work towards achieving the jobs target?

**MR BARR:** I thank Mr Pettersson for the question. The number one economic priority is employment. It is about seeing more hours worked in the economy, and it is about seeing more people in jobs. That is the single most important economic metric for the government over the next four years. We are tracking towards a target of at least 250,000 jobs in the territory economy by 2025. The first task, of course, is to recover the jobs that have been lost during the pandemic. We are seeing some very encouraging signs that those jobs are coming back into the territory economy—coming back for women, coming back for young people, in particular.

With a single touch payroll and more data on unemployment and participation in the economy, last month's labour force data showed participation up over 75 per cent, a full 10 percentage points higher than the rest of the nation. That demonstrates once again that this is Australia's most productive and leading working city. Canberra is at

its best when we are at full employment. That is what the government is striving to achieve. We will do so through further investment in the Jobs for Canberrans program, through our infrastructure program and through our deregulation agenda that will be led by Minister Cheyne in her new portfolio of business and better regulation, to encourage the creation of more new jobs in our economy. That is our number one economic priority.

### **Alexander Maconochie Centre—incidents**

**MR HANSON:** My question is to the Minister for Corrections. Minister, in relation to recent incidents at the AMC, the regional secretary of the CPSU, Ms Northam, said—and I'll quote from the media:

It's not acceptable that it takes a riot and three code reds for the commission to take any notice. It is our hope that the new minister will fix the mess that former corrections minister Rattenbury has left behind.

Minister, is Ms Northam's statement accurate and, if not, what has the union got wrong in its assessment of this situation?

**MR GENTLEMAN:** I thank Mr Hanson for the question. It is important, of course, that we look at what we can do best for staff and the residents at AMC, and that is what I have initiated. So in regard to the most recent activity I have asked the Inspectorate of Corrections to do a review of the incident itself and the lead-up to the incident as well. We will have a look at what occurs from that review, be it whether we need to look at more staff or re-use of the current staff—

**Mrs Jones:** Point of order, Madam Speaker, while this information is very interesting, the question was whether the statement put out by the CPSU was correct. He hasn't gone in any way as to whether it was correct or not.

**MADAM SPEAKER:** There was also in the question elements of the riot and other activities at the jail, and Mr Gentleman is responding to that. Mr Gentleman, you have the floor.

**MR GENTLEMAN:** Yes, I was, Madam Speaker, and staff are my focus for this new portfolio. It is my intention to ensure that we can provide safety and a good working environment for those staff. In regard to questions from other people outside the Assembly, they are entitled to their own opinions. I will be working very hard with corrections management and the staff at corrections to do the best possible for the staff there.

**MR HANSON:** Minister, what specific mess left behind by Minister Rattenbury have you identified, as the new Minister for Corrections?

**MR GENTLEMAN:** I have not identified a specific mess left behind by Mr Rattenbury. I think Mr Rattenbury did a fantastic job as corrections minister, and I hope to follow that.

**MRS JONES:** Minister, which of the following messes will you address first: women in the wrong part of the prison; women not having a specific area for themselves; the staff not wanting to go to work; the violent nature of the prison; the number of problems with drugs in the facility; the number of drugs coming in over the walls in tennis balls; and the feeling of insecurity for people working in the facility, given the number of shifts that are available in the place? Which of those messes will you be fixing first?

**MR GENTLEMAN:** I think these are all challenges. I would not describe them as messes, as Mrs Jones has described them, but they are certainly challenges that occur in every correctional facility across Australia, and they are challenges for us as a community to look at as well. It will be my focus to ensure that, as I said, we can provide safety and the opportunity for future work for the staff but also address all of the points Mrs Jones has indicated.

### **Government—procurement policy**

**MS CLAY:** My question is to the Chief Minister and relates to ethical government procurement. Given the global divestment movement, what steps has the government taken to ensure that government contracts are not awarded to companies that have a significant and proximate relationship with the fossil fuel industry or to companies that have failed to rule out working on fossil fuel projects?

**MR BARR:** I thank Ms Clay for the question. The government has released the Government Procurement (Charter of Procurement Values) Direction 2020, which came into effect in September. This applies to all procurement and disposal activities by territory entities covered by the Government Procurement Act 2001 and the Government Procurement Regulation 2007.

This charter of procurement values incorporates in the direction a procurement value of environmental responsibility, and this requires public officials to consider the environmental impact of procurement and disposal decisions. This includes considerations that draw on, for example, the natural resources consumption and greenhouse gas emissions of a procurement and the opportunities to reduce waste and, perhaps timely today, to eliminate single-use plastics through recycling and re-use.

**MS CLAY:** Given the government's responsible investment policy and the fact that the government still holds major investments in major coal, oil and gas companies like Santos Ltd, what steps will the government take to divest from fossil fuel companies?

**MR BARR:** I do not believe you could say that the government holds significant holdings in fossil fuel companies any more. At the end of last financial year, 30 June 2020, the government held just under \$5 billion in financial investment assets. Of that \$5 billion, only \$36 million, or less than one per cent, 0.7 per cent, was invested in listed companies that would have any remaining exposure to fossil fuel reserves. Of that \$36 million, I am advised that \$24 million is in eight Australian companies and \$12 million in 16 global companies. That is a very small exposure.

I can advise Ms Clay that the government, as part of its responsible investment framework, will be reviewing those remaining exposures, as minimal as they are.

**MR BRADDOCK:** Chief Minister, how does the government assess climate exposure when awarding contracts?

**MR BARR:** Through the procurement framework that I referred to in my answer to the first question.

### **Government—clubs policy**

**MR PARTON:** My question is to the Minister for Gaming. Minister, in regard to community clubs, section E7 of your parliamentary agreement with Labor mentions things like a “just transition for workers”, “transferred employment”, “retraining for employment in new jobs” and “worker entitlements secure in business transfer or winding up”. Does the use of these terms indicate that clubs will close as a result of your policy program?

**MR RATTENBURY:** Far from it. The whole point of the platform that I announced during the election, and part of the negotiations we had with the Labor Party post the election, is that our intention is to, in fact, create a secure future for our clubs. I want the clubs to be viable, not just next year but in a decade’s time and two decades time. They are an important part of our community.

My great reservation with them has always been—and I have always been very clear about this—their over-reliance on gaming revenue and particularly the negative impact that that reliance on gaming revenue can have for those in our community who struggle with problem gambling. I have always been very clear in all my public comments that I see the clubs as an important part of this community.

Certainly in my time as gaming minister I intend to work closely with the clubs and talk to them about what the future looks like and how they intend to ensure that they have a diversified revenue base, going forward, so that they remain a social hub in our community and, in some ways, they get back to being community clubs again, not just poker machine venues.

**MR PARTON:** Minister, why does the parliamentary agreement have the clause 7 provisions that specifically mention business transfer or business winding up if clubs will not be forced to close due to your policies?

**MR RATTENBURY:** I can be very clear: we are not intending to force any club to close. Some clubs are already struggling, and that is for a range of reasons. That is why I am very focused on thinking about what a sustainable future looks like for the clubs. The points made in the parliamentary agreement are very clear, because this government wants to make sure that workers are looked after. We have been very explicit about that in the parliamentary agreement. The important part of the discussions with the clubs is thinking about what roles staff have in any transitions that may need to occur.

**MR CAIN:** Minister, will you guarantee that every worker who loses their job or is made redundant will be retrained and given another job in Canberra?

**MR RATTENBURY:** I do not agree with the premise of the question, which implies somehow that the government is going to see people lose their jobs. We want to work with the clubs to make sure that they have a sustainable future. There certainly will potentially need to be retraining, just as there needs to be with the fossil fuel sector as we move away from Australia's historical reliance on fossil fuel to a clean energy future. Workers will need to think about a different role and there will need to be training opportunities for them. As we seek to help clubs diversify from their over-reliance on poker machines, there will need to be different roles for staff in our clubs.

### **Municipal services—playgrounds**

**MR PETTERSSON:** My question is to the Minister for Transport and City Services. Minister, how has the ACT government been investing in playgrounds for Canberra families throughout this year?

**MR STEEL:** I thank Mr Pettersson for his question. Of course, his electorate of Yerrabi has been a beneficiary, as some of Canberra's playgrounds have been renewed or built this year, including at Yerrabi Pond District Park, with a new nature play space opening there. I refer also to the Kambah District Park, in your electorate, Madam Speaker.

Last week I had the pleasure of opening five new playgrounds in other suburbs around Canberra, in the suburbs of Torrens, Waramanga, Higgins, Narrabundah and Richardson. These new playgrounds are the result of work that the ACT government has been doing to invest in our younger citizens. We know how important access to adequate play spaces is, and the natural environment, for children's development, particularly in the development of their physical health and wellbeing, and social skills. These new spaces will provide a range of experiences for not only our younger citizens but also our slightly older children.

This is the result of community consultation. I would like to acknowledge in the Assembly the work of two amazing community members in particular—Natalia Nikolic, who was involved in the Torrens playground advocacy and design, and Elizabeth Hoyt of Waramanga, who members would be familiar with. Currently, she lives overseas and has not been able to see this new playground opened, but she is excited, with those communities, to be able to make sure that we provide fantastic play spaces for young children around Canberra.

**MR PETTERSSON:** Minister, how do infrastructure projects like this help with the territory's recovery from the impacts of COVID-19?

**MR STEEL:** I thank Mr Pettersson for his question. During the pandemic, the ACT government has brought forward a range of screwdriver-ready infrastructure projects to provide work for Canberra construction firms. That has seen the refresh of over

50 play spaces around Canberra. Our ongoing pipeline of capital works, through the seven new playgrounds that I mentioned, has been ongoing, providing people with work at a time when it was most needed. We continue to invest in local infrastructure projects. I note that, with these small infrastructure projects, we were able to bring those forward, get them out into the community and deliver a benefit for the wider community, and particularly children, as well as creating jobs. One particular landscaping company, Able Landscaping, have been involved in the Torrens and Waramanga projects. They have been particularly appreciative of having this work during what has been a very difficult period for business.

**DR PATERSON:** Minister, how will the ACT government continue to invest in infrastructure for Canberra kids?

**MR STEEL:** I thank Dr Paterson for her supplementary. Work is underway on a play space strategy that will be used to develop and maintain play spaces across Canberra in the future. It is expected to go out for community consultation early in the new year. As part of Labor's commitments that we brought to the election, we have committed to deliver seven additional playgrounds across Canberra, renewed playgrounds, as well as a destination playground in the inner north. We are looking forward to progressing that and getting on with our election commitments, particularly in delivering these types of facilities. We also want to make sure that our existing playgrounds have enough shade, through shade sails, and fencing playgrounds around the community to make sure that they are accessible and inclusive for a range of different children and families. We are looking forward to getting on with that work and delivering better play spaces for children and families throughout Canberra.

### **Schools—Tharwa**

**MR DAVIS:** My question is to the Minister for Education and Youth Affairs, and, unsurprisingly, is related to school closures. Minister, as a proud product of the ACT's public schools I am passionate about our local schools, particularly in my electorate of Brindabella, and the equity they provide to small school communities. Can you confirm that the Tharwa Preschool program will remain open to enrolment for the 2021 school year?

**MS BERRY:** I thank Mr Davis, and I am encouraged by his first question on such a positive and joint commitment to our public schools in the ACT. Yes, I can confirm that the Tharwa Preschool will continue to provide preschool education for school students in the 2021 year. The ACT government have confirmed a number of times that we will not be closing the schools and we will not be closing Tharwa. I will not be closing Tharwa, at least while I am education minister. With a shared commitment as a proud public school student myself, and with my own kids going to public schools, I want to make sure—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** I would not respond to interjections, Ms Berry.

**MS BERRY:** He is very close now, Madam Speaker; it is very tempting. I will leave it there; I will not be tempted.

**MR DAVIS:** I thank the minister for her commitment. Obviously there will be a need to rationalise school services as populations change. What advice would the minister give to the Tharwa school community and to other smaller school communities to boost enrolments and ensure that they retain their position as an important part of our local communities?

**MS BERRY:** More children obviously mean more capacity in schools, but I think I will leave what happens after COVID to the data that comes out next year showing what families were up to during isolation. My advice to communities around those schools is to stay in touch with their school communities and continue to engage with the schoolteachers and other members of their school communities to make sure that those schools continue to thrive and provide the best possible preschool education and public education for school students.

