



Debates

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Wednesday, 23 June 2021

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Wednesday, 23 June 2021

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

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

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

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

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

Legislative Assembly—conduct

MADAM SPEAKER (Ms Burch) (10.01): During question time yesterday, whilst Minister Cheyne was answering a question without notice asked by Mr Cain, there were a series of conversations at the central table involving Ms Lee and Mr Barr. As a result of these conversations, during a time when the minister was trying to answer a question, Mrs Jones asked for a withdrawal of certain words alleged to have been said by Mr Barr. There was then a claim by Mr Barr that Mrs Jones had used unparliamentary language.

I have seen a copy of the transcript of the tape and I am satisfied that there was a great deal of confusion as to what was said. I do not intend to ask members to withdraw any words. In part, the confusion was due to people talking over each other. As I reminded members yesterday, I will always ask for people to have respect and regard for members here in the manner in which they behave. To finish a member's sentence for them, to create an inference of disrespect, is not useful. I am not saying that that is what happened yesterday, but when we talk over each other, which is a breach of good decorum, behaviour and manners in this chamber, it is not useful.

I ask all members to heed my words about having respect for one another. If there is argy-bargy going on, my best advice to you is to ignore it and withdraw yourselves.

Petition

Ministerial response

The following response to a petition has been lodged:

Schools—language curriculum—petition 2-21

By **Ms Berry**, Minister for Education and Youth Affairs, dated 7 June 2021, in response to a petition lodged by Mrs Kikkert on 30 March 2021 concerning French language tuition at Belconnen High School.

The response read as follows:

Dear Mr Duncan

Thank you for your letter about e-petition No. 2-21, lodged by Mrs Elizabeth Kikkert MLA and received by the Assembly on 30 March 2021, regarding the resumption of the teaching of French at Belconnen High School.

The Australian Curriculum is a world-class curriculum and is delivered in all ACT schools. Languages are one of the eight learning areas delivered under the Australian Curriculum. The choice of languages delivered in ACT public schools is made by the principal in consultation with the school board and the community.

Language education programs require a consistent teacher to deliver the program and sustain student engagement. Belconnen High School faced significant challenges with retaining and recruiting French and Indonesian teachers; this meant students were not able to engage. Recruiting suitably qualified specialist language teachers is a global challenge. The ACT Government has taken steps to address this challenge through a specialist recruitment drive.

In 2018 Belconnen High School introduced Aboriginal Languages of our region, as the language course, 'Connecting to Country'.

Through learning the original languages of Australia all students develop a deeper appreciation of the nature and diversity of languages and cultures. Students acquire knowledge and skills necessary to learn and understand an Aboriginal or Torres Strait Islander language, culture and Country.

The students learn Aboriginal language and culture from each Country, beginning with the area where students live and work, Ngunnawal Country. Students then investigate and learn about our surrounding regional Countries of Ngarigo, Gundungurra, Yuin and Wiradjuri.

Each Aboriginal and Torres Strait Islander language is unique to the Country/Place on which it arose. It gives voice to the landscapes, thoughts and ways of seeing and interpreting the world. When the language of the land is spoken, it brings together all of the elements of the landscape and its people. It encompasses the relationships of these people with one another and with the landscape, past, present and future. The learning of an Aboriginal or Torres Strait Islander language incorporates the realities of its people and facilitates students' deep engagement with knowledge, ways of being and ways of knowing. It develops in students an understanding of historical, current and ongoing connection to Country/Place and culture.

The 'Connecting to Country' course is written and delivered to the specifications of the Framework for Aboriginal Languages and Torres Strait Islander Languages of the Australian Curriculum Languages Framework under the Second Language Learner Pathway.

In the development of the Connecting to Country course, Belconnen High School consulted closely with the local student community, their families, Aboriginal

and Torres Strait Islander students, as well as the United Ngunnawal Elders Council.

Regardless of ongoing recruitment efforts within the ACT Government, Belconnen High School and their community have determined that the Connecting to Country course best fits their community, and school interests.

In addition, Belconnen High School offers elective language courses to their students in Year 9 and Year 10 with an online program, Language Perfect, which is aligned to the Australian Curriculum. There are students currently undertaking courses in French, Chinese, Spanish, Arabic, Greek, Korean, German and Russian.

Belconnen High School will continue to deliver the Connecting to Country course as the language course in Year 7 and 8. It falls under the Australian Curriculum for the Framework for Aboriginal Languages and Torres Strait Islander Languages of the Australian Curriculum Languages Framework.

Your correspondence on this matter is appreciated.

Motion to take note of petition

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

That the response so lodged be noted.

Question resolved in the affirmative.

Government—safer families policy Ministerial statement

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.03): Today I am tabling the fifth annual safer family statement. This statement is an opportunity to share with you the progress made on initiatives that support those in our community affected by domestic and family violence.

This year, we have continued to progress reforms during the ongoing uncertainty of the COVID-19 pandemic. Understanding the emerging impacts of the COVID-19 pandemic on people who experience domestic and family violence is ongoing. Australian and international research has shown that some people will have experienced domestic and family violence for the first time during the pandemic. For others, violence they were already experiencing will have increased in frequency and severity during this time. I recognise the ongoing impact of the pandemic on those who are experiencing domestic and family violence and the ongoing and significant impact of COVID-19 on the services that support the community.

In April 2020, the ACT government committed \$3 million in funding for specialist homelessness and domestic and family violence sectors to expand service capacity

and relieve additional pressure arising from COVID-19. The government also provided \$1 million in grant funding via the provider support fund to support community service organisations to adopt innovative ways to conduct essential business so that providers could continue operations remotely. I would like to take this opportunity to acknowledge the extraordinary work of all front-line services to maintain and even expand their services during COVID-19, by providing online chat services, phone consultations or other remote meetings. These services stayed open and continued to support the community.

On a national level, the commonwealth government recognised the increase of the complexity and severity of domestic and family violence through the National Partnership on COVID-19 Response. Funding supported a range of initiatives to respond to increases in domestic and family and sexual violence as a result of COVID-19, and to ensure that services can continue to support those who need it most.

While the ACT continues to be well placed to respond to any additional impacts of COVID-19, we will continue to work closely with the sector to plan and prepare for the impact of COVID-19 on community members.

I would now like to highlight some of the significant achievements the ACT government and community have made over the last 12 months.

We know that domestic and family violence requires an integrated, collaborative response from government and non-government service providers. Integration is needed at a service level so that front-line services can easily work together to address the needs of families experiencing violence. Integration is also needed at a system-wide level so that the approach is consistent and considered and can respond to all those affected by domestic and family violence.

At a service level, we already have a number of examples of integrated service responses. Led by the Victims of Crime Commissioner, the Family Violence Safety Action Pilot is providing intensive case management for high-risk and complex cases of domestic and family violence. After less than a year of operation, the service is providing significant insights into how to effectively manage high-risk situations of domestic and family violence, prevent escalation to a point of crisis, and provide the specific support services needed by both the victim-survivor and perpetrator.

The pilot is supporting some of the highest risk cases of domestic and family violence in the community—cases in which there is sexual, physical, emotional, financial and psychological abuse; cases in which support is needed from across the service sector to provide safe accommodation, support for children, interventions for perpetrators, legal assistance, and health services.

The pilot provides intensive case management, working with individuals and their support services. The pilot provides not only case coordination but also advice and support for services. The pilot is also providing case coordination and advice where other services are providing intensive support but still require assistance to navigate the system for their clients. This kind of intensive response is not needed for all cases

of domestic and family violence, but when the risk of serious harm is high, we need systems and services to work together to keep families safe.

The ACT government is committed to a new approach to domestic and family violence. In addition to funding existing front-line services, the government has committed to trialling new ideas, service supports and new or improved services to find what works for the ACT.

The Family Safety Hub is key to the delivery of this process. The hub has led the delivery of the ACT's health justice partnerships, upskilling the community sector to recognise and respond to financial abuse, undertaking consultations with young people experiencing family violence, and identifying the ideas and initiatives that are emerging from that consultation.

When the COVID-19 pandemic began, the Family Safety Hub delivered a targeted campaign to make sure that those in need knew that services were operating during the pandemic. Through digital, social and print media, the message was clear: help is available; domestic and family violence services are open; and if you need to leave an unsafe situation, COVID-19 restrictions do not apply.

Just over two years ago we introduced a new service to the ACT. Three health justice partnerships are providing a unique style of wraparound care and early intervention for people that are at greater risk of domestic and family violence, pregnant women, and new parents. The health and legal care provided through the partnerships is timely, trusted and accessible. Help is available when and where it is needed.

For many of the partnership clients, it has been this ease of access that has meant they have been able to get help. The majority of partnership clients have never sought help from a lawyer before, yet they have an average of four legal issues each. The most common of these issues relates to domestic and family violence. The partnerships have become an important service in the healthcare system. The integration of legal services with health care recognises the interaction between health problems and legal issues, particularly how detrimental domestic and family violence can be on mental health.

Most importantly, the health justice partnerships are helping women find safety. Partnership lawyers are representing victim-survivors in court and helping them to seek family violence orders to exclude the perpetrator from their home, manage child custody and support issues, find emergency housing or financial support, and understand visa issues more.

When face-to-face consultations became impossible during COVID-19, the partnerships continued operating, with people meeting with clients on the phone and online and even seeking family violence orders over the phone. As the pandemic progressed, our emergency department saw an increase in the presentation of serious physical injuries caused by incidents of domestic and family violence. We extended the health justice partnership into the emergency department to provide immediate legal assistance to these very vulnerable clients.

I want to share with you one very powerful example of how the health justice partnership works to make people safer. Last year, a woman who was seriously injured in a domestic and family violence incident presented at an emergency department here in Canberra. With the support of a health justice partnership lawyer, the woman was able to obtain a family violence order via phone on that day, which enabled her to return home safely to her children while the perpetrator was excluded from the residence.

Over 500 people have been assisted through the ACT's health justice partnership. Considering that many of them had never previously sought help, this shows the value of this service for the community in providing early intervention and, hopefully, preventing a dangerous point of crisis.

Financial abuse is a feature of domestic and family violence that can be hard to recognise, yet it can have a significant and grave impact. Financial abuse restricts the options that a victim has to find safety, be financially stable and be able to support themselves and their family. Financial abuse can trap a victim in an unsafe situation that they simply cannot escape.

For the service sector, being able to recognise the signs and ask the right questions is key to uncovering abuse and providing the right support. There are services and financial supports available for those affected by financial abuse, but the missing link has been the understanding of financial abuse in the service sector.

In partnership with Care Financial, there has been investment in developing specialised training for front-line services. This training provides staff in these services with the ability to recognise financial abuse and then refer a victim to the right service at the right time.

As I have spoken about before in the Assembly, the Domestic Violence Prevention Council delivered an important report to the government about the needs of children and young people exposed to domestic and family violence. This report shone a light on the unique needs of young people. They are affected differently from the adults around them. The report showed that we need to change the way we design and deliver responses to meeting the needs of young people in the community. It was an important and long overdue call to action. I would like to share with you the progress we have made towards the first of the recommendations from the Domestic Violence Prevention Council—putting the voices of children and young people at the heart of service design and delivery.

Last year, I was pleased to talk about the unique consultation undertaken by the Children and Young People Commissioner and the Family Safety Hub with young people in the community who have experienced domestic and family violence. Seventy young people took part in these conversations. Many of them said that they had never had the chance to talk about their experiences before.

The insights that have come from these consultations have highlighted the complexity of the experiences that young people have when they are living with family violence.

Young people affected by family violence are working really hard all the time. They navigate situations that adults would find difficult.

We heard from young people that the service system, designed by and for adults, does not meet their needs. Sadly, it is exceedingly rare for young people to be directly consulted about their experiences of domestic and family violence. It is even rarer for them to be asked about what services and supports could help them.

We have changed this and now we must act. The insights from these consultations are informing new responses in the service sector and new ways of thinking about supporting young people. We are working with front-line workers in the youth sector to make sure that they can meet the expectations of young people. It is important that people working with children and young people directly can recognise and respond appropriately to those experiencing domestic and family violence.

In addition, we are embarking on work to build awareness of domestic and family violence amongst young people and direct them to the right supports, should they need them; increase the awareness across the community of how domestic and family violence impacts children and young people; and build the capacity of the sector to deliver responses to children and young people that recognise them as victims of domestic and family violence in their own right.

The effects of domestic and family violence on children and young people are profound and continue long after the violence has ended. The development and delivery of new and improved services is an ongoing priority for the ACT government.

The Domestic Violence Prevention Council recommended that government increase the number and availability of therapeutic services for children. They also stressed the need for clearer referral pathways.

The office for mental health has reviewed the services that support the mental health and wellbeing of children and young people. This has led to the development of an online youth navigation portal that will soon provide individualised online and phone services for young people to support them with their mental health and wellbeing. Friends, family and those who work with or support these young people will also be able to use the navigation portal. Young people living with family violence told us about the difficulties they face finding supports and services, and this portal should assist them to find this assistance more easily.

The Domestic Violence Prevention Council also recommended work with the ACT justice system to build momentum around children and young people affected by domestic and family violence. An ACT intermediary scheme has been established to assist children and young people from the initial point of police interview through to giving evidence at trial. Being supported throughout has the potential to improve children and young people's experience of the justice system, while aiming to minimise any additional stress and trauma.

I would now like to share with you that the commitment to deliver domestic and family violence training to ACT government staff is making great progress. I am

pleased to report that all directorates have commenced delivery of this training. This training will equip government staff with the skills that they need to recognise and respond to clients and colleagues experiencing domestic and family violence.

The training is well underway, with Foundation, Managers, Tier 1 and Tier 2 training levels available to all public servants. We are receiving very positive feedback from front-line staff about this initiative. This is important because we know that those seeking help for family violence will turn to those they trust; we need to make sure that no matter where or who they turn to, staff are ready and skilled to respond.

In early 2020, in response to COVID-19, the face-to-face training was revised to include online approaches to delivery. Since lockdown ended, we have been able to move back into a co-delivery model of face-to-face and online delivery. Expert providers have been contracted to deliver 87 face-to-face training sessions over the next eight months to public servants. The expert training providers include the Women's Legal Centre, the Domestic Violence Crisis Service, and YWCA Canberra.

As part of the broader training strategy, Canberra Health Services is implementing the evidence-based strengthening health responses to family violence model. In preparing the training and policy, Canberra Health Services has incorporated the draft ACT domestic and family violence risk assessment framework. As part of implementing this approach, Canberra Health Services has established strengthening health responses to family violence governance and working groups; developed policy and workplace procedures; and, importantly, delivered face-to-face and online training to strengthen organisational capability to respond to domestic and family violence.

Now that the delivery of domestic and family violence training is making significant progress, the ACT government has engaged the Gendered Violence Research Network at the University of New South Wales to develop an evaluation framework for the training strategy.

Late last year, the Domestic Violence Prevention Council's Aboriginal and Torres Strait Islander Reference Group convened a community consultation to consider what recommendations would be made to government to shape our response to the *We don't shoot our wounded...* report. The reference group has provided an initial four priority recommendations to the ACT government that outline key focus areas for the development of services and supports for Aboriginal and Torres Strait Islander communities. Shared language, understanding and a consistent approach to risk assessment are vital in identifying, prioritising and responding to domestic and family violence risk. This approach helps to keep victims safe while holding perpetrators to account.

The ACT government has continued to build this shared understanding through the development of a draft domestic and family violence risk assessment and management framework. The framework is included in the whole-of-government training strategy to ensure consistency across government and is being used as the foundation for the Family Violence Safety Action Pilot. The framework is incorporated into domestic and family violence training, which the alcohol and other drug sector is implementing.

This consistency of language, understanding and approach is a fundamental piece for developing a consistent and integrated domestic violence service model for the ACT. The framework has been tested prior to its finalisation—including a maternal health service. The framework was reviewed by the drug and alcohol sector for consistency with their practices and approach.

A section in the framework on working with the perpetrators of domestic and family violence has now been drafted and is currently with the perpetrator working group for final approval. The results of the framework testing and the development of the perpetrator section will be incorporated in preparation for the release of the final risk assessment framework this year.

I would now like to share with you some of the other work that we are doing to respond to perpetrators. While we must always strive to ensure that there are supports for those impacted by violence, a focus on addressing perpetrators is crucial to preventing violence from happening in the first place.

The innovative Room4Change program run by the Domestic Violence Crisis Service is one of Australia's only residential men's behaviour change programs and supports partners and children to stay safely in the home while men are engaged in the six-month program. I am pleased to share that the preliminary evaluation of Room4Change has shown positive outcomes for participants and their families, and I look forward to the full evaluation when it is released this year.

In 2020 a response to the perpetrators working group was established to progress two main areas of work—to create a set of principles and standards for men's behaviour change programs in the ACT and an accreditation process for those programs, and to develop the perpetrator section of the domestic and family violence risk assessment and management framework.

I am pleased to report that the practice standards are currently in the final stages of development, and the working group is currently reviewing the section on working with perpetrators for inclusion in the risk assessment framework. The working group will soon commence developing the next steps for responses to perpetrators, including consideration of an accreditation process for the practice standards for men's behaviour change programs. An expert men's behaviour change organisation has been engaged to provide training for mainstream services on how to better identify and provide referrals for men who are using abuse in their relationships.

There has also been significant progress on establishing the domestic and family violence death review over the last 12 months. This mechanism will review all domestic and family violence related deaths and near-lethal incidents in the ACT and advise on what is needed to prevent deaths and improve system-wide supports and services. Work to establish a model for the death review is ongoing, with policy approval for the death review model now complete. Legislative amendments to establish the domestic and family violence death review and to enable information-gathering powers are now progressing.

At a national level, the ACT government continues to contribute to a shared commitment with other governments across Australia to implement the National Plan to Reduce Violence Against Women and their Children. The ACT is progressing well on the commitments made under the fourth action plan of the national plan. As the current national plan comes to an end in 2022, my colleagues and I in the national cabinet Women's Safety Task Force are working towards developing the next national plan.

In August 2020 the ACT government made a submission to the commonwealth government House of Representatives Standing Committee on Social Policy and Legal Affairs inquiry into family, domestic and sexual violence. This submission was an opportunity to influence the direction of the next national plan and to share some of the insights gained as we progress our ambitious reform agenda.

Finally, I would like to report on the ACT government's commitment to taking action to prevent and respond to sexual assault. Women make up 86.6 per cent of victims of sexual assault in the ACT and similar statistics are repeated across Australia. The time has come for an evidence-based approach that is based on lived experience, to inform work.

The nature of sexual assault has changed over time, and there will be work to determine what supports are currently in place across the system and where the gaps are to support victim-survivors. The objective of this reform is to coordinate efforts across the community, the service sector, unions and stakeholders to develop an effective, systemic, evidence-based response to sexual assault in the ACT.

To make sure that this work progresses with the right representation and the right governance in place, three working groups will be established to focus on prevention, response and law reform. These groups comprise representatives of non-government organisations, unions, research bodies, the university sector and government representatives, who will set key priorities for future work and action by government. These working groups will report to an overarching sexual assault response steering committee to provide integrated, comprehensive advice to the government. The ACT government is committed to listening carefully to local experts to understand what the evidence shows us of what is already working, where the gaps are and where we need to build new programs of work.

As I have detailed today, the last year has seen us continue to deliver Safer Families initiatives and work with the community sector to reduce and prevent domestic and family violence. I look forward to continuing this work to make Canberra a safer place for everyone as we move into the next phase of Safer Families that is inclusive of sexual assault reform. I present the following papers:

Safer Families Annual Statement 2021.

Safer Families Annual Statement 2021—Ministerial statement, 23 June 2021.

I move:

That the Assembly take note of the papers.

MRS KIKKERT (Ginninderra) (10.29): When I was first elected to the Legislative Assembly in 2016, I voiced my concerns and asked many questions of the ACT government about domestic violence in our city. I spoke about the need to achieve better outcomes in prevention and early intervention. I also warned the government that front-line services were experiencing an increase in demand that would become too much to bear unless more investment was made to meet community needs. Earlier last month I learned that mothers and children in Canberra have been sleeping in their cars to escape domestic violence. This materialises my longstanding fears.

During my time in office I have heard several ACT ministers repeatedly state that the success of a city is measured by how we treat our most vulnerable. Let me be clear: it is not okay for mothers and children who have fled violent homes to be sleeping in cars because there is no emergency housing left. It is not okay to have to wait for an average of 280 days to find any kind of housing, let alone priority housing. It is not okay for our community legal centres to have to let victims down because we have now reached a foreseen crisis. It is not okay for any of these things to be happening in this city under normal conditions, much less during a pandemic. This is no way to treat our most vulnerable. I am no stranger to the struggles and heartaches caused by domestic violence.

From my own personal experiences, I have learnt the importance of family safety and the right we each have to feel safe in our personal relationships and in our homes. The Canberra Liberals and I welcome the safety action pilot and other initiatives. We welcome reaching out to children and young people about their experiences—something that I have long been calling for. We welcome listening to and being led by our Aboriginal and Torres Strait Islander communities, and we also mourn for victims—Judy, Kayla, Thanh, Lordy, Kelly, Kobi and, more recently, Kerry Rooney.

When the safer families levy was announced by the ACT government in 2016, I welcomed investment in our underfunded front-line domestic and family violence services. The government had announced that the levy would directly fund a range of new programs aimed at improving outcomes for victims of domestic violence and their families. Like many Canberrans at the time, I felt privileged to be contributing to support front-line services; and, like many Canberrans, I now have concerns about how the safer families levy is being spent.

The first phase of the levy provided \$770,000 for the training of front-line staff across community and emergency services, health and education to support the effective identification of family violence and early intervention. I believe that this was a worthwhile initiative. Employees in all of these sectors work closely with a broad segment of the population and are likely to encounter possible victims of abuse.

Not long after that, the ACT government announced that \$2.4 million of the safer families levy would be spent on training all 21,000 ACT government staff. This decision has caused significant concern for many Canberrans, as well as local community organisations. Expanding training to every single ACT public servant appears to be an addition to standard work health and safety training for public servants within each directorate at the expense of front-line service providers.

I do not think anyone expected the safer families levy to be used in this way. When I first learnt of this change, I was alarmed and sought clarity directly from the minister, in hearings. In subsequent budget estimates and annual report hearings, I have continued to raise significant concerns about the ACT government's decision to pull much-needed funding away from front-line services. I will continue to fight as long as our front-line services struggle with a lack of funding and increasing demands, only worsened by the ongoing impacts of COVID-19.

We are living at a time when there are more vulnerable people than ever—more instances of women escaping domestic violence; more children who experience or witness violence at home but are invisible in the ACT's domestic and family violence system; more mothers and children out on the streets and left without a place to sleep, let alone a place to call home.

None of this is okay. Residents rightly expect that their payment of the safer families levy will create increased safety for those directly impacted by domestic violence. Like many Canberrans, I am committed to fiercely advocating for what we need in order to eliminate such violence and strengthen families.

Question resolved in the affirmative.

Domestic Violence Agencies Amendment Bill 2021

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

Title read by Clerk.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.35): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Domestic Violence Agencies Amendment Bill 2021. Establishing the ACT Domestic and Family Violence Death Review will provide a critical mechanism for improving our system responses to domestic and family violence in the ACT. I am confident that this bill delivers on the ACT government's commitment to the prevention of domestic and family violence and will contribute to the knowledge we need to inform our practices and processes to improve the safety of victims and to better address the devastating impacts of domestic and family violence.

The objectives of the bill are to provide the legislative mechanisms necessary to operate a domestic and family violence death review in the ACT. Following a number of ACT reports, in 2016 the ACT government agreed to provide the legislative mechanism to establish a domestic and family violence death review in the ACT with appropriate statutory-based powers. The enactments I present today honour that commitment.

