



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**9 NOVEMBER 2021**

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**Tuesday, 9 November 2021**

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

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

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

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

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

## **Leave of absence**

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

That leave of absence be granted to Ms Lee for this sitting week due to her attendance at the 2021 United Nations Climate Change Conference (COP26) in Glasgow.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Municipal services—Hackett shops—petition 12-21**

*By Ms Vassarotti, from 50 residents:*

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

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

Hackett Shops is a thriving centre which attracts many ACT residents to the Majura Pines mountain-bike trails, and many other residents to the amenity of their local shops; with IGA, pub, cafe, hairdresser, (mums and bubs) gym/yoga studio, beauty practice, financial advisor and bicycle repair shop.

The visitors to the Hackett shops, do not have access to a public toilet facility and this applies excess pressure to toilet facilities offered by the cafe and pub, and pressure on other businesses to provide facilities for their customers, when their premises may not be suitable to offer toilet use.

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

Have built at the Hackett shops, a public toilet facility.

## **Play spaces—Fadden Hills Pond—petition 27-21**

*By Ms Lawder, from 52 residents:*

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

The following residents of the ACT draw to the attention of this Assembly that the playground at Fadden Hills Pond has its major play feature, the tower, boarded up, as has been the case for at least a decade. This central structure leaves the playground with its major feature as a dangerous, unsafe eyesore. Further, it takes up space that could be otherwise used for another piece of recreational equipment. The existing materials could be recycled and reconfigured to provide a viewing platform for the duck pond which has been recently refurbished to provide an exceptional recreational facility. The quality of the pond makes the towers all the more incongruous within that setting.

Your petitioners, therefore, request the Assembly to call upon the Government to improve Fadden Hills Pond Playground by:

- a. removing the tower
- b. replacing it with another useful piece of play equipment.

## **Melba—recreation area—petition 15-21**

*By Ms Clay, from 251 residents:*

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

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

The land (approx. 1400m<sup>2</sup>) next to the Melba High School was once used as a recreational space. It now hosts two rundown basketball courts, a worn out, abandoned and cracked netball area and other unidentified cemented space. Melba is growing and is home to many young families, but the playgrounds are small, non-inclusive, most don't have shade, have no parking and are outdated.

We are proposing the upgrade to include:

- An inclusive nature-based playground with sunshade and rain shelter
- Seating, tables & drinking fountains
- Toilet block upgrade / maintenance
- Carpark
- An upgrade to the basketball courts and convert them to multi-sport courts
- Learn to ride space for young children

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

Upgrade the Melba Recreational Space to a space that can be used by the community.

Build:

- An inclusive nature-based playground with sunshade and rain shelter

- Seating, tables & drinking fountains
- Carpark
- Learn to ride space for young children
- BBQ area

Upgrade:

- Toilet block
- The basketball courts and convert them to multi-sports courts

### **Sport—Waramanga playing fields—petitions 26-21 and 43-21**

By **Dr Paterson**, from 406 and 149 residents, respectively:

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

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

demand for the use of the Waramanga District Playing Fields by the Weston Molonglo Football Club at night far outweighs the capacity of the four fields currently lit with floodlights.

The Waramanga District playing fields are considered the hub for the development of football players across the catchment of Weston Creek, Kambah, Molonglo Valley plus the suburbs of Curtin, Lyons and Chifley.

Accommodation for teams to play at Waramanga has been at capacity for the past five years.

Installation of an LED lighting system on the two remaining irrigated fields would be a suitable outcome to assist the club to:

- a) accommodate the additional teams,
- b) address anticipated future growth,
- c) promote sustainable use of the multi-use fields,
- d) distribute the wear and tear across fields, and;
- e) provide incidental light coverage for the basketball courts and surrounding paths.

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

- install of an LED lighting system on the two irrigated fields at the bottom of Waramanga (between Arawang Primary and Mt Stromlo basketball courts).
- allocate sufficient funding for this project as soon as possible.
- provide assistance in co-ordinating the various government stakeholders ensuring swift approval of works.

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

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

### **Ministerial response**

The following response to a petition has been lodged:

#### **Sport—Nicholls Oval—petition 22-21**

By **Ms Berry**, Minister for Sport and Recreation, dated 27 October 2021, in response to a petition lodged by Mr Pettersson on 3 August 2021 concerning upgrades to amenities at the Nicholls oval.

*The response read as follows:*

Dear Mr Duncan,

Thank you for your letter dated 3 August 2021 regarding e-petition No 22-21, lodged by Mr Michael Pettersson MLA. The petition requests Nicholls Oval Upgrades including, funding a significant upgrade to the Nicholls Oval Amenities; to cater for more participants, primarily females; building a suitable centre that caters for a range of community events, to help foster a self-sufficient facility that encourages community activities; and overhaul and upgrade the fields to suit premier division sport and harsh conditions. My response to the petition is detailed below.

The ACT Government has committed to invest in sport and recreation infrastructure over the current term and is presently rolling out a number of upgrades. A range of key priorities and commitments have been identified, including female friendly upgrades at a number of locations around the ACT.

The Transport Canberra and City Services (TCCS) Sports and Recreation Facilities (SRF) unit has an identified program of works for the establishment, upgrade and renewal of sports grounds assets across the city. Upgrades to female friendly facilities at Nicholls Oval have not been identified as a priority for the available funding, which is being directed to other more aged and outdated facilities. However, the request by the petitioners has been noted and will be considered in future prioritisation.

The existing community centre is operated under a sublease arrangement with Nicholls Sports Precinct Limited. The community centre is considered adequate for its intended use to support community activities.

As noted in previous correspondence to Michael Pettersson MLA, of 22 March 2021, TCCS SRF has investigated surface and soil structure and current water drainage issues at Nicholls Oval.

The investigation recommended the installation of drainage infrastructure across the entire site as the preferred option. I am pleased to report that these works are programmed to be undertaken during the 2021-22 financial year. The works are

significant and will cause disruption to normal use. TCCS SRF will engage with sporting user groups to minimise disruption and provide alternative facilities as required. The works will address the petitioners' concerns about the quality of the playing surface and complement the recent investment in LED lighting at this location.

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

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

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

That the petitions and response so lodged be noted.

### **Sport—Waramanga playing fields—petitions 26-21 and 43-21**

**DR PATERSON** (Murrumbidgee) (10.03): I wish to speak to the purpose and content of my petition—lighting at the Waramanga playing fields. As a local member for Murrumbidgee, I am pleased to support this petition from local residents in Weston Creek and throughout the ACT who use and value the Waramanga district playing fields.

This petition calls on the ACT government to install an LED lighting system on the two remaining unlit irrigated fields at Waramanga, a key sporting ground in the suburb I call home. Between the online portal and hard copy petitions, 555 community members have signed the petitions, with signatories noting that the demand for the use of the Waramanga district playing fields by the Weston Molonglo Football Club at night far outweighs the capacity of the four fields currently lit with floodlights. The petitioners request that the Assembly install an LED lighting system on the two remaining fields.

The demand to engage in team sport is growing, particularly in the wake of the COVID-19 pandemic. As a community, we stayed indoors to keep everyone safe, but now it is time to get back out on the sporting fields and engage with some formal competition. The Weston Molonglo Football Club, which calls the Waramanga district playing fields home, currently caters for around 1,400 Canberrans who are eager to get back out on the field. Demand for lit playing fields spikes during the winter, when the evenings are darker and it gets dark earlier.

To keep the players safe and to provide a suitable environment, lighting is a necessity. Currently, the Weston Molonglo Football Club is struggling with the significant demand for the limited number of lit fields in the midweek period. With four fields currently lit, and demand continuing to increase, the potential to light another two fields provides a perfect opportunity to create the safe space required for people to practise and play.

I note and support the ACT government's commitment to the Canberra community through the provision of high-quality sporting fields. Facilities such as these provide a wide range of positive mental and physical health and wellbeing outcomes for Canberrans. The Waramanga district playing fields serve, and always will, as a hub to

develop the talent of young players throughout the area and to provide competitive spirit, skill and exercise.

I am very pleased to have sponsored this petition, on behalf of Canberra residents, about lighting for the Waramanga district playing fields. I thank the many residents who took the time and effort to sign the petition. I look forward to the response of the standing committee and minister, and their consideration and a positive outcome to meet the needs of Murrumbidgee and Canberra residents and contribute to the ACT government policy and ambition.

### **Melba—recreation area—petition 15-21**

**MS CLAY** (Ginninderra) (10.06): I wish to speak to the petition tabled in my name about the Melba high school, Conley Drive, SMILE playground. This petition comes from a community group called SMILE Melba. SMILE stands for Support Melba Inclusive Learning Environment. It is a brilliant idea by some Melba locals to see a piece of under-utilised land re-imagined as a play space that people from across Belconnen, regardless of their age or level of ability, can all come together and use.

I have been to Boundless many times with friends, and it is special to have our kids play together and not have anyone left out because they cannot keep up or they cannot climb or they do not have the balance. Purpose-built playgrounds like this really are inclusive. They suit little kids under two, who get left behind on the big equipment by their siblings, and they suit those with a disability. We do not have any all-abilities playgrounds in Belconnen at the moment. Our kids have to travel to Gungahlin or Boundless if they want that kind of environment. COVID has made us all appreciate the importance of the hyperlocal, and I would really love to see this kind of playground built in Melba.

We share the community's desire for a deeper, more participatory democracy, and I am not at all surprised to see such a great idea come from our Melba locals. I have spoken to hundreds of people around Belconnen with neighbourhood ideas, from small things like footpaths and bike lanes in areas that do not currently have them to big ideas like a BMX track on a dryland oval or a micro-forest on a really degraded site. Our local communities know their suburbs best and they are the best source of information and ideas for what their suburb needs.

I was really pleased to see the ACT government's recent announcement about the play spaces strategy. I encourage everyone to get involved, fill in the survey and have your say about our play spaces. I was also glad to see Minister Steel make a particular point that our play spaces need to be accessible for all. A targeted strategy and Canberra-wide consultation is a good way to make these decisions. When a group like SMILE Melba come to us with a project that they have had running for over a year, we need to listen. And what a year it has been.

SMILE Melba is a grassroots project started off by two dads, Tim and Hector. They have been driving this along throughout such a dreadful year and they have not stopped or given up hope for a moment. They have been campaigning tirelessly. They have met with all of their local MLAs. They brought all three parties together to the

table. They held a community barbecue with the Belconnen Community Council and a lot of locals. They made a Facebook page so that everybody can share their vision together.

They have thought really hard about what they want and what the problem is. They have even had a chat to a lot of people in the playground business to see whether it would work. They have the support of hundreds in their neighbourhood. They actually ran three petitions. I have tabled the Legislative Assembly official petition that has 251 signatures, but they also ran an alternative e-petition that has 185 signatures and a regular paper petition with 95 signatures. In total, across all of these petitions, they have got 531 signatures.

Tim and Hector took this issue from Hosking Place to the Assembly. I am asking the Assembly to take it one step further. Usually, only official Assembly petitions with 500 signatures are referred to a committee for consideration. It is a really important step, because it means that the Assembly recognises the issue, the government must respond and the committee may run an inquiry. I know that usually we only refer official petitions with 500 signatures, but we have made exceptions before and I ask the Assembly to make one again. I seek leave to table two out-of-order petitions along the same lines as the one just tabled.

Leave granted.

**MS CLAY:** I table the following out-of-order petitions:

Petitions which do not conform with the standing orders—Melba recreational space (185 and 95 signatures).

**MR CAIN (Ginninderra) (10.11):** I wholeheartedly endorse Ms Clay's petition and the work of Hector and Timothy in Melba. It has been great to see. I still recall a barbecue gathering one Saturday morning when four of the Ginninderra members were able to attend and provide support for this wonderful initiative. Particularly with a planning regime where backyard spaces are diminishing in our community, to have these dedicated recreational spaces that are available to all ages and all abilities is a wonderful initiative.

Hector and Timothy put together a wonderful submission, lodged earlier this year, called the "Melba district inclusive community playground", which I endorse to the Assembly. I will be supporting Ms Clay's motion later today, subject to its wording, of course, to say that these community spaces that have been really badly let go are deserving of enhancement and that we must listen to the community about what they would like to see in their neighbourhoods. It is a wonderful initiative and it is great to see. I endorse what Ms Clay said about community initiatives, listening to the community about how they would like their neighbourhoods and suburbs to look and seeing what we can do to support that.

### **Play spaces—Fadden Hills Pond—petition 27-21**

**MS LAWDER (Brindabella) (10.12):** I would like to speak on the petition tabled in my name regarding the Fadden Pond playground. There is a tower as part of the

playground which has been there for 20 or 30 years, but it is currently boarded up, and it has been like that for the best part of a decade. It is seen by many residents as an eyesore. They would like it to be taken down and replaced with a useful piece of equipment to add value to the playground.

To be frank, at the moment it is boarded up. What this means is that, I guess, typically older teenagers clamber up the outside of the structure, get into the top and smoke bongs in there. They often break off bits of wood and light a fire inside the tower in wintertime to keep warm. I think that is more of a danger than the tower ever was on its own, having kids clambering up the outside of the structure. It takes up space that could otherwise be utilised by a useful piece of equipment. For example, the proponent of this petition has suggested that the existing materials from the tower could be potentially recycled and redesigned into a viewing platform over the duck pond.

I would like to mention at this point that the duck pond recently had maintenance undertaken on it, which is a great thing, to remove some of the silt and some of the macrophytes and vegetation on the little island in the middle of the pond. Residents have, generally speaking, been really receptive and happy about that maintenance work on the pond. But they are, generally speaking, sick of seeing the barricaded tower taking up space in the playground. I think the proponent of the petition would have liked to go doorknocking to seek more signatures on the petition but, of course, with COVID and the lockdown that was not possible for them.

If changes were made to include another piece of play equipment at the playground, I am really confident that residents would utilise the space even more. It is a beautiful area. It is really popular with local residents and we should be encouraging and supporting residents to spend more time outdoors. We have got the ducks and we have got the purple swamphens. There are blue-tongue lizards. There are a few snakes around as well, but that is all part of that natural environment. The locals there take great community spirit in warning other people. If you are walking around the pond they might, as you pass them, say, "Watch out for the brown snake underneath the bridge." It is just part of that general give and take in the community that we like to see.

If the recent lockdown has taught us anything, it is that investing in our local play spaces and community spaces is so valuable. It is what residents want, and they want to spend more time outdoors. I am really pleased to see this petition come to the Assembly.

### **Municipal services—Hackett shops—petition 12-21**

**MS VASSAROTTI** (Kurrajong) (10.15): I am pleased to table this petition today for the people of Hackett, who would like access to public toilets at their local shops. Since becoming a member for Kurrajong, I have become aware of the need for public toilet facilities at a number of local shops in the inner north, including Hackett, Downer and Watson. We are so lucky to have thriving local shopping centres with great cafes and shops. All of these local shopping areas are close to well-loved and

used outdoor activities, such as the Mount Majura hiking path near Hackett shops, the Downer oval and Watson, which will soon be home to a new inner north play space.

Visitors to local shops should not have to rely on private toilet facilities, because purchasing at a cafe or pub is not an option that everyone can afford. In our aspiration to be an age-friendly city, public toilet facilities play an essential role, particularly for the very young and older Canberrans. Having access to public toilet facilities allows people to live their life without having to worry about whether or not they may be able to access things that are really necessary to getting out and about. I am pleased to sponsor this petition.

### **Melba—recreation area—petition 15-21**

**MRS KIKKERT** (Ginninderra) (10.17): I rise to speak in support of the recreation area near Melba high school. This playground is a wonderful initiative to make our communities more inclusive and accessible to people of all abilities. I am glad to be able to support it. I am thankful to have had the opportunity to meet with Tim and Hector and many members of the team at the barbecue hosted by the SMILE group. I am grateful that it was attended by members of the Canberra Liberals, ACT Labor and the ACT Greens.

I wish also to express my praise and admiration for the expert community organising that went into this project. From creating a Facebook group, doorknocking, letterboxing and hosting a community barbecue with the great support of the Belconnen Community Council, the SMILE group have set a stellar example of how to plan, consult and execute. I strongly encourage the ACT government to continue to meet these standards, should the future of the project pass to them.

In the time I have spent in Melba doorknocking and getting to know the residents, I have learnt that Melba is a tight community and people look after each other. An example of this can be seen in the development of the Melba shops. For a long time, the Melba shops were not a particularly appealing shopping location but, after landscaping, renovations and the introduction of more businesses, the residents of Melba have grown to love their shops. When the shops were ramraided earlier this year, residents offered their talents and time to help clean up the damage and install bollards to protect against future raids. In turn, the businesses have displayed great charity and donated meals, hams and sausage sizzle supplies to community functions and people doing it tough.

This project is a great opportunity to experiment and innovate for future inclusive playgrounds. The SMILE Facebook page has multiple examples of innovative play equipment that I have not seen in other playgrounds, such as a swing that can be used by both a parent and a child at the same time. As the community have looked after each other and worked together to improve their suburb, we in the Assembly should meet them halfway and provide what assistance we can to make this dream a reality. It is my pleasure to represent these residents, and I commend the petition to the Assembly.

Question resolved in the affirmative.

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

**MS CLAY** (Ginninderra) (10.20), by leave: I move:

That e-petition No 15-21 and two out-of-order petitions relating to the Melba recreational space be referred to the Standing Committee on Planning, Transport and City Services.

Question resolved in the affirmative.

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

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.20): I rise to provide an update on the COVID-19 situation in the ACT and the actions that the government is taking to protect the health and wellbeing of Canberrans.

Since my last update to the Legislative Assembly, on 6 October, daily case numbers have decreased and the ACT's vaccination coverage continues to rise, which has enabled us to significantly ease a range of business and gathering restrictions.

The public health response remains targeted at reducing community transmission through effective test, trace, isolate and quarantine measures, with a particular focus on preventing cases and outbreaks in high-risk settings. Testing numbers have decreased since we began our transition out of lockdown. I would like to remind Canberrans to get tested, even with the mildest of symptoms, especially as we begin to move around the community more freely.

COVID-19 case numbers across Australia are slowly decreasing as the outbreaks in New South Wales and Victoria stabilise. As Australia learns to live with COVID, health authorities, at least in outbreak jurisdictions, are gradually shifting focus from strongly suppressing the virus to working to minimise serious illness, hospitalisations and fatalities as a result of COVID-19. Our primary goal is to ensure that our health system is not overwhelmed and to protect public health.

As I mentioned, New South Wales continues to record a much lower number of COVID-19 cases compared to the previous month and case numbers have begun to stabilise. As at 7 November, New South Wales reported 2,898 active locally acquired cases in the state.

On 11 October, the New South Wales government lifted stay-at-home orders across all of New South Wales and eased a range of public health restrictions for fully vaccinated people after the state reached its 70 per cent fully vaccinated target for people aged 16 years and over. Restrictions were eased further for fully vaccinated residents on 18 October, once the state hit the 80 per cent target.

As New South Wales achieved these vaccination targets and began to ease travel restrictions for ACT residents intending to travel to New South Wales, the ACT also expanded the list of approved postcodes within the approved border region on 15 and 16 October. From 12 noon on 16 October, New South Wales residents living in one of the 53 approved postcodes were permitted to enter the ACT for any reason under the standing exemption.

On 1 November, the ACT opened its borders with New South Wales by removing the COVID-19 affected area declaration. Travel between the ACT and New South Wales is now open and ACT residents are permitted to travel between both jurisdictions, provided they meet the New South Wales government's public health orders, which include vaccination requirements.

The ACT Chief Health Officer has identified several areas within New South Wales as high-risk geographical areas, and anyone intending to travel from these areas to the ACT is required to seek an exemption prior to entering the ACT. The exemption process has been automated for fully vaccinated travellers and exemption applications for travellers who are not considered fully vaccinated are being considered on a case-by-case basis, as part of the ACT's revised approach to travel exemptions. The Chief Health Officer will review and update New South Wales high-risk geographical areas over the coming days, with any changes to take effect from 12 November.

Victoria's COVID-19 situation continues to evolve. Victoria recorded a notable rise in cases towards the end of October after daily case numbers passed 2,000. Case numbers have begun to decrease and, as at 7 November, there are 16,413 active cases reported across the state.

With the opening of the ACT border on 1 November, the ACT has also removed the COVID-19 affected area declaration with Victoria. Certain geographical areas remain as high risk, and we are taking the same approach to travel from these areas as I described for New South Wales. ACT Health will continue to follow the situation in Victoria and ensure that the status of high-risk geographical areas is closely monitored, due to the high risk of case incursion from travellers from these areas.

The ACT has become one of the most vaccinated cities in the world—an incredible feat. I am pleased to report that, as of 7 November 2021, the ACT reached its ambitious target of achieving 95 per cent double-dose coverage of the ACT's vaccine-eligible population aged 12 years and over, well ahead of our December 2021 target.

Our continued focus is on targeted in-reach programs that are essential to reduce the risk of ongoing virus transmission among marginalised communities or population groups who are less likely to engage with traditional health services, through the equity to access program.

ACT government clinics have administered 49.8 per cent of all COVID-19 vaccine doses in the territory, with our partners in primary care administering 46.7 per cent and 3½ per cent through commonwealth aged-care programs. This is an outstanding effort by all involved and has put the ACT in a very strong position.

On 8 October, the Australian Technical Advisory Group on Immunisation, ATAGI, recommended a third dose of COVID-19 vaccine as part of the primary course in individuals who are severely immuno-compromised. Third doses form part of the primary vaccine course offered to people whose bodies have an impaired immune response to vaccines.

The ACT began offering third dose vaccines to eligible Canberrans on 22 October. Eligible Canberrans can obtain a letter of support from their doctor and make an appointment at a clinic for vaccination between two and six months following their second vaccine dose.

On 18 October, ATAGI released a statement recommending an optional booster COVID-19 vaccine for all adult Australians, 18 years and older, with a particular focus on individuals who received their first dose in early 2021 during the initial rollout of the vaccine program.

Since 1 November, adults who completed their primary COVID-19 vaccine course over six months ago have been able to book in for a booster vaccine at an ACT government vaccination clinic or through participating GPs and pharmacies. As of 7 November, we had already administered 7,666 third dose and booster vaccines to 2.1 per cent of the vaccine-eligible Canberra population.

The equity to access program delivers COVID-19 vaccinations to vulnerable and marginalised community members through in-reach, pop-up, mobile and in-home settings. Aspen Medical and Canberra Health Services have paired with ACT Health to deliver these clinics.

As of 3 November, Aspen Medical has delivered 1,693 vaccine doses to marginalised and hard-to-reach community members since 11 September. Vaccination opportunities were targeted to people from culturally and linguistically diverse backgrounds, people living with disability and their families and carers, LGBTIQ+ community members, and people living in insecure accommodation. CHS pop-up clinics have targeted regions with lower than average vaccine take-up across the ACT. Since 27 September, pop-up clinics have administered a total of 1,470 vaccine doses.

A key area of focus for the ACT's vaccination program is the uptake of COVID-19 vaccines across the Aboriginal and Torres Strait Islander community. As of 3 November, commonwealth data tells us that 87 per cent of eligible Canberrans who identify as Aboriginal and Torres Strait Islander had received their first vaccination dose and 79 per cent were fully vaccinated.

It is important to note that vaccination coverage for this cohort is calculated using population figures sourced from the Australian Immunisation Register, the AIR, in alignment with a decision of the commonwealth Aboriginal and Torres Strait Islander Advisory Group.

Using the same methodology, the ACT's non-Indigenous vaccination rate is estimated to be 86 per cent having received their first dose vaccination and 81 per cent with two

doses. This is because AIR population figures inflate the ACT population by about 20 per cent.