### **Youth justice—age of criminal responsibility**

**MR COE:** My question is to the Minister for Families and Community Services. Minister, ACT Labor and the Greens have formally committed to raising the age of criminal responsibility in the ACT. Which specific alternatives to detention is your government recommending as part of the national conversation that is taking place on this matter?

**MS STEPHEN-SMITH:** I thank Mr Coe for the question. We are committed to raising the minimum age of criminal responsibility. That is something that the Legislative Assembly debated late in the last term of the Assembly. Indeed, we all agreed that raising the minimum age of criminal responsibility was the right thing to do.

What we have recognised is that there is some more work to do before we can bring legislation in relation to that into the Assembly. A couple of projects were funded with the proceeds of the confiscated assets trust by the former Attorney-General, Mr Ramsay, to support this work: work on scoping what will be required to support young people once the minimum age of criminal responsibility is increased and work on some funding for a specific functional family therapy youth justice program, to pilot that program, having seen how successful functional family therapy is in the child welfare and child protection space. This is an evidence-based program to support young people and their families who are coming into contact with the justice system. There will be a trial of that program in the ACT to see if that can fill some of the spaces that will be identified as we go through the process of understanding exactly what is needed to raise the minimum age of criminal responsibility.

Of course, we also recognise that it is not just about the young people themselves and the diversions and support that they will require. We also recognise, and I have had this conversation with the Attorney-General, that there will be genuine victims of antisocial and criminal behaviour by young people and that there will be a range of

work that will need to be undertaken in relation to that. We will do that in the context of our commitment to be a restorative city and base our policies on evidence.

**MR COE:** Minister, which overseas jurisdictions does the ACT government see as the best practice models when it comes to providing successful alternatives to youth detention?

**MS STEPHEN-SMITH:** That is part of the work that will be done. I possibly should have handed over to the Attorney-General, who will have primary carriage for some of this work. But having had the opportunity myself to visit Scotland a couple of years ago and talk to them not just about the child protection system but also the youth justice system, I know that there are some very strong lessons to be learnt. We talked specifically about the implementation of functional family therapy in the youth justice space.

Other jurisdictions overseas have also done very good work in this space. We will be learning all the lessons we can from across the world around how you best support young people to divert them from access to the criminal justice system and ensure that they and their families are given the support that they need to get their lives back on track and not be engaged with the justice system as they age.

**MS LEE:** Minister, who have you consulted with so far in relation to this topic?

**Mr RATTENBURY:** I have responsibility for that part of the work. The ACT government is involved in what was the Council of Attorneys-General. That has been changed as a consequence of the Conran review. Nonetheless, the ACT is working with all other jurisdictions across Australia, the commonwealth and other states and territories, to look at this matter.

The Western Australian government is currently preparing a report on behalf of all jurisdictions. The most recent meeting of Attorneys-General has asked that Western Australia provide that report in March. We are working with those other jurisdictions to identify both the kinds of programs that Mr Coe's questions are asking about, as well as other options. We will also work with a range of community stakeholders who have both views and policy ideas in this space.

The government have made a commitment to make this legislative change, but we are quite open in saying that we also have some work to do and we intend to work with a range of important stakeholders to make sure that we get this change right. We want to make this change; we do not believe that young people and children should be incarcerated. But we also need to make sure that where there is antisocial behaviour it is not consequence free and that we change the trajectory of that young person's life to make sure that they understand that there are victims of these activities.

### **Disability—employment strategy**

**MS CASTLEY:** My question is to the Assistant Minister for Families and Community Services. In the Labor-Greens parliamentary and governing agreement

there is no separate category for disability, no mention of a disability employment strategy and no mention of support for disability advocacy groups. Minister, why not?

**MS DAVIDSON:** Thank you for the question. I am very glad to hear that there are many members of our Assembly who care as much as we do about the needs of people with disabilities, making sure that they have access to everything that they need to live full and meaningful lives.

We are actively working to make sure that all services are accessible and meet the needs of people with disabilities, and there are a range of ways in which we are working on that. That includes looking at the Disability Justice strategy, it includes the disability reform program—

**Mr Hanson:** Madam Speaker, on a point of order of relevance, the question was very specifically: why is there no mention of all this work that the minister is referring to now in the governing agreement? Why was it not in the governing agreement? That is the question.

**MADAM SPEAKER:** The assistant minister is explaining what is in the government's agreement and aspects that are being covered. Ms Davidson, you have the floor.

**MS DAVIDSON:** I think what you are really looking for there is a little more detail about perhaps why I do not have a longer title. In any case, I can assure you that we are looking quite specifically at the needs of people with disabilities, in the parliamentary and governing agreement. That includes looking at issues relating to accessible housing. It includes making sure that they have access to the right health services and, most importantly, that we are working in a way where services are connected and people can have whole-of-life needs looked at that covers housing, health and access to be able to participate in public life and in our community spaces.

**MS CASTLEY:** Minister, this morning in your first speech—which I enjoyed listening to and congratulate you on—you spoke about the work you have done on issues like you just mentioned: housing, affordability and women's health. Why then do the Greens make no mention in their policy platform of support for the disability community, other than from a health delivery perspective?

**Mr Rattenbury:** The question is out of order.

**MADAM SPEAKER:** The question is out of order because the minister is not responsible for grants policy.

**Mrs Jones:** On a question of clarification, Madam Speaker, the question was about the Greens' parliamentary agreement, in her capacity as a minister.

**MADAM SPEAKER:** The first part of it, Mrs Jones—

**Mrs Jones:** Yes, but when the supplementary—

**MADAM SPEAKER:** No, sorry, Mrs Jones. The second part was quite clearly about Greens policy. The assistant minister will not be answering about Greens policy.

**MS LEE:** Minister, what support specifically will be available to disability advocacy groups such as SHOUT under this Labor-Greens coalition?

**MS DAVIDSON:** Thank you for the question. Having worked at the Pearce Community Centre with the good people from SHOUT, I am very pleased that you are looking out for their ability to continue delivering services to the community.

There are sections in our parliamentary and governing agreement that specifically look at ensuring funding to community services organisations. That includes making sure that funding addresses the real costs of delivery to a community with a growing population, and under changing circumstances, as a result of this changing climate that we are living in. I expect that that will cover all community services organisations that are being funded by the ACT government.

### **Youth justice—throughcare program**

**MR CAIN:** My question is to the Minister for Families and Community Services. Minister, ACT Labor and the Greens have independently promised a new throughcare program for young offenders leaving youth justice, but no specific commitment to this reform appears in the parliamentary and governing agreement. Can you confirm for the Assembly that the Labor-Greens government will indeed deliver on this program, and when can we expect this to happen?

**MS STEPHEN-SMITH:** I thank Mr Cain for his first question in the Assembly; I greatly appreciate that. I draw the attention of Mr Cain and all members of the Assembly to the introductions to appendix 3 and appendix 4 in the parliamentary and governing agreement. In appendix 3 it specifically says:

This is not ACT Labor’s full set of commitments across all portfolio areas. Any policy commitments included in the Agreement have also been removed from this Appendix.

That is if they were in the earlier appendices. It continues:

Please refer to ACT Labor’s Policy Position Statement, and associated Health, Education, Jobs, Environment, Climate Change, and Better Suburbs Statements at [actlabor.org.au](http://actlabor.org.au) for more information.

A similar caveat is included in appendix 4 in relation to the Greens commitments—

**Mr Hanson:** Madam Speaker—

**MADAM SPEAKER:** I assume there is a point of order?

**Mr Hanson:** It is a point of order; it might also be a point of clarification regarding your previous ruling. The minister is talking about Labor policy in her answer. She is referring to a specific annex saying—

**MS STEPHEN-SMITH:** I am literally reading from the parliamentary and governing agreement.

**Mr Hanson:** That is right. The minister is referring to Labor policy, and there is a point in the agreement where we could talk about Labor policy, but when we asked about the Greens policy, the other part of the government, that was ruled out of order. I am a little confused. Are we allowed to ask about Labor policy or Greens policy, given that it is referred to in the agreement—

**MADAM SPEAKER:** I will clarify, Mr Hanson.

**Mr Hanson:** or is there only—

**MADAM SPEAKER:** Resume your seat, Mr Hanson. I will provide—

**Mr Hanson:** Our question was ruled out of order—

**MADAM SPEAKER:** It was.

**Mr Hanson:** because we asked a specific question regarding a party's policy.

**MADAM SPEAKER:** Can you resume—

**Mr Hanson:** The minister is talking about it.

**MADAM SPEAKER:** Can you stop and sit down? I have asked you to stop and sit down. The question was ruled out of order because it went to Greens policy. The question was asked about the governing arrangements held within the parliamentary agreement. By way of answer, the minister has referenced two sections. At that point she had another minute to go to the substance of the question, but your point of order has consumed her time.

**MR CAIN:** Minister, what specific deficiencies in the current youth justice approach will this throughcare program fix?

**MS STEPHEN-SMITH:** I thank Mr Cain for the supplementary question. Of course, the ACT government has been implementing the Blueprint for Youth Justice that was established in 2012—the 2012-22 Blueprint for Youth Justice that was brought forward by my colleague Minister Gentleman when he had responsibility for the portfolio. That has seen a significant reduction in the number of young people coming into contact with the youth justice system and, indeed, in detention over the time since 2012.

However, we determined in 2017 that we really needed to take a look, at the midpoint of the Blueprint for Youth Justice, at how it was going and what more needed to be done. A task force was established, and I released that report, if I remember correctly, last year, in 2019. One of the recommendations out of that task force was that we would work towards the establishment of a throughcare program for young people

exiting the Bimberi Youth Justice Centre. I refer also to working with young people who are on community orders, to ensure that they transition back to life not on orders in a safe and sustainable way. That is a commitment that we have committed to as a government, and that is something that we will continue to work on.

**MR PARTON:** Minister, will this throughcare program in any way address the very long waiting times for diversionary programs? If not, why not?

**MS STEPHEN-SMITH:** I thank Mr Parton for the supplementary, but given that he has provided absolutely no evidence of what diversionary programs or what kind of waiting times he is talking about, I will invite him to put his question on notice in some more detail; then I will be happy to answer it.

### **Bushfires—preparation**

**DR PATERSON:** My question is to the Minister for Police and Emergency Services. How is the ACT prepared for the 2020-21 bushfire and storm season?

**MR GENTLEMAN:** I thank Dr Paterson for her interest in the safety of all Canberrans this season. Of course, our Emergency Services Agency and Parks and Conservation Service have been engaged in extensive readiness activities in preparation for the season. We have trained an additional 48 ACT Rural Fire Service volunteers and 70 ACT SES volunteers and made staffing investments across ESA and PCS to bolster our capability and preparedness.

We have continued to invest in training, equipment and facilities to ensure that our frontline responders remain supported and are able to keep Canberrans safe. We have been working hard to engage with the Canberra community to increase emergency preparedness, awareness and education, and we have reflected on the lessons and implemented the learnings of last year's long hot and dry season.

This season will be driven by different climatic conditions, and the likelihood of above average rainfall and high grass growth will increase the risk of flooding and grass fires in the ACT. The ACT government remains prepared for all hazards and will continue to monitor conditions, take action to mitigate risks and provide timely advice and, of course, information to Canberrans.

So while the government is doing all that it can to maintain community safety, I urge Canberrans to download and complete their ESA survival plan from [www.esa.gov.au](http://www.esa.gov.au) and together we will ensure that the ACT remains well prepared for all hazards during the bushfire and storm season.

**DR PATERSON:** How is the ACT government supporting our frontline responders so that they can continue to keep Canberrans safe?

**MR GENTLEMAN:** Again, I thank Dr Paterson for her support for our frontline staff. I want to begin by thanking our frontline responders for their commitment and dedication, particularly during the unprecedented events of 2020. I would also like to

thank their family, friends, partners and workplaces, whose support enables them to protect our community and keep our territory safe.

The government are committed to supporting our frontline responders through continued investment in our police and emergency services, and we have made significant staffing investments across ACT policing and the Emergency Services Agency, including additional police officers, firefighters and paramedics. We have funded new and upgraded facilities and have committed to build new fire and ambulance stations across the city and Molonglo. We have provided new equipment and vehicles, including state-of-the-art ambulances, firefighting trucks and police cars.

The ACT government has a proud record of supporting our emergency responders and remains committed to ensuring that they have the resources, training, facilities and equipment they need to keep Canberrans safe. We will continue to support our frontline responders through the delivery of well-resourced, community-focused services to enhance public safety and respond to the challenging needs of our growing city.