While data on homicides in Australia is collected by the Australian Institute of Criminology and is reported on every two years, this data does not examine the context of domestic violence and therefore cannot present trends and patterns specific to domestic violence homicides.

Domestic and family violence death reviews have been established in all Australian jurisdictions except Tasmania and the ACT to enable this review of the context of domestic violence in related homicides. Put simply, the purpose of the Domestic and Family Violence Death Review is to review deaths that result from domestic and family violence so as to identify factors leading to these deaths, and make recommendations to improve system responses and respond to service gaps.

To do this, death reviews take a system-wide perspective and make recommendations that relate to policy, procedure, legislation, system and services, data collection and management, and public awareness.

Death reviews examine the context in which the deaths occur; the escalation of violence and threats prior to the death; and the response, or lack of response, by a range of systems and agencies. The advantage and value of domestic violence death reviews is that they move beyond an emphasis on the cause of death, determination of facts or assignment of blame. Instead, a death review looks at the contributory processes and patterns that led up to the homicide. They also look at these deaths not as isolated events but as a connected group of homicides that unfold in the specific context of domestic violence.

In doing so, and by including personal knowledge of the people and agencies involved, and specific expertise about domestic and family violence, they are in a unique position to identify patterns and trends, as well as flaws and gaps in the responses provided to victims.

A review into the findings of domestic and family violence death reviews in Australia found that they made recommendations to improve legislation, service responses and operating procedures, interagency collaboration, public education, and professional development. This review also found that the recommendations were directed to both government and non-government agencies, including police, corrective services and justice departments, social housing providers, child protection services, education and health services, government ministers and policy units, and non-government domestic violence service providers.

One of the strengths of domestic and family violence death reviews is that in making these kinds of recommendations, they do not place blame on the agencies for domestic fatalities. Instead, death reviews view risk and error as inevitable aspects of coordinated delivery of complex services in complex circumstances, and perpetrators are ultimately held responsible for the death of their victims.

This bill provides the legislative establishment of a death review coordinator and gives the coordinator the powers to request information for the purposes of undertaking reviews into domestic and family violence deaths. This bill contains penalties for failure to provide information requested by the death review coordinator

but also provides some protections for not doing so, most particularly where that could compromise a police investigation or a court proceeding.

The bill allows for the Coordinator-General for Family Safety to be the domestic and family violence death review coordinator, but also provides for that role to be independent and report directly to the Assembly via me, as the Minister for the Prevention of Domestic and Family Violence. Locating the death review with the coordinator-general at the implementation stage is very deliberate, and we have built in a review to this once the death review is well established.

It is critical that expertise about domestic and family violence informs the implementation stage of the death review and that clear links are established to key policy and program developments that the Coordinator-General for Family Safety and the family safety team are involved in. For example, through the family safety team, we recently released a draft ACT domestic and family violence risk assessment and management framework. That framework contains a list of risk factors determined specifically for the ACT, drawing on the risk factors used by ACT Policing, as well as the key risk factors common in the other Australian jurisdictions.

Clear links need to be established to ensure that the death review contributes to the updating and review of those risk factors, so that they best reflect what we know about domestic and family violence in the ACT context. Through the family safety team, we are participating members of the National Death Review Network, and their insights and learnings have been critical in helping us as we work to establish the ACT death review. We thank them for the generosity that they have consistently shown us.

The bill also ensures that the ACT death review will collect data consistent with the national death review minimum standards to enable Australia-wide data analysis of domestic and family violence deaths. I thank all of the individuals who have been involved in the consultation, development and drafting of this significant bill. I commend the bill to the Assembly.

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

Economy and Gender and Economic Equality—Standing Committee

Statement by chair

MS LAWDER (Brindabella) (10.43): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economy and Gender and Economic Equality. On behalf of the Standing Committee on Economy and Gender and Economic Equality, I present the following paper:

Standing Committee—Economy and Gender and Economic Equality—
Discussion Paper—Future of the working week, dated 16 June 2021.

As members may recall, on Thursday, 13 May this year, the committee informed the Assembly of its decision to inquire into the future of the work week—in particular,

what a four-day work week might look like and whether it is the future of work. At that time the committee advised that it would be releasing a discussion paper in mid-June 2021 to coincide with its call for public submissions.

Pursuant to standing order 246A, the committee released its discussion paper on Wednesday, 16 June to assist individuals and organisations to prepare written submissions to its inquiry. A discussion paper has sought to consider and provide contextual background for each of the terms of reference to assist submitters.

The paper is organised around the key themes contained within the terms of reference and provides information on: (1) defining the concept of the working week, including history of the concept and development of working time and week to the modern era and future drivers; (2) the distinction between work compression and work reduction; (3) advantages and disadvantages of work time reduction, including evidence base for working time reduction models; (4) policy frameworks—framing, transitional and regulatory considerations; and (5) some jurisdictional case studies.

While the committee does not have a particular view at this time about what a four-day work week would look like and whether it is in fact the future of work, arguments may be anticipated on both sides of the question as to whether a four-day work week is the future of the working week.

On the one hand, it may be seen as costly, unaffordable, difficult to implement in some industries and sectors, and unrealistic. On the other hand, there are arguments for fewer working hours. Some are economic, some are about health and wellbeing, environmental sustainability and stronger communities, and some have to do with equity and equality.

Importantly, the discussion paper and the committee's inquiry are about having a public conversation about the future of the working week; in particular, the validity of the standard working week and whether or not it does merit change to a four-day working week.

The committee encourages interested individuals and key stakeholder groups and organisations to make a written submission to this inquiry. The call for submissions closes on Monday, 1 November 2021.

Statement by chair

MS LAWDER (Brindabella) (10.46): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economy and Gender and Economic Equality. As members will be aware, on Tuesday, 2 June 2021, pursuant to standing order 99, the Assembly referred the petition “Monumental Women” to the committee for consideration. The committee has considered that petition and decided to incorporate its requests as part of a widened inquiry.

Pursuant to standing order 216, the committee has resolved to inquire into memorialisation through public commemoration. While the committee's inquiry expands on the scope of the petition, the requests made by the petitioners to the

Assembly form part of the terms of reference. Accordingly, the terms of reference for the committee's inquiry are:

To inquire into and report on:

- a) the promotion of equality and diversity in the people recognised through public commemoration (places, monuments, streets, and suburbs) in the ACT;
- b) the prominence of women and non-binary people in place naming conventions across the ACT;
- c) opportunities to increase the representation of women and non-binary people, especially of diverse backgrounds and First Nations leaders, through public commemoration (places, monuments, streets, and suburbs) in the ACT;
- d) suggestions of women and non-binary people who could be commemorated in the ACT;
- e) suggestions of suitable nominations for public commemoration and location sites; and
- f) any other related matters.

The committee will be calling for submissions to its inquiry shortly and is intending to commence holding public hearings in the third quarter of the 2021-22 financial year. The committee is expecting to report to the Assembly as soon as practicable.

Planning—ACT Infrastructure Plan

Debate resumed from 2 June 2021, on motion by **Mr Barr**:

That the Assembly take note of the paper of 2 June 2021.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.48): I am pleased to speak on the Chief Minister's statement in relation to infrastructure investments by the ACT government, of which there are, of course, many.

My focus today will be on health infrastructure. The ACT government is investing significantly in health infrastructure, in response to our changing and growing city. The ACT government knows that the future health and wellbeing of the Canberra community means that we need to invest in health infrastructure where Canberrans need it most.

Health infrastructure is, of course, about more than bricks and mortar. It is about building and sustaining a world-class health system that is supported by the best facilities. Health infrastructure is ultimately about people. The investments we are making support jobs in the Canberra region through planning, development, construction and service to the community by our fantastic healthcare workers.

The health infrastructure that we deliver will be places where Canberrans spend some of the happiest and some of the hardest times of their lives, and good infrastructure design enables the best treatment and care. Over the last decade we have invested more than \$1 billion in health infrastructure, and the ACT government is continuing our significant investments in health for years to come.

Right now, on the Canberra Hospital campus, we are investing more than \$180 million in health infrastructure improvements, including: expansion of the Centenary Hospital for Women and Children; construction of new wards to deliver better inpatient care at Canberra Hospital, including cancer wards, the second of which recently opened, and a new mental health ward; and outpatient services such as the adolescent mental health day unit and the new Canberra Sexual Health Centre in the new building 8.

We are creating more teaching and training facilities for our health workers to continue to learn and innovate, including a neonatology family support teaching and education space, and a surgical training centre opening in early July to advance the upskilling of our staff in key and complex procedures such as resuscitation, trauma and intensive care. That will also be in the new building 8, which is part of the early works associated with the Canberra Hospital expansion.

We are investing in care closer to home in the Canberra community, with new infrastructure such as the expanded Weston Creek walk-in centre to include an imaging service, which means Canberrans can access crucial imaging services without having to go to a hospital campus; the delivery of a new hydrotherapy pool in Canberra's south; and our commitment to deliver five new walk-in health centres across the Canberra region to make sure that everyone can access the excellent treatment and care led by Canberra's nurses in both immediate care and appointment-based services. That will be co-designed with those local communities to meet the needs of the diverse communities in which those centres will be established—in south Tuggeranong, in your own electorate of Brindabella, Mr Assistant Speaker; in the inner south, in my electorate; in west Belconnen; in north Gungahlin; and in Molonglo, where we will be establishing the Coombs walk-in health centre, which has been somewhat delayed, but it remains an absolute commitment from the ACT government.

We are committed to establishing an elective surgery centre at the University of Canberra campus. This will expand on and sit alongside the existing specialist rehabilitation services provided at the University of Canberra Hospital. The University of Canberra Hospital is a prime example of health infrastructure designed in partnership with consumers that is making a real difference for the Canberra community.

The ACT government is making the biggest health infrastructure investment since self-government with the Canberra Hospital expansion, at a value of just over \$624 million. The critical services building will enhance how we deliver emergency, surgical and intensive care services in the ACT.

At approximately 43,000 square metres, the new critical services building will provide the Canberra community with a new 60-bed intensive care unit; 22 new theatres; an emergency department with 147 treatment spaces; a new acute cardiac care unit; and state-of-the-art medical imaging facilities; as well as some fantastic facilities and amenity for staff, patients and visitors at the hospital, recognising the healing power of green spaces and the importance of the amenities across our hospital; and serving to improve things like way-finding, where we have heard from the community that improvements are needed at Canberra Hospital.

The Canberra Hospital expansion is also delivering jobs to the Canberra community, an innovative all-electric design, and a facility that supports the health and wellbeing of people. A six-week public notification period for the development application closed on 18 June for the new critical services building. The Environment, Planning and Sustainable Development Directorate is reviewing the submissions received from the public.

In the meantime, the territory's delivery partner, Multiplex, has submitted its final design and construction offer for the delivery of the critical services building, and I look forward to making a further announcement about that shortly. The delivery of the state-of-the-art emergency, surgical and critical care building remains on track for completion in 2024.

We are also planning further ahead for the future of the whole Canberra Hospital campus through the Canberra Hospital master plan. We are making sure that the Canberra community can tell us what they need from the hospital campus into the future. The master plan will guide how future campus infrastructure investment decisions are considered, ensuring that future changes make the campus even more welcoming and usable for patients and staff.

The first phase of the community consultation on the Canberra Hospital master plan closed on 10 March, after running for six weeks. Through this consultation more than 800 pieces of feedback were received. The consultation reached more than 30,000 people through YourSay, social media and roadshows to shopping centres around the city.

The master plan team has presented at each community council across Canberra, inviting input at the presentation and through multiple channels, including the YourSay webpage and face-to-face events. Phase 1 consultation activities have informed the development of master plan options and a phase 1 listening report on community feedback is now live on the Canberra Hospital master plan YourSay page. Phase 2 of consultation will commence shortly and will allow the community and expert stakeholders to provide their thoughts and feedback on more detailed master plan options.

As Canberra continues to grow, we are planning investments across the territory for the community to access more hospital services, including through a new north side hospital to be ready for construction to start mid-decade. Growth in demand for health services is expected to keep rising strongly in Canberra's north and across our city.

Along with the Canberra Hospital expansion project and the master plan, a new north side hospital will provide capacity and infrastructure to future-proof the territory's hospital infrastructure and system.

The investments we are making in health infrastructure are not just new facilities. We are also investing in e-health infrastructure to support how care is delivered to the Canberra community through the digital health strategy and particularly the digital health record.

The ACT Health Directorate signed a 10-year \$114 million contract in July 2020 with Epic, a world-leading provider of digital medical record systems, to deliver the ACT's digital health record, which will be operational in 2022-23. This will enable clinicians to have a single view of a patient and to have access to all relevant treatment protocols and forms in context for each case. The ACT digital health record will be implemented in all ACT public health services, including across our public hospitals, walk-in centres, community health centres, the new walk-in health centres and Justice Health.

The ACT government knows how important health is to Canberrans, and we are building infrastructure that supports not just the here and now but the future infrastructure that the community needs for their health and wellbeing. Our investments are thoughtful and they centre on the voices of consumers, clinicians and the wider community to plan, design and deliver infrastructure that truly meets the community's needs.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.57): I thank the Chief Minister for providing an update on the ACT infrastructure plan. I would like to provide some additional information about mental healthcare infrastructure.

The ACT government is committed to providing people in need of mental health support with the right care at the right time for the right duration, aligned with an early intervention and prevention approach. The stepped care model is widely recognised as a best practice approach to mental health support, and I have been pleased to continue this work, started by previous mental health minister Shane Rattenbury.

Stepped care infrastructure ensures that people receive the level of care that is appropriate for their needs, stepping up to more intensive acute inpatient services only as required. The stepped care approach is crucial for a sustainable and effective modern healthcare system, as it promotes long-term recovery outcomes and contributes to reducing demand on expensive acute care, providing care in community wherever possible.

Support for this approach and the need to increase investment in early intervention and prevention services has been emphasised at the national level in the Productivity Commission's final report on its inquiry into mental health, and in advice from the Prime Minister's Adviser on Suicide Prevention. This approach is also supported in

the ACT regional mental health and suicide prevention plan 2019-24 as key to improving mental health and wellbeing outcomes.

Step up step down services are a crucial pillar for delivering a stepped care approach to mental health support within the ACT mental health service system. Step up step down services provide a “step up” from the community, with additional mental health support to prevent the need for acute inpatient admission; or “step down” from an acute inpatient stay to continue mental health recovery and smoothly transition back to living at home in the community.

The ACT now has six step up step down services—five residential, including the new southside service, and one outreach; a six-bed service for adults aged 18 to 65 years in Garran; a five-bed service for adults aged 18 to 65 years in Lyneham; a five-bed service for young people aged 13 to 17 years in Watson; a six-bed service for young people aged 18 to 25 years in Kambah; and an outreach step up step down service for adults—transition to recovery for 18 to 64 years—that has capacity to support up to 35 people at any one time.

The new Southside Community Step Up Step Down service in Garran is delivered as a partnership with Stride Mental Health, providing 24/7 psychosocial supported accommodation; Canberra Health Services; mental health; justice health; alcohol and other drug services, providing on-site clinical support; and Woden Community Service, providing outreach. The facility is a for-purpose new build within existing ACT government assets in Gaunt Place in Garran. The Southside Community Step Up Step Down service provides capacity to support up to six people at any one time, increasing the accessibility of this type of service close to home for people living in the south of Canberra. As of last week, the facility had a bed occupancy of 83 per cent, with 20 admissions since opening in May.

The Southside Community Step Up Step Down service is unique in its contribution to the adult step up step down suite of services. The model of care features a short stay of up to two weeks, with an additional four weeks of outreach support following completion of the residential component of the program. This aims to provide support in-home as much as possible and to empower participants to live independently whilst continuing their recovery.

The Southside Community Step Up Step Down was opened in May this year. Overall, the cost to establish and operate the Southside Community Step Up Step Down is approximately \$5.3 million over the life of the project, to date. This includes planning and design work, infrastructure costs to build the facility and contracts with community mental health providers to deliver services. Canberra Health Services also contributes staff for clinical care.

This model of mental health service enables people receiving care to maintain connections to the community and in a warm and welcoming environment. The built infrastructure supports this by providing a homelike environment where people receiving care can spend time with visiting friends and family. The step up step down model is a best practice model proven to provide effective support for reducing inpatient acute admissions and increasing sustainable progress on recovery outcomes.

Supporting access to mental health care and community settings ensures that people receive care that is appropriate to their needs as soon as they start to become unwell, reducing the need for acute inpatient care and supporting a lasting recovery.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (11.02): As outlined by members of this house, the ACT infrastructure plan is an incredibly important one for the territory. Thank you for the opportunity to outline how work in some of my portfolio areas supports and interacts with the plan. Mr Assistant Speaker, today I wish to focus on how the infrastructure plan will relate to the territory's living infrastructure and to our plans to make homes accessible and climate resilient.

The ACT government is committed to achieving sustainable development outcomes that meet the needs of our growing population, while retaining the values, features and the landscape setting that makes Canberra such a great place. *Canberra's living infrastructure plan: cooling the city* provides a strategic direction on how living infrastructure can reduce Canberra's climate vulnerability and help make Canberra a sustainable, liveable and resilient city into the future. The plan closely aligns with the intent of the ACT infrastructure plan to ensure that, as new infrastructure projects are developed to service the needs of a modern city, we do not lose those valued features that have become a hallmark of Canberra.

We are delivering on several actions under the living infrastructure plan and it is a real privilege to work with colleagues across government to deliver these. This includes planting 54,000 trees in Canberra between 2020 and 2024 to contribute towards the target of 30 per cent canopy cover by 2045. Demonstration projects such as the Whitlam display village are trialling innovative living infrastructure solutions, such as passive irrigation, permeable driveway surfaces and advanced tree plantings. The nature in the city grants were established in 2020 under the ACT Environment Grants Program to support community participation in protecting and enhancing the living infrastructure across Canberra.

The Chief Minister has spoken about how well-planned infrastructure can improve the quality of people's lives, support adaptation to a changing climate and break down barriers to social inclusion, amongst other benefits. Ensuring that we have appropriate regulation and standards can also contribute to realising these important benefits. Making our homes accessible and climate resilient is integral to this.

Earlier this year, I announced that the ACT government would be supporting a proposal to include minimum accessibility standards for new houses, townhouses and apartments in the national construction code. Introducing minimum accessibility standards is a commitment in the parliamentary and governing agreement.

The ACT government has had a longstanding commitment to universal design standards. I was extremely pleased that at the meeting of building ministers on 30 April this year, ministers agreed to include minimum accessibility provisions in the national construction code, based on the liveable housing design guidelines silver standards. Introducing minimum accessibility standards for new homes will increase

the availability of homes that are able to be adapted and accessible to all members of the community, regardless of age, disability or other factors.

Mr Assistant Speaker, infrastructure is integral to how we live our lives. I am pleased to have outlined today how we are improving our living infrastructure and the policy drivers for more sustainable housing infrastructure.

The parliamentary and governing agreement includes other key commitments that I will be working on with others to progress through this term. These commitments will facilitate the transition to environmentally sustainable buildings, including setting new energy efficiency requirements for new buildings. They will start a 10-year pathway to shift to world's best practice on climate resilient and environmentally sustainable buildings.

The next update of the national construction code will include increased energy efficiency requirements for residential buildings. In line with the commitments in the parliamentary and governing agreement, I look forward to working with other building ministers nationally to introduce these important changes.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.07): I would like to start by thanking the Chief Minister for his update on the ACT infrastructure plan and, in particular, note the highlighting he did of the government's work on sustainability and the ACT's nation-leading action to achieve net zero emissions.

As the Minister for Water, Energy and Emissions Reduction, I would like to speak today on how critical our infrastructure decisions are in reducing emissions and in preparing for the unavoidable impacts of climate change. As the Chief Minister said, sustainability is core business for the ACT government; so too must emissions reduction and climate adaptation be part of core business and all our infrastructure decisions.

As well as the primary purpose of the infrastructure, we need to ask: will this infrastructure support our goal of net zero emissions or will it lock in future emissions that could otherwise be avoided? What is the "social cost" of the carbon emissions that will be generated in making and using this infrastructure? Is the infrastructure appropriate for the future climate? Will it perform in the hotter, drier climate that is projected for our region? Will it stand up to increased bushfire risk and increased intensity of rainfall? Will this infrastructure add to urban heat? Could it be built in a way that supports city cooling? Does it demonstrate best practice for reducing emissions and building resilience to climate change?

We are already witnessing the impacts of a warming climate in the ACT. We will experience more frequent bushfires, heatwaves, severe storms and, of course, droughts. It is critical that we not only reduce our greenhouse gas emissions but also continue to prepare for the future impacts of climate change. Climate wise infrastructure is key to ensuring that Canberrans can continue to enjoy their way of life. We need buildings that are energy efficient and adapted to our changing climate.

We need infrastructure that will perform well in our future climate and, where possible, actually help to keep our city cooler.

Some recent examples where new ACT government infrastructure has aligned with these goals include our two all-electric schools, Margaret Hendry and Evelyn Scott. These are not just great environments for learning; they demonstrate that all-electric buildings, powered by our 100 per cent renewable electricity, are workable and cost-effective in the ACT. We also have the ACT's first all-electric major office building in Dickson, demonstrating that all-electric heating is a viable solution for large office buildings in our climate. We have the sustainability upgrades in social housing project that is installing solar panels on public and community housing properties to reduce energy costs and build the climate resilience of low income households.

We have also announced future commitments that will meet our community's needs while cutting emissions. The new Canberra Hospital extension will be all-electric and the new Woden CIT will be a leading-edge development linked to clean, modern transport systems. Addressing climate change is a core business just as much as providing health services, waste management, education, parks management, transport provision and a range of other services. We must continue to find ways to build climate change considerations into all our infrastructure projects.

The climate change strategy includes three actions that relate to infrastructure decisions. Action 5.4 is to implement a sustainable procurement approach for goods and services and capital works that ensure greenhouse gas and adaptation outcomes are considered in all procurement decisions. Action 5.5 is to ensure that the social cost of carbon and climate change adaptation outcomes are considered in all ACT government policies, budget decisions, capital works projects and procurements.

Action 5.6 is to ensure that all new government capital works with a budget of more than \$10 million either seek or are consistent with an independent sustainability rating, such as the infrastructure sustainability rating from the Infrastructure Sustainability Council of Australia, or a green star rating from the Green Building Council of Australia or equivalent. These actions are designed to ensure that climate change is considered in all decisions, and that we are making the best choices for our community, given the risks we face.

On sustainable procurement, action 5.4, we will continue to strengthen our sustainable procurement guidelines to ensure that appropriate considerations are built in from the start. Prioritising the selection of vendors and suppliers that align with ACT government climate change policies and goals will help to incentivise suppliers to move towards zero emissions.

The social cost of carbon, action 5.5, is a measure of the impacts of emissions on the environment and society. Having an agreed value of these costs means that we can relate them in a clear way to investment decisions, such as business cases, regulatory impact analysis and cost-benefit assessments. Climate change is a complex topic, but a social cost of carbon is an elegant measure to ensure that we make decisions not just on short-term and local issues, but with an understanding of the impact on our

environment and society over the longer term. We recently commissioned a report to inform our decision on an appropriate social cost of carbon and this work will progress in coming months.

On sustainability ratings for infrastructure, action 5.6, several projects are currently seeking ratings that will provide accountability that new infrastructure has been built to the highest standards of sustainability.