Nevertheless, we know that there are Aboriginal and Torres Strait Islander people in our community who are eligible to be vaccinated and who have not yet come forward. ACT Health continues to partner with Winnunga Nimmityjah Aboriginal Health and Community Services in the rollout of the ACT's COVID-19 vaccination program and provides funding for three nurses to support vaccination administration. Aspen Medical, with support from the commonwealth, also ran two dedicated drop-in clinics on the south side and the north side in October for members of the Aboriginal and Torres Strait Islander community.

On 1 November, the Chief Health Officer issued a public health direction that requires disability, community and in-home aged-care workers to be vaccinated with a first vaccine dose by 15 November, and a second vaccine dose by 13 December. This builds on previous public health directions that require workers in residential aged-care facilities, primary schools, early childhood education and care facilities, and hospitals, hospices and patient transport workers to be vaccinated. The introduction of targeted public health directions that require vaccination of workers in critical and high-risk sectors is designed to curb COVID-19 transmission and reduce the severity of adverse outcomes, including death.

Healthcare settings have a particularly high likelihood of providing care to people with COVID-19, resulting in higher rates of potential exposure to staff and patients. To date, ACT hospitals have demonstrated effective infection prevention and control measures, but the impact of COVID-19 outbreaks in healthcare settings in other jurisdictions is well known. Due to this higher risk, the Chief Health Officer is actively considering whether to expand the scope of existing public health directions to include additional critical healthcare settings like primary care.

The outbreak in the ACT remains under control, with public health teams quickly responding to new cases and supporting these cases, as well as any close contacts. Following the conclusion of the lockdown, the Chief Health Officer and the COVID-19 response team are focused on ensuring that public health social measures are proportionate to the current level of risk in the community.

Over recent weeks, transmission has been linked to schools and early learning centres, construction sites and a small number of general workplaces. Following changes to the way close and casual contact exposure sites are assessed, there were only 31 exposure locations as of midday on 8 November, a significant decrease since lockdown.

As at 8 pm on 7 November, there have been a total of 1,742 cases linked to the current ACT outbreak. There are 136 active cases, with one COVID patient in intensive care, requiring ventilation. Sadly, there have been 14 deaths since the start of the pandemic. There are now 1,595 cases associated with this outbreak who have recovered. The ACT's total case number over the whole pandemic is 1,866.

As at 9 am on 8 November, there were 1,398 people in quarantine in the ACT being supported by ACT Health, with 1,345 of these individuals identified as close contacts of locally acquired cases and 32 who are individuals from COVID-19 affected areas. Additionally, the ACT is continuing to manage the return of diplomats and government officials travelling to Canberra for official duties.

Strong and effective test, trace, isolate and quarantine measures, known as TTIQ, are a crucial component of our ongoing response to COVID-19. With the ACT's vaccination coverage surpassing 95 per cent for people aged 12 years and over and the level of risk within the community decreasing, changes have been made to our TTIQ to align these measures with our transition to COVID normal.

ACT Health's case management process has shortened case interviews for the collection of critical surveillance and case contact information, as it is anticipated that there will be an increased case load as people move around and gather together more. Contact tracing has shifted its focus to household and close contacts of cases, with a particular focus on individuals who have attended high-risk settings during their infectious period.

From 1 November 2021, the second phase of TTIQ changes was implemented, with the aim of minimising transmission within high-risk settings and vulnerable cohorts in the community, while progressively building an understanding and acceptance of moderate community transmission as we move to living with COVID.

The management of close contacts has been revised, based on vaccination status. Fully vaccinated people are only required to quarantine for seven days and undergo testing upon entering quarantine and six days following exposure. In the following seven days, they are encouraged to work from home if possible and are not permitted to attend high-risk settings. They must undergo a final test 13 days after the date of exposure. People who are not fully vaccinated, however, are still required to quarantine for 14 days and follow the associated testing requirements. Quarantine and testing requirements for casual contacts do not differ based on vaccination status.

Casual contacts are now required to complete a declaration form once becoming aware of their exposure, have a COVID-19 test and isolate until they receive a negative result, and then have another test six days after the date of exposure. The previous quarantine and testing requirements for casual contacts have been lifted.

Following the return to face-to-face learning for all students on 1 November, new cases have been associated with several schools across the ACT. In most cases, this represents a potential exposure risk, rather than confirmed transmission in the school environment. ACT Health and the Education Directorate are working closely with impacted staff, students and school communities to provide necessary support and advice while they undergo quarantine and testing.

Although these cases are a concern, they are not unexpected. The government has been preparing for new cases in our school communities as students return to the classroom and while children under 12 years of age remain ineligible to receive a

COVID-19 vaccination. It is important that parents and carers closely monitor for symptoms in children before sending them to school. If your child is feeling unwell, please do not send them to school. Keep them at home and, if they have any COVID-19 symptoms, arrange for them to get a PCR test.

Testing numbers have decreased over the past month, with current testing numbers around 1,200 tests each day—although much higher yesterday. We are encouraging Canberrans to get tested if they are experiencing any symptoms, no matter how mild. Although our test positivity rate remains similar to that recorded during lockdown, it is crucial that our testing numbers remain steady to ensure that we can identify any unlinked cases in the community. As at 9 am on 8 November, the ACT had recorded a total of 568,371 negative tests.

There is growing interest in the potential use of rapid antigen tests. This type of test has limitations, including, most importantly, the risk of false negative results. This can mean that people with COVID-19 are more likely to be missed using this approach. However, rapid antigen testing becomes more useful as the prevalence of COVID-19 in the community increases.

ACT Health is working closely with New South Wales and Victoria on the feasibility of using rapid antigen testing in schools, particularly as part of a “test to stay” strategy when students are identified as close contacts, and the Chief Health Officer is closely monitoring pilots being undertaken in these other jurisdictions.

The ACT’s COVID-19 pathway forward has guided the ACT’s transition from lockdown into COVID-normal. A range of restrictions were eased on 15 October, providing businesses and the community with the opportunity to reopen and reconnect.

On 29 October, restrictions were eased further, allowing for increased social gatherings and density limits within businesses, including hospitality, retail and organised events. Due to our excellent progress, this morning we announced that the government will bring forward further easing of measures relating to gatherings and business restrictions.

This reflects the positive vaccination rates in the community. Measures that were planned for implementation on 26 November 2021 are now planned to be implemented from 11.59 pm on 11 November 2021. These include the following measures. Face masks will only be required to be worn in high-risk settings, on public transport, in indoor spaces at a school, an early childhood education and care setting, and in certain business settings, including front-of-house hospitality staff. There will be no limits on the number of visitors to a household. There will be no limits on the number of people permitted to attend an informal outdoor gathering, such as a picnic. Organised events must comply with relevant event restrictions.

Density limits for the majority of businesses and activities will be eased to 25 people being permitted across a venue before the density limit of one person per two square metres in an indoor space applies. In most circumstances, there will be no density limits in outdoor spaces. Patrons will be permitted to eat and drink while standing,

and dancing will also be permitted. Nightclubs will be able to reopen, in line with density limits.

There will no longer be limits on class sizes for dance schools, gyms and musical rehearsals. Indoor and outdoor entertainment venues, as well as cinemas, can apply 100 per cent of fixed seating capacity. Swimming pools and organised sporting activities will be able to have 25 people across a venue before the density limit of one person per two square metres per usable indoor space, excluding staff, will apply. No more than 2,000 people will be permitted across the whole site, both indoors and outdoors.

Residential aged-care facilities will be permitted to establish their own visitor policies, including to determine whether visitors are required to be vaccinated. Requirements for the construction sector will be eased to request that COVID safety plans are regularly reviewed in line with any guidance issued by ACT Health. Density limits will only apply to indoor spaces at one person per two square metres.

A full outline of the changes will be on the ACT COVID-19 website today. This easing of restrictions is based on the public health advice from the Chief Health Officer, and I will take this opportunity to table her 19th report, from October 2021, on the status of the public health emergency. This report provides a detailed overview of the actions taken by ACT Health during the lockdown to protect the Canberra community, and the evolving epidemiological situation in the ACT and across Australia.

The ACT continues to be well placed in our response to COVID-19, thanks to our incredibly high vaccination rates and the continued management of the outbreak. Canberrans should be proud of their efforts throughout the last few months—and since the start of the pandemic—that have contributed to the reduction in community transmission and the reopening of our city. With borders opening and the summer holiday season fast approaching, it is timely to remind Canberrans to stick with their COVID-safe behaviours and continue to follow the latest public health advice to keep Canberra safe and strong.

The ACT government's COVID-19 response will continue over the coming months, with a focus on delivering booster vaccinations, and first and second vaccination doses to high-risk cohorts, as well as children and young people once they become eligible. We are also working to establish a longer term, sustainable approach to managing the risk of COVID-19. I look forward to the ACT's vaccination coverage continuing to increase and all of us getting back to a more normal way of life. I present the following papers:

Status of the Public Health Emergency due to COVID-19—Chief Health Officer Report 19—October 2021, dated 13 October 2021.

Coronavirus (COVID-19)—ACT Government response—Ministerial statement, 9 November 2021.

I move:

That the Assembly take note of the ministerial statement.

**MRS JONES** (Murrumbidgee) (10.39): The Canberra Liberals welcome the minister's outlining of additional removal of restrictions from 11.59 pm this Thursday. We—and I note the significant work of our leader, Elizabeth Lee, and Leanne Castley, our shadow minister for business—have been hoping that we would be in line with New South Wales as things begin to ease there as well.

I thank the minister for continuing to administer in-reach vaccinations for vulnerable communities and for the swift assistance of Aspen Medical to assist in this delivery. I understand the reticence that some people have about getting vaccinated. A calm and gentle approach is best, wherever possible, to encourage people to choose vaccination. Ninety-five per cent vaccination is indeed an impressive achievement, and we support the government and the people of the ACT's selfless efforts to achieve the freedoms that we all hold dear.

My concern continues for any Canberrans who, during the current outbreak, have been detained in home quarantine for longer than necessary or in unexpected circumstances. I also note the ACT government's avoidance of creating a two-class society of vaccinated and unvaccinated populations, with respect to human rights and freedoms. The community is grateful, and we hope that the worst is behind us. We have avoided a runaway outbreak. Our sincere condolences go to the loved ones of those who have passed away from COVID-19. We look forward to a less fearful future as we become used to living with COVID-19 as an endemic disease.

Question resolved in the affirmative.

## **Alcohol and other drug use—harm minimisation policy**

### **Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.41): I rise today to respond to the Ninth Assembly's resolution of 20 August 2020, which called on the ACT government to report on our continuing work to minimise the harm to individuals and the community from alcohol and drugs.

Harm minimisation is the nationally agreed approach to alcohol and drug consumption in Australia, and it is articulated clearly in the National Drug Strategy 2017-26, which details three pillars—demand reduction, supply reduction and harm reduction. In the ACT we have been leaders in harm minimisation, particularly by adopting innovative approaches to harm reduction, with a progressive suite of commitments in this space, as outlined within the ACT Drug Strategy Action Plan 2018-21.

We know that prohibition does not work in preventing people from taking drugs that may be considered illegal or illicit. We know that criminalisation does not work. That is why the ACT government has consistently invested in harm reduction as a pragmatic policy approach which recognises that, despite government's best efforts to reduce illicit drug supply and to educate people, the complete elimination of harmful drug and alcohol use has demonstrably not been possible.

Harm reduction is evidence-based policy and action taken to reduce the health and social harms resulting from alcohol and drug use that continue to occur. Examples of harm reduction measures include diversion from the criminal justice system to treatment, diversity and accessibility of needle and syringe programs, medically supervised drug consumption facilities, and preventing and responding to overdoses, including increased access to the overdose-reversal drug Naloxone.

ACT governments have led the way in harm reduction measures—for example, with our Australian-first pill testing pilots at music festivals and removing criminal penalties for personal use cannabis possession. We continue to explore and invest in new methods of harm reduction.

Successive ACT budgets have reinforced and highlighted our ongoing commitment to reducing harm from the misuse of alcohol and other drugs, with the 2019-20 and 2020-21 budgets increasing access to opioid maintenance treatment on the north side of Canberra and increasing access to lifesaving Naloxone training to reduce the likelihood of overdoses in the community.

We have also made investments to deliver on our Drug Strategy Action Plan and design a much-needed youth mental health and comorbidities service, responding to the need to treat co-occurring mental health and other issues, including alcohol and other drugs.

The 2021-22 budget continues our investment in and commitment to harm reduction, treatment and support, with almost \$11 million in additional funding for harm minimisation. This includes \$580,000 to expand our needle and syringe program, reducing the impact of blood-borne viruses; \$400,000 for a proven harm reduction method, with the development of a service model ACT medically supervised injecting facility, including scoping potential locations; \$803,000 to commence design work on the redevelopment of the Watson health precinct to deliver a world-class, community-led alcohol and other drug and mental health treatment precinct for those most in need, including an Aboriginal and Torres Strait Islander community-controlled residential rehabilitation service; \$260,000 to pilot an Australian-first fixed-site pill testing service, which was not possible during the previous summer while planning, legal and service considerations were being worked through; \$7.6 million to continue delivering health services for the Drug and Alcohol Court; and \$1 million to respond to the immediate pressures caused by our recent lockdown. These new budget initiatives add to the more than \$22 million in annual funding for drug and alcohol treatment and harm reduction services.

As I stated earlier, the ACT leads Australia in harm minimisation and has been guided by the Drug Strategy Action Plan 2018-21, also known as the DSAP, which set out the government's goals for the three years. Preliminary analysis of the implementation and outcomes of the DSAP indicates that over 90 per cent of actions have been completed or partially completed, all while managing a global pandemic for the last year and a half. This is a credit to our excellent and dedicated public servants, public health officials and, in my opinion, Australia's best non-government alcohol and drug sector, which has a 92 per cent satisfaction rate.

However, this is not an area where we intend to rest on our laurels. There are still too many people impacted by alcohol and drug misuse—not only people who use alcohol and drugs themselves but their families, friends and others who are affected by alcohol and drug misuse in the community. That is why the government is in the early stages of developing the next iteration of the DSAP, which will set the key actions and deliverables that will best achieve our shared goal of minimising harm in our community.

We will be working with our NGO partners, leveraging their passion and expertise to capture the aspirations that we all share for improvement in alcohol and other drug services in the ACT. The plan will be used to further guide and develop our services and policies in the future.

The issues of co-occurring or comorbid disorders are complex and multifaceted and will continue to be addressed in the next plan. However, I can say that integration of services is one of my key priorities as Minister for Health. When people use the ACT health system, their contact with services should be as seamless as possible and delivered in a manner and place that best meets their needs. I continue to work towards ensuring that every Canberran can access the care they need when and where they need it.

As I mentioned earlier, the 2020-21 budget included funding to scope a service for young people experiencing mental illness with comorbidities, including disability, trauma and alcohol and drug use. This investment will contribute to the development of a future service that breaks down the silos that are so challenging for so many young people who experience co-occurring challenges in our community.

I want to acknowledge the work that the sector itself already does in this space, including CatholicCare's youth and wellbeing services, to which we have committed additional funding, and the annual comorbidities showcase. Directions Health Services' mobile primary care outreach clinic, PAT—Pathways to Assistance and Treatment—also works to address co-occurring alcohol and drug and mental health disorders. This service is jointly funded by ACT Health, the Capital Health Network and the John James Foundation.

This mobile outreach service provides weekly integrated primary care and appropriate acute care services for health, mental health and alcohol and other drugs, and access to a range of supports to highly vulnerable people with complex service needs at five locations across the ACT for free and without an appointment. The value of this service has been clearly demonstrated in recent weeks, through its role in delivering COVID-19 vaccinations for tenants of high density social housing and other populations who face barriers to accessing mainstream health services.

The ACT government's own services are also playing their part. The older persons mental health community team is currently conducting a quality improvement project on assessing people aged over 65 for alcohol and drug dependence. Alcohol and other drug service comorbidity clinicians are also working on developing further training and support for mental health and alcohol and drug workforces across the ACT. The

Alcohol, Tobacco and Other Drug Association ACT, better known as ATODA, funded by ACT Health, has developed and is delivering alcohol and other drug training for community services from other sectors.

Regarding consideration of a potential simple offence notice for illicit drugs, it is clear that making illicit drug possession a criminal offence has not stopped people using drugs. Research, evidence and experience indicate that decriminalising possession of small amounts of illicit drugs does not substantially increase the likelihood of people taking drugs. In the ACT we have sought for many years to treat alcohol and other drug use not as a criminal issue but, rightly, as a health issue. We have made real progress. The ACT already has the lowest rate of personal possession offences in Australia and the second highest proportion of people diverted from the criminal justice system for possession, at 78 per cent.

As I mentioned earlier, one recent initiative has been the establishment of the Drug and Alcohol Court to rehabilitate high-risk and high-need offenders with health and justice interventions. Another has been the decriminalisation of personal possession of cannabis. As we know, in February 2021, my colleague Mr Pettersson introduced a private member's bill to de-penalise the possession of small amounts of several more commonly used illicit drugs, including a potential simple drug offence notice.

The measures that I have outlined today represent significant reform, some of which is relatively novel, both in Australia and internationally. This is a dynamic and cutting-edge area of policy development. During July 2021, select committee inquiry hearings were held to consider the private member's bill. The committee's report is due to be tabled by 30 November. There were multiple submissions to the ACT select committee inquiry supporting the private member's bill, including from drug policy and legal experts, and I look forward to the committee's report.

In conclusion, this is an exciting time for developments in alcohol and other drug policy. The ACT government will continue its work to ensure that ACT residents who use alcohol and drugs are supported by the best evidence-based policy settings and services. I present the following paper:

Alcohol and other drug use—Harm minimisation—Ministerial statement,  
9 November 2021.

I move:

That the Assembly take note of the paper.

**MRS JONES** (Murrumbidgee) (10.50): I thank the minister for her statement as required by resolution of the Assembly. I am keen to know far more about our rehabilitative services, including residential programs in the ACT which perhaps were touched on lightly here. I would love to see more information about that.

Knowing that Mr Pettersson's backbench bill will likely be debated this term and possibly this year, I urge the government that, if such a bill were to pass, the

government needs to ensure that commensurate services in rehabilitation also be made available, and abundantly available.

As the Minister for Mental Health knows, often comorbidity of our population with alcohol and drug addiction issues for those with mental health concerns means we have a lack of satisfactory service in the mental health space and a rehabilitation community-run sector which is not as accessible as some struggling with addiction and the misuse of drugs and alcohol would desire, and they struggle to access these services. I encourage the minister to include rehabilitation in the next drug strategy action plan, including residential rehabilitation as a useful aspect for the wellbeing of those affected by drugs and alcohol.

Question resolved in the affirmative.

## **Schools—COVID-19**

### **Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.52): Today I want to reflect on the extraordinary efforts of all staff, students and families in ACT education during the recent tumultuous months of the COVID-19 pandemic. From ACT public schools to our independent and Catholic schools, what an outstanding job has been done to support Canberra's students through the recent lockdown and then welcome back those students to classrooms.

The ACT's educators care deeply about the safety and wellbeing of Canberra's 82,000 students. Educators understand the particular position of trust they hold in the community, and they have worked diligently to ensure a safe and welcoming environment for their students on their return. I want to pay tribute to the principals, teachers and staff who have worked tirelessly in schools, our early childhood workers caring for our youngest students, and those providing out-of-school-hours care throughout the lockdown. I acknowledge the constant efforts of our cleaning workforce, who are on the front line of keeping students and staff safe.

A particular word of thanks also to our Education Directorate staff. Like so many ACT public servants, they have worked around the clock and every weekend since the start of this most recent outbreak. Education's response to the pandemic is of course a collective effort. I bring the Assembly's attention to the hard work and support of the P&C Council, the ACT Principals Association, the Australian Education Union, the Community and Public Sector Union, the United Workers Union, alongside the Catholic Education Office and the Association of Independent Schools.

To ACT families who have done an amazing job supporting their children during lockdown, I want to acknowledge your patience, resilience and endurance during this difficult time. I also want to mention those who participated in our back-to-school survey. More than 6,000 parents, students and staff gave valuable feedback which has helped shape our successful return to campus. Great effort and innovation have played

a huge part in keeping our children and young people as safe as possible during the pandemic and have required a significant rethink of business as usual in education.

We are fortunate to have expert health advice to follow. The ACT's Chief Health Officer developed a comprehensive set of health guidelines to keep our students and staff safe, drawing from the latest international and national advice. School staff have worked hard to implement these guidelines, developing a COVID-19 assurance plan for each school.

Key measures include the phased return of students to school in order to maximise physical distancing on campus while the ACT reached important vaccination milestones; vaccinations for students older than 12; priority vaccination appointments for school and early childhood staff and mandatory vaccinations for staff working around children under 12; well-known measures like using the Check In CBR app, wearing masks, ensuring good hand hygiene and additional cleaning; improving ventilation in classrooms—all 3,500 learning spaces in ACT public schools have been assessed and every school now has an indoor air quality plan to ensure the circulation of fresh air; and, finally, physical distancing.

While distancing in schools posed an obvious challenge the Chief Health Officer suggested a system to achieve this goal. Schools have divided students into groups or cohorts which remain physically separated from others. Groups may have their own gate to enter school. They might use different toilet blocks, have their own designated part of the playground at lunchtime, and staggered break times. The measures help contain an outbreak to one part of the school and keep the number of potential contacts to a minimum. What is remarkable is that this extraordinary reorganisation of schools has been achieved in a matter of weeks. Our school staff have done this planning during lockdown while continuing to teach their students online and looking after the children of essential workers and vulnerable students on campus.

The education of our children and young people is one of the ACT government's highest priorities, and we have made available an additional \$5.7 million from the COVID-19 response fund for the fourth term this year to assist this safe return of students and staff. There is funding to improve ventilation and pay for more relief teachers, as well as for extra masks and hand sanitiser.

Importantly, as we renew our focus on student and staff wellbeing, there is funding for additional counselling staff. We have just announced \$12.63 million to continue these measures through the first half of next year, including the continuation of additional cleaning. An additional \$2.232 million is expected to be recovered from the commonwealth to fund cleaning costs.

The pandemic may be a significant challenge but it is one that is being surmounted by a whole-of-government approach. We have seen that through the remarkably smooth transition back to school witnessed around the territory.

The ACT scaling test was successfully staged for year 12 students wanting to attend university. Thousands of students sat the test without incident or COVID-19 cases.

If you were one of the many Canberrans taking their child to school over the past fortnight, you would have noticed how organised schools have been. At Ngunnawal Primary School parents dropped off their children, who were greeted by staff, sorted into their new groups and escorted through their own gate. There were balloons, excited kids, even a media crew there to record the event.

Evatt Primary School in Belconnen has made a wonderful video explaining the return to school. Presented by Principal Michael Hatswell, making quips about his lockdown hairstyle, the video features a suspiciously bearded student skipping his way through the different gates, showing how Evatt primary will keep COVID at bay. There are many stories about how our dedicated staff are achieving one essential goal: getting students safely back to school, where we know they learn best.

I want to point out that these many actions, this extraordinary effort, is not just about the safety of students, staff and their families. Schools are at the heart of Canberra community life. This is about the safety of all Canberra families. So I want to acknowledge the effort and goodwill that have been required of all in the education sector and our passionate, wonderful school communities. I am so proud of this commitment to the education of our children and young people. I think I speak on behalf of all in this Assembly, and from the wider Canberra community, when I say that we are deeply grateful.

