



Debates

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Thursday, 7 October 2021

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MADAM SPEAKER (Ms Burch) (10.01): 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.

Leave of absence

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

That leave of absence be granted to Mr Milligan for today's sitting for personal reasons.

Roads—automated vehicles Ministerial statement

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.02): I am pleased to deliver this ministerial statement on automated vehicles. Anyone who has driven a new vehicle recently will know that the technology that goes into our cars is rapidly evolving. Automation is bringing a revolution in vehicle technology and, if implemented properly, the benefits could be significant, from providing flexible integrated transport to providing safer roads and better environmental outcomes.

There have been numerous predictions of driverless or fully autonomous vehicles on our roads. Under the SAE international automation levels standard, the classification of automation ranges from driver assistance, at level 1, to full automation, at level 5. Reliable and safe level 5 technology may one day be a reality on our roads, but we are not at that point yet.

Tesla continues to acknowledge the limitations of the technology, with CEO Elon Musk tweeting in June that “Generalised self-driving is a hard problem.” However, some lower level automated technologies are becoming standard. Features such as auto emergency braking, adaptive cruise control and lane-keeping assistance are found in many vehicles, and new features will continue to be developed and rolled out by vehicle manufacturers.

Austrroads, which is the collective body of Australia's and New Zealand's road transport agencies, forecasts that by 2025 around 40 per cent of Australia's passenger vehicle fleet will feature at least one of the abovementioned features. By 2030, all passenger vehicles sold are forecast to be fitted with at least auto emergency braking, and most new vehicles will also feature multiple active safety systems.

Additionally, around 10 per cent of new car sales in 2030 will include features for highly automated driving. The ultimate potential of this technology and when it will be available for use on Australian roads is not yet certain. What is not in doubt is that automation technology will transform our vehicles and the way we travel, and the technology will constantly evolve over time.

There are many ways in which more automated vehicles could improve our lives, but perhaps the area where they offer one of the most significant benefits is road safety. Under the ACT Road Safety Strategy 2020-2025, the ACT government is committed to vision zero, meaning no deaths or serious injuries on our road transport network.

We believe that it is possible to reduce road deaths and serious injuries to zero, and for the community to avoid the terrible heartbreak and costs associated with them. In our pursuit of vision zero, we have prioritised the safe system approach to road safety. The safe system approach provides the technical methodology and policy framework for achieving vision zero.

The safe system approach focuses on three elements—safe road use, safe roads and safe vehicles—with safe speeds applying across each of the key themes. This approach has already helped us to achieve a lower number of road fatalities per capita than the national average, but there is still more to do.

Automated vehicles are safer vehicles. They improve adherence to safe speeds, detect when other vehicles present a danger, smooth traffic flows, improve vehicle control and reduce noise. Importantly, these vehicles have the potential to significantly reduce deaths and injuries resulting from human error. The safety benefits are enjoyed by both those in the vehicle and those out of the vehicle.

As with any new vehicle technology, we will ensure that any new features are introduced to ACT roads in a safe and coordinated manner. As we have stated in the ACT Road Safety Strategy 2020-2025:

Attention must be given to advances in technology that will assist in keeping all road users safe, adopting improved vehicle safety standards and increasing the uptake of safer vehicles.

In our recent submission to the Australian parliament's Joint Select Committee on Road Safety inquiry, the ACT government welcomed the mandating of technologies like automatic emergency braking, AEB, for all new cars, which the Australian government has been consulting on. Most new cars also have adaptive cruise control technology.

This has significant potential, in addition to AEB technology, for preventing vehicles from getting too close to each other on all road environments. In the submission we drew the committee's attention to advances in adaptive cruise control technology, which detects the speed limit of the road on which the vehicle is travelling and automatically reduces the speed of the vehicle appropriately. These types of technologies are already in use in vehicles on our roads. We have suggested that, as the spectrum of vehicle autonomy progresses, new design requirements could be made, in line with other jurisdictions, to improve road safety.

Autonomous vehicles also have the potential to produce better environmental outcomes than conventional cars. For example, this could be achieved through more efficient braking and acceleration as well as improved capability and efficiency in navigating the city and road environment. A fully integrated autonomous network where vehicles are talking to each other also has the potential to improve traffic flow and energy efficiency, reducing emissions.

Highly automated vehicles are often zero-emission electric vehicles. The combination of electric and autonomous technologies has the potential to reduce vehicle emissions both directly and through facilitating a mode shift to more sustainable transport options, including public transport. The territory is leading the nation in supporting electric and zero-emissions vehicles through our transition to the Zero Emissions Vehicles Action Plan. This approach will also support early preparation for the introduction of automated vehicles in the future.

As automated vehicles become more sophisticated and driverless vehicles become a reality, there is real potential to increase the independence of Canberrans who are living with disadvantage. Whether it is older Canberrans, people with a disability or even younger Canberrans, driverless vehicles provide greater mobility and choice and reduce a key barrier to fuller participation in the life of Canberra. Driverless vehicles also have the potential to allow all of us to better use the time we spend on the road.

Automated vehicles will also have the capability to extend the reach and flexibility of our transport network. The ACT Transport Strategy 2020 identifies that Canberra's future network will be built around orbital, central and local links, with rapid and feeder buses operating on central and local links.

Autonomous transport will create the opportunity to augment these feeder services in low density residential areas to expand the reach, flexibility and efficiency of Canberra's transport network. Importantly, though, we do not anticipate that autonomous vehicles will displace the role of mass transit systems like light rail. Cars are still cars, and they will still cause congestion, autonomous or not. If not implemented properly, autonomous vehicles and taxis could add congestion pressures because of dead running—dead trips where commuters call empty cars to them from across the city.

It is also likely that a mix of transport solutions—autonomous electric vehicles, active travel and mass transit systems like light rail—will all have a role to play in moving people around Canberra in the future. Mass transit in particular will continue to play an important role in moving large numbers of people down major transport corridors quickly and efficiently. This system could be connected with autonomous vehicles, as

well as other forms of mobility. For example, self-driving taxis have the potential to feed into mass transit options like light rail, rapid bus routes and train lines, rather than adding to traffic on congested thoroughfares.

As automated vehicle technology emerges, the ACT government's approach will be supporting an integrated transport network for a connected, vibrant and sustainable city. Madam Speaker, it is clear that automated vehicle technology continues to advance, and governments have a clear role to play in policy and regulation to support road safety, environmental and transport outcomes.

I would like to take a couple of minutes to outline the work we are currently doing to prepare for the broader uptake of these vehicles, what we have achieved to date, and the next steps we are taking to progress this important area of innovation. As the Minister for Transport, I am working with Australia's other transport ministers to get the right national policy frameworks in place for autonomous vehicles, through the infrastructure and transport ministers council and the national cabinet reform committee on infrastructure and transport.

Infrastructure and transport ministers have tasked the National Transport Commission with a program of work to complement the work of commonwealth, state and territory governments, as well as Austroads, in bringing automated vehicles to Australia. This program includes regulatory reforms for automated vehicles, which include legal and institutional mechanisms to regulate the safe importation and operation of automated vehicles on our roads; a national policy framework for land transport technology and an action plan which identifies the steps governments may take to prepare for the technological and data needs of automated vehicles; and the Austroads connected and automated vehicle program, which coordinates the trials of automated vehicles and intelligent transport systems occurring around the country. These three streams of work cover the regulation, technology and testing required to introduce automated vehicles to Australian roads in a safe and coordinated way.

From 2018 to 2020, ministers made decisions to adopt a national approach to the safety assurance of automated vehicles when they first enter the Australian market and when they are operating on Australian roads. In a significant step forward, infrastructure and transport ministers agreed in June 2020 to the development of a national automated vehicle safety law. The proposed law would establish a general safety duty on the entities responsible for automated driving systems and an in-service safety regulator responsible for regulating the operation of automated vehicles.

Working together with jurisdictions and the NTC, the aim is to have legislation drafted by the end of 2023, with the national regulator operational by 2026. It is anticipated that this would be ahead of the expected entry of automated vehicles into the Australian market. It is important to note that this is a proposal to develop national legislation that would be subject to consultation with the community and stakeholders and to approval by relevant governments, ministers and parliaments. The national legislation will be supported by reforms to state and territory laws.

In August 2016 the former Transport and Infrastructure Council agreed to the national policy framework for land transport technology. The framework outlines a national

approach to policy, regulation and investment decision-making for technologies in the land transport sector. Underpinning this framework is the recent National Land Transport Technology Action Plan 2020-2023.

This action plan builds on work from the 2016-19 action plan and includes new work over the next three years on safety, security and privacy; digital and physical infrastructure; data requirements; standards and interoperability; and positioning for disruption and change.

This work is being led by the National Transport Commission, which is the national body responsible for land transport reform in Australia. The government will be considering in closer detail what activities are to progress under the National Land Transport Technology Action Plan over the next three years.

The last stream of work is the Austroads connected and automated vehicle program, which includes the trial of automated vehicles and intelligent transport systems. This program brings together trials of vehicle technology, intelligent transport systems and infrastructure from around Australia. The ACT's CANdrive project, as well as trials conducted in partnership with EasyMile in City Walk and Belconnen, are a part of this project. It is worth noting that this national program is dynamic, in recognition of the constantly evolving automated vehicle environment.

I would now like to turn to some of the actions the ACT government has already taken to prepare for the introduction of automated vehicles to the territory. The ACT government and Canberra community have a track record of embracing new technologies, and the ACT government has supported and partnered in several trials of automated vehicles.

In 2017 we partnered with vehicle technology company EasyMile to test a driverless shuttle bus in Canberra's City Walk. In 2018 the ACT government supported the CANdrive project undertaken by local technology company Seeing Machines. Using Seeing Machines driver monitoring technology, this trial has been helping us to understand how humans are going to interact with semi-automated vehicles in a real-world situation.

With the increase in automation, the role of the driver will change. For example, level 2 automated vehicles are already registered for use on Australian roads, but the driver is legally in control of the car. CANdrive has helped us understand when and why, from both a safety and a regulatory perspective, a driver should be in control, rather than the automated vehicle being in control, and help to manage the transition from one to the other with reduced risk.

In 2019 we again partnered with EasyMile to test a driverless shuttle bus, this time on a publicly accessible private road at IRT Kangara Waters Retirement Village in Belconnen. This trial followed a set route to transport residents and visitors around the village.

These successful trials, taken together with similar trials conducted around Australia and internationally, demonstrate proof of concept that automated vehicles have the

potential to join the mix of transport types in Australia's future transport system. These trials have encouraged community awareness of, interest in and acceptance of automated vehicles.

In a slightly different vein, we have also been exploring adjustments to the ACT's regulatory frameworks that will enable the use of automated vehicles in the future, as technology matures. One important area where we have already made important preparatory improvement is in delivering the ACT's motor accident injuries scheme.

We introduced reforms to the ACT's compulsory third-party insurance scheme for a range of good reasons: to expand the number of Canberrans who are covered, to help people access care and support sooner, and to direct a greater share of scheme costs towards helping injured people, instead of going through the legal system.

I am really pleased to say that after about 18 months in operation, the new scheme has been seeing very positive results across all these fronts. But another important rationale for moving to a no-fault approach to motor accident injury insurance is that a fault-based scheme simply does not work in a world of autonomous vehicles. The ACT's old approach relied on identifying someone who is at fault, and therefore someone to sue, in order to provide benefits for injured people.

In a world of autonomous vehicles, this is a complex ethical question. Who is at fault if a driverless car injures someone else on the road? The person who owns it? The company that manufactured it? The software company that designed the artificial intelligence which guides it? These are very complex questions which will need to be explored and unpacked further in our legal system as the use of AI expands across transport and a range of fields.

In the case of motor accident injury insurance, we have effectively solved this problem already. By moving to a scheme where anyone who is injured on our roads is entitled to treatment, care and income replacement benefits regardless of who was at fault, this particular part of our regulatory system is well set up for a time when autonomous vehicles may be on Canberra's roads.

This is just one example, and there obviously is a lot more work to do to prepare the ACT's regulatory frameworks for wider uptake of autonomous vehicles. But it is an example of how we can be incorporating a future focus into the legislative and regulatory reforms we make today, to ensure that our system is responsive and ready for the changes we know are coming.

Madam Speaker, the ACT government acknowledges the significant advances in automated and autonomous vehicle technology over recent years and is taking the necessary steps to ensure that Canberrans can take advantage of the opportunities it provides for the future. The benefits could be significant and extend beyond vehicle owners to all members of our community.

The ACT government will continue to work with industry and with other Australian states and territories to progress this work, together with the commonwealth. I am working with my ministerial counterparts at the commonwealth, state and territory

level to develop consistent regulatory and safety protocols so that automated vehicle technologies can be trialled and introduced safely to ACT roads, when they become available. I look forward to continuing to engage with the community, other jurisdictions and partners in industry on this important work.

I present the following paper:

Automated vehicles—Ministerial statement, 7 October 2021.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

COVID-19 pandemic—planning and development consultation Ministerial statement

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (10.21): Madam Speaker, the impacts of the COVID-19 public health emergency on the Canberra community over the last 18 months have been far-reaching. Many challenges have been faced and continue to be faced. The impacts on work and productivity across all areas of our economy include the planning and development sector and the construction industry.

The ACT government, including the Environment, Planning and Sustainable Development Directorate, is committed to ensuring that stakeholders and members of our community have a genuine opportunity to engage in, and have their say on, the planning policies, programs and services that are important to them.

There are important conversations to be had about how we deliver good planning outcomes for Canberrans across a number of projects. These discussions will result in better policies and programs to support the interests of industry and the community more broadly. It is no secret that policies and projects are enriched by community and stakeholder input. That is why we have had comprehensive whole-of-government guidelines for consultations, campaigns and other engagements.

We are mindful of the effects the COVID-19 lockdown and restrictions on gatherings have had, and will continue to have, on consultation processes. The government paused much of its engagement activity at the start of our current lockdown, in recognition of the need to support the public health response. The government prioritised messages about COVID-19 and redirected public service resources to the COVID-19 surge workforce.

I wish to take a moment to thank directorate staff who continue their commitment to business as usual in a time that is anything but, as well as staff who are contributing to the government's public health response to get the important messages related to COVID-19 out to the community as a priority.

COVID-19 has encouraged us to be innovative in the ways we engage with stakeholders and the broader community. The government has adjusted its conversations over the past 12 months. While face-to-face information sessions have historically been a common avenue to deliver planning information, receive feedback and generate discussion, there has been increased use of online channels and platforms over the past 12 months to support and encourage participation while in this current COVID-19 environment.

We are using more online surveys, discussion pages and focus groups to target stakeholder engagement to those most impacted or affected. We are holding virtual meetings using online meeting tools such as Microsoft Teams and Webex. We are maximising our engagement through the government's online engagement platform, YourSay, to capture input through maps, images and interactive processes.

We are focusing on presenting information through graphics, diagrams and videos that are easily digestible. Where appropriate, we are working closely with key stakeholders, in addition to holding public consultation. And we have extended consultation periods to give people the opportunity to have their say during these busy times.

On this point, practical examples of this happening during our recent lockdown include Territory Plan draft variation 328, which implements the recommendations of the Oaks Estate master plan. Refinements were made to this draft variation in response to comments raised in the previous round of public consultation. Draft provisions have been added to the precinct code in response to concerns about potential contamination on blocks to be rezoned. I agreed to release the revised draft variation for another round of public consultation, which took place on 6 August. The closing date for this has been extended from 17 September to 29 October 2021. The directorate is liaising with the local residents association to provide a fact sheet further explaining key points of the draft variation, to support my submissions and the submissions that they make.

As well as extending the consultation period for the Oaks Estate draft variation, we extended the "end of trip facilities" draft variation, DV357, for the same time frame.

During 2021, including throughout our current lockdown, the government's dedication to consultation on planning and development matters has continued in refined ways, with a range of engagement undertaken with community and industry groups. A fantastic example of this is the continuation of the directorate's Environment and Planning Forum, which moved from regular face-to-face meetings to online.

I have asked the Chief Planning Executive to use the EPF, the Environment and Planning Forum, meetings this year as a chance for community councils, industry and NGO representatives to provide early advice to the ACT government on possible legislative changes resulting from the ACT planning system review and reform project. This is a direct way to regularly influence government decision-making at a stage when ideas are being explored.

Another example is the Planning and Construction Industry Chief Executive Reference Group, which is the main forum for conversations between government and the planning, development and construction sectors. Meeting with this group has been especially relevant, as the construction industry was so severely impacted by the lockdown.

This reference group has been meeting with peak bodies in the sector as often as three times a week. Officials from across government attend, including Health, ACT Policing, and the work safety commissioner. Peak bodies include the Housing Industry Association, Canberra Business Chamber, Property Council of Australia, Real Estate Industry Association of the ACT, Master Builders Association and Institute of Architects. Feedback received from one member was that it is a great opportunity to see the directorate facilitating regular communication with industry as we navigate our way through COVID-19.

We want to make sure that industry has projects ready when we are out of lockdown. Part of the conversation with the reference group is sharing how the government is doing engagement and inviting industry to consider how they can navigate engagement during this time. We are, as usual, able to assist them with community consultation practices in the current public health situation.

We have encouraged industry to make sure any engagement sessions are COVID safe and that they provide alternative ways for at-risk groups to learn about and give feedback on construction projects.

We have also championed extending the DA community consultation for prescribed developments beyond the minimum two-week time frame outlined in the pre-DA guidelines. Interested members of the community can see a fact sheet on the planning website called “Having your say on developments in the ACT”. This fact sheet explains the difference between development application public notifications and pre-DA community consultation and outlines how the community can have their say on developments.

These changes to virtual and more frequent consultation have been an adjustment for many. I wish to thank stakeholders and members of the community who have adapted to these changes and who have continued to share their valuable interest, personal contributions and contributions on behalf of the community and industry. We look forward to continuing engagement as we emerge out of lockdown.

I present the following paper:

Consultation during lockdown related to planning and development—Ministerial statement, 7 October 2021.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Environment—threatened species Ministerial statement

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.30): I am pleased to deliver to the Assembly today a ministerial statement on threatened species. In the ACT there are currently 53 species and three ecological communities listed as threatened under the Nature Conservation Act 2014. This means that they have been assessed as likely to become extinct in the foreseeable future.

There are many threats facing these species and communities. Some of the key threats include the loss of mature native trees and habitat fragmentation caused by historic land clearing and Canberra's urban expansion; invasive plants and animals; disease; and, increasingly, the impact of climate change. It is a global shame that Australia has the worst extinction rate in the world, and extinctions will only continue as the climate continues to warm.

Canberra has already borne the brunt of the effects of extreme weather, through heat, fire, smoke, hail and flood. These shocks, combined with ongoing changes to climate, are increasing the threats over coming years. Threatened species and ecological communities are important to all Canberrans for the roles they play in providing us with ecosystem services. However, they are important for their intrinsic value too.

The ACT government currently runs over 20 threatened species programs and research projects. They are delivered by the Environment, Planning and Sustainable Development Directorate, working in strong collaborative partnerships with a range of universities, zoos, botanic gardens, state and Australian government agencies, and community conservation organisations. Strengthening our partnerships is critical for delivering outcomes for threatened species. This has included recent investment to support catchment groups and ACT wildlife. We are also co-designing an approach with peak bodies, including the ACT Conservation Council, Friends of Grasslands, the Canberra Ornithologist Group and our catchment groups, to establish a biodiversity forum. This forum will explore joined-up actions to deliver existing strategies and to tackle issues like climate adaptation and connectivity across the ACT. In order to ensure the long-term protection of these species, the development of an ACT government threatened species strategy is underway. The strategy will outline the ways that we can address threats to our native plants and animals.

The ACT government is a key partner in many collaborative initiatives for the conservation of species. The innovative citizen science platform Canberra Nature Map is a leading example of community input and engagement helping us to deliver better outcomes for our diversity. Over the last year alone, 600 new rare and threatened flora and fauna records have been added to the platform. The ACT government's ACTMAPi online spatial platform makes data on threatened species and communities from a range of sources publicly available to inform conservation and planning stakeholders, within and beyond government. These two resources provide critical data to inform land management, planning and conservation.

At Tidbinbilla Nature Reserve, the ACT government undertakes captive breeding programs for three endangered species: the southern brush-tailed rock wallaby, the northern corroboree frog and the Canberra grassland earless dragon. The southern brush-tailed rock wallaby is the faunal emblem for the ACT, but the species has not been seen in the wild here since 1959. It is estimated that there are fewer than 100 individuals remaining in the wild nationally. The major threat to populations is predation from introduced predators. At Tidbinbilla, a captive breeding and insurance colony of southern brush-tailed rock wallabies is part of a collaborative effort with Victoria and New South Wales to ensure the species' survival, the maintenance of genetic diversity and the production of animals for reintroduction.

Meanwhile, the continued success of a captive breeding program for the critically endangered northern corroboree frog at Tidbinbilla enabled the release in late 2020 of 540 young frogs into Namadgi National Park. This introduction of young frogs to enhance the viability of the wild population is a collaborative project between the ACT government and the Australian National University. The northern corroboree frog is at risk of extinction in the wild primarily because of the pathogen chytrid fungus. The innovative approach used in the reintroduction aims to enable the species to persist in the presence of the disease and to establish self-sustaining wild populations.

Another of our critically endangered species is the Canberra grassland earless dragon, which is a small reptile that is limited to fragments of habitat in the ACT and nearby New South Wales. Recent research has identified that the Canberra grassland earless dragon is one of Australia's 20 reptile species likely to go extinct by 2040. Wild populations of Canberra grassland earless dragons are monitored in the ACT by the ACT government ecologists each summer. Capture rates of wild animals have declined substantially in recent years, with drought and urbanisation likely contributors to the decline. In response, the ACT government has committed over \$2 million to saving this species. Large-scale habitat restoration and research programs are underway, and an insurance population of Canberra grassland earless dragons has been established at Tidbinbilla Nature Reserve.

As part of our efforts to save this species, the grassland earless dragon captive breeding facility was launched on 27 May 2021. Founding animals were bred by the Melbourne Zoo, supplemented by two animals taken from the wild. The ACT's captive breeding program for this species will commence in spring this year and provide valuable animals for reintroduction and population supplementation programs.

Looking after the habitat of our threatened species is also critically important. The ACT is significant in having large intact grasslands and grassy woodlands, which provide habitat for a diversity of species. Since European settlement, our grasslands have come under increasing pressure from agricultural modification, urbanisation and a changing climate. Due to these changes, less than 10 per cent of the grasslands in south-eastern Australia now remain in high ecological condition. Natural temperate grasslands are considered to be one of the most threatened Australian ecosystems, and are listed in the ACT as endangered and listed nationally as critically endangered. As such, our native grasslands are a priority for protection and management.

The ACT's remaining woodlands are nationally significant, as they are among the biggest, best connected, most botanically diverse examples of their type. The critically endangered yellow box-red gum grassy woodland is particularly important. The ACT's native woodland conservation strategy guides the protection, restoration and adaptive management of our woodlands for the next 10 years. Similarly, our native grassland conservation strategy and associated action plans guide the protection, management and restoration of native grasslands for the next 10 years. Together, these strategies outline key actions to conserve, protect and restore habitats.

Across the Molonglo Valley, the ACT government has restored five hectares of the habitat for the threatened pink-tailed worm-lizard, and restoration of a further two hectares is underway. We are also working to protect our beautiful but threatened bird species. Breeding and movements of the vulnerable little eagle have been monitored in the ACT by the ACT government since 2016. The research is run in collaboration with the CSIRO, the ANU and Ginninderry. Sixteen birds have had GPS transmitters attached, and 14 breeding pairs were monitored last year. We have discovered that these birds travel great distances interstate during their winter migration.

The research has provided evidence to guide the management actions of our environment and to ensure that this species can continue to breed successfully in the ACT. Research into another iconic bird, the endangered superb parrot, is also underway to ensure that critical breeding and habitat resources are maintained in the ACT. Breeding success is monitored at two key breeding sites, and GPS trackers have been attached to four birds to help us understand their movement patterns and habitat needs. Genetic analysis of these populations has commenced so that we can understand their genetic diversity and viability.

We are even looking after our iconic threatened fish and other aquatic species. The ACT government undertook annual monitoring of two threatened fish species, the Macquarie perch and the two-spined blackfish, as well as the near-threatened Reiks crayfish. These monitoring programs have a special importance after the considerable impacts on populations following the Orroral Valley fire. Understanding the mechanisms through which these species are impacted will help guide the management of our aquatic environment and restore the conditions that the species need.

We also care about our threatened ACT flora. The ACT government conducts annual monitoring of many populations of threatened plants and their habitat condition. Threatened orchid seeds are being banked in an ongoing collaboration with the Australian National Botanic Gardens, and the translocation of the Canberra spider orchid is being planned. Genetic analysis of the few remaining individuals of the endemic Tuggeranong lignum is underway to inform future on-site and off-site population management and enhancement.

Looking after our species also means helping the community to understand and experience native species and ecosystems and what is needed for their long-term protection. The Mulligans Flat Woodland Sanctuary, run by a partnership between the ACT government, the Woodlands and Wetlands Trust and the Australian National

University, provides a safe haven for a range of threatened species in the ACT, as well as opportunities for research and communication about the restoration of threatened woodland ecosystems. The sanctuary sits within the largest tract of critically endangered box gum grassy woodland in public management within the ACT. The predator-proof fence, along with feral animal control, has allowed the reintroduction of locally extinct native marsupials, birds and mice that are vulnerable to predation.

The threatened fauna species that have been reintroduced into the sanctuary include eastern bettongs, eastern quolls, bush stone-curlews and New Holland mice. Visitors to the sanctuary may be lucky and actually see these animals back in the native ecosystem, even within our urban environment. To help people better understand and experience our native species and environments, the Mulligans Flat Woodlands Sanctuary partnership is currently constructing a woodland learning centre in Throsby that is due to be opened in late 2021. The woodland learning centre will allow further opportunity for education and engagement with the community around eco-restoration and threatened species conservation.

I present these examples of our work to demonstrate the ACT government's commitment to the long-term conservation of our threatened plants and animals. Our unique species are a part of our landscape's health, and part of our community's wellbeing. They need our ongoing help to address the range of threats and the extinction crisis, to get them back onto the road to recovery. Different futures that lie ahead also depend on our collective ability to address climate change for the sake of our plants and animals and the ACT community.

I present the following paper:

Threatened species: A Road to Recovery—Ministerial statement, 7 October 2021.

I move:

That the Assembly take note of the paper.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (10.45): I want to thank the Minister for the Environment for bringing forward this important statement today and I want to add to her remarks by outlining efforts the planning and land management portfolio is taking to protect threatened species and enhance biodiversity.

The ACT planning system does not sit or operate in isolation. Environmental, economic and social drivers are key considerations in the planning we do. Planning calls upon numerous ACT government policies and initiatives that dovetail to protect biodiversity in the ACT. The ACT Planning Strategy 2018, like its predecessors, seeks to protect biodiversity. Ensuring that future generations can also benefit from this biodiversity in the future is something that is front of mind for me when planning

for Canberra's future. The ACT planning strategy guides how Canberra will grow and change into the future.

It sets a clear and compelling vision for Canberra:

To be a sustainable, competitive and equitable city that respects Canberra's unique legacy as a city in the landscape and the national capital, while being responsive to the future and resilient to change.

One of the strategic directions of the ACT planning strategy is to "protect biodiversity and enhance habitat connectivity to improve landscape resilience". This is an overarching goal that is a core principle of the ACT government strategic planning directions for the territory. Biodiversity and protection of threatened species are important elements of our planning. The ACT planning strategy also has two specific actions that the ACT government endorsed. The first is to "identify and establish environmental offset areas within planning processes to mitigate any unavoidable impacts of development on ecosystems and biodiversity of national significance and other protected matters".

I am happy to report that the environmental offsets program has been up and running for quite some time. The Labor government has funded 22 offset sites across the ACT in the last 10 years. This has assisted the conservation of threatened species across more than 2,300 hectares. Of these sites, 14 have been included in nature reserves. This has resulted in the protection, in perpetuity, of threatened species and communities including the superb parrot, golden sun moth, pink-tailed worm-lizard, grassland earless dragon, button wrinklewort, natural temperate grasslands and box gum grassy woodland.

The second related action is to "incorporate consideration of natural habitat and conservation areas into urban planning and design processes to promote habitat connectivity and support the establishment of biodiversity refuges". Taking environmental considerations into account at the earliest stages of the planning process for urban areas means that we can protect our most significant areas and species. This is done through strategic assessments. Three such assessments have been part of the planning processes for Gungahlin, the Molonglo Valley and west Belconnen. Strategic assessments are rigorous considerations of potential environmental impacts. They have involved both assessment and approval under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999—the EPBC Act. They have resulted in the identification of land for biodiversity protection.

This has involved giving statutory effect to add a nature reserve overlay over the areas needing protection. For example, Territory Plan variation 379 establishes a 160-hectare nature reserve, called Nadjung Mada, at Kenny. Nadjung Mada includes conservation of natural temperate grassland and box gum grassy woodland. It is also protecting nationally threatened communities and important habitat for the superb parrot, golden sun moth and grassland earless dragon. A key feature of this reserve is its mature, hollow-bearing trees. A similar process occurred last year for the

protection of over 200 hectares of land at the Franklin grasslands. Budjan Galindji has now undergone significant planning and on-ground work to protect that threatened population of button wrinklewort and the natural temperate grassland.

I was very pleased, in the last term of the Assembly, to expand the Molonglo River Reserve—an area that spans 23 kilometres from Scrivener Dam to the confluence with the Murrumbidgee River. That is an area of 1,280 hectares, which is home to the endangered pink-tailed worm-lizard, superb parrot and box gum grassy woodland habitat. In 2019 I expanded the Molonglo River Reserve by approving a variation to the Territory Plan. This work is ongoing and important in identifying where our city might grow and where we need to conserve biodiversity.

The ACT planning strategy identified that the area to our east, around the Majura and Jerrabomberra valleys, is an area for future employment uses. Of course, the first piece of work in this area is a strategic assessment to identify what needs protection. That way, we can best protect and look after our most sensitive land. The provisions of the Planning and Development Act 2007 and the Commonwealth's EPBC Act make sure that there is consideration of adverse impacts to threatened species caused by development and measures to avoid, mitigate or offset these impacts. For the ACT, these considerations occur through an environmental impact assessment and the development application process—the DA process—in accordance with the Planning and Development Act. This ensures a rigorous assessment of potential environmental impact before a private development occurs. They are required to be completed prior to a DA being decided and may also lead to long-term protection measures such as offsets and nature reserves.