Our immediate focus is largely on scope 1 and scope 2 emissions that are counted in our ACT emissions inventory. These are the emissions that we directly control—those created in the ACT or generated from the energy we consume. It is these emissions that we need to focus on to meet our targets. But we also need to think about scope 3 emissions, because this is where we can influence the broader supply chain and help to drive market transformation.

Scope 3 emissions are embodied in the products that we bring into the territory, the building materials that we use, the food that we eat and the materials that we buy. We have a limited understanding of the ACT's scope 3 emissions at this stage. We have asked the Commissioner for Sustainability and the Environment to complete a study on scope 3 emissions to improve this understanding. This will provide a solid basis to consider how we might address these emissions in our decision-making, along with scope 1 and scope 2 emissions.

I would also like to talk briefly about one of the largest infrastructure projects in recent times, our healthy waterways assets. As we know, Canberrans value their urban lakes, ponds and waterways. The joint ACT and Australian government investment in the ACT Healthy Waterways project saw the construction of 21 new water quality assets across Canberra. In the Tuggeranong catchment alone, ponds, wetlands and rain gardens are now intercepting 20 per cent of the pollution bound for Lake Tuggeranong. These infrastructure investments wrap up at the end of this month, but planning is underway for stage 2 of the ACT Healthy Waterways project.

While we have made good progress, there is much more that we need to do to preserve and restore the amenity, recreational, ecological and commercial values provided by Canberra's waterways. It is important to invest in water infrastructure, not just for the environment but for residents and businesses. Blue-green algal blooms can close our urban lakes for recreation and impact on their amenity through unsightly scums and disagreeable smells. This diminishes the commercial value, or potential value, of lakeside businesses and the environmental and liveability values of the ACT.

Continued investment will enable government to make marked improvements in water quality in ACT catchments that include the three major urban lakes—Lake Burley Griffin, Lake Tuggeranong and Lake Ginninderra—as well as our urban ponds. Furthermore, our lakes, ponds, wetlands and rain gardens are green infrastructure that plays a part in mitigating the impacts of climate change by reducing the “urban heat island” effect. This is a prime example of how we can and must consider the climate impacts of any new infrastructure.

We need to avoid locking in emissions by taking climate action now. This Assembly recognised that we are in a climate emergency. Action must be taken through the infrastructure that we are delivering as part of the ACT infrastructure plan. The decisions we make today will have lasting impacts. For example, the buses we procure today may still be on the road in 20 years. The gas boilers we install today may well be around beyond 2040. The greenhouse gases we emit while delivering these works will heat this planet for decades to come.

We also need to think about the emission impacts of transport infrastructure, such as road duplications. We need greater use of public transport and active travel, and this should guide our thinking on infrastructure spending. Our future climate is one that brings higher risks, such as heatwaves, bushfire and flooding. We simply cannot afford to ignore these risks or assume that business as usual will be good enough. We need to carefully consider these climate risks and plan for the uncertainty and higher risk that is coming. The cost of failing to do so will be high.

Government has a vital role in demonstrating how this change can be made. We can set the example for industry to follow and demonstrate what is possible. The ACT infrastructure plan is a major plank of doing this. It must reflect the ambition that we have for the future of our city. I think, as I have demonstrated, that a number of projects are already doing that, and I look forward to working with my colleagues to continue to ensure that that is the case.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.17): I would like to thank the Chief Minister for the opportunity to update the Assembly on the infrastructure investments that the ACT government is making as part of the ACT infrastructure plan, and also the ACT government's jobs and economic recovery plan.

Infrastructure is a key part of achieving our ambitious employment target of reaching more than 250,000 jobs by 2025. Our government is investing in a significant pipeline of infrastructure to support our growing city—across public transport, upgrading our strategic transport corridors to improve vehicle, public transport and active travel access; building a new Canberra Institute of Technology; as well as upgrading local community infrastructure, and so much more.

There is no greater symbol of our forward-focused, job-creating vision for our city than our investment in rail infrastructure. Light rail is the efficient, clean and reliable mass transit system that we need to help Canberra's growing community get around. One light rail vehicle can carry up to 256 people, reducing congestion on our roads, while giving people an easier and more productive commute. Canberrans love light rail, something which is perhaps best illustrated by the fact that a third of current light rail passengers had never used public transport before.

We want to extend the same benefits that we have seen on the first stage of light rail to the rest of Canberra, starting with delivering stage 2 to Woden. Building light rail to Woden will help make Canberra a more connected, sustainable and vibrant city. Stage 2 to Woden will provide more convenient and reliable transport options for

people on the south side, help prevent future traffic gridlock and cut transport emissions for a cleaner environment. In the process, it will create more than 6,000 local jobs, a great contribution to our target of 250,000 jobs by 2025.

Together, stage 1 and stage 2 of light rail will provide the north–south public transport spine for our city. We are working to deliver an integrated public transport network which sees this spine closely interlinked with our bus network. This will ensure that all Canberrans will benefit from better public transport, not just those who happen to live along the light rail corridor.

As we build out our rail system, powered 100 per cent by renewable electricity, we are taking leading steps on climate action. This includes investing in our bus network to get rid of the dirtiest, most polluting buses on our roads. Earlier this month we released a request for a proposal to lease 34 buses, including zero emissions vehicles. We will be going to market to purchase an additional 90 electric buses later this year. These will support cleaner, more efficient travel for people all over Canberra.

This comes on the back of an expansion of services across our bus network last year, which is delivering an additional 700 bus services each day. These additional buses and the retirement of the older vehicles in our fleet will help us to deliver our plan to transition the full Transport Canberra fleet to zero emissions vehicles by 2040, or earlier if we can do it. We are also building a third bus depot in Woden and we will start work on a fourth depot in Canberra's north, both of which will be equipped with charging facilities. These depots will allow us to expand our fleet, reduce emissions and improve the efficiency of our public transport network.

Our government is also investing in strategic transport corridors which support our city's growth. As I have said before, when we build roads, we are actually establishing the backbone upon which we deliver all forms of transport for Canberrans. Our roads connect our new suburbs to the rest of our city, they provide routes for our buses to drive along, they provide the direct connections between key locations for our shared path network to follow and they are increasingly used by Canberra's expanding zero emissions vehicle fleet.

Without these strategic transport corridors, residents in our new communities would be disconnected from the services and facilities that all other Canberrans enjoy, and isolated from different transport options that help make Canberra a liveable place. That is why we are building the last stage of John Gorton Drive, extension 3C, and a new bridge over the Molonglo River, to better connect residents of the growing Molonglo Valley to the city and Belconnen. The new bridge will be equipped with on-road cycle lanes and an off-road shared path and will accommodate future stages of light rail.

Mr Assistant Speaker, I would like to assure the Assembly and the Canberra community that work is underway on this project and well on track. Preliminary designs have been completed, the development application was approved earlier this year and we have recently signed a contract for the enabling works. The next step will be to procure a tier 1 design and construction contractor, with detailed design to start next year.

Construction is also well underway on the third stage of the duplication of Gundaroo Drive, connecting Belconnen and Gungahlin. We are nearing completion of upgrades to three major intersections in Belconnen, as well as the intersection of Launceston and Irving streets in Woden.

In Canberra's south, we are delivering upgrades to the Monaro Highway, which will see a new grade separated interchange built at Lanyon Drive, including a southbound flyover, which will improve safety and commute times. Meanwhile, early designs are also progressing for upgrades to the Isabella Drive interchange. Together, these works will provide a faster and safer commute for residents of Tuggeranong and significantly improve one of the ACT's most dangerous roads, which also happens to be a major freight link for freight, particularly transiting through to southern New South Wales.

In addition to these larger scale projects, we are making sure that we continue to invest in the local community infrastructure across our suburbs, from our local shops and playgrounds to our shared paths and the beautiful district parks and lakes across our city. We know that these are among the things that make Canberra a great place to live and give each of our suburbs and regions their own special character.

We have just finished consultation with residents in the suburbs of Kaleen, Campbell and Duffy to hear about the kinds of upgrades they would like to see to their local shops. Earlier this month we released the proposed designs for a new four-kilometre shared path along Sulwood Drive, providing a key missing link in the cycle network for residents in Tuggeranong.

Meanwhile, over in Pialligo, we have been working with the business and residential community on upgrades to Beltana Road and Kallaroo Road to make it safer for pedestrians and vehicles and to provide access to Pialligo Road as well, while honouring the rural feel of the area that we know is so important to locals and business owners.

We are investing in better managing Canberra's waste to help build a circular economy. This includes delivering upgrades to our materials recovery facility in Hume, which is critical for the entire region, not just the ACT, to ensure that we can do our bit as the national waste export ban progressively takes effect. These upgrades will deliver better identification and separation of recycling streams such as paper, glass and plastic.

By reducing contamination rates, this will lead to better quality recycled products which can go on to be used for a range of purposes in remanufacturing, from providing pipe bedding for water infrastructure projects to turning it back into recycled paper or plastic products. We have a lot more work to do in the waste space, and we are currently undertaking the necessary scoping and planning to map out the further infrastructure investments that will be needed in terms of waste management, including different kinds of waste services on the north side.

Finally, I could not talk about the infrastructure investment in my portfolio without covering the new Canberra Institute of Technology campus in Woden, which we are building right in the heart of the town centre as part of the broader regeneration of the town centre. When the ACT infrastructure plan was released, we had not even announced which region the new CIT would be built in. Now, less than two years later, we already have work underway on the early designs.

We have undertaken several rounds of community consultation, with more engagement to come, and we are now underway with the procurement of a design and construction contractor. The campus, set to open in 2025, will accommodate over 6,000 students in a state-of-the-art learning environment, inside a building that reflects the best in sustainability and urban design. The CIT campus is undergoing preliminary design work, ahead of construction starting next year.

Alongside this, we are also building a new public transport interchange, supported by a new bus layover and several road upgrades across the Woden town centre. The new Woden interchange will be built to accommodate light rail on Callam Street and will fully integrate with the CIT campus, helping to revitalise Callam Street and supporting the broader regeneration of the Woden town centre.

These are just a few of the key projects and investments that are helping to build and sustain activity in Canberra, get more Canberrans working to keep our economy strong and, at the same time, deliver the essential infrastructure that Canberra will need as we grow in the years to come.

Too many cities fail to plan ahead for growth, which leads to gridlock, reduced quality of life and haphazard solutions which do not work for our community. We are seizing the opportunity now to get on with building for this city's future. I look forward to continuing to update the Assembly on important projects in my portfolios in the years ahead and as we continue to build infrastructure and skill Canberrans to support our ambitious employment target of 250,000 jobs by 2025.

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

Civil Law (Wrongs) Amendment Bill 2021

Debate resumed from 12 May 2021, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (11.27): The Canberra Liberals support this bill, which is part of a harmonisation of ACT's defamation law, as agreed by the council of Attorneys-General, and completes the implementation of stage 1 of the defamation reforms. Changes include: firstly, that a plaintiff must demonstrate that a publication caused or may cause serious harm to their reputation and a "serious harm element"; secondly, a one-year limitation period commences when the publication in electronic form is first uploaded; thirdly, certain contractors are included as deemed employees for the purpose of determining whether a corporation has fewer than 10 employees—current law states that only a corporation with fewer than 10 employees is able to sue

for defamation; fourthly, a public interest defence modelled on UK law, as well as a defence with respect to the publication of certain scientific or academic matter; and lastly, clarification of other elements of the administration of defamation proceedings.

It is worth noting that the scrutiny of bills committee pointed out that the bill will increase the level of harm required in an action for defamation, which has the potential to limit the protection of reputation provided in section 12 of the Human Rights Act 2004. I look forward to the Attorney-General's assurances on this issue. The government should ensure that it identifies any contradictions between commonwealth law or state harmonisation efforts and ACT legislation and endeavours to eliminate or minimise them, respectively. I affirm the Canberra Liberal's support for this harmonisation bill.

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) (11.30): I am pleased to speak in support of the Civil Law (Wrongs) Amendment Bill 2021. As Minister for Human Rights, I take this opportunity to speak about the human rights aspects of the bill. We have seen several high-profile defamation cases in recent weeks, some making headlines almost daily. These cases show the tension between one person's right to freedom of expression and another person's right not to have their reputation unlawfully attacked. Both of these important rights are protected by the ACT's Human Rights Act, and both of them are engaged by this bill.

Not only are these rights important for the benefit of individuals but they are also rights that we value for the benefit of society. For example, it is a fundamental tenet of a democratic society that people are able to express ideas and opinions, including about matters in the public interest, without unreasonable limitations being imposed. Likewise, in a society where our lives are increasingly conducted in public—virtual domains—we value the protections provided in law that prohibit attacks on someone's privacy and reputation.

The Human Rights Act recognises that rights may be subject to limitations. In some cases, an individual's rights may need to be weighed against the rights of another. With that in mind, in promoting the right to freedom of expression, the current bill ensures that opinions and views can be more freely expressed, while still imposing the reasonable limits on the circumstances of publication of material that may adversely affect a person's reputation. Publication of material that may adversely affect a person's reputation is permitted in some circumstances under defamation law.

In this bill, one of the most important reforms is to broaden the range of permissible circumstances in which publication is on a matter of public interest and the benefits of the publication can justify the impact on a person's reputation. The ability to publish matters in the public interest with the objective of facilitating discussion on matters of public importance is at the core of our system of democratic government.

In addition, the bill aims to prevent the use of defamation law for trivial matters by introducing a serious harm threshold for damage to a person's reputation. The bill also

permits a defence to defamation claims where the material is substantially true or has elements of truth and where expert views were sought to verify the information.

While the changes ensure greater protection of freedom of speech, defamation law in the ACT will continue to provide substantial protection for an individual's reputation. This will continue to ensure that limitations on an individual's right to reputation are reasonable and proportionate. In this way, the bill enables views to be expressed more freely without the threat of defamation action, while ensuring a person's reputation is protected from serious damage as a result of publication of untrue or unverified material.

As the Attorney-General said in his opening remarks, striking the appropriate balance between the right to reputation and the right to freedom of expression is of fundamental importance in a human rights jurisdiction like the ACT. The bill achieves this in such a way that fits within the ACT legal environment and ensures compatibility with human rights. I commend the bill to the Assembly.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (11.33): I am pleased to speak in support of the Civil Law (Wrongs) Amendment Bill 2021. The bill enacts the model defamation amendment provisions in the ACT by amending chapter 9 of the Civil Law (Wrongs) Act 2002. These amendments will improve defamation laws in the ACT and will ensure that the law strikes an appropriate balance between freedom of expression and freedom of reputation, particularly in relation to matters of public interest.

The reforms in this bill address the increasing use of defamation law for trivial and vexatious matters. The introduction of a serious harm threshold will place the onus on the plaintiff to prove that the publication has caused or is likely to cause serious harm to their reputation. Accordingly, there is no need for the defendant to prove that the defamatory material is unlikely to cause the plaintiff harm. Additional mechanisms incorporated in this bill will ensure that this threshold question is determined as soon as practicable before litigation commences, to facilitate the quick resolution of matters.

In a situation where, for example, an unemployed activist tweets his honest opinion, on a matter he believes to be in the public interest, about a federal government minister with more than 10 times as many Twitter followers as the activist as well as easy access to a national mainstream media platform, the federal government minister would have to demonstrate that the serious harm threshold had been met before litigation could commence. These changes will reduce the risk of defamation laws being used by those with power to intimidate and harass those with less power, and will support freedom of expression. I commend this bill.

MS VASSAROTTI (Kurrajong) (11.35): I am pleased to support the Civil Law (Wrongs) Amendment Bill 2021. I would like to speak to this bill as it impacts those who are here to fight and protect the environment in Australia, something which, as will be no surprise to anyone here, the ACT Greens support. The bill, amongst other things which my colleague Shane Rattenbury has spelled out previously, introduces a new public interest defence to provide a defence of responsible communication on a

matter of public interest; introduces a new defence for peer-reviewed statements and assessments in scientific journals; and introduces a serious harm threshold to require plaintiffs to establish that a publication caused or is likely to cause serious harm to their reputation.

Members may be wondering what this has to do with my ministerial responsibilities. Allow me to enlighten you. The new public interest and scientific journal defences allow environmental activists to stand up and speak out without fear for the voiceless—that is, our natural environment, which is constantly under threat in this country for the profits of mining and big corporations. Destruction of habitat for endangered species and potential contamination of scarce water sources are some examples of things which could be considered matters of public interest.

A derivative of this new defence is that environmentalists can feel safer that they will not be threatened with defamation cases when protesting. Ordinary citizens have the right to be angry at some of the decisions made by our politicians, especially relating to some of those being made by politicians on the bigger hill just over the bridge. Some of these decisions are causing real environmental and social harm, and they need a powerful, safe and legal voice for that anger.

Often in this country, defamation laws are used as an explicit tactic by the powerful to silence the powerless. When people are brave enough to speak truth to power, they are threatened with expensive and long legal battles. These changes to defamation laws will further protect activists by introducing a serious harm threshold that requires the person bringing the legal action to establish that a publication has caused serious harm to their reputation—that is, not trivial or inconsequential harm. It is usually trivial harm where defamation is used by the powerful to silence those with less power than them. For those reasons, I commend this bill.

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) (11.38): I am pleased to support the Civil Law (Wrongs) Amendment Bill. The legislation supports the modernisation and harmonisation of defamation laws by enacting the model defamation amendment provisions, or MDAPs, in the ACT. The model defamation provisions were implemented across the country in 2005 to provide a uniform regulatory regime for defamation actions in Australia.

As members are well aware, the way that information is published and transmitted has changed significantly since this time, particularly with the growth of digital publications and the rise of social media and other online forums for communication. In 2018 the defamation working party, made up of representatives from all jurisdictions, reconvened to review how the model provisions were operating in practice and to make recommendations on reform to those provisions. The subsequent amendment provisions being introduced by this bill implement the findings of this review after a process of extensive consultation with the community and interested stakeholders.

The bill supports the improvement of defamation laws in the territory by ensuring that the law represents prevailing community expectations around questions of reputation, public interest and freedom of speech and expression. The reforms include ensuring better safeguards and defences for the right to freedom of expression, particularly where matters of public interest are concerned, and promotes the early resolution of disputes by clarifying the procedures around offers to make amends and discouraging vexatious and trivial matters.

These reforms will be of benefit to the territory, as they ensure that matters in the public interest can be discussed freely, and provide a clear framework that promotes the use of alternative dispute resolution for defamation actions and, as a result, preserving valuable and limited court resources in the process.

The bill supports the right to freedom of expression by clarifying several defences to defamation claims. Most significant of these is the introduction of the public interest defence, which allows for the publication of material where it raises an issue of public interest and the defendant reasonably believes that the publication of that matter was in the public interest. The introduction of this defence responds to submissions received by the defamation working party during the consultation process that suggested current defences to be inadequate in protecting media publication in their fair reporting on matters of public interest.

This is important reform that encourages freedom of expression in circumstances where the publication is considered to be beneficial to the welfare of the general public, even where it may result in the publication of material that may damage an individual's reputation. The introduction of this defence is significant in that it will support ongoing and open discourse on matters of public interest.

The bill also introduces a defence for peer-reviewed publications in scientific and academic journals and clarifies the defences of qualified privilege and honest opinion. Together, these amendments further encourage and protect the expressions necessary for academic and scientific advancement and the general promotion of public discourse without fear of repercussion.

A key concern around the application of defamation law prior to these reforms was a perceived increase in what was seen to be trivial or vexatious defamation proceedings coming before the courts. To address this, the amendment provisions introduce a serious harm threshold that a plaintiff must prove as an element of a successful defamation claim. Under the present framework, the burden of proof is on the defendant to establish that the relevant defamatory material is unlikely to cause harm to the plaintiff's reputation. The introduction of a serious harm threshold is significant in that it places the onus on the plaintiff to prove that the publication has caused or is likely to cause serious harm to their reputation.

A requirement that the serious harm threshold be met will encourage early resolution of the matter without the parties resorting to time consuming and costly litigation and depleting finite court resources in the process. The intention is that only those matters which reach this threshold will proceed to trial, thereby discouraging the commencement of trivial or vexatious matters.

Accompanying the serious harm threshold are reforms to the concerns notice procedures. A concerns notice is a process under defamation law that allows a person who has made a defamatory statement an opportunity to make an offer of amends or settle the dispute before proceedings can commence. Under the amendment provisions it will be a requirement for the plaintiff to issue a concerns notice and allow time for the defendant to issue an offer of amends prior to defamation proceedings being commenced.

The model defamation amendment provisions contained in the bill are the first significant amendments to uniform defamation law since 2005. These amendments are wide ranging, from minor procedural changes, such as allowing service by email, to major changes like the introduction of an entirely new defence. I commend the bill to the Assembly for consideration and encourage my fellow members to support these important changes.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.44), in reply: I am pleased to close the debate on the Civil Law (Wrongs) Amendment Bill 2021. The model defamation provisions were first enacted in 2005, just over 15 years ago. The overarching aim of these provisions was to achieve national uniformity in the legal framework for the country. In the ACT, the model provisions are contained within chapter 9 of the Civil Law (Wrongs) Act 2002. The key objective of the model laws is to find a balance between freedom of expression and freedom to publish information in the public interest on the one hand and the right of individuals to have their reputations protected from defamatory publications on the other.

In a free and democratic society like the ACT, the right to freedom of expression is incredibly important. It is important for individuals to be able to express themselves without a good reason to limit that, and it is important for the functioning of our society that we do not shut down discussions of public interest. While that balance was well struck many years ago, evolutions in our society, both legal and technological, have meant we must revisit these to ensure that they keep pace with how we live and work in 2021 and beyond.

As I mentioned when I presented the bill in 2018, the then Council of Attorneys-General reconvened the defamation working group to review the model laws to ensure that they were fit for purpose, including in a digital age. The bill enacts the results of this review—the model defamation amendment provisions—which were agreed to by the Council of Attorneys-General on 27 July 2020 as part one of a stage of reforms to defamation laws in Australia.

The amendments contained in this bill are the culmination of cross-government collaboration and detailed policy work, underpinned by extensive national consultation informed by peak legal bodies, academics, digital platforms, media companies, consumer groups, legal representatives for plaintiffs and defendants, and individuals with experience in bringing or defending defamation claims. I extend my thanks to all the stakeholders for their collaboration on the development of the

provisions. I also recognise the efforts of my colleagues across all jurisdictions working together to produce these harmonised laws.

The bill makes a number of substantive, technical, minor, and consequential amendments to chapter 9 of the Civil Law (Wrongs) Act to introduce the amended model provisions. Overall, there are four main areas of reform made by this bill. The first is early dispute resolution and discouraging trivial and vexatious matters. Clause 11 bill introduces a serious harm threshold, as has been noted earlier. It has been modelled on section 1 of the United Kingdom's Defamation Act 2013. This threshold requires a plaintiff to show that the publication of defamatory matter has caused or is likely to cause serious harm to the reputation of the person as an element for a successful defamation action.

New sections 122A(4) to 122A(7) establish the procedures that the judicial officer may follow when determining whether the serious harm threshold has been established. The intent of these sections is to encourage parties to resolve the proceedings early by enabling the issue to be dealt with as a threshold issue. The introduction of the serious harm threshold places the onus on the plaintiff to prove the level of harm as an element of the cause of action. As a result, there is no longer a need for the defence of triviality, which requires a defendant to prove that the defamatory material was unlikely to have caused the plaintiff harm. The bill therefore removes this defence from the act by omitting section 139D.

The second area of reform made by this bill is to refine existing and introduce new defences to a defamation cause of action. The most notable of these defences relates to the reporting of matters in the public interest, which is also modelled off laws in the United Kingdom. The purpose of the defence of contextual truth is to deal with circumstances where a publication contains a number of defamatory imputations and the plaintiff has chosen to impugn one or more but not all of them. In this circumstance, a defendant may argue that the substantial truth of the contextual imputations means that the defamatory imputations to which the plaintiff is disputing do not further harm the plaintiff's reputation.