I present the following paper:

COVID-19 safe return to education settings—Ministerial statement, 9 November 2021.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Housing—strategy**

### **Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.59): I am pleased to table in the Assembly today the third progress update on the ACT Housing Strategy. The ACT Housing Strategy's sustained progress in its third year of implementation demonstrates the government's enduring commitment to improving access to quality homes that are safe, secure and suited to the needs of all Canberrans. In addition to this ministerial statement, I have also released the ACT Housing Strategy year 3 report card. The report card demonstrates the government's commitment to ongoing monitoring and transparency and tracks progress against the actions within the implementation plan.

I am pleased to see the ongoing achievement across all goals in the strategy's third year of implementation. This highlights the commitment that government, community and industry partners have shown through their approaches to implementing the strategy. While we take pride in our achievements, we also recognise that there is more to do. Canberra, along with the rest of Australia, must continue to take action to increase the affordability of housing.

Housing has taken on a new level of significance during the COVID-19 pandemic. Our homes are now where all our worlds collide. Homes have transformed to become workplaces, classrooms, gymnasiums and indeed a critical component in preventing the spread of COVID. Homes have been described as the front line of defence against COVID. Furthermore, as a result of the pandemic, many people have reassessed their work and living arrangements. Others who may have previously been reluctant to establish roots have discovered a newfound appreciation for the home.

In July 2021 Canberra house prices had increased by nearly 30 per cent over the preceding 12 months and average rents were at \$630 per week for houses, an increase of \$60 per week when compared with the same period last year. These issues reinforce the importance of the ACT Housing Strategy's goal of achieving an equitable, diverse and sustainable supply of housing for the ACT community.

I also speak to the strategy's vision of encouraging and promoting a housing market that meets the diverse and changing needs of the Canberra community and enables a sustainable supply of housing for individuals and families at all income levels. The strategy was designed to provide a clear yet agile and responsive framework to guide the government's funding and investment priorities over its 10-year lifespan.

This flexible approach has been key to successful delivery of the strategy to date, and particularly through the COVID-19 pandemic. Together we have demonstrated a flexible and coordinated response to COVID-19 in the housing assistance sector and the capacity to respond to emerging challenges and adapt program and service delivery. In addition, while COVID-19 interrupted service provision for some planned initiatives, new responses have also contributed to the delivery of other actions.

The report card that I release today shows consistent progress across all goals through the strategy's third year of implementation. The strategy includes a total of 74 short-term, medium-term, ongoing and annual actions, which have all commenced. Progress against the strategy's 67 short-term, medium-term and ongoing actions can be summarised as follows: 21 have been completed, noting that, of these 21 completed actions, five were completed in 2018-19, nine were completed in 2019-20 and seven were completed in 2020-21; one action is categorised as in development; a further 32 are progressing; and the remaining 13 are classified as continuing.

The strategy also includes seven annual actions, all of which have been completed since the release of the year 2 report card. These actions relate to the release of land against housing targets and to sharing information through the land and property reform. These actions are reset each year. In light of this year's success, I am optimistic about being able to report the same level of achievement next year.

The strategy's third year of implementation has resulted in a range of positive outcomes, and I am pleased to be able to share those with you today. The Affordable Home Purchase Scheme continues to evolve, to respond to community need and market demand. The Suburban Land Agency's affordable dwellings in Whitlam provide an excellent example of this. The offering will ultimately comprise 105 separately titled house and land packages. The scheme is being rolled out across multiple stages and demonstrates responsive delivery through measures such as mandating minimum bedroom numbers and offering a range of housing types, from apartments and townhouses through to house and land packages. A buyers guide was released in April 2021 to improve communication with prospective purchasers, and targeted marketing is also underway.

Additionally, the Affordable Community Housing Land Tax Exemption Program is continuing to increase the supply of affordable rental accommodation across the ACT, and I would encourage more landlords to participate in this worthwhile program. To further grow the program, we increased the maximum property cap from 125 to 250 late last year and have since removed the time limit associated with the program.

What is really important, though, is the feedback from participating community housing providers HomeGround and Rentwell about the tangible difference that the program is making in people's lives. To demonstrate this, some of the tenants of HomeGround and Rentwell have shared some stories with us. I would like to mention a couple that stood out for me.

We will start with the family who, prior to the program, were living in unsuitable accommodation. The mother was studying to become a nurse; the father was a tradesman starting a small business. As a result of the program the family was able to settle into a townhouse and immediately flourished in their new surroundings. The mother has since graduated from university and now works full time, and the father has established his business. The family has since been able to purchase their own home, which has made way for a new family to reside in the rental property.

Then there is the story of a single mum with two children who escaped domestic abuse and travelled from Queensland to the ACT. She travelled this far to put distance between her and her abuser. Prior to entering the program, the family had been staying with friends in Canberra, but space was tight and the family was sharing a single room. As a result of the program they now have their own home, with plenty of space, and they are thriving in their new environment.

Progress also continues to be positive in relation to programs and initiatives being led by the Community Services Directorate. We continue to work collaboratively on strategic planning and partnership processes with the specialist homelessness sector, and this year we prepared and circulated a discussion paper and canvassed the views of the sector at a ministerial roundtable. The roundtable is one of the first key sector engagement activities as part of the strategic partnership planning process.

We have continued to invest in the array of specialist homelessness services for our Canberra community, including a further \$1.9 million over two years for the Winter

Lodge for men, MacKillop House for women and accompanying children, the Axial Housing First program, and the OneLink accommodation and support fund, to make sure that there is continued support for people experiencing or at risk of homelessness.

This year we have also continued to work on expanding and providing a wide range of permanent supportive accommodation solutions for those who need it. These include the Wellbeing houses. Housing ACT continues to partner with Canberra Health Services and work with the National Disability Insurance Scheme services such as the Mental Health Foundation to provide psychosocial care and support for individuals within Wellbeing properties.

Axial Housing, in addition to providing a housing-first approach for those experiencing chronic homelessness requiring urgent assistance and unable to sustain a tenancy on their own, also provides a pathway for permanent support housing. In the 2020-21 budget a further \$257,700 over two years was allocated to expand the Axial pilot. As at 30 May 2021, this program had successfully housed a total of 33 rough sleepers, including some entrenched rough sleepers who had previously been unwilling to engage. Axial Housing continues to support more people.

Work has continued to deliver Common Ground Dickson to provide stable and supportive housing for people who need it. The identified cohort for Common Ground Dickson includes single older women, women with children and single younger women. Construction is progressing well and is on track to be completed in 2022.

We have also continued to work closely with the Aboriginal and Torres Strait Islander Elected Body to deliver the third older persons complex, which should be completed by the end of 2021, as part of our continued commitment to provide culturally appropriate public and community housing accommodation options and support programs for Aboriginal and Torres Strait Islander people.

We are continuing to prioritise young people, including young mothers and women and children escaping domestic and family violence, to provide assistance early to minimise the intergenerational impacts of experiencing homelessness. An additional \$189,000 has been allocated to key service providers Doris, Beryl and Toora to facilitate their continued delivery of services to women and children impacted by domestic and family violence. Karinya House has also received \$84,000 to support young pregnant women and mothers at risk of homelessness.

Housing ACT has continued to deliver the Safer Families Assistance program. In 2020 and 2021 this initiative has supported women and children experiencing domestic and family violence and was allocated \$385,000 over four years, with an additional \$125,000 provided from the COVID stimulus funding, totalling \$510,000 over four years. The program makes sure that over the medium and long term families are being supported and early intervention for vulnerable households is being achieved, which reduces the overall costs to the homelessness and crisis sector.

In terms of our growth and renewal of public housing commitments, Housing ACT is continuing to deliver new and renewed public housing across Canberra, aiming to

increase holdings within suburbs which have fewer public housing properties whilst divesting in those with higher than average holdings.

On 15 July 2020 Housing ACT also released its first citizens-based digital service, Choice Based Letting, or CBL. Under the CBL project the Housing ACT client portal was established to enable clients to view and update their household members and income information. The portal will continue to evolve as more services are digitised to include applications, rental rebate management and property maintenance requests. The Housing ACT client portal is expected to be launched with the digital application process later in 2021.

Finally, I would like to highlight an important focus for the strategy over the next 12 months. Given the strategy's 10-year life span and the fact that most actions fall within the short-term and ongoing time frame categories, a key priority of the strategy's fourth year of implementation will be to identify focus areas and priorities to support continued delivery. This work will be integrated within the strategy's existing goals and objectives and represents phase 2 of the implementation. I look forward to working across the government and with delivery partners to make this happen. I present the following papers:

ACT Housing Strategy—Year 3 Report Card, dated November 2021.

ACT Housing Strategy—Year 3 Report Card—Ministerial statement, 9 November 2021.

I move:

That the Assembly take note of the 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) (11.12): I rise to speak in support of the ministerial statement provided by Minister Berry on the year 3 report card for the ACT Housing Strategy. When the ACT Housing Strategy was released in October 2018 it was recognised by stakeholders as an important strategy to support the vision to promote a housing market that meets the diverse and changing needs of the Canberra community and enables a sustainable supply of housing for individuals and families in all income levels. Its development included engagement with a range of stakeholders who worked with government to shape the goals and objectives that include the need to reduce homelessness, strengthen social housing assistance, increase affordable housing and increase affordable home ownership.

The strategy has, rightly, guided government action for the first three years of its implementation, and this report card updates the Assembly and the community across all actions and items outlined in the year 2 report card. In a year of particular challenge, the year 3 report card highlights how the ACT government remains agile and responsive as we maintain our commitment to monitoring, reviewing and recording actions and outcomes and working in collaboration with the sector. It does demonstrate that all actions are being progressed, and we are able to highlight these through clear outputs and outcomes.

The second goal in the strategy is to reduce homelessness, and I know that everyone in this chamber is committed to doing everything we can to, in fact, eliminate homelessness. Over this last year we have been working closely with our community partners to identify new programs and approaches so that we can be confident that everyone has a safe place to sleep each night. The 2020 COVID-19 outbreak did spark the opportunity for a range of new programs and services that saw a growing of capacity within the sector and sat within the Housing Strategy outcomes.

As we move into year 4 of the Housing Strategy there is still more to do, and once again we are facing additional complexity due to the global pandemic. With the COVID-19 outbreak this year, we have once again seen the sector step up and do incredible work in supporting some of our most vulnerable community members. The services that were developed last year, particularly in providing flexible funding, have been a vital tool in supporting people experiencing homelessness over the previous period that was so challenging.

As Minister Berry noted in her ministerial statement, the government continues to work with our partners to expand and provide a wider range of permanent supportive accommodation solutions to those who need them. I am really excited that we will soon see come on stream programs including Wellbeing houses, expanded Axial Housing programs, Common Ground Dickson and a third older persons complex for Aboriginal and Torres Strait Islander people. Also, as identified by Minister Berry, we continue to work closely with the homelessness sector to ensure that the sector and the system are meeting everyone's needs.

We have talked about the importance of lifting the funding base of services, due to the added complexity and demand of the homelessness services sector, and it was a real delight to be able to announce the funding boost of 12.7 per cent for homelessness services, in recognition of that significant increase in demand and complexity. We continue to work with the sector and, as Minister Berry noted, it was really great to be able to come together with the sector in a co-design workshop as we work towards the development of new service agreements in 2023.

**MR PARTON** (Brindabella) (11.17): Wow! All I can say is wow. This government marking itself on the Housing Strategy report card is like a convicted criminal being allowed to decide his own sentence, really, isn't it? I just cannot believe that—after what we have seen on the streets every day, at auctions, at open homes, what we see going on in public housing, and when we see the ABC reporting that people are leaving town because they cannot afford to put a roof over their heads—this government has given itself a pass mark on this assessment.

If this is a pass, I do not think we want to see a fail. If this is a pass, I do not know what a fail looks like. How is your primary goal of achieving an equitable supply of housing for the ACT community going? I do not know. How would members mark us on that front?

The minister tells us that we are succeeding on every front; we are kicking goals all over the place. Honestly, I just wonder if the minister printed the right speech or if it

was a story from the *Betoota Advocate* by mistake. If, indeed, you have ticked off on the release of land against housing targets then it says your targets are just plain wrong.

Can I say that it is pleasing to see that finally there is some growth in the Affordable Community Housing Land Tax Exemption Program. I remain astounded that it took so long for the government to (a) remove the cap on this program and (b) remove the time limit. I think it is pretty safe to say that had this program been implemented without a time limit it would have had a much greater take-up.

Thumbs up from us on increases in funding to specialist homelessness services and let us wait and see if the extra 400 homes will actually be delivered in the growth and renewal of public housing commitment because, Mr Assistant Speaker, you can guarantee that we will be watching very, very closely.

I did just want to say in closing—credit where it is due—that this ministerial statement does score very highly in the area of bureaucratic waffle. In all seriousness, when it is measured against the scale of using lots of words but saying very little, it is a cracker. I think my favourite section is this one:

... a key priority in the strategy's fourth year of implementation will be to identify focus areas and priorities to support continued delivery. This work will be integrated within the strategy's existing goals and objectives and represents phase 2 of the implementation.

That is art. That is art right there, and I think we should all sit back and applaud it.

**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) (11.20), in reply: On behalf of the ACT public servants who have assisted in putting this paper together, I pass on Mr Parton's thankyou, whilst not entirely appropriate, to the staff that have worked hard in putting this paper and this report card together.

I remind Mr Parton that he attended the summit where every other person in the ACT who attended was involved in developing the strategy together and that the actual strategy and report card are designed together, in partnership with housing organisations, support services and others in the ACT community to deliver on equality of housing opportunities for every person in the ACT, regardless of their income.

I thank him for his interest and I look forward to him watching what the ACT government achieves in this space, supporting particularly those people who do not have the same opportunities as others to get into a home of their own.

Question resolved in the affirmative.

## **High-risk weather season—preparation 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) (11.21): I am presenting a statement on the high-risk weather season preparedness and seasonal outlook. I want to take this opportunity to commend the ACT Emergency Services Agency, or ESA, and the ACT Parks and Conservation Service, or PCS, for their engagement in extensive preparedness and readiness activities for the 2021-22 high-risk weather season.

The storm season officially began on 1 September 2021, and the ACT bushfire season commenced on 1 November 2021, which was delayed following consultation with the Bushfire Council and following the release of the Bureau of Meteorology and Bushfire and Natural Hazards CRC Southern Australia Seasonal Bushfire Outlook 2021.

The Australian government Bureau of Meteorology has declared a La Nina alert for the 2021-22 summer period. A La Nina alert indicates an increased likelihood of higher than average rainfall. The risks from heatwave and bushfire to the ACT from this are deemed average in comparison to historic records. The weather predictions for summer 2021-22 indicate that the south-east of Australia faces an increased likelihood of riverine flooding arising from greater potential rainfall and increased temperatures and moisture availability, which will increase the risk of severe thunderstorms in the ACT.

While rainfall events will reduce the risk of forest fire ignitions over the summer months, they may result in sped-up growth in grasslands and increase the available fuel for grassfire ignitions within or adjacent to the Canberra urban area. ESA have undertaken to coordinate various activities to ensure that their teams and the ACT community are bushfire and storm prepared, in line with the ACT Strategic Bushfire Management Plan.

The ESA has undertaken both internal and external preparedness workshops with key stakeholders on the delivery of both an incident management and an operational exercise program for suitably qualified personnel. The operational exercise program provided two tabletop discussion exercises for ESA executives and senior incident management personnel. This was designed to undertake a more thorough program of incident management practices to elevate the outputs of the ESA incident management team to include a greater focus on strategic planning.

Whilst the COVID outbreak and subsequent lockdown in August 2021 have meant that collective training has had to be postponed, all volunteers and staff of the ESA have maintained their skills and kept up to date on current safe practices through virtual and online training and refreshers. ESA has also undertaken significant planning to maintain its operational capability in a COVID-restricted environment. These operational arrangements have been reviewed and refined to cater for the Delta

variant of COVID. ESA is well equipped to enact these plans, should the need arise, while ensuring that Canberrans are kept safe during the high-risk weather season.

In relation to aerial capability, the ACT, through the National Aerial Firefighting Centre, or NAFC, has contracted one light helicopter with specialist intelligence-gathering, or SIG, capability and two medium helicopters to provide dedicated aerial firefighting services to the ACT for the 2021-22 high-risk weather season. The use of the SIG helicopter for the season will provide a valuable asset in early detection and confirmation of active fires. The high-definition and infrared camera on board will allow imagery to be streamed into the ESA incident management room in real time, providing critical fire line and hotspot information. This significantly enhances bushfire fighting operations by allowing key decision-makers to better understand the extent of situations as they unfold.

Between PCS and Transport Canberra and City Services, a number of activities are being undertaken to reduce fuel loads, and I want to thank those hardworking staff for their efforts in keeping our city safe.

It is important to note that prescribed burns can only be delivered under particularly favourable weather conditions, to ensure both crew and public safety but also to ensure that the desired reduction in fuel loads, ecological considerations and smoke management is taken into consideration. If conditions are too wet, too windy or too dry and hot, prescribed burning cannot be carried out. The clear expert consensus, following the Royal Commission into National Natural Disaster Arrangements, is that, while hazard reduction burns are one method to reduce fuel levels and risk, they can have a limited impact on reducing fire impact on elevated fire danger days or in drought-affected environments.

The weather window to effectively burn is reducing even further as climate change makes seasonal conditions more extreme. ESA has worked hard to increase community awareness through the Are You Ready campaign, which uses radio, digital, TV and printed media to promote emergency services and the community working together to prepare for a range of hazard types. More than 250,000 addresses will also receive an emergency plan. This discussion guide will be in the November edition of *Our CBR* to help Canberrans create their emergency survival plan within their household. ESA is also continuing to deliver face-to-face education session with schools, community organisations and clubs, albeit via virtual tools to mitigate COVID risks.

The ACT Rural Fire Service has been conducting a virtual brigade tour and education sessions in the lead-up to the bushfire season. The government has made a significant investment in utilising technologies for the preparedness and readiness of our community, including the partnership between the New South Wales Rural Fire Service and the ACT ESA in the use of the Fires Near Me application.

Following the 2019-20 bushfire season, the New South Wales Rural Fire Service commissioned the Bushfire and Natural Hazards Cooperative Research Centre to undertake research into community attitudes and experiences across New South Wales and the ACT. The research showed that 78 per cent of survey respondents

indicated that Fires Near Me New South Wales was their preferred source of emergency information into the future and 94 per cent of primary residents had downloaded the Fires Near Me New South Wales app, with 39 per cent responding that it was the most useful source of information.

ESA is committed to continual improvement in the dissemination of emergency warnings and public information and is confident that the partnership with our cross-border colleagues will be instrumental in keeping the public safe and informed through a localised hazard mobile application. ESA continue to maintain strong cross-border relationships with all of their operational counterparts, as well as the services available nationally through the Australasian Fire and Emergency Service Authorities Council, or AFAC. The ESA has a long working relationship across government at a variety of levels to enhance emergency coordination across the ACT-New South Wales border and between the ACT and Australian governments.

Whilst the impacts of COVID-19 meant that the usual incident management exercises and training with their cross-border counterparts could not occur, the ESA have held virtual planning workshops and preparedness briefings and have formalised these arrangements through memorandums of understanding of mutual aid agreements. Our government is acutely aware of the threat that natural hazards present to our city and will continue to make the investments needed to deal with this as our city grows. Our city is well prepared, better prepared than ever before, and this is because of the hard work that all of our staff across government—and, of course, our volunteers—do. Once again, thank you.

I present the following paper:

ACT high-risk weather season preparedness and seasonal outlook—Ministerial statement, 9 November 2021.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Minister for Corrections—update 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) (11.30): I rise to make a statement in regard to a corrections update for the ACT. I rise today to provide that update to progress a number of key initiatives completed or commenced since I became Minister for Corrections just under a year ago.

At the outset, I think it is very important to acknowledge that corrections is an inherently challenging area. The COVID-19 pandemic has had a profound impact on the everyday lives of staff and detainees, as is the case across the community as a

whole, and this has at times necessitated the implementation of changed arrangements. I recognise the added pressures experienced by all stakeholders and commend their resilience under pressure.

I would particularly like to acknowledge the amazing commitment of the staff and service providers working in the corrections system. These people are deeply passionate about what they do and consistently go above and beyond in caring for and providing support to those in both custodial and community settings. As I have said many times before, supporting the staff at the Alexander Maconochie Centre, or AMC, and the Court Transport Unit is a key priority for the ACT government and for me personally.

It is clear that as we work to implement a broad reform agenda across corrections we need to do so in a way that is supportive of and engages our staff. By engaging and supporting our staff, equipping them with the necessary skills and training, we will improve outcomes for everyone involved in the corrections system, including both staff and detainees. This is something that both Acting Commissioner Johnson and I are absolutely committed to.

By way of an update on the COVID-19 situation, I am pleased to advise that ACT Corrective Services last week moved to stage 2 of their COVID-19 pandemic arrangements. The transition to stage 2 allowed for the easing of some restrictions across the AMC, including the recommencement of the readiness and healthy relationship programs.

An important aspect of ACT Corrective Service's future planning will be the recommencement of face-to-face social and professional visits. ACTCS is also planning for a return to a normalised level of supervision of offenders in the community, as well as a range of other activities across corrections.

I can advise that, to date, a total of 11 detainees have tested positive to COVID-19 at the AMC. Nine of these have since recovered. Each of these detainees tested positive on arrival and have been isolated since admission. I am pleased that we have been able to put in place precautionary measures which have ensured that positive cases are picked up on arrival and that the risk posed by staff members is low, due to the excellent use of personal protective equipment such as masks, and the choice of many to take up a vaccine.

More broadly, over the past few years we have seen a number of reviews highlight areas requiring focus and improvement. I and the government take the findings of these reviews very seriously. Since taking on the corrections portfolio, I have seen substantial progress and improvement on a range of important initiatives. I am pleased to speak about some of those examples today.

Four recruit courses have been completed, resulting in 54 corrections officers joining ACTCS, with 16 joining the Court Transport Unit and 38 joining AMC. I have had the pleasure of meeting and welcoming many of these staff personally, having attended their graduation ceremony.

The Blueprint for Change Oversight Committee, chaired by Ms Christine Nixon, was established earlier this year. Drawing on recommendations from recent reviews and reports, key areas of focus for the committee include engagement and leadership, strategy and training, and operational service delivery. I receive regular updates from Ms Nixon, as chair, and am pleased with the progress of the work of the committee to date. The committee will continue to work towards the finalisation of the blueprint in early 2022.

There has been a dramatic improvement in the mandatory training compliance rates for our staff. Between October 2020 and August 2021, compliance rates improved significantly, as follows: breathing apparatus refresher training increased from 15 per cent currency to 85 per cent; CPR refresher training increased from 69 per cent currency to 85 per cent; fire awareness training increased from 30 per cent currency to 83 per cent; first-aid training increased from 82 per cent currency to 96 per cent; and the use of force refresher training increased from 10 per cent currency to 95 per cent. Training is also important to enable our staff to feel confident and empowered in their roles, and I am pleased to see this improvement in training levels. I look forward to seeing even greater improvement in the near future.

Significant progress has been made in implementing a number of outstanding recommendations arising from previous reviews by oversight agencies, and I want to take a moment to thank those involved in the review of services provided in the corrections portfolio, including the Inspector of Correctional Services, the Ombudsman and the Auditor-General, to name just a few. The reports produced through these review processes serve to highlight areas requiring increased focus or improvement and are crucial to driving the continuous and sustained improvement of our service.