Land management is also a significant part of my portfolio. It goes hand in glove with planning. More than 70 per cent of the ACT is dedicated to nature conservation in public land reserves. These include Namadgi National Park, Tidbinbilla, the Murrumbidgee and Molonglo river corridors, the lower Cotter catchment, Jerrabomberra Wetlands and Canberra Nature Park. In conjunction with the land management system, the ACT planning system, through the Planning and Development Act and the Nature Conservation Act, protects conservation areas by requiring the preparation of land management plans. I am pleased to inform the Assembly that the Canberra Nature Park Reserve Management Plan is currently being finalised. In addition, the Murrumbidgee River corridor and the Namadgi National Park plans are also under review.

In protecting our reserves from threatened processes, management plans are guided by the objectives for each type of reserve that is specified in the Planning and Development Act. For wilderness areas, national parks and nature reserves, the primary objective is to conserve the natural environment. All of the management plans describe the values of each reserve and the measures required to protect those values. Reserve management plans contain goals, objectives, policies and actions to minimise the adverse impacts from threats such as weeds, pest animals, overgrazing, unplanned fire and, of course, climate change. The reserve management plans also contain actions that are designed to increase the resilience of the natural environment to those threats. This includes actions for improving connectivity within and between reserves and managing recreational uses within the reserves.

This is no small undertaking. Namadgi National Park, the largest of the conservation areas, covers over 46 per cent of the territory. Namadgi protects the upper Cotter River catchment, which is a major source of our drinking water, and is also part of the 1.6-million-hectare network of reserves known as the Australian Alps national parks. The snow gum woodlands, subalpine fens and bogs, grasslands and montane forest communities in Namadgi provide habitat for a diverse range of species. I have long advocated for the protection of Namadgi National Park from threats to its survival, as a critical habitat. In the past few years, the very survival of the park has been threatened by fire and by climate change.

We have also seen, of course, the terrible effect of invasive species, particularly large mammals like horses, deer and pigs. Recently, the Parks and Conservation Service undertook an aerial control program for these species, using thermal imaging technology, which I am pleased to report was successful. As well as pigs and deer, this program found and removed horses from Namadgi National Park. I have spoken in this place many times about the danger that feral horses pose to Namadgi National Park and our water catchment in the ACT. I was extremely proud to have delivered the Namadgi National Park feral horse management plan in September of last year and continue to be involved in the implementation of this plan in our treasured Namadgi.

I have also spoken many times about my concern with the approach taken by the New South Wales government to feral horse management. I am pleased to see that work on a new plan in New South Wales is progressing and hope that we can work together to achieve a good outcome for our region. I trust that, now that Mr Barilaro has left politics, this work will be guided by scientific experts and not personality politics. This is a step in the right direction, but there is still more to be done to protect our National Park and our water catchment. Just as Mr Barilaro has been consigned to history, so too must his Kosciuszko Wild Horse Heritage Act 2018. I hope the new Liberal government in New South Wales repeals this act quickly. Feral horses do not belong in national parks.

Most Canberrans are fortunate to live close to nature in our bush capital. Many of us place a high value on the recreational opportunities that all of the Canberra Nature Park has to offer, and visitation to the reserves has increased dramatically since COVID-19 disrupted our lives over 18 months ago. Tidbinbilla, in the foothills of the mountain ranges, is a great place to view native Australian wildlife in a natural setting within an easy drive from the city. Apart from the diverse vegetation communities within the reserve, Tidbinbilla is home to some significant research into the conservation biology of a number of threatened species, including the brush-tailed rock wallaby and the northern corroboree frog.

More recently, Tidbinbilla has played an important role in our species reintroduction program at the Mulligans Flat and Goorooyaroo Woodland experiment. Canberra Nature Park is also very important for biodiversity protection. Over one-third of the park supports critically endangered yellow box-red gum grassy woodland and approximately 10 per cent supports critically endangered natural temperate grassland or habitat of threatened grassland animals and plants. It is also home to numerous other threatened and rare or uncommon plant and animal species.

Two new reserves have been added to Canberra Nature Park over the last year and the total area of the combined reserves now exceeds 11,000 hectares. The conservation estate is undoubtedly Canberra's most valuable asset and is highly valued by the community. All of the reserves are public land, protected from development and accessible to all for nature appreciation and nature-based activities.

As members can see, planning and land management in the ACT play a very important role in biodiversity and protecting our threatened species. Not only does the planning system, and more specifically the Territory Plan, allow for considered and balanced land use; the land management system makes sure that the flora and fauna, and in particular threatened species in our nature reserves, are protected into the future. And it is because of good planning that we enjoy our open and green space. Our parks and reserves not only help make us a great city but also help improve our health and wellbeing. I am very proud to be the minister responsible for this important portfolio and will continue to ensure that we remain a sustainable and great place to live and work.

Question resolved in the affirmative.

Mental health—World Mental Health Day Ministerial statement

MS DAVIDSON (Murrumbidgee-Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.59): This Sunday, 10 October, is World Mental Health Day. The ACT government is pleased to partner with the Mental Health Community Coalition, which coordinates Mental Health Month in the ACT. I thank MHCC for their hard work, flexibility and commitment to delivering a wonderful program of vibrant and accessible events, despite the challenges of COVID-19.

This year's theme is "Navigate your mental health", and MHCC have organised a range of activities to help all of us navigate the ways in which we can look after our own mental health, and support those around us. This includes the Navigate Your Mental Health Trail! app, with daily activities to support mental wellbeing; an online mental health and wellbeing expo; a range of community events; and the ACT Mental Health Month awards on Wednesday, 29 October. The ACT Mental Health Month awards ceremony is an opportunity to recognise and celebrate important achievements in supporting people with mental illness and addressing stigma and discrimination. The awards also celebrate the contribution that people with lived experience of mental illness make to our community.

In our work to develop policies and programs that continuously improve services for people experiencing mental illness, it is vitally important that we do so hand-in-hand with people with lived experience. I am immensely proud of the co-design and consultation work that the Office for Mental Health and Wellbeing and ACT Health have done, and continue to do, with people with lived experience. Mental health month is also a time to extend a hand to our family, friends and neighbours and ask what we can do to support their mental health and wellbeing. The more we engage in,

and normalise, conversations about mental health, the more people will feel comfortable to speak up and ask for the support they need to be safe and healthy.

The more we are kind and show care and understanding to one another, the more we create a better environment for all of us to speak with honesty and self-compassion about what we are experiencing and when we need help. This week 31 years ago, a friend gave me a hug at the end of the first day back at school after spring holidays. Two days later, on 10 October, I found out he was saying goodbye, not just goodnight. And so, every year since, I have taken some time during this week, to think about the ways in which I can better support friends and family and make their day a little bit easier. Everything we do that shows care and kindness to those around us, no matter how big or small, makes a difference.

Building on the work of Minister Rattenbury, the previous Minister for Mental Health, the heart of what we aim to achieve for the ACT is captured in the vision of the Office for Mental Health and Wellbeing: a kind, connected and informed community working together to promote and protect the mental health and wellbeing of all. The ACT government's approach to supporting and improving mental health is grounded in the recognition that mental health is more than just clinical services. While these services are critical, we must also invest in a range of activities that can provide holistic support for people. This is why I am so pleased that, since the last budget, in February 2021, the ACT government has committed more than \$14 million for mental health, alcohol and other drug services and primary health care across the city, to support the wellbeing needs of Canberrans during lockdown. This funding includes an immediate \$3.6 million in funding to be provided to a range of community services in the ACT, with another \$10.3 million to be delivered as part of the 2021-22 ACT government budget.

Organisations who received additional funding for the delivery of mental health services in announcements during August and September 2021 include the ACT Disability, Aged and Carer Advocacy Service, ADACAS; Advocacy for Inclusion; Gugan Gulwan; Yeddung Mura; Winnunga Nimmityjah Aboriginal Health Service; Menslink; OzHelp; Mental Illness Education ACT, MIEACT; Woden Community Services, including the Way Back Support Service; Parentline; CatholicCare and Marymead; Lifeline; Eating Disorders Families Australia (ACT); Multicultural Hub Canberra; A Gender Agenda; Perinatal Wellbeing Centre; CARE Financial Counselling; Meridian; and Carers ACT.

I would like to thank our community partners, who are providing outstanding support to Canberrans during this public health crisis, building resilience and connectedness across our city. We have also secured an additional investment of \$2.5 million from the commonwealth to strengthen existing mental health and wellbeing services. This is a key demonstration of the bipartisan commitment to supporting mental health at a local and national level.

There are important national discussions that I would also like to highlight today. All states and territories are currently working together with the commonwealth government to develop a multilateral national mental health and suicide prevention agreement. Simultaneously, states and territories are also working with the

commonwealth to develop bilateral agreements to address developments and initiatives that meet local needs. The ACT government is seeking agreements that support initiatives that align with the Productivity Commission's final report, including a focus on early intervention and prevention, and that integrate with services outside of the health system to address the social and economic determinants of mental health.

As a priority, we need to improve service system access for people who are at increased risk of mental ill-health. Engagement, collaboration and co-design with people with lived experience of mental illness, and their carers, is critical to achieving meaningful change for our community. The significant investments and improvements we are making align with key priority areas in the ACT Parliamentary and Governing Agreement, including children and young people, justice and community safety, drug law reform, and the mental health and wellbeing of older people. This support will also address key recommendations from the standing committee's inquiry into youth mental health in the ACT and the review of children and young people in the ACT by the Office for Mental Health and Wellbeing in 2020.

I would like to take the opportunity to provide a progress update on some of our key initiatives. The new Aboriginal and Torres Strait Islander Suicide Prevention, Intervention, Postvention, and Aftercare Service aims to address the higher rates of suicide among Aboriginal and Torres Strait Islander people through the delivery of culturally appropriate models of care. I look forward to announcing the non-government organisation which will deliver this much-needed service, and thank all those involved, including the Aboriginal and Torres Strait Islander Suicide Prevention Working Group, which I look forward to continuing to work with.

The Office for Mental Health and Wellbeing continues to prioritise its multifaceted approach to suicide prevention in the ACT, including programs for young people, with a particular focus on prevention and early intervention—such as through the Youth Aware of Mental Health program—and improving the skills and confidence of frontline workers in addressing suicidal ideation. The first Safe Haven Cafe in the ACT is also being progressed, and will commence operation in November, and work continues towards the planning for a second Safe Haven Cafe.

Our frontline workers in the police, ambulance, clinician emergency response team—PACER—have provided critical support for people experiencing acute distress in the community. The expansion of PACER to seven days per week, and funding for a second team to meet increased demand on services during the current COVID restrictions, has reduced presentations to the emergency department and supported people to continue receiving care in the community. This year also saw the opening of a new step up, step down service in Garran. Our five residential and one outreach step up, step down services provide a step-up from community, with additional support to prevent the need for acute inpatient admission; or a step-down from an acute inpatient stay to continue recovery and smoothly transition back to living at home.

The Office for Mental Health and Wellbeing continues its leadership role in driving whole-of-government and whole-of-community action to improve mental health and wellbeing across the ACT. I thank Dr Elizabeth Moore for her guidance and

leadership, and everyone at the Office for Mental Health and Wellbeing and in ACT Health's mental health policy team, for their commitment to integrated, caring mental health programs.

A youth navigation portal which has been co-designed with young people, parents and carers, and service providers will soon commence operation. Young people, or a parent or carer, will be able to use the portal to find the right ACT service at the time they need it, and it will provide a range of online resources to help young people understand their mental health. Most importantly, the portal has a dedicated team of youth navigators who will work directly with a young person to help them find the right service. The Office for Mental Health and Wellbeing has also developed guidelines for gender affirming care for mental health, which we will be launching soon. These guidelines are the first of their kind nationally. They will assist practitioners across primary care, non-government services and tertiary mental health services to provide gender-affirming mental health care.

As our community moves towards 2022 and works to create a better normal in a post-pandemic world, the Office for Mental Health and Wellbeing, people with lived experience and their carers, and our community sector will be key to integrating mental health across health care, community services, education, housing and homelessness supports, and emergency services. We will continue working on early intervention and prevention, and delivery of services in the community, and by a diversity of clinicians, including primary care, psychologists, psychiatrists, mental health nurses, counsellors and peer health workers.

Our ability to maintain a healthy relationship with the environment in which we live, and to stay connected to friends and family and neighbours, will help us build community resilience. So this October, as we navigate our mental health, let us look at how far we have come, and look forward to walking the path ahead of us together towards more accessible mental health services. If you have the chance to tell a friend you love them, please do it. A little love and kindness is good for all of us. I present the following paper:

World Mental Health Day—Ministerial statement, 7 October 2021.

I move:

That the Assembly take note of the paper.

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) (11.10): I thank Minister Davidson for her commitment to mental health across the ACT. I just wish to add some comments about how we support our frontline personnel.

The health and wellbeing of our emergency services personnel is a key priority for this government. It is important that our emergency services personnel are aware of available support services and that they know we fully support them in minimising

exposure to stresses and in recovering from any ill effects experienced in their line of work. This is always important, but it is particularly relevant during the current COVID-19 health pandemic.

The ACT Emergency Services Agency has delivered a number of initiatives that enable its volunteers and staff to be better managed when they see ever-present stressors that are experienced by emergency services personnel as they protect our community. The ESA has an embedded senior director of wellbeing and support programs and an embedded director of health and fitness. Their roles and responsibilities are to work across the ESA to deliver, implement and coordinate welfare and wellbeing initiatives as well as physical, dietary and fatigue management initiatives. Mental health training packages and mental health first-aid courses are available for all ESA volunteers and staff to ensure that we are providing ongoing education to increase the resilience of our workforce.

The ESA has developed a cohort of peer support officers that are trained and available across the services, in addition to three volunteer chaplains who provide denominational and non-denominational support. The ESA has partnerships with not-for-profit organisations such as Beyond Blue, Soldier On and Frontline Yoga, works closely with Fortem Australia and has a partnership with the Australian Defence Force Arts for Recovery, Resilience, Teamwork and Skills program to provide a comprehensive and integrated wellbeing support package. The ESA is also supporting a PhD research program, in partnership with Bond University, which will inform the ESA about fatigue impacts and the physical and psychological fitness needed to support resilience in emergency services personnel.

As Minister for Police, I am also very aware of the stress factors involved with community policing. I also know that the Chief Police Officer, Neil Gaughan, and his Deputy Chief Police Officer, Peter Crozier, are both very passionate about ensuring the wellbeing of staff, making public commitments and comments regularly. ACT Police has three dedicated welfare officers and three dedicated psychologists to provide 24/7 proactive and responsive support and service to its members. This includes support after critical incidents, assistance with workplace or personal matters and being that initial point to connect members with further support as it is needed.

ACT Policing has also access to a full suite of support options available in the AFP, including 24/7 access to the AFP Psychological Services Team and the chaplaincy network. There are the injury management specialists, exercise psychologists and the inhouse rehabilitation services and the employee assistance program through Benestar.

The AFP undertakes proactive psychological screens for all police officers, as well as unsworn members who perform high-risk roles in areas such as combatting child abuse, covert capabilities or counterterrorism. Psychological screening also occurs as part of the recruitment process, during recruit training, prior to offshore deployment and upon return. An early access program is also available, providing early, coordinated and effective responses to work-related injury, including medical, psychological and vocational rehabilitation.

ACT Policing continues to work with AFP colleagues to improve health services for its members. Eight champions within ACT Policing are working with the AFP to implement a new health model, known as SHIELD, which is due to be operationalised for ACT Policing members next year. SHIELD will see dedicated teams of clinical resources focused on building trust with staff, early intervention, preventing injuries and improving operational performance.

Much like first responders, corrections officers face mentally and physically challenging conditions on a daily basis. Many experience serious adverse effects on their wellbeing due to their complex and difficult work environment. It is essential that staff are able to easily access mental health support, particularly after a tough day on the job.

ACT Corrective Services has a number of mental health supports in place to assist staff experiencing trauma or stress. One of these initiatives is the ACTCS peer support program which is made up of approximately of 27 trained peer support officers, available across ACTCS. Their role is to support colleagues who may be dealing with employment-related or personal difficulties. This program fosters a positive and inclusive work culture.

The Alexander Maconochie Centre, or AMC, also has the standard TOAR, or talk, ask, listen, respond program, to help staff overcome stigma and other areas to seek mental health support.

To further promote mental health wellbeing and reduce the stigma of mental illness in the workplace, the “Road to mental readiness” managers training was recently delivered to ACTCS senior management. This training better equips managers to support staff members to get early access to care and ultimately improve their longer term mental health outcomes.

In December 2020 the oversight committee was established to develop the blueprint for change for the operations of the AMC and the CTU. The oversight committee will work on ongoing issues around training and development, also staffing levels, rosters and workforce culture, to develop a blueprint for change. A key focus for the oversight committee is to ensure all staff are trained to adequately perform their duties safely and effectively to reduce risk to both them and detainees.

Staff shortages can increase pressure on correctional officers. To alleviate this pressure, ACTCS welcomed 54 recruits through four recruit colleges in the last year. This includes the most recent 10 Court Transport Unit recruits, who completed their training in October 2021, further bolstering staff resources in ACT Corrective Services.

ACTCS is exploring a range of avenues to provide additional support for staff, including engaging with professional service providers for ongoing programs for staff. A senior director for workplace health, safety and wellbeing has recently been appointed to assist with strategic planning. This role is also responsible for the operational delivery of workplace health and safety functions and the development and implementation of staff wellbeing programs and initiatives. Since 6 August 2021, six peer support officers have completed a mental health first-aid course.

ACTCS has further engaged Let's Talk Differently Pty Ltd to help correctional officers work through the psychological impact of their constant exposure to traumatic incident. Let's Talk Differently is also assisting to further develop the peer support program and the delivery of a training program to deal with correctional fatigue. Having easy access to professional counselling, debriefing and ongoing comprehensive mental health support is essential for correctional staff, and ACT government employees, including correctional officers, have access to the employee assistance program which offers counselling and support services. The health and safety of correctional officers is a forefront priority and the mental health initiatives currently available and being explored and developed by ACTCS ensure that staff feel well supported and valued.

Staff at ESA, ACT Policing and ACT Corrective Services do not have the easiest of jobs. I thank and acknowledge the personnel from all these areas for continuing to deliver the highest standard for the whole ACT community. From the government's perspective, we will continue to provide support for these workforces and we remain focused on their health and welfare as they continue to meet community expectations.

Question resolved in the affirmative.

Legislative Assembly Proceedings during COVID-19 lockdown

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

That the resolution of 16 September 2021 concerning Assembly proceedings during COVID-19 lockdown be amended at paragraph (2), by:

- (1) omitting "(as at 16 September 2021)" and substituting "(as at 8 October 2021)"; and
- (2) omitting "or October" and substituting ", October or November".

Light rail stage 2—select committee Proposed establishment

MR PARTON (Brindabella) (11.20): I move:

That this Assembly:

- (1) notes:
 - (a) the Light Rail Stage 2 proposal is the largest investment project ever undertaken by a Territory government;
 - (b) some billions of dollars are being invested in a single transport route and transport technology to connect Civic with Woden;
 - (c) the Canberra community will experience significant disruption to intra-city travel and business operations for four years or so while construction proceeds;
 - (d) many Canberrans, community bodies and business groups are taking a strong interest in this project;

- (e) many local communities and living precincts will be affected by the construction and completion of the light rail corridor;
 - (f) the total project cost could be carried by several generations of Canberra's taxpayers;
 - (g) in August 2019, the Government published a business case for the Stage 2A element of the overall project to deliver light rail to Woden;
 - (h) the vast majority of financial information in that business case had been redacted; and
 - (i) given that Canberrans will pay for most of the light rail project, they are reasonably entitled to adequate information on this large project;
- (2) further notes that the ACT Auditor-General:
- (a) on 24 August, released a report on the Government's economic analysis case for Light Rail Stage 2A;
 - (b) noted a number of significant cost omissions including wire-free power for light rail vehicles and disruption costs caused by the protracted construction period;
 - (c) also noted economic benefits claimed in the Government's analysis relied heavily on residential development value gains in the Acton precinct as well as less specific and un-quantified wider economic benefits elsewhere;
 - (d) raised concerns over lack of transparency, insufficient quantification of costs and benefits and lack of a benefits realisation plan including on how light rail will accelerate development of Acton; and
 - (e) also expressed other concerns and questions over the business case including the basis of patronage figures and the impact of COVID on future requirements for public transport; and
- (3) calls on the ACT Legislative Assembly to:
- (a) establish a select committee for the remainder of this Assembly term, to consider and report on any matter relating to the Light Rail Stage 2 Project, including:
 - (i) project implementation and progress;
 - (ii) management of disruption generated by project activity;
 - (iii) risks and their mitigation;
 - (iv) community and business issues and concerns;
 - (v) impact of COVID on commuter practices and public transport demand;
 - (vi) project resources including funding requirements;
 - (vii) implementation of the Auditor-General's recommendations; and
 - (viii) any other matter relating to the Light Rail Stage 2 Project;
 - (b) agree that in relation to the select committee:
 - (i) two Members be nominated by the Coalition Government;
 - (ii) two Members be nominated by the Opposition; and

- (iii) an Opposition Member to be elected as chair by the committee; and
- (c) agree that the committee:
 - (i) in conducting any public hearings, be mindful of the Public Health Emergency declaration;
 - (ii) report to the Assembly on a bi-annual basis;
 - (iii) be mindful of other committee and Assembly business requirements; and
 - (iv) deliver its final report by no later than the last sitting day of this term.

This motion focuses on the biggest single infrastructure project in the history of the ACT and at the core of this motion is the premise that when any government is undertaking a project of this magnitude, the taxpayers deserve absolute transparency and genuine input.

Yesterday, Mr Assistant Speaker, I thought we both witnessed an extraordinary performance from the transport minister during question time. Yesterday Mr Steel asserted in here on a number of occasions that anyone who dares to question any aspect of this project is clearly against the project. His assertion is absurd. I can only assume that it is Mr Steel's belief that the Auditor-General is against the project because he dared to speak ill of it or some aspect of the business case in his report into the business case for stage 2A. Again, that is absurd.

This is the biggest infrastructure project in the history of the ACT. It is not Mr Steel's money, it is not Mr Barr's money, it is not Mr Rattenbury's money; it is money from hardworking Canberrans and they deserve to know exactly how it is being spent.

The delivery of the Auditor-General's report was a key moment in the time line of this project because it highlighted that the avenues for genuine scrutiny of this project are extremely limited. Sure, we have the ability to ask questions in the chamber; but, as we saw yesterday, it is very easy for the minister to just avoid those questions.

At this point the only genuine avenues that we have in this Assembly to scrutinise the project are in estimates and annual reports that sometimes happen once a year and sometimes twice. I just do not think that that is enough. When you consider how important this project is to our city, when you consider the size of the spend, it is my belief, and it is certainly the belief of the Canberra Liberals, that the establishment of a committee to examine its rollout is of paramount importance.

Again, this does not mean that we are against the project. When we, the Canberra Liberals, make criticisms of the health system, it does not mean that we want to burn the hospital down. That is not what it means. When we make criticisms of things going on in education, it does not mean that we want to shut dozens of schools. I think someone in here has already done that. It does not mean that that is what we want to do. I refuse to be drawn down the rabbit hole that Mr Steel wants us to go down and I can only assume that he wants to avoid scrutiny of this project by deflecting to schoolboy politics.

The motion that is before us today has nothing to do with party politics, nothing to do with it. This motion is about ensuring that this enormous project is as transparent as Mr Steel says that it is, is as transparent as it can possibly be, and that the Canberra public get the best possible result at the end of it. That is what this motion is about. At the end of the day, we are all heading, dare I say it, to the same tram stop. We are all going to the same tram stop. All we want is the best possible result at the end of the trip.

This Assembly has established a select committee looking into our COVID response and I would point out that it is difficult to get a handle on what the total cost of our COVID response is in the ACT because it is broken up into so many different parts. But it is likely to be in the region of the same figures that we are talking about for stage 2 of light rail.

At this stage of the game, we do not know what the final cost is of stage 2 of light rail. We know that it is going to be at least \$2 billion. The fact that the government is being less than forthcoming with any information on that bottom line since the economic update given just before the election, I can only assume, means we must be inching closer to \$3 billion.

We certainly did not find out much more in the budget yesterday because it is all included in this big figure over here and we do not know what is connected to light rail. We just do not know. Mr Steel asserts that he is as transparent as a sheet of glass. I guess today we find out if that is the case.

My question to the Labor members is this: is this project genuinely open and transparent or do you have things to hide? If you are being genuinely open and transparent, then you will be voting yes to this motion. If you vote no, I think it is fair that people should ask, "What is it that you have got to hide? What is it that you do not want us to know?" Quite seriously, that will be the question.

My question to the Greens members is this: just how important is this project to you? How much of your heart and soul is invested into getting this right? We, on this side, are absolutely invested in getting the right outcome. Are you? A vote for this motion is an indication that you are absolutely invested in getting this right. Who is with me? Let us get this done.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.26): I always welcome the opportunity to talk about light rail, particularly delivering light rail to Woden, and the benefits of having a mass transit system here in Canberra. The ACT government has shown an unparalleled level of transparency in relation to both of the light rail projects, stage 1 and stage 2, in releasing the business cases for the projects; and, of course, we have also released information, including the unredacted business case, to the Auditor-General so that he could undertake a performance audit of the business case which has been undertaken. Three recommendations have been provided and the ACT government will be responding within the required time frame to that report; and, of course, we always take the recommendations of the Auditor-General's reports seriously.

The ACT government welcomes transparency about light rail to Woden. We understand that Canberrans are rightly interested in how our city's largest-ever infrastructure project will be delivered. That is why we publicly released the stage 2A business case, it is why we are engaging actively with the Canberra community about the project's delivery, and it is why we will respond in detail to the Auditor-General's report in due course.

This project will have substantial benefits and we want to maximise those benefits by taking light rail to Woden, not just to Commonwealth Park but to Woden. Stage 2A is an important first step in that process but it is only the first step. The benefits of stage 2 are best assessed by looking at what the whole alignment will deliver for the city. Taking light rail to Woden is the next step in expanding Canberra's light rail network, delivering a north-south spine all the way from Gungahlin to Woden. This will make Canberra a more connected, sustainable and vibrant city. It will support over 6,000 jobs, around 1,000 for stage 2A alone, plus many more indirect jobs during its construction. The project will be a tremendous boost to our economy, at exactly the right time that we need it, in the wake of COVID-19, as part of the ACT government's \$5 billion pipeline of projects to turbocharge the economy.

Building light rail to Woden will provide a more convenient and reliable transport option for people on the south side, helping to cut future traffic congestion emissions for a cleaner environment. It is one of the most sustainable and efficient forms of travel, especially since our government switched our energy to 100 per cent renewable electricity. Already 20 per cent of our public transport trips are made by our renewable energy-powered light rail system. That will increase when stage 2 comes online. One light rail vehicle can move 256 people, as many as five buses, with potential to expand that further in the future, making it well suited to meet the future needs of our growing city.

We know the benefits of light rail because we have delivered stage 1 of light rail and it has been incredibly successful. It has proven that light rail is an attractive, sustainable form of transport for many Canberrans. Pre-pandemic patronage comfortably exceeded our initial expectations that were presented in the 2014 business case for stage 1 of light rail.

Many people have started using public transport for the first time. Light rail is driving the rejuvenation and renewal along the entire corridor that it was built in, shaping new precincts and providing lively public places for Canberrans to live, work, shop, eat and socialise. These are the benefits that we are working hard to deliver for Canberra's south side, as well, with stage 2.

Mr Parton does not have to take our word for it. He could just ask his federal Liberal colleagues who have supported stage 2A of light rail by making a direct contribution of \$132.5 million to see it delivered. When the federal Liberals say they support light rail and the benefits it will deliver for Canberrans, you can tell that they actually mean it.

On the subject of the Auditor-General's report, the ACT government takes this input seriously and we will publish a formal response in the coming months. Without

wanting to pre-empt that response, it is important to recognise that business cases are a point-in-time assessment to help governments to consider the merits of a project and decide whether to proceed. We have been through that process, we have looked at the benefits, we have looked at the context in which we were making the decision and we have agreed that building light rail to Woden will be a great thing for Canberra.

The Auditor-General is correct in pointing out that there are some things that we know today which were not included in that business case when it was undertaken several years ago. The business case did not include wire-free running, which we now know will be needed to satisfy the National Capital Authority's approval requirements and protect the heritage values of the Parliamentary Zone. That was not an explicit requirement at the time that the business case was being developed and the decision was made.

The business case did not include raising London Circuit by six metres to deliver an at-grade intersection with London Circuit, improving the function of the corridor for light rail while improving the connectivity between the city and the lake. This is an essential precursor project whose necessity and benefits have become clear to us as we have been undertaking the initial planning to deliver light rail to Woden.

The business case did not include procuring five new wire-free enabled light rail vehicles to service the route, retrofitting the existing fleet to wire-free and modifying the Mitchell depot for wire-free operations. Those have since become apparent and formalised, and we have a contribution from the commonwealth government of \$132.5 million which will contribute to paying for the extra costs associated with those elements of the project.

With these essential components factored in, we do expect that this will change all the numbers presented in the old business case. We expect the costs to be higher and we will be transparent with the Canberra community about these once we have concluded commercial negotiations for all the components of its delivery. This is a point that Mr Parton seems to have missed entirely. We are currently undertaking commercial negotiations for the delivery of this project and we want to achieve value for money in that for the territory. We are working to get the best deal for the people of Canberra, and I am committed to providing updated information on the project's costs and how we plan to realise the benefits once we have concluded these sensitive commercial negotiations. But I will not jeopardise the cost-effective delivery of this project just because Mr Parton does not understand how major infrastructure projects are delivered.

Mr Parton has put together this pretty antagonistic amendment that is full of inflammatory language and it is hard to believe that the Canberra Liberals support light rail when they put these kinds of motions up. Maybe it was the motion yesterday, where the health restrictions that have been applied to public transport were used as some sort of reason why we should not be investing in light rail. That was in the motion yesterday on the cost of living. Seriously! You have to wonder whether the Canberra Liberals support this project when they put that sort of rubbish into motions and bring them into the Assembly.

Our government welcomes accountability and transparency for this important project. We recognise that Canberrans have a very real and reasonable interest in how we are delivering light rail to Woden and we are happy to shed more light on this as we go forward.

As such, we will be supporting this motion with the appropriate amendments. The amendments that I am putting forward are straightforward. They remove some of the unnecessary, emotive and inflammatory language that does not reflect the Auditor-General's comments. These drafting changes are uncontroversial and there should not be any issues for anyone in the chamber, provided that they support this project in the first place.