The current drafting of the defence of contextual truth impedes the defendant from pleading back any imputation that the plaintiff had pleaded as a contextual imputation to establish the defence. This is clearly contrary to the purpose of the defence and was one of the longstanding issues affecting the model defamation provisions that was widely acknowledged as requiring resolution. Clause 23 of the bill amends the defence of contextual truth to make clear that a defendant may plead back the imputations relied on by the plaintiff to establish whether they are substantially true.

The bill also clarifies the material that may be relied upon for the defence of honest opinion. Clause 27 allows for the publication of material that may damage a person's reputation where the publication contains an opinion that is based on proper material. This clause clarifies that proper material is material that either sets out in specific or general terms in the published matter, is notorious, is accessible from a reference, link or other access point included in the matter or is otherwise apparent from the context in which the matter is published and the material is substantially true or was published

on an occasion of absolute or qualified privilege, or attracted the protection of certain defences outlined in chapter 9 of the Civil Law (Wrongs) Act.

The bill also introduces a defence to the publication of defamatory matter if it was published in a scientific or academic journal, it relates to a scientific or academic issue and it was peer reviewed by someone with expertise in the scientific or academic issue concerned. The defence is modelled on section 6 of the UK Defamation Act and recognises that it is in the public interest for academics and scientists to be able to express a scientific or academic issue freely, particularly in circumstances where their statements have been subject to peer review. New section 139AB(5) provides that a defence under new section 139AB is defeated if the plaintiff proves that the defamatory matter was not published honestly for the information of the public or for the advancement of education.

Turning to one of the most significant reforms of this bill, one of the core objectives of the amendment provisions is to ensure that defamation laws do not place unreasonable limits on the right to freedom of expression, particularly in relation to the publication of matters of public interest and importance. The question of the public interest is what makes this reform one of the most significant.

Clause 24 of the bill introduces a new public interest defence to allow for the publication of material that may damage a person's reputation where the matter concerns an issue of public interest and the defendant reasonably believed that the publication of the matter was in the public interest. This provision is modelled on section 4 of the United Kingdom's Defamation Act.

While a definition of "public interest" is not provided for in the amendment provisions, the ordinary meaning of the words will apply to limit the scope of the defence. In determining whether the defence is established, new sections 139AA(3) and 139AA(4) provide that the court must consider all the circumstances of the case. These amendments also include a list of factors that the court may take into account in assessing the defence, such as the seriousness of the defamatory imputation and whether the published matter distinguishes between suspicions, allegations and proven facts. The purpose of identifying these factors is to provide some non-exhaustive guidance to the court rather than a mandatory checklist of factors.

Ensuring that the right to freedom of expression is reasonably protected in such circumstances is essential to the operation of a free and democratic society. The introduction of the new public interest defence will promote this objective by allowing the publication and discussion of matters of public importance without fear of defamatory action as a result.

The third area of reform is to modernise defamation laws in the context of digital communication by introducing a single publication rule. Currently, each publication of defamatory matter is a separate cause of action and publication is deemed to occur when it is received in a communicable form by at least one third party, that being a person other than the person said to be defamed.

For internet publications, publication is deemed to occur when the third party downloads the webpage rather than when it is posted by the publisher. This means there is a separate cause of action for each download and the limitation period applicable to each download will vary even though the same matter is involved. This enables plaintiffs to circumvent the purpose behind the limitation period by relying on later downloads of the same matter.

The bill inserts new section 21BA to introduce a single publication rule which provides that the applicable one-year limitation period runs from the date that the material is uploaded to the internet, except in circumstances where the subsequent publication is materially different from the first publication. This new section is modelled on section 8 of the United Kingdom Defamation Act.

Lastly, the bill clarifies and refines various aspects of defamation laws in the territory to make sense of the reforms in the context of their purpose. For example, the bill includes a clear definition of “employee” to preserve the policy intent that large corporations should not have an action in defamation. The bill inserts a new definition of “employee” in section 121 to include an individual, including an independent contractor, who is engaged in the day-to-day operations of the corporation, other than as a volunteer, and is subject to the control and direction of the corporation.

The bill also clarifies the maximum cap on damages for non-economic loss. This amendment is designed to address two principal issues that have arisen in relation to a court’s assessment of non-economic loss—that is, whether the cap operates as a scale or as a cut-off, and, secondly, whether the cap applies when a court is satisfied that aggravated damages should be awarded.

Clause 30 makes clear that the maximum amount of damages for non-economic loss sets the upper limit of the scale, with the maximum amount to be awarded only in a most serious case. The provision does not limit the court’s power to award aggravated damages if the award is warranted in the circumstances. Substituted section 139F(2B) provides that an award of aggravated damages is to be made separately to any award of damages for non-economic loss.

As I said on the bill’s introduction, this does not mark the end of reforms to defamation laws; a second stage, focusing on the liabilities and responsibilities of digital platforms for defamatory content published online, is in progress. Stage 2 will consider, among other issues, take-down procedures for defamatory content published online and the extension of privilege to statements made to employers about allegations of unlawful conduct. I look forward to working with my state and territory counterparts in further progressing reforms to improve the effective operation of defamation laws in this country.

In conclusion, the amendments in this bill go a long way to reforming and modernising defamation laws in the territory and to ensuring that our laws continue to be in harmony with those around the country. I am confident the bill provides the appropriate balance required in defamation laws between freedom of expression and the right to protect one’s reputation. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 11.57 am to 2.00 pm.

Questions without notice

Education—staff welfare

MS LEE: My question is to the minister for education. The *Canberra Times* on 20 June quoted from a budget submission to the ACT government from the ACT branch of the Australian Education Union, AEU. In the submission, it is claimed that the high level of workplace injuries of teachers and other staff in government schools caused by chronic staff shortages and infrastructure problems has led to poor student behaviour, including occupational violence. The AEU is asking you to provide data on the severity of the government teacher shortage in the ACT. Minister, is the AEU correct when it says that ACT government schools have chronic staff shortages?

MS BERRY: No, I am not advised that that is the case. However, I will acknowledge that there is a teaching shortage across the country and Canberra has not been immune to that. There is a need to recruit more teachers here in the ACT but also across the whole country. The ACT government, through the Education Directorate and working with the Australian Education Union, is working on a strategy about how we ensure that teachers want to work in government schools here in the ACT. Part of that work is acknowledging that there are great industrial arrangements here in the ACT, and teachers in the ACT remain the highest paid in the country. In addition to that, changes to teacher employment in the ACT are lower. It is not a five-year turnover in teaching in the ACT as it is in the country; we have a much better attrition rate here in the ACT.

But we do need to do some more work. That is why we are working closely with the Australian Education Union to ensure that our teaching profession chooses ACT government schools.

MS LEE: Minister, is the AEU correct when it says that staff shortages lead to poor student behaviour, including occupational violence?

MS BERRY: I think you would have to consider the context of the comments that the Australian Education Union is making. Of course, staff shortages would make a difference to student behaviour in schools. That is why the ACT government works closely with the Australian Education Union to ensure that we have a strategy in place that recruits teachers here in the ACT, respects and values the work that they do, and supports them when they work in ACT government schools, and we maintain that they remain the highest paid in the country, and Canberra public schools are a great place to work.

MR HANSON: Minister, on notice—or now if you have it available—will you provide to the AEU and the Assembly the data that shows the extent of staff shortages across ACT government schools?

MS BERRY: That is not the question that the AEU has asked for advice on, but I am working with the Education Directorate to ensure that we can get that detail for the Education Union.

Education—Margaret Hendry School

MRS JONES: My question is to the minister for education. Minister, the *Canberra Times* reported on Saturday, 29 May that there were serious concerns about education results expressed by some parents of students at Margaret Hendry School. In response to these concerns the Education Directorate wrote that the school would be “deepening its approach to literacy and reading”. The directorate also said that it has already “engaged an instructional mentor”. Minister, what precisely does “deepening its approach to literacy and reading” mean?

MS BERRY: Part of that approach is the Education Directorate and the network student engagement team working closely with the school to understand properly where the improvements need to be made and then working with the teaching professionals at that school. The teaching professionals do a four-year degree to understand and make judgements about how they do their work. My job is about supporting teachers within those school communities to be able to deliver really great pedagogy, after a four-year degree, not to dictate to them how they do that. They get professional support from the network student engagement team and from other experts in delivering literacy and numeracy, to ensure that those schoolteachers get the best possible support to deliver on the ground, and that they use the most up-to-date methods to do that.

MRS JONES: Minister, when was the instructional mentor engaged at Margaret Hendry School, and for how many hours per week is that role on site at the school?

MS BERRY: I would have to take that on notice. As I said, I am not there to dictate how the work occurs. I am there to support teachers to ensure that they can deliver on the ground.

MR HANSON: Minister, what is the role of an instructional mentor? Do other schools across the ACT have them, and to what extent?

MS BERRY: The ACT government has used literacy experts in ACT government schools in delivering the early literacy program across a number of our schools, using literacy expert Christine Topfer. She has been assisting schoolteachers to be able to deliver literacy in a different way, using up-to-date methods to ensure that all of the different pedagogy and styles of up-to-date teaching methods are delivered across our schools. I can absolutely assure Mr Hanson that other schools do have teaching mentors, because, like any other profession, the teaching profession use those mentors and that expertise to ensure that they are kept up to date with all of the most modern teaching methods.

Education—Margaret Hendry School

MR HANSON: My question is to the minister for education. A recent article in the *Canberra Times* on 29 May reported that a meeting of 40 parents of students at Margaret Hendry School had discussed the level of bullying at the school. Some parents were reported to be removing their children from the school in response. The article also reported regular suspensions of children from the school. Minister, what are the issues with bullying at the Margaret Hendry School?

MS BERRY: I thank Mr Hanson for the question, although I must say I am disappointed at the Canberra Liberals' continuous targeting of one public school in the ACT. Every single public school is affected by this conversation of dragging out some of the issues that are being experienced—

Mr Hanson: On a point of order, Madam Speaker, I asked a pretty straightforward question about what is the bullying at Margaret Hendry School. The minister is now debating the issue and, in accordance with standing order 118(b), I would ask you to ask her to answer the question directly.

MADAM SPEAKER: I think your point of order came quite early in the answer, but I will ask the minister to go to the question.

Mr Hanson: Well, she is debating it; so it does not matter how soon I ask.

MADAM SPEAKER: Thank you. Ms Berry.

MS BERRY: This school is a diverse and vibrant school community, with over 48 language groups. There are also a variety and a diverse range of students who attend that school. I am not about to go into the detail of the incidents in a school. I have been on the record to suggest that I would not be going into that kind of detail in this place. I think it is deeply unfair to do that and to target one individual school, because when you target one individual public school in the ACT, you target every single one.

I have absolute confidence in the teachers in ACT public schools that they will deliver—as professionals, with their four-year degrees and, in some cases, masters degrees—and that they will act on a continuous range of improvement measures, which Margaret Hendry is absolutely committed to doing and is doing, just like every other public school in the ACT.

MR HANSON: A supplementary, Madam Speaker.

MADAM SPEAKER: Mr Hanson.

MR HANSON: Minister, are you saying that the parents of children at Margaret Hendry School are wrong when they express concerns about the level of student suspensions at the school?

MS BERRY: I am very happy that school parents in any school can raise those issues with their school and that they can be addressed by their school communities, not debated by politicians in this place.

MR MILLIGAN: Minister, does Margaret Hendry School have a higher than average level of student suspensions?

MS BERRY: No, I do not believe so.

Education—teachers

MR DAVIS: My question is to the Minister for Education and relates to teacher attrition. Minister, as you have pointed out in this place previously, the ACT does have a lower than average rate of teacher retention. What are we doing to ensure that we retain great teachers, and are we conducting exit interviews with each and every teacher before they leave the system?

MS BERRY: It is always very important to understand how many teachers are leaving our schools and why they are making those decisions. Public schools conduct exit interviews and surveys to make sure that we collect that information on the experiences of all staff within our public schools, because that feeds into the continuous efforts to make sure our workplaces are good workplaces. We are committed to making sure that they continue to be good workplaces.

MR DAVIS: Minister, specifically, do we interview every single teacher when they resign from the directorate to identify why they have left teaching?

MS BERRY: We cannot compel teachers who are leaving the profession to participate in a survey. But my understanding is that those exit interviews do occur and that that information is valuable to ensuring the Education Directorate works closely with its workforce and with the Australian Education Union to make sure these workplaces meet the needs of teaching professionals.

MS CLAY: Can you outline the steps the government and directorate take to re-engage teachers once they have left the profession?

MS BERRY: I will have to take that on notice. That is not a job that I do specifically. I have to check what the Education Directorate does. I will take that on notice and bring that advice back to the Assembly, if it is available.

Schools—employment

DR PATERSON: My question is to the minister for education. Minister, how are public schools providing jobs for Canberrans?

MS BERRY: I thank Dr Paterson for her question. ACT public schools are growing and we are hiring more and more Canberrans to staff our public schools. In this term of government we are committed to hiring more than 400 teachers to support staff in

our ACT public schools. This commitment provides universities with the confidence to enrol more students and provides prospective teachers with the confidence to commit to a career of teaching in the ACT.

The ACT government has also committed to hiring 25 teacher librarians and 25 youth and social workers by the end of the term of government. We know that teacher librarians support literacy in schools by working directly with students, providing specialist advice to teachers, and fostering a love for learning and school communities. To achieve this increase in qualified teacher librarians, we are providing 10 scholarships each year to teachers to complete the required master's degree. The additional youth and social workers will add to the existing team of wellbeing experts and allied health professionals working across public schools.

The government's significant investment in school infrastructure will also support approximately 1,200 jobs across the territory, with a strong pipeline of work in the coming years.

DR PATERSON: Minister, why are public schools such a great place to work?

MS BERRY: As we have just been talking about, there is a nation-wide teacher shortage, which is why it is so important to ensure that ACT public schools are great places to work. The ACT government is committed to attracting and nurturing a workforce of teachers who do the important work of educating the next generation. I am proud of ACT public school teachers and of the fact that they are the highest paid in the country, with strong conditions backed by the effectiveness of their union, the ACT branch of the Australian Education Union.

The ACT government is committed to ensuring that government jobs are safe and secure. Since 2019, the government has converted more than 500 public school teachers from temporary to permanent employment, giving those people more certainty in their future. Like the rest of the country, ACT education does face workforce challenges. I am committed to continuing to work with teachers through their union to keep improving the working lives of our teachers and all our school staff.

MR DAVIS: Minister, what does the directorate do when a teacher resigns from teaching because they have self-identified that for them teaching has not been a fulfilling profession?

MS BERRY: I will have to take that question on notice, but as I said in previous answers to questions, the Education Directorate does conduct exit surveys with the teachers who leave our system. Of course, they cannot be compelled—it is not compulsory—but we do our best to understand and ensure that our workplaces are great workplaces, and we work with the Australian Education Union to ensure that they continue to be great workplaces.

Housing ACT—maintenance

MR PARTON: My question is to the Minister for Housing and Suburban Development. Minister, in answer to a question on notice, you stated that, for houses

which have problems with mice, rats and/or maggots, for this financial year, 539 pest and vermin control activities have been undertaken. Tenants are only eligible for these activities within the first three months of a new tenancy or if an infestation becomes horrific. Based on those numbers, up to one in 20 public housing properties have pest and vermin infestations. There are many regular reports of rats, mice and/or maggots which have not been dealt with and are getting into neighbouring properties. Minister, why do infestations continue, given their risk to the health and safety of public housing tenants?

MS BERRY: I recall that answer that I provided to you, Mr Parton. What you are referring to is the number of jobs that were required, not the actual number of particular pests or vermin in public housing properties in the ACT. Public housing properties in the ACT, like every other house in the ACT, are experiencing a greater number, it appears, of rats and mice visiting. Nobody wants them; they are unwanted visitors, and they need to be addressed by all of us.

In public housing, Housing ACT takes those concerns very seriously. Where supports are needed to alleviate those issues within public housing properties then they are met. But you are reading the answer to the question incorrectly. It is the job numbers, not the identification of the particular pests, vermin or other issues that were addressed in those properties.

MR PARTON: Minister, given that some of these problems have been ongoing for years, what steps occur after a pest control visit occurs, and what precisely is the follow-up?

MS BERRY: I will have to take the detail of that question on notice and provide a general response on what happens—unless Mr Parton has a specific matter that he wants to refer to my office; I can follow that up as well. It would be in the householder's interest, if there were issues still occurring in the space after a period of time, to then get back in contact with Housing ACT to ensure that the matter is resolved. In the first instance, I will try and get some general information about what occurs, but if Mr Parton has a particular issue that he wants me to follow up, he can get in touch with my office.

MS LEE: Minister, what steps will you take to fix these ongoing problems, given that tenants have reported these problems for years?

MS BERRY: As I said I will provide some general advice to the Assembly about what occurs in those circumstances, generally, as far as the management of those kinds of issues in public housing properties. If Ms Lee has a particular circumstance that she wants to raise with my office, then I can definitely get that addressed for her.

Housing—homelessness

MR MILLIGAN: My question is to the Minister for Housing and Suburban Development. There are around 400 public housing properties sitting empty. Since the February 2021 update of 191 rough sleepers, what is the current number of Canberrans who are homeless and sleeping rough?

MS VASSAROTTI: I thank Mr Milligan for the question. The issue of rough sleepers is one we are really conscious of, particularly at this time of the year, as the weather gets colder. Everyone in this place is distressed at the fact that we see rough sleepers in Canberra, and on a daily basis we have the Street to Home program from Vinnies that supports people sleeping rough.

In terms of the numbers of people, I have numbers as of 31 May 2021. We know that Street to Home was supporting 99 people. Twelve of those clients were accommodated and they were receiving case management, so they were not sleeping rough at that point in time. Twenty-three clients were receiving case management, so they may or may not have had accommodation, and 64 clients were receiving outreach support—so, we know they are sleeping rough but we do not have an understanding about whether they have accommodation. We know that 51 of those were from Canberra, 6 were from New South Wales, one was from Victoria, two from Queensland, two were from South Australia, one was from New Zealand and was one unknown.

In addition, I have some information about clients that Onelink have been working with. As of 7 June 2021, Onelink are currently supporting 10 individuals who we know are sleeping rough either in a tent, garage or outdoors, including a man and one couple that were (*Time expired.*)

MR MILLIGAN: Minister, is the 99 number that you have just stated comparable to the 191 from the February update?

MS VASSAROTTI: I thank Mr Milligan for the question. We are doing quite a bit of work in terms of understanding the data on exact numbers of people and whether we are double counting some numbers. We know a number of people are getting services from a range of different organisations, which is fantastic. I will take the specific question on notice in terms of the comparison of what was counted in the February update and the numbers I gave today.

MR PARTON: Minister, is the government supportive of the Sleepbus scheme which has just commenced in the ACT?

MS VASSAROTTI: I thank Mr Parton for the question. We are seeing across the community a range of responses to homelessness in this city. Certainly the ACT government provides a range of support to specialist homelessness organisations—more than \$25 million for specific and systemic responses. We also see a range of other services provided by a range of organisations that are self-funded and not reliant on funding from the ACT government—

Mr Hanson: Madam Speaker, on a point of order as to relevance, the question was specifically about whether the government supports Sleepbus, not a range of other services. I ask that the minister be directly relevant.

MADAM SPEAKER: I think she is being relevant. She is referring to services that the government does support, and she has a minute left to answer.

MS VASSAROTTI: I was just getting to the fact that a range of services are provided by organisations when they see that there is a need in the community. The Sleepbus initiative is one that the ACT government has not been approached to support. We encourage a range of organisations to respond, but we do not have a specific position on the Sleepbus. We do encourage organisations to respond and to connect with the rest of the homelessness sector.

Building—licensing scheme

MR PETTERSSON: My question is to the Minister for Sustainable Building and Construction. Minister, thank you for your previous answer on the status of the development of a property developer licensing scheme, including scoping work and discussions with industry stakeholders. Can you please provide a further update on where that work is up to, with specific reference to time frames you are working to, so that developers, construction workers and buyers can have greater confidence in the sector?

MS VASSAROTTI: I thank Mr Pettersson for the question. Yes, I can give an update in terms of the specifics of some of the work we have been doing and what the time frames are in terms of moving forward. As I noted when we spoke about this in the Assembly previously, I know that EPSDD had undertaken some initial policy and regulatory analysis and worked out some of the key issues that will need to be further considered and resolved.

As part of this, we know that we need to do work with industry stakeholders to address some of these key issues, such as what definitions we are working to, some of the complex legal and corporate structures that we need to look at, as well as any new laws that we need to be more effective. Due to this, we are currently working on engaging a consultant to assist, particularly with working through some of these issues, as well as some of the stakeholder engagement.

In terms of the time frames and anticipated staging for the development of the scheme, in the third and fourth quarter this year, we will be engaging a consultant. We will be doing some of the further policy and regulatory analysis, as well as some specifically targeted consultation. In the first and second quarter of 2022, we will work on a legislative model, and we will be presenting that to government for consideration, with further consultation with stakeholders around some of the key implementation matters, as well as drafting the legislation. We would expect that in the third to fourth quarter of 2022 we will introduce legislation and pass it and for the new provisions to commence.

MR PETTERSSON: Minister, could you please expand on what the key issues are that you are trying to address with the property developer licensing scheme?

MS VASSAROTTI: I thank Mr Pettersson for the question. The key thing that we are really trying to look at in terms of property developer licensing is around ensuring that there is appropriate accountability and there is visibility in terms of who consumers are dealing with when they are entering into some of the biggest investments in their

lives. We have seen some key issues around building quality, and a significant amount of work has occurred in terms of improving the regulatory system. But we do know that there is more work to be done, so we would see property developer licensing as a key element of this.

We need to understand what it means when we talk about a property developer, which is why the issue of definition is really important. We need to understand how we can do appropriate accountability, particularly when we see some of the complex corporate structures that sit behind some of these arrangements. We also need a mechanism to deal with things when things go wrong. Some of the work that has already occurred, particularly around security of payment systems, has been a really good step forward; we get very strong feedback that these are working well. But there is still some work in terms of ensuring that that accountability is there, and that consumers know who they are dealing with when they are entering into these contracts.

MS ORR: Minister, when you say accountability measures what are you focusing on, and how will the scheme provide accountability regarding developers?

MS VASSAROTTI: One of the issues with coming into a project that is quite complex is that we need to do that initial analysis and policy development. Some of the questions that Ms Orr has raised are exactly the sorts of questions that we are looking at right now. What does it mean in terms of accountability? It is in terms of visibility, in terms of people understanding who is involved in these projects. It is around understanding what the terms of that are. It is also around what happens when things go wrong—what some of the issues are, and that there are consequences when things go wrong, in terms of property developers. So concepts such as: are there fit and proper person tests and if something has gone wrong and people have not done what they should have done, what consequences should be considered in terms of people taking that kind of activity and moving forward? These are all questions that we are engaging with stakeholders on. They are the key questions that we think are important relate to accountability issues.

Planning—entertainment precincts

MS CLAY: My question is to the Minister for Planning and Land Management. Minister, it has been 11 years since the planning committee made recommendations about entertainment precincts and other ways to support the live music scene. There have been many reports since, including the Entertainment Action Plan 2019. In August 2020, you told the Assembly that formal engagement and consultation on entertainment areas had been postponed due to the pandemic. While I appreciate that the pandemic is still going on, much of Canberra is opening back up. Can you please update the Assembly on where consultation is up to on the 2019 Entertainment Action Plan?