In the middle of this year, female detainees were returned to their purpose-built accommodation within AMC. These facilities were designed specifically with the needs of women in mind. The women offenders framework was also finalised earlier this year, following extensive stakeholder consultation. The framework reflects the guiding principles that underpin the management of women offenders in the ACT, both custodial and in community settings.

The alternative off-site parole reporting option for Indigenous clients was introduced recently and is delivered in partnership with local Indigenous service providers. This means that Indigenous parolees may now report to ACTCS at particular community sites, as an alternative to traditional parole-reporting arrangements.

There has been significant progress in developing the integrated offender management framework, or the IOM. This is a key reform that aims to operationalise an efficient, effective and integrated model for the delivery of services and programs across corrections. I look forward to the finalisation of the IOM framework early next year. I am pleased to advise that repairs to AU-North have been completed and it has been reintroduced into service as detainee accommodation. Although there has been strong progress on a range of fronts over the past year, I do recognise that we need to do more.

Before I conclude, I would once again like to thank ACTCS staff. At the recent estimates hearing the Inspector of Correctional Services said that, in his view, there were some very positive messages that came out of the AMC in terms of staff culture. I agree wholeheartedly.

While no workplace is perfect and we can always strive to be better, I am immensely proud of ACTCS staff, who work hard to look after the people in their care. These people are passionate and care about the work they do. They do an extremely difficult and challenging job and receive little credit. The progress that has been made over the past year is directly due to their hard work and determination, and I look forward to seeing them continue this work.

I have no doubt that we will build on the momentum gained over the past year, and I will continue working with ACTCS and colleagues across government to progress important reforms in the corrections portfolio. I look forward to updating members as this work progresses into the future.

I present the following paper.

Corrections update—Ministerial statement, 9 November 2021.

I move:

That the Assembly take note of the paper.

**MR BRADDOCK** (Yerrabi) (11.38): I would like to thank Mr Gentleman for the update and reiterate or echo his comments where he thanks the corrections staff. I would also like to include those who work in the Justice Health area, as well as the community organisations who make a difference to those who are in very difficult circumstances.

In addition to Mr Gentleman's update, I think it is important to mention that a cornerstone of the ACT government strategy is to reduce recidivism and build communities. Our justice reinvestment approach was developed in partnership with the community, academia and government specifically for the ACT and specifically to support the government's commitment to reduce recidivism by 25 per cent by 2025.

The point of justice reinvestment is to make sure that our money is invested in the programs and approaches that we know reduce crime, rather than putting more money into locking people away. We must work to target and solve the problems people have in their lives that lead them to offending in the first place. That means we work together as a community to build support around those in the justice system because we know that this reduces crime and improves outcomes more than investment in criminal justice approaches that are solely punitive.

Our goal is to equip people with the tools, programs and advice to minimise the risk of people reoffending. When people are released into the community, we all want these people to be well supported so that they can go on to lead safe, healthy and

meaningful lives and not commit yet more crimes. Whatever the pathways, the focus must remain on building communities, not prisons. This is the heart of justice reinvestment.

The Transitional Release Centre and the planned reintegration centre are critical pieces of the puzzle to reduce recidivism. Transitional accommodation provides a very important stepping stone to properly prepare detainees to successfully reintegrate into the community. We know that supporting people and preventing the drivers of crime, which are often complex health, social and economic factors, is far better achieved in the community than inside the prison. The timing for the opening of the Transitional Release Centre and the progress on the reintegration centre also need to be included in this discussion.

Finally, Minister, I was buoyed by your confirmation at the recent estimates hearing that we should be doing everything we can to encourage applications and support people accessing the transitional centre and the transitional release program, as well as your acknowledgement of the tremendous amount of work that has been put into the plans for the reintegration centre. Thank you for that. I greatly look forward to hearing updates about the justice reinvestment projects in the future.

Question resolved in the affirmative.

## **Civil Law (Sale of Residential Property) Amendment Bill 2021**

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

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.42): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Civil Law (Sale of Residential Property) Amendment Bill 2021. This bill will provide improved consumer protections for Canberrans by regulating the use of sunset and delayed development clauses in off-the-plan property sale contracts.

As members will be very aware, the housing market in Canberra is continuing to see rapid growth. For many Canberrans, entering this market can be a challenging experience and one which has been further exacerbated by the ongoing impacts of the COVID-19 pandemic.

In the last few months I have heard from numerous community members that some property developers have decided to take advantage of the rising market conditions and have rescinded existing contracts for off-the-plan property purchases then re-listed these properties for significantly higher sale prices. This is a devastating

outcome for these buyers, whose prospective homes will not eventuate in the way they originally agreed. Now they are faced with not only that distress but also the frustrating and expensive position of trying to re-enter a very competitive market. It is an extremely concerning trend.

Rescission provisions can have a legitimate use and act as an important protection. However, when they are potentially used for the purposes of opportunistic profiteering we have a duty as legislators to step in and arrest this emerging trend. Off-the-plan developments do involve significant risks for both sellers and buyers. The inclusion of sunset and development delay clauses in off-the-plan contracts is intended to provide both purchasers and developers with protection from these risks. Historically, these clauses have been exercised sparingly and any issues have usually been managed privately between the parties.

However, it is clear from the occurrences of the last few months that we need to improve our current regulatory framework. I am deeply concerned that some developers may be acting unconscionably and utilising these clauses to make a profit at the expense of home buyers. This is clearly unacceptable. This is why the government has taken swift and urgent action to introduce these reforms today. I am proud to introduce this bill and reassure impacted home buyers and those members of our community who are looking to purchase their future homes via off-the-plan contracts that the government has heard their concerns and has acted.

I would like to thank the constituents who have written to me and other members of the Assembly sharing their experiences and bringing this matter to our attention. Hearing from the community on the issues affecting our city is an essential part of understanding the efficacy of our existing regulatory frameworks and developing solutions that keep Canberra a great place to live.

These measures strike a balance between improving buyer protections while also allowing developers to enforce their rescission rights in appropriate circumstances. The reforms insert a new part, part 2A, into the Civil Law (Sale of Residential Property) Act to regulate how certain problematic rescission clauses in contracts for the purchase of off-the-plan property can be used.

Specifically, the bill addresses rescission provisions in relation to both delay events and sunset events and will provide protections to off-the-plan purchasers of houses, units and vacant land for residential use. Under the amendments, a seller may only rescind an off-the-plan contract under a defined rescission provision where the buyer has consented in writing, or by order of the Supreme Court, or in circumstances prescribed by regulation.

If a seller wishes to seek consent from a buyer to rescind the contract they must do so in accordance with the process set out in the bill; that is, a seller must provide a buyer with at least 28 days written notice of the proposed rescission and outline the reasons why rescission is being sought. The notice must also include a statement that if consent is refused the seller may apply to the Supreme Court for an order allowing the rescission and that the seller will pay the buyer's court costs unless the court

determines the buyer unreasonably withheld consent. This means that if a buyer does unreasonably withhold consent then they may have costs awarded against them.

Additionally, the bill provides that the Supreme Court must not make an order allowing the rescission of an off-the-plan contract unless they are satisfied that it is just and equitable to do so. The bill provides a non-exhaustive list of matters which the court must take into consideration before making an order, including the terms of the contract, the prospects of the seller being able to complete the contract, the impact of the rescission on the buyer, the impact of completing the contract on the seller and whether the property in question has increased in value.

This process also provides further protection for buyers, should an order for rescission be granted by the court. As previously mentioned, the seller must pay the costs of the buyer in relation to the court proceedings unless the buyer has been found to have unreasonably withheld consent. The court is also provided with the power to make any order that they see fit, including an order for damages.

The reforms do not remove a buyer's contractual rights of rescission and there is no automatic rescission should a delay or sunset event occur. However, a seller may only exercise their rights under a relevant rescission clause in accordance with the pathways provided in the bill.

The government recognises that the property market is a dynamic environment which is driven by several factors. Accordingly, the bill also includes regulation-making powers to allow the government to refine the operations of the provisions if needed. This regulation-making power will also allow the government to prescribe additional sunset events or provisions in off-the-plan contracts, should further rescission clauses be drafted to subvert the consumer protections achieved by the bill.

The bill also includes a requirement for a review of the amendments to be undertaken as soon as practicable after two years of operation. A report on the review to the Legislative Assembly must be provided within six months after the day that the review is started. This provision will ensure that there will be active and transparent monitoring of the effects of the amendments on the ACT property market.

The bill will be taken to have commenced on its introduction in the Assembly, today. This commencement date means that the proposed amendments are taken to have effect before the bill is passed and notified. While, in general, retrospective effect is avoided when undertaking legislative reform, the current circumstances warrant this application. There is clearly a need for quick and decisive action to prevent the proliferation of this practice. These important protections are needed with the absolute minimum of delay, and commencement on a standard time line carries with it the risk that developers could exploit the window between introduction and passage in order to potentially abuse any rescission triggers in that interim period.

However, we must also recognise the important functions of our parliamentary processes. I look forward to review and any feedback from the scrutiny of bills committee, if the committee seeks to look at this legislation, and the opposition, before bringing the bill on for debate in the last two sitting weeks of this year. My

intention is to bring it forward in that remaining sitting period, subject to Assembly processes. The nature of this bill is such that we need to make sure that these protections are in place as soon as we can possibly have them, while also affording time for our democratic processes to run their course.

Canberrans who are currently a party to an off-the-plan contract can have confidence that they will have access to the improved consumer protections provided by these reforms. These changes have been drafted to apply to any contract which is currently on foot. This is not a retrospective change; it does not change existing contractual terms. However, it will change the legal framework in which those terms can be exercised.

I am confident that the reforms in this bill will provide home buyers with the confidence that they need when they enter an agreement for a home, and that is what they get on the other side. I commend the bill to the Assembly.

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

## **Justice and Community Safety—Standing Committee Scrutiny report 10**

**MR HANSON** (Murrumbidgee) (11.52): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 10, dated 2 November 2021, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MR HANSON**: Scrutiny report 10 contains the committee's comments on four bills, 18 pieces of subordinate legislation, three government responses and one private member's response. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

## **Standing orders—suspension**

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent Notice No 3, Assembly business relating to the reporting date for the standing committee inquiries into the 2021-22 Budget being called on and debated forthwith.

## **Committees—Standing Amendment to resolution**

**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) (11.53): I move:

That, because of the unprecedented public health emergency arising from the COVID-19 pandemic, the resolution of the Assembly of 2 December 2020, as amended 11 February, 30 March, 22 April and 16 September 2021, which established general purpose standing committees, be amended by inserting paragraph (7A) as follows:

“(7A) notwithstanding the provisions of paragraph (7), expenditure proposals contained in the 2021-2022 appropriation bills for the Territory and any revenue estimates proposed by the Government in the 2021-2022 Budget stand referred to the relevant standing committee for inquiry and report by 12 November 2021;”.

I rise briefly to make some comments in relation to the motion before us. I think you will all agree that this year has been an unprecedented year, with the COVID-19 Delta variant impacting all aspects of our city, our lives, our government and this Assembly.

The sitting pattern, like everything else, has been impacted, as has the budget process, including estimates. This has not been ideal. As I have remarked before, there is no textbook or precedent that can be followed when responding to the Delta variant. We have tried our best and worked through the impact.

All processes that would normally be available have been curtailed. The proposed reporting time for us, flagged through a letter I sent to the Clerk, copying in committee chairs, was provided ahead of estimates hearings commencing. I table a copy of that letter, Mr Assistant Speaker:

Estimates reporting—Copy of letter to the Clerk, copied to Committee Chairs, from the Manager of Government Business, dated 14 October 2021.

As I have noted, all normal time frames for preparing responses have been impacted. However, these are not normal times.

I particularly want to acknowledge the public service. Since August, when the virus arrived in our city, they have helped us to keep our city safe while finalising and delivering the 2021-22 budget. They appeared for hours before estimates committees; they responded to other government hearings; and in coming days they will begin to prepare the government’s response to estimates reports in a shortened period.

Like our public servants, officials in this Assembly have been impacted and have expertly navigated the challenge of the Delta variant. I want to thank them, on behalf of the government.

Mr Assistant Speaker, there are lessons to be learned from this year’s budget and estimates processes, as there always have been. I look forward to the review that I understand the standing committee on admin and procedure will conduct.

**MR HANSON** (Murrumbidgee) (11.55): This is trying to fix up a stuff-up. That is what is happening here. When the government changed the sitting pattern, they did not incorporate a plan for the estimates and budget process. I identified this to the government, and that led to Mr Gentleman writing to the committee chairs.

It is unfortunate. It has been an unusual year; I accept that. But in the circumstances where we have a budget that has an extraordinary amount of debt and deficit, where we have seen a whole range of issues—in the emergency departments and the health system, in education, in policing and across the board—the very important process of scrutinising that budget, which rests this year with the standing committees, is being severely curtailed.

It is very disappointing that in a circumstance where committees are required to report on mechanisms of government they get such a short amount of time to do that. Indeed, as I understand it, there will be reports written this year on the budget when committees do not have the transcript available and do not have responses to questions taken on notice.

Having identified that there was a stuff-up, on 12 October I proposed to the government a workaround that would have given the committees a bit more time. The reporting date would have been the 19th. Then the government response would have been due by the 30th. That would have given the government more time and it would have given committees more time.

The restriction then would have been on the amount of debate we had in this place. We will just debate for a week. If we limited some of the speeches from backbenchers saying how wonderful the budget is, we could have got through that pretty easily and focused on the important matter of the committees' work in scrutinising the budget.

On 12 October, I also identified that the opposition would be willing to come back for another sitting week so that we could do our job properly. We would be very prepared to make sure that the committees have had sufficient time. They were meant to have until 5 December, to give the committees and us the proper time to assess it.

The government seems far more interested in circumventing the amount of time committees have. Rather than coming up with a compromise which would have allowed the committees more time to consider the matters put before them, it has tried to rush that process through so that we can hear from all the government backbenchers, in long laborious speeches spread over two weeks, about how wonderful this government is in delivering the budget.

I do not think this government has its priorities right. There is a stuff-up here, as I said. We have said that we would be happy to come back for another sitting week. The government does not want to do that. There is a better workaround which gives the committees more time to consider what is before them, to make sure that they have responses to questions taken on notice and that members of committees can actually read transcripts before reports are rushed through.

That is where we could say that we will give the committees until the 19th, give them an extra week to do their job properly. The government then would have 11 days or longer to consider it in the lead-up to the second sitting week, the final sitting week. All it means is that we get the budget debate done in a week, which, as Mr Rattenbury will tell you, is how we used to do it all the time anyway.

I am not sure why we are rushing this through, demanding that committees get this job done in an inadequate way so that we can have two weeks to laboriously debate this budget as a matter of priority. Where do we see the priority? Scrutinising the government while the committees are doing their important work. Why have this estimates process if we are going to make a joke of it? That is what is happening here. We are making a joke of it.

To make a couple of further points, the origins of this stuff-up come from the fact that this government and this Assembly demanded that we go through the process of having standing committees looking into the budget. I moved a motion in this place saying, "Let's have a single committee look at this, a select committee." If we had done that, this would not be a problem. This would have been addressed far earlier in the process, I assure you, Mr Assistant Speaker.

Instead, we have a situation with such an important budget—such an important budget—where standing committees are looking at it, in some cases chaired by government members. Government members are assessing their own budget through a chair and a majority committee, with a bunch of Dorothy Dixers aimed at the government about how wonderful it is and then not being able to write a report, based on transcripts and questions on notice being received in a circumvented time frame. No-one is going to suggest that that is in any way a good process. We were willing to come back for another sitting week. This lot do not want to.

There is a workaround if you do not want to do another budget. I am sure you would be happy, Mr Assistant Speaker, to shorten some of your speeches about this budget. And I am sure other members would be prepared to do that to make sure that committees have the time to do their job properly.

I have circulated a simple amendment to give the committees the time to do that. I have not received an indication of whether that will be supported. I assume the government will not support it. I rang Mr Braddock and did not hear back from him for three weeks. He said, "I will speak to my members and I will get back to you". I have not heard back from him. I went three weeks without hearing back from the Greens. When he did ring, he said, "Sorry I did not get back to you. I will speak to my team and get back to you." He did not do that either. So I do not know where the Greens sit with this because, unfortunately, they have chosen not to engage in this process. That is looking a bit disappointing.

We find ourselves in a difficult position. We have a duty, a responsibility, to the people of the ACT to make sure that this government is properly scrutinised and this budget is properly scrutinised.

I would also say that there is a duty of care to the committee secretariat. The hoops that we have had them jump through over the last few months have been extraordinary. If this government say that they care about workers and staff, what they have imposed on the committee secretariat is pretty shameful. I say, “Let’s give staff time to do their job properly.”

I move:

In new paragraph 7A, omit “report by 12 November 2021”, substitute “report by 19 November 2021”.

**MR BRADDOCK** (Yerrabi) (12.03): As an Assembly, we all approved the time frame in order to pass the budget this year and we all need to take some ownership in delivering that outcome now. It is less than ideal, but it is now upon us to make it work, in what has been an unprecedented year of pandemic impacting the operations of this place.

I note that the timing of Mr Hanson’s amendment is now overtaken by events. Committees which have not finished their reports will do so in the next few days. An extension at this point in time will not provide any substantive benefit to those areas.

**Mr Hanson:** Yes, it would. They would get questions on notice back. They would have transcripts to read. That is pretty substantive, isn’t it?

**MR BRADDOCK:** I have the transcripts I need to produce the reports that I need, Mr Hanson. Mr Hanson is urging members of the Greens to not speak on the budget. I will always stand for diversity of voices in this Assembly and hence cannot support the proposal. On behalf of all of Greens members in this place, I want to extend our thanks to the committee support area. We recognise that this has been a challenging period for you and hope that you will be able to take a well-earned break at the end of this. We will not be supporting this amendment.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (12.04): I thank members for their contributions during this debate. The government will not be supporting Mr Hanson’s amendment. I have explained quite clearly why we have the time lines that are in this particular motion and why we need to reflect on the work that our public service has done during this very difficult time. We need to get on with the work that is before us so that we can all have a break around the Christmas period. I will not be, of course, but other ministers and members may be able to.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7

Noes 14

Ms Castley  
Mr Hanson  
Mrs Jones  
Mrs Kikkert  
Ms Lawder  
Mr Milligan  
Mr Parton

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

Mr Gentleman  
Ms Orr  
Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Vassarotti

Question resolved in the negative.

Original question resolved in the affirmative.

**Sitting suspended from 12.11 to 2 pm.**

### **Questions without notice ACT Health—COVID-19 quarantine**

**MRS JONES:** My question is to the Minister for Health. Minister, my question is about the retrospective health direction made on 3 November 2021, which had the effect of forcing seven people into quarantine after they had decided to travel interstate. When asked about this rule change that forced people into quarantine when they had followed the health directions, you said, “I think we could have been better at clearly identifying that that was the requirement.”

Minister, what takes legal precedence—the Chief Health Officer’s directions made under the Public Health Act, the website and forms that contradict those directions or whatever the Chief Minister says on a given day?

**MS STEPHEN-SMITH:** I thank Mrs Jones for the question. I should clarify that in fact these public health directions did not put anybody into quarantine. The requirement was a stay-at-home requirement, not a quarantine requirement, which is a very, very different thing.

When it was realised that there were some people who were caught up who were between that seven and 14 days, the ACT Health Directorate contacted each of those people and spoke to them individually to see whether they were happy to continue to abide by the 14-day stay-at-home requirement which they had seen on the exemption form that they had submitted. So the exemption form was—

**Mrs Jones:** Point of order on relevance, Madam Speaker. The question was, very specifically, “Which matter takes precedence?” It has not yet been addressed at all.

**MADAM SPEAKER:** No, and the minister has a minute to go. I am sure she will get there.

**MS STEPHEN-SMITH:** If any of those people had wanted to abide by the black-and-white letter of the public health direction that was in effect when they

returned to the ACT, ACT Health would have honoured that. Instead, they had a conversation with those people. Each of those people had completed an exemption form that very explicitly identified what fully vaccinated meant in the context of those travel requirements, and had returned to the ACT following the completion of that exemption form—or certainly they should have completed it before they returned to the ACT. That was a very clear part of the rules. Following those conversations, people were happy to continue to abide by the stay-at-home, not quarantine, rules.

**MRS JONES:** Did you or the Chief Minister ask the Chief Health Officer to change her rules to match your public statements?

**MS STEPHEN-SMITH:** I think that if Mrs Jones checks the record, she will find that there was no public statement by me or the Chief Minister in regard to this matter.

I think it probably is helpful to go back a bit and see how this situation probably arose. The Chief Minister announced the changes to travel requirements on 27 October to take effect from 1 November. At that time, it was identified that high-risk geographical areas would be identified by ACT Health as part of these changes in the travel requirements and that people who were not fully vaccinated would require an exemption.

Unfortunately, with the benefit of hindsight, this probably should have been done a bit differently, but there was no actual media release or announcement when ACT Health and the Chief Health Officer made those decisions about high-risk geographical areas and determined the detail of what those requirements were going to be.

The Chief Health Officer had previously publicly identified that, for the purposes of TTIQ changes—test, trace, isolate and quarantine changes—her definition of fully vaccinated would be 14 days from having received that second dose. She very clearly articulated that in the context of TTIQ, but when those changes to travel arrangements were made and when that public health direction was written, there was in fact no public statement and no media release on that day.

So I absolutely acknowledge that, with the benefit of hindsight, looking back, we probably should have clarified and made a public announcement in relation to that so that everyone was really, really clear. When you completed that exemption form, those requirements were clear, and they were subsequently updated on the website as well. I am advised that the website for the changes from 1 November also included this information if people had looked at it before 1 November.

**MR PARTON:** Given that seven people have been forced to stay at home on the basis of rules that did not actually exist at the time, will you be providing compensation under the Human Rights Act to those people for their home detention?

**MS STEPHEN-SMITH:** As I have indicated to Mr Parton, ACT Health had a conversation with those people. They did in fact complete an exemption form which told them very clearly what the requirements were going to be and what the definition of “fully vaccinated” was. There was an error in the drafting of the public health direction. That was an error. The reason for that was most likely that there was a

difference between the definition of “fully vaccinated” for international arrivals, which is consistent with New South Wales and the arrangements that have been agreed there, which is seven days—it appears that that definition of “fully vaccinated” then got copied to the domestic travel exemption.

I have to say that this is a team that has been working extraordinarily hard to deliver a range of changes to public health directions, often over weekends. They are human, and sometimes mistakes get made. This was an honest mistake, but anyone who was subject to this would have completed the exemption form that clearly outlined whether or not they were going to meet that requirement. I am advised that if they had looked at the website prior to 1 November the website would have also provided this information about what the definition of “fully vaccinated” was for this purpose. And as soon as we realised that this was not clear, the website was updated to ensure that that information was really front and centre.

I have apologised to people, but we have also had those conversations. And people absolutely understand. Canberrans understand the need for public health directions and the reason behind these public health directions. I think the opposition is really on a fishing trip here. But I want to pay credit to those public health officials who have been working so hard and have done such an incredible job updating so many public health directions. (*Time expired.*)

### **ACT Health—performance**

**MR HANSON:** My question is to the Minister for Health. In last week’s AMA public hospital report card for 2021, the AMA’s ACT president Professor Walter Abhayaratna said:

On almost every performance indicator in this year’s report, the ACT is at or near the bottom of the national ladder. This is incredibly frustrating for the clinicians who work in our healthcare system, doing their best, day in, day out. It should also be frustrating for those who govern our health system.

Minister, is Professor Abhayaratna correct?