Instead of establishing another select committee, I am proposing that the issues identified within the motion are considered by the existing committee that has already been established for this very purpose, which is the Standing Committee on Public Accounts, the PAC. I appreciate that Mr Parton is not the Liberal representative on this committee. However, he remains the Liberal representative on the Standing Committee on Planning, Transport and City Services. This committee also has oversight of the project—it is a budget-funded project—and I am sure that he will be asking questions on it in future estimates and annual report hearings as well and at other opportunities. I am sure that, between these two committees and the public engagement the ACT government will be undertaking and other transparency mechanisms, like estimates, there will be plenty of opportunity for scrutiny of the light rail project coming to Woden.

The next stage of the light rail project is going to come to Woden. It is going ahead. It is not a proposal, as Mr Parton has put it in the motion; it is a project. It has actually started. Enabling works actually began two weeks ago with the relocation of utilities in preparation for the raising of London Circuit. How much longer are the Canberra Liberals going to try and undermine and attack this important project for the future of our city that will benefit us for decades to come? Will it be when the trucks are tipping out thousands of tonnes of fill to raise London Circuit? Will they still be trying to stop it then? Will they try and stop it when we are laying tracks on Commonwealth Avenue? Will they still be arguing about the BCR number on the project when we are laying tracks? Light rail is going ahead and the conversation needs to move forward to focus on how the project will be delivered, not on a business case from several years ago that is clearly outdated.

We welcome the opposition's questions, their input and their role in this place in supporting transparency. That is the importance of this parliament. There is a constructive role that the opposition can play in this project, but at the moment, Mr Parton, it does not look like this. From the very beginning of your speech, you were incredibly defensive around the opposition's role in the past. There is a reason for that.

Before stage 1 of the project, which you opposed at several elections, Mr Coe went around on his tour of fear around the community, visiting community councils, handing around numbers from this 2014 business case for light rail, to suggest that there would not be benefits from that project. And he did not support light rail.

Mr Parton, you are a chip off the old block, aren't you, mate? You are a chip off the old block.

We are starting to see the real colours, despite the Canberra Liberals supposedly supporting this project. Before the last election they did flip-flop. They said, "No, no, we will go to Belconnen. We will go to Belconnen." Mr Coe overruled the then transport spokesperson, Ms Burch. He got booted out of the parliament at the election. We would have thought that under a new opposition under the leadership of Ms Lee and with Mr Parton in the role we would have seen a different approach. That clearly has not occurred and you can only take it, from the motions that have been presented in this place yesterday and today and the questions that have been asked of me during question time—it is very clear—that the Liberals do not actually support this project.

We are going to get on with the work of building this important project to create a connected, vibrant, sustainable city for our future.

I move:

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

- “(a) Light Rail Stage 2 is the largest investment project ever undertaken by a territory government;
 - (b) hundreds of millions of dollars are being invested in a single transport route and transport technology to connect Civic with Woden;
 - (c) the Canberra community will experience significant disruption to intra-city travel and business operations for four years or so while construction proceeds;
 - (d) many Canberrans, community bodies and business groups are taking a strong interest in this project;
 - (e) many local communities and living precincts will be affected by the construction and completion of the light rail corridor;
 - (f) the total project cost will be a major investment in Canberra's future;
 - (g) in August 2019, the Government published a Business case for the Stage 2A element of the overall project to deliver light rail to Woden;
 - (h) the majority of financial information in that business case had been redacted for commercial reasons; and
 - (i) given that Canberrans will pay for most of the light rail project they are reasonably entitled to adequate information on this large project;
- (2) further notes that the ACT Auditor-General:
- (a) on 24 September, released a report on the government's economic analysis case for Light Rail Stage 2A;
 - (b) noted items including wire-free power for light rail vehicles and disruption costs caused by the protracted construction period were not included in the original costings;
 - (c) also noted economic benefits claimed in the Government's analysis included residential development value gains in the Acton precinct as well as wider economic benefits elsewhere;

- (d) raised questions about quantification of costs and benefits and highlighted the importance of developing a benefits realisation plan including on how light rail will facilitate development of Acton; and
 - (e) also raised further questions over the Business Case including the basis of patronage figures and the impact of COVID on future requirements for public transport; and
- (3) calls on the Legislative Assembly to:
- (a) request the Public Accounts Committee to consider and report on the Light Rail Stage 2 Project with a particular view to reporting on issues raised by the ACT Auditor-General; and
 - (b) note that the ACT Government will be providing a formal response to the Auditor-General's report within three months."

MS CLAY (Ginninderra) (11.38): I rise to speak on Mr Parton's motion and the amendments circulated by Minister Steel. Mr Parton's motion highlights issues raised by the Auditor-General in his report of 24 September on the light rail stage 2A project. Stage 2A is the link from the city to Commonwealth Park via London Circuit and Commonwealth Avenue. The government has released a redacted version of the stage 2A business case and the audit reviewed the economic analysis for this business case.

The audit concluded that the capital costs of light rail 2A are expected to be higher than the estimate identified in the business case, because estimates do not include retrofitting of the fleet for wire-free technology, which will be required for NCA approval. The audit queried evidence given for the value and capital cost in the accelerated development of the Acton waterfront and noted that, if Acton waterfront does not develop as fast as hoped, timing and values might change. The audit also made recommendations that Major Projects Canberra review and update the economic analysis and make this publicly available.

These are sound recommendations, and I look forward to the detailed consideration of them by government and by the public accounts committee. The public accounts committee is really well placed to give this major project the time and attention that it requires. We Greens believe in transparency and scrutiny. These lead to good government and sound project management. That is why we strongly support a committee referral and the implementation of the Auditor-General's recommendations. But we do not support Mr Parton's motion in its original form. That motion called on a review of many aspects of light rail, rather than simply focusing on the Auditor-General's findings, and it failed to understand that light rail 2A is part of a larger project and a complete network.

The ACT Greens have been advocating for light rail for decades. It is high-quality, convenient public transport. It runs on our zero-emissions renewable electricity. It builds the transport corridors that our city needs now and into the future.

Following the 2012 election, the ACT Greens secured a government commitment to construct a light rail network. Our 2016 parliamentary agreement with Labor committed to complete stage 1 and to scope stage 2. Our 2020 parliamentary and

governing agreement with Labor commits to building stage 2. I would like to see light rail stage 2 completed as soon as possible, with a view that the beginning of construction of stage 3 to Belconnen should begin seamlessly after this stage is completed.

Over the past three elections Canberra has backed the ACT Greens in our calls for light rail. I know that not everyone supports it, but a vast majority of Canberrans do. They have voted for it in three elections. Polls show that most Canberrans support it. We overwhelmingly vote for light rail when it is due to come to our area. Canberrans have hopped on board with the project, with higher pre-COVID patronage numbers than expected. Canberra has chosen light rail.

This makes perfect sense. Canberra is a planned city. Our original designs featured large national institutions, grand boulevards with medium density dwellings and a light rail network connecting the entire thing. We got the institutions, but we did not get the living space or rail network to go with it. Instead, we got lots and lots of cars. The car-centric planners of the past ensured that Canberra's boulevards would only suit the car. They ensured that our city would sprawl and expand well beyond the original design.

I want my constituents to be able to take light rail from Kippax to the airport. I want to see a network spine that stretches to every part of Canberra, and a system of integrated neighbourhood buses and active travel connections that makes public and active transport the best way to get around in Canberra, and the most desirable way to get around in Canberra.

We want those people buying a home in Woden, Belconnen, Tuggeranong and Molonglo to know that light rail will reach them. We need to know that we will be connected to the public transport network that has been promised. Gungahlin and inner north residents have flocked to this network because of its comfort, reliability and frequency, and the rest of us need to get the same benefits.

We want transit-oriented development. This will help to end the urban sprawl that is eating up our bushland and encroaching on ecologically significant areas. Let us stop forcing Canberrans into cars, with all of their social, financial and health costs.

Canberra needs light rail and we need a whole network, not just one line. The ACT government, and the ACT Greens as part of that government, understand this, and I am glad to see Minister Steel progressing stage 2A, with the work just started and the allocation of funding in the budget.

Unfortunately, the Canberra Liberals do not understand this. They have consistently shied away from this investment. They do not want to make the changes that will futureproof us and tackle some of our big problems. They do not offer any other transport plan, either, to tackle congestion, accessibility and climate change.

I am a strong advocate for transparency, and there is a really good place for critique. I am delighted that we have an Auditor-General in place; I am really glad that we have a committee system that can provide scrutiny. I am happy to call on the

government to make public the documents highlighted in the Auditor-General's report and to have further committee scrutiny of this project.

That is why the Greens support the amendment proposed by Minister Steel and support this scrutiny motion in its amended form.

MR PARTON (Brindabella) (11.44): Mr Steel could have supported my motion as it was initially today, and proved to this Assembly—and, importantly, proved to the ACT community—that he has nothing to hide regarding this project. He had the chance to prove that he was as transparent as this Perspex that separates good from evil here in our chamber! Instead, he has pretty much proven that he is about as transparent as one of those ACT legislation books that sit on the centre table.

I do not know how many times I have to draw a line in the sand here and say that, because we are asking to find out more about this, it does not mean that we are against it. Mr Steel does not want anyone looking over his shoulder on any of this. He certainly does not support that, and he has made that quite clear in his amendment. It makes a mockery of his bare-faced assertions of transparency and openness yesterday.

Mr Steel's amendment calls upon the Assembly, and effectively the government, to do what it already has to do, anyway. His amendment is like calling upon the Assembly to adjourn for lunch at around 12 o'clock. Mr Steel knows that; he knows full well that the public accounts committee will consider the Auditor-General's report. He knows full well that PAC has the ability to inquire into issues arising from that report, and just from that report. He knows that they are the only issues that could be examined by that committee, should it choose to inquire.

He included in the "calls on" and "notes" that the ACT government will be providing a formal response to the Auditor-General's report within three months. Does Mr Steel think that this was an address to a student group? We all know that that is the case. I do not understand why it is even there.

We will not be supporting the amendment, and I say again that this is the moment for the Greens to either stand up and be counted or to do what they have been doing every single day since Caroline Le Couteur left this place; that is, to say, "Yes sir, no sir, three bags full."

I was pleasantly surprised yesterday by some of the robust questioning from my progressive friend Ms Clay during question time. Ms Clay questioned Mr Steel on some of the nitty-gritty details of the duplication of William Hovell Drive at west Belconnen. I know that some constituents have raised concerns with her, so she was doing the job of a good local member by standing up and asking those questions.

I would say to Ms Clay: if you do not think that they have got everything right on a project like the duplication of William Hovell Drive and the placement of walking paths, how could you possibly have confidence in the delivery of a \$2 billion, \$3 billion, \$4 billion or \$5 billion project? We do not know how much it will cost. It is a massively expensive project, with so much at stake in terms of getting it right. Any big mistakes on this project will not be as easy to rectify as is the case on

William Hovell Drive. Indeed, I would also note that the minister's response to Ms Clay's question was about as weak as his amendment to my motion. His response could be summarised by saying, "There's nothing to see here, please look away; we've already done that."

I have moved this motion because the outcomes of this project are desperately important to the Canberra Liberals. The release of the Auditor-General's report was a pivotal moment in this process because the Auditor-General was clearly able to highlight flaws in the business case. That certainly indicates to me that we should be very concerned about some of the assumptions made regarding this ongoing project, and we want to get it right. We will not be supporting the amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 6

Ms Berry	Mr Gentleman	Mr Cain
Mr Braddock	Ms Orr	Ms Castley
Ms Burch	Mr Pettersson	Mr Hanson
Ms Cheyne	Mr Rattenbury	Mrs Jones
Ms Clay	Mr Steel	Mrs Kikkert
Ms Davidson	Ms Vassarotti	Mr Parton
Mr Davis		

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021

Debate resumed from 16 September 2021, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (11.54): The Canberra Liberals agree with the vast majority of the changes proposed in this bill. They deal primarily with extending sensible measures introduced during the COVID-19 outbreak. They include using technology for ease of undertaking day-to-day business in government and community organisations; enabling the Human Rights Commissioner to hear and handle complaints with respect to vulnerable people on an ongoing basis; enabling the Public Trustee and Guardian to delegate functions to staff; and the extension of medical and palliative care leave options for detainees. We also agree with the amendments which, I believe, will be moved by the Attorney-General during the detail stage.

However, the ACT Labor-Greens government is trying to accomplish something very significant through this omnibus bill, and something that I do not believe is a favourable legislative change, with the proposed amendments to the Taxation Administration Act, which I will address during the detail stage.

I want to thank the representatives of the Attorney-General's office and his department for a briefing on Tuesday afternoon and for the follow-up correspondence on Wednesday morning.

In closing, the Canberra Liberals will be supporting this bill, except for part 11, dealing with amendments to the Taxation Administration Act.

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) (11.56): I am pleased to speak in support of the Operational Efficiencies (COVID-19) Legislation Amendment Bill.

The bill will permanently adopt a range of measures that were introduced by the COVID-19 Emergency Response Act 2020 and the COVID-19 Emergency Response Legislation Amendment Act 2020 to temporarily assist with the government's response to the COVID-19 pandemic. Each of these measures benefits government and the community beyond the COVID-19 environment.

I would like to focus on a key measure that will be continued under this bill—the vulnerable persons complaints jurisdiction of the ACT Human Rights Commission. The ability to take complaints about the abuse and neglect of vulnerable people, including elderly people and people with disability, is vital to respond to elder abuse and mistreatment of vulnerable people in our community.

The ACT disability and community services commissioner, Karen Toohey, could previously take complaints about services for older people and people with a disability. However, she could not respond to concerns or complaints about abuse and neglect within private and family contexts. As we know, elder abuse and the abuse and neglect of vulnerable people also occur within those private and family contexts. When it happens there, it can be hard to address because of power imbalances and the lack of visibility around what happens behind closed doors. Making this jurisdiction permanent will give vulnerable people who find themselves in that situation a pathway to make a complaint.

The new powers of the Human Rights Commission complement criminal offences introduced by the ACT government regarding the abuse and neglect of vulnerable people. The complaints jurisdiction allows vulnerable people and their advocates to seek the assistance of the commission to investigate and try to resolve matters through conciliation—for example, where families need more help and support with caring for a vulnerable person. It also allows the commission to refer more serious matters for prosecution if appropriate or to assist advocates to seek orders from the ACAT regarding the conduct of guardians or attorneys under an enduring power of attorney.

Since these powers were introduced, the Human Rights Commission has, from 14 May 2020 to 30 September 2021, provided information and advice to people in response to over 61 inquiries about abuse or neglect of a vulnerable person and has taken on 31 complaints for investigation and conciliation. Many of these complaints are very complex matters and have required detailed investigation and ongoing assistance.

These complaints powers were initially introduced as a temporary measure to make sure they were in place during the COVID-19 emergency. Now that we have seen these powers in operation, it is clear that they serve an important purpose in keeping elderly and vulnerable Canberrans safe, and that they are needed on an ongoing basis.

Taking the bill more broadly, I am pleased to note that this bill may promote a number of rights under the Human Rights Act, including the right to protection from torture and cruel, inhuman or degrading treatment; the right to freedom of expression; the right to liberty and security of person; and the right to protection of the family and children.

These rights may be promoted by the amendments to the Human Rights Commission Act that I have already spoken about. These rights may also be promoted by the amendments to the Retirement Villages Act 2012, by ensuring that meetings can continue flexibly beyond the pandemic, as well as by the Corrections Management Act 2007, by allowing the appropriate release of detainees to seek medical or palliative care. The promotion of these rights supports the human rights compatibility of the bill.

These amendments will help to protect the most vulnerable Canberrans. They mean that vulnerable people and their advocates have an independent body to turn to for help, support and assistance, which is vital to maintain a caring and inclusive Canberra community. I commend this bill to the Assembly.

Debate (on motion by **Mrs Jones**) adjourned to a later hour.

Sitting suspended from 12 to 2 pm.

Questions without notice

Budget—infrastructure

MS LEE: My question is to the Chief Minister in his capacity as Treasurer. Chief Minister, you have struggled to deliver infrastructure for years, announcing and re-announcing many projects, such as the hospital rebuild. You have fallen short of your own infrastructure spend in the 2019-20 budget by a staggering \$250 million. Yesterday's budget announcement was a four per cent increase in infrastructure spending over four years, claiming that this would turbocharge the economy. Chief Minister, what have you done as the minister responsible for major projects in Canberra to enhance your directorate's project management capability to see this modest increase is actually delivered?

MR BARR: The budget does contain a very significant infrastructure program. In fact, I draw the Leader of the Opposition's attention to the net new capital that is contained within the new policy decisions of the budget, table 3.2.1, which sees \$455 million in new capital over the forward estimates period. That is net of the capital provisions that are provided across the forward estimates.

In looking at the detail of the program, Madam Speaker, you will see that new works are a smaller proportion than they have been in previous budgets because there is a strong ongoing program. The government has been very clear in the 10-year infrastructure plan that we have put forward what the priority projects were, and we have drawn from that infrastructure program for the projects that have received funding.

Ms Lee: A point of order, Madam Speaker.

MADAM SPEAKER: Ms Lee, a point of order.

Ms Lee: The question specifically was what the Chief Minister, in his capacity as minister responsible for major projects, has done to enhance the directorate's capability. I ask that he be relevant to that.

MADAM SPEAKER: I think he is talking about the infrastructure forward plan and its ability to be delivered. Mr Barr.

MR BARR: Thank you, Madam Speaker. I would draw the Leader of the Opposition's attention to the initiatives contained within the budget papers, including those specifically for Major Projects Canberra that include some additional resourcing for the agency, scaling that agency up in line with the scaled up infrastructure program.

MADAM SPEAKER: A supplementary, Ms Lee.

MS LEE: Minister, how will a modest four per cent increase in infrastructure spending over four years turbocharge our economy?

MR BARR: It is not a four per cent increase.

Ms Lee: What is it?

MR BARR: It is significantly greater than that. I do not know where the Leader of the Opposition got that figure from. It is certainly not drawn from the budget papers.

Ms Lee: Your budget papers.

MR BARR: It is not drawn from the budget papers.

Ms Lee: Then what is it?

MR BARR: I mentioned that in answer to your first question. The net new capital is nearly \$500 million of a \$5 billion program.

Ms Lee: What is it as a percentage?

MR BARR: If you quickly did the maths, Madam Speaker, you might work out that nearly \$500 million in net new capital in a \$5 billion program would be closer to 10 per cent. But look, that the Leader of the Opposition has perhaps failed in her first test as shadow treasurer might demonstrate something about the weakness of her reply to the budget last night and what we have seen today.

Opposition members interjecting—

MADAM SPEAKER: Members!

MR BARR: It is not just the infrastructure program that is contained within the budget to turbocharge our city's economic recovery. We are confident that a \$5 billion infrastructure program continues to build the infrastructure that our city needs, support more than 15,000 jobs in the construction industry and has a significant flow-on benefit across the entire economy, targeting 250,000 jobs in our economy by the end of 2025.

MRS JONES: A supplementary.

MADAM SPEAKER: Mrs Jones.

MRS JONES: Minister, do your delivery forecasts factor in the things that you normally blame for your under-delivery of the infrastructure program, such as rain and industry capacity?

MR BARR: There has been some adjustment in the program to reflect border closures associated with the pandemic both internally within Australia and, perhaps more significantly, the Australian border having been closed for several years. There are contingencies associated with each major project. What has generally been the case is that the practical completion of projects precedes the financial completion, including the defect period, for particular projects, often by many months. When you are on a 12-monthly cycle that can often mean that practical completion occurs in one financial year and financial completion, after a defect period and a remedy period, occurs in the following financial year.

The government continues to work closely with key industry stakeholders across the range of major infrastructure projects. The infrastructure program has more than 250 projects in it. They range in size from sub-million to tens of millions of dollars to hundreds of millions of dollars. So different projects have different risk profiles, different contingencies. Every single government in Australia faces some of the same challenges around program delivery, and there are always events that occur that are beyond the control of a government or, indeed, a successful tenderer in the delivery of a project.

Budget—infrastructure

MRS JONES: My question is to the Treasurer: in February 2021 you estimated that the infrastructure investment program for 2022-23 would be \$1.11 billion. In yesterday's budget, you announced \$1.56 billion for total infrastructure investment, including provisions for 2022-23. However, you acknowledged, and I quote from page 280 of the budget outlook, that the forecast for 2022-23 infrastructure investment is only \$1.07 billion. This forecast represents a \$45 million reduction for 2022-23 from the last budget. Why, Treasurer, is the 2022-23 program \$45 million less when Canberrans need investment the most on the path to recovery?

MR BARR: You will see in table 3.7.1—the summary of the general government sector investment program, the five-year program—that a significant capital delivery provision is set aside. The government has the capital works reserve, which ensures that projects that are running ahead of schedule are able to draw upon that reserve in order to continue ahead of schedule.

Mrs Jones would do well to understand the difference between physical completion and financial completion. Often, given there can be defect periods that run for six to 12 months, the financial completion of a project will be several months—sometimes even a year—after the physical construction work is complete, because, rightly, the government will want from its successful tenderer to see the quality of the project and to ensure that any defects are addressed. That is why the fiscal program and profile can be somewhat different from the physical completion of infrastructure works. So the fiscal profile that you see in the budget will reflect that defect period and the fact that financial completion will occur many months after the physical completion of works.

MRS JONES: Minister, which projects are ahead of schedule and drawing on the finances outlined in your answer to the last question?

MR BARR: There were several that did, in fact, run ahead of schedule that were able to be budget-managed within the allocation of the individual directorate. This, of course, was pre the lockdown. An example was the Acton waterfront project, but it has now obviously been set back by the lockdown and by border closures. But pre-lockdown there were a number of projects in a number of directorates running ahead of schedule.

Mrs Jones: Which ones?

MR BARR: I do not have the list in my head, but I am aware through the budget rounds that many projects were running ahead of schedule.

MS LEE: Treasurer, why does your forecast investment program actually fall by \$21 million over the four years of forward estimates?

MR BARR: This has been the same question the sixth time over, so I will give the same answer—because there is a difference between physical and financial

completion of projects and, depending on the nature of the project and the level of the defect period, it is quite often the case that financial completion occurs in the fiscal year following the physical completion of a project.

Business—support

MR DAVIS: My question is to the Minister for Business and Better Regulation. Minister, as the ACT Greens spokesperson for business, I have been engaging with a number of small Canberra businesses throughout the lockdown, particularly in my electorate of Brindabella, to better understand how the government can support them. A few businesses have raised concerns with me about the design and implementation of the government's business support payments. Specifically, I understand that businesses who operate in multiple locations with different staff and different client bases but trade under one ABN would only be eligible for one payment. Can you confirm that that is the case?

MS CHEYNE: I thank Mr Davis for the question. The business supports program is, as we know, the largest grants program delivered in ACT government history. We have been able to provide funds to thousands of Canberra businesses during lockdown. It has been in a fifty-fifty funding partnership with the commonwealth government, with over \$160 million paid to local businesses so far.

Importantly, the funding parameters, the thresholds and the eligibility requirements have been set as part of that agreement with the commonwealth. So it is right, Mr Davis, that a business owner can apply for one business support grant per ABN. This was a parameter that was one of the requirements. It is standard across the commonwealth's agreements with other jurisdictions using similar fifty-fifty funded schemes, and it is a feature of the equivalent program in New South Wales.

We cannot speak for the commonwealth on why they have this standard requirement, but I can give some examples from our perspective of why it might make sense. The ABN is the only way for us to know that an entity is a separate business. Setting up the grants to allow for multiple grants per ABN would have significantly increased the complexity of administration and compliance. It is hard to see how we could have consistently and accurately verified distinct and separate business operations operating under the one ABN. We would have had to assess the eligibility, size and sector of each of the businesses operating under the sole ABN. It would have created complex questions regarding equity and appropriateness. For example, would a service provider that also retails products—a hair salon or a mechanic—be considered to be two separate businesses? *(Time expired.)*

MR DAVIS: Minister, that being the case, what other supports can the ACT government offer in addition to these cash payments to small businesses operating in multiple locations but under one ABN?

MS CHEYNE: I thank Mr Davis for the question. A business with one ABN that has multiple operations sounds like it may well be a larger business. It is important to note that an employing business, no matter its size, will receive at least \$40,000 in business support payments. But if it is a larger business, it could be receiving up to \$100,000,

with the additional \$60,000 for businesses with a turnover, say, of more than \$10 million. But it tapers down from there as well.

On top of that, if a business happens to be in the hospitality, the arts, the tourism, the fitness, or the accommodation sectors, there are additional top-up payments as well. The ACT government also has a number of fee waivers and other schemes. The business hardship scheme is due to come online very soon. I would encourage all businesses to sign up to our business newsletter.

MS CLAY: Minister, can you run through the new, additional investments that were made in yesterday's budget to support Canberra's small businesses?

MS CHEYNE: There were significant investments in our budget to support small businesses. As noted, we already have \$290 million available for the COVID-19 business support grants, of which more than \$160 million has been paid. On top of that, the best thing for businesses in our community is for our community to be safe. That is through vaccinations. They are absolutely interrelated.

Mrs Jones interjecting—

MS CHEYNE: There is a reason that we have had dogged determination regarding our vaccination status, and it is this—to Mrs Jones, who is laughing, for whatever reason—a safe community provides confidence. It provides confidence for the business community, and that equals consumer confidence—confidence in going to businesses. And it equals visitor confidence as well as workforce confidence as we open up.

We are also considering measures that do not necessarily have a dollar figure attached to them, such as procurement policies, as a government, and how to make doing business with government easier. But to complement this, and it is detailed in the budget papers, the government's priority remains supporting long-term economic growth and the diversification of the territory's economy. We want a strong economy and we want to create jobs. The two go hand in hand. Having both attracts more people here, whether they are living here, working here or visiting. That results in more people spending in our local businesses.

We have an additional \$28 million on top of the COVID-19 emergency funding to help the medium to longer term recovery, including promoting and stimulating international trade, as our international borders open up, funding a range of initiatives focused on supporting innovative start-ups, attracting new investment, venture capital investment and more. *(Time expired.)*

Education—teachers

MR HANSON: My question is to the Minister for Education and Youth Affairs. On 3 August this year you announced a taskforce to tackle serious teacher shortages that had been raised by the Australian Education Union. As you stated at the time, “A recent survey conducted by the AEU ACT branch confirms what we already know, which is that this national teacher shortage is having an impact locally.” The budget

actually notes a decrease in FTE numbers in the Education Directorate—from 6,553 last financial year to a predicted 6,365 this financial year—a fall of 188. Given the teacher shortage crisis facing Canberra’s schools, how much of this reduction is in frontline teachers?

MS BERRY: I will have to take that question on notice.

MR HANSON: Why is there a decrease of over a hundred Education Directorate staff in this budget at the same time as the AEU say there is a chronic shortage of teachers?

MS BERRY: The whole point of the work of the taskforce is to investigate why there is a teacher shortage in the ACT and what we can do in the ACT to address that. As we have said, it is a national issue, but of course the ACT is not immune to that.

MR PARTON: Minister, given the shortage of teachers, why would you not retain the temporary staff on a permanent basis to address the crisis?

MS BERRY: The taskforce has been set up to address exactly these types of questions about what we can do as far as making sure that we have the appropriate teaching workforce in the ACT.

Budget—education

DR PATERSON: My question is to the Minister for Education and Youth Affairs. Minister, how is the 2021-22 ACT budget supporting student welfare and enhancing equity outcomes in our schools.

MS BERRY: I thank Dr Paterson for that question. The education budget this year is all about equity. We believe that every child, regardless of their background, should have the same opportunities to thrive and succeed in ACT public schools. This budget is delivering on the government’s Future of Education strategy, which is all about improving access, equity and inclusion for all students. A new \$11.5 million Future of Education Equity Fund will replace the Secondary School Bursary Scheme, and it will reach five times as many students. An additional 25 youth and social workers will be employed at a cost of \$7.4 million over the next four years, providing early intervention and support for students and their families.

We are also investing \$1.5 million for a two-year trial to provide 1,500 students with access to free breakfast and lunch for three days a week. These are progressive Labor values. These were all ACT Labor’s commitments, and now this government has committed to them through its budget announcements today. We know that children cannot learn without a full stomach, and this is about making sure that every child has the same equal chance to succeed.

DR PATERSON: Minister, what investments is the ACT government making to support and enhance early childhood education in the ACT?

MS BERRY: This budget also sees the government invest \$12.5 million over four years to continue the ACT’s nation-leading 10-year plan for early childhood

education, called Set-up for Success. This includes additional funding for the targeted provision of three-year-old preschool for those children who need it most, because for children who experience disadvantage, early education plays a significant role in turning the curve on the level of inequality. No child should miss out on quality early childhood education because it is unaffordable.

We are also funding additional scholarships for early childhood teacher degrees and employing Aboriginal and Torres Strait Islander early year engagement officers. Educators, parents and students have told us that transitions make a difference between education settings and that these really matter, so the budget has also allowed us to develop a transition methodology and framework for children and young people, so that we can put the structures in place to make sure that those transitions are easier for everyone.

Investing in early childhood reduces inequality by giving children the best possible start in life. These are the core values of this government, and I am proud that the budget reflects these values.

Mr Hanson: Madam Speaker—

MR PETTERSSON: Madam Speaker—

MADAM SPEAKER: Mr Pettersson had the floor, though he didn't have the noise, but he had the floor.

MR PETTERSSON: Minister, what other ongoing initiatives in this year's budget are supporting students, teachers and school communities?

Mr Hanson interjecting—

MADAM SPEAKER: Without the commentary, Mr Hanson.

MS BERRY: I thank Mr Pettersson for the supplementary. There is so much more in this budget for education than I have been able to mention, including investing more than \$21 million to ensure that public high school and college students continue to be provided with Chromebooks and providing internet access to students who need it. This takes the financial pressures away from parents and makes sure that all students have equal access to a technology-based education.

After a wildly successful trial, we have been able to continue to provide free legal services to public college students as well. This is particularly important as we have seen domestic and family violence increase during the pandemic.

We are also investing millions of dollars in school infrastructure, including expanding Margaret Hendry School and building a new high school in Taylor. Expansions also include nine new modular learning centres, design works for a new primary school at Strathnairn and a modernised Narrabundah College, additional funding to complete the new high school in Kenny, and funding to prepare to modernise Garran Primary School. The government is also investing \$99 million to upgrade existing public

school facilities to make sure they are great places to work and learn. These investments help ensure that every child has a place at their local public school.

Transport Canberra—ticketing system

MR PARTON: My question is to the Minister for Transport and City Services. Minister, there have been significant delays in delivering a new public transport ticketing system for Canberra. This was first promised in 2017, and this year the delivery date has gone from 2023 to 2024. Minister, how can you expect the public to have any confidence in your ability to deliver a new ticketing system when it will take more than seven years from the initial response to deliver something that already exists and is working in other states?