MR GENTLEMAN: I thank Ms Clay for the question. It is important as we go forward with the action plan to seek to ensure that we get consultation across the ACT community. We are doing that with the consultation on the planning review. The action plan which I released in October 2019 sets out a vision for a dynamic Canberra that offers a diversity of entertainment and night-time activities. As I have mentioned,

it focuses on long-term planning rather than providing quick fixes, but we have commenced implementing the first phase of actions. I am pleased to say that the implementation of all 10 actions in the first phase is underway.

MS CLAY: Will that implementation of the Entertainment Action Plan or environmental authorisations ensure that festivals like the National Multicultural Festival will not risk closure if those in newly built hotels and apartments lodge noise complaints?

MR GENTLEMAN: That will be a matter for the EPA at the particular time of looking at the permit, but I can say that we have the first phase underway. We have seven actions now completed, including a case study of a trial entertainment area in the city centre, we have investigated options for soundproofing venues to protect existing activity and consideration of noise levels and noise attenuation requirements in entertainment areas, and a review of noise information available on the Access Canberra website.

MR DAVIS: Minister, as part of phase 1, the plan was to trial a temporary special entertainment area in the city centre. When will that trial go ahead?

MR GENTLEMAN: I thank Mr Davis for the question. As we heard earlier, the trial has been delayed somewhat due to COVID restrictions. As soon as the health officer gives us advice, we will be able to look at that.

Housing ACT—complaints

MRS KIKKERT: My question is to the Minister for Housing and Suburban Development. Minister, the Canberra Liberals constantly receive complaints about inaction by Housing ACT, Programmed facilities management and your office. We try and speak to all constituents who complain. Minister, how many times this term have you personally visited public housing residents, other than those brought to your attention by the shadow minister for housing and homelessness?

MS BERRY: I would have to check on the number of times that I have visited public housing properties but, as minister, I am regularly visiting to-be-built, post-built or existing public housing properties. I will take on that detail and provide advice to the Assembly.

MRS KIKKERT: Minister, what feedback do you receive from these constituents when you do visit them?

MS BERRY: Very positive feedback. The ACT government is currently going through a significant growth and renewal program in the ACT, which is about making sure that older homes in the ACT are changed and renewed and upgraded to ensure that they are more sustainable and affordable for public housing tenants to move into. They are very happy in their new environment. That is what the whole program is about. By the end of the program, we will have renewed 20 per cent of our public housing property in the ACT so that it better meets the needs of our tenants.

MR PARTON: Minister, what has been done with the feedback that you have received from constituents regarding maintenance? What has been done with that feedback and what changes have been made as a consequence of that feedback?

MS BERRY: I am not sure what feedback you are referring to, Mr Parton. Every time I get correspondence from anybody—whether it is a public housing tenant or members of the opposition or members of my own political party—that is provided to my office, I immediately follow up with Housing ACT and Programmed to ensure that tenants are being appropriately supported with their maintenance or with their housing needs.

Housing ACT—maintenance

MS LAWDER: My question is to the Minister for Housing and Suburban Development. The 2016 Auditor-General's report entitled *Maintenance of Public Housing* revealed Housing ACT did not have sufficient oversight of the previous maintenance contractor Spotless's quality control activities. Since then Programmed facilities management have taken over the contract for maintenance on Housing ACT properties. Given the high number of maintenance complaints it is apparent that the same issues continue to playing public housing residents. Minister, five years on from that Auditor-General's report why is there no significant improvement?

MS BERRY: I think Ms Lawder is referring to the Spotless total facilities management prior to Programmed, who is now doing that contract. There actually have been significant changes in how the contract and how that program is being delivered across Housing ACT properties. It should be acknowledged that Housing ACT manages a portfolio of around 11,700 properties, with a value of over \$5.4 billion as at 30 June 2020. Housing ACT spent \$52 million on repairs and upgrades to its portfolio through the Total Facilities Management provider. This is in excess of 77,000 work orders, including 783 upgrades to properties. Those upgrades include 99 kitchens, 141 bathrooms and laundries, 295 floor coverings and 248 internal and external painting jobs—

Mrs Jones: A point of order, Madam Speaker, on relevance. The question asked was why there has not been an improvement. I understand the minister is giving important information, but by comparison to the previous contractor is the question.

MADAM SPEAKER: Minister, you might be able to get to that point, but I think your response is in order, to date.

MS BERRY: Thank you, Madam Speaker. Of course there are improvements in the project management. That was why we changed the contract from Spotless to Programmed—to ensure we could apply those changes to the system, to ensure that we have a strong and effective governance system within that performance management project. Notwithstanding all of the achievements that we have made, the audit that was done has identified some aspects of management that can be improved. Like any large contract the ACT government holds, we are always committed to making sure we improve, particularly for those people in our community that need that support most.

MS LAWDER: Minister, what improvements have Programmed facilities management made to the day-to-day lives of government housing tenants in the ACT, given we are seeing the number of complaints being received increasing?

MS BERRY: I might take a bit of that question on notice because I can show the differences between the previous contract and the new contract under Programmed and the improvements that were made to the contract to ensure that works did improve, following the Auditor-General's report but also to the change in that contract arrangement.

MRS KIKKERT: Minister, how often do you receive a report on the quality control activities which were such an issue in the previous contract?

MS BERRY: As I said previously, I respond to every single individual who gets in touch with my office about their particular issues and then can follow up with Housing ACT and Programmed about those works for those individual properties and people who live in them. As far as an overall quality control analysis report, I receive those from time to time, but I can take that on notice and provide that information to the chamber.

Housing—homelessness

MR CAIN: My question is to the Minister for Homelessness and Housing Services. Minister, almost 3,000 Canberrans are currently waiting between 300 and 1,300 days for social housing, yet the Greens have promised a “home for all”. One of my constituents was sleeping in a tent on public land. When the minister was alerted, it took over seven weeks to receive a response. Minister, why are hundreds of homeless Canberrans left waiting for years for accommodation?

MS VASSAROTTI: I thank Mr Cain for the question. In relation to the issue of the waiting list, the ACT government recognises that there has been increased demand for public housing, which is continuing to grow. We have seen the number of priority applicants increasing. This is something that both governing parties have been really focused on. As part of our parliamentary and governing agreement, the commitment to increase the numbers of public housing and improve the situation for people who are homeless is a really significant commitment. It is something that we are continuing to work through, in relation to activities such as the budget announcements in February, when there was a significant injection into homelessness services of \$2.9 million to respond to the issue. So this issue around homelessness is one we work on specifically with our specialist homelessness services, particularly OneLink. Again, OneLink was one of the organisations that received additional funding through the February budget.

In relation to responses that you might be getting from our office, when we get an issue from another member's office, particularly around someone who is in significant need, the focus absolutely is on responding to the individual situation, finding out information and ensuring that, as far as possible, we can provide an immediate response. Sometimes with the correspondence there is a delay in getting back to

whoever has made a query on behalf of a constituent, but I can absolutely guarantee to the member that there is an immediate response, as soon as we have the information, to ensure that we are providing any support that we can, certainly through programs such as the Street to Home program. *(Time expired.)*

MR CAIN: Minister, is that increase in demand that you just mentioned more than proportionate to the population growth in the ACT?

MS VASSAROTTI: I thank Mr Cain for the question. We do think there are a number of drivers in relation to the demand for public housing. Certainly, the COVID-19 pandemic—

Mr Parton interjecting—

MADAM SPEAKER: Ignore the interjection, Ms Vassarotti.

MS VASSAROTTI: That is one of the drivers that has seen an increase in demand. We have all seen significant issues around the housing market in the ACT. Like many other places in Australia, we are seeing an increase in house values that is putting significant pressure on the situation. There are a number of drivers—

Mrs Jones: A point of order.

MADAM SPEAKER: Resume your seat.

MS VASSAROTTI: I have pretty well finished answering the question.

MADAM SPEAKER: Your point of order?

Mrs Jones: It goes to relevance. The point was about whether the increase—

MADAM SPEAKER: What is the point of order, Mrs Jones?

Mrs Jones: The point of order is on relevance. The question was: is the increase in numbers commensurate with the increase in population? It has not been touched on at all yet by the minister.

MADAM SPEAKER: She is certainly within the scope of the response to homelessness services. Ms Vassarotti, you have some time left.

MS VASSAROTTI: What I was trying to explain was that there are other drivers separate to population growth that are driving some of the demand.

Opposition members interjecting—

MADAM SPEAKER: Members, let the minister answer the question.

MS VASSAROTTI: I feel that I have answered the question.

Mrs Jones interjecting—

MADAM SPEAKER: Not helpful, Mrs Jones.

MR PARTON: Minister, given the size of the waiting list, when can Canberrans expect a home for all? Is there a date for delivery of that?

MS VASSAROTTI: I thank Mr Parton for the question. When the ACT Greens went to the election, we absolutely have the aspiration of a decent home for all. We will work with our government partners. This is something on which—I am not going to put a specific date on in relation to this in this Assembly. But we are working to increase the numbers of public housing. We are looking to increase the numbers of affordable housing. There is a vast range of policy initiatives that this government is working on to ensure that everyone does have a decent home. We are getting on with the job. There is still much work to be done, and I will be working every day of this term to ensure that we do all we can to provide a decent home for all.

Housing ACT—maintenance

MS CASTLEY: My question is to the Minister for Housing and Suburban Development. We continue to receive a steady stream of pleas for help from ACT Housing tenants whose maintenance requests are being ignored. The Programmed facilities management contract says that maintenance jobs must be done between one and 20 days from when the request is received by the contractor, depending on the severity of risk to tenants. Unfortunately, this is not what always happens. People are being told by Programmed facilities management that the 20-day time frame begins when the request is approved, not when it is received. Minister, why are these tenants being lied to?

MS BERRY: I do not agree with some of the premise of that question, because of course it has to be from the time the issue is assessed to ensure a time frame for when the matter can be resolved. It has to be. Building contractors have to go out and assess the actual job to find out what is required and then make an assessment on how long it will take and when the job will be done. The suggestion that Programmed contractors, Canberrans who work for Programmed to deliver that work to Housing ACT tenants, are being dishonest is not an entirely correct comment from the opposition. We have to understand the context within each individual job.

MS CASTLEY: Minister, since the Canberra Liberals raised the issue of Housing ACT's maintenance problems in a motion on 21 April, has anything changed?

MS BERRY: Of course, we want to make sure that public housing properties are maintained and that public housing tenants are supported as much as we possibly can. They are people who do not have the same kinds of chances as everybody else. They do not have the same kinds of opportunities to just run down to Bunnings and fix any issues that they have in their homes.

We are always striving for improvement in the delivery of upgrading public housing properties. So of course any time that my office, that Programmed or that Housing ACT has matters raised, each individual complaint or issue that is raised is investigated and appropriate action is taken to make sure that those issues are resolved.

DR PATERSON: Minister, could you outline some of the goals of the growth and renewal public housing program?

Mrs Jones: Point of order, Madam Speaker. The question was not about the matters that have been raised in the supplementary. They were not even mentioned in the substantial question or the answers to the question.

MADAM SPEAKER: Can you repeat your question, Dr Paterson.

DR PATERSON: Given all the questions on maintenance—

Mr Hanson: That is not what was said, Madam Speaker.

MADAM SPEAKER: Dr Paterson.

DR PATERSON: I would like to hear about the goals of the growth and renewal public housing program.

Mr Rattenbury: On the point of order, Madam Speaker, a question has been asked about maintenance. It is quite plausible that the minister's answer is going to be that that is why there is a significant renewal program. I think the question is entirely relevant.

MADAM SPEAKER: I understand—

Opposition members interjecting—

MADAM SPEAKER: Ms Lee! The response was useful to an extent, Mr Rattenbury. I will allow the question and I will listen intently to the minister's answer.

MS BERRY: The focus of the housing renewal and growth campaign is about upgrading and improving Canberra's ageing public housing stock and, in doing so, supporting the broader renewal of Canberra's city and urban areas.

Municipal services—swimming pools

MR BRADDOCK: My question is to Minister Berry regarding women-only swim times in public pools, and it was written by Nikos of Kaleen High School, who has worked in my office this week. My electorate has a diverse community, which includes women who, due to their ethnic background and/or religious belief, are seeking women-only swim times at pools. A trial was conducted in October last year at the Canberra Olympic Pool, which saw a large uptake. Royal Life Saving ACT has also expressed support for these separate times to allow women from culturally

diverse groups to learn and improve their swimming skills. Considering the success of the trial, will the government consider rollout of women-only swim times across Canberra?

MS BERRY: The pilot program that was conducted at Canberra Olympic Pool. Because of the closure, unfortunately, of the Gungahlin pool temporarily while it has repairs on its tiles those users at Gungahlin have been moving to Civic pool, so we have not been able to continue the trial or the program at Civic pool. But it is certainly something we are considering continuing once Gungahlin pool is back online.

We can certainly talk to the management of other pools to see whether there is an opportunity at other pools to roll out a program similar to that, but definitely when the Gungahlin pool is back online the trial is definitely something the ACT government wants to continue at the Civic pool.

MR BRADDOCK: Minister, can you update the Assembly on feedback you have received as a result of the trial from the community?

MS BERRY: It was positive feedback and that the same-gender swimming sessions should continue at the Canberra Olympic Pool. But that occurred during non-peak times. As I said, unfortunately COVID and the Gungahlin pool closing temporarily has meant that we have not been able to continue that program at Civic, but definitely positive feedback, and we want to continue that program once Gungahlin pool comes back online.

MS CLAY: Minister, when will you be rolling out this program to all the other electorates, including Belconnen.

MS BERRY: I have not made that commitment. What I have made a commitment to is investigating whether that would be—

Mr Hanson: Madam Speaker, if the minister has not made that statement, I assume the question is seeking an announcement of policy and would be out of order.

MS BERRY: Thank you, Mr Hanson!

Mr Hanson: My pleasure!

MADAM SPEAKER: Is this where I make the comment that the central table is much better behaved than yesterday?

A question, Ms Orr?

Emergency services—government support

MS ORR: My question is to the Minister for Police and Emergency Services. Minister, how is the government supporting police and emergency services?

MR GENTLEMAN: I thank Ms Orr for her support of our frontline service personnel. The ACT government is supporting our police and emergency services by

providing significant resources to our frontline responders. We are enabling our frontline responders to keep our community safe through major investments in ACT Policing, ACT Fire & Rescue, ACT Ambulance Service, ACT Rural Fire Service and the ACT State Emergency Service. We are funding more firefighters, police officers and paramedics; providing better equipment and facilities; and continuing to invest in the training, health, wellbeing and safety of our volunteers and staff.

As a result of the government's ongoing support, the ACT has arguably the best-resourced, best-equipped and best-trained emergency services in the country. Thank you to all of our emergency responders for keeping our community safe.

Mr Hanson interjecting—

MR GENTLEMAN: The ACT government, unlike Mr Hanson, will continue to support you, now and into the future.

MS ORR: Minister, has the government recently hired more police and emergency services personnel?

MR GENTLEMAN: The government is hiring more emergency responders to ensure that Canberra remains a safe and well-protected city into the future. We are committed to maintaining a skilled and resilient workforce that is well supported and able to meet the challenging and changing demands of our growing city. In recent years we have made significant investments in staffing, including the recruitment of an additional 99 firefighters over the next five years, as part of the ACT Fire & Rescue enterprise agreement, and over 60 new ACT Policing members over four years, as part of our \$33.9 million commitment to the police service model.

I have had the pleasure of meeting many of our new recruits already, and I look forward to welcoming future frontline responders in the coming years. I wish them all the best in their future careers serving the Canberra community.

DR PATERSON: Minister, how is the government recognising these staff?

MR GENTLEMAN: The government values the contribution of our emergency services personnel and appreciates their distinguished and exemplary service to the ACT community. I want to take this opportunity to congratulate the six members of the ACT Emergency Services Agency and ACT Policing who have been recognised for their outstanding contribution to protecting and serving the Canberra community with the 2021 ACT Community Protection Medal. They are dedicated and passionate people who have each gone above and beyond their normal duties to make our community safer. I am proud to recognise their achievements and dedication to the Canberra community. I congratulate them on their distinguished and outstanding service. Well done to Leading Senior Constable Nadia Mulino from ACT Policing, Neil Glasgow from ACTAS, Nicholas Rand from ACT SES, Anthony Cross from ACT Rural Fire Service, Col O'Rourke from ACT Fire & Rescue, and Erik Sandin from ACT ESA.

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

Paper

Madam Speaker presented the following paper:

Auditor-General Act, pursuant to subsection 17(4)—No 6/2021—Teaching Quality in ACT Public Schools, dated 22 June 2021.

Carers Recognition Bill 2021

Ms Orr, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MS ORR (Yerrabi) (2.57): I move:

That this bill be agreed to in principle.

MS ORR: I rise to introduce the Carers Recognition Bill 2021, along with its explanatory statement. The bill will recognise, promote and value the role carers have within our community. The bill will put in place measures requiring certain entities and organisations to consider and adapt business practices to support the care relationship that exists between carers and the people they care for. The bill establishes a set of principles relating to supporting people in care relationships. The bill also places obligations on care and carer support agencies to uphold and report on compliance with the carer relationship principles.

Carers are some of the most selfless people in our community who work very hard supporting those within our community who need care. The work of carers is generally unrecognised and carers themselves often do not receive the support that they need to carry out their caring responsibilities or to look after themselves. Better recognition of carers and their needs will improve support to carers, which will in turn improve the health and wellbeing of carers as a group in our community.

This bill is not intended to create a hierarchy between carers and those receiving care; it is about all people in the care relationship being seen, heard and respected. Where a dispute between a carer and a person receiving care occurs, the bill is not intended to be used as a means for reconciling that individual dispute by giving one person in the care relationship more say than the other.

A consultation draft of the Carers Recognition Bill 2021 was released in January 2021, and several individuals and organisations provided feedback on the consultation draft. In addition, two forums were held, one with Carers ACT and one with ACTCOSS, where feedback from all of their membership was provided. I thank everyone who provided feedback and worked collaboratively to make this bill the best it can be.

I will draw attention to some of the more significant clauses within the bill. Clause 6 defines the term “care relationship”. Importantly, the definition recognises the relationship that exists between a person providing care and a person receiving care. It is this relationship that is central to the bill. Clause 6 also defines who a carer is under the act.

Clause 7 defines the term “care and carer support agency”. Clause 8 creates a set of care relationship principles in relation to the treatment of carers. The principles detail that: a carer is to be respected as an individual and as a carer; the care responsibilities that a carer takes on need to be respected and supported; and the wellbeing of the carer is to be supported through the approach taken by the care and carer support agencies. The principles also note that certain characteristics of some carers require additional support; for example, supporting young carers with their education.

The care relationship principles in relation to the treatment of carers are essential to achieving the objectives of the bill. The principles are based on the barriers identified by carers that they experience which make it difficult to undertake their caring role and ultimately impact their own wellbeing. A key tenet underpinning the principles is that carers are individuals in their own right and with their own needs. The principles acknowledge that the caring roles carers undertake can and do impact other areas of a carer’s life in a way that people who do not have caring roles would not experience. By drawing specific attention to the areas where negativity is experienced by carers, the principles set a clear expectation of how carers should be treated so that they are valued and respected and able to carry out their caring role and maintain their own wellbeing.

Clause 9 acknowledges that people receiving care are individuals in their own right and that their rights as an individual are to be respected and upheld. The recognition of people receiving care is as integral to respecting the care relationship as that of recognising carers. It is important to acknowledge that people receiving care do not cease to have autonomy over their decisions simply by the fact that they receive care or are in a care relationship. To prevent this bill being used as a mechanism for disrespecting the rights of people receiving care, it is important that this clause be included.

Clause 10 sets out the obligations of care and carer support agencies under the bill. This clause requires a care and carer support agency to make both the agency’s employees and agents and the people receiving support from the agency aware of the care relationship principles. The agency is also required, along with its employees and agents, to uphold the care relationship principles when providing support services to people in care relationships. In addition, this clause requires care and carer support agencies to consult with carers and entities representing carers when planning, reviewing and developing support services, programs and policies that will affect people in a care relationship.

Throughout the consultations with carers, they have consistently provided feedback on the need for care and carer support agencies to provide transparency and accountability in how the objectives of the bill are realised. There was concern that if no accountability was placed on care and carer support agencies, the objectives of the bill would not be realised. By providing the publicly available report, care and carer support agencies will be clearly stating in an open manner what they have done to uphold the care relationship principles, providing for the transparency and accountability.

Clause 11 sets out the obligations of care and carer support agencies in relation to reporting. An agency must report annually on the steps they have taken to uphold the care relationship principles and the agency's obligations. For public sector support agencies, reporting is to be included in their annual report. Funded support agencies are required to report annually. This could be, for example, in their own annual report or by publishing a statement on their website.

For secondary funded support agencies, the provision of a public report is encouraged rather than required so as to balance the reporting obligations of smaller organisations. The reporting obligations provide transparency and accountability and are crucial to realising the objectives of the bill.

Clause 14 provides a regulation-making power and clause 16 creates a new carers recognition regulation. Schedule 1 creates the carers recognition regulation 21, which sets out the information required from care and carer support agencies to meet reporting obligations under section 11(3) of the act. The new regulation is taken to be notified on the same day as the act; however, the regulation does not commence until the commencement of schedule 1 of the act.

I note that a number of organisations have said they appreciate that there will be an implementation period for the bill and, as part of that, they welcome as much guidance and clarification as to their responsibilities as possible, as nobody wants to get this wrong.

In developing this bill I heard from many carers, and the word that I heard most in all of my conversations was "invisible". Carers consistently told me that they felt invisible, never heard, not respected—just nothing. This must change. It is no secret that I grew up in a family that cared. For most of my childhood, all of my adolescence and part of my adulthood, my parents were foster parents. We welcomed hundreds of children and young people into our home—sometimes for a short time, sometimes for a long time. My parents also cared for my maternal grandparents in their later years, and this gave them more insights into the challenges of caring.

In putting together this bill I had many conversations with my mum and dad, asking what they had seen change over the decades that they had been advocating for carers. When I sent my mum a text asking if she and Dad could give me a few paragraphs to add to my introduction speech on what this bill would have meant to them when they were caring, the response was that it always goes back to, "You're only carers, you don't have a brain, you don't know what's best, or you are invisible". Later, they actually wrote a whole paragraph rather than just a text message:

Being a carer changes you forever. It adds to your life experience, but it is not easy. It changes your priorities and how you see life for both you and the person you are caring for. You put the person you are caring for first and put aside many of your own desires and wishes so that you can ensure the best possible options and outcomes for the person you are caring for. Sometimes that also means you put your life on hold 24/7 for as long as is needed. This needs to be respected by those working with both the person being cared for and their carers.

I note my parents are behind me, and while I cannot see them, they are definitely making me emotional. My mum also stated:

During the research I did in 1999-2000, carers stated across the country all they wanted was to be recognised in their role and to be respected. Many carers said the most important thing was Respect, Respect, Respect. Subsequent surveys and research continued to say the same thing. It's unfortunate that 20 years later carers are still saying the same thing, and if you look at the concerns carers are raising, little appears to have changed. This bill is long overdue in the ACT. Something like this exists in every other jurisdiction. Hopefully, it will help to move the recognition of all carers and the care relationship they are integral to into a better place in our community.

My dad said, "It's about time we had this bill to recognise all carers."