**MS STEPHEN-SMITH:** Professor Abhayaratna is correct. It is very frustrating that a lot of work goes into the timely care strategy, for example, across Canberra Hospital and a range of other measures. We have been working for a couple of years with the emergency department in Canberra Hospital. We have expanded the Calvary Hospital by 50 per cent in terms of the number of treatment places, and there is still work going on in aligning a lot of the care with that expansion.

But one of the things that we have been discussing with Canberra Hospital is that there has been a lot of work done on timely care and a lot of work done on improving patient flow into the hospital, but in order to implement some of the changes to the model of care that we have identified, some additional resourcing was required. That is why we have invested an additional \$23 million over the next four years in that emergency department and associated activities, including expansion of the current emergency medical unit, changing the footprint to provide 18 treatment spaces;

providing adequate additional medical and nursing staff to provide clinical oversight, including the introduction of a medical navigator; and the development of an acute medical unit, which allows patients with multiple medical issues to be admitted faster to an in-patient area from the ED, and have their care plans commenced by a multi-disciplinary team.

That is, of course, in addition to the establishment of an entire, new 10-bed mental health ward—ward 12B—which is now open. That will help to improve the capacity to admit mental health patients into the hospital in a more timely way. We know that, not just in the ACT but across the country, the increase presentations of mental health patients, and the increased complexity and acuity of patients presenting to ED generally, has been a challenge. I would encourage the opposition to listen to—(*Time expired.*)

**MR HANSON:** Minister, can you assure Canberrans that we will not again be at the bottom of the national performance ladder on almost every performance measure by this time next year?

**MS STEPHEN-SMITH:** One of the things that is frustrating, Mr Hanson—through you, Madam Speaker—is the constant talking-down of the ACT health system by the opposition, never ever mentioning anything that we do well or where we do better than the national average. I would encourage the opposition to listen to Professor Abhayaratna’s full interview on ABC radio—

**Mrs Jones:** I have a point of order with respect to relevance. The question was about this time next year. The Minister has gone to describe in great detail the very learned Professor Abhayaratna, but we want to know whether we will still be at the bottom this time next year.

**MADAM SPEAKER:** I am going to rule that the minister is in order in answering the question and point to the fact that Mrs Jones jumped to her feet after less than 30 seconds of the answer.

**MS STEPHEN-SMITH:** I had not even got to my point about Professor Abhayaratna. The point is that he was very clear in his interview on ABC radio about this report around the complexity of the issues that are facing the ACT and the things that are resulting in, for example, additional presentations to the emergency department. He was very clear about the fact that the commonwealth government really needs to step up in support for primary care and general practice in the ACT, where we have the lowest proportion of GPs per head of population and the lowest rate of bulk billing. Therefore we are seeing people attend the emergency department who would and could be treated in primary care. It was Professor Abhayaratna, not me saying that. And the AMA is supporting the calls from all states and territory health ministers for the commonwealth to contribute 50 per cent of funding for our hospitals, instead of the 45 per cent of growth that they currently contribute.

**MR CAIN:** I have a supplementary question. Minister, as the person ultimately responsible for governing the ACT health system, and without deflecting to the

commonwealth, as you are prone to do, are you as frustrated by the situation as Professor Abhayaratna suggests you should be?

**MS STEPHEN-SMITH:** Yes, Madam Speaker.

### **Municipal services—Lanyon dog park**

**MR DAVIS:** My question is to the Minister for Transport and City Services. Just prior to the lockdown I met with a constituent of mine in Theodore who showed me a vacant and under-utilised parcel of public land that she currently using as a dog park. You can imagine my delight in the budget that there was money allocated for a brand new dog park in the Lanyon Valley. Could you give the Assembly an update on the government's work to identify an appropriate site for the dog park?

**MR STEEL:** I thank Mr Davis for the question. I am very pleased to provide an updated on the delivery of ACT's Labor election commitment to design and construct a new dog park in this term of government in the Lanyon Valley. This builds on our government's previous investments in dog park infrastructure over the previous term and complements the reforms that have been undertaken recently around animal welfare and improving outcomes for dogs in particular but also cats.

In releasing the Canberra dog model with documented best practice, the government highlighted the importance of providing dog exercise areas as an opportunity for socialisation, and dog parks are an important way to do that. The government is currently considering a range of sites in the Lanyon Valley for this project. To determine a suitable site, considerations need to be made around the block size—ideally that this would be a size around 4,000 metres squared. We also need to consider the land use zoning, whether it allows the use of a dog park, and ideally having some complementary uses nearby as well as other recreational sites. Adequate parking is another consideration as well as the proximity of utilities; we do not want to impact too much on those.

So we are very eager to hear feedback from the community. I am very happy if the address of that particular block could be provided to my office so that we can be made aware of it and provide it to TCCS for their considerations around a future site. We are very excited about this project and providing future opportunities for dog exercise in the Lanyon Valley.

**MR DAVIS:** I am glad to see everybody is as enthusiastic as I am. Given the success of co-locating community facilities at the Tuggeranong dog park, like the learn to ride school, would the ACT government consider co-locating other community facilities along with any new Lanyon dog park and, if so, what kind of facilities?

**MR STEEL:** As I mentioned, we will be looking specifically at whether we can co-locate the dog park with other facilities and what opportunities that might provide—shared use of parking, for example, might be one thing. The Tuggeranong dog park, of course, has been upgraded with a new toilet. So we will be looking at what opportunities there are, as well as where people are already using sites for dog walking. Mr Davis mentioned one particular site, but there is another site that TCCS

also has in mind, where people are using it informally as a dog park. That also might lend itself to having a fenced area that could be used, and it already has ample parking facilities. We will be looking at a range of sites and the opportunities they provide.

**MR BRADDOCK:** Minister, how can the community have their say on the planning and development of those co-located facilities?

**MR STEEL:** I thank Mr Braddock for his supplementary question. Over the coming months we will be undertaking further consultation with the community on the dog park once we have undertaken a level of due diligence on the sites that TCCS has found as well as those suggested by the community. We look forward to engaging the community to support this very exciting project.

### **Hospitals—funding**

**MR PETTERSSON:** My question is to the Minister for Health. Minister, can you please update the Assembly on the record investment that the ACT government is making in our public hospital system?

**MS STEPHEN-SMITH:** I thank Mr Pettersson for his question and his ongoing interest in our health system. In the 2021-22 budget the ACT government has committed to continuing to invest across the health portfolio, with an increase of \$629 million in recurrent funding for frontline services delivered by Canberra Health Services and the Calvary Public Hospital Bruce over the next four years. This is in addition to an increase of \$60 million for the Health Directorate, which contracts non-government sector services and delivers policy and information technology services. The four-year budget reflects an increased investment of \$1.3 billion across the health portfolio compared to the previous four years. In 2021-22, spending on health is more than 30 per cent of the total ACT budget.

This step change in funding helps to deliver on our detailed plan that we took to the last election and that was endorsed by the people of Canberra. It will ensure that our health system is able to deliver health care for Canberrans when and where they need it, as well as responding to the ongoing impact of COVID-19. The ACT government committed to employing at least 400 new clinical staff, including nurses, doctors and healthcare professionals, over four years to provide more healthcare services as our city grows. This budget delivers almost 65 per cent of our four-year commitment. The investments detailed in this budget will see the number of ongoing health professional employees increased by approximately 257 full-time equivalents. This includes 17 doctors, 194 nurses and 47 allied health professionals—more doctors, more nurses, more allied health professionals, more healthcare workers for our public health system, to keep Canberrans healthy.

Labor has always fought for and invested in high-quality public health care, and we will continue to build on our investments for the whole ACT community, particularly in our incredibly valuable workforce.

**MR PETTERSSON:** Minister, can you please detail some of the ways that this record investment will benefit the Canberra community?

**MS STEPHEN-SMITH:** The government is well aware that the impact of COVID-19 on our public hospitals will be long-lasting. That is why last year we took a comprehensive plan to the election that detailed our vision for the future of our public health and hospital system. The 2021-22 budget delivers on our commitments and ensures that our public hospital system will continue to deliver excellent care for Canberrans when and where they need it.

We have focused investment on expanding critical public hospital services with a \$128 million boost over the forward estimates. This funding includes \$39 million to increase emergency surgery capacity and post-surgery care, to support growing demand, as well as investments to help reach our commitment of 60,000 elective surgeries in the coming four years—building, of course, on last year’s record of more than 15,000 elective surgeries conducted, despite continuing to support the COVID response.

Our plan also continues our investment in our two emergency departments, as I have just been talking about. With the expansion of Calvary Public Hospital Bruce’s emergency department completed last year, we have provided almost \$16 million in increased funding both to deliver 24/7 medical imaging and in response to growing demand for hospital services on the north side.

The government has also continued work to improve the ability of Canberra Hospital’s emergency department to respond to increasing demand. As I said this budget includes \$23 million to expand treatment spaces in the emergency medical unit, increase staffing and develop an acute medical unit. This significant investment continues our support for our fantastic clinicians and emergency department staff, as they continue to improve their models of care and deliver on the timely care strategy across the hospital.

We have also recognised the increased mental health demands that we are seeing in the community, with more than \$50 million invested in critical mental health services over the next four years.

**DR PATERSON:** Minister, can you please outline the bipartisan request from all state and territory health ministers to the commonwealth to better support hospital funding and fix their chronic underinvestment in aged care, the national disability scheme and primary care?

**MS STEPHEN-SMITH:** I thank Dr Paterson for the question. She is right; all states and territories, Labor and Liberal, have written to the health minister, Greg Hunt, to ask the federal government to pay the full cost of the care of National Disability Insurance Scheme and aged-care participants who are waiting unnecessarily in our hospitals. This is not a partisan issue at a state or territory level. Liberal and Labor state and territory governments are in lockstep on this. The federal Liberal-National government needs to step up and take immediate action to reduce the impact that long-stay patients are having on the health system and, most importantly, to fund more appropriate accommodation for these individuals.

In the context of unprecedented hospital demand and COVID-19, we cannot have people in hospital beds who do not have a medical reason for being there and, through no fault of their own, have nowhere else to go. A hospital is not an appropriate place to live, if you do not need to be there. Too many older Canberrans and Australians with disability spend time in public hospitals when they are ready to be discharged, because the commonwealth is not adequately funding aged-care services, and the NDIS is not supporting these people to get into appropriate accommodation and care. COVID-19 has shown that major commonwealth levers can be pulled quickly when there is urgency. Frankly, the Liberal-National government is leaving vulnerable Australians behind in this circumstance.

Of course—and I have already talked about this—there is also increasing pressure on primary care, and health workers have been calling on the commonwealth to fund better primary care services for years. The ACT has the lowest number of GPs per 100,000 population, at just over 92 full-time equivalents, while the Australian average is 117 full-time equivalent GPs per 100,000. We also have the lowest rates of bulk-billing, and this is putting more pressure on our emergency departments and our acute settings. We call on the commonwealth to do better.

### **Hospitals—emergency department**

**MR PARTON:** My question is to the Minister for Health. Minister, according to the AMA's public hospital report card released last week, since 2002—the year after the Liberals lost government in the ACT—there has been a steady decline in the percentage of category 3, urgent, emergency patients seen within the recommended time. In 2002-03, we saw 74 per cent on time. We now see just 29 per cent on time. Minister, why has the Labor-Greens government allowed this to go backwards for 20 years?

**MS STEPHEN-SMITH:** I think that if Mr Parton actually looked at the figures himself he would see that those numbers have gone up and down over that period of time. Actually, they have fluctuated quite a lot over that period. Madam Speaker, I have already talked about the fact that I am frustrated that these numbers are not moving. That is why we have made this really significant investment not just in more doctors and nurses and the expansion of our emergency department but in changing the model of support, the establishment of the acute medical unit, to ensure that we can get flow through the emergency department so that people can be admitted without that long conversation about which is the right ward and which is the right specialist for that person to be admitted to.

We know that more and more people attending our emergency departments have complex chronic conditions, so there can be a conversation about which is the primary presenting condition and where they should be admitted to. The acute medical unit will enable those people to be admitted to the hospital and to be supported initially through a multidisciplinary team to free up that bed in emergency and get more people into emergency treatment.

There are a whole range of other changes in that model of care. I am confident that we will see changes in these numbers. This is not something that you can just click your fingers and hope for and do overnight. We actually have to work with the team in the emergency department, and that is what we have been doing. Over the last two years, despite COVID, we have been working with the team in the emergency department to understand what is going to improve this situation and to put measures in place to implement it.

**MR PARTON:** Minister, can you, in the next 100 seconds or so, specifically detail how the ACT will get back to the 70-plus per cent seen on time for urgent category patients?

**MS STEPHEN-SMITH:** I refer Mr Parton to my answers to previous questions today.

**MADAM SPEAKER:** A supplementary, Mrs Jones.

**MRS JONES:** Minister, why did you commit to having 70 per cent of ED patients seen and discharged or admitted within four hours when you have made no significant changes as of yet to actually achieve this outcome?

**MS STEPHEN-SMITH:** We have made a range of significant changes to achieve this outcome. We have started to see that target improve over the last little while. I will release the next quarterly performance report and the one after that and Mrs Jones will be able to see the outcomes. I am not going to say that we are going to reach 70 per cent for the whole quarter in the next little while, but the investments that we have made in the budget exactly reflect some of the changes that we have implemented and are continuing to implement.

### **Roads—William Hovell Drive**

**MS CLAY:** My question is to the Minister for Transport and City Services. I have recently met with a number of people who back on to William Hovell Drive and who will be impacted by the planned duplication and the shared path there. Many of them did not receive a letter in the first round because they fell outside the statutory zone for consultation, and they really felt their voices were not heard. I have asked a few questions about this and we have discussed it, and the Hawker community have asked me to follow up and get this matter on record. Can you outline what further consultation will occur for the William Hovell Drive duplication and for the shared path?

**MR STEEL:** I thank Ms Clay for her question. I can confirm we are not duplicating a shared path; we are duplicating William Hovell Drive, and we will be as part of that process be building a new shared path, which is up to seven kilometres long connecting with Bindubi Street and into the city.

We do want to hear the community's views in relation to this project. We undertook consultation as part of the development application process and on the draft EIS that

is required for this project as it is a controlled action. We are looking forward to further engaging with the community again up until 19 December. We have opened a new YourSay consultation and we will be undertaking pop-ups with the community where we will be inviting them to talk with project officials who are engaged on this work. We will be undertaking further letter drops to invite people to have their say on this project, including the issues that have been raised already through the community and through Belconnen Community Council, where the project team has also presented on the alignment of the shared path on the eastern side of William Hovell Drive next to the suburb of Hawker, as well as the use of the off-lead dog area.

We are keen to hear from the community about those issues and any other issues they have any concerns about so they can be addressed in the next stage of consultation and before we move into construction.

**MS CLAY:** I am really pleased to hear that, Minister. Are there plans for TCCS to use that kind of deeper consultation for all of the major projects that we engage on?

**MR STEEL:** Yes, and we have been. This project was actually submitted prior to the government developing the pre-DA consultation guidelines. With all new projects since those guidelines have come out we will be undertaking quite significant engagement ahead of time. It will depend on the size of the project. Larger major projects obviously require greater amounts of consultation. With big projects like CIT Woden we have been undertaking many layers of different consultation with many different stakeholders. We will be launching a new consultation for that before the end of the year.

It really depends on the project, but with this one we are very keen to hear about the community's views on not only the DA but the quite extensive piece of work in the environment impact statement that has been developed as part of this project—issues around noise mitigation, issues around the path alignment and the alignment of the duplication and any other issues that are raised by the community so that those can be taken into account in the design.

**MR BRADDOCK:** Minister, have you received any positive feedback from the community to this deeper level of consultation for these projects?

**MR STEEL:** Absolutely. When we work with the community we can often get a great outcome, taking into account local considerations that may not have been considered by the project delivery partners, making sure that they are considered at the earliest opportunity and what measures can be put in place to make sure the benefits of each of these projects is realised and that we generate broader benefits for the community.

Next week I am holding a business roundtable on light rail stage 2A and raising London Circuit. We will be engaging deeply with businesses along the alignment on the western side of London Circuit. We are looking forward to hearing from those business also not only about how we can minimise the disruption associated with that project but how we can maximise the benefits for them as businesses along the corridor with this project in the short term and in the long term once it is completed.

This is a really important part of our engagement that we will be doing on a range of different projects. We are looking forward to hearing from the community, particularly in relation to William Hovell Drive, an important project for the future of the western side of Belconnen and the future residents of Ginninderra.

### **ACT Health—emergency department**

**MR MILLIGAN:** My question is to the Minister for Health. Minister, in January of this year you committed to having, within nine months, 70 per cent of emergency patients seen and admitted or discharged in four hours. The AMA's public hospital report card released last week shows that the ACT has consistently, since 2011, had the worst performance on this measure, except for one year, in 2016-17. Minister, what was the difference in 2016-17?

**MS STEPHEN-SMITH:** It was a very convoluted set of comparisons that Mr Milligan was making in his question. I will take the detail of that question on notice.

**MR MILLIGAN:** Minister, why did you commit to having 70 per cent of patients seen on time, within nine months, and how on earth did you intend to achieve this during this time?

**MS STEPHEN-SMITH:** I think we have been through this in a previous question time. This was a part of a long conversation that I had with a journalist. It was quite a lengthy sit-down, where I talked about the plan that we had to get to meeting that target of 70 per cent of people being either admitted or discharged home within four hours. We had planned to do that, but there were a range of difficulties and challenges associated with that, which I also took the journalist through.

But in terms of Mr Milligan's question on how we intend to do that, I have already talked about the additional investment that we have now made in the emergency department. One of the things that became really clear in the conversations with the emergency department was that they were seeking to put in place some changes to their models of care, but they needed some additional support, particularly in the establishment of the acute medical unit that they could admit into.

Otherwise, we have talked many times in this place about the timely care strategy that has been implemented within the Canberra Hospital, which includes: emergency department redesign projects that I have talked about; the establishment of daily hospital huddles with clinicians to identify areas that are under pressure and act accordingly—again, that is about the flow into the hospital: the admission rate—and discharge processes that identify appropriate patients and facilitate timely discharges before 9 am and throughout the day. That includes utilising discharge lounges, which increase the availability of beds across the system.

Of course, Calvary Public Hospital is also an important part of our system, and it has been implementing a targeted action plan to ensure high-quality, safe and efficient ED service, as well, including in strengthening the model of care with the aim of

improving patient flow and experience, whole-of-hospital patient flow, staff rostering and staff skills, education and team culture, and an escalation policy and practice for long-waiting patients.

**DR PATERSON:** Minister, I was wondering if you could further outline the additional investment in the emergency department to ensure timely care.

**MS STEPHEN-SMITH:** As I have previously indicated, the emergency department investment that we made—the \$23 million in this budget—is broken down, essentially, into three different elements—that is, the expansion of the emergency medical unit; the adequate medical and nursing staffing, including the introduction of a medical navigator position, which is absolutely critical in terms of that flow and helping to ensure that people are being admitted in a timely way into the right place; and the development of the acute medical unit, allowing patients with multiple medical issues to be admitted faster to the in-patient area, and to have their plans commenced by the multi-disciplinary team.

But what I have not really touched on—and I thank Dr Paterson for the opportunity to do so—is the investment that we are making in more emergency surgery capacity, as well. One of the things that we have seen—and this has been the case across the country—is increased demand for emergency surgery. We have funded an increase in emergency surgery capacity to operate a 13th theatre at Canberra Hospital on a fully-funded basis to increase access to emergency surgery and reduce the risk of postponing elective surgery procedures. That will provide 1,920 theatre hours. As well we are increasing the bed base, with eight additional funded beds and staff to support emergency and elective surgery throughout.

We know that demand for emergency surgery is high, and this is also having an impact across the system. I think this demonstrates that we have had a very thorough look at what is going on and what needs to change in terms of things that can be implemented without funding, and then where some extra funding support needs to come into place to support staff to make those changes—and that is what we have delivered in this budget.

### **Domestic and family violence—government initiatives**

**DR PATERSON:** My question is to the Minister for the Prevention of Domestic and Family Violence. Minister, how does the ACT 2021-22 budget invest in responses to domestic and family violence and sexual violence in the ACT?

**MS BERRY:** I thank Dr Paterson for her question. The ACT government leads an evidence-based response to domestic and family violence which draws on expert advice as well as the lived experience of victim survivors. The 2021-22 budget is increasing funding to further build on this program of work. The ACT government will stage an increase to the safer families levy which will deliver a total of \$8.8 million over the next four years. This will be done through a staged increase of \$5 per year for four years, which will take the levy from \$30 per household, currently, to \$50 per household in 2024-25.

Gendered violence is an issue that touches people from all walks of life in our community. The growing national conversation has further strengthened the ACT government's response to gendered violence, which is shown in the commitments made in this budget. The safer families levy gives the community a tangible way to contribute to frontline services and violence prevention. It further raises awareness of the issue by being visible on people's rates notices each year.

Since the establishment of the levy in 2016, the ACT government has built a dedicated response to domestic and family violence. This has proved effective in delivering services and programs to respond to violence. Funding from the levy will be prioritised to both community and frontline service delivery to ensure that people who are experiencing domestic and family violence and sexual assaults in the ACT are appropriately supported.

**DR PATERSON:** Minister, how will the increase to the safer families levy prioritise frontline service delivery?

**MS BERRY:** In addition to the existing funding for these services, the increase to the safer families levy will fund a range of expanded programs. In particular, this is going to the frontline service delivery by both government and community services. This includes: \$2.2 million over four years for more frontline domestic violence and rape crisis services through the Canberra Rape Crisis Centre and the Domestic Violence Crisis Service to meet increased service demand; \$4.1 million over four years for the health justice partnership program, consisting of much-needed lawyers across legal aid and women's legal centres to help women presenting in health and hospital settings and for the evaluation of this program; \$1.4 million over four years, including provisioned funding of \$698,000 in 2023 and 2024-25 for the safer families collaboration program, which consists of two full-time staff in the Domestic Violence Crisis Service working with our ACT Child and Youth Protection Services as well as funding for the Safe and Together Institute to deliver specialised capability building to frontline child protection workers; and \$249,000 for the family violence safety action pilot, which is a really important program to expand integrated casework capacity and coordinated effort to meet the increased demand on services to better respond to the needs of high-risk families.

**MRS KIKKERT:** How much of the safer families levy is going directly to supporting men who are victims of domestic violence?

**MS BERRY:** Funding goes to the Domestic Violence Crisis Service, which supports all victims of domestic and family violence.

### **Mental health services—consumer feedback**

**MRS KIKKERT:** My question is to the Minister for Mental Health. Given the large number of people who have concerns regarding their and their loved ones' experiences in the acute mental health system in the ACT, have you or are you developing a feedback or complaints mechanism for clients across the acute mental health system and their carers to make improvements to the experiences of clients in these facilities?

**MS DAVIDSON:** Yes, we have a complaints handling mechanisms in place already. Consumer feedback that has been received by Canberra Health Services is managed by the consumer feedback and engagement team. Consumer feedback received through the ACT Health app or by phone or letter on an online form can all be addressed through the existing mechanisms.

Feedback that is received on behalf of another consumer, which happens from time to time, particularly when family members have concerns, or through a request for information form, is provided with a request to be completed and returned within 14 calendar days.

Within the Canberra Health Services response to complaints, people are provided with contact information if they would like to further discuss the matter so that they can address their concerns in detail. If the consumer remains unsatisfied with the response that is provided, they can contact the Human Rights Commission, and contact details are provided for that.