MR STEEL: I thank the member for his question regarding a new ticketing system for the ACT. It is more than just a ticketing system; it includes a passenger information capability. It will assist our transport planners at the back end of the system, as well, to connect with a range of other different systems.

This is a large and complex procurement. It has been going for some years, but we are currently in the procurement process with a market sounding that is being undertaken. That is being assessed at the moment, before we move to the next stage. It is looking very promising at the moment. We are very confident that it will deliver a ticketing system that will provide a nation-leading capability, not just by providing tap-on, tap-off with a credit card, like Sydney, but going well beyond that with an account-based ticketing system with a whole variety of different ways that will enable access to public transport.

Ticketing is potentially a barrier for people to use public transport. We hope that by providing a more flexible and user-centred system that we can achieve even higher patronage levels on our public transport system in the future. We are also, as part of that work, consulting with our new TCCS accessibility reference group, which is made up of organisations and people representing people with disability, older Canberrans, young people, families, and those from our multicultural community as well, to make sure that, as we progress with projects like this, they have input into the design and we can make sure that they are as accessible as possible.

Once we have got a delivery partner on board then we will be working closely with them to make sure the ticketing system is designed in a way that is user-centred, to make sure that we can encourage even more people to use public transport in Canberra.

MADAM SPEAKER: Mr Parton, a supplementary.

MR PARTON: Minister, why have you consistently failed to deliver this project? Can you actually guarantee that it will be delivered, or will it go the way of the courts database upgrade, the ED wait times promises, the land release targets and the rebuild of the Canberra theatre?

MR STEEL: I think I have been very clear that we are out there in the market right now for this. We have been asking providers to come forward to deliver this system for Canberra. We have the market sounding process underway, and we are looking forward to it reaching the next stage. Canberrans can see that piece of work progressing through the stages of the procurement process on the Tenders ACT website.

MR CAIN: A supplementary.

MADAM SPEAKER: Mr Cain.

MR CAIN: Minister, why does the government not purchase a system in use in another Australian state?

MR STEEL: I thank the member for his question. As I have outlined in the answer to the first question, it will need to connect to a range of different systems. There is not just an off-the-shelf solution with many of these IT infrastructure projects. We are, of course, talking with other jurisdictions about what they are doing, but we do not want to sign up to a system that is going to be outdated from day one. We want a system that is going to be a modern, flexible ticketing system that will last us a long period of time and meet the specific needs of the community.

The other important thing is that we get value for money through this process. That is why to date we have not actually been able to procure this—because we want to make sure that we get value for money through the process. We are going through the market sounding at the moment. We hope to get a provider that can deliver us a ticketing system that meets our needs but also delivers value for money for the territory.

Arts—Statement of Ambition

MS CLAY: My question is to the Minister for the Arts: I was really pleased to see your statement of ambition to make Canberra the arts capital of Australia, and I am also delighted to see all the arts funding in one place for the first time. But my quick analysis shows that over \$95 million of more than \$163 million in recurrent and capital funds over the next term will be spent on buildings. What proportion of the total arts budget will be spent on artists to make art?

MS CHEYNE: I thank Ms Clay for the question and her acknowledgement and support of the statement of ambition. This is not about us and them or funding something versus something else; what the statement of ambition makes abundantly clear—and it is one of the reasons why we have been so transparent with the funding—is that this is about us all rising up together. A high tide lifts all boats, and that is exactly what we are trying to do here. It is about enhancing each other. The arts sector is ecosystem and everybody—

Opposition members interjecting—

MS CHEYNE: I cannot believe that the opposition is laughing about the arts—actually, no—I can.

Mrs Jones: On a point of order, Madam Speaker, is there a standing order that refers to being misrepresented by the minister when answering her question?

MADAM SPEAKER: No. The best way to deal with that is not to have any laughter and not to have any interjections while someone is on their feet. Ms Cheyne.

MS CHEYNE: Thank you, Madam Speaker. It is about everyone reaping the benefits of the ecosystem. It results in a more sustainable arts sector and it results in a growing arts sector. I will get to the specifics of Ms Clay's question, but I would also encourage her to not take a narrow view of the funding but to recognise this ecosystem and that everything supports everything else.

We already have an enormous amount of funding that goes directly to artists in terms of our arts grants funding. We have a long and proud history of that—our arts activities funding, our ACT screen arts funding, our HOMEFRONT Program—but there are also indirect opportunities as well, such as through the ACT Events Fund or through the community events or the major events that we hold. (*Time expired.*)

MS CLAY: Minister, what policies and procedures will you put in place to ensure that artists are paid first and paid fairly at industry rates on any project that involves government funding, such as the expo?

MS CHEYNE: We are looking forward to engaging very strongly with the community on our arts policy our arts funding model and the arts expo. I note that we already pay artists fairly. And it is not just about paying artists; it is also about supporting our arts workers.

I note that Ms Clay referenced in her media release that the budget supports the creation of admin jobs instead of artists. I would like to reflect that admin jobs in the sector are still arts jobs and are no less worthy. Our arts organisation and our cultural facilities—and, indeed, the arts expo—are going to rely on those arts workers. But absolutely we will work very closely with the sector in ensuring that ACT artists are supported. This is about growing the ACT arts sector, and we will.

MS LAWDER: Madam Speaker—

MADAM SPEAKER: Ms Lawder. I have given the call to Ms Lawder and standing order 43 makes accommodation for this. I am not being difficult, for those who have difficulty rising quickly to their feet.

MS LAWDER: Thank you, Madam Speaker. Minister, what is the average price of a piece of public art, given that you have allocated \$200,000 for a public art forum by women and/or non-binary individuals, or are you expecting women and non-binary individuals to produce their art for less than others?

MS CHEYNE: I somewhat reject the premise of that question. This is a significant investment and it responds to the community's feedback that not only do we not have enough public art in the ACT which reflects women or non-binary persons as the subject but also not enough public art created by women or non-binary persons.

The price of public art can absolutely depend on the type of the artwork, and it ranges in the ACT. I can take on notice what the average is, but I truly do not think there is a lot of value in talking about what the average is, particularly noting that public art is funded depending on the size but also the time in history. Therefore, what we paid for a piece of public art some time ago may not be what we would be paying for it today. So I am not sure I will take that bit on notice, because I am not convinced of the value in doing so.

Mrs Jones: On a point of clarification, did the minister take that on notice or not? Can we have that clarified?

MS CHEYNE: No.

Budget—Alexander Maconochie Centre

MRS KIKKERT: My question is to the Minister for Corrections. Minister, in the last budget, \$34 million was allocated for the creation of a reintegration centre for the AMC, an additional \$97,000 was put aside for design and planning, and there was \$1.7 million for soil rectification. In March 2021 the centre was put on hold. This year a line item titled "reintegration pathways" is offset to a total of negative \$39 million. Minister, why was the reintegration centre put on hold, and does the offset mean that the money has been allocated to something else? Where has the capital investment gone?

MR GENTLEMAN: I thank Mrs Kikkert for the question. The corrections budget items invest in improved reintegration and wellbeing initiatives to enhance services and support available to detainees at the AMC. They also fund the facilitation of critical repairs and improvements to AMC following some storm damage. It will of course involve furthering work to optimise the utilisation of the existing transitional release centre, and consolidating the work being done to modernise and improve programs and services available to detainees—building better pathways for those leaving the AMC as well.

MRS KIKKERT: Minister, is the actual construction of the reintegration centre building being funded for this year, next year or the year after that?

MR GENTLEMAN: It is on hold at the moment. We are looking at whether to go forward with the extra work at the integration centre or seek some other, better opportunities for detainees.

MR HANSON: Minister, why have you scrapped this investment into justice reinvestment so soon after announcing it?

MR GENTLEMAN: It has not been scrapped.

Budget—work health and safety

MR PETTERSSON: My question is to the Minister for Industrial Relations and Workplace Safety. How is the ACT government supporting safe workplaces with the ACT budget?

MR GENTLEMAN: I thank Mr Pettersson for his question and his interest in workplace safety across the ACT. The budget includes significant funding support for WorkSafe ACT. Since WorkSafe ACT became an independent agency in July 2020, the commissioner and her office have worked to create a regulatory body that is strong and fair. This year's budget is delivering additional jobs, increasing WorkSafe's operational capacity. This will allow for the engagement of additional inspectors to ensure improved compliance and enforcement across priority industries in the territory and facilitate increased engagement and education.

This is important and will ensure that WorkSafe ACT are able to respond to some of the ACT government's key commitments under the parliamentary and governing agreement, including amending work health and safety laws and regulations. WorkSafe ACT will also play an important role in keeping the ACT government's major infrastructure projects safe. This includes light rail stage 2 and the Canberra Hospital expansion. A massive increase in residential construction work in the coming year is expected, and, because of this, WorkSafe will be very busy. I am extremely pleased to be able to deliver increased funding for WorkSafe ACT in the budget.

MR PETTERSSON: Minister, what has WorkSafe ACT been doing during this COVID-19 outbreak to keep workplaces and the community safe?

MR GENTLEMAN: WorkSafe ACT has been working extremely hard to keep workplaces safe during the pandemic and the current lockdown. Since the return of construction on 3 September, WorkSafe has been conducting proactive compliance campaigns to ensure PCBUs meet their work health and safety obligations and to enforce COVID-19 requirements for working during the lockdown. The WorkSafe commissioner has reported that they are generally seeing a high level of compliance but that there have been some worrying instances of noncompliance with both COVID and general safety requirements in the residential construction sector.

WorkSafe ACT conducted two dedicated proactive campaigns in the residential construction sector—one in Taylor on Tuesday, 21 September, and one in Throsby on Thursday, 23 September. In Taylor, 43 sites were visited, with 81 notices issued. In Throsby, 38 sites were visited with 73 notices issued. Notices are issued for COVID-19 compliance breaches as well as for safety issues such as site security, trip hazards and risk of falls. Without the important work of WorkSafe, these behaviours could have contributed to a further spread of COVID-19 in the community, so I want to commend our WorkSafe commissioner for her agency's response to the lockdown and acknowledge her excellent workforce capability management at the beginning of the lockdown. I am pleased that the government can support this excellent work through the 2021-22 budget.

MS ORR: Minister, what additional support is in the budget for workplace safety initiatives?

MR GENTLEMAN: I thank Ms Orr for her interest in workplace safety, as well. The budget provides funding to implement the recommendations from the Secure Local Jobs Advisory Council review of the operations of the secure local jobs code. The recommendations were provided to me at the end of last year, outlining a plan for enhancing the secure local jobs code. We want to ensure that the code remains nationally, and that we only do business with ethical suppliers. This funding will grow and support the secure local jobs code branch to deliver important policy work and strengthen the powers of the secure local jobs code registrar. The review recommended that a two-stage procurement policy be adopted, and this work is already under way. I look forward to delivering legislation to the Assembly with Minister Steel in the near future. This budget's additional funding will support the implementation of the two-stage procurement policy.

The pandemic has shown us that secure jobs are safe jobs. As a government, we do everything in our power to support secure jobs. This includes using our contractual powers. I am glad that this budget demonstrates the government's ongoing commitment to secure local jobs.

Budget—Canberra Theatre Centre complex

MS LAWDER: Madam Speaker, my question is to the Minister for the Arts. Minister, in 2014 a feasibility study for a potential new theatre was announced, which accounted for approximately \$200,000 between the 2015 and 2017 financial years. In the 2017-18 budget, \$100,000 was dedicated to a Canberra theatre complex community consultation. In the 2018-19 budget, approximately \$1.1 million was committed to the early planning of the new Canberra theatre. In the 2020-21 budget, another \$400,000 was dedicated to the early planning of the new Canberra theatre complex. In the statement of ambition released last Thursday, there is \$2.7 million set aside for the new Canberra Theatre Centre site investigation and planning. Minister, how much will go on planning a new theatre before a sod is turned?

MS CHEYNE: I thank Ms Lawder for her question and for her support for the redevelopment of the Canberra theatre. This is a very important project for us here in the ACT. It is one that we reference regularly because it is a really significant infrastructure project but also it is going to contribute to the wellbeing of this city and it supports our statement of ambition to be recognised as Australia's arts capital.

There are particular processes that are required for the commencement of such a significant build. Ms Lawder is right, or to an extent right, that the government is providing \$2.779 million in capital funding over two years for the preparations—site investigation, planning and the business case for the Canberra Theatre Centre expansion and redevelopment.

The redevelopment of the theatre will enable it to host a larger number and range of local, national and international events. The site investigations—

Ms Lawder: Point of order, Madam Speaker.

MADAM SPEAKER: Minister, resume your seat, please.

Ms Lawder: Whilst I am enjoying the description, the question was: how much will be spent in total on the planning for the build? The minister has failed to answer that to this point.

MS CHEYNE: To answer Ms Lawder's question, the site investigations and the planning work inform the business case. The business case considers the range of delivery models and commercial opportunities that are going to be within the urban renewal context of the Canberra Theatre Centre and the broader precinct. That includes CMAG. There is still a bit of time to go, but we are going to get this right so that it is the best it can be.

MS LAWDER: Minister, will a new Canberra theatre be completed for the ACT arts expo scheduled to occur in 2023-24?

MS CHEYNE: First of all, artsACT describe it as being likely in 2023-24. Major Events at this time still do not know what the future is exactly going to look like, but we are committed to holding a major ACT arts expo. The Canberra Theatre Centre is central to that, as is the broader precinct. Activating the broader precinct in a range of ways is something that the budget also reflects, including the significant investment in project and capital funding for CMAG to really enliven the precinct.

Mrs Jones: Point of order, Madam Speaker.

MADAM SPEAKER: Minister, resume your seat.

Mrs Jones: My point of order is on relevance. The minister has outlined lots of things, but, on relevance, will it be completed by the 2023-24 expo? Assuming it goes ahead, will it be completed? There has been no answer there.

MADAM SPEAKER: The minister still has over a minute to answer.

MS CHEYNE: As I mentioned, there still is a way to go in terms of the site investigations and planning, and then the business case, but I hope that by the end of this term of government things will be well progressed with the Canberra Theatre Centre.

MS CASTLEY: Minister, can you confirm that the new Canberra theatre will be completed by 2028, the election after the next?

MS CHEYNE: It is all subject to the planning work that we are proudly investing in, because we are going to deliver the Canberra Theatre Centre. It is one of our major infrastructure projects, just like the Canberra Hospital and light rail; it is a jewel in our infrastructure projects, and we look forward to delivering it.

Budget—small business

MS CASTLEY: My question is to the Chief Minister. Chief Minister, in your budget speech you said you wanted to support all Canberrans who most need support, yet there was nothing in the budget beyond the financial schemes we already know about for the tens of thousands of struggling small businesses earning under \$75,000, and their families, not eligible for support. You also said that you want to protect every Canberra job, yet the September job vacancy data shows that we are the only jurisdiction to have fewer job ads now than pre-pandemic. Chief Minister, will you be extending the ACT mum and dad small business support?

MR BARR: Firstly, the single largest initiative in the budget—the current initiative in dollar terms—is the business support grants. There is no other initiative larger than those grants. For those who have a turnover under \$75,000, the COVID disaster payments are the income support—the agreement with the commonwealth government, for the delivery of the COVID supports.

In relation to ongoing business support, our supports extend beyond 70 and 80 per cent vaccination levels. Commonwealth supports are cut off. They are progressively wound down in a matter of weeks at those levels. What I would like, Madam Speaker, is at least some policy consistency from the Liberal Party. When Josh Frydenberg says, “Our economy has bounced back strongly before once restrictions are eased and is well positioned to do so again, and the commonwealth will cease funding business support programs at 80 per cent full vaccination in line with the national plan to reopen”—

Mr Hanson: Madam Speaker, on a point of order—

MADAM SPEAKER: Resume your seat; there is a point of order.

Mr Hanson: I would ask whether you can rule on whether Mr Barr is in breach of standing order 118 and should not debate the subject to which a question refers. It sounds like he is entering a debate on the matter.

MADAM SPEAKER: The question was around business support and he is describing the allocation of business support in the scope in which it is applied.

Mr Hanson: On your ruling, he has talked about what he wanted to happen and a range of business supports that were not in the original question and he started debating that.

MADAM SPEAKER: Thank you, Mr Hanson. I do not believe he has. I have made my ruling. The time has expired.

MS CASTLEY: Chief Minister, what do you say to the small business owners, such as Natasha, Robert and Huni, all of whom have not received a cent and who told us last week that they do not know how they will survive? Do they not matter just as much as other Canberrans?

MR BARR: I would need some clarification of the statement “have not received a cent”, as in have they not applied for any support from the commonwealth or ACT governments through the schemes or have they not been eligible? We would need to understand the basis of that statement.

Ms Castley: They have applied and haven’t received anything.

MR BARR: Eligibility for the business supports require businesses to have a turnover above a certain level, consistent with the commonwealth, state and territory COVID support arrangements. For those who fell below that level, there is an alternate support program available.

Mrs Jones: They have applied but haven’t received it.

MR BARR: They have applied for it but they have not yet received a payment. That is the nature of the question?

Mrs Jones: So what do you say to them?

MR BARR: If that is the nature of the question then we can investigate individual cases. I do not know which program they have not received a cent from. The question is not clear in that regard. But if it relates to the business support grants and they have a turnover of over \$75,000 then they are in that scheme. If they have not yet been paid, then we can investigate the matter. If they fall below that threshold then the scheme to support them is the COVID disaster payments which are run by the commonwealth government. I would suggest that if they have not received payment through that scheme then we can assist them to make contact with Services Australia to ensure that they do receive payment under that scheme.

MADAM SPEAKER: Ms Lee.

MS LEE: Chief Minister, what have you done specifically, or are you doing, to support the mental health of these small business owners, who are in severe distress because they have applied for these grants and have not received a single cent or word from your government?

MR BARR: Again, it is not clear from the question which grants, but there are business mental health support programs. They have been running. Hundreds of people have participated in the programs and there is mental health support available, jointly funded. There are also ACT government programs and there are programs being run by non-government organisations and, indeed, even some business organisations. Those programs are available.

Mrs Jones: Can you supply a list?

MR BARR: It is on the COVID-19 website, Madam Speaker.

Suburban Land Agency—revenue

MR CAIN: My question is to the Minister for Housing and Suburban Development. Canberra is experiencing an ongoing property boom with first homebuyers looking for a house and land being priced out of the market, yet the projected revenue for Suburban Land Agency land sales halved for this financial year. Given the restraints on land supply, the government not meeting its land release targets again and the high demand for house and land options, why is your government making the houses Canberrans overwhelmingly want unaffordable for so many?

MS BERRY: I do not agree with the premise of that question—that the government has responsibility for the price of a home in the ACT—a lot of that is driven by the market. The ACT government tries to do what it can to make sure we can release land in the ACT to meet the needs of all Canberrans. But releasing land is just one part of it, and the ACT government is only one part of the supply for housing and accommodation in the ACT, because the private sector also provides a number of housing and accommodation options.

The government's indicative land release program identifies the spaces in the ACT where we are building homes, and we have that very important target of 70 per cent densification and 30 per cent greenfields to make sure we continue to be the city that everybody loves—the bush capital.

MR CAIN: Minister, why has the projected revenue for Suburban Land Agency land sales halved for this financial year?

MS BERRY: There are a number of reasons why that could be the case, and it has been unfortunately impacted by COVID-19. In fact, last year our predictions for land sales in the ACT were quite dire, and the Suburban Land Agency was predicting—and so was everyone else in the country—that land sales would plummet and people would not purchase houses. But they did. What we are seeing now is an increase. It seems that people are deciding to purchase homes rather than purchase cars or go on holiday, which is great for the ACT because the Suburban Land Agency is building fantastic suburbs all across our city where people want to live.

Our latest suburb in Whitlam at Molonglo is a very popular place, with its first residents moving in just over the last month. It is a really wonderful place to live and an example of how the Suburban Land Agency is working with the community to make sure we build homes in suburbs that people want to live in.

MR PARTON: Minister, why are you unable to deliver the blocks that you project year after year? How much more will we see the house prices soar in the ACT as a result?

MS BERRY: I have already explained a number of times in this place about our policy direction of moving towards 70 per cent densification and 30 per cent greenfield. The work that goes into making sure that greenfields are available for people to live in takes a number of years—land just does not become available for

development. Unlike the Liberals, we take care in identifying land that suits the needs of Canberrans but also maintains the city that we love and cherish as the bush capital.

Work health and safety—silica dust

MR BRADDOCK: My question is to the minister for workplace health and safety. Minister, the parliamentary and governing agreement mentions the introduction of new regulations to protect tradespeople from silica dust. Can you please provide an update on progress on introducing these new regulations?

MR GENTLEMAN: I thank Mr Braddock for his question. It is an important question as we work through being able to support people in the construction industry regarding these dangerous products. The government has committed in the parliamentary and governing agreement to create regulations to protect workers from silica dust exposure. There is increasing evidence of the widespread and devastating effects of silica dust. Just last week I met with a worker affected by silicosis. She has two young children and now faces the uncertainty of life with a debilitating disease. Her story is a confronting reminder that this disease destroys lives. I want to thank Joanna and the Australian Workers Union for their discussion and their continuing engagement on this important issue.

We are meeting, and we have met, with a number of employers. WorkSafe ACT and our WHS people are working on how we can go forward with protecting people against the impacts of silica dust. We have prohibitions in place on outside cutting—dry cutting, for example—and we are looking at the legislative responsibility for introducing the safe practice around silica.

MR BRADDOCK: Minister, can you provide an estimate as to when these new regulations might be in place?

MR GENTLEMAN: Work is still underway on the consultation between industry—some major players, of course—government, Health and WorkSafe ACT. The legislative component is still a little while away, but I am very pleased that the consultative component is going well. I have heard from industry here in the ACT about their concerns—not just their concerns about any legislative requirement, but their concerns about being a proper employer in the ACT, providing the safety and training that are needed, and the study into silicosis that could be required through their workplaces. There is the aspect of employers in other jurisdictions, and therefore the cost that might be borne by them as well. We are working through that, too.

MR DAVIS: Minister, will there be consultation with industry on the development of these regulations? If so, what will that consultation look like?

MR GENTLEMAN: I thank Mr Davis for his interest, too. Yes, there certainly has been, and continues to be, consultation. It is face to face between industry and me, in some aspects, as well as with our WHS council and our WHS officials within the ACT government. I think that consultation is going really well. We have some concerns about cost, by way of looking at mandatory medical requirements for, if you like, invasive studies. It is an incredibly bad disease. The only real cure is a lung

transplant, and that is very costly. We want to make sure that we can put in place the insurances that the industry may need, as well as the safety aspects for employees.

Budget—transport and active travel

MS ORR: My question is to the Minister for Transport and City Services. Minister, how does the ACT budget's investments in roads and active travel meet the government's election commitments?

MR STEEL: I thank Ms Orr for her question. The 2021-22 budget includes more than half a billion dollars of investment in roads along some of the ACT's key strategic transport corridors—from John Gorton Drive bridge connecting Molonglo to Belconnen, to the Monaro Highway connecting Tuggeranong to the city. This year's budget also invests \$45.7 million in active travel initiatives over the forward estimates. This grows our total pipeline of active travel projects to more than \$77 million.

This is a wellbeing budget, and we are investing in one of the key reasons why our city is so liveable—our fantastic cycling network. We are looking forward to starting that work and creating jobs. It includes funding to get on with delivering a number of our election commitments, including commencing construction of the Sulwood Drive shared path connection, starting feasibility work on the garden city cycle route linking Watson through to the city and the inner north. We have also funded the expansion of the successful age-friendly suburbs program to Reid, Scullin, Chifley and O'Connor, delivering path upgrades and accessibility improvements, particularly to support our older residents in Canberra but which will benefit everyone.

Path maintenance is also a key priority for the government, and in this year's budget we have committed an additional \$4 million in funding for shared-path and community-path maintenance over the next four years. This builds on the work that has been done this year to audit the state of every footpath in Canberra, which has been undertaken by our fantastic Jobs for Canberrans workforce.

MS ORR: Minister, what investments will take place in my electorate of Yerrabi?

MR STEEL: I thank Ms Orr for her supplementary question. I am pleased to take this opportunity to provide an update on what the budget holds for roads and active travel in Gungahlin. Works will soon begin on improved intersections and shared paths in Kenny to support access to the new Kenny high school. This work includes installation of a roundabout on Albatross Crescent, signalisation at two intersections on Wells Station Drive, and the installation of bus bays to support the new high school, helping students to safely choose public transport and active travel when getting to and from school. We are also investing in Gungahlin by providing funding in the budget to deliver on the government's commitment to develop hybrid traffic models for the Gungahlin town centre. These models will support future strategic transport investments in the area, and they will help us to plan for better active travel connections as well as the future road network.

I would like to put on the record my thanks to Ms Orr for the work that she has been doing consulting in her electorate of Yerrabi and surveying local residents on the

things that they would like to see improved about the local traffic network in Gungahlin. The results of this survey will be very useful as an input to the Gungahlin traffic models, once they are developed, and will allow us to test out the feasibility of different potential traffic interventions before we invest in them.

DR PATERSON: Minister, what does this mean for investments on Canberra's southside?

MR STEEL: Every region of Canberra's south is benefiting from transport investment in this year's budget. We are supporting the growing community of the Molonglo Valley by funding the construction of the remainder of John Gorton Drive and building the new bridge over the Molonglo River to provide an alternative access to Coppins Crossing. We are also duplicating William Hovell Drive from John Gorton Drive to Drake Brockman Drive. Both of these projects will see the construction of off-road shared paths for walking and cycling, linking in with the existing path networks in adjacent suburbs. We are also filling in other missing links in our path network in the Molonglo Valley and the Suburban Land Agency will be building the Coppins Crossing path in Coombs, connecting Coombs with our shared-path network.

For residents of Tuggeranong, upgrades to the Monaro Highway are on the way, with our budget delivering construction funding for the new grade-separated interchange at Lanyon Drive and the Monaro Highway. This is going to make the commute from Tuggeranong to the city safer. It will support the growing region and freight in the region, as well. In a joint project with the Australian government, we will also develop a corridor plan that identifies and prioritises future infrastructure upgrades in Canberra's south-west to deal with congestion, improve road safety and strengthen opportunities for alternative forms of transport to private vehicles. Following the outcome of the corridor plan, specific upgrades will then proceed for design and construction in future budgets.

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

Supplementary answer to question without notice Roads—William Hovell Drive

MR STEEL: Yesterday Ms Clay asked me about the alignment of the new shared path as part of the duplication of William Hovell Drive. I can inform the Assembly that the location of the off-road shared path proposed in the project adjacent to Hawker was to avoid conflict with equestrians using the Bicentennial National Trail, and was proposed at the request of the ACT Equestrian Association, as part of the consultation on the project.

Paper

Mr Gentleman presented the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Community Services Directorate—HOU-21/13, dated 27 April 2021.

Health—services

MRS JONES (Murrumbidgee) (3.07): I move:

That this Assembly:

(1) notes that:

- (a) Canberra has been plagued for years by the worst emergency department wait times in the country, with patients being treated in hallways at the Canberra Hospital Emergency Department;
- (b) Canberra junior doctors face the nation’s highest rates of bullying and uncertainty about correct pay;
- (c) all staff at Canberra Health Services, and especially those at the Canberra Hospital, have to work with bullying and harassment issues not yet resolved years after being identified;
- (d) we have seen Canberrans develop cancer while waiting more than a year for endoscopy examinations;
- (e) the Minister for Health has admitted that we have seen a decline, in real terms, in investment in our health system over the past 10 years, leaving us unprepared for the increased demands of the COVID-19 pandemic and having to build temporary facilities in order to cope;
- (f) we have seen the Canberra Hospital expansion and replacement of major infrastructure that is aged and at the end of its life promised at the 2012, 2016 elections, re-promised at the 2020 election, but yet to be delivered at all;
- (g) the \$375 million budgeted for the Canberra Hospital expansion in 2012 being reallocated to the now empty tram;
- (h) in January this year, the Minister for Health committed to ensuring 70 percent of emergency department presentations were seen within clinically appropriate timeframes “within nine months,” but the latest available data shows that “urgent” presentations to the Canberra Hospital Emergency Department were only seen in clinically appropriate timeframes 26 percent of the time;
- (i) the “fit testing” of personal protective equipment for healthcare workers during the latest COVID-19 has been distressingly inadequate, with most nurses and physicians in the Emergency Department and in COVID wards not having been appropriately fit tested at the start of the current COVID-19 outbreak as per basic occupational health and safety requirements;
- (j) health workforce shortages, and 1000 workers wanting to re-enter the health workforce, but no clear pathway or re-registration process outlined by the Government for them to re-enter for those with lapsed registrations;
- (k) the Chief Minister claimed that the Garran Surge Centre would get our intensive care unit (ICU) capacity “into the low hundreds” on 22 September, yet the beds in the centre will not be classified ICU beds, but instead as emergency beds; and

- (1) to add insult to injury, the pre-Budget announcement in health—promising 90 nurses, four ICU beds to be operational by 2023-24, the expansion of the Emergency Medical Unit and the Acute Medical Unit—is less than half of the promised 400 health care professionals, and along with the ICU beds will not be completely delivered until the next election; and
- (2) calls on the ACT government to:
 - (a) recognise and acknowledge the phenomenal effort, dedication and courage of our healthcare workers, and ensure that they are properly resourced, supported and protected during this current COVID-19 outbreak;
 - (b) make a substantial capital investment to finally begin the Canberra Hospital rebuild, providing clinically appropriate facilities at the Canberra Hospital;
 - (c) outline the process for nurses seeking to re-enter the workforce to re-register, including what financial support will be provided by the Government;
 - (d) develop and implement a comprehensive health workforce strategy to establish a pipeline of highly skilled healthcare professionals to serve the ACT in the decades to come and to achieve the ratios promised at last year's election, including a date by which the ratios will all be achieved; and
 - (e) report back to the Assembly by the last sitting day in November 2021 on progress on (2)(a)-(d).

This is the national capital; we meet here in the shadow of the Australian flag on Capital Hill. Sadly, the performance in health by this government is a national disgrace. I have spent 10 years hearing excuses from Labor health minister after Labor health minister. When I was first elected, it was Minister Gallagher, who said, "We're working on it." In fact, she said, "We've got a range of measures, I guess it's frustrating though that it's taking time." You bet it is frustrating, Ms Gallagher; you bet it is. It is also frustrating that you left this place before you fixed it.