**MS ORR:** Minister, how can Canberrans be emergency ready this summer?

**MR GENTLEMAN:** I thank Ms Orr for the question. 2020 has shown that emergencies can strike at any time, anywhere and without warning. Canberrans can be emergency ready this summer by completing the ESA survival plan and keeping it in their emergency kit for when they need it.

As I have previously mentioned, the ESA survival plan can be downloaded at [www.esa.act.gov.au](http://www.esa.act.gov.au). The new-look survival plan uses a multi-hazard approach that makes it easier for Canberrans to prepare for emergencies, with four simple steps to get ready for bushfires, extreme heat, storms and floods. The survival plan can be completed online and saved on any device, making it easy to share with the family and friends and updated each year.

Canberrans may have seen our emergency responders out and about at their local shopping centres over the past few weeks—I have joined them there on a number of occasions—speaking to members of the community about the survival plan. These information sessions will be running each weekend at shopping centres across the ACT until 13 December. I have recently visited Calwell and Greenway and I encourage all members of the public to stop by the next time for an information chat. More information, of course, about emergency preparedness and many other educational resources can be found online at the ESA website.

**Mr Barr:** Further questions can be placed on the notice paper, Madam Speaker.

### **Supplementary answers to questions without notice**

#### **Youth justice—throughcare program**

#### **Disability—employment strategy**

**MS STEPHEN-SMITH:** Madam Speaker, I wish to correct the record in relation to one matter. It has been drawn to my attention that it was in fact you, your good self,

who introduced the Blueprint for Youth Justice when you were the responsible minister.

I also want to respond to a question that was asked of Ms Davidson in relation to SHOUT. I would just let members opposite know that, when SHOUT was funded in the 2018-19 budget, responsibility for SHOUT funding was moved from the disability portfolio into the community services portfolio, in recognition that the self-help organisations that it supports are not just disability organisations. I quote from the 2018-19 budget:

The government will provide ongoing support to Self Help Organisations United Together (SHOUT) to ensure it can continue to assist and build capacity for self help groups in the ACT community.

Nothing has changed since that budget statement was made, and I would encourage the Leader of the Opposition not to revert to her previous strategy of unnecessarily creating anxiety in the disability and community services community by somehow implying that there is not an ongoing commitment.

## **Questions without notice**

### **Statement by Speaker**

**MADAM SPEAKER:** Members, on the first day back, and with a third of the Assembly being new members, can I just draw everyone's attention to standing order 113B, concerning supplementary questions. It says:

Immediately following the answer to a question, one supplementary question may be asked by the Member who asked ... provided that the supplementary question is relevant to the original question or arises out of an answer given, contains no preamble, introduces no new matter and is put in precise and direct terms.

So for February's question time, please be aware of that.

## **Inaugural speeches**

**MADAM SPEAKER:** It is my understanding that, being 3 o'clock, we will come back to papers later and we resume the inaugural speeches. As with this morning, inaugural speeches are heard with respect and in silence. With that, I give Ms Castley the call.

**MS CASTLEY (Yerrabi) (3.00), by leave:** I begin my first speech by acknowledging the traditional owners of the Australian Capital Territory, the Ngunnawal people, and pay my respects to their culture and their elders.

As a country music singer, I have performed in pubs and clubs all over the ACT and Australia wide, but this gig of politics is one I never saw coming. For this proud chick from Charny, it is still sinking in.

A few weeks ago the Assembly staff addressed me, “Ms Castley, may we order some new crockery for your office?” No-one has ever spoken to me in that way. Working in office admin in Kingston many years ago, I remember my boss sighing as she said, “Oh, Leanne, can you sound less Charnwood and more Kingston?” The perks and privileges for politicians, the deferential treatment—it throws me. Few people receive their own free car space and, with the politicians’ car park being right next to the public one, I am conscious of that privilege—evidenced every day as I see ordinary workers lining up to pay for their parking tickets. Having said that, I have enormous respect for our parliamentary democracy; so I humbly come into this place with my head held high, vowing to “smash it” for the people in my electorate of Yerrabi.

As I have said, I am a proud chick from Charny. Think 1980s V8 Commodores, beat-up Datsuns, footy shorts, mullets, flannelette shirts and hanging out at the Charny shops in desert boots and black jeans. School was Flynn Primary and Charnwood High. But school did not interest me. I just wanted to get out and earn money, get on with life. Sewing and cooking were my fortes. I was Suzy Homemaker and my year 10 sewing project was my hot pink taffeta dress for my year 10 formal.

My first job was when I was 14, in a sewing shop, but the lady was always cranky and she never paid me; so I knocked on the door of Charnwood Dental Surgery to apply for a dental assistant position. Graham Shaw interviewed me on the spot and I got the job. I have worked on and off for Graham for years and, with the two ex-husbands, I often joke that he has been the most stable man in my life.

Canberra has been good to my family, and we needed it to be. I was five when dad left mum. The three of us—mum, Lorraine; my older brother, Barton; and I—moved to the ACT from Sydney. Mum’s sister, Auntie Lou, was here and mum’s parents had a sheep and cattle farm at Bookham, beyond Yass. My fondest childhood memories are weekends and school holidays at the farm, mustering sheep at shearing time, riding dirt bikes with my cousins, turning off the highway onto the long dirt road, and sitting on my grandparents’ knee and steering the car all the way up to the farm house. And so began my love of big engines and motors.

Mum, Barton and I were a team, and mum did what she needed to survive. At times we were completely broke. Barton and I knew that money was tight and felt the weight of that. Mum was a nurse. She worked four days on and four days off, and I will never forget the day she came home with her first pay cheque, just waving it out the car window as she drove in the driveway. “Get in the car,” she yelled, “we’re going to Pizza Hut for dinner.” So we headed straight to Kippax, only to be kicked out of the restaurant because Barton did not have shoes on. We got takeaway instead.

Mum is a fighter, and so am I. So are the people in my electorate of Yerrabi; so we are a great fit. I am proud to say that I have always worked. I once worked as an office cleaner, with shifts starting at 5 am and 9.30 pm. I strongly believe that people who can work should work, particularly young people. Work is not punishment, nor about control or power. Work is good. It gives dignity and promotes wellbeing. Having said that, life is tough, and I understand that there are times when people cannot work, for family and health reasons; and those people need care and support.

My first full-time job after school was as an accounts clerk at Gerald Slaven Holden in Belconnen, which I loved—50 blokes, three girls and a yard full of grease and engines. I did the accounts and mastered the 12-line telephone system and drove a stack-load of cars to Dickson Motor Registry to pick up the new numberplates. The fellas helped me buy my first motorbike when I was 18.

I do love my bikes and cars. It is great to know that you can wrangle a machine. There is just nothing quite like the rumble of a big engine. I had a great time stripping my HZ Kingswood, which had a 350 Chev engine in it, and I ended up having to sell that one for furniture because I had no money. Another inner rev-head was Australia's Dame Nellie Melba, one of the first women to sing the praises of the horseless carriage. The prima donna kept a motor on three continents.

My first husband was a salesman at the car yard where I worked, and we married three weeks before I turned 21. I had my son, Lachlan, when I was 22, and my daughter, Bethany, at 28. Life was good. We owned three successful car yards, employed five staff, made lots of money and bought a big house in Fraser.

I salute the courage of small family businesses, because it takes a stack of courage to start and run a business, take on the responsibility of staff and slog it out day after day to make it work. It was at about this time that I also recorded my country music album *Perfect Day*. "Perhaps I will become a music sensation," I thought, "and get my hands on a Golden Guitar."

But running a business is like riding a rollercoaster. You have got the thrilling highs and crushing lows. Our success did not last, and unpaid bills pounded us and the debt collector came knocking on the door. At times we were so skint that mum kept us in food. I became a Tupperware lady and turned my spare bedroom into a beauty parlour, doing waxing and pedicures to put food on the table.

Life is never easy. We liquidated the business, lost the house and the marriage went too. I moved into mum's house, rang my old boss and asked for a job to start a new chapter in my career—in IT of all things. This is for a girl who thought clouds were in the sky and networks were a bunch of professionals. Talk about sink or swim! My first role was on an IT helpdesk. They trained me, and we were all grateful.

I gained a diploma in project management and landed roles at the AFP and Defence, managing teams of up to 10 people, setting off from home each morning with my packet of soup and cup in my handbag, hot-desking it with the masses—a far cry from "Ms Castley, may we order some new crockery for your office?" My second marriage was not a success, but it helped me learn more about myself—that I can be resilient; nothing can break me.

When it comes to politics, this chick from Charny does not fit the mould. I may have smashed the mould, which I think would be a good thing—not for me any union official background, starting as a political staffer, raging and recruiting in the Young Liberals or Labor movement. When I was growing up, politics was not really discussed around the table because we rarely ate dinner at the table. Mum would often

finish her shift at 9.30 pm; so she would leave the defrosted chops and sausages on the sink and the saucepan with the potatoes and saltwater and carrots, and Barton and I would come home and we would cook our veggies and mash them up, and we would grill the meat and we would eat our dinner in front of the TV watching *Cop Shop* or *A Country Practice*.

While I confess to having quiet moments when I think, “How on earth did I end up here,” I also think, “Why shouldn’t I be here?” I want to show that someone from a normal, average background can be elected to parliament and succeed. As for political labels like “conservative” or “progressive”, they mean nothing in my part of town. The only label you can slap on me is “battler”.

Why do we in politics put ourselves in such limiting groups and play political games behind factional walls, eyeing each other with suspicion—not to mention the greed and corruption we all too often see and read about, the ego trips, power plays and dirt sheets, the so-called political kingmakers who know how to sharpen knives but not much else? In so many ways politics has become toxic. No wonder ordinary people have had a gutful.

It concerns me that the Labor government have been in power for so long that they seem to have lost touch with the Canberra battlers. That term may seem an oxymoron to some in this place and to some people in our community, but I know that there are many out in the burbs like me: just proud, hardworking people and parents wanting to better themselves and their lives; mums and dads and partners who want their kids to have a good education, to learn good manners and values, and to have good jobs and opportunities that they did not have. Robert Menzies famously called them the forgotten people, the backbone of Australia, too often taken for granted by government and effectively powerless because they lack connections.

The quiet Canberrans, that is who we are, living outside the Canberra bubble. We often hear of the Canberra bubble, and in some ways it is true. Being a public service town does make us different. Just last month came a headline in the *Canberra Times*, “Public sector an economic safe haven”, referring to new ABS data showing that no sector had grown as much during COVID-19 as the public sector. Public sector wages have also increased while plummeting in almost all other sectors.

Yerrabi residents are younger than the Canberra average, and more work full-time than the norm; but most are not cocooned in the economic safe haven of the public sector. They are clerical staff, community workers, technicians, tradies, salespeople and labourers.

Let me share with you a little more about the great people I have been elected to represent. Yerrabi residents are more likely to be married and have kids and a mortgage than other Canberrans; and there are more migrants in Yerrabi too. The area boasts bigger populations of Chinese, Indians, Vietnamese and Sri Lankans—all family minded people who work hard and want to improve their communities. Yerrabi people want to get on. The electorate is my home too, and it is the place I want to be.

It is a thrill to be out and about in Yerrabi. As I said last week at Palmerston District Primary School, if this is what being a politician involves then bring it on. We all know we have got great teachers here in Canberra in our schools. We boast an Aria-nominated music teacher of the year, CJ Shaw. He has taught at the school for more than three years. Last Wednesday night I joined the first rehearsal of the With One Voice Gungahlin Community Choir, which was started by the housing group Common Ground.

Last Friday I even got to meet Michael and Monica at their Aquaflo Irrigation business in Mitchell. The pair have been in business for 15 years, they employ over 15 people and have recently opened a shopfront. What legends! I just am so thrilled. Family businesses, small family businesses—the courage and huge contribution they make to Canberra and our economy—good on them.

You do not hear much talk nowadays about a strong work ethic, which is a shame because it suggests a professionalism, a reliability that seems to be lacking in some workplaces. Good manners appear to be fading too in a society that has become less civil and considerate and more combative and selfish. In the workplace it seems some people are more focused on their benefits than their responsibilities, more concerned with their entitlements and being able to dress down than showing loyalty and going the extra mile. These are generalisations of course but my attitude has always been: get to work and do your job, nurture a strong work ethic and show that you are keen, and you will always be employed and sought after.