The mental health, justice health and alcohol and drug services division is responsible for responding to complaints in person or by phone or in writing. From 1 October last year until 25 October this year, they received a total of 591 pieces of feedback, of which not all were actually complaints. There were some compliments and some feedback and comments and advice on how things could be improved in amongst all of that, which was very much appreciated. If there are any additional questions that you have about complaints processes—*(Time expired.)*

**MRS KIKKERT:** Minister, in your departmental feedback, how many have you received from those who have been mental health patients in the emergency department?

**MS DAVIDSON:** I will take on notice to provide you the number of complaints that we have received that are specifically about mental health presentations in the emergency department. I can assure you that we receive feedback—which is not always complaints; sometimes it is advice about what could be done better in future—about a range of different services that provide support to people experiencing mental health conditions. It is not always just about the emergency department, when we are talking about where we can best provide support to people who are experiencing a mental health condition.

We have a diverse range of service in the ACT that cover acute care as well as care in the community. It is really important that all of these services are functioning well and are part of an integrated mental health system, which is what we are aiming for in the ACT. We are doing some great work to achieve those aims.

**MRS JONES:** Minister, do you accept given the feedback that there are areas that we need to improve in our feedback system?

**MS DAVIDSON:** Nothing is ever perfect. If there are places in which we can improve, we are always really keen to receive that feedback and to look at ways we

can implement those improvements. We know there will be people out there who have had an experience that was not ideal. We are always looking to improve on our processes and our systems, whether that is complaints handling or the delivery of services, as with any service delivered by the government, the private sector or the community sector.

### **Refugees—resettlement**

**MR BRADDOCK:** My question is to the Minister for Multicultural Affairs. Minister, whilst falling far short of the humanitarian demand from Afghanistan, Australia is taking in Afghan refugees. How is the ACT government contributing to that program?

**MS CHEYNE:** I thank Mr Braddock for the question and his interest in how the ACT government is supporting Afghan refugees, evacuees and their families. My latest information is that Canberra has received a total of 113 evacuated people from Afghanistan. This includes 75 clients who were evacuated directly from Kabul. Generally, these might be Canberra citizens or people who are otherwise connected to Canberra residents on a range of different visa types, and their families have largely been issued with 449 visas, which are temporary protection visas.

There have also been another 38 clients who have come to Australia and then on to Canberra through what is termed the new program. This is for Afghans who were not able to leave Kabul during the main evacuation, but have been able to make their own way out of Kabul since and access Australian Defence Force flights from Islamabad and other cities to Dubai and then on to Australia.

We have been supporting these families through both the ACT government and the Australian government. In particular, the ACT government is providing direct financial support via the Australian Red Cross, in the form of a one-off settlement assistance grant of up to \$5,000 per family, to assist with securing longer term accommodation and to pay for essential living costs. We have been working with the Australian Red Cross to share information, including with people who may have lost contact with family because of the humanitarian crisis. We have been working right across our community organisations and Afghan—(*Time expired.*)

**MR BRADDOCK:** I understand that the ACT is currently not offering quarantine to these asylum seekers in the ACT. Why is that the case?

**MS CHEYNE:** I may need to seek some clarification on whether Mr Braddock means quarantine in terms of the health situation or quarantine through coming back from overseas.

**Mr Braddock:** The health situation.

**MS CHEYNE:** I will double-check this, but it is almost certainly because these evacuees would have arrived in another city first, before they have then come back to Canberra, given that Canberra has not been receiving direct flights.

**MS CLAY:** How is the ACT government helping our Afghan community here in Canberra right through this really upsetting time?

**MS CHEYNE:** I thank Ms Clay for the question. As I mentioned—or started to mention at least—we have been working in partnership with our Afghan community leaders and key community organisations, including the Australian Red Cross, MHub, Companion House, MARSS, Legal Aid ACT and other refugee, asylum seeker and humanitarian coordination committee members, to reach out and provide those support services, in order to connect people who are arriving in Canberra—noting that many already do have those Canberra connections—with other community leaders or community support, increasing and assisting with access to migration assistance and counselling. As I mentioned, we have been sharing information on the International Committee of the Red Cross free and secure restoring of family links, to help people who may have lost contact with people.

We are a refugee welcome zone. We are very proud to be that. We are also working with Housing ACT and EPSDD to identify additional affordable housing options to support refugee arrivals seeking to settle in the ACT. I will take this opportunity to put on the record the ACT government's distress at the situation in Afghanistan, and that we stand ready to support in every way that we can.

### **ACT Health—elective surgery**

**MS LAWDER:** My question is to the Minister for Health. Minister, the AMA's report card on public hospital performance released last week shows that since 2001, in the ACT, we have consistently had the worst waiting times for elective surgery in the nation. Why?

**MS STEPHEN-SMITH:** I thank Ms Lawder for the question. In relation to elective surgery, Ms Lawder may be aware that we have been significantly increasing elective surgery numbers over the last few years. As I mentioned earlier, in the last financial year our system did more than 15,000 elective surgeries, which was a massive increase—about 15,300—over the previous highest number of 14,015 elective surgeries in 2018-19. Of course, 2019-20 was a rather disrupted year with the postponement of non-urgent elective surgeries. That year was rather curtailed but, before those elective surgeries were put on hold, we were on track to deliver 14,250 elective surgeries that year. The 15,300 that we delivered last year was a significant improvement, even on that effort, and it reflected our capacity to catch up.

I think that if Ms Lawder looked at the figures she would see that in some areas of elective surgery we do well; in others, we know that we have some challenges. We know that we have shortages of specialists in some areas. We know that we have growing demand in some areas. So those elective surgery numbers are quite different, depending on the different areas. One of the things we have specifically looked at with the additional investment in elective surgery, both in our catch-up last year and the investments that we are making in the budget this year, is some of those areas where we are seeing longer waiting lists and making sure that we are focusing our efforts in those particular areas.

**MS LAWDER:** A supplementary question.

**MADAM SPEAKER:** Ms Lawder.

**MS LAWDER:** Minister, how are you making sure that the 2022 results will be different compared to the past 20 years of underperformance in our public hospital system by your Labor-Greens government?

**MS STEPHEN-SMITH:** As Ms Lawder may be aware, we did commit at the last election to 60,000 elective surgeries over the four years of this term of parliament, which is a significant increase over the previous four years. We are on track—we have made investments in this budget—to start the process of delivering 60,000 elective surgeries. The investment that we have made in this budget of almost \$7 million over four years will increase elective surgery capacity by optimising elective surgery delivery between Canberra Health Services, Calvary Public Hospital and our private providers to address theatre capacity constraints at Canberra Hospital.

I have already discussed, Madam Speaker, the additional investment in emergency surgery, which sits alongside this as a complementary measure. We are addressing the emergency surgery demand as well to ensure that we are addressing some of the challenges that then lead to delay in elective surgery. This initiative will allow the government to deliver 14,800 elective surgeries in 2021-22, continue the enhanced recovery surgery program to facilitate improved recovery and develop feasibility and design options for the northside elective surgery centre at the University of Canberra to expand health infrastructure in Canberra's north.

**MADAM SPEAKER:** Mr Hanson, a supplementary.

**MR HANSON:** From the same document, Minister, the data for 2015-16 is missing. You may not have that information here, but can you provide information as to why that data is missing in that report?

**MS STEPHEN-SMITH:** Madam Speaker, I seek a point of clarification. Is Mr Hanson referring to the AMA report and missing data in the AMA report?

**Mr Hanson:** That is correct; the elective surgery element of it. I am just trying to get to the bottom of whether they were not provided with that data or why that data is missing, if you are aware. Because their report is published every year, but that year does not contain the data, and I am wondering whether you know.

**MS STEPHEN-SMITH:** My understanding of the way that the AMA put together their report is that it is based on already existing publicly available information. Members may recall—obviously I was not in this place throughout that period—that there were some issues around the quality of data that was able to be reported to the Australian Institute of Health and Welfare at around that time. That may have contributed to this information then subsequently not being available to the AMA. I will take the detail of the question on notice, but I am pretty sure that the AMA put their report together on the basis of existing publicly available information.

## **ACT Health—elective surgery**

**MS CASTLEY:** My question is to the Minister for Health. The AMA's report card on public hospitals released last week shows that since 2003 the ACT has performed worst or near the worst in the nation on category 2 elective surgery patients being admitted for procedures within the recommended 90-day time frame. Having started to climb closer to the national average in 2016, why has our performance on this measure plunged since then?

**MS STEPHEN-SMITH:** I will have to take that question on notice and check back on the data that Ms Castley has used as the comparator in relation to 2016. As I previously indicated in response to my earlier question, the government has made significant investments in elective surgery and has been growing elective surgery much faster than the national rate of growth in elective surgery over at least the last three if not four years.

Obviously if we are seeing increased demand for elective surgery alongside that increased growth that may have something to do with the 2016 comparator, but I will take the detail of that question on notice and have a look at that comparison and just check that the Liberals have actually got that right.

**MS CASTLEY:** Minister, why can the ACT not perform at or above average for an Australian jurisdiction in category 2 elective surgery wait times?

**MS STEPHEN-SMITH:** As I have already indicated to those opposite, we have made significant investments in our elective surgery. One of the focuses of those has been to get those category 2 times up. Again, I will take the detail of that question on notice to provide some more information to Ms Castley about exactly what the investments in category 2 elective surgery numbers have looked like over the last few years.

I note that the data the AMA has reported on is data from 2019-20, so it does not include the data from the last financial year. I think it will be really important in coming back to Ms Castley to provide some updated data in relation to these elective surgery numbers in particular, given the significant investments we have made in elective surgery and some of the other things we have done to address those waiting lists.

**MR PARTON:** Minister, what changes have you brought since becoming minister in 2019 specifically to bring the wait times to or above the national average, and why have you failed to achieve that?

**MS STEPHEN-SMITH:** As I have previously indicated—and I refer Mr Parton to my previous answer in terms of the number of elective surgeries that have been conducted over the last few years—we have been growing elective surgery year on year. The only year in which we have not achieved that upward trajectory, of course, was 2019-20 when non-urgent categories 2 and 3 elective surgeries needed to be put on hold for a period in response to COVID-19. But, of course, we then invested

significantly in increasing elective surgeries last financial year to make up that difference.

We have actually been growing our elective surgeries at significantly higher than the national average rate of growth over a number of years now. That is what my predecessor started. That is what I have been investing in. And we continue that in this budget with our investments in elective surgery which, as I have said, will deliver 14,800 elective surgeries in 2021-22, continue the enhanced recovery after surgery program and develop feasibility and design options for the Northside Elective Surgery Centre at the University of Canberra.

We are taking a territory-wide approach to elective surgery. We are investing in emergency surgery capacity to take that pressure off the system and we are making strategic investments and thinking strategically about how we continue to grow our elective surgery capacity and how we ensure that some of those areas where we have those long wait lists can be targeted. We are doing all of that work, Mr Parton, and I can assure you that it is a constant topic of conversation.

### **Hospitals—funding**

**MR CAIN:** My question is to the Minister for Health. Minister, the AMA's report card on public hospitals released last week shows that the per person dollar amount spent by the ACT government on public hospitals is, in real terms, now almost the same dollar figure as it was in 2008-09—\$1,741 per person. Meanwhile, commonwealth funding per person for public hospitals in the ACT over the same period has grown from \$900 to \$1,261 in real terms—a 40 per cent increase. Minister, why do you constantly give the impression that the territory is spending more and more per person on hospital funding when in fact we have stayed the same in real terms since 2008?

**MS STEPHEN-SMITH:** I will go and have a look at the figures that Mr Cain has referred to, but I would indicate that our level of efficiency in our hospital system has significantly increased over recent years. Whatever the real dollar figure is, we are getting more for that because we have significantly improved the efficiency of our hospital system.

Yes, the commonwealth funding has increased as a result of all the work that was done around the National Health Reform Agreement and all of the work that was done by the previous Labor government federally to put in place new arrangements for the commonwealth to take more responsibility for hospital funding. Then the Labor government committed, if they won the election, to increase that share of funding to 50 per cent—something that was not committed to and was not delivered by the coalition government. It is not just the ACT government that says that the commonwealth, having more capacity to raise money and seeing the pressure across our hospital systems, not just in the ACT but around the country needs to step up. Labor and Liberal state governments and stakeholders right across the board, including the AMA, are saying that the commonwealth needs to step up to deliver 50 per cent of hospital funding, to recognise that this is a joint responsibility—they have

more capacity to raise revenue than states or territories do, and we really need them to take this joint responsibility.

But they also need to work with us to deliver a more integrated health system, to really ensure that primary care is delivering the care that it can, and it should be doing, and that our systems can work better together. This is not just about the money; it is about a major reform program. It would be great if the commonwealth came to the table to be part of that reform program, as every stakeholder and every state and territory health minister is calling on them to do.

**MR CAIN:** Why, as the commonwealth increases its per-person spend and the ACT does not, do you continue to consider the commonwealth to be the problem?

**MS STEPHEN-SMITH:** I refer Mr Cain to my previous answer.

**MRS JONES:** Minister, why, as our city grows and the ACT government's income grows with the higher population and higher taxation rates, is this not reflected in the per-person hospital spend in real terms of this government?

**MS STEPHEN-SMITH:** I thank Mrs Jones for the supplementary question, but I think that when we talk about per-person funding, we are in fact reflecting population growth.

### **Emergency services—Rural Fire Services and State Emergency Service**

**MS ORR:** My question is to the Minister for Police and Emergency Services. Minister, how is the ACT government supporting volunteers across the ACT RFS and ACT SES throughout the 2021-22 bushfire and storm season?

**MR GENTLEMAN:** I recognise Ms Orr's support for volunteers across the ACT. I want to begin by acknowledging the hardworking volunteers of the ACT Rural Fire Service and the ACT State Emergency Service, who have been proactively preparing for the 2021-22 season. I also want to thank the families, friends, partners and workplaces of our volunteers, whose support enables them to continue to serve our community.

The ACT government is supporting our volunteers throughout the 2021-22 season to enable them to prepare and respond to emergency events despite the ongoing challenges of the pandemic. We have put in place strong business continuity plans to manage a range of impacts which could affect our volunteers, including the impact of COVID-19. Each service has a COVID-19 protocol in place to ensure optimal safety for our members and the community. This includes COVID protocols for any cross-border operations with our New South Wales counterparts, and volunteers have access to virtual planning workshops and preparedness briefings and have been provided with ongoing skills and maintenance training.

The ACT government has also introduced new processes to further support our volunteers and improve their experience throughout the season. The ESA has established a new volunteer management process focused on training, community

education and engagement. This process has improved collaboration between the RFS and SES, which has benefited the skill sets of each service through shared corporate knowledge and cross-service support. It is achieving quality engagement, recognition and retention activities throughout the volunteer life cycle, all whilst building capability. They have also been encouraging diversity and maintaining the professionalism of each service.

The ACT government will continue to support our volunteers throughout the season, ensuring that they remain well equipped and well trained to protect our community.

**MS ORR:** Minister, what new capabilities has the ACT government developed in preparation for the season to keep the community safe?

**MR GENTLEMAN:** I thank Ms Orr for the question and her interest in emergency management. The ACT government has made considerable investments in technologies and capabilities that support our preparedness and response to emergency events, particularly fires.

While our emergency services have been undertaking their usual training and preparedness activities, we have also invested in new technical tools and skills. The ACT RFS has proudly partnered with the Minderoo Foundation, Optus and the Australian National University to trial the use of ground-sensing cameras to improve detection times, allowing for a quicker response to bushfires. These cameras are located at the top of all ACT fire towers, and the trial is continuing into its second year.

The ACT RFS has also developed four new bushfire risk analysis products: a burn frequency model; a lightning strike fire potential model; a grass fuel dashboard; and a snap report, which provides a snapshot of the predicted weather hour by hour on the elevated fire danger each day.

To bolster its aerial capability, the ACT Emergency Services will also contract three aircraft towards the end of December when the risk of fire in the ACT is heightened.

These capabilities and technologies will enhance our preparedness and situation awareness. They will ensure that our community remains well protected and that we are able to respond effectively to emergencies throughout the 2021-22 season.

**MR PETTERSSON:** Minister, how is the ACT government progressing the recommendations of the Royal Commission into National Natural Disaster Arrangements?

**MR GENTLEMAN:** I thank Mr Pettersson for his interest in this area. The ACT is steadily progressing implementation of the recommendations of the Royal Commission into National Natural Disaster Arrangements. Many of the recommendations align with work already underway to address the learnings from our own reviews into the 2019-20 emergency season.

The government is progressing a wide range of initiatives that are consistent with the royal commission's recommendations to strengthen natural disaster preparedness. They include climate change adaptation initiatives, enhanced public warnings and information, recovery policy, and ongoing enhancement to the ACT bushfire management practices.

The ACT government continues to be strongly engaged with national efforts to improve our preparedness and responses to disasters, with significant effort being undertaken across all areas of government. This extensive work means that Canberrans will be even better protected and informed during emergencies and natural disasters into the future.

While we remain well prepared in the ACT, I would like to take this opportunity to remind and encourage all Canberrans to complete and update their survival plans. More information about preparing for emergencies and natural hazards can be found online at [esa.act.gov.au](http://esa.act.gov.au).

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

## **Supplementary answer to question without notice Refugees—resettlement**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (3.11): In response to Mr Braddock's question about quarantine, I said that I would confirm what I said. I can confirm that it is correct that evacuees did not quarantine in the ACT because they all arrived somewhere else in Australia and completed quarantine in those other locations before they entered the ACT.

## **ACT Integrity Commission Statement by Speaker**

**MADAM SPEAKER:** Members, you will recall that at the last sitting Mr Davis asked a question concerning whether the community could have confidence in exposing and eliminating corruption, should it exist in the ACT, in light of the recent events in New South Wales.

After the Chief Minister had answered the question, pointing out that the Integrity Commission is independent of the executive, the Leader of the Opposition raised a point of order questioning whether the question was in order, as it may have been directed to the wrong minister.

Whilst it is correct that the Integrity Commission is an independent statutory agency, all laws passed by the Assembly are assigned to a minister, and the Integrity Commission Act is assigned to the Chief Minister. It should be noted that, under the current administrative arrangements under schedule 1, the Chief Minister is responsible for integrity policy. Under schedule 2, he is also responsible for executing and maintaining the Integrity Commission Act 2018.

Accordingly, I rule that Mr Davis's question was addressed to the responsible minister and was in order. But I add that, whilst the question was in order, I would not expect it to be appropriate for members to be asking questions of the Chief Minister regarding matters being investigated by the independent Integrity Commission or other operational matters relating to the commission.

## Papers

**Madam Speaker** presented the following papers:

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Hostage taking incident at the Alexander Maconochie Centre on 27 March 2021 (CIR 02/21), dated October 2021.

Legislative Assembly (Members' Superannuation) Act, pursuant to section 11A—Australian Capital Territory Legislative Assembly Members Superannuation Board—Annual Report 2020-21, dated 11 October 2021.

Territory Rights—Resolution of the Assembly of 8 October 2021—Correspondence from—

Senator The Hon Kim Carr, dated 18 October 2021, together with a copy of a report by the Senate's Legal and Constitutional Affairs Legislation Committee entitled *Ensuring Northern Territory Rights Bill 2021*.

Senator The Hon Zed Seselja, dated 4 November 2021, together with a copy of correspondence from Senator Dr Sam McMahon.

Bills referred to Committees, pursuant to the resolution of the Assembly of 2 December 2020, as amended 30 March and 22 April 2021—Bills—Not inquired into—

City Renewal Authority and Suburban Land Agency Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Planning, Transport and City Services, dated 18 October 2021.

Planning, Transport and City Services Amendment Bill 2021—Copy of letter to the Speaker from the Chair of the Standing Committee on Planning, Transport and City Services, dated 18 October 2021.

Standing order 191—Amendments to the Operational Efficiencies (COVID-19) Legislation Amendment Bill 2021, dated 11 and 12 October 2021.

**Mr Gentleman** presented the following papers:

A Step Up for Our Kids—Snapshot Report—A presentation of data covering 1 July 2016 to 30 June 2021.

Auditor-General Act, pursuant to subsection 21(2)—Auditor-General's Reports—Government responses—

No 5/2021—Management of Closed-Circuit Television Systems, dated October 2021.

No 6/2021—Teaching Quality in ACT Public Schools, dated October 2021.

No 7/2021—Procurement exemptions and value for money, dated October 2021.

Bimberi Youth Justice Centre—Bimberi Headline Indicators Report 2020-2021, dated November 2021.

COVID-19 Emergency Response Act, pursuant to subsection 3(3)—COVID-19 Measures—Report No 12—Reporting period 1 July to 30 September 2021, dated October 2021.

COVID-19 pandemic—Social and economic recovery—Response to the resolution of the Assembly of 7 October 2021, dated 9 November 2021.

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

Community Services Directorate (CYF-21/15), dated 29 April 2021.

Environment, Planning and Sustainable Development Directorate (21/62059), dated 5 November 2021.

Our Booris, Our Way—Implementation update (January to June 2021), dated 9 November 2021.

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

Legislation Act, pursuant to section 64—

Cemeteries and Crematoria Act—Cemeteries and Crematoria (Fees) Determination 2021 (No 1)—Disallowable Instrument DI2021-248 (LR, 30 September 2021).

Classification (Publications, Films and Computer Games) (Enforcement) Act—Classification (Publications, Films and Computer Games) (Enforcement) (Fees) Determination 2021 (No 2)—Disallowable Instrument DI2021-241 (LR, 30 September 2021).

Domestic Animals Act—

Domestic Animals (Exercise Areas) Declaration 2021 (No 1)—Disallowable Instrument DI2021-230 (LR, 13 September 2021).

Domestic Animals (Prohibited Areas) Declaration 2021 (No 1)—Disallowable Instrument DI2021-231 (LR, 13 September 2021).

Electoral Act—Electoral (Commission Chairperson) Appointment 2021—Disallowable Instrument DI2021-225 (LR, 9 September 2021).

Electronic Conveyancing National Law (ACT)—

Electronic Conveyancing National Law (ACT) Operating Requirements 2021—Disallowable Instrument DI2021-226 (LR, 16 September 2021).

Electronic Conveyancing National Law (ACT) Participation Rules 2021—Disallowable Instrument DI2021-227 (LR, 16 September 2021).

Emergencies Act—Emergencies (Bushfire Council Members) Appointment 2021 (No 1)—Disallowable Instrument DI2021-232 (LR, 16 September 2021).

Gambling and Racing Control Act and Financial Management Act—Gambling and Racing Control (Governing Board) Appointment 2021 (No 2)—Disallowable Instrument DI2021-242 (LR, 30 September 2021).

Independent Competition and Regulatory Commission Act—Independent Competition and Regulatory Commission (Disclosure Guidelines) Determination 2021—Disallowable Instrument DI2021-238 (LR, 27 September 2021).

Liquor Regulation—Liquor (COVID-19 Emergency Response—Permit Fee Waiver) Declaration 2021 (No 4)—Disallowable Instrument DI2021-244 (LR, 30 September 2021).

Medicines, Poisons and Therapeutic Goods Act—Medicines, Poisons and Therapeutic Goods (Monitored Medicine) Declaration 2021 (No 1)—Disallowable Instrument DI2021-224 (LR, 9 September 2021).

Official Visitor Act—Official Visitor (Children and Young People) Appointment 2021 (No 1)—Disallowable Instrument DI2021-249 (LR, 30 September 2021).

Planning and Development Act—Planning and Development (Remission of Lease Variation Charges—Construction Sector Recovery) Amendment Determination 2021 (No 1)—Disallowable Instrument DI2021-243 (LR, 29 September 2021).

Public Health Act—

Public Health (Health Care Facility) Code of Practice 2021 (No 1)—Disallowable Instrument DI2021-240 (LR, 27 September 2021).