Some could say my whole life has been an education in how important this bill is. But this bill is not just about me or my family; it is about the tens of thousands of people across Canberra who provide support to so many others every single day. Today, I would like to give voice to some of those people I spoke with and who have agreed for me to share their words. During the consultation period on the draft bill, one carer said to me:

I wish to make two points, chosen from the many issues I faced as a carer for my terminally ill wife, because I suspect they will not be widely made by other carers.

Issue 1: unscheduled power outages for the seven or so months that Kathy was on 24/7 home oxygen. Our electricity provider, ACTEWAGL, included us on their register of premises in which life supporting equipment was operating. I have nothing but praise for this program and for the professional manner in which it was managed. We were given notice of all scheduled power outages with plenty of time to ensure we had sufficient oxygen cylinders. Both Kathy and I were very conscious that an unscheduled power outage could be extremely serious: for most of the time Kathy was on home oxygen, she was physically incapable of attaching herself to an oxygen cylinder; and I could not be in the house all day every day. What would happen if there was a power outage while I was absent?

I asked every authority I could think of (ambulance, police, fire brigade, ACT Health, ACT Public Service, GP) but no-one had an answer. An Uninterruptible Power Supply (UPS) was the best idea anyone had, but the ACT Government program does not fund this option. I purchased a UPS and attached the oxygen concentrator to it but found it would only power the unit for about 10 minutes. This was better than nothing but was quite inadequate. On advice from the ACT Police, I installed a key safe in the front porch and provided all emergency services with the combination. The plan was that Kathy would call 000, even before she called me, in the event of a power outage while I was absent. As events transpired, we did not have an unscheduled power outage while she was incapacitated, but I feel very strongly that a proper plan is needed for every household with life supporting equipment in place.

Issue 2: attitudes towards male carers. Although no-one said so directly, I sensed a fairly general attitude from people providing support to us that as a male I could not be expected to provide for a range of Kathy's needs; e.g. I was quizzed about why I had not asked for help with cleaning the house and other domestic chores, and I was questioned about my understanding of Kathy's personal needs such as with washing and toileting. We were married in 1973 and she made it quite clear she was more comfortable with me helping her in these deeply personal ways than she would have been with a stranger, female or male, inside our house. We both understood that in hospital she would be supported by nursing staff, but even there I regularly helped her with washing, toileting and eating. I strongly suggest that the training for service providers is enhanced to ensure they can more accurately read the competence of the carer. This specifically includes training to recognise unconscious biases (this could be modelled on programs to weed out sex and racial discrimination).

Another carer, Diamond Kary, told me:

I am a full-time primary carer for my elderly mother. I have discovered you have to develop pretty big shoulders to undertake the care of a loved one.

As a carer I have experienced loneliness, frustration and exhaustion. It is one of the hardest and most challenging things that you will ever do. It is also rewarding and a privilege, as you learn about what unconditional love really means and I am much closer to my mother as a result of this journey.

My love for her knows no bounds. It is also very important that I sometimes need a little time out to care for myself so I can give the best care that I can to my loved one. My Christian faith has also strengthened and has given me strength.

Another carer told me:

I am the carer for my adult daughter who has a severe chronic medical condition with resultant disabilities. She is also a single Mum.

As her carer I have never been asked by health or support personnel exactly what care I need to provide for her. And yet she often says that my care is just as important to her health and wellbeing as all her medications and therapies. My capacity to provide her with care has never been considered in any health or support management plans or hospital discharge planning.

My advocacy for her when engaging with the complex health and disability sectors, particularly while she is very sick and vulnerable, is often ignored and not respected.

Carer Craig Cormick summed it up:

This Bill is very important for carers as it not only brings the ACT in line with other jurisdictions but helps the lives of carers by providing some support and recognition for them in the vital work they do in caring for some of the most vulnerable people in society. Our community is stronger for such a Bill.

It would be fair to say that everyone in this place comes into it with the hope of making positive change. I know I did, and I believe that this bill will make a difference and leave the world a little bit better off than it was before for so many people across Canberra by giving carers the recognition they have long gone without.

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

Waste—recycling

MS CLAY (Ginninderra) (3.13): I move:

That this Assembly:

(1) notes that:

- (a) as we transition off fossil fuel, we generate new waste streams such as general electrical appliances, solar PV panels and inverters and large batteries used to power EVs, buildings and grids;
- (b) recycling arrangements have not kept pace with the rapid uptake of new technology;
- (c) recycling costs are modest compared to the original purchase price with the primary cost typically comprising freight, making central and efficient collection essential;
- (d) previous Assembly motions addressed some of these waste streams but did not result in recycling arrangements in the ACT;
- (e) previous government responses indicated that there were no recycling providers operating on a commercial scale for these items, but the industry has since matured;
- (f) the federal government advises that they are considering new national product stewardship schemes and have added large PV energy batteries to the work of the Battery Stewardship Council, but no new schemes have been announced;
- (g) the Assembly was advised in June 2019 and November 2019 about progress on battery and solar panel recycling and told that recommendations would be made in the near future, but no new schemes have been announced; and
- (h) the community, businesses and the recycling industry are ready to recycle now;

(2) further notes that:

- (a) recycling operations in Australia that can recover solar, large battery and general electrical appliance waste include Access Recycling, Apple GiveBack, DropZone MRI, E-Cycle Solutions, Electronic Products Stewardship Australasia Sims, Envirostream, Lotus Energy, Mia Energia, Officeworks Bring IT Back, ReclaimPV, Reelectrify, Sims E-Recycling, Solar Recovery Corporation, TechCollect, Tech Shed, WV Technologies;
- (b) many of these recycling operations are looking for local government partners;

- (c) the ACT Government has expertise in setting up recycling arrangements, having built producer responsibility into the ACT Government next generation household battery program and having established television and computer recycling under national product stewardship arrangements; and
 - (d) the Victorian Government is participating in and leading national product stewardship arrangements but is also taking state-based action at the same time, having banned all e-waste including general electrical appliances, solar panels, solar battery systems and inverters from landfill in July 2019; and
- (3) calls on the ACT Government to:
- (a) investigate how the ACT can contribute to the establishment of national recycling arrangements for general electrical appliances, solar PV panels and inverters and large batteries that power EVs, buildings and grids;
 - (b) liaise with the Commonwealth to confirm which of these items will be covered by a national product stewardship scheme commencing within the next 12 months;
 - (c) advocate through national channels for collection and national recycling arrangements for any of these items not covered by a national product stewardship scheme commencing in the next 12 months;
 - (d) advocate through national forums including the Environment Ministers Meeting to investigate business models and payment arrangements to cover recycling and freight costs for the local collection and national recycling of these items, including user pays, product stewardship, producer responsibility and government pays;
 - (e) report back to the Assembly by February 2022 on options and a timeline for a recycling scheme to minimise waste going to landfill for the following products:
 - (i) general electrical appliances;
 - (ii) solar PV panels and inverters; and
 - (iii) large batteries used to power EVs, buildings and grids; and
 - (f) consider banning e-waste from ACT Government landfill sites as part of the development of future circular economy legislation.

We have had a pretty big week in my office. We are short-staffed and we have been working on active transport, cycling and recycling. I care about all of these issues deeply. Each one represents a piece of a puzzle—how do we tackle climate change while taking care of our community and how do we live more lightly on our planet while still living well? While hunting around for inspiration for this speech, after another very long day in the office, I did the smart thing—I outsourced it to my seven-year-old and asked her what I should say about recycling. Here is what she came up with:

Recycling is better than throwing stuff away because it helps the planet and ensures stuff does not go to landfill.

I love asking young people big questions. They do not get bogged down in targets or back stories or what ifs; they skip straight to the point. I have worked in the recycling industry for over a decade and I cannot put it any better than my seven-year-old did last night. We need to recycle to save the planet and keep material out of landfill. This is how nature works. There is no waste in nature; only an endless chain of useful stuff. And that is exactly what a circular economy means.

We are doing pretty well on climate change in the ACT. I am proud to be part of a government that is taking such strong climate action. We are the first state or territory in this country to be powered by 100 per cent renewable electricity. We have run community battery trials and we are rolling out big grid batteries. We are providing zero interest loans and incentives for rooftop solar and batteries and more efficient electrical appliances. We are giving up fossil fuel gas. We are not connecting new suburbs to gas and we are helping people make the switch. We are getting people out of their cars by encouraging active and public transport. We are running an EV revolution by changing our government fleet cars and our diesel buses for electric models. We are driving uptake of EVs with zero interest loans, free registration and charging infrastructure.

It is all great news for our planet, and goodness knows we need more of that. But as we transition off these fossil fuels—petrol, diesel and gas—we are creating new waste streams, and some of them are becoming a bit of a problem. Rooftop solar panels are booming in Canberra. The rooftop solar industry has thrived, supported by ACT government policy like the feed-in tariff, innovative reverse auctions and interest-free loans. Solar panels last a long time—my first set have been on our roof for over 12 years—but many are coming to the end of their lives, and what then?

Electrical appliances have been getting more and more efficient over time. We will get more extreme temperatures as our climate changes and, as well as building and insulating better, we need more climate control indoors. But some of our models are getting really efficient. Reverse-cycle heat pumps can transform Canberra's extreme summers and winters at a fraction of the running cost and a fraction of the carbon emissions of traditional air conditioning and gas heating. There is no easy recycling scheme for old electrical appliances and old gas ones and, as we encourage more people to switch over, we are creating waste.

Our cars, buildings and grids are being transformed with battery technology. Batteries can keep our vehicles moving around town or down to the beach for the weekend. They can stabilise our grid and they can make the solar panels on our rooftops more valuable by storing electricity for use at night. But what happens when they are finished?

All of these useful things are made of precious materials. They have metals like lithium, nickel, silver and aluminium. They contain other materials like plastic, glass and silicone. These are valuable resources and we need to get them back to make more useful things. Some of these resources are incredibly rare and, if we do not recover them, we will run out.

Mining new materials has a big impact. The people who do it often work in terrible conditions. The mines are often located in ecological sanctuaries or rare wild places. Even if we are mining on land that is already pretty degraded, we cannot do anything else with that land. We cannot live there, grow food there or let animals live there if we have turned it into a dirty hole in the ground.

I know people who will not buy an EV because they are so worried about lithium mining overseas. Personally, I think that is the wrong ethical call, but the best option would be if we stopped mining lithium and we just recovered it instead. If we do not recover these materials, they can transform from precious resources into a toxic hazard. They can leach into our groundwater and they can contaminate our soil.

Fortunately, here in the ACT we have a really well-managed landfill. It is lined, it is capped, and we remediate it afterwards. But some of our waste will end up in other people's landfills, and they are not always well managed. Even in a lined and capped landfill, it is still a waste of space. The faster we fill it up, the faster we need to find more land for the next one. In Canberra, that means we would be using land for landfill instead of using it to house people, provide habitat or protect a little bit more green wild space.

The good news is that all of these materials are recyclable. The adage in the industry is that everything is recyclable with the right system in place. Electrical appliances, in particular, are made up of the same materials as televisions and computers. Pretty much anything that has a plug can be recycled in the same factory.

Some of our Canberra appliances are being repaired, resold or rescued. I know that the Green Shed does a great line in that trade. They tag, test and resell quite a few of these. But not all of our appliances are getting that second life and, even when they do, they still need a recycling chain at the end; otherwise they end up in landfill.

I like recycling because it is really simple. It is just logistics. All we have to do is get the right stuff to the right place with the right business model. There are a lot of different business models that work for recycling. I am pleased to see real-life examples of all of them here in the ACT. Sometimes the private sector does it without assistance. Prior to this role, I ran a recycling company with some colleagues, and we sold our service directly to customers. There is a big industry full of jobs based on that straight commercial model.

There are socially progressive recyclers, from the not-for-profits like Lids4Kids that run on time, goodwill and donations, to the more commercial operators that make money but also play a social enterprise role by giving back cash and goods to the community, again like the Green Shed.

There are government programs, like our kerbside recycling and the recycling drop-off centres. They provide a service that we all need, free of charge, to households and districts all around Canberra. The government pays, and it rolls it out for free to customers.

There is national product stewardship. This comes in several different flavours. MobileMuster is a voluntary product stewardship scheme funded by the telecommunications industry. It recycles old phones free of charge. You can drop off your old phone in a post office, op shop or telecommunications store and it gets recycled. You can still send your phone to landfill, but you should not. You should use one of the free services.

The National Television and Computer Recycling Scheme is another product stewardship model. That one is mandatory, and it means that all televisions and computers are now banned from landfill in Canberra. It is regulated by law, and we have municipal collection points at Mugga Lane and Mitchell.

The reason we need some of these schemes is because recycling often costs more money than it makes. For all of these product stewardship schemes, the funding comes from the manufacturers, the importers and the distributors. The schemes are based on the principle that people do not mind paying when they are buying a new item, but they do not want to pay to dispose of an old item. It has a handy incentive on the side: the people who are making stuff have an incentive to make it easier to recycle.

I have been professionally involved in a lot of these programs. Not all of them are perfect, but every model has something to offer. I would say that the only scheme that has failed altogether is the one that we do not yet have.

The ACT government has considered recycling for solar panels, batteries and appliances. I know the minister for city services and the Minister for the Environment are working hard on national product stewardship. I am excited every time I hear a new announcement about this. I thank everyone for their work in this space, but our national progress has been slow.

We need to set up a recycling scheme now. While there is still a relatively small amount of solar panels, big batteries and electrical appliances going into landfill, the waste streams are increasing really fast. Nationally, there were 2,700 tonnes of old solar panels at the end of their life in 2018, but there were 360,000 tonnes installed. That means we are heading for a lot of material really soon. We have to get on with it.

The Victorian government are getting on with it. They are participating in national product stewardship, but they have also taken state-based action. They have banned solar panels, solar batteries, inverters and general electrical appliances from their landfill. Sometimes it is good to wait, but sometimes we need to act. When progress takes half a decade or a decade, I think it is time to move on.

We have seen Assembly motions in the past about some of these materials. The answers given at the time were that there were no recycling providers operating at a commercial scale and that the industry was not yet ready. The great news is that things have now changed. The industry has matured. There are a lot of recyclers working in this field. My quick research showed that we have 17 companies operating in Australia for all of these materials. I was at an industry seminar last month, and a

lot of those companies were calling out for government and council partnerships to help them set up schemes.

That is why I have brought this motion to the Assembly today. I am asking the government to investigate recycling arrangements for all electrical appliances, solar panels and large batteries that power our EVs, buildings and grids. I am asking for the government to report back by February next year with some options and a time line to recycle each of these items.

Once we have those schemes set up, we can then consider banning them from landfill, as we have with televisions and computers. This will recover the precious resources that we need to build our net-zero economy. It will create green jobs, and there are a lot of jobs in recycling. There are three times more than there are in landfill. It will boost support for the new tech that is replacing our outdated fossil fuels. It will save our land and our waterways, and it will make sure that we are not building endless landfills. It will really start us on the way to that circular economy.

This will also protect our planet for future generations and for the young people who are here with us right now. These young people understand custodianship in a way that my generation never did. They get climate change. They understand why the land and the environment matter.

When you are considering this motion, please remember the words of a seven-year-old. Recycling is better than throwing stuff away. It helps the planet, and it ensures that stuff does not go to landfill. I commend this motion to the Assembly.

MS LAWDER (Brindabella) (3.25): Thanks, Ms Clay, for bringing forward this motion today. It does bear some resemblance to a motion that I brought into this place in 2019, when I called on the government to do a range of things, including undertaking studies into how solar panels and batteries are disposed of in countries where solar is a major source of renewable energy; developing a territory-wide plan for the safe disposal of both panels and batteries that does not involve additional costs on households and businesses, or add to the increasing landfill problem in the ACT; and reporting back to the Assembly by the last sitting week of November 2019 on what safe disposal options would be made available and when such arrangements would be in place.

Reflecting on Ms Clay's motion today, it makes me think that if we had agreed to some of those items in my motion of 2019, we may have been slightly further along the path than we are, as we stand here today. Ms Clay has acknowledged that, in previous Assemblies, some motions addressed some of the waste streams, but they did not result in recycling arrangements in the ACT.

I appreciate that Ms Clay and some of the other Greens members here were not in the Assembly at the time, but I could tell them why my motion in 2019 did not result in recycling arrangements in the ACT, mostly regarding solar panels and batteries. When we debated this in June 2019, the Labor-Greens government moved amendments to weaken my motion and place the onus on the federal government. This is an interesting approach from a government that often likes to tout that it leads the way

nationally. Why then was this not the case with recycling of solar panels and batteries? Why couldn't we have led the nation in this and now be two years ahead of where we are? But no; in fact, this was also supported by the leader of the Greens then, Mr Rattenbury.

It is disappointing that that motion of two years ago, about improving recycling processes for solar panels and batteries in the ACT, is coming back again. Perhaps it will now be taken more seriously because it has been put forward by a Greens backbencher.

It is good in many ways, because this is an important issue that we should take seriously, and we should address it. We are very supportive of the recycling of this particular waste stream. That is why we brought the matter here two years ago. On the other side, whilst it is great to have it come back, it is incredibly frustrating to be preached to about this when we could have done something two years ago.

I will give a similar example from a newspaper today. Mr Rattenbury said how frustrated he was. He welcomed Dr Paterson's bill about consent, but he was frustrated that Ms Le Couteur's bill on a similar matter did not receive support from the Labor and Liberal parties at the time. He said:

The ACT Greens were frustrated that the other parties did not support the model of affirmative consent that was put forward at the time.

He said that the Greens took it to the ACT election. I can understand Mr Rattenbury's frustration on that particular matter because it is exactly the same frustration that I am feeling today, because we did not take firmer, stronger, decisive action two years ago on the recycling of solar panels and batteries.

I agree with Ms Clay's paragraph (1)(b), that recycling arrangements have not kept pace with the rapid uptake of new technology. That is one of the reasons why we tried to talk about it two years ago. At the time of my motion in June 2019, when this Assembly amended my original motion, to put the onus squarely at the feet of the federal government, I said that this was obviously a ringing endorsement of the federal government's approach. I will quote what I said at the time:

Today I am happy enough to support the minister's amendments.

that was Mr Steel's amendments—

I thank him for circulating those. This is an area where, time and again, those opposite want to lead Australia, indeed the world, by bringing in new things and being the first. In this particular regard, I am pleased to support Mr Steel's amendment of the motion because it appears to be a ringing endorsement of the approach taken by the Morrison government. The minister, instead of wanting to be world leading or even Australia leading, as those opposite try to do in many respects, wants to assign all responsibility to the federal government. I am very pleased that he has seen that this is an endorsement of the work of my federal colleagues.

You may recall, Mr Assistant Speaker, that in June 2020 the federal government committed \$190 million to a new recycling modernisation fund to transform our waste and recycling industry, create more than 10,000 jobs and divert over 10 million tonnes of waste from landfill to make new, useful products. The Recycling Modernisation Fund also includes the national product stewardship scheme that Ms Clay referenced in her motion today. PV systems, solar panel systems and electrical and electronic products are listed on the minister's priority list for 2021-22 under the national product stewardship scheme.

The federal government is leading the nation in this space, and I hope Ms Clay's motion today motivates this Labor-Greens government to actually start playing its part when it comes to recycling these new household and solar technologies. I thank Ms Clay once again for bringing this matter before the Assembly, as we did two years ago.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.32): I thank Ms Clay for bringing this important issue to the Assembly. I am delighted to highlight the work that is underway both in the ACT and nationally, and has been for several years. That is why we did not support Ms Lawder's motion previously, because there is ongoing work amongst officials and environment ministers on product stewardship matters, emerging waste streams, including electrical appliances, solar photovoltaic panels and inverters, and large batteries used to power electric vehicles, buildings and grids.

When it comes to waste reduction and recycling, ACT residents are among Australia's best. We have a very ambitious and comprehensive response. Where we can avoid waste, we do so, but when it comes to recycling, we have a goal, which is quite ambitious, of 90 per cent waste diverted from landfill.

Most recently, we have begun to accept bookings from all Canberra suburbs for the free bulky waste collection service, which is helping to divert tonnes of material from landfill by giving furniture and other goods a new home. In this term our government will also take another big step towards this goal by introducing a garden organics collection scheme for all Canberra households in 2023, diverting approximately a third of the products that find their way into the average person's household red bin.

We will also deliver the bans on the sale and distribution of harmful single-use plastics. The first tranche will commence next week, from 1 July. These are key commitments that we made to the Canberra community, and they are important items within the parliamentary and governing agreement, which is why we are cracking on with delivering them. The items in the parliamentary and governing agreement are the priorities and the commitments we have made to the public, which we are focused on delivering.

Of course, work can and does progress in other ways. The ACT is working with the commonwealth, and all other states and territories, to deliver commitments under the National Waste Policy Action Plan, including actions to address new and problematic waste streams.

There is a need for national leadership and collective action on many of these issues. We cannot institute a product stewardship scheme without national action. That would be absolutely ridiculous, and we would be laughed at by other jurisdictions. So we do need to work nationally, and that is exactly why the federal government needs to be involved in helping states and territories to take leadership on these issues. And they have been, Mr Assistant Speaker. We are pleased to work with them, together with our state and territory colleagues, to try and tackle these emerging waste streams like e-waste.

At the local level we are continuing to deliver on our commitments made under the ACT Waste Management Strategy 2011-25. The strategy has a focus on generating less waste and, as I mentioned, driving towards that 90 per cent resource recovery benchmark, together with the avoidance of waste in the first place.

I would now like to address the specific waste streams raised by Ms Clay in her motion. E-waste is defined as products that rely on electric currents or electromagnetic fields to function which have reached the end of their usable life. The major issue with e-waste items is that they contain a mixture of valuable materials along with hazardous components.

However, we know that, with careful consideration of product life cycles, some of these materials can be recovered and used again. Although e-waste represents a small proportion of the waste stream in the ACT, it is increasing in volume. The government is committed to addressing problematic e-waste as part of a coordinated, national approach. I am pleased to report that progress is already being made at the national level.

We participate in the national television and computer recycling scheme, which is a co-regulatory scheme administered by the commonwealth, because the commonwealth needs to be part of these schemes to make sure that they function appropriately. This particular scheme allows Canberrans to drop off their unwanted televisions and computers for free recycling.

As we consider other battery types, larger batteries like household batteries, those used to power electric vehicles, grids and larger buildings, and the issues that follow their collection, reuse and recycling, it is clear that this issue does demand a national response. One of the key actions under the National Waste Policy Action Plan, not the ACT plan, is a project being led by all governments to develop a common approach to restricting the disposal of priority products and materials in landfill, starting with lithium-ion batteries, e-waste and materials that are collected for the purpose of recycling, by 2021.

A critical element of a circular economy is to eliminate waste through design to make sure that products that are made are durable, able to be repaired and refurbished for reuse, and able to be disassembled. To that end, the ACT has been advocating; we have made a submission to the Productivity Commission's *Right to repair* inquiry, highlighting matters for further consideration, including a lack of competition in repair markets, a lack of certainty for consumers about reparability and costs, and proliferation of e-waste.

Our government maintains a strong commitment to supporting and empowering communities to make informed decisions about their consumer rights. Implementing sensible right to repair policy mechanisms has great potential to support consumer repair rights, promote competition in the repair economy and encourage better product design.

As the government continues to deliver on our ambitious renewable electricity and greenhouse gas emissions targets, we know that new and emerging waste streams such as solar panels, batteries and other electrical items will increasingly become a focus. We have seen households take these up in huge numbers, often despite the lack of policy action by the federal coalition government.

According to the Clean Energy Regulator, as of April 2021, 34,000 homes in the ACT have small-scale solar systems installed. This represents over 20 per cent of all homes in the ACT. There has also been a strong uptake of battery installations for homes and businesses, through our government's Next Generation Energy Storage Program, which was established in 2016. It has provided rebates for over 1,600 battery installations. Of course, there are now over 1,000 registered electric vehicles in the ACT.