In politics we talk about stakeholders. I have 89,850 of them and their average age is 32. They are the great people in my electorate of Yerrabi and they are the people that I have described to you. The issues, views and aspirations of my electorate—that is what matters to me. Yerrabi residents and families do not want politicians telling them what to do or how to live their lives. They can do that perfectly well on their own.

But they do want politicians to be honest, to listen and to fix problems, whether it is potholes in the street, keeping our reserves clean, providing facilities where families can enjoy barbecues and being outdoors with park benches, improving our environment, and reducing carbon emissions with sensible policies that do not break the bank. I assure the good folk of Casey, Crace, Forde, Franklin, Ngunnawal, Nicholls, Giralang, Hall, Kaleen and the rest that my two feet will stay firmly planted in Gungahlin's soil.

Sadly, a recent report lamented that Gungahlin is still playing catch-up to the rest of Canberra when it comes to infrastructure and community facilities. The article said major roads had only recently been duplicated, the cinema is still coming, the police station needs an upgrade, the variety of shops is tiny compared to other town centres and there is a shortage of sports facilities, particularly indoor sports. Unfortunately, given that my electorate is the only electorate in the ACT that does not have a minister sitting around the cabinet table, I fear that the people of Yerrabi will continue to miss out when it comes to vital infrastructure and important community facilities.

It is a shame that Chief Minister Barr has chosen Labor and Greens ministers from Canberra's four other electorates but neglected to give a powerful voice to Yerrabi. Instead, he has given ministries to four of the five MLAs in his own electorate of Kurrajong. The only Kurrajong member to miss out is our most capable opposition leader, Elizabeth Lee. Of course, we do hope Elizabeth's time will come.

As a singer, may I use a singing analogy to describe how I approach my role, which I see is all about connecting with the people in Yerrabi. Singers are in the service industry. You are there to please; so no matter that you have sung *Khe Sanh* 1,650 times, if the request comes in, you belt it out the best way that you can, because the pub wants you to keep the patrons drinking and rocking on the dance floor. For me, the song that I have sung way too many times is *The Gambler*. When you do sing it, the crowd seems to come from miles to join you and you know that you have crossed over at a gig when the people let you into their night out.

So too with Yerrabi voters electing me. Just like the song, I will keep singing to keep the punters happy; so too I will serve the people who elected me, and I will not tire of that. Recently I read an extract from former Governor-General Sir Peter Cosgrove's memoir. He pens the tale of an ordinary man who achieved high office and accomplished tasks with distinction and he writes:

... throughout my public life, I have been and remain a very ordinary person ... I stand as an example that the jobs I have done aren't just for those of the most marvellous capacity ... but that an ordinary person can undertake these tasks effectively.

To my fellow residents in Yerrabi, I stand before you as a single mother of two, happy to point to my 23-year-old son and my 18-year-old daughter as my proudest achievements. A single mother who once stocked vending machines, I would use my own van, which I had for music gear, and trek to Fyshwick. I would load up the massive eskies with chips, chocolates and drinks and haul them around on a trolley. One of the sites was JB Hi-Fi. I would park in their loading zone and wheel in the loot.

I have also taught singing lessons, I have been a paid tuckshop lady at my kids' school and worked as a trade assistant for a mechanic, doing oil changes for the cars and picking up the new discs and spare parts. I am the chick from Charny and I will not lose that. That is who I am. If I can show, like Sir Peter Cosgrove, that this gig of politics is not just for those of "the most marvellous capacity" but for the hardworking, ordinary family battlers like me, I would see that as achievement indeed.

**MR CAIN** (Ginninderra) (3.18), by leave: I am greatly honoured to present myself to the ACT Legislative Assembly and to the ACT community as a member for the Ginninderra electorate. I would like to especially acknowledge the Ngunnawal and other Indigenous peoples of this and other ACT electorates. I also acknowledge that we meet on Ngunnawal land.

I would like to tell you a bit about myself, my upbringing, my family, my work and my developing political awareness. I hope you see me not just as a fellow MLA but as someone you feel confident to approach for a respectful conversation.

I was born in the Hunter Valley in low socio-economic circumstances. My family never owned a car, and in one of our rented homes we burned coal in an open fireplace for warmth. In my primary school years, my cousins, friends and I had great enjoyment exploring abandoned mining equipment and infrastructure, though we wisely avoided crossing fields covered in slow-burning coke and coal deposits.

Most of my high school years were spent living in an igloo village—and I say that with respect—in west Cessnock, reserved mostly for new Australians. The common name for this housing estate was the migrant village. I say “igloo village” because our home, like most others, was in the shape of a half-cylinder, made from corrugated iron, erected on stumps and laid on its side. I had great pleasure from regular trips to the beaches at and near Newcastle, and spent several school breaks picking grapes in the vineyards of the Pokolbin region. One of my fondest memories, and a likely explanation for my love of all things science fiction, was watching *Star Trek* with my mother, something I am glad to say we are still able to enjoy together today.

I studied to be a teacher and graduated with an honours degree in mathematics at the University of Newcastle, followed by a diploma of education.

One of my earliest political observations was seeing and hearing Sir Robert Menzies on our black-and-white TV. As I watched how he presented himself and spoke, I thought, “That’s an impressive individual.” What also impressed me about the Liberal tradition, primitive though my understanding was, was the acknowledgement of the conscience vote, which in my mind recognised that the individual had an entitlement to their own personal vision and values, and permission to express those even if the majority of their colleagues thought otherwise.

The most impacting experience of my university days was meeting and being immediately smitten by my wife, Claire, who was also studying to be a teacher, a career in which she continues today. I taught mathematics in New South Wales schools from 1978 until Claire and I took our two New South Wales-born children to South Australia, where I taught in a non-government school, becoming its principal for part of our time there. While there, we built our first home and added three daughters to our family. We moved to Canberra in 1990, Claire carrying our sixth child. I was principal of a school here until 1998. During this time, we had our seventh child and purchased our current home in Evatt, fortunately a largish house on a largish block.

My school responsibilities sometimes brought me into contact with lawyers; and while this next statement may surprise some, I liked what I saw. So—though not because I lost my interest in education—I began a law degree in 1999. After graduating with honours, I began working in the ACT government, from 2002. For much of my time since 2011, I managed the ACT’s tax disputes section, objections and appeals—well known to our Chief Minister—which was located within the Treasury stream of the Chief Minister’s directorate.

Claire and I were temporarily empty nesters from late 2015 after our youngest daughter’s marriage. We are currently blessed with six grandchildren, three with

Anglo-Indian heritage and three with Anglo-Indigenous heritage. Our seventh child and youngest daughter will soon deliver our seventh grandchild.

Leading up to the 2016 ACT election, I thought that the Canberra Liberals would surely win. As we know, this did not happen. I thought, "How could they not have won that election?" I also started to see a distressing decline in how issues were discussed in the public arena, including the rise of accusatory and insulting language that was intended, or so it seemed to me, to prevent exploration of differing ideas and silence those with a contrary view, rather than engaging openly and respectfully. I was becoming very worried for our society.

What occurred to me then, and it has crystallised strongly with me now, is that the best government policies arise from free and open discussion. The desire to shut down and de-platform differing opinions is contrary, in my view, to the fundamental Westminster principles of our parliamentary democracy.

In late 2016 I made the decision to join the Canberra Liberals, my first party membership. My goal in joining was to do everything I could to ensure that the Canberra Liberals were elected in October 2020. Whilst this did not eventuate, election remains my priority for 2024.

I put my mind, time, feet and hands to work, including many letterboxing contributions, telephone canvassing and attending party meetings and functions. I have held deputy chair roles on three committees. For the federal election last year, I ran a booth and scrutineered the vote count. From July last year, I was the chair of the Yerrabi electorate branch, which provided me with membership of the management committee. My journey continued with me being preselected as one of five very dedicated Ginninderra candidates. I am very honoured to become the 84th individual to be called a member of the ACT Legislative Assembly.

On the professional side, with the ACT government, I have dealt with the most legally and factually complex territory tax cases of the last 10 years, as both a decision-maker and an instructing client when the dispute moved to tribunals or courts. I am a nationally accredited mediator. While working at the local tribunal, I conducted over 60 civil and residential tenancy settlement conferences. I recently completed three years as Vice-President of the ACT Law Society and had the great privilege of chairing, for nearly seven years, the Law Society's government law committee. As a member of the ADR committee, I initiated a pilot program for a pro bono mediation scheme.

I am deeply committed to core Liberal Party values. The most effective government is the one that is barely noticed, where citizens are free to enhance their own lives and those of their family and the community. The quiet Australians are a very capable bunch.

Work is a wonderful benefit and the best form of supporting oneself and one's family. The freedom to have sensible, reasonable and respectful discussions about our differences is a freedom that is essential to our democratic system of government and to a civil society.

Sound economic management is essential to increasing prosperity and a sign of responsible government. Every individual has value, irrespective of differences one from another, whether those differences be of gender, age, colour or creed. There is incredible potential for good in every human life.

It is my chief desire to see that the interests of residents of my Ginninderra electorate, particularly the vulnerable, are brought before this government's ministers and before this Assembly. My priority is to ensure that the residents of this electorate receive the services they deserve.

I want to express my appreciation to those who worked so hard on my campaign. I am indebted to my friends, supporters, volunteers and "brains trust", under the leadership of an outstanding campaign executive headed by an incredibly capable campaign manager. I welcome many of them here this afternoon.

As with many of us, I am sure that my greatest encouragement came from my family, including my mother, my three sisters and their families. I want to acknowledge their love and support. My greatest thanks go, though, to my wife, Claire, with whom I have journeyed over many years, who has been and remains my primary support and most important counsel.

I am looking to hold the government to account for its use of taxpayer money, which it holds in trust to deliver quality services to the community. This will be a particular focus in my shadow portfolios. I will make myself available to my fellow MLAs to discuss our common ground and differences. I hope to provide practical outcomes for the people of my electorate and will continue to make myself available to understand and address their issues.

## Papers

**Madam Speaker** presented the following papers:

ACT Integrity Commission—International Anti-Corruption Day—Statement to the ACT Legislative Assembly, dated 23 November 2020, together with a letter from the Speaker, dated 16 November 2020.

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—No 9/2020—2019-20 Financial Audits Overview, dated 27 November 2020.

Commissioner for Standards—Annual report 2019/2020, dated 31 August 2020.

Freedom of Information Act, pursuant to section 67—ACT Ombudsman—Report 5/2020, A report on the operation of the *Freedom of Information Act 2016* for 2019-20, dated November 2020.

Protocols for the operation of pairs to encourage and support members who are nursing mothers or who have carer responsibilities—Agreement by Mr Braddock, Greens Whip, Mr Hanson, Opposition Whip, and Ms Orr, Government Whip.

**Mr Gentleman** presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No 4/2020—Residential Land Supply and Release—Government response.

No 5/2020—Management of household waste services—Government response.

Australian Capital Territory (Self-Government) Ministerial Appointment 2020 (No 2)—Notifiable Instrument NI2020-708, dated 3 November 2020.

Australian Crime Commission (ACT) Act, pursuant to subsection 51(5)—Board of the Australian Criminal Intelligence Commission Chair—Annual Report—2018-19, dated 24 June 2020.

Civil Law (Wrongs) Act, pursuant to subsection 4.56(3), Schedule 4—Professional Standards Councils—Annual report 2019-20.

COVID-19 Emergency Response Act, pursuant to subsection 3(3)—COVID-19 Measures—

Report No 5—Reporting period 1-31 August 2020, dated December 2020.

Report No 6—Reporting period 1-30 September 2020, dated December 2020.

Report No 7—Reporting period 1-31 October 2020, dated November 2020.

Crimes (Controlled Operations) Act, pursuant to subsection 28(9)—Annual report 2019-20—Australian Criminal Intelligence Commission, dated 27 August 2020.

Crimes (Surveillance Devices) Act, pursuant to subsection 38(4)—Annual report 2019-20—Australian Criminal Intelligence Commission, dated 27 August 2020.

Economic Development and Tourism—Standing Committee—Ninth Assembly—Report 9—Inquiry into Building Quality—Government response.

Financial Management Act—

Pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2019-20 financial year, dated October 2020.

Pursuant to section 26—Consolidated Financial Report—Financial quarter ending 30 September 2020.

Information Privacy Act, pursuant to subsection 54(3)—Australian Government—Office of the Australian Information Commissioner—Memorandum of Understanding with the Australian Capital Territory for the provision of privacy services—Annual report 2019-20, dated 30 July 2020.