It was then Mr Corbell, who said, "We're working on it." It was then Ms Fitzharris, who said, "We're working on it." Now the current minister says, "We're working on it." After 20 years of Labor-Greens government, somebody must take responsibility.

At least the present minister has personally committed to fixing some of our health system woes, telling ABC News, on 31 January this year, in relation to emergency department wait times:

Our target and the national target is 70%. We are nowhere near that at this point in time.

The commitment then was:

70%—we want to get to that target within 9 months.

Minister, in all honesty, did you mean that or were they just throwaway lines? Are you saying whatever you need to say to get out of trouble? Today, Minister, on behalf

of the people of Canberra, I am going to hold you to account regarding that promise. Why are our hospital waiting lists the worst in the country?

What did we hear yesterday? Nothing that resolves the problem. On behalf of the people of Canberra, I ask you: at what point do you actually accept responsibility for the state of the health system that you administer? After 20 years of Labor and Greens government, Minister, there is no-one left to blame. You must take responsibility.

The only people being seen on time in our emergency department are those at death's door; and, when they are treated, they are treated by our highly dedicated, passionate healthcare workers. But as soon as we look further into the urgent and semi-urgent categories, the statistics are woeful. We have targets in those areas of 75 and 70 per cent seen on time, respectively, yet the latest data from yesterday's budget papers showed another year of failure.

For the semi-urgent category, only 48 per cent of presentations were seen within the clinically recommended 60 minutes. For the urgent category, the number was appalling, at 29 per cent. That is 46 per cent below the government's own target, and it has been like this for years.

That is not the only issue. I have been contacted by numerous health workers across our system who are fearful of going to work, and have been fearful of going to work during the current lockdown, because they did not have the correctly fitted personal protective equipment with respect to their masks. As people know, face masks are uncomfortable and are hard to fit correctly. To counter this, it is supposed to be standard practice for healthcare workers to undertake a "fit test" of different makes and models of face mask to find one that specifically suits their face structure and guarantees that they are protected while at work. Each person fit tested receives a card that states what brand and size mask is safe for them to use.

Despite Canberra Health Services having had over a year to prepare for the arrival of COVID community transmission in the ACT, in just the last month nurses were sent into a COVID ward without having undertaken proper fit testing procedures to ensure that their masks would actually protect them from COVID-19.

When we went into lockdown and I started getting calls from people closely associated with and working at the hospital, I was shocked. The first COVID cases were arriving and the wards which would care for them were not properly ready. The minister had not bothered to ensure that the nurses' and physicians' masks were properly fit tested. Fit testing appointments were only available on Wednesday afternoons and were booked out for months in advance for those lucky enough to get a slot. These people are mothers, fathers, brothers and sisters in our community.

We hear that some makes of mask are in short supply and that other brands are being substituted for the ones that nurses have actually been fit tested for. Minister, maybe you can update the Assembly on whether the healthcare workers who have contracted COVID-19 at the Canberra Hospital had been properly fittested and were wearing the correct make and model of mask.

This time last year I raised the need for better treatment of junior doctors. They are bullied at times, and at times there have been issues with their pay. Wage theft is a serious matter. When these issues are raised, they are very slow to be rectified. Their work is hard work, and they need to be remunerated properly and according to the law.

Three years have passed since the report into bullying and harassment at the Canberra Hospital. A task force has been established to implement the culture review. Yesterday's budget showed movement on the issue, but not the movement that we would have expected. That movement was the movement of \$643,000 budgeted to be spent on implementing the culture review from 2020-21 to the 2021-22 financial year—another delay.

Endoscopy: this is the examination of a patient's gastrointestinal tract with a camera, looking for possible health issues such as cancer, as we have already discussed in this place. It is a four- to six-hour day procedure. In April this year I moved a motion that highlighted that the public waiting list for endoscopy had blown out to 7,200 people. I have had reports to me of more people developing cancer while waiting for an endoscopy on our unbelievably long waiting list.

The minister explains all of the reasons why we have a long waiting list, but really, at the end of the day, what people want is a solution. Saying again, "We are working on it," is not a solution. I noted yesterday that some money has been allocated to endoscopy, but why does it take a political fight for this to be addressed?

Also, during this lockdown over 1,000 good and kind former nurses have put their hands up to return to the workforce, but this minister cannot explain to a press conference the process by which those whose registrations have lapsed, even quite recently, will be re-registered.

We knew a year ago, or 18 months ago, that if things got difficult here—and they certainly have—we would be calling out for retired and career-change nurses to come back. It was discussed with me in Chief Health Officer briefings in the last term. But from the information released publicly it seems that, of the 1,000 or more who volunteered to come back, only around 200 were back on the rosters.

Ms Stephen-Smith interjecting—

MRS JONES: Okay, I will be glad to hear it. As we go on with opening up and we see a higher demand for our hospital services, does the minister have a plan to guide nurses through the re-registration process, any funds to assist with paying for that, and getting them back in the wards assisting health staff who are fed up with the stress and distress of this government and this minister's inability to really provide a proper, appropriate workplace for them?

The Chief Minister has been weighing in on this area too. He claimed in his press conference on 22 September that if staffed and prepped for COVID-19 patients, the Garran Surge Centre would take our ICU beds into the low hundreds. It will not.

Ms Stephen-Smith: That is not what he said. You have completely misinterpreted and are misrepresenting what he said.

MRS JONES: He did, I can quote it. Absolutely not, into the low hundreds. They are ventilated beds but not ICU beds, as I am sure the minister knows. They are not the same thing. If needed, no doubt this facility will help but it will not be ICU and it cannot be.

Then, when we come to this budget, an additional 90 nurses and four additional ICU bed spaces to be physically constructed but not staffed. There is not much point of an ICU bed with no staffing. Or is the minister channelling Sir Humphrey Appleby from *Yes Minister* who thought the hospital with no patients was the highest performing one in Britain?

The 90 nurses might only materialise some time before the next election, but we need them now. I, along with many in the community, thought 400 additional health staff were coming. Ninety nurses by the next election. Is that it?

Ms Stephen-Smith: No. Read the papers, Mrs Jones.

MRS JONES: Well, here is your opportunity. In estimates earlier this year, the health minister explained that Health is funded from a defined envelope. Limiting the funding growth to around six per cent per year was decided in 2006 by the Stanhope government in this mysterious functional review. The Canberra Liberals have obtained a copy of the report and it shows that critical to ensuring appropriate care within the six per cent funding envelope was the implementation of much better practices in our health system. Better practices means systems that work for staff and buildings that are functional as well.

The government's failure to meet its numerous election commitments to rebuild the Canberra Hospital shows that it just cannot deliver a properly, appropriately and fully functioning healthcare system, especially at these times. We were promised by Ms Gallagher, and then by Mr Corbell, and then by Ms Fitzharris a start to the rebuild of the Canberra Hospital's clinical spaces. We have seen that promise at the 2012 election, the 2016 election and last year's election, yet not a sod has been turned on clinical facilities at the new Woden site and the building is not yet underway.

The lifts at the Canberra Hospital are too small for standard hospital beds. They are in the public domain and lack privacy for people in the middle of surgeries. I know because I was one of them. The tower block is still at the end of life and beyond, and under Minister Fitzharris the switchboard spontaneously combusted.

This minister seems to be keeping this ancient building together with sticky tape. We have received nice drawings of the new building to rehome ICU, ED, surgery and several wards. We even saw Minister Steel this week having the hide to talk up on the news the garden promised next to the ICU, but alas still no new building. This is despite Minister Gentleman throwing away the chance for changes to the building via the usual planning process all in the name of getting the Canberra Hospital clinical rebuild started, yet still no clinical rebuild has started.

After 20 years of Labor-Greens government, there is no-one left to blame. Why do I have a feeling that the Labor-Greens party will be promising this building at the Canberra Hospital at the 2024 election? Ms Gallagher knew how much the rebuild of the hospital was going to be. She put aside \$41 million for the planning in the out years—\$375 million to get the rebuild going. But the trams seemed more important.

Yet, with this background, the Minister for Health went on ABC news on 31 January this year and said, “Our target and the national target is 70 per cent.” We are nowhere near that at this time. Yesterday it was revealed that in the ED department we are at 29 per cent on category 3 and 43 per cent on category 4. What did the minister say on 31 January—70 per cent. She said, “We want to get to that target within nine months.” Well nine months is now, minister. There is no-one else to blame.

What does ministerial accountability actually mean in the ACT? It is hard to know, really. The High Court says it is the individual responsibility of ministers to parliament for the administration of their departments and the collective responsibility of cabinet for the whole conduct of the administration. I need to know whether it is the health minister who is responsible or whether it is the whole cabinet. Health is one of the few portfolios that the Chief Minister has not dabbled in much in his time here, and we know that when things need to happen in the ACT—good or bad—they end up in the Chief Minister’s mega-directorate. Maybe it is too hard for even him to fix?

The minister said she would have the waiting times, which were nowhere near 70 per cent, fixed in nine months. Nine months is now, but it has not happened. This is not an arbitrary measure. This is not on my recommendation; it is the minister’s own yardstick. The minister has failed staff worrying about their PPE being properly protectively fitted and has failed those suffering bullying and harassment in our facility, now an entrenched issue years and years after we have actually had a report that was meant to change things.

The minister has failed junior doctors who are bullied and sometimes underpaid and ED staff who are run off their feet and absolutely depleted by the end of each and every shift. But she says, “I’m working on it.” Fix the system. Make the proper investment. Thank staff by actually providing them with what they need, not loading them higher and higher with a bigger backpack of hard work. So far this minister has failed her own yardstick to fix ED within nine months. Turn it around, minister. Turn it around for the people of this city. Turn it around. (*Time expired.*)

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.23), by leave: I move:

1. Omit paragraphs (1)(a) to (l), substitute:

- “(a) ACT public health services are an integral part of the Canberra community providing essential services, particularly during the COVID-19 pandemic;
- (b) more than 500 additional staff have temporarily joined the frontline health workforce and administrative teams in response to the recent

expressions of interest process, including 333 nurses and 61 student nurses;

- (c) the ACT Government is continuing to strongly invest in the public health system with a record \$8.5 billion investment over four years in the 2021-22 Budget for the health portfolio;
- (d) the ACT Government continues to grow critical hospital services through the provision of more than \$128 million to support increased demand, building further capacity and to support contemporary models of care for the Canberra community;
- (e) the ACT Government has allocated additional funds through the 2020-21 Budget and 2021-22 Budget to deliver more public endoscopy procedures and commence feasibility for upgrades at Canberra Hospital and Calvary Public Hospital Bruce to respond to growing demand in the ACT;
- (f) the 2021-22 Budget outlines an \$877 million health infrastructure pipeline over the coming five years, including the Canberra Hospital expansion and planning for a new northside hospital, to future proof our health system;
- (g) this pipeline builds on the ACT Government investment of over \$1 billion in health infrastructure in the previous decade, including delivery of the University of Canberra Hospital in 2018;
- (h) the \$624 million Canberra Hospital Expansion has already delivered two new buildings on the Canberra Hospital campus and refurbishment of multiple spaces, and the Critical Services Building is on track to be completed in 2024;
- (i) the ACT Government committed to hiring a further 400 health care professionals to the ACT public health system in this term of government and by the end of the 2021-22 financial year an additional 257 FTE will join the health workforce in the ACT;
- (j) this will include more than 90 additional FTE nursing positions as part of the first phase of Nursing and Midwifery ratios being implemented during 2021-22 to continue to improve the provision of safe, high quality care across our public hospitals;
- (k) infection prevention and control is a vital part of the response to COVID-19, including fit testing of N95 masks to maintain effective personal protective equipment for healthcare workers. Calvary Public Hospital operates one fit testing machine, with a second machine available intermittently, and Canberra Health Services operates three fit testing machines seven days a week to ensure health workers are able to wear the best mask for them while working on the frontline; and
- (l) implementation of the Culture Review continues to work on building a positive workplace culture for junior doctors and all health workers to support them to continue providing the best care to our community;”.

2. Omit paragraphs (2)(b) to (e), substitute:

“(b) continue to work with all states and the Northern Territory to engage the Commonwealth Government in meaningful discussions about health system sustainability, acknowledging the pressures experienced by public health systems in every jurisdiction.”.

Mrs Jones would hardly be surprised that the amendments that I am moving are essentially a control alt or replace for most of her motion, given that her motion is a strange mix of mistakes, misunderstandings and deliberate misrepresentations. She has cherry-picked a whole range of things, made up some stuff and put it all together in one place so she can have a bit of a rant in the chamber today.

It is an interesting day to choose to do that on the day after a budget that will deliver a record \$8.5 billion over four years to the Health portfolio from 2021-22 and see total health portfolio expenses set to rise to \$2.12 billion in 2021-22, excluding territory grants and health infrastructure expenses. This represents an increase of almost \$128 million, or 6.5 per cent, on last year's budget. Recurrent funding for new initiatives is getting close to \$180 million, and there is \$689 million over four years for the health portfolio.

We are making very, very, significant investments in health. Is everything perfect? No. If everything was perfect there would not be any point in me or, indeed, Mrs Jones being here. One of the things we know about being in government is that there is always more to do. That is why we are here. This budget really makes a huge contribution to doing all of that.

The budget has almost \$130 million for critical hospital services to cover more emergency surgery capacity; additional neonatology costs; expansion of the intensive care unit; improvements to the emergency department at the Canberra Hospital; delivery of more elective surgeries, heading towards our election commitment of 60,000 elective surgeries over the four years of this term of government; and, of course, more services at Calvary Public Hospital in Bruce. In addition, there is a \$57 million investment in critical mental health services, an expansion of palliative care services at Clare Holland House, and the list goes on and on, including our very important non-government organisations that support services.

Mrs Jones talked about the numbers of staff associated with these. In this budget alone, 400 additional FTE were committed to over the term of this government—in this budget alone—257 health professional full-time equivalent staff by the end of 2021-22 across all of our new initiatives: 17 additional doctors, 194 nurses and 47 allied healthcare workers.

Some \$50 million of that has been invested to provide the first phase of the nursing and midwifery ratios. In consultation with the Australian Nursing and Midwifery Federation it has been agreed that those ratios will be implemented in a phased approach across both Canberra Hospital and Calvary Public Hospital Bruce, with the first phase to occur in areas of general medical, surgical wards, adult mental health and acute aged care.

Mrs Jones has talked about infrastructure. Of course, Mrs Jones is the person who wanted to go back to the drawing board on the Canberra Hospital expansion, who claimed that we had 12 months to finalise the design but it could still be delivered on time. Mrs Jones ignored the fact that we actually needed to go to development application in March, which of course we did, and we are absolutely on track to

deliver the Canberra Hospital expansion, as we said we would do back when the announcement of the site was made in December 2018.

Over the last decade we have invested more than \$1 billion in health infrastructure. This program is aligned with the community's growing health needs and managed through a strategic asset management plan, territory-wide clinical services planning, risk management profiling and consultation with the community.

We have delivered many important health projects over recent years, including an entire new hospital at the University of Canberra in 2018. That never gets a mention from the opposition. There are new walk-in centres. They dare not mention those, Mr Assistant Speaker. There are new and upgraded mental health services; new cancer units; and, of course, I am very pleased that in this budget we are delivering a cancer research centre within the Canberra Region Cancer Centre to deliver a comprehensive cancer service and provide better access for Canberrans to clinical trials. Though not a huge capital investment, it is a very, very, important one in this budget.

We have spent tens of millions of dollars on upgrades to our critical health services as well; and we are expanding the Centenary Hospital for Women and Children with refurbishment works, including new and refurbished paediatric, administration and maternity areas, as well as the adolescent mental health unit.

But back to the Canberra Hospital expansion. A \$624 million investment and several projects within this have already been delivered, including refurbishments of buildings across campus; a new Building 8, which houses the Canberra Sexual Health Centre and Surgical Training Centre; and early site works are well prepared for construction of the Critical Services Building, with the demolition of buildings 5 and 24 in progress. So Mrs Jones is gilding the lily again on that one.

This project will deliver 156 inpatient beds, including 60 ICU beds and, importantly, four paediatric ICU beds; 22 operating theatres; 147 emergency treatment spaces—72 more than are currently available at Canberra Hospital—55 day surgery beds; integrated radiology and medical imaging facilities; and greatly enhanced patient, carer and staff spaces for respite learning and meeting.

Sitting alongside that is the Canberra Hospital master plan, which will guide investments in the Canberra Hospital over the next 20 years. In this budget there is an investment in the development of a new multistorey car park, and we know how important parking is. That is some of the main feedback we have received on the Canberra Hospital master plan.

We have committed more than \$1 million to develop feasibility and design options for an elective surgery centre at the University of Canberra campus and we will build a new north-side hospital, with construction to start by mid-decade. The planning for this project is well underway, with an additional \$12 million allocated in this year's budget.

There is a range of other infrastructure projects, including an Aboriginals and Torres Strait Islanders alcohol and drug rehabilitation facility; south-side hydrotherapy pool; the eating disorder residential facility funded by the commonwealth but delivered by the ACT government; and an expansion of walk-in health centres to support our existing walk-in centre network and community health centres to deliver care closer to home for Canberrans.

Mrs Jones's motion talks specifically about endoscopy, and I am pleased to provide a very quick update in relation to that matter. Currently underway at Canberra Health services is a complete audit of the public endoscopy services waiting list, and I will also be tabling a statement on this tomorrow.

The waiting list audit is expected to be completed in December 2021 and will provide clearer information about the current endoscopy wait situation. Through the National Bowel Cancer Screening Program, around 150 referrals are received each week on top of routine referrals received from primary care. All of those identified as requiring an urgent endoscopy are immediately booked, with a maximum of eight weeks from receipt of referral to procedure. Currently, CHS is meeting the National Bowel Cancer Screening Program key performance indicator of seeing the person in fewer than 100 days.

Through the 2021-22 budget handed down yesterday, more than \$1.3 million is being invested by the ACT government to undertake feasibility and design work for updates to the existing public endoscopy suites at both Canberra Hospital and Calvary Public Hospital. The upgrade to Canberra Hospital's endoscopy suites will allow for an additional 5,000 endoscopy procedures per year.

In the meantime, we are supporting an immediate boost to endoscopy services in 2021-22, building on the work that was done last financial year as part of the recovery from the reduced activity in April and June 2021 through COVID. The one-off provision in the 2021-22 budget for additional endoscopy services will provide more than 900 extra procedures through additional sessions on the weekend and through further recruitment of staff.

I want to go to Mrs Jones's comments in relation to fit testing. The wellbeing of our staff and their safety is absolutely critical, and it has been of the highest priority for Canberra Health Services, Calvary Public Hospital and for all of us throughout the pandemic. Mrs Jones would have you believe that fit testing is a standard part of normal PPE as BAU; it is actually not. It was something that came up in response to the pandemic.

Fit testing relates only to P2/N95 masks, not surgical masks, and P2/N95 masks are not used across all of the hospital settings. So in the two settings where we have now seen staff potentially having contracted COVID-19 from either a visitor or a patient in the hospital, neither of those are locations where P2/N95 masks are part of the standard PPE. That, of course, is now being reviewed for the entire hospital, given the prevalence of COVID-19 in our community.

In relation to what we are doing about fit testing, there are now three machines running seven days a week at Canberra Health Services, at Canberra Hospital, with extended hours, and one additional machine running Monday to Friday from 7.30 to 3.30 until the end of October. Currently 25 staff are trained as fit testers, and the 267 staff in ED and 60 staff within the COVID ward 8B are fit tested.

CHS are working with the emergency department and ward 8B to ensure that any new starters or staff rotating in through the area are fit tested as soon as possible. Staff working in any clinical areas with suspected or confirmed COVID-19 patients are prioritised and booked for a fit test to capture any staff that have not yet booked for their fit test. As of 5 October, 2,415 staff across Canberra Health Services have been fit tested.

Calvary Public Hospital Bruce commenced fit testing in February 2021—CHS commenced in November 2020—initially with one machine at Calvary and fit testing for critical medical specialties was prioritised. In April 2021 a second machine was acquired, which was shared with Calvary Private Hospital in Bruce. Currently the first machine has been sent for service and there is therefore one machine operational at the moment, and the total number of staff fit tested since the program started is 714.

As I said earlier, the wellbeing of our staff is of utmost importance and the ACT government continues to work very closely on the response to the culture review. Mrs Jones noted that some of that funding has been rolled over. COVID has had an impact on the implementation of some programs, but significant work is underway across Canberra Health Services, and ACT public health services more broadly, to address bullying, harassment and discrimination.

Speaking Up for Safety has commenced and there are staff trainers across both Canberra Hospital and Calvary Public Hospital. More than 4,000 Canberra Health Services staff have been trained in the program, to date. CHS is progressing with the implementation of the next phase of the cognitive institute program, promoting professional accountability.

We know there is more to do in this space. But we also know that Mrs Jones will cherry-pick out of the Medical Board of Australia's medical training survey and other reports and not bother to inform the Assembly that in many instances these reports include improvements in workplace culture, which is not surprising given the focus and commitment to improve culture across the board. But we do need to do more and we will continue to do that.

Mrs Jones has also raised the matters of underpayment for JMOs. I previously provided a pretty comprehensive statement to the Assembly in relation to that, so I merely refer people to that. Mrs Jones also talked about the health workforce. I will briefly advise that CHS has increased its workforce overall by 12.3 per cent since 2017 to meet the increasing demand for quality health care. Alongside the clinical services plan, workforce planning is underway and will obviously continue as part of our work.

In relation to those who have expressed an interest in joining our response to COVID-19, more than 1,500 people, as Mrs Jones indicated, have expressed their interest, with more than 500 additional staff who have temporarily joined the frontline health workforce and administrative teams, including 333 nurses. AHPRA and the national boards are supporting the COVID-19 response by helping to provide access to a potential surge workforce, and they are responsible for the registration, not the ACT government. But we work closely with them to ensure that people can come back.

There are many more points that I could make because Mrs Jones's motion is so broad, but I am running out of time. So I thank her for the opportunity to talk about all of the incredible work that is underway right across our health services and to thank our healthcare workers.

MR DAVIS (Brindabella) (3.38): The ACT Greens will be supporting the amendments to Mrs Jones's motion circulated by Minister Stephen-Smith. It would be remiss of me to rise to my feet to speak of public health care in the territory without first acknowledging the tremendous hard work and dedicated commitment to their profession of thousands of frontline healthcare workers right across the territory as the government continues to battle the outbreak of COVID-19. Tens of thousands, potentially even hundreds of thousands, of Canberrans have had a new relationship with ACT Health that they most likely would not have had prior to the pandemic, and I think you will find that the average Canberran has received positively the services and health care provided by ACT Health in these trying times.

I received my first dose of the vaccine at the AIS mass vaccination clinic a few weeks ago, and it is a credit to the directorate and all of the frontline health staff what a professional and sophisticated public health set up that is—a model for what public health care should look like in the 21st century.

Over the last year since the six Greens were elected, I have been in the fortunate position of responding to a few of Mrs Jones's motions on public health care that are reminiscent of this one today. Mrs Jones has given me several opportunities to talk about the ACT Greens' vision of health care in this sitting, and to discuss what informed, evidence-based and bold healthcare policy can look like.

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

I am pleased to take the opportunity to talk again today about the Greens' plan for health care in the ACT. This is especially the case since several of our key election commitments have just been funded in this year's budget. With three of our ministers in cabinet and three of us advocating from the crossbench, this budget is the Greenest budget in the country.

I welcome the significant investment that this government is making directly into our public health system announced in this budget. Including a few key ACT Greens policies such as improving emergency department response with a \$22.9 million investment over four years to expand the emergency medical unit at Canberra Hospital to 18 treatment spaces; creating an acute medical unit to speed up the process of admitting patients from the ED; the appointment of a medical navigator to tailor care for ED patients; and continued planning for a north-side hospital.

Along with the huge injection of funding into infrastructure, policy development and new jobs for the public healthcare system, we have seen the most significant investment in public housing in the history of self-government. Housing is a human right and it is absolutely integral to the health of people on low incomes in this city. These are all commitments that the ACT Greens made to the electorate last year, and I am thrilled to see them supported in this budget.

The ACT Greens consider health and wellbeing as a whole-of-life experience. Our policies consider health and wellbeing within the context of our society. We focus our efforts on prevention and keeping people out of hospital and in the community as much as possible.

We understand the direct impact that climate change will have on the health of people in our communities. Climate change poses a substantial and mounting threat to public health in this country and in the ACT. It impacts our health in a variety of ways, such as exposing people to increased temperatures, heatwaves, smoke from bushfires, and increasing the spread of disease. It is important that the ACT has a strategic, health-based response to climate change, as well as a plan for the health sector to reduce its own contribution to climate change and reach zero emissions.

We inside the government and on the crossbench are doing all we can to ensure that the health of the environment is seen as directly related to the health of Canberrans. We know that wealth and income inequality are health issues too, which is why we are the strongest advocates for public health services. At a national level the Australian Greens are campaigning for the inclusion of dental care and mental health care into Medicare. Your brain and your teeth are part of your body; they are absolutely fundamental to your wellbeing and therefore they must be included in our public systems.

We know that mental health and dental concerns map directly onto poverty and disadvantage. Untreated dental disease can have a huge impact on your quality of life. If you have ever woken up with a toothache, Mr Assistant Speaker, it is easy to understand that being unable to access proper treatment due to its cost would make life a misery. Untreated dental disease can have very serious consequences, such as leading to low birth weight and premature babies, increased risk of heart disease and life-threatening infections. Poor dental health can also lead to social isolation, poor diet and depression.

The ACT Greens were the original champions of a dedicated Minister for Mental Health, the first mental health minister in the country. We are thrilled to see that this

budget makes mental health a priority. We are building five new supported accommodation houses for people with enduring mental illness to live in the community; and we are expanding acute mental health services, with 10 acute mental health inpatient beds in the low dependency unit.

I am a big believer in the benefits of community-based care, and I am thrilled to see funding allocated to a feasibility study and site selection for the south Tuggeranong walk-in centre. Walk-in centres are important, not just as a strategic attempt to divert unnecessary flow from the emergency department but because they provide free, non-judgemental and accessible care close to people's homes.

Nurses shine in these environments and demonstrate their care, capacity and professionalism day in and day out. The ACT Greens are committed to increasing nurse practitioner capability within walk-in centres. I have heard countless stories of how nurses in walk-in centres have saved lives and provided outstanding care by valuing patient-centred care. Walk-in centres are an example of the innovative approach that this government continues to take to reduce the pressure on our hospitals.

Recently I went to get a new PrEP script and a sexual health screen at the newly refurbished Canberra Sexual Health Centre at the Canberra Hospital. It is an incredibly impressive facility and a great example of the investments right across our health systems and hospitals that this government is making. It would be wonderful to see sexual health screening expanded into our walk-in centres across the city, too.

I am pleased to read about recent funding announcements for A Gender Agenda and Meridian. I have heard some detail about the community-based care that these organisations are providing, including counselling, vaccine delivery and navigation of care. These organisations are strong examples of the role community organisations make in caring for the communities they represent. I am pleased to be a part of a government that supports this kind of innovation.

As the ACT Greens spokesperson for drug harm reduction, I am thrilled to see support for the alcohol and other drugs sector in the ACT. We know that the demand for support, treatment and care for people who use drugs far outstrips the current capacity of these services, and that overflow of need directly results in increased wait times at emergency departments.

As this government continues to take bold action to treat problematic drug use as a health issue, be it through pill testing, safe drug consumption rooms or the decriminalisation of drugs, we know that investment in the alcohol and other drugs sector is core to ensuring equity of care for all.

I am thrilled that budget money has been allocated to design work for the long campaigned for Aboriginal community controlled residential drug rehabilitation centre run by Winnunga Nimmityjah. As a member of the Assembly's select committee on the Drugs of Dependence Amendment Bill, I have heard from many stakeholders in this sector about the serious need for more funding. Alongside support for decriminalisation, they call for increased funding for the sector to meet the

demand for people seeking care and treatment. It was the second strongest pattern in the community's publicly available submissions.

To end, I take the chance to highlight what I see as one of the most significant wins for our healthcare system, healthcare workers and the patients that they care for—that is, the commitment of this government to implementing nurse to patient ratios and the funding to meet them. While both the ACT Labor party and the ACT Greens would like to take their share of credit for such a bold funding announcement, I believe that the credit fully goes to the ACT Branch of the Australian Nurse and Midwifery Federation for their campaign to implement these ratios. I was lucky to meet with branch secretary Matthew Daniel in March this year and we discussed a pledge that the majority of members took before the election, to implement these ratios.

May this be a timely reminder to all Canberrans of the power of activist, unionised workforces, and I encourage all working Canberrans to join their union because these are the results that you see. The ACT Greens committed to introducing nurse to patient ratios after working with the ANMF during last year's election. We know these ratios save lives by reducing the chance of secondary infections and other complications. Adequate numbers of nurses allow for constant monitoring and attention to deteriorating patients, meaning that they receive care sooner in their illness. This prevents unnecessary deaths and ongoing injuries.

This commitment will help to strengthen patient safety and the quality of care in our hospitals. The evidence also demonstrates that nurse to patient ratios also help to prevent burnout, helping us to retain staff and ensure that they too are cared for. I am pleased that these ratios will be implemented within a few months into general medical, surgical wards; acute aged care; and acute mental health units. This successful campaign is evidence of the union's hard work.

In my final remarks, I note that I have touched on a number of different areas of public health care in this city which, fortunately, Mrs Jones's broadly prepared motion gave me the opportunity to do. But I really want to underline the fact of why I felt that that was so important. As the ACT Greens spokesperson for health, I get a little bit frustrated with the constant public conversation about the success or failure of our public healthcare system, resulting on two top-line figures—how long you wait in the emergency room and how long you wait for an elective surgery.

These are both important measures of the success of our healthcare system and important to note, but there is so much more to healthy, safe, well-connected communities; there is so much more work happening across the ACT healthcare system more broadly. It should be a commitment of all people in this place and all parties represented in this place to focus on programs, investments and solutions that keep Canberrans out of hospital in the first place, whether that be quit smoking campaigns; greater access to alcohol and other drugs services; early intervention mental health campaigns; perinatal wellbeing at nurse-led walk-in centres; greater access to bulk-billing GPs—the list goes on.

I encourage all Canberrans engaged in the debate on public health care in this city to reflect on health care in its broadest possible scope, to think of the many different

ways and many different investments that we can make to keep Canberrans safe and healthy. I am proud and impressed to see substantial investment in this government's budget to do just that.