In response to these emerging waste streams, we need strong product stewardship programs. For members who are unfamiliar with this approach—and I suspect that Ms Lawder may be unfamiliar with this approach; she was unfamiliar with the fact that she even had the waste portfolio until just prior to the motion that she moved back in 2019 in relation to PV recycling—stewardship schemes place the responsibility for end-of-life treatment on the manufacturers, importers, distributors, retailers and consumers of a product rather than the dispensers.

Ms Lawder interjecting—

MR ASSISTANT SPEAKER (Mr Pettersson): The minister will be heard in silence.

MR STEEL: It is pleasing to note—and Ms Lawder may not even be aware of this—that the commonwealth government have recently invested \$14.5 million into the development of 20 industry-led product stewardship schemes for products ranging from batteries to furniture and sports equipment. They have also established a product stewardship centre of excellence.

Although the commonwealth is focusing on industry-led approaches, the ACT government continue to advocate for product stewardship schemes underpinned by a strong regulatory framework. Given that the vast majority of batteries and solar panels are produced outside the ACT's borders, from the ACT perspective it is crucial that there is a national focus on developing effective cross-government solutions.

The ACT became a member of the Battery Stewardship Council in early 2019. The commonwealth government has recently awarded the council \$1 million to progress the development of a national product stewardship scheme by 2022. Our government is continuing to engage with the council on possibilities for the ACT, and the scheme is well progressed for the implementation early next year.

I was very pleased recently to hear that Minister Ley, the commonwealth Minister for the Environment, put the industry “on notice with clear time lines for action” in relation to solar panel stewardship. National leadership and coordination on this issue are necessary to ensure that these initiatives provide for national solutions so that all jurisdictions have options for solar panel recycling.

Following this announcement, I will shortly be writing to Minister Ley congratulating the commonwealth on taking action on solar panels—national action—and reiterating the government’s support for action on other items, including general electrical appliances and large batteries, and to make sure that those freeloaders are brought in through regulation, not just through industry-led approaches.

Working with the commonwealth to progress this is practical action that our government is taking now. As we know, listing items for product stewardship is the responsibility of the federal government, under the Product Stewardship Act and the Recycling and Waste Reduction Act. The ACT continues to participate in a national working group on solar PV, which has been ongoing—prior to Ms Lawder’s motion even coming into the Assembly—and which is led by the Victorian government, where matters relating to product stewardship are discussed.

While there is a market for refurbishment and redistribution of solar panels domestically, there is currently no coordinated national approach and no facilities in the ACT that accommodate the safe disposal of solar panels. As was mentioned in Ms Clay’s motion, in July 2019 Victoria banned e-waste going into landfill. Transport Canberra and City Services will continue to engage with our Victorian counterparts to understand the effectiveness of that approach and ensure that challenges and opportunities with this approach are considered in any future policy development.

It is crucial that Canberrans possess the means to dispose of e-waste safely and responsibly. The ACT government is committed to diverting waste away from Canberra’s landfill and encouraging material recovery through specialised recycling programs.

In the ACT residents can dispose of household e-waste for free at the Mugga Lane and Mitchell resource management centres. This includes broken whitegoods, appliances and other electronic items. We also encourage Canberrans with working, useful items to seek out businesses who accept these for reuse or refurbishment. Details of these businesses are available on the Recyclopaedia webpage.

Our government believes in managing waste in our environment responsibly and, in the context of these waste streams, that means product stewardship. We believe that the onus should not be on the person disposing of the material to cover the costs for doing the right thing. Building the cost of recovery and recycling into the manufacture and purchase cost is much more efficient, comprehensive and a holistic solution.

As I have mentioned today, it will take a coordinated national approach to address many of the issues associated with the disposal of general electrical appliances, solar panels and large batteries. As such, I look forward to continuing to work with the

states and territories and the commonwealth in progressing and advocating on this issue.

While delivering on these items, the parliamentary and governing agreement will continue to take priority. I look forward to reporting back to the Assembly in more detail on the development of product stewardship schemes in February 2022, including the role that the ACT can play in their establishment.

I also look forward to reporting back on options and a time line for recycling schemes to minimise the amount of general electrical appliances, solar panels, inverters and large batteries going to landfill, as we continue to build a circular economy and encourage all Canberrans to manage their waste and their environment responsibly.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.44): I support Ms Clay's motion on recycling of electronic waste, particularly of solar panels, inverters, solar batteries and electric vehicle batteries. The ACT Greens very strongly support the use of renewable energy, but also understand that minimising waste requires a circular economy that keeps product components and materials in circulation for as long as possible, at their highest value.

The end of life of these relatively new energy technology products intersects with two of my portfolio areas: the environment, and sustainable building and construction. The cost of these products is rapidly falling, which allows more and more Canberrans to participate in the generation of renewable energy and to contribute to the territory's climate change goals. With the rapid take-up of these products, the end-of-life disposal is a rapidly emerging issue.

There are two factors currently contributing to solar panels and inverters ending up in the waste stream. The first factor is that some of the earliest solar PV systems in the territory were installed in around 2008. Some of these systems are now starting to require repairs that cause owners to weigh up whether or not to repair the system or spend the money in upgrading to a new system that is larger and more efficient and has modern features such as battery storage or system monitoring. In some cases, a perfectly repairable system ends up being retired well before it has served out its expected 25-year life.

A second factor is that national standards for solar installations are changing every few years to incorporate best practice and our evolving requirements. To prevent older, non-compliant products from being used, all newly installed equipment must meet the current standards. This generally prevents older, second-hand equipment from being re-deployed to another house. This is understandable on one hand, but regrettable, as it prevents older equipment from being reused, thus extending its useful life and perhaps finding a home with someone who cannot afford a new system. Short of finding a niche use for these panels and inverters, they have limited potential for reuse. Given this, recycling is the next best option.

Lithium-ion batteries that are used in electric vehicles and home energy storage do not last as long as solar panels—around 10 years, on average. As Ms Clay noted, there are some innovative companies working in this space. As one example, Relectrify in Melbourne is collecting end-of-life electric vehicle batteries and repurposing them for home energy storage, which potentially doubles the life span of the battery. Home energy storage is becoming popular in Canberra and in time we will see a larger number of batteries entering the waste stream. It is vital that the ACT is prepared for this. It is unsatisfactory that products like solar panels and inverters could end up in landfill. Fortunately, the materials in batteries are valuable, so recycling is generally cost effective. Producing solar panels, batteries and inverters takes valuable natural resources. By introducing a nationally coordinated approach to recycling, we can make the best use of these resources and avoid environmental contamination from illegal dumping or disposal to landfill.

It has been great to hear from Minister Steel about the work that has been happening on national product stewardship. I support his and Ms Clay's view that a national product stewardship scheme should continue to be developed and, if this does not eventuate, that recycling drop-off points should be readily available in the ACT for dropping off these products for recycling and transporting to the nearest facility. I look forward to supporting the work of Minister Steel through the environment ministers' meeting to progress these issues. There are a number of ways to fund the costs associated with recycling schemes, as Ms Clay notes. Product stewardship schemes for other types of products, including a recycling fee on the upfront cost of the product, has been a successful approach. I support Ms Clay's motion.

MS CLAY (Ginninderra) (3.49), in reply: It was great to hear support from across the Assembly for such a simple and sensible motion. I think it goes to show that recycling is one of those issues that cuts across political divides. It cuts across all members of the community. Survey after survey shows that 98 per cent of Australians believe in recycling and participate in recycling, and are very positive about it. I am really glad to see that we are now at a point where the industry has matured and things have moved along. We have seen a lot of progress at the national level, and we are probably ready to go ahead and start setting up really good options and time lines to get some really sensible product stewardship.

It was great to hear an update from Minister Vassarotti and Minister Steel today as well, and I will be pleased to hear more in February, when we get the really detailed analysis of this. TCCS has a lot of expertise in this field, and there are lots of options that we might want to look at when we are developing this. Before the product stewardship scheme commenced formally around the country, we ran a community recycling day for TVs and computers and that took in 400 tonnes. That is probably an option we could look at if things are still a bit of a long way off, but it may well be that by February we can get a really clear time line and options, and we know that we will be ready to go ahead. I am very excited about what will happen when we get that, because we are going to see a lot of jobs around the country and probably in our region, as well. Recycling is a good jobs maker, and it is a great way to make sure that we continue with the excellent community buy-in we have for all these new technologies. These technologies are helping us out of one problem; we need to make

sure that they are not leading us into another. On that note, I commend this motion to the Assembly.

Question resolved in the affirmative.

Education—public schools

MR HANSON (Murrumbidgee) (3.51): I move:

That this Assembly:

(1) notes:

- (a) the ACT Government school system is underperforming across key areas:
 - (i) outcomes for literacy and numeracy in ACT Government schools have been consistently identified as underperforming by reports from multiple highly regarded research institutions and other bodies in the ACT, nationally, and internationally;
 - (ii) enduring overcrowding and deteriorating infrastructure is widespread in the ACT schools;
 - (iii) reports of bullying and violence have compromised school culture;
 - (iv) genuine equity for students is not being achieved; and
 - (v) governance arrangements across the school system are sub-optimal;
- (b) the hard working and dedicated ACT Government school teachers, support and administrative staff who are passionate about achieving the best outcomes for ACT students but who are let down by a chronically underperforming education system; and
- (c) the “Bringing out the best in every child—an Education strategy for the ACT” released by the Canberra Liberals and its evaluation and way forward for the issues facing the ACT Government school system; and

(2) calls on the ACT Government to establish an independent review into the ACT Government education system under the terms of reference set out in the Canberra Liberals Education Strategy for the ACT and table this review in the Assembly on the last sitting day of 2022.

I am delighted to be moving this motion today. I do not think it is going to get supported, but, at the end of the day, this is a very important conversation to be having. Every day that we speak about education in the ACT and how we can improve it is a good day. This motion is not going to go well for me, as I understand it, in terms of support, but I am happy to be having this conversation. I intend to be having it, loud and clear, for the next three years.

In its essence, I am calling for the government to establish an independent review into the ACT government education system under the terms of reference set out in the Canberra Liberals’ education strategy for the ACT, and to table that review by the last sitting day of 2022. As members may be aware, last week I released a strategy for the ACT education system. It is called *Bringing out the best in every child*. I seek leave to table that strategy now.

Leave granted.

MR HANSON: Thank you. I table the following paper:

Bringing out the best in every child: An Education strategy for the ACT—
Canberra Liberals, dated June 2021.

I am really proud of this strategy. At the outset I would like to thank Dr Karen Macpherson, who is the principal author. I am so impressed with the work that she put together. I wanted an analytical, evidence-based, non-ideological look at our education system. I wanted to look at where it can be improved and how it can be improved. I am delighted with what we have released. Sometimes it is difficult for an opposition to do that level of work without the support of the directorate, and I would not have been able to do that without all of Dr Macpherson's good work. I thank her for what she has done.

In the foreword I say:

The education of school aged children to prepare them for their lives ahead is in my view the most important area of government policy and service delivery that the ACT government has responsibility for. We have a workforce of dedicated teachers who are passionate about students' learning and wellbeing. We need to support them by improving the system in which they work.

The government education system is complex including varied levels of parental interaction and choice, politically charged funding debates, philosophical arguments about curriculum and pedagogy, significant infrastructure investment decisions and equity challenges.

At its core however is the very simple question of whether the ACT system is delivering the best education for every child, regardless of their background or ability?

My conclusion after collaborating with Dr Karen Macpherson for the development of this paper is that no, it isn't.

This paper lays out the issues that are holding our system back from achieving its full potential, and outlines a way ahead to make the improvements that are needed across the key areas of academic standards; equity; bullying and violence; school funding and governance; and overcrowded schools and ageing infrastructure.

An independent systemic review of the ACT Education system is needed to address these issues and a terms of reference for such a review is provided as part of this paper.

I concluded the foreword by saying that I invite feedback and consultation on the issues raised in the paper. I said that I look forward to hearing from people. Indeed, I have heard lots of commentary. Some of it is private, because I have heard from schoolteachers in the ACT and, indeed, from members of the union—people working on the front line of our education system—and they say that they are not going to say

anything publicly. In some cases, they say that they are too scared to do so, but I will quote from one who said, “I have organised to see Jeremy Hanson and Elizabeth Lee as soon as possible and the Liberal Party regarding Education ACT. It is spot on. It is my lived experience.” So many people have come to me and said, “Thank you for saying what many of us have been saying on the front line of education in the ACT.”

There has also been public commentary in the editorial of the *Canberra Times*, which said:

The ACT’s education system has encountered some snags and now needs some well-informed navigation to reset the course.

The editorial said:

It is wholly accepted that education must always be an evolving space, and new ideas are always welcome—but in the all-important moulding of young minds, surely it’s prudent to hasten slowly.

An independent inquiry, not stacked with political insiders but those with knowledge and hands-on experience, could embrace not just this issue, but a range of them confronting Canberra’s education landscape.

That is exactly what I am calling for. Ian Bushnell, from the RiotACT, wrote a pretty comprehensive piece in response, saying that the ACT government needs to learn from its mistakes on schools. In that article he said:

The Canberra Liberals’ new Education Strategy will resonate with the many Canberra parents who have growing misgivings about the direction of ACT Government schools.

It covers many of the sore points and suspicions held by parents that all is not well despite the efforts of teachers, principals and their school communities, and calls for a review of the system.

The article goes on:

Much of the Strategy’s language would not be out of place in the Directorate’s own documents, but the Liberals have highlighted enough to support its call for an overhaul of the system and a recalibration to a more uniform governance of schools and a more instruction-based, direct teaching model, at least in the early years.

I make two points very clear. Firstly, this is not in any sense a criticism of our very dedicated, hardworking teachers at the front end of schools, the other staff that work in schools and the school principals. It is not. This is a critique of the system in which they work. I am sure that we would all agree that we want to support those teachers to do what they do best. That is what this is all about. The criticisms that we have levelled—I have been very clear on this—were not assertions of the Canberra Liberals—Jeremy Hanson or Elizabeth Lee. The strategy—you can go through it—deeply references academics and experts, and what front-line people, including parents and others, are saying.

It is worth my going through some of this because it builds the case for that change. I have broken it into five key areas; that is, the failing literacy and numeracy standards, equity issues that are limiting opportunity, too much bullying and violence—we touched on that in question time—unbalanced school governance, and overcrowded and poorly maintained schools. I will give you some key quotes from each of those areas so that you can listen to what the experts are saying.

The ACT Auditor-General said:

... after taking account of intake and context differences, ACT government schools on average achieve negative results on every measure.

Victoria University said, “At primary school level, year 5 students in the ACT are almost six months behind students in comparable schools.”

The Grattan Institute said that the ACT is the worst performer:

On this like-for-like basis, students in the ACT make two to three months less progress than the national average in both primary school (between Year 3 and Year 5) and secondary school (between Year 7 and Year 9).

The Australia Institute has said that the results of analysis suggest that there is a systemic problem with the relative performance. The Australian National University has said that, with regard to economic standards, there is “systemic underperformance in government primary and high schools”.

We have outlined some things that we think could happen in terms of the curriculum, support for teachers and teacher excellence, and pedagogy. With regard to equity, I will quote from the ACT Council for Social Services and the ACT Youth Coalition:

... relying on the ACT’s comparative ‘average’ rank in national and international testing hides the significant inequity in the ACT’s education system.

They say:

Educational disadvantage in the ACT is hidden and we need to be taking steps to address the inequities in the system.

Roberts and Leonard, from the University of Canberra, talk about equity:

... a close examination of the PISA report shows that the ACT quickly falls to near the bottom of the nation when it comes to equity in education.

A report by the ABC has said:

... the ACT still has a significant gap in NAPLAN results between Indigenous and non-Indigenous students.

The *Canberra Times* has said that the ACT has failed to halve the learning gap between Indigenous and non-Indigenous children.

The *Canberra Times* quotes a parent who talked about what she was experiencing:

“It’s been nothing short of a disaster,” she said. “It’s very alternative. It obviously will work for some kids, but it doesn’t work for a lot of kids, especially kids who have been to structured schools.”

I have many more quotes but in the interest of time I will move to the issue of bullying and violence, which I outlined as one of those five key areas. A report from a 2019 committee inquiry states:

The ACT Parents and Citizens Association (ACTPCPA) told the Committee that the rate of bullying has become a concern to the majority of ACT students with 86 percent of students agreeing that they are worried about the incidences of bullying.

Issues raised by the ACT education union came up in question time today. A report in the *Canberra Times* on 20 June—just a few days ago—says:

The figures outlined by the ACT branch of the Australian Education Union in its submission to the government are concerning.

The union says that staff reported nearly 1000 safety incidents a month in February and March. Of these, more than 800 in each month involved violence.

The arithmetic of these figures is clear and worrying ...

The report goes on:

If teachers fear for their own safety, that is a cause of concern. Apart from any other factor, fearful teachers are not best placed to impart an air of safety and reassurance to students Danger to teachers and students in schools needs to be assessed and addressed. Teachers do not deserve to be traumatised while just doing their job.

There are many more quotes from experts, including about concerning rates of bullying against principals. When it comes to school governance—this is an issue on which I agree with the Australian Education Union—school autonomy and the way that schools are structured needs to be reassessed. The Standing Committee on Education has said:

Principals exercise significant autonomy in responding to bullying or violent incidents in ACT government schools. As a result, there are inconsistencies in how schools respond to incidents.

Australian Catholic University and Deakin University studies show that school principals continue to report sheer quantity of work, lack of time to focus on teaching and learning, and student mental health as their main sources of stress. A better balance between school autonomy and consistency across schools in how performance information is analysed and used is needed. Dr Geoff Gallop, who I think was talking more broadly about schools, said, “We need a strong, coordinated public education system, not a collection of schools.”

I turn, now, to the issue of school maintenance and overcrowding. The *Canberra Times* has headlined:

Macquarie Primary School is in “dangerous” state of disrepair, parents say.

In her report, the Auditor-General made significant comment about maintenance. Harrison School P&C—parents on the front line—says, “The school has been experiencing capacity and infrastructure issues since inception.” Lyneham Primary School board says, “As a board, we are concerned that poor building maintenance increases the risk to student and staff safety and wellbeing, potentially resulting in costly repairs and litigation.”

Mawson Primary School P&C committee says:

To put it bluntly, they are already “full”.

Garran Primary School board and P&C committee says:

Garran Primary School has been engaged in School Infrastructure discussions with the ACT Education Directorate over the past 5 years.

The School has been at maximum capacity over this time to the point where it has impacted on daily operations and delivery of education.

Lyneham Primary School board says:

Despite the best efforts of the Lyneham Primary School Principal, Building Services Officer and Business Manager, several maintenance issues are not able to be addressed within the regular school budget. Some of these are of increasing concern to the health and safety of staff and students.

I have gone through those quotes because I think it is very important that we understand that this is not some baseless assertion. This is evidence based. This is from the front line of parents, teachers and the union, all the way through to the Auditor-General, academics and Assembly inquiries in this place. They are all saying things that should be of concern to us in a number of the areas. I have broken them down into those five key areas. The Canberra Liberals’ vision is to bring out the best in every child, regardless of their background or ability. I am sure everyone would agree that that is something that we want to achieve, but it is not happening. It is not happening. I have read out just a portion of the evidence that points to that. If members go to my strategy and the document that was released, authored by Dr Karen Macpherson, they will be able to read more.

I do not have all the answers, and it is quite clear that the minister does not. It is quite clear that if she did, we would not have the sorts of concerns that are being raised. So why not support an independent review? Why not get someone who is expert and who is independent—as the *Canberra Times* said, and as others have said, we would benefit from that—and have that independent review in order to provide the answers that we need to do what we all want to do, which is to bring out the best in every child regardless of their background or ability?

MR DAVIS (Brindabella) (4.06): I move:

Omit all words after “This Assembly notes: (1) that:” and substitute:

- “(a) between 2017 and 2018 the ACT Education Directorate undertook a systematic and community-led review of the education system in the ACT engaging with over 5 000 people including teachers, students, academics, and community-sector leaders; and
 - (b) this review concluded in the publication of the Future of Education Strategy which outlines a plan for ACT public education from 2018-2028;
- (2) further notes that:
- (a) there have been a series of inquiries into the ACT education system over the last five years, including:
 - (i) the current Standing Committee on Education and Community Inclusion’s inquiry into the management of school infrastructure;
 - (ii) the Ninth Assembly Standing Committee on Education, Employment and Youth Affairs’ inquiry into Standardised Testing in ACT Schools; and
 - (iii) the Ninth Assembly Standing Committee on Education, Employment and Youth Affairs’ inquiry into the management and minimisation of bullying and violence in ACT schools; and
 - (b) these reviews have provided a series of recommendations to which the ACT Government has responded;
- (3) the hard working and dedicated ACT Government school teachers, support and administrative staff who are passionate about achieving the best outcomes for ACT students; and
- (4) calls on the Minister for Education and Youth Affairs to update the Assembly on the Government’s progress on implementing the agreed upon recommendations of the Ninth Assembly Standing Committee inquiries into standardised testing and bullying and violence at the next sitting of the Assembly in August 2021.”

In my inaugural speech in this Assembly just eight months ago, I committed myself to being this Assembly’s strongest advocate for public schools, their teachers, their families and their communities. Based on that commitment, I cannot support Mr Hanson’s motion as it stands. Despite the grandstanding, the motion speaks to none of the key systemic issues that our school systems face—the inequity in federal government funding for public schools, nationwide teacher shortages, and the destructive nature of NAPLAN. It is of the utmost importance that our schools are equitable and that our students are provided with opportunities to develop, practise and express critical thinking and life skills.

I am motivated in my work by the same parental concerns as Mr Hanson. Nothing matters more to a parent than their child and ensuring that their child gets the best education. I understand and I appreciate that Canberra parents know that their children should have access to the same high quality world-class education that other children

in this city and country are able to access. As an advocate for public education, I live and breathe this sentiment.

I am not convinced that Mr Hanson's motion would achieve that. I am equally not convinced that the Canberra Liberals' discussion paper, upon which this motion is based, has any serious academic or policy contribution to make. It is all sizzle and no sausage.

To be honest, I was enthusiastic when the Canberra Liberals dropped this glossy document on us last week while I was at a conference in Adelaide. After reading it, I was disappointed, although not surprised, to find that it is simply full of motherhood statements; is overly reliant on data from NAPLAN, which we know is a flawed testing system; and uses a variety of quotes from the *Canberra Times* and Liberal buddies at the *Australian* as if they are academic peer-reviewed sources. This report is not academically rigorous despite the problematic posturing within it.

If the Liberals are suddenly so interested in supporting our public education system, I encourage my colleagues in the Liberal Party to focus their efforts and attention on the most significant source of inequality in our education system, the inequitable federal government funding of privately owned and run schools. With public money, public schools should come first. For too long, Liberal governments in this country have given private schools billions in extra funding while leaving public schools underfunded and desperate for resources. The obscene wealth of private schools in this country has been allowed—no, fostered—to grow under conservative governments in this country. Between them, the country's top 50 private schools are worth \$8.5 billion and counting. These schools are set to receive an additional \$20 billion more in federal money than public schools over the next four years.

Without significant injections of funding into our public school system from our federal counterparts, public schools, and the state and territory governments that run them, will find it painful to make the systemic reforms that we know need to occur. We have the plans; we know what works; we need increased investment locally and nationally to ensure that the plans we have have come from significant consultation and review and can be implemented wholeheartedly.