Public Health (Health Care Facility) Risk Declaration 2021 (No 1)—Disallowable Instrument DI2021-239 (LR, 27 September 2021).

Public Place Names Act—

Public Place Names (Franklin) Determination 2021—Disallowable Instrument DI2021-245 (LR, 30 September 2021).

Public Place Names (Gungahlin District) Determination 2021—Disallowable Instrument DI2021-246 (LR, 30 September 2021).

Radiation Protection Act—Radiation Protection (Council Member, Chair and Deputy Chair) Appointment 2021 (No 1)—Disallowable Instrument DI2021-221 (LR, 2 September 2021).

Road Transport (General) Act—

Road Transport (General) (COVID-19 Emergency Response) Application Order 2021 (No 1)—Disallowable Instrument DI2021-222 (LR, 3 September 2021).

Road Transport (General) (COVID-19 Emergency Response—Taxi Industry) Application Order 2021 (No 1)—Disallowable Instrument DI2021-229 (LR, 10 September 2021).

Road Transport (General) Application of Road Transport Legislation (COVID-19 Parking Arrangements) Declaration 2021 (No 1)—Disallowable Instrument DI2021-223 (LR, 3 September 2021).

Road Transport (General) Application of Road Transport Legislation (COVID-19 Parking Arrangements) Declaration 2021 (No 2)—Disallowable Instrument DI2021-236 (LR, 17 September 2021).

Road Transport (Offences) Regulation—Road Transport (Offences) Application to Holiday Period Declaration 2021 (No 1)—Disallowable Instrument DI2021-247 (LR, 30 September 2021).

Road Transport (Safety and Traffic Management) Regulation—Road Transport (Safety and Traffic Management) Parking Authority Declaration 2021 (No 2)—Disallowable Instrument DI2021-250 (LR, 11 October 2021).

Tree Protection Act—

Tree Protection (Advisory Panel) Appointment 2021 (No 1)—Disallowable Instrument DI2021-233 (LR, 20 September 2021).

Tree Protection (Advisory Panel) Appointment 2021 (No 2)—Disallowable Instrument DI2021-234 (LR, 20 September 2021).

Utilities Act—

Utilities (Licensing) Exemption 2021 (No 2)—Disallowable Instrument DI2021-237 (LR, 24 September 2021).

Utilities (NERL retailers—Application of Industry Codes) Determination 2021—Disallowable Instrument DI2021-228 (LR, 9 September 2021).

Veterinary Practice Act—Veterinary Practice (Board) Appointment 2021 (No 1)—Disallowable Instrument DI2021-235 (LR, 20 September 2021).

### **A Step Up for Our Kids—snapshot—government response Our Booris, Our Way—update—government response**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.16): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

A Step Up for Our Kids—Snapshot Report—A presentation of data covering 1 July 2016 to 30 June 2021.

Our Booris, Our Way—Implementation update (January to June 2021).

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.16): I am pleased to present together the six-monthly progress reports for the government response to the recommendations from the Our Booris, Our Way review, the six-monthly update; and the A Step Up for Our Kids Out of Home Care Strategy 2015-2020 snapshot report.

The government is firmly committed to reducing over-representation in the child protection system by fully implementing the intent of the Our Booris, Our Way review recommendations. With the guidance of the Our Booris, Our Way Implementation Oversight Committee, the government is committed to breaking the

cycle of intergenerational disadvantage by ensuring that children and young people can stay safe at home wherever possible and remain connected to culture and community throughout their life.

In the 2021-22 budget, the government has invested almost \$4.9 million to implement the Our Booris, Our Way review, bringing the total investment from 2018-19 to 2023-24 to \$15.7 million. This funding will help drive systemic change to ensure that at-risk Aboriginal and Torres Strait Islander children and young people in the ACT are safe and able to thrive.

Today's report provides an update to the ACT community on the progress being made against each recommendation. This report is the second six-monthly update and outlines activities and achievements from 1 January 2021 to 30 June 2021.

The key activities during this period include the commencement of a co-design process to establish a new Aboriginal and Torres Strait Islander children's commissioner in the ACT. The ACT government has engaged the Jumbunna Institute for Indigenous Education and Research to facilitate the co-design process. Over the next six months, Jumbunna will work with the Aboriginal community in the ACT to develop and refine the scope of the commissioner's role.

The activities also include a continued focus on ensuring that the Aboriginal and Torres Strait Islander child placement principle is embedded, applied and implemented in all CYPS policies and practices; and the establishment of a cross-directorate committee to develop options to enhance early support capacity for Aboriginal and Torres Strait Islander families in the areas of drug and alcohol misuse, family violence, mental health, trauma counselling and cultural healing.

The government continues to work closely with the Our Booris, Our Way Implementation Oversight Committee on options for the establishment of an Aboriginal and Torres Strait Islander community controlled organisation, or multiple organisations, to deliver culturally safe services that respect and preserve the rights of Aboriginal and Torres Strait Islander children, young people and families engaged with or connected to the child protection and child welfare systems.

While we are making progress against many of the recommendations, we recognise that it remains a source of pain and frustration that Aboriginal and Torres Strait Islander children continue to be over-represented in the child protection system. We know that this is unacceptable. We will continue to work across government and with the Aboriginal and Torres Strait Islander community to better understand and address the reasons why this is the case. The open communication between the Our Booris, Our Way Implementation Oversight Committee and the government will deliver this much-needed change.

The six-monthly progress report on A Step Up for Our Kids has also been tabled today. As many members are aware, the six-monthly progress report on A Step Up for Our Kids has been presented to the Legislative Assembly since April 2018, with the most recent snapshot report tabled in May 2021. In considering the snapshot report, it is important to note that the data is internal operational data that can be updated and

changed between reporting periods, and caution should be exercised when using and interpreting this data in this report and comparing between reporting systems.

When I spoke to the Assembly in May, I referred to work being undertaken by the Community Services Directorate to further refine the measures being reported against. I am pleased to advise that the updated snapshot report improves how the information is presented for the data related to carers—measures 9 and 10—and the data related to Uniting preservation services—measure 13. The improved reporting and visualisation for these measures provides the directorate with valuable insight into the different approval process and time frames for each type of care and the ability to examine restoration outcomes for children and young people over a longer period of time.

This snapshot report highlights the following: in 2020-21, 141 children and young people entered out of home care and 147 exited out of home care. Whilst the number entering out home care has increased compared to 2018-19 and 2019-20, the number of children and young people exiting care has also increased, resulting in the total number of children and young people living in out of home care remaining steady.

The total for new entries into care for the 2020-21 financial year is 107, which is higher than in the past two financial years but is lower than in 2016-17 and 2017-18. It is still too early to identify if this outcome may be attributable to the impact of the COVID-19 public health emergency.

In 2020-21, 54 Aboriginal and Torres Strait Islander children and young people exited out of home care, constituting 37 per cent of all children and young people exiting out of home care during the financial year. At the end of June 2021, 29 per cent of children and young people living in out of home care on long-term orders were Aboriginal and Torres Strait Islander. This is lower than for the same time in the 2019-20, 2018-19 and 2017-18 financial years, and is the lowest rate since 2016-17, with the percentage of Aboriginal and Torres Strait Islander children and young people entering and living in out of home care in the ACT gradually decreasing.

We have continued to see a lower number of Aboriginal and Torres Strait Islander children and young people entering care since 2016-17 and 2017-18, reflecting investments in cultural training, functional family therapy and family group conferencing as an extension of the implementation effort under A Step Up for Our Kids.

However, Aboriginal and Torres Strait Islander children and young people still represented 26 per cent of those entering care in 2020-21, which remains an unacceptable level of over-representation. While this does represent a significant reduction from 32 per cent in 2017-18 and 31 per cent in 2016-17, it highlights the need for continued work.

What this means in terms of numbers is that 16 Aboriginal and Torres Strait Islander children and young people entered care in the second half of 2020-21. This compares to 23 in the same period in 2019-20, 16 in 2018-19, 21 in 2017-18, and 24 in 2016-17.

Placement types within out of home care continue to remain relatively stable, with the majority of children and young people in kinship care placements as at 30 June 2021. At 30 June 2021, 12 per cent of carer households with a current placement had at least one carer who identifies as Aboriginal or Torres Strait Islander.

The number of Aboriginal and Torres Strait Islander children in the care of the director-general with a cultural care plan in place has declined. As at 30 June, 158 Aboriginal and Torres Strait Islander children and young people had a cultural plan in place—80 per cent—compared to 180, or 87 per cent, for the same period in the previous year. In considering the decline, it is important to note that the snapshot report counts cultural plans only when they have been lodged as part of a child or young person's annual review, and any cultural plans that are in development are not included.

We continue to support children, young people and their families through prevention services, with a renewed focus on supporting families with complex needs to prevent entry and/or re-entry to care.

Over the life of the A Step Up for Our Kids strategy from January 2016 to 30 June 2021, 620 children and young people have received 705 episodes of service from Uniting preservation services. Thirty-one per cent of children and young people receiving these preservation services identified as Aboriginal and Torres Strait Islander. For these Aboriginal and Torres Strait Islander children and young people who received Uniting preservation services, 88 per cent had not entered care three months after commencement and 64 per cent had not entered out of home care 24 months after the commencement of service.

As shown by the figures reported in the snapshot report, over-representation of Aboriginal and Torres Strait Islander children and young people in out of home care continues to require a focused effort to reduce entry into care. Equally important is the need to ensure that Aboriginal and Torres Strait Islander children and young people remain connected to their family, kin and country. The Community Services Directorate cultural review panel is now meeting fortnightly to review cultural plans, with any outstanding plans referred to the panel to ensure that cultural needs can be incorporated into individual plans.

In addition to this, further work is being undertaken by the directorate to enhance reporting capabilities and improve automated data-counting rules within the record management system known as the child and youth record information system, CYRIS. This will enable CYRIS to capture cultural plan data more accurately, including plans that are in development, endorsed by the cultural review panel, as well as cultural plans lodged as part of an annual review package.

This continual refinement of data is considered pivotal in the provision of a responsive service system and working to eliminate the over-representation of Aboriginal and Torres Strait Islander children and young people in care. I commend the reports to the Assembly.

Question resolved in the affirmative.

## **Bimberi headline indicators report 2020-2021**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.26): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Bimberi Headline Indicators Report 2020-2021.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (3.26): I am pleased to present the eighth Bimberi headline indicators report. This report demonstrates the ACT government's ongoing commitment to both transparency for the Bimberi Youth Justice Centre's operations and performance and the safety, health and wellbeing of the young people detained there.

The eighth report provides data for the full 2020-21 financial year. It provides for continuing scrutiny of a range of indicators relating to the safety and care of the young people in Bimberi and provides trend data to monitor performance against operational indicators.

Pleasingly, due to a decrease in the number of young people detained in Bimberi, and strong staffing numbers, we have seen positive outcomes for young people across a number of measures. The number of young people in Bimberi on an average day in 2020-21 was nine, with the total number of days served by young people being 3,348.

When discussing the data around the number of days served at Bimberi, it would be remiss to not mention the nation-leading work that the ACT government is undertaking to raise the minimum age of criminal responsibility. Only last month the Attorney General, the Minister for Health and I released an independent report on raising the age, led by Professor Morag McArthur, which charts a course for us in implementing this generational reform.

Data from the AIHW indicates that, here in the ACT, seven per cent to 10 per cent of the young people subject to youth justice supervision are 10 to 13 years. A very small number of these young people are actually detained. The neurological evidence is clear that young people in this age range are not capable of forming criminal intent. The McArthur report makes clear that this cohort overwhelmingly commit less serious crime and have experienced significant trauma and disadvantage. In addition, we know that those who experience the youth justice system are more likely to experience the criminal justice system. It is precisely for this purpose that our raising the age work is so crucial, to ensure that this cohort of young people receive the support they need.

We continue to see great interest in working at Bimberi; and, to maintain reliable workforce numbers, biannual recruitment processes will continue. Bimberi ran three

youth worker induction programs last financial year. The first recruitment process for 2021-22 has been underway, with the induction for these new workers to have commenced in October 2021.

Pleasingly, there has been a significant reduction in the number of operational lockdowns required in 2020-21. Operational lockdowns occur when a decision has been made to secure all or some young people in their rooms for a period, to manage resources and the safety and security of Bimberi. In 2020-21, the use of operational lockdowns was only required on 10 occasions, with each lockdown lasting for one hour. Stability in Bimberi staffing has ensured that the use of operational lockdowns has returned to being an exception.

There were no category 1 incidents in 2020-21. There was a significant decrease in the number of category 2 incidents, with 92 incidents recorded for the financial year. This is lower than the previous four recorded years. There was, however, an increase in the number of assaults by young people against staff and other young people, recognising the trauma some young people have experienced in their young lives and the level of support they need in developing positive, prosocial behaviours and relationships.

A key component of a young person's rehabilitation and reintegration into the community is their engagement in education, training, recreation and rehabilitation programs. All young people at Bimberi who have been at the centre for more than a few days participate in programs delivered by the Murrumbidgee School, Bimberi staff or external agencies. During the 2020-21 financial year, 100 per cent of young people residing at Bimberi engaged in educational programs. Two young people completed modules towards their year 12 certificate.

Thank you for the opportunity to update the Assembly today on the Bimberi Youth Justice Centre and the eighth Bimberi headline indicator report.

Question resolved in the affirmative.

## **Civil Law (Sale of Residential Property) Amendment Bill 2021**

**Mr Cain**, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

**MR CAIN** (Ginninderra) (3.31): I move:

That this bill be agreed to in principle.

Today, as this bill is introduced, Canberra has the highest median detached house price ever, at \$1.07 million. And we have experienced our highest detached housing price growth in the last year of 32.4 per cent. I gained these figures from the Domain house price report, available on their website. In fact, for the first time since 2005, we are second only to Sydney in the median house price rankings in Australia, beating all of the other capital cities. Sadly, these are unprecedented times. What this means for

many in Canberra is that the dream of owning a home with a backyard in a leafy suburb, like those in my electorate of Ginninderra, is slipping away. No wonder I keep meeting people—young families—who have moved to Ginninderra who appreciate and admire the leafy and open space that is there.

I realise that the Labor-Greens government will blame interest rates and other federal tax policies for this, but of course that is not the only significant factor here. The most significant one is, as I read now, the Labor-Greens agenda of high-density housing and their drip feed of land for detached housing for the last decade. It has contributed to Canberra's booming house prices. To top it off, the Labor-Greens oversupply of high-density housing and undersupply of detached housing has created a two-speed market where those who want to get into property ownership have often no choice but to buy a dwelling off the plan.

This brings me to the crux of the bill. I have been working on the bill since June, in consultation with members of the community and practitioners who are concerned for their clients' financial wellbeing. From these reports there seems to be a very tiny minority of developers profiteering in our overheated market. There have been cases where a developer has rescinded contracts and immediately readvertised the property for up to \$200,000 more than the original contract price. Alternatively, the original purchaser had been asked to pay significantly more to keep the contract on foot.

For many, this price increase is out of reach, leaving them without the home they thought they were purchasing, trying to buy in the current market, where their original deposit amount is not enough to help them secure another property. Also, many are missing out on the government's stimulus and concession plans because they then have to resubmit a higher purchase price, if indeed they are able to keep their contract going.

Altogether, I think we would agree that it is a very unfair situation caused by a practice I would like to see come to an end. It is unconscionable conduct, and a legislative solution is appropriate. To achieve this, the bill I am introducing today requires a seller to obtain a buyer's consent before ending an off-the-plan contract using a sunset clause. If both parties agree to the rescission then the contract ends. But if the buyer does not agree, the seller can show cause for termination of the contract through the Supreme Court, if the Supreme Court deems a rescission just and equitable in all other circumstances.

My bill also includes an ability for the minister to set regulations where a rescission would be deemed appropriate in certain circumstances. I would like to emphasise that this bill will not punish or impede those doing the right thing. The vast majority of developers value their reputation and have been honouring contracts with buyers, even in these unprecedented market conditions. The bill is about enhancing consumer protection and trying to ensure that home ownership remains open to as many people as possible.

Oddly, this morning the Attorney-General presented a bill which I have not yet had the chance to study in full, but I wish to express my real disappointment at the loss of some 100-plus purchases in the ACT in recent times through the malpractice of a

small part of the developer community. These losses could easily have been avoided. As the Attorney-General is aware, in 2015 New South Wales addressed this issue and passed legislation to prevent unfair rescissions of contracts.

In 2016 the ACT Civil and Administrative Tribunal had a civil dispute before it that reflected these very scenarios. At the time, the ACAT did not have the power to amend or provide some compensation to the purchaser because the law was not adequate. The ACAT said law reform should be considered—and this was from a decision on 31 October 2016!

So while I support and look forward to engaging with the government on the consumer protection measures that I anticipate are reflected in the government's bill, as in mine, I am extremely disappointed that the inertia of the minister's office, at the time and continuing into this term, has meant that purchasers have suffered these losses—it has been predominant in the media—which could have been avoided, despite the warning signals from across the border and within our own jurisdiction with this tribunal decision. I commend my bill to the Assembly.

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

## **Housing—affordability**

**MR PARTON** (Brindabella) (3.39): I move:

That this Assembly:

(1) notes that:

- (a) the CoreLogic Quarterly Rental Review published on 26 October 2021 indicated the ACT has the highest median rental price in Australia, at \$633 per week;
- (b) SQM Research reports that, as of September 2021, the residential vacancy rate in the ACT was 0.8 percent, while other sources report it was less than this;
- (c) steep increases in property prices are causing property owners to seek rental returns beyond the reach of average Canberrans; and
- (d) escalating rent levels are making it almost impossible to find a place to live in Canberra;

(2) further notes:

- (a) ACT property industry reports state the asking price for the majority of stand-alone houses is near, or over a million dollars;
- (b) the difference between the median price for a unit and the median price of a detached house continues to increase;
- (c) the ACT's current housing prices threaten to deny an entire generation of aspirational homeowners from ever doing so;
- (d) Canberrans are in such a state of desperation that in a recent Suburban Land Agency ballot for Taylor, 7484 people applied for a chance to secure 115 blocks of land, of which, only 17 were in the RZ1 Zone;

- (e) housing insecurity has a detrimental effect on the mental health of those Canberrans worried about getting a place to live and to raise a family;
  - (f) the ACT Government's escalating land taxes and residential rates, its disincentives on owners renting their properties and deliberate restrictions on land supply are all contributing to increasing rent levels, the availability of rental properties and housing supply in the ACT; and
  - (g) the Government has, at its disposal, a range of policy levers and budgetary tools to ameliorate this terrible situation but refuses to do so; and
- (3) calls on the ACT Government to:
- (a) declare a housing crisis in the ACT;
  - (b) conduct an independent review on the impact of ACT Government policy on the rising cost of house prices and rent levels; and
  - (c) report back to this Assembly by 30 June 2022.

This motion calls upon the government to finally concede that we have a housing crisis in the ACT and to examine the actual effect of the ACT government policy on this crisis. An enduring feature of our culture, I think it is safe to say, is an expectation that one day we will own our very own homes. And until very recently, successive generations have had their aspirations fulfilled. Even though many of them struggled, worked hard and went without, it all paid off in the end as hundreds of thousands or millions of people took possession of their very own homes. But in recent times, the dream of owning your own place in Canberra has definitely been shattered.

I know that things have got tougher in most places in Australia. But it is clear that the decline in affordability has been greater here than anywhere else. And when you consider that this is a city of fewer than half a million people—so it is difficult to compare to some of the other metropolises in this country—and that it is the one place in Australia where a single government has control of most of the levers, it is difficult to fathom.

Jon Stanhope, CoreLogic, SQM, Domain, a number of major banks and a stack of would-be homeowners all know that long-term ACT policies in planning, land release and residential tenancies—and also in taxation—have created the perfect storm of housing unaffordability here in the ACT.

Of course, this government disagrees. This is the moment when you can shut me up forever on this particular issue. This is the moment when you can shut Jon Stanhope up forever. Here is the deal: if the government signs up to an independent review of Labor-Greens policy and its effect on land prices and rent, and if, as the government continues to assert, its policies have not impacted housing affordability at all, we will just shut up. We will be quiet, and the government can roll on and keep doing things that way. We will stop arguing. Of course, we all know that this motion will not be successful, because this government does not want anyone examining its policies in this space. I do not think the government really cares about housing affordability at all.

I do not know if members saw the recent *Four Corners* program on housing affordability issues around Australia. The *Four Corners* program pointed out that it was the Menzies government in the post-war period that transformed federal policy to encourage Australia's home ownership revolution. *Four Corners* reported—I will quote it directly—that “Menzies saw it as a bulwark against communism”. That is what he thought. He applauded the instinct of people to have a little piece of land with a house and garden to call their own. So policies were put in place to assist hundreds of thousands of Australians into home ownership, and those policies worked. Our home ownership numbers went up 20 per cent in the 20 years to 1966.

Why did Menzies do that? I can tell you that one of the main reasons he did it was electoral security. At its simplest level, he did it because, if a conservative prime minister assists hundreds of thousands of Australians to jump through the home ownership hoops, once they have acquired that major asset, it will quicken their natural political shift over time from left to right. So, much of that natural drift from left to right is not related to age; it is related to the acquisition of assets. If you do not own anything, if you have no assets whatsoever, pure socialism works for you. If you do not own anything, the concept of pooling the nation's wealth and then divvying it up and distributing it equally amongst all of the residents seems like a cracker of an idea.

As soon as you begin to acquire assets, you are not so keen on anyone taking those assets away from you. Herein lies the absolute ideological divide that punctuates some of this debate. It gets down to our vision of equality. On this side of the chamber, our vision of equality is about attempting to lift everyone up. We believe that if you give everyone the chance to get ahead—if you lift everyone's circumstance, Mr Davis—everyone will benefit. On the other side of the chamber the vision of equality is to hold people back and to bring them down. It is no wonder that those opposite voted against the poverty taskforce, because, when it all boils down, poverty is electoral gold for them. The more people reliant on the government, the better.

At their core, Labor and the Greens do not want people to get ahead. They are frightened, they are petrified, of the concept of people getting ahead and becoming self-sufficient. When Ms Vassarotti makes her utopian claim that the Greens are going to provide a home for all, she is not talking about a home that people own. That is not what she is talking about. She is talking about a home that the government owns. She wants people to stay on the government teat forever, and to do as they are told.

So hell-bent is this government on that scenario, that it continues to reject the premise of having community housing providers play a genuine role in the solution, which again was pointed out in a release that came out today from ACTCOSS. Emma Campbell says:

ACTCOSS has welcomed the focus placed today by the ACT Opposition on the shortage of affordable housing. This follows their call for a declaration of a housing crisis and an independent review into the impact of ACT Government's policies on rising house prices and rent levels.

I do not think Emma Campbell from ACTCOSS played a role in drafting the amendment to this motion.

So Ms Berry is not a fan of those pesky community housing providers, because she would much rather have it all under the control of the government. The government can do it. When it comes to Labor's push to help Canberrans own a home, the last of the true believers—and yes, I am going to mention his name again—was Jon Stanhope. Our good friend, Mr Stanhope, said in the *City News*—what a great publication!—earlier in the year:

Without doubt, the law of supply and demand is the most brutal and predictable law in existence. If demand exceeds supply the price will rise just as day follows night.

He talked about the radical change in planning, whereby 70 per cent of new dwellings must be urban infill, and he said that this change was “guaranteed to produce the outcome that we are now seeing”:

Namely, the locking out of thousands of low and moderate income Canberra households from the detached housing market.