Judicial Commissions Act, pursuant to subsection 61A(5)—ACT Judicial Council—Annual report 2019-20.

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee—Ninth Assembly—

Report 47—Government response—The Animal Welfare (Advisory Committee) Establishment 2020 (No 1) DI2020-147, dated December 2020.

Report 51—Government response—Rail Safety National Law National Regulations (Fees and Other Measures), dated December 2020.

Planning and Development Act, pursuant to subsection 242(2)—Statement of leases granted for the period 1 July to 30 September 2020, dated December 2020.

Planning and Urban Renewal—Standing Committee—Ninth Assembly—Report 13—Draft Variation No 363—Curtin group centre and adjacent residential areas: zone changes and amendments to the Curtin precinct map and code—Government response.

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with accompanying statements for:

ACT Civil and Administrative Tribunal—Determination 9 of 2020, dated September 2020.

ACT Magistrates Court Judicial Positions—Determination 8 of 2020, dated September 2020.

ACT Supreme Court Judicial Positions—Determination 7 of 2020, dated September 2020.

Director of Public Prosecutions—Determination 12 of 2020, dated September 2020.

Full-time Statutory Office Holders—Determination 4 of 2020, dated September 2020.

Full-time Statutory Office Holders: Auditor-General, Clerk of the Legislative Assembly, Electoral Commissioner—Determination 3 of 2020, dated September 2020.

Full-time Statutory Office Holders: Chief Executive Officer, ACT Integrity Commission—Determination 6 of 2020, dated September 2020.

Full-time Statutory Office Holders: Chief Executive Officer, City Renewal Authority and Chief Executive Officer, Suburban Land Agency—Determination 5 of 2020, dated September 2020.

Head of Service, Directors-General and Executives—Determination 2 of 2020, dated September 2020.

Members of the ACT Legislative Assembly—Determination 1 of 2020, dated September 2020.

Part-time Public Office Holders—Determination 13 of 2020, dated September 2020.

Part-time Statutory Office Holder: Integrity Commissioner—Determination 10 of 2020, dated September 2020.

Principal Registrar and Chief Executive Officer, ACT Courts and Tribunal—Determination 11 2020, dated September 2020.

Special Gazette No S7, Wednesday 4 November 2020, incorporating:

Administrative Arrangement 2020 (No 3)—Notifiable Instrument NI2020-707, dated 3 November 2020.

Work Health and Safety (Office of the Work Health and Safety Commissioner) Compliance and Enforcement Policy 2020-2024—Notifiable Instrument NI2020-681, dated 1 October 2020.

Work Health and Safety (Office of the Work Health and Safety Commissioner) Strategic Plan 2020-2024—Notifiable Instrument NI2020-680, dated 1 October 2020.

## **Building—quality**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.29): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Economic Development and Tourism—Standing Committee—Ninth Assembly—Report 9—*Inquiry into Building Quality*—Government response.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.30): I am pleased to note the government's response to report 9 of the Standing Committee on Economic Development and Tourism in the previous Assembly—its inquiry into building quality in the ACT.

The report included 48 recommendations covering a wide range of topics, from building legislation and administration to practitioner regulation, issues for unit title and residential buildings, building contracts, warranties and other protections, skills, and the specific technical standards for balustrades and access to multi-unit buildings.

The government welcomes the opportunity to respond to these recommendations. We have carefully considered each one of those, including in the context of the ACT's existing system and reforms underway here and nationally. We recognise the importance of compliance with building standards for health, safety, amenity and sustainability in maintaining our quality of life.

I wish to acknowledge the extensive work undertaken to date to improve the ACT's building regulatory system and to lift practices across the construction industry. This work means that the intent of many of the recommendations has been or will be met by current legislation or the government's reforms to the building and unit title systems already in train.

To cite a few examples, the minimum information and documentation guideline for class 29 building approval applications came into effect on 1 September 2019 and addresses recommendations about requiring detailed design drawings. To improve communication between regulator and industry on emerging compliance problems and good practices, the 2019-20 budget included funding in Access Canberra for the equivalent of four staff for public and industry education and data analysis to support building regulatory functions.

We are establishing a comprehensive audit scheme, and the government has allocated significant funding to Access Canberra to increase audits and inspections of building documents and building work. This includes adherence to the approved plans following the correct process for documenting and seeking improvements for amendments. There is also ongoing funding for the rapid regulatory response team,

which aims for an initial response to complaints about building and planning matters in five working days.

The government has been making improvements to the building regulatory system for many years. The first regulatory reform started in 2013 during the review of the ACT's building regulatory system. Some of these earlier changes included establishing the public register of information about licences and increasing powers for the regulator to refuse a licence or respond to breaches of building law.

The majority of the 43 building reforms announced in 2016 are complete and have included the expansion of statutory warranties on all residential buildings; codes of practice; a new training course for building surveyors; legislation for an alternative dispute resolution scheme; a new building audit and inspection tool; and new powers to allow orders and disciplinary action in relation to directors and partners of licensed building businesses to help stop people avoiding their regulatory obligations.

The government has committed to a second stage of reforms. Under this stage we will address issues of licensing and accountability for people designing, building, certifying and contracting for off-the-plan; consider insurance and other protections for clients and building owners; implement a residential building dispute resolution scheme; and make improvements to the ACT's security of payments scheme.

As well as these reforms, the government has committed to introducing a licensing scheme for property developers, establishing a team of building certifiers within the ACT public service, and introducing a registration scheme for engineers in the building sector in this term of government.

We will continue to provide progress updates on all of these commitments and against the additional commitments we have made to investigate, consider or implement further changes in response to the inquiry report. We will also continue to work with other jurisdictions on national building issues, including work to progress the recommendations of the *Building confidence* report.

The government has provided detailed responses to each of the recommendations, including the report to the Assembly on phoenixing matters, as requested in recommendation 19. While I will not go through all of the recommendations, the government agrees with 12 of the recommendations, agrees in principle with 20, and notes a further 12.

It is important to note that although the government does not agree with a small number of recommendations or with some of the suggested methods for addressing a problem, we understand the intent behind the relevant recommendation. Where we do not agree on the best way for that intent to be met, we have outlined our alternative for addressing the recommendation.

As an example, we do not support creating a new officer called the building commissioner, as outlined in recommendation 3. This is not because we do not want to support an independent statutory officer with overarching responsibility for regulating building work; it is because in the ACT we already have an independent statutory officer with overarching responsibility for regulating building work.

In relation to the provision of fidelity funds' audited accounts to the Assembly, we recognise that there was concern amongst some stakeholders that there were no prudential requirements for fidelity funds; but this is not the case. Let me assure the Assembly that there have been prudential standards in place for fidelity funds for quite some time. The current determination was made in 2005 and is in addition to the reporting requirements in the Building Act for fidelity funds and insurers. We consider these to be sufficient for the oversight of a non-government body. However, we do agree that general reporting on compliance with the standards and the operation of insurers and funds could be introduced. We also commit to reviewing provisions related to fidelity funds and insurers authorised under the Building Act.

The government believes that the existing laws do provide mechanisms for resolving concerns about differences between a property as advertised and the eventual building. It is already unlawful to not comply with building standards and to mislead or misrepresent the quality or characteristics of a property. From 1 July 2021 developers of new buildings that will be unit titled must also provide developer statements to buyers for certain changes to new developments made during construction.

I thank the committee for the report and for its consideration of issues that are so important for the community. I also acknowledge the many people who have made a submission to the inquiry, appeared at hearings and worked on the inquiry. I am looking forward to working with my colleagues in the government to continue the ACT's reform programs and to make sure that the territory has an effective building regulatory system and public protections.

I commend the government response to report 9, *Inquiry into building quality*, to the Assembly.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Reference**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.38): I move:

That the Standing Committee on Justice and Community Safety inquire into the operation of the 2020 ACT election and the Electoral Act and other relevant legislation and policies concerning election-related matters, with particular reference to:

- (1) the impact of COVID-19 on the ACT election and mitigation measures taken by the ACT Electoral Commission;
- (2) the report of the ACT Electoral Commissioner into the 2020 ACT election;
- (3) the timeframe and accessibility of early voting;
- (4) the number and location of ordinary polling places;

- (5) the implementation, security and transparency of electronic voting;
- (6) the efficacy of the six-week campaign period, including restrictions on roadside signage;
- (7) improving donation rules and donation reporting timeframes;
- (8) increasing voter turnout and participation in elections and encouraging political activity;
- (9) restrictions on campaigning activities outside polling places;
- (10) lowering the voting age; and
- (11) any other relevant matter.

Canberrans can be proud that we live in a democratic city where our elections are conducted by an independent office. I want to recognise and thank the commissioner and the hardworking staff of Elections ACT who made it possible to ensure that Canberrans had their voices heard, despite the challenges of the COVID-19 pandemic. The election was free, fair and inclusive. Our democratic institutions and participants respect the independent process. In this city we all work to include as many voters as possible to ensure that their voices are heard, and respect the choice they make.

While I believe the election was well run, it does not hurt for us to conduct a review. By agreeing to an Assembly inquiry, we are all working to strengthen Canberra's confidence in the integrity of our public administration. I commend the motion to the Assembly.

**MR HANSON** (Murrumbidgee) (3.39): The opposition will be supporting this motion, but I make the point that in the last term this was done by a select committee. This is a different way of doing it. As will be noted in further business, I will be nominated as the chair of the JACS committee. It is worth noting—this is an example of the sort of work we were talking about earlier, when we were talking about another committee motion—that if everything is going to be done by standing committees then the scope for the other work that will be done by those standing committees will be reduced.

If standing committees will be used to do what was previously done by select committees, including estimates-type work, and if they will be considering bills and have a limited time frame to do that, it is worth noting that standing committees will be much reduced in what they can do in terms of self-referral. We need to be aware of this as an Assembly before we start burdening standing committees with various inquiries that we think are a good idea. The scope will be limited, particularly in the JACS committee.

Question resolved in the affirmative.

## **Committees—Standing Membership**

**MR ASSISTANT SPEAKER** (Mr Pettersson): Madam Speaker has been notified in writing of the following nominations for membership of the general purpose standing committees of the Tenth Assembly:

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

Mr Parton

Ms Clay

Ms Orr

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

Ms Castley

Mr Braddock

Dr Paterson

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

Ms Lawder

Mr Davis

Ms Orr

**Education and Community Inclusion—Standing Committee**

Mr Cain

Mr Davis

Mr Pettersson

**Justice and Community Safety—Standing Committee**

Mr Hanson

Ms Clay

Dr Paterson

**Public Accounts—Standing Committee**

Mr Coe

Mr Braddock

Mr Pettersson

**Health and Community Wellbeing—Standing Committee**

Mrs Kikkert

Mr Davis

Mr Pettersson

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

That the Members so nominated be appointed as members of the general purpose standing committees of the Tenth Assembly.

**Hospitals—junior doctors**

**MRS JONES** (Murrumbidgee) (3.43): I move:

That this Assembly:

(1) notes:

- (a) the Australian Salaried Medical Officers' Federation (ASMOF) states that, 'hospital management has a duty of care in preventing fatigue related incidents, and a vicarious liability for actions by employees. The hospital also has a legal obligation to provide a safe working environment for its staff.';
- (b) ASMOF also states that, 'the impact upon a doctor's professional and private life of receiving a complaint must not be underestimated. The enormity of an error, whether fatigue-related or not, can even lead to doctor suicide.';
- (c) the ACT Public Sector Medical Practitioners Enterprise Agreement 2017-2021 (the Enterprise Agreement) at section 19, governs how rostering, shifts and days free from duty are managed to avoid burnout and exhaustion;
- (d) the 2020 report prepared for ACT Health, BPT Training Program Review, revealed that:
  - (i) 79 percent of junior doctors are suffering burnout and 68 percent are experiencing emotional exhaustion; and
  - (ii) as a result, just 37 percent of junior doctors passed their clinical exams, compared to a national average of 70 percent; and
- (e) the prevalence of burnout and exhaustion experienced by junior doctors is unacceptable, and risks being in breach of the Enterprise Agreement; and

(2) calls on the ACT Government to:

- (a) adhere to the Enterprise Agreement and reduce burnout and exhaustion by implementing better systems to support and manage junior doctors; and
- (b) report to the Assembly each year on the progress of reducing junior doctor burnout and exhaustion.