MR HANSON (Murrumbidgee) (3.49): I commend Mrs Jones for bringing this matter before us today and thank her for her tireless advocacy for nurses and all the other hardworking staff at the Canberra Hospital and across our health system. I know that she cares passionately, and I am sure this is not the last motion of this sort that she will be bringing before us. Certainly, it is reflective of a number of motions that, sadly, when I was shadow health minister I brought before this place. I was the shadow health minister between 2008 and 2016. She is probably the only one here that remembers those days. It is sad to see that many of the issues that Mrs Jones raised today in her motion are the same problems that we had over a decade ago.

It is very disappointing to see the Greens, in their response, ignore the issues that she has raised and make a sort of health stump speech. It is more befitting, perhaps, of a budget reply than a response to the very serious issues that she has raised. Perhaps ignoring it is better than what the minister did, which was to simply deny the issues that Mrs Jones raised and move amendments that basically rewrite Mrs Jones's motion. That is not something that the opposition will support because it ignores the very serious issues that have been raised.

It is a very sad story that has got us to this point, Mr Assistant Speaker, and there has been over a decade of fiasco from this government. After the 2008 election this government came up with a plan to buy Calvary hospital. It is owned by the Little Company of Mary. Calvary runs it. The government decided that it was going to buy the hospital. We wasted years of any development and planning when the then Stanhope government decided it was going to buy Calvary Public Hospital.

That did not happen. But what did happen is that we wasted a term of government with inquiries through the health committee and options papers that were put out. We wasted time and realised at the end that they were not going to do it. They could not get it done and they decided not to. The government then said, "We'll abandon those plans. We've wasted years. We are going to rebuild the Canberra Hospital." Back then they called it the capital asset development plan. The health minister of the day, Ms Gallagher, said, "We're going to rebuild the Canberra Hospital with a new tower block. We're going to put an \$800 million investment into the Canberra Hospital."

Back then that was the biggest investment before the tram was even a twinkle in anyone's eye. The government put money against the budget. They put \$375 million in the outyears for stage 1 and they put \$41 million into the budget for forward planning. That was an election commitment that the Labor government went to in 2012: "We're going to rebuild the Canberra Hospital; we are investing \$800 million; here's \$41 million in the budget; we're going to do it."

We then had the 2012 election. The Greens joined forces with the Labor Party and the Labor Party and their Greens colleagues broke the biggest promise in ACT history. They said, "We are not going to rebuild the Canberra Hospital." They took the \$41 million out of the budget, the \$375 million out of the outyears, and they broke

their promise. The \$800 million investment into the Canberra Hospital that was promised by the Labor government at the 2012 election—they took it out. We said, “Why aren’t you going to do this and what is the plan?” Mr Corbell, who was by then the health minister, said that they were going to manage extreme and high-risk infrastructure; they were not going to be investing in the Canberra Hospital.

They did a temporary rebuild of the emergency department, which was described by the emergency department director at the time as a bandaid fix, I think, and involved significant compromise, and they wasted another four years. Another four years went by of broken promises, of putting money in the budget and of taking money out of the budget. I am sure it is just a coincidence that the \$375 million that was meant to rebuild the Canberra Hospital was exactly the same amount to the dollar that was then put into the first availability payment for the tram. That was the decision that this government made.

What then happened is that the Canberra Liberals announced that we would rebuild the Canberra Hospital. We basically took the plan that had been promised back in 2011-12 and said, “No, it does need to be done.” That was announced by us at the 2016 election. We said that we would do it. The Labor Party said, “No, we’re not going to. We’re sticking by our guns. We’re not going to do it.” About 10 or 20 times they said that they would not be doing it.

They then put a pole in the field and said, “Do you think that we should have a new hospital?” On the eve of the election, what happened is that someone was told—and we know this—literally over the course of a weekend, to come up with a plan. “We’re bleeding in the polls. We need to actually say that we are going to do this. We need to backflip on the announcement about the hospital and we need to say that we are going to do something.” And they did that. In the biggest backflip, the hospital that was on again and off again and on again and off again, on the eve of the election was on again. Their election commitment is worth having a look at, Mr Assistant Speaker, because it was done on one A4 piece of paper. On one A4 piece of paper they said that they were going to do it.

Where do we find ourselves now from 2008 when the first plan was: “We’re going to buy the Calvary Public Hospital.” Their policies were: “We’re going to rebuild the Canberra Hospital; we’re not going to; we’re going to rebuild Calvary; we’re not going to.” We find ourselves in a position where, again, Mrs Jones, as the shadow health minister, is making the same points that Mrs Dunne made before her and the same points that I made before Mrs Dunne, that this is a health system in crisis. The government have done nothing to address the issues other than to break promises and fool the electorate into thinking that they are actually going to do something and then not deliver. There have been 13 years—and that is just since I have been in here—of broken promises and backflips.

I commend Mrs Jones for what she has brought before us. I think it is very important, as an Assembly, that we understand that we have a crisis, that we have these problems in our health system and that they arise directly from this government’s dithering, broken promises and failure to actually deliver the improvements at the Canberra Hospital that they promised over a decade ago. For the minister to then laud the health

system and say, “Hasn’t Labor done a great job?” and for Mr Davis to say, “Haven’t the Greens and the Labor Party done a great job together,” when we find ourselves in this position.

I invite you to read a paper that was produced by the Canberra Liberals in 2010 titled “The state of our health”. It was a Canberra Liberals health discussion paper, which pointed out a way forward and pointed out some of the problems back then that just were not addressed. It pointed out that ED patients were not seen on time. When the Liberal Party left government back in 2000, 97 per cent were seen on time. By 2009, that had deteriorated to 53 per cent—

Mrs Jones: It has never recovered.

MR HANSON: It has never recovered. In terms of elective surgery waiting times, the mean waiting time when the Liberals left government was 40 days. That has nearly doubled. By 2008, it was 72 days and, again, it has not recovered.

Mr Deputy Speaker, the points that Mrs Jones has made today are important ones. They should be acknowledged. This motion should be passed. The amendments just try to revise the whole motion and revise the truth. It is about time this lot acknowledged their complete stuff-ups over more than a decade that have left us in the position where we have a hospital that is struggling and our hardworking hospital staff are working in conditions that they should not have to accept and, if the government had followed through on what they had promised, would not have to put up with. I commend Mrs Jones for her motion. I am disappointed that the government are not accepting the problems in our health system and doing everything they can to fix them.

MRS JONES (Murrumbidgee) (3.59): What a surprising debate! None of the issues in the motion have really been denied. The minister started off her response by claiming holus-bolus that they were untrue. But then, in the discussion of them, junior doctors have had and are having the nation’s highest rates of bullying. Staff at Canberra Health Services are having to work with bullying and harassment. She knows that. We have had no evidence produced to the contrary. We have seen Canberrans waiting too long on the endoscopy waiting list. That is actually acknowledged by the fact that there has been some money put into it in this budget.

The minister has admitted that we have seen a decline in real terms in our investment. She admitted that in estimates earlier this year. We have seen the Canberra Hospital expansion and replacement promised at three elections and it has not yet been delivered. The \$375 million that was budgeted for the Canberra Hospital expansion in 2012 was reallocated to the tram. That has not been denied either. The minister did not even touch on her commitment in January this year to fix the ED wait time averages.

Ms Stephen-Smith: It was actually not what I committed to and you know that, so why bother? I am correcting you about 10 times—

MRS JONES: You have had your chance to speak, Minister, and you did not address that issue. That is another failed commitment to the people of Canberra. The minister claims that, now she has several fit testing machines, it means there has never been a problem; there never is a problem, apparently, with fit testing! Well, there was and there is. It continues to be a problem. If she would take the time to listen to phone calls from some distressed nurses from time to time, she would know that to be the case. I take the calls. I am happy to listen to them. I do not assume that they are lying; I do not assume that they are telling untruths. Whenever the government are put under pressure about failures in health their automatic response is to accuse the person who is complaining. That is a tactic called accuse to excuse. It is not correct.

Ms Stephen-Smith: I have never done that.

MRS JONES: Absolutely that has been done. The Chief Minister is particularly good at it. The Chief Minister claimed that the Garran Surge Centre will boost ICU capacity, which it will not.

Ms Stephen-Smith: He did not.

MRS JONES: The quote is from 22 September. He said it would take them into the low hundreds. The minister actually denies that, but that is factual. She should look at the transcript of that.

Ms Stephen-Smith: ICU low hundreds, surge centre exists. The two things do not—

MRS JONES: He linked them. She should know; she was at that press conference. To add insult to injury, of the 257 workers who were committed to last week, 90 are nurses. This will not fix the problems in the staffing of health. The government has refused to acknowledge the phenomenal effort, dedication and courage of our healthcare workers and to ensure that they are properly resourced, supported and protected by taking that out of the motion.

Ms Stephen-Smith interjecting—

Substantial capital investment is required to rebuild the hospital and to create clinically appropriate facilities. We need to see a process for nurses to re-enter the work force. Again, today, the minister has not outlined what that process is. It is correct that it is done by AHPRA. But what are you doing to get those nurses that have volunteered that have not yet come in through that process? Is there no role for the ACT government, no role at all?

Ms Stephen-Smith: Three hundred and thirty-three that have been facilitated into the system already.

MRS JONES: You had your chance and you did not explain it.

MR DEPUTY SPEAKER: Mrs Jones!

MRS JONES: We need a comprehensive health work force strategy that gives some hope to those people working in health, including a date by which the ratios committed to at the last election will actually be implemented across the health system.

We now know that there is an impending shortage of some P2/N95 mask brands that health workers have been fit tested for. We know they have been told that there will be equivalent masks that they can use, but we also know that the equivalent masks are not the same and do not always fit. I ask that the minister consider how we will re-fit people who have already been fit tested to ensure that the replacement masks fit properly, because the advice that I have is that they do not always fit properly.

There is plenty to do in health. Of course, no-one ever said the system would be perfect. But the tragedy for Canberra is listening to Labor health minister after Labor health minister try and pretend that they are going to fix the problems that they are not going to fix. The tragedy of that is that on the other end of those decisions are genuine people who go to work every day and the pack on their shoulders gets heavier and heavier under this government. Those are not my words. Those are the words of a nurse I spoke to three weeks ago.

People are giving up on the system just at a time when we need them to be enthusiastic. Do the right thing. Fix the system and do not come in here and completely change a motion that would require the minister to actually make the system work. We will not be supporting the amendments.

Question put:

That the amendments be agreed to.

The Assembly voted—

Ayes 14

Noes 7

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

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

Poverty—government programs

MR BRADDOCK (Yerrabi) (4.11): I seek leave to amend my notice on the notice paper and to move the revised motion circulated in my name.

Leave granted.

MR BRADDOCK: I move:

That this Assembly:

(1) notes that:

- (a) the social and economic impacts of the ACT's COVID outbreak are having disproportionate impacts across the community, deepening inequality. This has particularly affected groups already experiencing disadvantage;
- (b) these impacts are likely to last for many years, entrenching existing inequality through wage scarring, underemployment, unemployment and reduced economic prospects;
- (c) the Federal Government's income supports are insufficient to keep Canberrans out of poverty, further exacerbating the economic consequences for marginalised groups;
- (d) the Federal Government's choice to stop the COVID disaster payments prioritises the economy over people, is inconsistent with ACT Health advice, and adversely affects thousands of Canberrans still facing restrictions;
- (e) emergency relief is increasingly accessed repeatedly by Canberrans who are presenting with complex, long-term issues;
- (f) the ACT Government has an essential role in providing long-term, strategic leadership, as well as supports and services, to help Canberra's social recovery from COVID; and
- (g) in 2020, the ACT Government commenced work on a community recovery plan to support our community through our extended pandemic community recovery, which is ongoing and being implemented. The Targeted Assistance Strategy, one of the ACT Government's main mechanisms for alleviating hardship and social exclusion, has been agreed to be updated, with options potentially considered in the 2022 Budget process;

(2) calls on the ACT Government to:

- (a) develop an ACT Social Recovery plan to address the social and economic impacts of COVID. This plan shall:
 - (i) identify:
 - (A) the long-term individual, community, and territory wide impacts of COVID, in particular on groups already experiencing disadvantage; and
 - (B) what personal, material, social and financial supports and strategies are necessary to help Canberra's social recovery from COVID with a focus on marginalised or disadvantaged groups;
 - (ii) be developed in consultation with impacted groups and the wider community, and be clear about the time frames and likely consequences of living with COVID;

- (iii) be underpinned by the ACT Wellbeing Framework, with a particular focus on living standards, access and connectivity and social connection;
 - (iv) create a roadmap to rebuild Canberra's social fabric, through the safe re-introduction of events, recreational and sporting activities and educational and volunteering opportunities, with a focus on community building and inclusion;
 - (v) specify regular opportunities for revision with feedback from key stakeholder groups; and
 - (vi) identify the government programs through which these strategies could be funded and implemented;
- (b) provide quarterly reports to the Assembly on the development and implementation of the ACT Social Recovery Plan; and
 - (c) incorporate the relevant findings from the agreed update to the ACT's Targeted Assistance Strategy and associated targeted concession assistance measures, including the current rates concessions, rebates and deferrals system; and
 - (d) identify any further measures required to ensure concessions and rebates are adequate and well-targeted, with input from relevant community organisations working to support people in the community; and
- (3) calls on the leaders of all parties represented in the Assembly to write to the Federal leaders of their respective political parties calling for an increase to and an indexation of all social security payments so that these are above the Henderson Poverty Line. Copies of these letters shall be tabled in the Assembly by 11 November 2021.

It is a sad and difficult fact that the pandemic has disproportionately affected the most marginalised groups in our society. In almost all cases, Australians are doing it tough, but those who are already doing it tough are doing it harder: economically, socially and psychologically. Across the board, the people least able to cope have shouldered the brunt of the burden of COVID-19: the unemployed, Indigenous communities, people with disability, women, young people, precarious workers, and people of migrant and refugee background. These are the people who have lost their jobs, while facing increased expenses, stress and isolation.

I will go through some of these sectors now, just to explore this further. People with disability have described their experience of the pandemic as expensive, isolating and lonely. For those who have not been able to get vaccinated, whether for health or access reasons, they are facing the opening up period with a lot of justified fear and anxiety.

Migrant workers were among the most vulnerable groups before the pandemic, as many work in temporary, casual or informal employment that is both poorly paid and poorly protected. Recent reports also suggest that racism, particularly verbal abuse, has flared up again, once again making people feel unsafe, excluded and like they do not belong in our community.

Women are also more likely to work in those low paid, casualised, part-time roles that have been disproportionately impacted by COVID. Likely outcomes of the outbreak in the ACT include greater housing stress and homelessness for women, increases in the mental health conditions needing care, and a long tail of underemployment and unemployment for women as the economy recovers from the recession.

Young people are also three times as likely to work in sectors that have suffered large-scale losses, and youth unemployment is as high as it has ever been. As the Brotherhood of St Laurence pointed out in a report from late last year:

The blow that COVID has dealt young people ... will leave long-term scars. Those entering the labour market during a recession can expect lower wages and fewer opportunities for career progression, and the impact can last a lifetime.

Finally, people receiving unemployment benefits report poor health at 6.8 times the rate of wage earners. They have double the risk of hospitalisation, they are twice as likely to report mental health conditions and they are three times as likely to report high psychological distress. This is the baseline health inequality we are dealing with, with flow-on effects to all areas of social, financial and material wellbeing.

The crisis has highlighted the intertwining of our economy, society and public health. Resilience and wellbeing into the future means paying attention to social and justice capital, not just the financial capital. The path to recovery may be slow and uneven, but we will come out of this pandemic a different city. The question is how different and who decides? To this end, we need a plan that is honest about our prospects, realistic about the consequences, but ambitious and creative in its goal.

So what is social recovery and why have I raised this today? Social recovery is a simple acknowledgement that there have been many kinds of harms from the pandemic and the public health orders that have been made to help keep us safe: harms to social connections, social involvement and social inclusion; harms to equity, security and belonging.

Social recovery is often spoken about in terms of a response to a natural disaster—how to help a community after it has experienced a short, sharp, traumatic event, help it get back on its feet and on a path towards recovery, towards normal. But what happens when that crisis is not short and sharp, but a prolonged, grinding, tortuous, extended period of time, where hopes of normalcy are faint, where you cannot simply move away to another location, away from the disaster zone where you can start your life afresh?

This is when social recovery becomes more important, because, for better or for worse, in sickness and in health, we are as a community together in this. Everyone has experienced the challenges from COVID-19, but some have been more affected than others. Some have baked sourdough, learned new skills and bought Ken Behrens T-shirts. Others have struggled to just make it to the end of the day.

There are already great strengths in our community. We have all seen examples of great charity, support and kindness throughout our lockdowns. Watching the chat box for the daily presser gives me great hope in the humanity of Canberrans. But for all the examples of community strength, we also need to see the unseen. For every person stepping forward with charity and kindness, there are many more stepping back into the shadows, withdrawing from the community and reducing the number and depth of their connections with others.

Canberra is more than the sum of the 462,213 individuals who live here. It is about the connections and relationships that exist between those individuals. If we were not a community, would anyone here believe lime-flavoured milk would become a thing? To plagiarise badly: I am, you are, we are Canberrans. As Canberrans, we need to help our community to recover, and that means giving a helping hand to those who have stepped back into the shadows, not letting them go or leaving them behind. Some might need a little more help; some a lot.

This is not just a moral duty; this is in our social and economic interest. It makes our community richer in both a figurative and literal sense. To start to heal, we need ideas that put people at the heart of our recovery; ideas to care for people who need extra support; ideas to excite and inspire people, as well as ideas that gently ask them to reach out and reconnect. Creating a community recovery plan will help us develop the tools and frameworks to guide this work. We are at a critical moment and have the opportunity to rewrite the rules to ensure a community where everyone is supported to thrive. In crisis can be found opportunity.

Social recovery can provide many advantages to Canberra. A plan can identify actions to be addressed by government, by the community sector and by the private sector to facilitate sustainable economic growth and mitigate the social impacts from COVID-19. It can capture opportunities for or identify impediments to employment growth. It can support and enable Canberrans to take advantage of different ways of life, different ways of work and business, or reinvent themselves in new and emerging industries.

This motion is not to say that the ACT government has not been supporting the social recovery of Canberra. It has, and I thank everyone involved for their time and effort. To avoid duplication and to ensure I do not miss anyone, I will leave it to ministers to explain these. This motion is to say, “Let us have a plan”—a plan developed in consultation with the community that articulates what we want to achieve to help us face the unprecedented challenges, the significant uncertainty and risk and the dependence on a range of interrelated social and economic factors. Let us have a plan.

I thank the Assembly for leave to move the amendment to my motion. This is in light of yesterday’s discussion we had on Ms Lee’s motion about the targeted assistance strategy. As I said, I have no issue with being gazumped as long as the policy outcome is achieved and we can ensure that government assistance is fit for purpose and helps those who need it.

But there is one matter that is obvious. It is that the ACT government is using every available lever to assist Canberrans on low incomes, from significantly increasing food relief to eviction moratoriums to providing more funding for temporary accommodation and homelessness services, as well as using all the mechanisms we have to provide some ongoing financial relief.

These levers, these mechanisms that are within the ACT government's control, are not enough. The ACT government cannot match the impact of the federal government. The pandemic showed us it is entirely possible to raise all income support packages to above the Henderson poverty line. This includes JobSeeker, the age and disability pensions, and student and carer payments. We know this because it is what happened last year. In doing so, countless lives were saved from both COVID-19 and severe mental distress.

In cutting income support payments back below the poverty line, the federal government has actively put people back into harm's way. A stroke of the federal government pen can achieve what every single ACT government lever and mechanism cannot. Therefore, it would be remiss in any action looking to address poverty and economic and social inequality to not call for the federal government to do more.

Now, with all due respect to Mr Barr, it appears that his influence with the federal government on this matter is limited. Therefore, I have made the call for all parties here to lobby their federal counterparts. The Prime Minister might choose to ignore a Labor Chief Minister but may listen to a Canberra Liberal. The leader of the federal opposition might ignore the ACT Greens but might listen to ACT Labor.

To achieve change, we need a cacophony of voices in the federal sphere and, to achieve that, we need every possible avenue of influence being used. Therefore, I hope the Assembly agrees that the leaders of each party here add their individual names to this call, writing to their federal counterparts so as to influence as many parties as possible in the Australian parliament so that they may speak and act with a common purpose.

I hope that a stroke of the federal government pen may once more lift 36,000 Canberrans out of poverty, so they can fully participate in Canberra's community instead of worrying about their next meal or the next bill that they have to pay. Just imagine the extra creativity, connections, engagement and activity these Canberrans could unleash, making Canberra even greater. Imagine what more the ACT government could achieve if these people were lifted out of poverty—how more funds could be directed to other uses rather than applying bandaids to bullet holes. In closing, I will end by saying: let us get through this as a community because I am, you are, we are Canberrans.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (4.24): I thank Mr Braddock for this motion and for the opportunity to address how the ACT government can work with our community to

build resilience and support recovery from COVID-19 that is inclusive of social impacts as well as health.

The global experience of the COVID-19 pandemic, with its health and economic impacts, would suggest that it has not created social inequality but it has been merciless in exposing those inequities. Numerous studies from people like Michael Marmot at University College London have demonstrated beyond all reasonable critique that social and economic determinants play a vital role in health outcomes.

The circumstances of people's lives have a direct correlation with the outcomes they achieve. Whether someone has safe, secure, affordable and appropriate housing, has food on the table, and has enough money to pay for life's essentials is a strong indicator of the outcomes they will experience. It is these people already at risk who have disproportionately been impacted by the pandemic, both in health outcomes and in economic costs.

Between August 2018 and August 2021, the underutilisation rate—which combines unemployment and underemployment—for ACT men has risen from 9.4 per cent to 11.1 per cent and for ACT women from 10.8 per cent to 11.7 per cent. Full-time jobs for women continue to be replaced by part-time jobs with not as many hours as needed—a trend that reached a turning point in September 1991 in the ACT and a key contributor to women's underemployment. I note that the same trend reached a turning point for ACT men in April 2019.

I also note who is not counted in our unemployment rate. In August 2021 in the ACT, 2.4 per cent of the labour force were employed but worked zero hours because there was no work available for them—the result of the pandemic economic impacts plus zero-hours contracts in hospitality, retail, tourism, and the arts. This is also why we have seen a drop in labour force participation rates, most notably for women, who have disproportionately taken on supporting home schooling for children and care for older Canberrans or family members with disability at the cost of their career. After dropping to 65.4 per cent in May 2020 during the first lockdown in Canberra, the ACT women's labour force participation rate bounced back to 71.9 per cent in October 2020, but has now dropped again, to 66.4 per cent in August 2021.

I expect all these statistics will be worse in the 16 October ABS labour force data release as we see the result of the current economic impacts of the pandemic in the ACT as well as the reduction in commonwealth income support. We knew back in February that the Morrison government's ending of the JobSeeker supplement would result in another 20,000 Canberrans living in poverty. We asked them not to do this. Now it has happened, and we are seeing the impacts on households with the least resources to manage the ongoing impacts of COVID-19.

Recent ACT government YourSay survey results show that 36 per cent of young people have experienced loss of income and 80 per cent are more socially isolated. Some 43 per cent of 16- to 24-year-olds and 66 per cent of 25- to 34-year-olds rated their mental health as fair or poor. This reflects the fact that young people experience greater loss of paid work as a result of the impacts on hospitality, retail and the arts, where so many young people work.

The World Health Organisation's campaign for World Mental Health Day on 10 October is "Mental healthcare for all: let us make it a reality", recognising that social determinants, including poverty, have a big impact on mental health.

As Minister for Mental Health, I am delighted that we have been able to invest in more mental health and community support. This includes \$1 million to expand the PACER program with an additional team for six months to support the community when and where they need it; \$80,000 between Gugan Gulwan and Yeddung Mura to provide additional counselling and wellbeing supports to Aboriginal and Torres Strait Islander Canberrans; \$70,000 to Mental Illness Education ACT for additional mental health programs for schools, individuals and businesses, in response to COVID-19; and a lot more.

In addition, the 2021-22 ACT budget will include another \$10.3 million to provide a more timely, supportive and accessible mental health system for young people and their families in the ACT, as well as funding to expand and improve alcohol and other drug services.

The ACT government has stepped up.

It must be said, however, that the reduction in commonwealth income support for people who have lost work or need to take unpaid time off for COVID-19 testing and quarantine is taking a toll on many people in our community.

The support offered by the ACT government for businesses and community sector organisations to reduce the loss of paid work—as well as rent relief and food relief for people experiencing difficulties—helps, but I am sure we would all greatly appreciate more support from the commonwealth government for people on low incomes.

The economic impact has been made worse by the federal government's refusal to reinstate JobKeeper or to keep JobSeeker at a liveable rate. It has direct consequences for people's lives and our community's ability to respond to the pandemic. Now, due to the economic stance of the federal government, all state and territory governments' jobs have been made harder.

It is precisely the people I referred to earlier—who find themselves in difficult circumstances, who are disproportionately affected by lockdowns—who have now been told that they will no longer have access to disaster payments. The race to vaccinate populations is hard enough without having to deal with the entirely foreseeable human costs of this economic policy.

In April 2021, as Minister for Disability, I was pleased to launch the respite effect and recovery grants. The purpose of these grants was to support people with disability, and their families and carers, under the ACT COVID-19 Disability Strategy. The grants helped relieve some of the challenges of the health emergency, offering supports such as meals, respite, cleaning and technology to support social connection and education in isolation. I am pleased to say that the grants have supported many people through a very difficult time.

In another of my areas of responsibility, I note that the current need for food relief is far greater than it was in 2020, when commonwealth income support payments were higher. I am incredibly proud of Canberra's response to assisting people who require help with access to food—from ACT government services and NGO partners to some outstanding private businesses.

As we move forward into 2022, we have an opportunity as a community to talk about what we mean by social recovery. My view is that this does not mean going back to how things were before the pandemic, as though it never happened. COVID will be a feature of our lives for some time yet, and it will not be the last crisis we face in our community, as we know from the science of climate change. "None will be free until the old ways are gone forever," and I say to whoever in here is the first to tell me where that quote comes from that I will bake them a cake.

In addition, as this debate highlights, our society had many issues prior to the pandemic that we must improve. What social recovery means to me is this: how do we progress to a place where people can do the things that matter to them and pursue their interests and ambitions? How do we progress to a place where all of us feel connected and valued in our local community and can contribute in a way that matters to each of us, whether that be taking our kids to their regular football game; volunteering in our local Landcare group; taking an active part in our local faith group; or sharing our skills and experience in sports, recreation and the arts.

We need to think about how we make social recovery part of our response to COVID-19 as well as how we can respond to future crises, including drought and bushfires.

This means that government listens to feedback and is a genuine partner in those honest discussions. We must accept that government is not always the answer to every problem, and we should support effective community solutions. Government should always be there, working hand in hand with our community, providing a reliable shoulder to lean on when necessary and facilitating connections.

As the responsible minister, I commit to leading a process where we develop a shared understanding of what good social recovery looks like, and developing a consensus of what is required, when and where. Through the Community Services Directorate as the lead agency, we will lead and facilitate a consultation process where a wide range of views and experiences shape our approach to social recovery.

Good consultation means hearing what is not working as well as hearing the good stuff. It means being prepared to say, "I don't know, but let's work it out together." It means coming to the conversation with humility, empathy and willingness to see things from another point of view. It means not having any preconceived ideas on next steps that we hold onto come what may, and being able to move in a new direction based on what the evidence tells us.

It will be with these key principles in mind that we hold these conversations, as we develop our community resilience to see out the rest of the pandemic and as we guide our social recovery and put ourselves in a better position to deal with the next crisis.

I am very grateful to Mr Braddock for raising this matter and holding me to account on it, and I confirm my commitment to ensure that, through the process of social recovery, we develop an even stronger community, ready to deal with future challenges. In so doing, we will build on the work done in recent years, including by Ms Orr as the previous minister, as well as learning the lessons of what has worked well and not so well in our recent responses.

The recently released roadmap outlines our determination to build a better normal. We will do this by working with our communities, understanding need, understanding our strengths and vulnerabilities, and co-designing an approach for our collective social recovery.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (4.34): I rise to speak in support of the motion put forward by Andrew Braddock in relation to the community recovery effort that is ahead of us in relation to COVID-19. As others have noted, COVID-19 has impacted on all of our lives. Before this crisis commenced, in early 2020, few of us would have imagined a global event that would result in our lives being changed so much. Our health, our livelihoods, our social connection and our access to services have all been affected.

While we thought that 2020 had seen the worst of the impact, 2021 has proven even more challenging, with the Delta variant requiring even higher levels of restriction and seeing thousands of Canberrans being impacted through quarantining, all of our children participating in online learning, businesses and schools closing their doors and all of us being isolated from friends, families and community supports.

Given the extraordinary challenges faced since the announcement of lockdown, I am really proud to have been part of a government that has responded immediately to the needs of the community, particularly those who have been doing it most tough. We have worked hard to ensure that people have what they need to survive. Minister Davidson has overseen significant investments in relation to food and material aid, mental health support and support for people with disability and older people. We have aimed to protect people and ensure they have a roof over their head. The Attorney-General, Shane Rattenbury, has introduced the residential tenancy declaration to protect people impacted by being evicted.

We have provided additional support to low income households through the additional utilities rebates, raising the rebate this year to \$1,000 for low income households. And we have stepped in to provide an isolation payment for people ineligible for the commonwealth disaster payment. In partnership with the commonwealth, we have also provided significant support to local business to enable them to survive and be able to provide support to their staff over this period.

What we learnt from our emergence from last year's lockdown is that our community is resilient, and most of us will be able to bounce back from the challenges of this latest lockdown. While challenging, many of us have been able to continue to work

from home. We have had the technology to support online learning for our kids. We have been able to pay the delivery fees associated with delivered goods, and we have been able to draw on our social capital.

However, there are many in our community who have been unable to draw on these resources. One of the most concerning elements of our shared experience has been that it has exacerbated the inequality divide. For these members of our community, the recovery will be long and will require support from all levels of government and all Canberrans. As a government, we have charted a path out of lockdown that is supported by the health advice and sees a gradual easing of restrictions, rather than a so-called freedom day. This is based on epidemiological evidence and is supported by our community. It will see the economy opening up in a graduated way, which means recovery will not be instantaneous.

I join with others in this chamber and many in the community in expressing alarm at the way in which essential individual supports, such as the disaster payment, will be dramatically curtailed and cease at a time when the economy will still be restarting. This would not be such a concern if we saw income support at above poverty levels. But we will still see people unable to gain employment punished at a time of continued economic upheaval and uncertainty.

The ACT budget delivered this week includes a range of investments to support our community in recovery. It will also continue to provide targeted support through our concessions programs. We agree that it is time to ensure that these programs are responsive to our current situation and future needs. As such, I fully support the calls of this motion to develop a social recovery plan. I am really excited to hear Minister Davidson outline some of the plans for this and a review of the targeted assistance program.