While it would be remiss of us to deny that a function as fundamental to our society as our education system does not require ongoing critical engagement and review, Mr Hanson's motion casts aside the significant community and school-led reviews that have recently been undertaken and that are currently in the process of being implemented.

They include the ongoing inquiry into school infrastructure, which has received 23 submissions from a range of impacted stakeholders, including teachers, P&Cs, disability advocacy organisations, and schools. I have been in contact with the Australian Education Union and the ACT Council of Parents and Citizens Association this week to talk through the motion on the notice paper. These organisations have expressed to me their desire for the implementation of the recommendations from inquiries that have already occurred and are outlined in the amendments to the motion, and for the proper resourcing of the Future of Education strategy, rather than the

development of a whole new review based on Canberra Liberals' terms of reference, as suggested by Mr Hanson.

As the ACT P&C association has informed me, "While the Canberra Liberals' education vision for Canberra raises some valid concerns, we do not believe another inquiry into public schools would be helpful. The council would rather the focus be on implementing the recommendations from recent inquiries."

In my meetings with the AEU ACT branch over the last few months and my discussions with them this week, we discussed a range of issues that have been raised by their members about our school system. The most significant is the nationwide teacher shortage, an issue which plays out here in the ACT, too. Mr Hanson's motion and the glossy paper that it is seeking to vicariously promote do not speak to this issue. They do not talk about teachers being underpaid and overworked or the need to support and foster respect and admiration for the significant intellectual and caring work that our teachers provide young people. No, it plays into the conservative and offensive discourse that it is a lack of intellectual and professional rigour among teachers that leads to the alleged poor outcomes for students.

This conservative project is indicative of the approach that my colleagues in the Canberra Liberals take to our teachers and our public schools. Their attack style is unproductive and serves to play to their base, vicariously supporting the privatisation of our public institutions and undermining the professionalism of our public servants.

My amendments reflect the stakeholder engagement that I have done this week by drawing attention to the series of inquiries and reviews that the ACT government and this ACT Assembly are currently undertaking or have undertaken in the last five years and providing scrutiny of the government's progress on implementing these recommendations.

Alongside the significant reform work being undertaken in response to the Future of Education review, the Assembly itself has undertaken significant work through the standing committee inquiry processes, including a current review into school infrastructure to ensure that we are appropriately building and looking after our schools. These reviews have already produced over 40 recommendations to improve the cultures of our schools and examine the use of standardised testing.

In advocating for their members, the Australian Education Union have been adamant in their distrust and disapproval of the out-of-touch and unhelpful testing regime and funding system that NAPLAN underpins. While the Canberra Liberals worship the NAPLAN testing system and rely on it to rip into our public education system, real education experts know that relying on this data is naive, as it fails to provide a well-rounded understanding of the capacity of cohorts and individual students to navigate and critically engage with the complexity of our worlds. It certainly does not account for the significant differences between schools and teachers who are forced to prepare students for NAPLAN, practising and re-practising tests rather than creatively and critically implementing the curriculum.

Professor Patrick Griffin is a world-leading Australian expert in student learning and assessment from the University of Melbourne Graduate School of Education. As he has explained to my office, NAPLAN is a very limited tool which cannot provide appropriate or helpful responses to either teachers in teaching students or parents in understanding their child's individual learning needs.

Far from the comprehensive assessment that the Canberra Liberals clearly believe this testing regime reflects, NAPLAN undermines the confidence of our students and cannot possibly account for the diversity of things young people learn in our schools. Until they scrap NAPLAN, have a serious plan to increase teacher numbers in the ACT, and hold their federal coalition counterparts to account for the inequitable funding in public schools, the Canberra Liberals cannot be taken seriously on the question of public education.

The ACT Greens have a strong history of improving the transparency and accountability of governance in this city, but there is no value to systemic reviews, inquiries and reports if we do not allow and empower our public servants, our teachers and our school communities to actually do the work required to implement the strategies that come out of them.

Our education system needs to have the time and investment to reap the benefits of implementation of the inquiries and the strategies that we already have rather than begin again and engage in yet another lengthy consultation and report writing process. My amendments call on the Minister for Education and Youth Affairs to update this Assembly on the implementation of the government's response to these inquiries in the next sitting. I commend them to the Assembly.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (4.15): I should say at the outset that I do not support the Canberra Liberals' call for yet another review into our education system, but I support Mr Davis's amendment.

The ACT government is always striving to get the very best from our education system. That includes regularly seeking independent expert advice.

Nationally, in the last few years, we have had the review to achieve educational excellence in Australian schools, Gonski 2.0; the national architecture for schooling review; the review of senior secondary pathways; the national review of teacher registration; the review of the national quality framework; and two reviews into NAPLAN. We currently have an Australian curriculum review, an initial teacher education review, and the review of the early years framework.

Here in the ACT, we have had the review of the expert panel on students with complex needs and challenging behaviours; the Future of Education strategy consultations, where we heard from 5,000 Canberrans as well as independent experts; and a number of ACT Auditor-General reviews. We have also had ACT Legislative

Assembly standing committee inquiries into the management and minimisation of bullying in ACT public schools; youth mental health; and standardised testing in ACT schools. Currently there is a committee inquiry into the management of ACT school infrastructure.

On top of these reviews, every single one of our ACT public schools goes through an independent school improvement review every five years, using the nationally recognised best practice national school improvement tool. These reviews are all publicly available on school websites.

These reviews show that the ACT's public schools are consistently performing at high levels, particularly in the areas of school culture, expert teaching teams, effective pedagogical practices, and school community partnerships.

The Canberra Liberals have attempted to criticise the performance of the system but suggest that they support teachers. They cannot do that. What they do not understand is that public education is teachers. Teachers and school leaders in our public schools know that the work that they do every single day makes a difference in the lives of Canberra children as well as their families. Canberrans can be proud of our high-performing public school system and our hardworking teachers.

The ACT government is committed to continuing to improve school education for Canberra's children and young people. We do not need the Liberals' review to do that.

I am really happy that the light has finally come on for the Canberra Liberals regarding equity. I would like to welcome the Canberra Liberals' acknowledgement that equity is a key driver of educational outcomes. Research repeatedly shows that excellence and equity in education are intertwined. Across the world, an explicit focus on equity is one of the three common components of all the top-performing school systems.

Equity means that students are supported according to their individual needs and have the opportunity to achieve, regardless of their circumstances. That means we must recognise that students have different backgrounds and different starting points in their learning. Some students may need more support to achieve their best.

As well as being backed by evidence, we know that equity matters to our community. During the consultations for the government's Future of Education strategy, we heard from students, parents and teachers that equity needs to underpin every decision that we make about education.

The Canberra Liberals have a history of dismissing the importance of equity in education. When the ACT government invested in Chromebooks for all public high school and college students, they continually implied that it was a waste of money. The Canberra Liberals did not care that doing that provided equal access to all students, regardless of their circumstances; relieved the financial burden for families; and meant that teachers could get on with their jobs without having to troubleshoot across a number of different devices. When Labor, at the last election, announced a commitment to trial free breakfasts and lunches, the Canberra Liberals made jokes

about it. Up until now, the Canberra Liberals have had nothing constructive to say about equity in our schools. As I said, I welcome their newfound interest.

In contrast, the ACT government has made a sustained commitment to equity in education. In 2018, we made sure that every student in public high schools and colleges got a free Chromebook. We made sure that every public school had access to a school psychologist. Psychologists work alongside school wellbeing teams and teams of allied health professionals to meet the education and wellbeing needs of all students. We embarked on a mission to strengthen cultural integrity across our schools so that schools are culturally safe and are accountable for meeting the needs and aspirations of Aboriginal and Torres Strait Islander students and their families. All ACT public schools have sensory spaces to give students with complex needs a place to safely de-escalate or withdraw when they need to.

In 2019, we implemented the continuum of education support model in every public high school. This means that there are three different levels of support. At the universal level, in every classroom, schools are implementing adolescent-centred practice; effective transitions; and social and emotional wellbeing support, including the positive behaviour for learning framework. For students who are at risk of disengaging, additional wellbeing supports are put in place along with flexible learning programs. For students who have disengaged, the government established the Muliyan Off Campus Flexible Education Program. Muliyan provides an alternative setting for students who need something different from a traditional classroom.

Madam Speaker, we are not done. The ACT government has an ambitious plan to continue to strengthen equity in public schools. We are committed to hiring 25 additional youth and social workers to help individual young people plan for their needs and goals at school and work with families and communities to support student engagement. We have committed to a \$12 million equity fund to support disadvantaged families in local schools with educational expenses like uniforms, sport equipment and activities, and music lessons.

We are rolling out universal access to free quality early learning for three-year-olds, starting with children who need that support most. That is because we know that early childhood is the foundation of a child's social, physical, emotional and cognitive development.

We are trialling free breakfast and lunch in five public schools so that children can have the benefit of learning with a full stomach.

I look forward to the support of the Canberra Liberals as the ACT government continues to implement equity measures in the Future of Education strategy.

Before I conclude, I would like to take a moment to thank the teachers and school staff who work in our public schools. Being a teacher is a challenging job, and that challenge is increasing as community expectations of the profession increase over time. I respect and admire the expertise and professionalism that teachers take to their schools every day. I thank teachers, school staff and school leaders for all the work

that they do to make ACT public schools some of the best in the world. The ACT government will always back you in.

MR HANSON (Murrumbidgee) (4.23): I am not surprised by the minister's comments and her failure to support my motion today; it was entirely predictable. It is disappointing. Regardless of that, I hope we can find common ground.

I intend to be a tireless advocate for government schools, for government education, regardless of the attempt to characterise the Canberra Liberals in a certain way. We are big fans of government schools, government education. We will do everything we can to make sure that they prosper in the ACT. We will do everything we can to support the people at the front line: the teachers, principals and other staff. The lead question in question time today followed up on concerns that had been raised in the Australian Education Union's budget submission about the lack of staff and the implications of that.

I am not looking for an ideological fight; I am looking for the evidence. There are things that I do not agree with. For example, I do not agree with the union about school autonomy. That needs to be looked at again; there are issues with it. I do not suggest that NAPLAN is the perfect solution, but we do need a testing regime to provide the evidence, to provide the information that we need. A review of NAPLAN was conducted recently on behalf of the ACT, New South Wales and a couple of other jurisdictions. It recommended some modifications but broadly endorsed the NAPLAN system.

I have been very careful to make sure that the criticisms I have raised today in the Assembly are referenced and are not baseless assertions. They come from the ACT Auditor-General, inquiries conducted by committees of this place, the Grattan Institute, the ANU, Victoria University and the Australian Education Union. I quoted those in my speech, as I did with parents. And I have heard from teachers.

My political opponents—such as Mr Davis—were trying to characterise my motion as some sort of conservative conspiracy. This is not a conservative conspiracy of any sort. Look at who was quoted in the paper: the Grattan Institute, the Auditor-General, the Australian National University, the Australian Education Union. There is a pretty broad base of people there who are engaged in education and either would be entirely neutral in the debate or would not be seen as allies, generally speaking, of the Liberal Party. I have been cautious to make sure that there is a balanced view.

I think that the minister would accept that the government school system is not perfect. There is work to be done. She cited a whole range of reviews. A coordinated non-ideological expert review that could draw on all the work that has been done—I have acknowledged that; I have quoted extensively from it—would benefit the system. It would benefit the teachers at the front line and, most importantly, the children in our school system who we all want to see achieve their best.

That is what this debate is about. We will continue to have it, Madam Speaker. We will agree on things and we will disagree on things, but having this debate is important.

I turn now to Mr Davis's comments. To be frank, I was shocked and appalled. It was not a robust debate about how we can better improve our government schools. I acknowledge that we have just had that. We will continue to agree and disagree, minister.

Ms Berry: We agree on equity.

MR HANSON: We agree on equity. We agree on a lot of things, I am sure. I would hope that, despite our different approaches, we would agree that we want to see the best for all children in all schools in the ACT, whether they are government or non-government.

Mr Davis's very unhelpful comments essentially declared war—ideological warfare—on non-government schools in this place. This is essentially the day when the Greens declared war on non-government schools. That is entirely unhelpful. It does nothing to help government schools; it just raises the heat of the debate and tries to bring back old debates. Perhaps it is some sort of antiquated class warfare.

I support parental choice. But at the end of the day, in this place, as a member or a minister, our principal responsibility in terms of the management of schools is government schools. Let us focus on that. Let us make sure that we are doing the best for the people that are working so hard within those schools. If you want to have your ideological warfare, I do not think that is going to help. I do not think it is going to help one iota. I am bitterly disappointed to see that sort of rhetoric raised in this place.

We will not be supporting the amendment moved by Mr Davis. It is hiding from what needs to be done. We do need to coordinate all the work that has been done, look at the evidence, and do all we can to support our schoolkids. Mr Davis's motion basically hides from that. Obviously, he did not want to just vote against the motion—and maybe the government did not—and that is why he moved the amendment. It is not something that is going to help the hardworking teachers that we all support and those kids we want to do the best we can for.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

Noes 8

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

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

Adjournment

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

That the Assembly do now adjourn.

Belconnen—55th birthday

MR CAIN (Ginninderra) (4.34): I rise to mark a very important occasion—Belconnen’s 55th birthday. Before looking at the more recent history of Belconnen, I acknowledge that the area has been home to both the Ngunnawal and Ngambri people for many thousands of years and there are to this day many sites of significance for them across Belconnen. In the era of European settlement, there were many large rural properties in the area—Pine Ridge, Strathnairn and Cranleigh among others. During the 1930s Belconnen naval transmitting station, commonly known as Bells, was constructed and made its first operational transmission on 22 December 1939. It was only recently decommissioned, in 2005.

By the 1950s construction of the infrastructure needed to establish the residential area of Belconnen was well underway, and by 1965 the basics were ready—telephone lines, electricity and roads. The district of Belconnen was gazetted in March 1966 and a commemoration stone was laid in Aranda on this day in 1966 by the then Minister for the Interior, Doug Anthony. By 1967 the first residents of Belconnen in Aranda and Macquarie were moving in.

The area has grown to 27 suburbs over the past 55 years, with the latest additions being Strathnairn and Macnamara. Belconnen suburbs are named for places of significance to Aboriginal peoples, large properties and Australia’s leaders in the fields of politics, science, law, arts and medicine, to name a few.

There are many highlights in Belconnen’s recent history and there is not time to list all of them, so I will focus on what I think are the most interesting ones. Belconnen’s first traffic lights were installed in 1973 at the intersection of Belconnen Way and Caswell Drive. Our first roundabout, that curiosity of Canberra’s roads, came 14 years later in 1987 at the intersection of John Cleland Crescent and Connah Street in Florey. Another of those Canberra curiosities, an artificial lake known as Lake Ginninderra, was built in 1974. The first sod was turned on the site for the Belconnen Mall in 1975. The home of elite athletes, the Australian Institute of Sport, was opened in 1981 and we got our university in 1990 when the Canberra College of Advanced Education became the University of Canberra. The celebrated owl statue graced Belconnen Way in 2011.

Over the years Belconnen has flourished and become a place that really has it all. It has beautiful parks and open spaces, cafes and restaurants, thriving local shopping

centres, some of Canberra's best schools and a world-class university, a vibrant arts scene including live music venues and the Belco arts centre and, most importantly, a community of people who are proud to call Belconnen their home.

I am privileged to have lived in Belconnen for the last 24 years with my family, and I could not think of a better place to have raised my family. In celebration of Belconnen's 55th birthday, the Belco arts centre has an exhibition running until this Sunday, displaying photographs of Belconnen from the past 55 years. I encourage you all to get along and see it.

Finally, I acknowledge Mr Brian Rhynehart whose extensive research on the history of Belconnen I have drawn on heavily to put together these brief remarks. Thank you, Mr Rhynehart.

In closing I quote a friend of mine who is a Ginninderra constituent and avid Belconnen advocate: "Belconnen is the centre of the universe. Others may differ in their opinion." I back this up by saying: may it stay that way. I further add: let's make Belconnen clean, green and beautiful—even more so than it already is. I ask all residents to join me in wishing Belconnen a very happy birthday, and here's to making it an even better place to live for the next 55 years.

Health—National Health Co-op

MS CLAY (Ginninderra) (4.39): I would like to speak briefly about the National Health Co-Op which has been providing essential and affordable services to the residents of west Belconnen for over a decade now. It was heartbreaking to see the Charnwood clinic announce its closure in July last year and then to see the co-op as a whole go into voluntary administration last Monday. The National Health Co-op began as a community-led idea in 2004 by a group of Charnwood residents. Canberra has very few bulk-billing GPs compared to other capital cities, and for many people a bulk-billed service is the only one they can afford. I have heard from countless community members who have to choose between the groceries that week and a check-up, dental or physio appointment.

These Charnwood residents decided they would take matters into their own hands regarding the lack of bulk-billing GPs in west Belconnen. In 2006 they formed the West Belconnen Health Co-operative as a not-for-profit, member-owned service. After lobbying, they received \$220,000 in funding from the ACT and federal governments in 2010. For an affordable annual fee of \$90 or \$110 for a family like mine, members could receive unlimited bulk-billed consultations. The co-op quickly grew to cover more areas than just west Belconnen, partnering with other not-for-profits. They provide access not just to GPs but to allied health professionals like psychologists, dietitians and physiotherapists.

In 2014 they updated the name to the National Health Co-op to reflect their wider membership base, showing that they had expanded well beyond that first Charnwood clinic. They set up eight clinics across all corners of Belconnen as well as central Canberra, Molonglo and Tuggeranong. The co-op employs 90 medical staff across those clinics and has 32,000 members. It has become a lifeline for many vulnerable members of our community who need local, affordable health care.

In 2016 Belconnen had the highest rate of bulk-billing in the ACT at 65.5 per cent versus 57 per cent across the rest of the territory. Prior to the start of the co-op the ACT had a bulk-billing rate of only 37 per cent, so it looks like they made a pretty big difference. That is why this week I was so sad to hear that the co-op had gone into voluntary administration.

I am pleased that the government has announced a continuing commitment to its new health centre in Coombs, which was set up alongside the co-op, but I am concerned about access to bulk-billed health services for west Belconnen, Belconnen and Canberra in general.

On a personal note, I also find this deeply problematic. My entire extended family are co-op members and we have received great services. There is a doctor who does rounds at my mother's nursing home; my partner and I visit our local clinic and get GPs of our choosing. My doctor is the only medical professional I have ever seen who actually runs on time. Not speaking about my family now, but I can also say that the co-op deals pretty well when a child hides under a chair and refuses to have an injection. They seem to have every Disney Band-Aid that has ever been made.

Once again a lack of federal funding has left us with a local problem. We need proper federal funding so that everyone can access the medical, dental and allied health services they need. Once again we are left in the ACT to fix a problem we have not created.

I look forward to next steps and further information on how Canberrans will be able to access convenient and affordable health services in their local area. I am particularly concerned about our Belconnen community, which has so many co-op clinics. I feel we will be most impacted by any possible changes. I am glad we will continue to have co-op services during the next three months of trading, and I encourage any concerned Belconnen residents to reach out and get in touch with my office on this issue.

Belconnen—55th birthday

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) (4.43): I do apologise, Madam Speaker; it looks like Mr Cain and I have similar speeches, perhaps drawing from the same material, and I think Mr Cain may have even drawn from my Facebook post.

Today is a special day and, wherever we are from, I think we can be excited to celebrate Belconnen's birthday. Belconnen today turns 55 years old. Of course, as Mr Cain also rightly acknowledged, these lands are tens of thousands of years old and it is worth not just acknowledging but also emphasising that these always were and always will be Aboriginal lands, home to the Ngunnawal people.

Belconnen's more recent history resulted in European farmers arriving in the mid-1800s. There is a tree, a foreign tree—for lack of a better word—an exotic tree, that is right across from where I live near the Belconnen library that is a marker of these times. An area that is very familiar to people in the Belconnen region, particularly

around the suburbs of Evatt, Giralang and Spence, is Palmerville. It was an old station and it is now a fantastic heritage park. These mark some of those early European settlements.

It was on this day 55 years ago that urban Belconnen began. It was Aranda that was commissioned as the first suburb. Like Mr Cain, I draw on the history of Belconnen compiled by my friend Brian Rhynehart, who was also my colleague for many years on the Belconnen Community Council. He has contributed in so many ways and is really quite a living treasure from Belconnen. I will quote Brian directly:

... amid heightened security resulting from the shooting of the Leader of the Opposition, Arthur Calwell, in Sydney a few days earlier, the District of Belconnen—

a name associated with the locality since the days of the early settlers, the name having been taken from a land grant in the area made in 1837 to the explorer Captain Charles Sturt—

was inaugurated by the Minister for the Interior, Doug Anthony. A commemoration stone was laid in the Aranda playing fields.

It was in the next year that the first residential leases at Aranda were offered at auction. In 1967 the suburbs of Aranda, named for an Aboriginal tribe of Central Australia, and Macquarie, named for Major General and early Governor of New South Wales, Lachlan Macquarie, were gazetted before those first to live in Belconnen moved in.

Having doorknocked the streets of Aranda and Macquarie especially several times over, I know there are a number of Belconnen residents from those very early days who still live in these same homes. Since then Belconnen has become home to hundreds of thousands more and it remains the biggest region in this beautiful city that we call home.

Belconnen is characterised by its richness of culture, the absolute diversity that we see right across the region and, I think, a real passion for our home. Once you move to Belconnen and you fall in love with it, you do not just fall in love with it; you become a fierce defender of it; you become a warrior for it. You may not necessarily get a tattoo of 2617 somewhere on your body, but you live and breathe exactly what that means. There is something really special about Belconnen.

I talk about it a lot and to this day I still cannot quite put my finger on exactly what it means to be there. But when you are there, you know exactly what I am talking about. It is special. It is the fabric of the people that make it an incredible place, how lucky we are and how lucky we continue to be to have such a remarkable area to call home. I wish it a very happy 55th birthday in its more modern times.

World Public Service Day

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for

Sustainable Building and Construction) (4.49): Today I had the pleasure of attending the CPSU thank-you morning tea with Minister Gentleman to celebrate World Public Service Day. I know a number of officers of members of the Assembly were also in attendance.

This day was designated by the United Nations in 2002 to celebrate the work that public servants do for their community. I would like to take this opportunity to acknowledge and thank them for the work that they do. Our city and what makes it great is largely thanks to the work of public servants.

As noted today, this has been particularly evident throughout the COVID-19 pandemic. Public servants have adapted, established and communicated the new government responses. They have delivered world-class frontline health services. They have maintained the parks that were used a lot more, and they totally changed their teaching methods to teach our kids remotely. They showed extreme resilience by doing all of this while having to adapt to the stresses of the pandemic themselves, such as working from home and dealing with having their own kids being taught from home.

A number of us that sit in this chamber have been public servants in the past, in both the federal and the ACT public service. We know from personal experience the rewarding and important work that occurs when we serve the public. I would particularly like to thank the public servants in the directorates of my ministerial portfolios: Housing ACT, within the Community Services Directorate; the Environment, Planning and Sustainable Development Directorate; and Major Projects Canberra. They have helped me to learn the ropes over the last few months and have taken my enthusiasm in their stride after coming straight into a ministerial role after being elected.

Every day I am impressed and inspired by the professionalism and the dedication to making people's lives better, solving people's problems and making this city an even better place to live. It has been a pleasure to reconnect with some old colleagues and be advised by people who have chosen to bring their talents and their skills into these parts of the public service. So to every public servant today, and those in the Office of the Legislative Assembly as well, thank you, and celebrate the difference that you make to our lives every day.

Question resolved in the affirmative.

The Assembly adjourned at 4.52 pm.