I rise to present this most important motion discussing the matter of burnout and emotional exhaustion experienced by the doctors in our public hospital system. I have long made the case in this place that the government has a duty of care to those employed by them, regarding both their care and the impact as a model employer to demonstrate fair and reasonable treatment of staff.

I have said many times that whether it is in the field of health, emergency services or our policing, those who put themselves on the front lines to serve our community when we are most in need deserve our utmost care and support. It is so important how they are treated as employees by this government because they tend to be the best, the kindest and the most giving people that this city has.

Unfortunately this Labor-Greens government has a poor history when it comes to adequate staffing to manage burnout and fatigue. Whether it is the firefighters, the police, our ambos or our prison officers, this government's track record is poor. In our public hospital its track record is atrocious.

For many of our junior doctors still in training, there is yet another responsibility that the government must recognise—that is, that they are demonstrating how they treat these entry-level member staff as employees and how they value them. They are setting up expectations of behaviour.

We have too few staff in our health system for them to be burnt out and exhausted. Because we have too few staff, the cycle of burnout and exhaustion continues. It is a double-edged sword. It is a matter of respect, of duty of care and of occupational health and safety. It is not only a matter of safety for staff but also a matter of safety for those who enter our public health system seeking treatment.

It is not difficult to see that if a person has flown in an aeroplane for 150 hours a fortnight, or a crane operator on a building site has operated a crane for 150 hours a fortnight, we would consider that to be a dangerous thing. It should be no different for those administering medications, operating or assisting in surgery, or dealing with the many life and death situations arising every day in our hospital system. In fact, it is not different. It is just that this government does not seem to be able to manage or solve these problems.

The *Canberra Times* found earlier this year that the Medical Board of Australia's first national training survey of almost 10,000 doctors found that ACT doctors had the worst workplace experience of any state or territory. According to analysis undertaken by the ABC, the roster audit included in this review, in the January released and February released review, found several legal breaches.

After speaking to staff, the reviewers audited rosters and found that enterprise agreement and safe working hours were often breached. Trainees reported feeling pressured to work even when unwell, with the review finding the sick relief roster was not adequately staffed. Brutal hours often left trainee doctors little time to prepare for exams, with some trainees at Calvary Hospital saying they had been forced to work 150 hours a fortnight.

Several trainees reported regularly working a roster that comprised 12 consecutive days on and two days off, followed by a further 12 consecutive days. One of the two days was often utilised to sit a trial examination, the review said. The reviewers reported several concerning stories about coercion to come to work, despite requesting sick leave. They were told that the system is desperate, the reviewer said.

Two-thirds of trainee doctors consequently reported feeling down, depressed or hopeless several days a fortnight. The relevant enterprise agreement is the ACT Public Sector Medical Practitioners Enterprise Agreement 2017-2021. I take note of section 19, "Rostering Practice for Medical Officers", and in particular the following clauses:

- 19.3 A minimum 9 hour break between shifts including travel time (fatigue leave) or 10 hours where practicable shall be rostered.
- 19.6 The parties agree to undertake further investigations (with a view to creation of additional positions) if Medical Officers are regularly expected to work without a break.

This is happening right now. The maximum shift length is 14 hours. The maximum number of rostered hours per fortnight, excluding on-calls, is 112 hours, yet we know people have worked 150 hours.

Clause 19.18 is:

A Medical Officer will have two days free from any duty following the end of night shift duties to ensure adequate rest time and to minimise sleep deprivation which occurs on night shift. Where operationally possible the number of days free from ordinary duty should equal the number of consecutive night shifts worked

The review also found, in its section on workplace culture, the following: fewer than half of the basic physician trainees interviewed who completed the survey would recommend the ACT physician training program to a junior colleague. Lack of a regular forum for senior or junior medical staff to have their concerns heard was a problem. There was an overwhelming sense that clinical staff do not feel valued by the system.

Common themes commented on included poor exam results, repeated exam failures and good people failing exams. Trainees often reported witnessing senior clinician conflict. Currently there is no culture of mentorship at the hospitals. The labelled mentor program operates more as a long case supervisor rather than a true mentor role. And currently there is no culture of teaching at the hospitals. Trainees report service provision roles, with minimal teaching on the run reported on most rotations. There is a lack of team building, community or social events.

Surveys are completed on incivility. However, there is no feedback to trainees that any action was taken to address the issue raised. This is not acceptable. Trainees report no good system processes for addressing bullying and harassment complaints by junior staff. Several examples were raised during the discussions that had all been reported to consultants within the health service with no obvious action taken and no feedback to the trainee or support mechanisms put in place.

It is clear from the high rates of survey returns by junior staff and good turnout to face-to-face interviews by medical and administrative staff that there is an interest and a keenness to make improvements to the workplace at all levels if given the opportunity and vision. Positive role modelling was observed in the actions or support of Dr Ashwin Swaminathan and Natalie Monkivitch at the MESO as part of the findings of the report. Not only is there clearly an issue with burnout and exhaustion but the ever-present issue of the poor culture in the hospital is also apparent.

I attended the Canberra Hospital ED a couple of nights ago with a friend of mine who was in medical need. She waited a while and then was looked after by a junior doctor. He was kind and professional. At the end of the visit I asked him if things have improved at all for the junior doctors since the report we are dealing with here came down earlier this year.

Tellingly, he said that the long hours are not even the biggest issue but that the bullying and harsh treatment by senior clinicians wears them down. He said that if it happened now and then he could manage, but it happens on a regular basis and it becomes very personal and difficult to go on. I asked him if it was what he expected when he was going through university. He told me his teachers at the uni were very kind and were keen to see them do well but that here in the hospital the culture is quite different and, no, it is not what he expected when he was studying.

Occupational health and safety standards on bullying are very well understood. Despite having established that there is an ongoing cultural problem in the hospital with how the various levels of medical, nursing and managerial staff are treated, I fear this will only continue over the next four years. Every single time the issue of culture and staff treatment is raised, there is a begrudging unwillingness to be open and honest about the problem that we have and about how, precisely, it will be altered.

Cultural change is hard; nobody thinks any differently. However, in this case it is absolutely necessary. It is cruel and negligent not to give the staff genuine hope, backed up by very clear and strong action that makes them believe, even after so many years of the problems going on, that this minister and this government will do something to make it stop.

Each and every one in our health system matters to me. Every trainee and junior doctor matters to me. Every nurse, every doctor, every medical physician, administrators, cleaners and patients—all matter to me. They are each to be treated with the dignity and respect that they are entitled to. In a society in which we believe we are born equal, just because someone is young or inexperienced or has done something a supervisor does not like does not mean that this basic dignity can be brushed away.

And even if staff do not jump up and down, asking for proper rest and recuperation, we owe it to them to have the proper systems in place to better manage their fatigue, burnout and exhaustion. We owe it to the patients and to the families of staff and patients in our health system.

Instead of continuing to be worse than the average, for a change how about the minister coming in here and showing us her plans and the directorate's plans coming out of her office to make our health system above average, or the best in Australia, or better than other peer hospitals? We are waiting for a vision for a future in health for workers where they can have some hope that things will actually improve. Anything less constitutes ongoing negligence, the consequences of which are devastating to individual medical personnel as well as those they care for.

I call on the government to come here with a comprehensive plan to actually adhere to the enterprise agreement and to tackle the rampant burnout and exhaustion, and I call on them to report back to the Assembly on the progress of these actions each year and to explain precisely how junior doctor burnout and exhaustion is being reduced.

I commend my motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.54): I seek leave to move the amendments circulated in my name together.

Leave granted.

**MS STEPHEN-SMITH:** I thank members. I move:

Substitute

“(1) (a) and (b) ‘Association’ with ‘Federation’; and ‘ASMOA’ with ‘ASMOF’;

(2) (d) (i) and (ii) ‘junior doctors’ with ‘Physician Trainees’; and

(3) (e) ‘experienced by junior doctors’ with ‘identified in the report’.”

I want to apologise to Mrs Jones for only just circulating those amendments, but they had been discussed with her office and, as members will see, they are relatively minor amendments to Mrs Jones’s motion, just to correct the name of the federation.

**Mrs Jones:** It has already been corrected on the notice paper.

**MS STEPHEN-SMITH:** I was advised that Mrs Jones’s office was not going to—

*Members interjecting—*

**MR DEPUTY SPEAKER:** The member will be heard in silence. Ms Stephen-Smith has the floor.

**MS STEPHEN-SMITH:** I apologise, Mr Deputy Speaker; it is the first day back and I was advised that those amendments were not going to be made. Maybe we can sort that out while Mr Rattenbury, or whoever is going to speak on behalf of the Greens, is speaking.

**Mrs Jones:** It is here in the notice paper.

**MS STEPHEN-SMITH:** Yes, Mrs Jones, I heard you the first time. I apologise that I have not picked up on that.

**MR DEPUTY SPEAKER:** Mrs Jones and Ms Stephen-Smith, can we please—

**MS STEPHEN-SMITH:** In any case, Mr Deputy Speaker—

*Member interjecting—*

**MR DEPUTY SPEAKER:** The member will be heard in silence.

**MS STEPHEN-SMITH:** With those amendments, which Mrs Jones has advised have already been made by her office and are reflected on the notice paper, the government will be supporting Mrs Jones’s motion. We all agree and we all value every person in

our health system. Every person in our health system matters to me, as they matter to Mrs Jones.

I reject Mrs Jones's accusation of a begrudging unwillingness to acknowledge that there are cultural issues across both Canberra Health Services and our ACT public health services more broadly. In fact, we acknowledge this on a regular basis and I report back on a regular basis on the very significant action that the government is taking in response to the independent review into workplace culture within ACT public health services. Therefore, in response to Mrs Jones's call to report to the Assembly each year on the progress of reducing junior doctor burnout and exhaustion, I am very happy to include reporting in relation to these matters in the broader reporting on the response to the culture review.

I can also advise Mrs Jones that tomorrow a number of reports will be tabled that reflect the partnership with the Australian National University's Research School of Management to develop the ACT public health system workplace culture framework, providing an evidence-based approach to inform organisation and cultural change. That has been a deliberate investment in a systematic and coordinated approach to improving the people-based aspect of ACT public health services, because we know, as Mrs Jones acknowledged, that sustainable organisational and cultural change takes time.

I want to touch on the comments that were made by Dr Nick Coatsworth when the issue of the particular review was reported in the media. That appears to have prompted this motion. Dr Coatsworth acknowledged that, more broadly in relation to the culture at Canberra Health Services, in the six months that he had been away from Canberra Health Services, and on his return, he had seen an improvement in the culture that was recognisable from his perspective. Obviously some junior doctors, or at least one junior doctor, have responded to that saying that they have not seen that change. This is very unfortunate and we are responding to that.

Specifically in relation to the matters raised in the motion about the physician training program, it is really important to start by recognising that there are almost 600 junior doctors across Canberra Health Services and fewer than 20 at any one time in the physician training program. This particular review of the pass rates for the physician training clinical examination related to a small number of our junior doctors, not the entire junior doctor cohort, which Mrs Jones and others would seem to want to conflate.

It is important also to recognise that the pass rates in emergency medicine, general surgery and pathology are actually very high. Indeed, the pass rate in basic physician training was in line with the national average pass rates until 2017. It was the significant drop in those pass rates in 2018 and 2019 that prompted the commissioning of this specific review in order to understand what was going on.

This is what organisations that take physician training seriously, that take the wellbeing of their staff seriously, do. When they see that something is wrong, they seek to understand what is going on and to address it. That is exactly what Canberra Health Services has done. This review came out with about 54 recommendations all

up. Canberra Health Services has already implemented around 38 of those recommendations.

I can go through a list of some of the things that have already been done to address the issues that Mrs Jones has identified. They include ensuring dedicated teaching time during working hours for physician trainees; restructuring rosters to allow for better work-life balance; implementing a leave management plan that takes exam preparation into account and ensures that trainees are able to take their leave as entitled; committing to improving and implementing trainee wellbeing programs modelled on successful interstate examples, including individualised pastoral care, mentoring and career development; and establishing a junior trainee mentoring program, rolling out in December, this month, to coincide with the new intake of employees in February 2021.

They also include one-on-one meetings with each trainee to explore professional development support, identify individual stressors and reflect on systems improvement; increased participation across the network by senior medical practitioners in medical handover meetings and other physician training activities where teaching and fostering of workplace relationships occur; increasing accessibility to teaching activities for junior and senior medical staff by offering multimodal technology options; and revision of the clinical exam preparation structure to be in line with comparable successful training networks. Canberra Health Services is also recruiting additional medical registrars for 2021, which will help to reduce overtime and contribute to covering annual and study leave.