As others have already said, in doing this we must recognise what the ACT government cannot do, which is to raise the rate of income support payments, such as JobSeeker, to a level that enables people to live a life of dignity, engage in job seeking and sustain themselves and their families through periods where there may not be jobs or fully operating industries.

I conclude my remarks by noting that one of the ongoing stresses on the recovery process that we will need to focus on is to do everything we can to ensure that people have a decent place to call home. This is not an easy feat in the current circumstances. Current tax settings, market forces and the like have seen housing costs rise at levels that are imposing a number of challenges on Canberrans.

We have responded meaningfully through our budget investments in the areas of increased funding to specialist homelessness services, investments in public housing, and announcements in areas such as build-to-rent, as a way to grow access to affordable rental. There will be much work to do. These are works in progress. I look forward to continuing to work with the Chief Minister, Minister Berry and community partners, on how we respond to the challenges that we have ahead in this area.

MS CLAY (Ginninderra) (4.40): I commend my colleague Mr Braddock for his motion to the Assembly today. I would like to speak briefly about the abandonment of so many across Australia by our federal government, and I would like to speak about how this has affected the arts sector in particular. The federal government is responsible for providing income support payments to tens of thousands of Canberrans. The number of people who need this has grown significantly during each lockdown. People are unable to work. Many are out of work temporarily. Some will find themselves in a long-term situation.

Last year, JobSeeker allowed people to live a dignified life above the poverty line. They no longer had to choose between heating the house or buying the groceries. But that was a temporary measure. This year, the federal government did not match it. We need to raise the rate permanently. Keeping people below the poverty line has a devastating impact on every aspect of their life, but it also affects our community and it affects our health and safety during this pandemic. How can we expect people to comply with public health directions if they cannot afford to? We need to give people the support they need now and in the future to live. We need to value people as human beings who are part of our community, not as tax-paying cogs in a system.

I am glad to be part of an ACT government that provided a lot of supports. We increased the utilities concession payments. We funded the utilities hardship fund. We provided additional emergency food relief and we worked on homelessness and housing services. We provided residential tenancy relief and we worked with landlords and tenants to end evictions. We provided the COVID-19 test hardship isolation payment and a range of COVID-19 business support grants.

The ACT government and the federal government co-funded many of these payments, and then the federal government unilaterally pulled the funding one morning with a phone call—a phone call. This is not good governance; it is not consultation. Speaking as a Green on the crossbench in a Greens-Labor government, this is not how shared power works. It is outrageous to cancel these payments without consultation and consideration. To do it during a public health emergency is even worse.

The ACT government is mapping our way out of lockdown based on health advice. We want to take care of our people. To force us to act because it is somehow in the interests of the economy is ludicrous. It is as if the federal government thinks the economy is somehow independent and separate from the people who create that economy.

It was hard to know what to do about this. The federal government has 100 times the budget of the ACT across income streams like income tax and GST revenue. We do not. We effectively have a budget one per cent the size of the commonwealth. We cannot stretch our budget to provide the income support to people that the federal government should be providing and which it has now withdrawn. So we have used the measures that we have. We have done our best, but we need federal leadership that puts people first, particularly during a crisis.

I want to talk about one sector in particular that has been affected by the pandemic. Artists have been hard hit. Performances were shut down. Live music fell silent. Galleries closed their doors. The artists who create our music and TV and books—the stuff that got us through when we were locked in our homes—have been left struggling.

Now, artists run businesses. They have ABNs. They file tax returns. They pay staff and they pay their bills. But most do not earn above the GST threshold of \$75,000 each year. Industry survey after industry survey shows this. Writers earn an average of \$12,900 each year from their writing. More than a third of musicians earn \$30,000 or less from their craft. The Australia Council found that in 2015 artists earned, on average, \$48,400, and that figure includes the supplementary income from their non-arts work.

Most professional practising artists do not make \$75,000 a year. But they are real businesses, and they are businesses we want for our economy and for our culture. The Australian Taxation Office understands this. For over a decade, the ATO has accepted that arts businesses are legitimate but that they do not earn as much as other businesses. This is why the ATO and grant bodies and the arts industry do not require professional artists and arts businesses to register for GST. They do not require artists to earn over a certain threshold. The ATO allows arts businesses to file tax returns and claim losses without meeting the usual turnover requirements. They have special eligibility criteria to determine whether someone is an “arts business” or a “hobbyist”. This is an extremely well-established exception. It is a standard that is not based on business turnover and we have had it in place for over a decade.

Artists and arts businesses have ABNs, they lodge tax returns, they pay their bills, they employ their staff, but apparently they are not considered to be real businesses. Most artists were not eligible for the COVID-19 business grants because of this. I know a few—very few—sole practitioners and arts businesses who were registered for GST, and they all lost their GST registration as a result of the pandemic, because they lost their income during the pandemic. Very few arts businesses have been eligible for COVID-19 business grants. Those grants were all tied to GST registration, effectively locking out an entire sector.

I am delighted that Minister Cheyne brought out a targeted round of Homefront and Amp It Up! grants. This really helped. It was quick, it was well-targeted and it was well-timed. I also understand that it was the federal government, not the ACT government, that set that GST requirement, but it is simply not good enough. We need to get the federal government to understand this sector. They do not have to listen to me, they do not have to listen to the arts sector, they do not even have to listen to the ACT government. They could find out from their own federal bodies. The ATO and the Australia Council already understand this. They have criteria and exemptions already in place for the arts sector.

If we want art, music, movies, TV, live performance, poetry and books, we need a society that values art and the artists that make it. I encourage everyone in this chamber to write to their federal party leaders, as is called for in the motion. Please

ask the federal government to raise payments to the Henderson poverty line. And when you are doing that, please also talk about artists and the arts sector in that letter, because the federal government clearly still has not heard us.

MS LAWDER (Brindabella) (4.47): I am pleased to contribute to this debate and thank Mr Braddock for bringing the motion to the Assembly. I have some comments to make on behalf of Ms Lee as well as myself. Mr Braddock's motion highlights some very important impacts that the current COVID-19 outbreak in the ACT is having on our entire community, but particularly our most vulnerable Canberrans. Many Canberrans have been disproportionately affected, many of whom are already experiencing significant economic and social disadvantage. The pandemic and lockdown have exacerbated and highlighted the 20-odd years of neglect by this government in supporting our Canberrans on lower incomes—Canberrans who are living on or below the poverty line, over 38,000 of them, including more than 9,000 children and more than 9,000 older Canberrans.

Many Canberrans continued to go to work every day throughout the pandemic because they had no other choice. They were supporting the rest of the community and they needed to work to keep their livelihoods—our delivery drivers, our supermarket staff, our bus drivers, our cleaners. Canberrans living in ACT public housing have been experiencing the most appalling and shocking living conditions for far too long under this government.

Our older Canberrans were yesterday acknowledged in this place as also facing cost of living pressures. Over 50,000 Canberrans are aged 65 or older, and that number is growing. They were acknowledged in the ministerial statement on the International Day of Older Persons. That ministerial statement also acknowledged that as lockdown has continued older people have faced increased challenges such as social isolation, additional health and wellbeing concerns, and financial difficulties. Yet so far in this debate, as far as I have heard, no-one has mentioned older Canberrans facing pressures already which have been exacerbated by the COVID-19 lockdown.

My parents live in Melbourne—the longest locked down city in the world—and I fear they may never really come out of their homes again. They have lost contact with their friends. They cannot play cards or bowls or golf. They fear going out and going shopping. They have family members drop shopping at the door. They have lost contact with their children and grandchildren and great grandchildren. And that is just one example. This will happen across the board with older Canberrans.

Many of us spent time last year and again this year phoning constituents. We have had many, many emails and letters and other contacts. We know Canberrans have been afraid. They are afraid for their health and their life. They are afraid to have contact with people, and I am disappointed that no-one has as yet bothered to mention older Canberrans today.

For all of us, including and especially those disadvantaged and most marginalised, our water and sewerage costs have gone up. Electricity and gas have gone up. Medicines and medical costs have gone up. Food has gone up and our rents in the ACT remain the highest in the country. These exorbitant increases come under the watch of this

Labor-Greens government, and they are having a huge and heartbreaking impact on our fellow Canberrans—Canberra mums and dads and grandparents across our city who struggle every day to afford to live in this city.

These Canberrans are forced to make impossible choices—whether to turn on the bedroom heater in winter, whether to have a hot shower each day, whether they can delay replacing their child’s ageing school uniform or school shoes, whether they will go without a meal so they can turn on the heater.

Mr Braddock’s motion is so typical of what we see of Labor and the Greens in this place—it puts all the blame on the federal government. Of course the federal government has a responsibility to the people of Australia, particularly vulnerable Australians. No-one is disputing that. But supporting our vulnerable Canberrans is not something the ACT government can abandon by just pointing the finger up the hill. If Mr Braddock is genuinely concerned about our low-income Canberrans being left behind I implore him to use the levers he has available to him as an elected member of one of the two governing parties in this place. He is part of the government. He has a moral duty as a member of the governing party to do everything to support our vulnerable Canberrans.

Let’s not forget that over the past 12 months the Canberra Liberals have brought motion after motion to this place calling for action to reduce poverty and increase support for our vulnerable Canberrans, including: the establishment of a poverty task force, calls to tackle the ACT’s rental crisis, calls to address the backlog of public housing repairs where the health and safety of tenants is at risk, and Ms Lee’s call just yesterday for an updated ACT targeted assistance strategy. And what do we see? These motions are shot down by the Greens time and time again, refusing to take responsibility for these issues—issues that they are complicit in the creation and continuation of.

As members will recall, Ms Lee’s motion yesterday called on the ACT government to undertake a review of the purpose, adequacy, fairness and impact of the ACT targeted assistance strategy. As Mr Braddock would know, his own government introduced the ACT targeted assistance strategy back in 2011, and it has not been substantively updated or reviewed since this time. There have been piecemeal changes to some of the concessions, but no overarching review or update.

The targeted assistance strategy was designed to ensure that those most vulnerable in our community receive the support they need, and clearly this has not been the case more recently under the Labor and Greens government. A review of the strategy must ensure that it is effective, targeted and efficient. Given this government’s quite frankly shocking record in poverty and homelessness, I look forward to seeing its tabling in this place in due course.

Here in this Assembly we have the privilege of making decisions at both the territory and local government level that impact the lives of those who call Canberra home. The Labor and Greens members in this place, including their backbenchers, have been given the enormous additional privilege of being in government. Mr Braddock could and should be using this privilege to make sure his party colleagues in the executive actually get on with delivering on their rhetoric.

In addition to the usual grandstanding, this motion calls on the ACT government to develop a social recovery plan to address the social and economic impacts of the COVID-19 outbreak, and the Canberra Liberals support this. But I put it on the record that these kinds of plans and calls from the Greens to their own government colleagues rarely result in any meaningful change.

I encourage Mr Braddock as a member of this government to reflect on the struggles of so many Canberra families, particularly the 38,000 Canberrans living in poverty, and ensure that his colleagues actually deliver on meaningful ways this social recovery plan will improve the lives of our vulnerable Canberrans.

While we are happy to support paragraph (2) of Mr Braddock's amended motion, we will not be supporting paragraphs (1) and (3). If the Leader of the ACT Greens needs an Assembly motion to raise serious concerns with his own federal leader, then perhaps he needs to foster better relationships with his federal counterpart. Political grandstanding and parading does not achieve change.

Over the course of the pandemic, the Morrison government has committed an unprecedented \$311 billion in economic and health support to Australian households and businesses—including households and businesses across the ACT—to avoid the vast unemployment and economic contraction we have witnessed right across the world. The Morrison government has invested more in the ACT than any other government in this territory's history, Liberal or Labor.

We will continue to raise issues of importance to Canberrans directly with our federal colleagues, as we always have done, and the Greens could sort out their own internal party communications. We believe in taking real and effective action against poverty and the cost of living in this city. We are committed to supporting Canberrans left behind by 20 years of an arrogant, complacent and neglectful government. That is exactly what we will continue to do.

Ordered that the question be divided.

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) (4.59): I am pleased to be able to talk on this motion today. And as has been reflected on in speeches before mine, Canberra often looks like the epitome of a middle-class paradise with our high wages, high levels of education and material wealth. Many Canberrans have more than one home—a beach house. Many Canberrans do not have any home. These are the low-paid often hidden people in our communities; the people who are working on poverty wages or living on no wages at all. These are the cleaners, the aged-care workers, security, hospitality, early childhood educators, bar workers and kitchen staff, some of the hardest working people, and yet often the most invisible in our communities.

Over the last couple of years, we have seen that invisibleness weigh in for our cleaning workers. While their wages still remain low, the ACT government was able to provide some security of employment for them prior to COVID-19 affecting our community, by directly employing them in our ACT government schools. There were 300 workers in a generally insecure workforce, often having wages stolen from them. There are migrant workers and a lot of very old workers as well in that workforce that were provided secure employment as part of the initiatives of the ACT government and the Labor Party to directly employ those workers in our public service.

Obviously a joined-up government here—Labor and the Greens—working together to promote good, socially-progressive policies, but the Labor Party has been doing this in Australia for the longest time ever. Sometimes my Green friends like to call us the old party, like it is an insult, but it is actually a badge of honour for us because our experience is entwined in the history of Australia's democratic labour movement that has held us fast for decades and decades. We have constantly and continuously worked and striven for a better, fairer, more equal community so that people who do not have the same chances and a fair crack at happiness get that.

That can be seen in this year's budget announcements but also in the ACT government's responses to last year's COVID-19 pandemic and how we made sure that people were able to access housing and community services support. We made sure people had access to Chromebooks and wi-fi. We have continued that with our budget announcements now. We are making sure that are delivering on even more equity programs in our schools through the \$51 million future of education equity measures. That is absolutely about targeting those families and people who have not had the same chances as the rest of us to get ahead, to have a good start and to have a good education. It is exactly what the housing strategy is all about. It is exactly what the future of education is all about, and it is exactly what the early childhood education strategy, Set-up for Success, is about. It is also what the women's plan is about. Embedded in those strategies is a very real focus on equity.

Some could say this government has been putting forward a social recovery plan for a couple of years, but we have been interrupted by a second dose of COVID-19 with the Delta variant, which has plunged us into a darker time, if you like, where we have all had to gather around again and support each other. That has been one of the great things about Canberra—we are seeing fantastic people putting their hands in their own pockets and supporting their neighbours and friends, providing free meals, driving them to appointments and just generally checking in on people to make sure that they are safe.

We know now more than ever people will face inequality in how they have been impacted by COVID-19. We see that and hear those stories every day. We see it with our neighbours and our own families. Ms Lawder has described some of the impact that her own family has had from that. We can all share the distress Ms Lawder must be feeling for her family in Victoria. We all have some sort of lived experience of our own, but none are more impacted than the people we have described here who do not have the same chances as the rest of us.

It is really good that this motion was brought forward today to talk about what will be our recovery and our social recovery plan. We have talked about that as far as the federal government's impact in this place and with those people in our community. This is not about pointing the finger; this is about asking for the federal government to give us a hand so we can support the people in our community that need it most. The way that they can be supported is through their incomes. When the federal government made those adjustments last year to whatever the social welfare payments are called or will be called into the future—it keeps changing—it made a huge impact on the lives of people who could not afford to get ahead or even just to have their noses above water in the ACT.

We saw it with public housing tenants who were able to enjoy a Christmas without going into debt because they had JobSeeker payments and other payments to support them over a period where they would normally go into debt; because they do not get the chance to buy presents and celebrate with their families normally. But last year they got their chance because the commonwealth did their bit.

That is what we are asking for continuously. The Chief Minister, I, Minister Rattenbury and now Mr Braddock, through his motion, are imploring the Canberra Liberals to please join with us to call on the federal government to do their bit—to lift the rate so people have some dignity in their lives and they can actually have a celebration and look forward to Christmas this year knowing they will have that extra money in their pocket. This is about those people who are more impacted by COVID-19 and this second time around more than any of us. That is all we are asking. It is literally a signature on a piece of paper asking for the Canberra Liberals' support to write to the Prime Minister and ask him to do that.

This is another opportunity where we can show in the ACT that we can do things together. We are a small government that punches well above its weight in supporting people. But how about a tripartisan approach now when people most need it? This is above and beyond politics. This is a signature on paper to give people a hand up.

I will leave it there. I support Mr Braddock for bringing this motion in today. I have been happy to hear that everybody here cares very deeply what happens to those people in our community. So let's get together now, put the signature on paper and get a bit more help from the federal government to support those individuals.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.07): I thank Mr Braddock for bringing this motion to the Assembly and echo the words of the Deputy Chief Minister in regard to this. We have over the past two years seen an unprecedented period for the Canberra community where we have not only faced the global COVID-19 pandemic but smoke, bushfire, and hail events. We know that all of these events have affected the wellbeing of our community, but none more than the COVID-19 crisis.

As others have talked about, Canberrans have experienced social isolation; they have missed the chance to say goodbye to a loved one who is at the end of their life; have not been able to meet new grandchildren; they have postponed a well-planned

wedding; they have lost work or even a business; and they have missed valuable face-to-face time with their friends and teachers as they manage learning from home.

The sacrifices Canberrans have made have been important in keeping our community safe, and even though Canberrans understand that, that does not make it easy. We know the impacts of this pandemic will be felt for many years, and the government is committed to meeting the needs of our community as we recover from the localised impact of this once-in-a-generation—we hope—global crisis.

As the Deputy Chief Minister has talked about, through successive budgets the government has responded to the pandemic with significant investments in the wellbeing and resilience of our community. Just a very few examples are funding for mental health support, domestic violence services and emergency food relief.

In June 2020 my colleague Ms Orr released our community recovery plan. The plan was developed to guide the territory's phased transition from the COVID-19 crisis response to set out steps towards longer-term community recovery. As Ms Berry has said, we have another wave of COVID, more impactful in many ways than the first, and so we do need to revisit our recovery plan.

Social recovery is a fundamental concept of our overall recovery plan and is now an embedded feature of how we respond to the ebbs and flows of the pandemic and as we move into COVID normal. That is why the 2021-22 budget handed down by the Chief Minister yesterday includes continued funding for the Community Services Directorate's pandemic response team to continue implementation of the community recovery response.

As the ACT's nation-leading vaccination rates provide light at the end of the tunnel from our current COVID lockdown, we know there will be more crises in the future, whether they be flood, fire, pandemic or anything else. We know these will keep happening, and we need to build a community that is prepared to weather any storm, literally and metaphorically.

Likewise, despite the continued easing of restrictions planned over the coming weeks, we know there are Canberrans who will continue to feel the effects of COVID-19 for a long time to come. Our recovery plan recognises that resilient communities respond better and more quickly when faced with a crisis. But it is not always enough to stand up a social recovery effort in the midst of a disaster; we need to be working to embed resilience in our community. That is why the community recovery road map looks to the future and plans to build this resilience, using the wellbeing framework to help measure our success.

The ACT government has worked closely with our community partners to ensure the delivery of practical and meaningful support to those in our community throughout the pandemic as they needed it most. I have touched before on our commitment to the equity to access program for vaccination, recognising how important it is that everybody—everybody—in our community has an opportunity to get vaccinated, not just those of us who find it easy and straightforward to access mainstream health services.

Ms Lawder spoke specifically about the impacts of the pandemic on older people. We can speak specifically about the impacts on younger people. I absolutely recognise those impacts on older people, on people with a disability, migrant and refugee communities, Aboriginal and Torres Strait Islander Canberrans, people in insecure work—women disproportionately represented by the job impacts of the pandemic last year—and so many people in our community who are otherwise marginalised. These people have been directly affected by the pandemic response and have difficulties in accessing services—people who are homeless, sex workers, people who have a trauma background, engagement with the justice system, and drug users in our community who have that trauma background and for whom engagement with mainstream health services, engagement with the wider community and their complex lives present many challenges.

Community recovery requires a whole-of-government effort and a whole-of-community effort calling in expertise across our directorates, our community sector and our wider community, including businesses. We need to continue this coordinated approach as we move from the current relief phase into that longer term recovery. We need to continue engagement with communities across the territory to inform that long-term recovery, with the wellbeing framework as a really sound, central pillar to informing our understanding of the impacts of COVID-19, measuring our success and our recovery.

In listing all of those different groups—I am sure there are others I have not included—we are aware that recovery will look different for different groups and different individuals. We are committed to our vision for a connected and inclusive Canberra, where everybody is valued.

Ms Lawder says the Canberra Liberals advocate to their colleagues federally. That may be true, but they never do it publicly. They never do it publicly. They never call on their federal colleagues to do anything that their federal colleagues are not already doing. We in the Labor and Greens parties are willing to publicly stand up and ask our federal colleagues to do more, to go further, as well as the incumbent federal Liberal-National government. Ms Berry and others have said they hold the keys to addressing the income support challenges that are keeping so many people in poverty.

We saw last year the impact when they make a change and they raise the rate. They need to do it permanently. The Chief Minister was the first of the first ministers across the country to call for that. We will continue to call for that, no matter how many times the Canberra Liberals say it is not our business. It is our business, and we will continue this fight to raise the rate.

MR BRADDOCK (Yerrabi) (5.15), in reply: I thank members for the contributions made today in this debate. I particularly thank the ministers for their contributions in terms of highlighting the various actions that the ACT government is undertaking to support the community recovery from COVID.

I note that Ms Vassarotti mentioned the work that the government has been doing, particularly by Ms Davidson, with respect to seniors. Your point, Ms Lawder, was well made; older people should by no means be excluded from this particular plan.

Their social inclusion is vitally important for mental health, community connection and family connections.

With respect to her questioning of the role of government backbenchers in setting up grand motions and plans which have not eventuated, I cannot speak for what happened before my time here in the Assembly. I have put in this motion a requirement for quarterly reports, so that the responsible minister will be able to give us regular updates.

When I first raised with the minister this requirement to put some accountability in the plan, to quote *The Mandalorian*, her response was along the lines of, “Hold my beer.” I look forward to hearing the first quarterly report on this item.

I also note that I am not just washing my hands of it, pointing my finger at the federal government and saying that it is all their responsibility. Of the 74 lines in this motion, only four actually relate to the federal government. The other 70 lines talk about the ACT government and what it needs to do as part of our community recovery.

I note that the Greens leader, Mr Shane Rattenbury, is in lock step with the federal Greens leader, Mr Adam Bandt, on this issue. I would like to ask the Canberra Liberals members whether they have asked their federal counterparts to raise the rate. I would love to know the answer.

In closing, COVID-19 has exposed and deepened the existing inequalities in Canberra. It has also shown how deeply connected we are to our friends, families, neighbours and colleagues. Recovery must build on those connections, strengthen them and deepen them. A social recovery plan means that, for those most impacted by COVID-19, their lives are transformed. We start removing inequitable systems and structures that have meant they have been left behind. Our society can achieve amazing things when we put our minds to it and work together.

Paragraph (2) agreed to.

Question put:

That paragraphs (1) and (3) be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Ms Berry
Mr Braddock
Ms Burch
Ms Cheyne
Ms Clay
Ms Davidson
Mr Davis
Mr Gentleman

Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Ms Stephen-Smith
Ms Vassarotti

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

Question resolved in the affirmative.

Original question resolved in the affirmative.

Crimes (Stealth) Amendment Bill 2021

Debate resumed from 22 April 2021, on motion by **Ms Lee**:

That this bill be agreed to in principle.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.22): I am pleased to speak in support of the Crimes (Stealth) Amendment Bill 2021 introduced by Ms Lee. This bill helps to put beyond doubt that which we know: non-consensual condom removal during sex is rape. It is not acceptable. It is a violation of trust and of bodily integrity.

The definition of consent in the Crimes Act is critical to the effectiveness of a range of sexual offence provisions in holding offenders to account. The definition of consent warrants examination to ensure that it reflects contemporary understandings of this key concept in the context of sexual acts and behaviours.

Consideration of the ACT's sexual offence laws, including the definition of consent, is one of the tasks that the ACT has given to the sexual assault prevention and response initiative established by Minister Berry. As part of this initiative, the Sexual Assault Prevention and Response Steering Committee is working across sectors to identify key priorities for improving the ACT's measures to prevent, and respond to, sexual assault.

Approaching that work in such a way allows for our community to take a broad view on how we improve safety and wellbeing in Canberra. We get a better outcome when we do not approach law—and individual laws—in isolation, and instead consider the law as one of many tools to improve our community. That being said, when particular issues are raised, it is our duty to give them proper consideration. While that broader work will continue, and may result in recommendations for further reforms to the definition of consent, this bill intends immediately to address one particular issue by putting beyond doubt that non-consensual condom removal, colloquially referred to as “stealth”, is an offence.

A recent study carried out in partnership between the Melbourne Sexual Health Centre and Monash University indicates that misrepresentation about the use of condoms during sexual activity is, unfortunately, both common and harmful. Stealth poses serious risks to a person's physical and mental health, including through the transmission of sexually transmitted diseases, unintended pregnancy and psychological harm. It is appropriate that our legislation reflects that this behaviour negates consent.

The government supports the clear criminalisation of stealthing as one measure to address the harm that is caused. We agree that the amendments made by this bill signal to the community that the practice is criminal in nature. The amendment also supports the effective prosecution of the practice by putting the act of stealthing clearly in the list of behaviours that negate consent, as set out in section 67 of the Crimes Act.

The amendments made by this bill build on the definition of consent, acknowledging the fact that, in the context of sexual activity, consent is dynamic and does not typically involve a blanket agreement to any form of sexual activity. Paragraph 67(1)(g) of the Crimes Act currently provides that consent may be negated if it was caused by a fraudulent misrepresentation of any fact. This bill will introduce a further paragraph to make it clear that if consent to sexual contact is conditional on the use of a condom, and a person makes an intentional misrepresentation about the use of a condom, consent is negated.

Subsection 67(1) provides that the list of matters which negate consent is given “without limiting the grounds on which it may be established that consent is negated”. The new paragraph is a quite specific example of behaviour which negates consent, but it does not result in the reading down of other matters which may negate consent.

The amendments made by the bill are positive steps to protect individuals in the ACT from risk of harm through non-consensual unprotected intercourse, thereby promoting the rights to life, security and privacy, all of which provide that a person’s bodily autonomy and health should be protected.

I look forward to continuing to work with my colleagues throughout this Assembly to improve the ACT’s response to sexual violence. I note that Dr Paterson is currently developing her own consent legislation, which proposes further changes to the Crimes Act to advance a positive, communicative model of consent. This builds on work developed in the last term by Ms Le Couteur, and I welcome the fact that Dr Paterson is once again making the case for a definition of consent that requires an active understanding between sexual partners. While legislative reform alone will not address all of the work that we need to change attitudes, it does play an essential role in defining clearly our expectations as a community as to the behaviour we expect and demand.

As flagged earlier, the advice of the Sexual Assault Prevention and Response Steering Committee will assist in guiding the integration of criminal justice responses with other aspects of the ACT’s response to sexual assault. Once the government receives and then considers the report and recommendations of the Sexual Assault Prevention and Response Steering Committee over coming months, I look forward to undertaking further reform work, including what refinements may be appropriate for the reforms in this bill. I know that Minister Berry will comment shortly on the working group’s consideration of this bill.

It is encouraging to know that all members of this place have a shared commitment to addressing the devastating impact of sexual assault by way of not only law reform but

other measures, including community education about what constitutes sexual abuse. In this way we can foster critical cultural change.

I thank Ms Lee for developing and introducing this bill, and I look forward to working with Ms Lee, Dr Paterson, other Assembly colleagues in all parties, and key community stakeholders, to further develop our response to address and prevent sexual violence in the ACT community.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (5.29): As members will know, the government has made a clear commitment to take action on preventing and responding to sexual assault in the ACT. I am taking action in solidarity with a movement for women’s justice. I note that other women in this place, and men too, are doing that as well. We are doing that to really bust down those barriers and remove the inequality that forms those domineering and dominating power experiences that lead to rape in our community.

I acknowledge that this is an issue that affects everybody, and it is much bigger than politics. That is why I have strived to keep it that way. It is why I am proud to be working closely across party lines to deliver a tripartisan approach on the Sexual Assault Prevention and Response Program. The ACT is the only jurisdiction in Australia that has made this commitment—something we can all be proud of.

It is great to see so much involvement and passion coming from Ms Lee about the reality of sexual assault in our community. This bill, which raises important community awareness about the crime of stealthing—the non-consensual removal of a condom during sex—is an example of her commitment to working through these deeply intersectional and gendered issues, and I thank her for bringing this bill to the Assembly.

I have no doubt that this bill plays a part in the whole program of work to prevent and respond to sexual assault, as well as progressing the parliamentary agreement commitments to reform consent laws and related sexual assault law reform.

This year, as colleagues know, I established the Sexual Assault Prevention and Response Program, which has been led by the community and sector experts. I have been keeping my Assembly colleagues regularly updated on how this work has progressed, including through this outbreak of COVID-19 in the ACT. I would like to acknowledge and thank everybody who has participated in those working groups, volunteering a lot of their own time. They have continued that work even through this difficult time.

Ms Lee’s presentation on the Crimes (Stealthing) Amendment Bill 2021 has been presented to the Law Reform Working Group. This has formed part of the work on reviewing the current legislative framework for consent more generally in the ACT. This larger piece of work undertaken by the Law Reform Working Group has appropriately included consideration of Dr Paterson’s Crimes (Consent) Amendment

Bill 2021, which deals with consent more broadly. I would like to thank Dr Paterson for her engagement with the Sexual Assault Prevention and Response Program group, as well as her presentation to the Law Reform Working Group.

The draft recommendations of the Law Reform Working Group regarding both bills and the law of consent more generally are currently being considered by the Sexual Assault Prevention and Response Steering Committee, in the context of the overarching goals of the program, which look at preventing sexual assault and improving responses to victims. I look forward to sharing the final report from the steering committee with Ms Lee once it has been finalised and presented to me.

There must be a justice response for victim survivors. In saying that, I want to acknowledge that there are many different experiences and that our response needs to provide more than just one pathway. This work cannot be just about changing the law. As is the case with domestic, family and intimate partner violence, we simply cannot arrest our way out of this. It is important to change cultural attitudes and break down those power dynamics. It is work that needs to happen from the ground up, led by partners in the community and justice sectors, and with the support of my colleagues here in the Assembly.

I want to finish with a message of hope, especially for victim survivors. This is a momentous time, a challenging time, but it is time to put survivors at the centre of how we respond to sexual assault and violence. I have hope that the community is ready to make long-lasting change to the culture of behaviour, and that this bill is just the beginning of that. We must encourage everybody to join us on this journey for change. I commend the bill to the Assembly.