Several appointments have been made to address structural issues identified in the report. A senior medical registrar was appointed in mid-2019 and has proven a valuable resource, assisting with pastoral care for trainees and examination preparation support. The recent appointment of the ACT Network Director of Physician Education, Dr Ashwin Swaminathan, to the role of Clinical Director of the Division of Medicine at CHS creates a valuable link between physician trainees and the senior physician staff and has been well received by both groups.

The appointment of Dr Kathryn Daveson to the position of Director of Physician Education at CHS provides support to Dr Swaminathan and renewed focus on the training issues specific to Canberra Health Services. Dr Daveson has a proven track record of implementing quality and safety programs nationally.

Dr Swaminathan will work with CHS's new Executive Director of Medical Services, Dr Nick Coatsworth. Dr Coatsworth is himself a physician and an RACP—Royal Australasian College of Physicians—education supervisor and examiner. He is, as he has said publicly, keen to support an ambitious program of quality training for ACT physician trainees to ensure that the organisation's reputation is enhanced as a training centre for its future medical workforce.

All these senior staff are working towards real change in the physician training program and are actively nurturing an improved relationship between CHS's training physicians and their senior colleagues.

Despite the difficulties that have been publicly reported, the number of trainees in the ACT Physician Training Network overall has grown year on year, with 58 trainees in the 2020 intake.

That really addresses some of the specific issues in relation to physician training but, as I mentioned earlier, it is really important to understand that this review was very specific about basic physician trainees and basic physician training, and the reasons for those specific exam results. It is not fair on our junior doctors, and it is not fair on Canberra Hospital, Calvary hospital or our broader public health services, to imply that those issues are broad based across the almost 600 junior doctors that work in Canberra Health Services.

More broadly, Mrs Jones's motion does go to the issue of culture. I start by talking about that and indicate that we will be tabling a range of papers tomorrow that go to the broader systemic work that has been done across the ACT Health Directorate, Canberra Health Services and Calvary Public Hospital to respond to the culture review. But it is really important to also recognise the work that Canberra Health Services has been doing internally to improve its workplace culture, again recognising that some of this will take time to take effect but it is really important work.

Initiatives that are in place or currently underway include a CHS awards and recognition program that has been developed to recognise and acknowledge staff who embody Canberra Health Services vision and values. This is a vision and values that were developed by and with the staff of Canberra Health Services. It is their vision and values; they own it and they expect one another to live it. They have supported that with an identification of behaviours that they should expect from one other. The inaugural CEO award ceremony for the awards and recognition program was held on 19 November 2020 and by all accounts was extremely well received and a fantastic event.

Workplace resolution and support services, previously known as the Employee Advocate, has been fully integrated into Canberra Health Services business on a shared basis with the ACT Health Directorate. Canberra Health Services has introduced the consultative framework, with four committees in place covering all the workforce, along with forums being conducted with all relevant unions and regular one-on-one meetings between the chief executive officer, executive group management people and culture and the principal unions involved in the organisation.

Canberra Health Services has also established an Aboriginal and Torres Strait Islander steering group and staff network to lead relevant key initiatives in that space. Really importantly, that is recognising the importance of diversity across our health services, not just for the staff but also, as Mrs Jones has touched on, for patient outcomes in this space. It has established the CHS Aboriginal and Torres Strait Islander consumer reference group for this very reason. The aim of the reference group is to develop stronger partnerships with Aboriginal and Torres Strait Islander communities. It was launched on 24 July. I met with the reference group, and that was a great privilege.

Canberra Health Services launched its occupational violence strategy on 1 April this year. The relevant supporting policy and procedures have been developed and are available for staff. The Myhealth staff health and wellbeing strategy 2020-23 has been finalised and the Myhealth program continues to be implemented across the directorate.

CHS has undertaken assessment against the organisational culture improvement model based on the ANU workplace culture framework that I referred to earlier. It will be tabled in the Assembly tomorrow to assess its past and current culture maturity levels. The outcomes of that assessment have informed the development of the fostering organisational cultural improvement strategy initiatives to be implemented, including rollout of the Cognitive Institute's Speaking up for Safety program in 2021 and development of a management and leadership strategy aligned to the workplace culture framework.

For workforce planning, priority areas have been identified and plans are underway, including relevant recruitment strategies. CHS has become a champion health service of the Choosing Wisely Australia and established a Choosing Wisely low value care steering committee and project officer; several initiatives are being trialled in this space. It is conducting quarterly poll surveys to measure CHS staff engagement, with the first survey having been conducted last month, in November, and reviewing preliminary assessment and misconduct processes to identify improvement opportunities.

Members can see that there is a lot going on across our health system broadly and within Canberra Health Services to address these cultural issues. I will continue to have more to say about that on a regular basis, no doubt.

**MR DEPUTY SPEAKER:** The question is that Ms Stephen-Smith's amendments to Mrs Jones's motion be agreed to. My understanding is that one of those amendments is now superfluous. We agreed as an Assembly to take them together. Could someone move to take those amendments separately, to divide those amendments? That may be beneficial at this stage.

**Mr Rattenbury:** Mr Deputy Speaker, I propose we do that after Mr Davis speaks and we move to the vote.

**MR DEPUTY SPEAKER:** All right.

**MR DAVIS (Brindabella) (4.11):** I wish to speak to this motion as the ACT Greens' newly admitted spokesperson for Health. I speak to the concerns raised on the burnout of junior doctors in our health system. The mental health of all staff and their right to a safe workplace is of the utmost importance to me, as a proud unionist. I thank Mrs Jones for her motion. The ACT Greens will be supporting Minister Stephen-Smith's minor amendments to this motion to ensure that the most effective mechanisms are used to report on the progress of reducing junior doctor burnout and exhaustion.

The ACT Greens know that access to well-resourced, easy to navigate, quality secular health care is a fundamental human right and a pillar of our liberal democracy. In a society like ours, everyone who needs medical support should be able to access it, no matter their income or circumstances.

Safe and supported doctors, nurses and other hospital staff are fundamental to any great public health system. Their wellbeing is vital to the safety of our medical system. I would like to thank all of our healthcare staff in the ACT for their hard work over the last year. This year has been particularly a hard start to the career of our junior doctors, who have had to deal with the pandemic as well as the influx of people seeking care for asthma and other conditions related to the heat and smoke of the 2019-20 bushfire season.

The Greens are committed to enacting policies that understand the relationship between climate, the environment, social issues and health. This goal is shared with the Australian Medical Students' Association, whose national advocacy priorities include "working collaboratively to minimise the health impacts of climate change through mitigation and adaption strategies".

As this is the advocacy body for our future doctors, it is important that we respond to its serious concerns. The stresses of this year on the whole of our medical system particularly impact young doctors, who already experience high rates of common mental health concerns and burnout as a result of the high pressure and long hours they experience as part of their work.

In their article in the *Medical Journal of Australia*, Dr Kate Johnson and colleagues found that uncertainty and risk posed by COVID-19 had significantly impacted junior doctors. Alongside personal health risk, junior doctors have experienced significant destruction of their training pipelines. This has increased the already high rates of stress, anxiety and depression among junior doctors.

The authors argue that the health system and hospital training programs should respond to this upheaval by fixing issues of bottlenecking in the medical training system and ensuring flexibility in examination and training opportunities offered to junior doctors, while upholding the Australian Medical Council training and assessment standards.

The poor mental health of junior doctors is a well-known concern within the hospital system in Australia and around the world. Evidence shows us that being a doctor is an extremely stressful occupation that has high rates of common mental health problems, including anxiety and depression. Young doctors are particularly vulnerable to poor mental health and high levels of stress. Compared to older doctors, younger doctors report higher rates of burnout, including emotional exhaustion, low professional efficacy and high cynicism. We know that cultures that demand high performance and promote competition are breeding grounds for burnout and bullying.

In a 2019 report from the Beyond Blue national mental health survey, junior doctors reported working over 50 hours a week, putting them at a significantly increased risk

of common mental health problems such as anxiety and depression, as well as exhaustion. High levels of exhaustion cause an understandable but unfortunately realistic fear of making a life-changing mistake while providing critical medical care. The Beyond Blue report evidenced that management of working hours, including breaks, leave and days free from duty, is necessary to improve the mental health of our trainees, alongside early and effective mental health intervention. These changes are vital to improving the lives of our doctors and ensuring safety within our health system.

The mental health of our doctors is a pipeline issue and one that begins early in their training. The wellbeing of medical students is of significant concern, making the mental health of junior doctors a problem that must be dealt with in the hospitals they are employed by, as well as in the universities that they come from. We know that mental illness and suicide are more prevalent among Australian medical students and doctors than in the general population. Indeed, the rate of depression amongst medical students is as high as 27 per cent. This is one of the issues that I will be discussing with our stakeholders in the ANU Medical School in the coming weeks.

There is an undeniable gender component to the issue of junior doctor wellbeing. Female junior doctors are more likely than their male counterparts to report very high psychological distress, as well as greater work life related stresses, according to Beyond Blue. These women report rates of psychological distress at double the rate of women in the general population. Our responses to this issue must take a whole-of-life approach to the wellbeing and mental health of our medical staff.

In the ACT 12 per cent of Canberra Health Services staff indicate that they have been subjected to physical harm, sexual harassment or abuse at work. Of these staff, 46 per cent indicated that it was by someone they worked with, and 37 per cent said it was by a member of the public. These kinds of issues require both immediate intervention as well as long-term cultural change.

Alongside the important issue of junior doctor burnout and patient safety, this motion speaks to the reputation of the ACT healthcare system and our ability to train and retain physicians. Given the longevity of the doctor training pipeline, it is important that we attract talented trainee physicians and are able to provide them with high-quality training that enables them to go on and practise safely in our health system. Ensuring that our workplaces are safe places to work and train in is fundamental to this aim and requires a commitment to ongoing change in the way that we operate.

What I have spoken about today are systemic cultural problems that require systemic solutions. That is why I am supporting the minister in amending this motion to ensure that these issues are considered as part of the government's response to the 2019 Independent Review into the Workplace Culture Within ACT Public Health Services.

I am encouraged by the government's response to this review and the honest and reflexive work of the culture review oversight group and related committees so far. I acknowledge that the minister will respond to the review biannually and, as a result

of this motion, will report on the wellbeing of junior doctors in particular, as part of that process.

I thank you again, Mrs Jones, for initiating this motion.

*Ordered that the question be divided.*

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.17): I seek leave to withdraw the first of those amendments.

Leave granted.

**MS STEPHEN-SMITH:** I withdraw my amendment No 1.

**MR DEPUTY SPEAKER:** The question now is that amendment No 2 be agreed to.

**MRS JONES** (Murrumbidgee) (4.18): Do we have to deal with what Ms Stephen-Smith has termed (d)(i) and (ii), before we deal with (e)?

**MR DEPUTY SPEAKER:** Yes.

**MRS JONES:** I have not yet stated our view on the amendment. Will we just deal with what is termed (d)?

**MR DEPUTY SPEAKER:** The question is that Ms Stephen-Smith's amendment No 2, which is paragraph (d), be agreed to.

**MRS JONES:** We agree to this amendment and thank the minister for her clarification.

Amendment agreed to.

**Mr DEPUTY SPEAKER:** The question now is that amendment No 3, which is paragraph (e), be agreed to.

**MRS JONES** (Murrumbidgee) (4.19): I move the following amendment to proposed amendment No 3:

Omit 'identified in the report', substitute 'experienced by those in the Basic Physician Training Program'."

The reason that I have moved to amend paragraph (e) of the proposed amendment is that I believe the amendment that was proposed loses some of the meaning, which is the experience of those in the basic physician training program, now that Minister Stephen-Smith has clarified the catchment of the report—although I must admit that I think it is likely that the person that I spoke to in the ED the other night was not necessarily only from that small group. Therefore, I would not be surprised if we find that this is a greater issue. Certainly, those I have spoken to have implied that the

experience of those in the training is broader than simply the 20 or so people referred to in the report. However, I understand that that is the purpose of the report that we are referring to; therefore, there is no problem with defining it as those in the basic physician training program, as per the report.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.21): The government will accept Mrs Jones's amendment to my amendment. We did discuss my amendments with her office, but that is fine. I think we can all agree that any prevalence of burnout and exhaustion experienced by any junior doctors is unacceptable. It was really just to clarify that, given that we are talking about a specific report, we are talking about a specific cohort of junior doctors. Mrs Jones has accurately, in her amendment, identified that cohort of junior doctors, so we will support her amendment.

**MRS JONES** (Murrumbidgee) (4.22): I will speak in general terms to the amendment, and in closing. I thank the minister for her clarifications. She will be aware, as many here are, that this is a new role for me. There are various people in new roles in the chamber today. I thank her and the government for supporting the motion. It goes to the very basis of how we treat those employed by ACT government.

There are definitely improvements to be made. One of the things that I was glad to hear in the minister's speech was the list of things being done. One of the things that is lacking in this debate in the public domain, and certainly in relation to some of those working in the health system that I have already spoken to, is: what exactly is happening, and how exactly is it changing anything?

Certainly, the grabs that we are able to give on media—and possibly the minister is, too—are so short that it is difficult to get that broader picture. I would love to see the employees of Canberra Health Services have hope restored that things will improve for them. I think that the government has mishandled this area over many years. The minister possibly is now trying to fix it; we will see.

I am very interested to hear that Dr Nick Coatsworth has seen what he believes to be an improvement, but that may not be matched by the experience of those on the ground. I know that the minister has access to very important and very knowledgeable experts, but the experts that I rely on in my portfolio work are generally people in the lower orders of things who tell me about their day-to-day experience. I take that extremely seriously, and that is what I will constantly bring to this place.

I thank the minister for the explanation of some of the changes—awards, a workplace resolution service, a consultative framework, a steering group, a staff network for ATSI personnel and their care, an ATSI reference group, the CHS occupational violence task force, and various other things that I was not able entirely to note down. I look forward to going through the *Hansard* in some detail.

One of the things that I can say about this area is that the internal reputation of those trying to make change is not great at this point. I have been inside the hospital many times. I know many people who work in the hospital. Many constituents from my

electorate work in the hospital. And the message to me is very consistent: they do not have hope. There may be a great deal of action going on, but we need to restore total confidence.

There is, in fact, a view that has been put to me many times that there is something wrong in the attitude towards people lower down the orders of the workforce in that place. How exactly that comes to be the opinion of some, I do not know. I do not work in the system, but I do listen very carefully to those who come and speak to me. Probably those who speak to me are those who are having a harder time; I accept that. I would love to see hope restored, and I will look forward to seeing the reports. I know we have asked for an annual report. It is not clear from the minister's response whether there will be specific annual reporting to the Assembly, as asked for in the motion, on the junior doctor physician trainee program.

**Ms Stephen-Smith:** We will report biannually, because it will be part of the other report, but it will be specific.

**MRS JONES:** Great. I look forward to finding that in the reports and trying to understand whether things are actually improving or not. I will love the day when I turn up to ED with a friend or with one of my kids and I get a positive report from one of those working there. I can tell you that it happens fairly regularly.

**Mrs Jones's** amendment to **Ms Stephen-Smith's** proposed amendment agreed to.

**Ms Stephen-Smith's** amendment, as amended, agreed to.

Original question, as amended, resolved in the affirmative.

## **Adjournment**

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

That the Assembly do now adjourn.

## **Transgender Day of Remembrance**

**MR DAVIS** (Brindabella) (4.27): I rise today to mark the Transgender Day of Remembrance which is commemorated internationally each year on 20 November. Transgender Day of Remembrance commemorates the lives lost each year due to transphobic violence, a significant issue that particularly impacts trans women of colour and transgendered sex workers. I commit myself to being a strong ally of trans and gender diverse people in their fight for justice throughout my time in this chamber.

In the words of Gwendolyn Ann Smith, the found of Transgender Day of Remembrance:

Transgender Day of Remembrance seeks to highlight the losses we face due to anti-transgender bigotry and violence. I am no stranger to the need to fight for our rights, and the right to simply exist first and foremost. With so many seeking

to erase transgender people—sometimes in the most brutal ways possible—it is vitally important that those we lose are remembered, and that those behind continue to fight for justice.

I had the pleasure to visit A Gender Agenda on 18 November to participate in their commemoration and hear about the work AGA has undertaken over the last year. We lit candles and paid our respects to the 350 trans people who were killed because of fear, misunderstanding and hatred across the world just in the last year.

I thank executive director, Sel Cooper, and deputy director, Joel Radcliffe, for showing me around AGA House. A Gender Agenda is a local community organisation that works with the intersex, trans and gender diverse community. This includes trans and gender-diverse people, their partners, family members and allies.

AGA is committed to increasing public awareness and understanding of trans and gender diversity issues through their training and education and the provision of information and resources throughout the community. AGA provides advocacy and support for trans and gender-diverse Canberrans.

They are actively engaged in human rights and law reform in the ACT and nationally. I thank them sincerely for their work in bringing attention to the ongoing human rights concerns facing the communities they represent, and I look forward to working with AGA as partners to ensure security and longevity of their organisation.

Challenging transphobia by being a proactive and visible ally is vitally important to me. I am looking forward to working with the government, the community sector and health services over the next four years to ensure that the services provided to Canberrans are accessible, empowering, affordable, and timely. Canberra's transgender community has no stronger ally in this place than me.

## **National Peace Symposium 2020**

**MRS JONES** (Murrumbidgee) (4.30): I rise today to note a fantastic event I was asked to speak at last Saturday, 28 November, in Narrabundah which was the Ahmadiyya Muslim community's National Peace Symposium 2020, "Establishing Peace for a Bright Future Symposium". In particular I would like to acknowledge the work of Imam Ahmed and members of his congregation and for the presence of Reverend Michael Coughlan from the Anglican Church of Queanbeyan. I was very pleased to be able to speak about the concept of peace. It is something we all need to work towards. My speech focused predominantly on personal forgiveness and the way that we can work towards peace in our own spheres and in our own lives.

At the same time, I would like to note the great contribution, the Ahmadiyya Muslims make to the life of the ACT, in particular, their hope and plans for building their own mosque in the Narrabundah area near the cultural clubs. I was involved with that in my first period as the shadow minister for multicultural affairs when I was first elected to this place when a very inappropriate block was offered to that community by the government. I am pleased to see that after some tough negotiations and hard work from members of the community and no doubt the government that a better block has been found which they will hopefully build on soon.

## **Belconnen Local Hero awards**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.31): There is an enormously strong community spirit right across Canberra, and especially so in Belconnen. This was highlighted this year with the Westfield Belconnen Local Hero awards. The awards recognise members of our community who make a positive impact on their local communities and on the environment. Importantly, the nominations come from the community. Once finalists are chosen, the top three of those finalists are decided by a vote from the community, and those top three are each awarded a \$10,000 grant for their affiliated organisations.

This year, there were 26 nominees for Belconnen, across a range of organisations, from community groups to arts organisations, animal support charities and clean-up bodies. The nominees were largely women, which was incredibly pleasing to see. This was whittled down to just six finalists, whose names are familiar to many in this place: Elizabeth Lefevre, from the Younger Women's Cancer Support Group, ACT and surrounding region; Sue White, from the Scullin Community Group; Sharon Leigh-Hazell, from Florey Neighbourhood Watch; Tim Miller, from Lids4Kids; Caroline Odgers, from GIVIT, and Marilyn Richards, from the ACT Wizards Tenpin Bowling. This is an extraordinary achievement for these finalists, and I was so pleased to see their hard work and commitment to their communities recognised in such a public way.

But it did come down to just three. Congratulations, first, to Elizabeth, or Beth. Her name will be familiar to many of us here because she gave me permission to share her story in this place in late 2019, when I moved a motion for a dedicated fertility preservation facility for female cancer patients of reproductive age. Three years ago, Beth was on maternity leave with four-month-old twins and was caring for her three-year-old when she was diagnosed with breast cancer. Elizabeth soon discovered a gap in support for younger women with cancer and started an online group that grew into the Younger Women's Cancer Support Group for the ACT and surrounds. It gives women under 50 a safe place to ask questions, vent, socialise and support each other. This complements the work of local organisations like Bosom Buddies ACT, which has provided invaluable support. Issues for younger women include family responsibilities, career, sexuality and self-esteem. Members raise awareness about challenges, stand up to make a difference and help to ensure that people are supported on their cancer journeys. This group will use its grant to register as a non-profit and will fund networking events and information sessions.

Congratulations, also, to Marilyn Richards, the president of the ACT Wizards Tenpin Bowlers for the last five years, after an involvement of more than 20 years. The volunteer-run league caters for bowlers aged 15 to 70. At last count there were almost 100 participants, with a waiting list of others eager to get in. There is a session every Saturday at Zone Bowling Belconnen, and Marilyn is there. She also frequently accompanies bowlers to interstate competitions. Marilyn aims to improve the lives of people with disability through the social, health and self-esteem benefits that are

gained from involvement in team sport. Wizards will use the grant to travel to regional tournaments and to attend next year's national tournament.

The final winner of those three awards was Tim Miller—again, his is a name that is familiar to many—who was recently announced as the ACT Local Hero for the Australian of the Year Awards and will go on to represent us at the national awards in January. It was not that long ago that Tim realised that the plastic lids on drink containers could not be recycled, but he was determined to save them from landfill. From his bed—and with a mobile phone in hand, as he likes to say—Tim has created a nationwide volunteer project that saves millions of plastic lids from landfill and raises money for children through Lids4Kids Australia. Over 10 million lids have been rescued and over 22 tonnes of plastic have been saved from landfill. But there are also enormous social benefits for volunteers, who sort, wash and transport the lids and learn what the different plastic symbols mean—an important skill no matter your age or background.

I was very pleased to visit the Canberra Environment Centre just recently while Tim was conducting a workshop with volunteers to get that important work done. Lids4Kids will buy a granulator to shred lids, enabling the volunteers to make plastic products that directly benefit local children and children around Australia. We are lucky to have extraordinary Canberrans in our community, and I am glad to see their efforts so publicly recognised.

### **World AIDS Day Schools Sustainability Awards**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.37): I want to speak very briefly to acknowledge that yesterday, Tuesday, 1 December, was World AIDS Day. I want to thank Meridian for hosting a very insightful, interesting morning tea on Sunday to mark World AIDS Day.

The theme for this year's World AIDS Day is "Now, More Than Ever". Meridian's media release says:

HIV can affect anyone. HIV does not discriminate. There is no vaccine or cure for HIV, however there are highly effective treatments. Community support is paramount.

World AIDS Day aims to encourage Australians to educate themselves and others about HIV; to take action to reduce the transmission of HIV by promoting prevention strategies; and to ensure that people living with HIV can participate fully in the life of the community, free from stigma and discrimination.

There were two powerful speeches at the World AIDS Day morning tea. As well, the wonderful choir entertained us with their music and singing. Jacob White spoke powerfully of his own experience as a person with HIV who, as he describes it, had his second coming-out a couple of years ago on World AIDS Day. He has a very clear, powerful story to tell in relation to his experiences. I am so proud—"proud" is not the right word; I do not have a right to be proud of Jacob—or, more correctly, so pleased

that he has found his voice to share his story with the rest of us and to give us an insight into what it is like to be a person living with HIV today, despite all the knowledge that we have. We do not, of course, have a vaccine or a cure, and in this time of COVID it is important to understand and acknowledge the difference there.

The other speaker was Sonia Di Mezza, who has written a book with an Indian woman about her experience. It is a powerful book called *Lovesick*, which has now been made—from another perspective—into a series on Netflix. I encourage people to check that out. I have not, but I do intend to. World AIDS Day is a really important day to recognise the reality of the world as lived by people with HIV and to re-dedicate ourselves to ensuring that we do everything we can to promote prevention strategies but also to understand the experience.

While I am speaking, I want to acknowledge a school in my electorate of Kurrajong, North Ainslie Primary School, which was yesterday awarded Sustainable School of the Year in the 2020 Schools Sustainability Awards. Congratulations to North Ainslie Primary School; to the student leadership team award winners for secondary schools, Dickson College; the Sustainability and Waste Action Group, SWAG; and to a student at Merici College, Imogen Simmons, for winning the leadership award for secondary students. There are many other awards right across Canberra that demonstrate the commitment of our schools and our students to sustainability. This is an issue that young people obviously take very seriously, and the award winners are just a small sample of what young people in our community are doing to deliver a more sustainable world for the next generation.

Question resolved in the affirmative.

**The Assembly adjourned at 4.41 pm.**