MS LEE (Kurrajong—Leader of the Opposition) (5.34), in reply: Stealthing is the non-consensual removal of a condom during sex. The non-consensual removal of a condom during sex negates consent. Sex without consent is sexual assault, and sexual assault is a crime.

When I tabled the Crimes (Stealthing) Amendment Bill in April this year I did so because I knew that many people have experienced stealthing but were unsure of our laws or aghast that our laws did not reflect community sentiment that this is a heinous act that is a crime. My bill amends the Crimes Act by inserting a new section 67(1)(ga) that an intentional misrepresentation about the use of a condom is a factor that negates consent. This would include both the non-consensual removal of a condom during sex as well as not using a condom at all when consent for sexual intercourse is given.

Stealthing is an appalling thing to do to anyone, and we know that it has long-lasting impacts on the physical, mental and emotional wellbeing of victims. It violates our bodily autonomy in the most intimate of moments, and victims have spoken about the impact that it has on their ability to trust people.

Since I introduced my bill in April, women and men from all over the country—in fact, the world—have reached out to me with their own stories about stealthing. They are all disturbing and shocking, but the ones that hit home the most were the ones

from victims right here in Canberra. Several Canberra women have told me that in recollecting and reassessing experiences from their past that they had previously dismissed as bad sex because of coercion or the effects of alcohol, they realised that they were in fact assault. Others have told me about being “stealthed” and feeling “ick”, knowing something was not right but they could not quite put their finger on it. This is the heartbreaking reality for victims of stealthing when the law is not as clear as it should be.

HerCanberra’s Emma Macdonald published a story last month in which an ANU law student who had been the victim of stealthing spoke about the impact of her experience: “You feel your free will has been taken away.” She went on to say it had “absolutely shaken her trust in men and undermined her sense of sexual autonomy”. Another ANU student spoke about the barriers to victims coming forward. She said that victims do not often know where they stand or whether there is even a term for what happened to them. She said she believed that by making our laws clearer it would “set a higher standard of behaviour and shed light on the seriousness of stealthing as a crime”.

It is pertinent that our laws reflect community expectation and put beyond doubt that stealthing is a crime. The Attorney-General has stated that the advice he has received is that stealthing may already be captured in our current law. The ACT does not have case law precedent that has tested the negation of consent provisions, which stealthing may perhaps be captured under. In fact, the only case that I am aware of in Australia is of a man in Melbourne who was charged with rape in 2018 after allegedly removing a condom during sex. However, the trial has been delayed numerous times due to the pandemic.

Only a few months ago in New Zealand a man was convicted of rape after he removed a condom during sex without the woman’s consent, and this conviction sets a new precedent of recognising stealthing in criminal law in New Zealand.

However, instead of waiting until a victim comes forward and the case is taken through the courts to determine without doubt that stealthing is a crime, I was drawn as a legislator to make sure that our laws put this beyond doubt, and my bill is designed to do exactly that.

In drafting my bill I spoke to a wide and diverse range of stakeholders and peak bodies, and I thank each and every one of them for their feedback and for working constructively with my team and me over the last six months to bring this bill to its final stages. A huge thankyou to the YWCA; the ACT Bar Association; the ACT Law Society; the Domestic Violence Crisis Service; the Canberra Rape Crisis Centre; the Victims of Crime Commissioner, Heidi Yates; the Women’s Legal Centre; the Women’s Centre for Health Matters; and Legal Aid for their feedback.

I also acknowledge and thank the members of the Law Reform Working Group of the Sexual Assault Prevention and Response Steering Committee; DVCS again; representatives from JACS and the Coordinator-General for Family Safety; Meridian; ACT Policing; the DPP; Advocacy for Inclusion; Victims of Crime Commissioner

Heidi Yates; Victim Support ACT; the ACT Courts; the Law Society; the ANU; and some independent researchers as well.

I also thank Dr Brianna Chesser of the Royal Melbourne Institute of Technology for her support and her expertise in this area. Dr Chesser has been a long-term advocate for stealthing to be specifically outlawed by legislation in Australia and, without her, the national conversation around stealthing might not have happened at all.

I also acknowledge and extend my thanks to all members for their support of my bill, in particular the Attorney-General and the Deputy Chief Minister and Minister for Women, for their tripartisan approach to this important law reform. I am really glad to have the support of Labor and the Greens in passing this bill. It is really important, because today is an important day. Today the ACT, the home of the nation's capital, will become the first Australian jurisdiction to specifically outlaw stealthing and I think that makes a very proud moment for all of us.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021

Debate resumed.

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) (5.41): Last year the government introduced two key pieces of emergency legislation in response to the COVID-19 pandemic. These acts, the COVID-19 Emergency Response Act 2020 and the COVID-19 Emergency Response Legislation Amendment Act 2020, introduced an array of measures that would assist the ACT government and the community to safely continue to undertake a range of important activities and functions during the pandemic. The measures introduced were temporary, with expiry generally set to align with the then COVID-19 emergency end time.

This year the government reflected on the uses of the COVID-19 measures currently in place and determined that some of these measures would be worth continuing beyond the pandemic, particularly as they improve systems and processes currently in place. Through consultation, a number of measures have been identified as suitable for permanent adoption through this bill. The measures identified for permanent adoption have been shown to promote operational efficiencies within and to be of benefit to the operations of government businesses and access to services by the community.

The bill will permanently adopt nine measures introduced by the COVID-19 acts last year. I note that the bill will extend a measure to assist incorporated associations to continue to hold meetings safely during the pandemic.

The bill will make amendments to one act in my portfolio as the Minister for Corrections, the Corrections Management Act 2005. This amendment was first introduced last year through the COVID-19 Emergency Response Act 2020. It was included to support the effective operation of correctional centres and because it was predicted that during COVID-19 there would likely be circumstances where detainees may require leave for long-term medical care.

When this measure was initially introduced last year it was envisaged that access to a longer period of leave than the standard maximum of seven days would reduce the additional administrative burden of renewing the permit every seven days and support consistency to align with the time frame of treatment of an individual's health needs. Since this measure was introduced it has been acknowledged that detainees may require long-term local leave permits for medical or palliative care outside the COVID-19 pandemic. For this reason, this measure is proposed for permanent adoption.

The permanent adoption of this measure ensures that local leave permits can be issued for long-term periods for medical and palliative care even after the COVID-19 pandemic is over. Without this amendment, local leave permits, even those issued for medical and palliative care, can only be issued for a maximum of seven days and require regular renewal if an individual is receiving ongoing medical treatment that cannot be provided within a correctional facility.

With this amendment, local leave permits granted for the purpose of receiving long-term medical treatment or palliative care can be issued for a period of up to three months. This measure has been assessed as compatible with the Human Rights Act 2004 as it promotes the right to liberty and security of a person by allowing the release of detainees from full-time detention to seek long-term medical treatment or palliative care.

Safeguards are in place to prevent unintended consequences from issuing long-term leave permits for medical and palliative care. These safeguards include that the long-term local leave permit can only be issued upon receiving the advice of a doctor appointed under section 21 of the Corrections Management Act. Additionally, a local leave permit will be cancelled if the detainee breaches a condition of the permit or it is no longer needed for the purpose for which it was granted.

Lastly, I express my support for the amendments to the Crimes Act 1900 and the Drugs of Dependence Act 1989 proposed by this bill. These amendments are relevant to my portfolio as Minister for Police and Emergency Services as they affect the operations of ACT Policing. These amendments, which will permanently adopt the ability for sworn search warrants to be applied for and transmitted electronically, will improve flexibility for ACT Policing and will no doubt contribute to a faster, more streamlined search warrant process, thereby improving the ACT's response to crime.

I conclude by saying that the amendments in this bill are of great benefit to the ACT government and the community not only during the pandemic but long after the pandemic is behind us. I thank the Attorney-General for bringing this bill forward and commend the bill to the Assembly.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.46), in reply: I thank members for their contributions to this debate. The Operational Efficiencies (COVID-19) Legislation Amendment Bill will make amendments to 11 pieces of legislation across five ACT government ministerial portfolios. Through direct consultation with ACT government directorates and agencies, nine of these measures were identified as having long-term value for supporting ongoing operational efficiencies and therefore suitable for permanent adoption to be used beyond the COVID-19 pandemic.

One measure was identified as necessary to be extended to be available for the duration of the pandemic. Another measure had expired but has been identified as necessary to be reinstated for the duration of the COVID-19 pandemic. To that end, I propose to move amendments to the bill, which I will return to later.

Amendments to the Bail Act 1992 and the Crimes (Sentencing) Act 2005, which allow for undertakings to the court to be given remotely rather than in person, have assisted the courts in maintaining a COVID-19 safe environment during the pandemic. These measures have ongoing benefits beyond the pandemic by giving the courts an option to receive undertakings by audiovisual means, particularly where the accused is not able to physically appear or is in custody.

Amendments to the Corrections Management Act 2007 which permit the issuing of longer term local leave permits for the purposes of medical or palliative care during the COVID-19 pandemic have had administrative benefits for ACT Corrective Services. This measure has been assessed as having ongoing benefits, recognising that detainees may need longer term local leave permits to seek medical treatment or palliative care outside the pandemic, and having the option to issue a local leave permit of this type for a period of up to three months will reduce operational burdens.

As this amendment allows the release of detainees from full-time detention for the purposes of medical treatment or palliative care, the amendment promotes the right to liberty and security of person. Appropriate safeguards are legislated, including the ability for such a permit to be cancelled due to a breach of conditions or if it is no longer needed for the purpose for which it was issued.

Amendments to the Crimes Act 1900 and the Drugs of Dependence Act 1989, which support the application and issuing of electronically sworn search warrants during the COVID-19 pandemic, have reduced physical appearances at the courts, keeping both ACT Policing and the court staff safer during the pandemic. These measures have been identified as having ongoing benefits beyond the pandemic, particularly in future situations where personal applications may be impossible or not in the public interest.

Amendments to the Human Rights Commission Act 2005, which vest the ACT Human Rights Commission with the powers to deal with complaints about the treatment of vulnerable people, have enhanced scope to support the human rights of vulnerable Canberrans. This measure has been identified as being of ongoing value to the community beyond the pandemic and the COVID-19 emergency declaration.

By addressing complaints about vulnerable people experiencing mistreatment, this measure promotes the right to be free from torture, cruel, inhuman or degrading treatment. Although this measure may limit the right to privacy and the right not to incriminate oneself, any interference with these rights is reasonable and justifiable because the Human Rights Commission only has access to information that is relevant to its consideration of a complaint.

Amendments to the Public Trustee and Guardian Act 1985 which amend the delegation functions of the Public Trustee and Guardian were particularly useful during the pandemic as they increased the capacity of the Public Trustee and Guardian to assist clients during the COVID-19 emergency period. This was recommended for long-term adoption by the independent protection of rights services review, as it will expedite decision-making to avoid delays for clients and reduce reliance on key senior staff availability. Although this measure may limit several rights, including the right to privacy, right to work, right to freedom of movement and right to liberty and security of person, any limitation is reasonable and justifiable as it will assist the Public Trustee and Guardian to provide timely and appropriate support to clients.

Amendments to the Retirement Villages Act 2012, which allow residents' meetings to be conducted via alternative methods of communication other than face to face, have assisted in protecting the health and safety of retirement village residents and promoting good governance and legislative compliance during the COVID-19 pandemic. These measures have been identified to have ongoing benefits to the protection of the health of residents and promoting operational efficiencies in retirement villages in the future. As this measure allows residents and operators to express their opinion and discuss matters in a safe space, this measure promotes the right to freedom of expression.

Amendments to the Taxation Administration Act 1999 which establish a deferral scheme, exemption scheme and rebate scheme to support delivery of the ACT economic survival package assisted the Treasurer in providing various concessions to households and businesses. These measures have ongoing benefits by providing a consistent set of powers for deferrals, rebates and exemptions across revenue lines, forgoing the need to rely on different powers under various acts. This makes for a more consistent operation of powers, with more clarity of expectations.

Importantly, unlike some of the scattered analogous powers, these provisions require that the powers are exercised by a disallowable instrument, including a human rights compatibility statement. This ensures that these powers will be exercised with appropriate oversight and after due consideration and explanation. Although this measure limits the right to privacy, the information necessary for collection is provided for by law.

Lastly, the bill makes two amendments of a temporary nature. COVID-19 measures in the Associations Incorporation Act 1991 to enable certain obligations such as the conduct of annual general meetings to be fulfilled in a COVID safe way and which are due to expire on 8 October 2021 will be extended to enable the measures to operate until 12 months after a COVID-19 emergency. This will ensure that the measures are in place for as long as they are needed to help associations function appropriately and keep their members safe.

As I foreshadowed at the beginning of my remarks, I propose to move amendments at the detail stage to reinstate in the Children and Young People Act 2008 expired COVID-19 provisions which will provide the director-general with the power to declare that a COVID-related emergency exists in the Bimberi Youth Justice Centre for the duration of the COVID-19 public health declaration.

Once again, I thank all members for their contributions to the debate and I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 and 2, by leave, taken together and agreed to.

Clause 3.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.54): I move amendment No 1 circulated in my name and table a supplementary explanatory statement to the amendments [*see schedule 1 at page 2953*].

I will speak, now, to this group of amendments to explain them both for the *Hansard* and for colleagues. This particular amendment, No 1, includes the Children and Young People Act 2008 in the list of legislation amended by the Operational Efficiencies (COVID-19) Legislation Amendment Bill. Subsequent to this, I will move amendments that reinsert expired COVID-19 provisions in section 149 of the Children and Young People Act.

The provisions provide the director-general with the power to declare that a COVID-19 emergency exists in relation to a detention place. The director-general may make an emergency declaration for the duration of the COVID-19 emergency. If required, the emergency declaration can last longer than the standard three days permissible under the Children and Young People Act for an emergency declaration not related to a COVID-19 emergency. A declaration of emergency allows the director-general to place restrictions on activity, movement, access and communications within Bimberi Youth Justice Centre, where those measures are necessary to prevent the spread of COVID-19.

It is of critical importance that the director-general has the right tools available to contain COVID-19 if a staff member or young detainee has been exposed. Being able to implement measures early and efficiently, and maintain those for as long as necessary to keep young people and Bimberi staff safe from COVID-19 is a legitimate aim and justifies the limiting of human rights in this instance. The amendment will reduce the increased risks associated with managing the administrative process required to maintain an ongoing emergency declaration every three days if an outbreak of COVID-19 were to occur within Bimberi.

Safeguards are incorporated in this measure. These include regular review of the declaration at least every 28 days by the director-general, accompanying each review with a report to the minister on any measures taken in response to the emergency, annual reporting on measures taken under the declaration, and a requirement to revoke the declaration if reasonable grounds no longer exist for its continuation.

As with other COVID-19 measures, this measure is temporary. It will expire when the COVID-19 Emergency Response Act 2020 expires, which is at the end of a 12-month period during which no COVID-19 declaration has been enforced. This measure may only be used while a COVID-19 emergency declaration is in force. I commend this batch of amendments to the Assembly.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 8, by leave, taken together and agreed to.

Proposed new clauses 8A to 8C.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.57): I move amendment No 2 circulated in my name, which inserts new clauses 8A to 8C [*see schedule 1 at page 2953*].

Amendment agreed to.

Proposed new clauses 8A to 8C agreed to.

Clauses 9 to 23, by leave, taken together and agreed to.

Clauses 24 to 40, by leave, taken together.

MR CAIN (Ginninderra) (5.58): As mentioned this morning, the ACT Labor-Greens government, under part 11 of the bill, clauses 24 to 40, in my opinion and in the opinion of the Canberra Liberals, is trying to push through wide-ranging powers via this part with its amendments to the Taxation Administration Act 1999. The effects of the proposed amendments would provide the Treasurer with the discretion to determine by disallowable instrument a scheme for a tax deferral, a tax exemption or a tax rebate without any precondition to the exercise of this discretion, and in any circumstance.

This would empower gross ministerial overreach and dramatically reduce public scrutiny of government taxation measures that are of great significance, exempting, deferring or providing a rebate with respect to an ACT tax. This is a decision of some significance. Currently, a scheme can only be determined under the TAA provisions if it is deemed reasonable and necessary to address the COVID-19 emergency. That is the current arrangement. If part 11 is passed, as proposed by the government, the Treasurer would be empowered to determine a tax referral exemption or rebate scheme under any circumstance, whether there is an emergency or not, without having to satisfy any threshold test.

It is very surprising to me that, in introducing these powers to meet the COVID emergency the government agreed to apply a test, even in those extreme circumstances, but now the Treasurer wants to be able to apply these powers at any time without any threshold test. This is a massive leap in policy direction and should be resisted.

Under revenue legislation in the pre-COVID period, a deferral of exemption from, or rebate with respect to, an ACT tax, was only possible almost exclusively under primary legislation. The current COVID-19 measures were passed, as I said, to allow a timely response to the economic impact of COVID-19 measures by allowing such schemes to be implemented by disallowable instruments. But, as I have said as well, even for that purpose there was a test of “reasonable and necessary” that the Treasurer had to surmount. These changes will not hinder the Treasurer in any way or in any circumstance.

Interestingly, the only disallowable instruments implemented under the current TAA provisions were made under section 137(e), being exemptions from tax—five payroll tax instruments, and one with respect to stamp duty. Five of these are actually repealed and there is only one effective instrument running at the moment—disallowable instrument 2021-177, which provides a payroll tax exemption for wages paid to apprentices and trainees during 2021-22.

Passage of part 11 would provide a general power to determine schemes with respect to tax deferrals and rebates when that power was never actually used during the COVID emergency. This is very disconcerting. The government wants a power that was not required during the emergency to be granted for any circumstance without any threshold test. This is a big policy change.

I note the Attorney-General’s comments about standardising powers across legislation. That is a very broad and sweeping comment. And if the standardisation should work the other way, to scrutinise ACT legislation where there is an unnecessary and unchecked discretionary power, perhaps the Attorney-General should reflect it in that direction. The Attorney-General has also stated that there is adequate scrutiny with a disallowable instrument being passed because it requires a human rights compatibility statement. This does not compare, to any serious degree, with the scrutiny available to the community and to the Assembly with the passage of a bill, which, pre-COVID, was the standard approach and reflected a more sensible policy approach than the one proposed at the moment.

Generally speaking, once a disallowable instrument is presented to the Legislative Assembly an MLA has six sitting days in which to move a motion for its disallowance. This is in stark contrast to the scrutiny available to the community and to this Assembly for the passage of a bill. There is a mile of difference between the two levels of adequate scrutiny. To allow a deferral exemption or rebate is a very significant benefit and would ordinarily apply to a select part of the tax community, or to a select aspect of a tax liability. As pointed out by the scrutiny committee, this raises the issue of inequitable treatment of taxpayers. Favourable tax treatment deserves full and open scrutiny. It is a significant decision to make, which is much better provided, in my opinion and in the opinion of the Canberra Liberals, by the passage of a bill, as opposed to the relatively short time frame for scrutiny of a disallowable instrument.

Finally, emergency measure enacted to manage the COVID-19 outbreak should not be automatically carried over to the post COVID-19 period, let alone with fewer restrictions on their exercise, unless the changes are beneficial to the community as a whole, as is contained in the bulk of the bill. So, based on the principles of good governance, the Canberra Liberals cannot support part 11, clauses 24 to 40 of this bill. Such gross ministerial overreach should be resisted.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (6.06): Whilst Mr Cain has raised some important points, the government does not agree with his analysis of the provisions that are contained in the bill. I made some earlier remarks, but I will go to them in a little more detail now, given the observations that Mr Cain made.

It is important to note that the provisions currently in the Tax Administration Act are generic versions of powers that largely exist, in a bespoke fashion, across various pieces of revenue legislation. Each of these bespoke powers that exists at the moment has a different method of deciding, and may require decisions to be effected by a disallowable instrument or a notifiable instrument, or in fact have no notification requirement at all.

The proposal for an ongoing generic set of powers does not significantly enlarge the powers conferred on the Treasurer. The method of accountability, being a disallowable instrument which requires the inclusion of a human rights compatibility statement is at the high-water mark for ministerial decision-making—higher than all other similar powers in other revenue legislation. It is quite important to think about the different approaches, because this new approach provides for clearer expectations and more accountability without an enlargement of power.

This is clearly observable in comparison to New South Wales, which effected its land tax tenancy rebate scheme through act of grace payments. These are available all the time but are neither notified to the parliament nor able to be disallowed. This is quite an important point. This legislation actually implements the requirement for disallowable instruments for quite a number of these legislative provisions, some of which do not have that at the moment. They could go through on a simple notifiable instrument, which this Assembly has no recourse to.

I make the observation that Mr Cain has talked about various levels of scrutiny. A disallowable instrument does require six sitting days in this place. I think it is worth noting that, under the standing orders, I could put a bill through this parliament in fewer than six sitting days.

Mrs Jones: Not normally.

MR RATTENBURY: I could. I could bring it in on Thursday—

Mrs Jones: By agreement—

MR RATTENBURY: Mrs Jones is unnecessarily interjecting, because I am actually being very straightforward here about the rules of this place.

Mrs Jones: So you choose when I am allowed to say something.

MR RATTENBURY: She is now trying to talk over the top of me for reasons that are entirely inexplicable. The standing orders are very clear. I could bring a bill into this Assembly on a Thursday of a normal sitting week—remember the pre-COVID days when we just sat Tuesday to Thursday—and I could then seek to have it passed on the Tuesday of the next sitting period, whereas a disallowable instrument has six sitting days to sit in this place. I am simply making an observation of the standing orders. I am not arguing anything other than to point out the timing measures available here.

I note that the scrutiny committee specifically considered these provisions, and whether they inappropriately delegate legislative powers. The committee raised no objections; it did not require a response in the chamber. Mr Cain has raised some important points around scrutiny, but I think he has misconstrued this legislation in the sense that it actually places a higher level of scrutiny on some powers that currently exist, which could be passed with a notifiable instrument or without any notification requirements at all. So, whilst I think he is right to raise concerns about line of sight for the Assembly on these matters, my case to this Assembly is that this bill improves a range of notification requirements and gives the Assembly a line of sight that it does not currently have. I commend the amendments to the Assembly.

Question put:

That clauses 24 to 40 be agreed to.

The Assembly voted—

Ayes 14

Noes 7

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

Question resolved in the affirmative.

Title agreed to.

Bill, as amended, agreed to.

Adjournment

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

That the Assembly do now adjourn.

Schools—COVID-19

MR PARTON (Brindabella) (6.15): I want to tell a brief COVID story which I think has to be told. I want to tell you about our 17-year-old, Anna. Anna is our youngest. She is doing year 12 at a government college and she works as a casual at Kmart. She is a Netflix girl and a TikTok and Snapchat kid and she still plays a bit of Minecraft.

Despite being well connected by those digital channels, her life has been turned upside down during the COVID Delta outbreak in the ACT. Anna is a genuine social butterfly in that she gets most of her energy from social interaction with others. Her life flame is powered by those social interactions—social interactions at school, at work and after hours. As much as anyone I know, Anna has been crushed by the lockdown. Days and then weeks and months of not interacting face to face with her social group have robbed her of so much.

Then there was light at the end of the tunnel. Madam Speaker, you have no idea how excited she was when she heard the announcement from our education minister that face-to-face learning was returning on 5 October. I have not seen her that happy for a long time. 5 October was circled on the calendar as the day some form of normal life would return. She was looking forward to it in the way she used to look forward to Christmas when she was seven years old. She was actually counting down the days.

It turns out that it was just a mirage. It was a cruel sham which has knocked her for six again. I do not know exactly what happened between the announcement of face-to-face learning for year 12s and the arrival of the day, but it is simply not true to say that face-to-face learning commenced for year 12s on 5 October. It did not. It is an untruth.

The minister told us yesterday that some year 12s returned, and she mentioned some students doing rock climbing and abseiling and some students sitting tests. She was not able to answer questions about how many students have returned, whether it be a rough number or a percentage of the year 12 student group, either because she does not know or because the numbers are so low that it would make her look utterly ridiculous as the education minister.

What the education minister did was quite cruel. She played with the emotions of Anna, and many other students like her, and all of their parents. I call upon the minister to apologise to all of them and to explain why she clearly indicated that year 12 students were returning on 5 October when very clearly at government schools they did not.

National Carers Week

MR BRADDOCK (Yerrabi) (6.18): I rise today because I care. Next week is National Carers Week, a time to recognise the 2.65 million Australians who provide care and support to a family member or friend who has a disability, a medical condition, a terminal illness or a mental illness, or a person who is frail and aged.

National Carers Week gives us the opportunity to highlight the valuable contribution that carers make to our community and raise awareness about the diversity of carers and their caring roles. Every carer is unique and has their own caring story. The more carer stories we share, the louder our voice will be.

I care for my wife, who has physical and mental disabilities. I care for my daughter, who has additional needs. What does it mean to me to be a carer? One word: tough. It has taken a great physical, mental and emotional toll.

The challenges started after the birth of our twin children. Their early years were the worst. I look back and still have no idea how we got through some of the crises. I know it was only due to the herculean efforts of friends, family, support workers and advocates, and I deeply thank them all. But, despite all this help, I cannot find the words to describe it when it was at its worst. The crushing fatigue, meaning I was almost falling asleep on my feet. The responsibility of trying to keep a family unit afloat. The desperation of leaving no stone unturned to find a way to get through another day, week, month or year.

Things have improved as we have learned strategies, connected with supports, for how to manage. But there is no way I would describe it as easy. I recognise that we are still in a privileged position and that we were lucky that things did improve. The worst did not break us, but it was very close.

What has being a carer given me? It has given me a far greater understanding of the challenges in people's lives; a greater empathy as a husband, father, manager and representative; more perspective on life, with all its challenges and warts; and a resilience I did not know that I had within me. To all carers, I would like to say this: I see you. I invite you to share your story, to reach out and accept any help that you can find.

I would like to give a shout out to Carers ACT. They are a not-for-profit organisation and a peak body for carers in the ACT. Their purpose is to support, connect and empower carers to maintain their caring role and personal wellbeing. Carers ACT were there whenever we cried for help. They helped me; they helped many others; and they will continue to help. I thank them for that.

Planning—community consultation

MR CAIN (Ginninderra) (6.21): Planning is a high priority issue in Canberra, whether pre, intra or post COVID. I am sure we would all agree with that statement. Some of the feedback that I have received on the planning process includes the DA process becoming increasingly nominal. By this I mean that there is rising community sentiment that their feedback is not sought broadly or forensically reviewed. Even less common is community feedback being addressed or even engaged with.

The Greens, in one of their 2020 election commitments, agreed with this sentiment. They said:

... the government too often approaches local issues with an “I know best” attitude ...

Let us not forget that this government is a Labor-Greens coalition government. There should be a higher level of trust between the community and the minister for planning.

My most recent example of this level of dissatisfaction is the botched DA community consultation process that was the experience of the Hawker community regarding the William Hovell Drive duplication, a development that the community support. What they want, and what they have told me is lacking, is to know that their local knowledge, local needs and community feeling are considered in the redevelopment.

Here are some examples of the negligent community consultation process of which I have been made aware. The community to be consulted initially identified, but did not include, some residents in earshot of the proposed duplication. That is with respect to elevated noise levels. Locals living right next door to the proposed site were saying that they did not know a duplication was even going to happen. The consultation process had to be extended twice, indicating a concession that the original consultation period was inadequate.

Initially, DA signage was inappropriately placed on the side of the highway—not very satisfactory for readers on their 80 kilometres per hour commute down an arterial road. The now appropriately placed signs were vandalised by graffiti during the consultation process. As at this afternoon, I am still awaiting a response from Minister Gentleman assuring me that the graffiti will be removed. Finally, even with an assurance to me by the Minister for Planning and Land Management that a community consultation period would be allowed via COVID-safe channels, a constituent tried and failed to provide feedback through the Access Canberra website due to technical issues with the website.

Ironically, extended consultation and digital alternatives are initiatives that the government took credit for in Minister Gentleman’s ministerial statement delivered this morning. While the ministerial statement makes the government process look shiny and proactive, the truth is lacklustre. The reality is that some of my constituents have found the process distressing, overwhelming and deeply unfriendly.

I urge the minister to see this as a lesson learned. The community want to provide their feedback, and that local feedback is vital and valuable. Listening to them should not just be a tick-box exercise. I am disappointed in the way that this process has been mismanaged, and even more disappointed to see the anxiety and stress that this mismanagement and unresponsiveness have caused my local constituents. I expect more, as do the Canberra and Ginninderra communities. I urge anyone with planning concerns across the ACT to reach out to my office. As shadow minister for planning and land management, I remind my Ginninderra electorate that I am here to help with any of these issues.

Question resolved in the affirmative.

The Assembly adjourned at 6.26 pm.

Schedule of amendments

Schedule 1

Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021

Amendments moved by the Attorney-General

1

Clause 3

Page 2, line 15—

insert

- *Children and Young People Act 2008*

2

Proposed new part 3A

Page 4, line 12—

insert

Part 3A Children and Young People Act 2008

8A Declaration of emergency New section 149 (2A)

insert

- (2A) However, if the emergency relates to a COVID-19 emergency, the director-general may declare that an emergency exists in relation to the detention place for a period of not more than the duration of the COVID-19 emergency.

8B New section 149 (3A) to (3D)

insert

- (3A) If 1 or more declarations under subsection (2A) are in force for a consecutive period of 28 days or more, the director-general must—
- (a) at least every 28 days, conduct a review of whether there are reasonable grounds for continuing the declaration; and
 - (b) as soon as practicable after a review, advise the Minister in writing about any measures taken in response to the emergency under the declaration.
- (3B) The first annual report prepared by the director-general under the *Annual Reports (Government Agencies) Act 2004* after an emergency declaration ends must include information about the measures taken in response to the emergency while the declaration was in force.
- (3C) A failure by the director-general to comply with subsection (3A) or (3B) does not affect the validity of the declaration.
- (3D) A declaration made under subsection (2A) must be revoked if the director-general no longer believes there are reasonable grounds for the declaration.

8C New section 149 (8) and (9)

after the note, insert

(8) In this section:

COVID-19 emergency means—

- (a) a state of emergency declared under the *Emergencies Act 2004*, section 156 because of the coronavirus disease 2019 (COVID-19); or
 - (b) an emergency declared under the *Public Health Act 1997*, section 119 (including any extension or further extension) because of the coronavirus disease 2019 (COVID-19).
- (9) The following provisions expire on the day the *COVID-19 Emergency Response Act 2020* expires:
- (a) this subsection;
 - (b) subsection (2A);
 - (c) subsections (3A) to (3D);
 - (d) subsection (8).
-