That statement is not coming from Andrew Bolt or from Barnaby Joyce; it is coming from Jon Stanhope. The prospect of owning their own home, especially for first home buyers, is becoming less and less a reality with the current purchase prices and the land availability. This can be demonstrated in the recent land release of 15 RZ1 blocks in Taylor, as well as some other blocks in some other zones, with more than 7,000 applications for the 115 blocks. We would point also to the 600-metre-square block with nothing on it selling for over a million dollars in Coombs.

I laughed out loud at recent estimates hearings when both Mr Gentleman and Ms Berry assured us that they were all about providing more housing choices for Canberrans. The mention of providing options for everyone, and that everyone can achieve their dream, is just not the truth. In the current climate, many first home buyers, many families needing to upgrade and even many downsizers are struggling to purchase homes, townhouses or units. With consistent growth, purchase prices this year have risen almost 11 times faster than wages growth over the past year. I think everyone would agree that it creates a significant barrier to entry for those who do not yet own a home.

That is certainly what CoreLogic's research director said. CoreLogic's research director went on to say, “It is likely the ongoing shortage of properties available to purchase is central to the upwards pressure on housing values. This makes Canberra's property market a standout compared to other capital cities.” With the current average income and median house prices, it would take nearly 14 years' worth of gross income to buy a house compared to four years that it took ten years ago. That is astonishing, isn't it?

The University of Canberra's associate professor for social and economic modelling comments that if a young person can borrow somewhere other than a bank, such as

from parents, they will have more access to the market, and it will not be as hard for them. It shows the crisis that people are facing, because not everyone has access to money from other sources. Implying that borrowing money from elsewhere will enable them to purchase is cruel for those who do not have that option. Why should someone who wishes to buy be restricted to borrowing from others just to enable them to buy, particularly if they do not have the option?

The Chief Minister and both ministers for housing said on 29 September that every Canberran, no matter their circumstance, should have access to safe and affordable housing that suits their needs. They are not living up to that rhetoric and they are not doing enough in this space to bring things down. Is the ACT government doing everything it can? If not, it should have no issue passing this motion, before amendments, to declare a housing crisis and have an independent review completed.

There need to be genuine housing choices, not just shallow catchphrases, and options such as more land release for first home buyers in Canberra. Many desire to have a block of land with a decent sized home and a good sized backyard in which to raise their family. Not all Canberrans want to rent or even buy a small unit in town centres or even town houses. Is the answer to this problem to tell them that if they want this they should move to New South Wales? I do not think that is good enough; I think we should enable Canberrans to buy and stay in Canberra, and grow the economy.

We have a stark choice here today. On one hand those opposite, by the looks of it, are going to savagely amend this motion into oblivion. People are laughing out there. There is so much interest in what is going on here today, but if people have a look at the amendment that will be moved, they will see that it just says that there is a crisis in all OECD countries. We cannot really do much to affect land prices in Switzerland, can we? Are we going to get on the phone and lobby Joe Biden about what is going on in the United States? All we can control is what is in our sphere of influence. If the government wants to improve on this motion with specific and effective actions and initiatives, we will welcome it. I will obviously have a little bit more to say on the amendments as we move forward.

**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) (3.51): That was quite the political sermon; almost entertaining, but not quite. There were some interesting perspectives, but it was nice to see that Mr Parton agrees with us that the federal government needs to do more. This morning I spoke in quite a bit of detail about the ACT government's third report card on the implementation of its housing strategy.

I will not go into much more detail than I did this morning, but there is a general awareness of the national, international, and broader economic factors that impact housing and rental affordability in Canberra and across Australia. You cannot ignore that. The ACT government is getting on with the job of implementing its housing strategy, which I talked about this morning, and has seen support for homelessness services, increased funding for social housing, and a range of measures to increase the amount of affordable rental and affordable home purchase opportunities in the ACT.

CoreLogic data shows that house prices have increased over the last 18 months. This has been broad based, with every state and territory experiencing strong price growth. The ACT has not been immune to that national housing trend. The challenge that every government in this country faces in addressing housing affordability is complex. To suggest that simply government supply of land is a primary cause of house price increases ignores everything that has occurred over the last 18 months and ignores that we are still in the midst of an international health pandemic.

The annual indicative land release program in the ACT is calculated based on population growth and complex demographic data, and it represents less than two per cent of the ACT's total established housing market. Any suggestion that there is a simple answer to this issue is quite simply lazy, opportunistic and wrong. Record low interest rates on bank loans along with tax incentives from the commonwealth government for investments in housing are driving surging prices. It has been widely reported by the Reserve Bank of Australia and numerous property market financial and economic analysts for over 12 months that the strong property market is being observed in all Australian states and territories. I am not laying blame; I am stating facts, Mr Cain.

In the ACT, we have a housing strategy that has been well considered and developed together with a diverse range of stakeholders. The ACT government will continue to be guided by the ACT housing strategy, built on consultations with the sector, the community and even MLAs, including you, Mr Parton. The ACT government will continue to take steps to address housing affordability across the board, with the tools that we have and the levers that are available to us.

This government continues to reduce stamp duty targeted at home occupiers buying in the lowest price thresholds. This is real tax reform to reduce a barrier to home ownership. The ACT will continue to assess and review the levers that we have available, and I would encourage Mr Parton, given he agrees that the federal government needs to do more, to lobby his federal coalition colleagues to consider the government actions that they could take on the levers that they have in their control that could make a difference to addressing housing affordability—not just here but in our country. I will give you a short list on which the commonwealth government could move. It could waive the historic ACT housing debt held by the commonwealth, with savings directed into more social housing—a bit like what they did in Tasmania. It could develop a national housing and homelessness strategy and support community housing industry associations, social housing and renovation programs; it could examine federal tax settings that benefit property investors purchasing their sixth and seventh home over the first homes of buyers and renters; it could recognise housing affordability as a national issue and increase funding to the states through the national housing and homelessness agreement; and it could increase commonwealth rent assistance.

I want to bring to the Assembly's attention another report released today by the Menzies Centre for Health Governance at the Australian National University. This report gave the ACT the highest rating of all states and territories, tied with Tasmania and Western Australia, for the response to housing during COVID-19. The ANU

report outlines some of the measures provided by the ACT government to support homeowners and tenants during a very challenging time. Unfortunately, they gave the commonwealth government an F, but I am glad to see that the measures that we have implemented in the ACT have been recognised in this report.

Measures highlighted in the report included: funding for social housing infrastructure through our stimulus support to boost public housing stock and maintenance; enhanced tenancy protections, making it easier to break fixed-term tenancies due to hardship from COVID-19; the rental moratorium for impacted households, preventing eviction due to rental arrears; increased funding for homelessness services, including standing up Mackillop House, the Winter Lodge, and expanding Axial Housing; and support for vulnerable homeowners through a range of initiatives, including a rate rebate and energy concessions.

With respect to land supply over the last four years and throughout the COVID-19 pandemic, the ACT government has not stopped land supply and development pipelines like private sector land developers have. When the private sector was reducing its inventories and limiting new releases, the SLA continued to release new blocks to the market, having the most blocks available over the counter in over a decade, and providing prospective buyers plenty of options of land to buy. What we have seen through the pandemic in terms of that take up has been unprecedented.

Nobody predicted the rate of land purchase; in fact, quite the opposite, the prediction was that the situation would be quite dire. Across Australia, home and land sales have substantially increased and while all of the available blocks have been sold, the SLA has continued to deliver—on the indicative land release program—enough land to cater for population growth. There has been no holding back at any time. During the 2021 year, when population growth was estimated to be 0.25 per cent—approximately 1,000 people—the SLA released land for 3,061 dwellings. Since 2018, the Suburban Land Agency has released 14,503 dwellings, which is within one per cent of the indicative land release program for that time period.

Those dwellings offer Canberrans a variety of options, not just residential blocks. We want to offer fantastic places for people to live, no matter what type of housing they choose to live in. The target for the next five years is 16,434 dwellings. Today, suggestions have been made by the Canberra Liberals that adding more single home blocks to that number is going to solve the problem. Let me be clear: meeting that target is not going to be a simple matter of bulldozing more greenspace and offering more single blocks. Canberrans do not want uncontrolled urban sprawl in their green spaces. They understand that the 70/30 infill target is about more than just infrastructure; it is also about protecting the environment and the bush capital that we all love. Canberrans understand that there is no simple answer to housing affordability.

In the 2020 election, Canberrans showed this chamber what they think of the simple-answers approach to hard economics. To build the kind of sustainable city we want, with all of the services we need, we are going to have to think differently. And the government is realistic; it has evidence-based plans to address Canberra's housing needs. That means doing more than just promising simplistic solutions that will have little impact. We are looking at supply of the kinds of housing we need to build, as

well as how to make our neighbourhoods vibrant and connected. That detailed, community-centred work has been underway within the Suburban Land Agency throughout this term, and it will continue. And the ACT government will continue to get on with the job of delivering its housing strategy, increasing social and affordable housing options for Canberrans who need it most. Thank you.

I move the following amendment:

Omit all text after “notes” first occurring, substitute:

- “(a) there is a housing affordability crisis unfolding across the OECD, including in Australia. The ACT is not immune from this;
  - (b) higher-than-average incomes can hide the challenges lower income families can face in the private rental market;
  - (c) the CoreLogic Quarterly Rental Review published on 26 October 2021 indicated the ACT has the highest median rental price in Australia, at \$633 per week; and
  - (d) SQM Research reports that, as of September 2021, the residential vacancy rate in the ACT was 0.8 percent;
- (2) further notes:
- (a) the 10th Assembly Parliamentary and Governing Agreement commits the Government to implementing policies designed to improve housing affordability;
  - (b) the strong ACT Government commitment to public housing and continued investment in the growth and renewal of public housing with \$100 million committed in the 2021-2022 ACT Budget;
  - (c) the release of the Year 3 Report Card of the ACT Housing Strategy, built on thousands of community voices, implementing 74 actions to address housing and homelessness across the spectrum; and
  - (d) the commitment to increase specialist homelessness services with over \$10 million committed over the last two budgets; and
- (3) calls on the Government to:
- (a) continue to implement the 10th Assembly Parliamentary and Governing Agreement;
  - (b) continue to lobby the Commonwealth Government to take measures to improve housing affordability, including to create a national housing and homelessness strategy;
  - (c) continue to implement the ACT Housing Strategy to support the growth of social, community and affordable housing; and
  - (d) review and assess the levers available to the ACT Government to address housing and rental affordability, as part of the ACT Housing Strategy and provide an update to the Assembly by the last sitting day in 2022.”

**MR CAIN** (Ginninderra) (4.01): I rise to speak against the amendment and in support of my colleague Mr Parton’s motion, because he has raised several important issues. It is not very hard to understand that the Labor government controls how much land for new housing is released into the market, particularly detached housing. It is rather

disingenuous of the minister to speak of releasing numbers of dwellings when the vast majority of those are multi-unit dwellings. We need a clear picture of land that is allocated for detached homes and land that is released for unit dwellings. Citing thousands of pieces of land released to the community is covering up the fact that there is a gross disparity between the number of blocks of land available for detached housing and the number of allotments or units.

The government does decide how many new detached houses can be built and how much land is released for that purpose. It should not be using the coverall term of the number of “dwellings” released; it should give accurate figures of the detached numbers and the unit numbers. It is a cover-up. Again, it is ignoring the fact that we have a growing disparity between the median price of detached houses and units. It is taking housing choice away from the Canberra community. We need to know more from this minister. I support of Mr Parton’s unamended motion because we need to know how many townhouses and units can be built, the size of the blocks, the streetscapes and the community amenities.

There are many levers available to increase supply and choice in the market. So it is imperative that there is an independent review of the ACT Labor-Greens policy settings on housing and rental costs, which obviously are associated with the cost of land. I reject the amendment proposed by the minister and soundly support the motion from Mr Parton.

**MR DAVIS** (Brindabella) (4.03): I thank Mr Parton for presenting the motion today. It is always a fun day in the office when it is a Mr Parton motion, so I appreciate it! I also appreciate the opportunity to again reaffirm the ACT Greens’ position, which we have said for many, many years and which we said a lot during the election campaign—in fact, you were probably in the room a lot of the times when I said it, Mr Parton—we are in the midst of a housing affordability crisis.

The challenge for all people both in this place and in the machinations within their own respective political parties is to be honest about the range of policy settings that challenge housing affordability. I must say, if this is what the Canberra electorate is to expect from the new, moderated and reformed Canberra Liberals, there is an awful lot left wanting.

The infinite land supply the Canberra Liberals seem to want to promise as suggested in both of Mr Cain’s post-lunch presentations on the question, begs the obvious question—that is, if you are going to pretend that the solution for the housing affordability crisis is the infinite supply of land in a finite territory, you owe it to the Canberra community to be honest with them about what forest you are bulldozing and what beautiful natural green space you are doing away with.

We know from the last election that the previous leader of the opposition, Mr Coe, was very comfortable doing away with Kowen Forest. We know Senator Seselja is very comfortable with ruining the beautiful green space west of the Murrumbidgee in my electorate of Brindabella if it would mean more detached housing. We heard in Mr Parton’s remarks a desperate cry for a bygone era of the Menzies conservatism age where you buy a 90-square-metre house on a thousand-square-metre block for

you and your 2.5 kids and your modest wage increase and modest property increases are supposed to get you through. It is fanciful that that is the world that we live in—fanciful!

**Mr Parton:** You were selling them. You were selling them, buddy. You were selling the stolen land.

**MR ASSISTANT SPEAKER** (Mr Pettersson): Mr Parton! You will stop the interjections.

**MR DAVIS:** I am really glad that you bring that up, Mr Parton, because I have constantly—

**MR ASSISTANT SPEAKER:** Mr Davis, you will make your comments through the chair.

**MR DAVIS:** Yes, Mr Assistant Speaker. Through you, I appreciate Mr Parton's interjection and I will take it up, because it is fair to say that I have often found myself a bit confounded about the perceived conflict between what I did for a living for 12 years before I got elected to this place and the policies I now advocate for.

Need I remind members of this house that there are few things I think I can speak on from the unique perspective of experience and understanding perhaps a fraction more than Mr Parton—that would be 12 years of listing, managing, marketing and negotiating the sale of residential property in this city. What I can tell the Canberra Liberals is that the city is changing and the Canberra Liberals have not kept up.

I am really challenged by this continuing narrative that every single Canberran wants to do away with our beautiful green spaces so they can have a nice big house on a nice big block, subtly undermining the choice that many Canberrans make to live in attached dwellings, apartments or townhouses. It is really galling to see how nasty and insidious that debate risks becoming, when we know that the development of apartments and townhouses and more affordable properties in the ACT have in large part been one of the few ways young people in this city—that is, people under 40—have been able to crack into the housing market.

It would be completely impossible for people of my generation—lest they get a nice, big loan from the Bank of Mum and Dad—to break into the real estate market if the real estate market in the ACT was influenced by the policy direction put forward today by the Canberra Liberals. Absolutely impossible, which I find so frustrating.

The Canberra Liberals cannot really figure out whether they are coming or going on the question of housing affordability because, not unlike a game of pin the tail on the donkey, we have tried desperately over the past few years to try and figure out exactly what the problem is with the housing affordability crisis in the city on the condition, like with so many other areas of public policy, that we remain completely, purposefully and pathologically blind to the policy settings the federal government are in charge of.

Heaven forbid we hear mention about negative gearing, capital gains tax concessions and the historically low rates to borrow money, which are making it easier and easier for investors to trade in the market. Heaven forbid we have an honest conversation about all of the competing policy factors, federal and state, about housing affordability. No, no, no—it is the Canberra Liberals' MO to come in here and try and misguide the Canberra electorate into believing that the housing affordability crisis we are living through is singlehandedly the fault of legislators and policy decisions being made in this place. It is so dishonest. It is so frustrating. It is so absent from the experience of real people in the community.

We have heard Mr Parton regularly—in fact as early as this morning on ABC radio—insinuating without necessarily nailing the point that it has been the reforms that have been promoted by the ACT Greens in this place over the history of the last decade—to try and improve renters' rights in this city, to make it easier for renters to broker between them and their landlord, to live in safe, clean, affordable homes that are not covered with mould, from which they cannot be kicked out in short notice, where they can hang a picture of family or paint a wall a personalised colour and not find themselves homeless—that have led to this challenging housing affordability crisis.

I have heard it put that that is flushing investors out of the market. Well, I tell you what, Mr Parton obviously is not hanging out with the same people I am hanging out with—those would be the friends I made over the last 12 years working in real estate—who tell me that every single Saturday in this city a first home buyer is outbid by an investor at an auction. It is investors flooding the market. It is real estate speculators flooding the market. They are flooding the market because they are aided and abetted and actively encouraged by the policy settings of your federal coalition government.

I am not going to let the Labor Party miss out here, because negative gearing and capital tax gains concessions remain policy positions of the federal Labor Party. This tax is a pox on all our houses, because the situation that we see unfolding in the ACT's housing affordability crisis can be directly drawn to those federal taxation policy settings.

It is easier in this city, in this country and in the entire OECD, where these policy settings are in place, to buy your tenth home than it is your first home. That is criminal. That is akin to intergenerational theft.

I received a phone call during lockdown from a gentleman who was very upset with me and other progressive members of this place for the impoverishing rate at which land tax is increasing. I found that a bit galling. I said, "I am sure you mean rates, sir." "No, no, no. Land tax on my seven investment properties". You can imagine as a raving socialist that my initial reaction to that was to be a little perplexed and challenged until I took some time to talk to my constituent to understand the situation he found himself in. The entire situation was so telling when he said to me, "They're for my kids. These houses are for my kids. I can't sell them, Mr Davis. They're for my kids. Because if I don't hang on to them, they won't have a home".

These decisions are getting made at the dinner tables of Canberra families every single moment. The cut and thrust of the neo-liberal trickle-down furphy perpetuated by the Canberra Liberals and Liberals just like them right across the country—if you have a go, you get a go and other such waxing lyricals—suggest that if we can just keep building and if we can just keep spending and if we just keep buying and if we just keep borrowing the prosperity will trickle down and everybody will find themselves doing just fine, if we see the course. That is actually not the case. The situation we find ourselves in is a direct result of those policies.

That conversation actually made me, a dyed-in-the-wool leftie, truly empathise with an investor in seven properties. It is amazing how the current policy settings have managed to make me do that, because I could completely understand why this person and his partner had made those choices. And this is the problem: these policy settings encourage families and encourage people with means who have bought the family home, which has blown up in wealth, to then start making decisions using tax settings that encourage them to protect their family and protect the people they love.

I am a landlord and I hate it. I do not like being a landlord. But I became a landlord four weeks after I was elected into this place because if I did not become a landlord and buy a property people that I love would have been homeless. In spite of the fact they work a 40-hour week and have done for near 60 years—living in this city might I add—the rental and housing market was completely out of reach for them. So many families have to make that decision.

But what so many families cannot possibly realise—because in a cut throat neo-liberal capitalistic world you make choices to protect your own personal self-interests without being able to fully appreciate the complexity of how they unfold on our community—is that all these families and people making choices like this have reinforced this current situation and we now found ourselves where auction is the best way to sell your home because we love the cut and thrust of the competition. First home buyers are borrowing way more than they possibly can afford because the Reserve Bank and banks are encouraging them to do so. Investors are competing with them because the federal government encourages them to do that with their tax settings, and we have not been completely honest about that reality.

That is why I found the original drafting of Mr Parton's motion so difficult to digest and unable to be supported today. Not unlike other motions we have seen come to this place over the last year that call on some of sort of inquiry or review or survey, where there always manages to be one little invasive pernicious line that makes sure that it is done on the basis Canberra Liberals talking points and Canberra Liberals terms of reference and that it is unable to fully examine the complexity of a policy problem in its entirety.

The Canberra Liberals should be willing to have an honest conversation with the electorate about what beautiful green spaces they are going to do away with to give out all of this land? Tell us. Will the land west of the Murrumbidgee River end up as drives and cul-de-sacs? Is Kowen Forest going to be knocked down under a Canberra Liberals government? What are you going to do away with to give everybody all this land?

**Mr Cain:** Why is the SLA buying land in New South Wales?

**MR DAVIS:** Answer my question with another question, Mr Cain. That reflects the situation the Canberra Liberals now find themselves in in this policy space. It is so frustrating because there is arguably no greater policy challenge facing the people of Canberra quite like the housing affordability crisis, whether you are someone looking to buy or you are currently a renter. This place cannot be expected to come up with the appropriate policy solutions to deal with that unless we are prepared to be honest to people about the housing affordability crisis in its full complexity, unless we are prepared to be honest about intergenerational wealth, unless we are prepared to be honest about a landlord class actively incentivised by federal government tax settings to buy and buy again and buy again at the expense of first home buyers and other people in the market looking for a home.

While I have gone off the handle just a touch and there is a perfectly good speech here someone has prepared for me that has barely caught my eye, I genuinely thank Mr Parton for bringing the motion. The ACT Greens have made it clear through a history in this place that we will continue to lead the policy challenge on housing affordability in this city. We have over a long time legislated and campaigned for improved renters' rights. We negotiated substantial public and social housing outcomes as a result of our parliamentary and governing agreement with ACT Labor, and I am delighted to see hundreds of new public housing homes and social community homes built as a result.

I am incredibly proud of my colleague the Minister for Homelessness and Housing Services, who was able to secure the first real increase in homelessness funding for more than a decade as a result of the last budget. I am incredibly proud of the work our two governing parties are doing in government to support fixing this housing crisis.

But the Canberra Liberals needs to be honest. What forests are going? What trees are they taking down? I just want to do some basic arithmetic. We keep hearing about land supply, but what we also heard through estimates in the last couple of weeks just came to me, so I am going to let you have it: we heard about the national skills shortage and the skills shortage facing Canberrans. If Canberrans get one thing out of my sermon let it be this: if we took the Canberra Liberals talking points and went, "All right, every square inch of land we have got available to us in Canberra for residential development, we should just release tomorrow," you would see a very short time where land would be cheaper, supply and demand would not be equating and you would actually see the price come down a scotch. Then you would see a bunch of people who own land actively competing for the short supply of builders and contractors, so buyers would find themselves in the exact same position, if not worse, once they have their land and cannot find anybody to build on it.

The Canberra Liberals policy is dishonest; it is ill-thought through; it is harking back to the time of Menzies in the 50s, which no longer exists. I beg and plead that the Canberra Liberals catch up and join us in 2021 where we are trying to get some things done.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (4.18): I thank Mr Parton for the opportunity to talk about supply and demand, and the housing market in the ACT, in support of Minister Berry's amendment.

When I arrived in Canberra in 1994, separate houses accounted for 81.6 per cent of properties in the ACT, but by 2017-18 only 68.7 per cent of properties were separate houses. The proportion of properties that are apartments has grown over that same period. Because the proportion of homes that are apartments has grown since the introduction of the 50 per cent capital gains tax discount in 1999, and the stock of separate houses has not been renewed at the same rate, it is therefore unsurprising that the average housing cost of an apartment by 2017-18 was \$344 per week, higher than the average \$338 per week for a house.

At the same time as this shift from houses to apartments was occurring, there was also a shift from home ownership to private market renting. The proportion of ACT households in home ownership, with or without a mortgage, decreased from 66.8 per cent in 1997-98 to 63.8 per cent in 2017-18. At the same time the percentage of households in private rental housing increased from 17.1 per cent in 1997-98 to 26.1 per cent in 2017-18.

People who would have owned their home in the past are now living in private rental accommodation, at a time when the cost of housing is increasing; and the mix of housing is shifting from separate houses to apartments, often designed and marketed by private developers to middle income or higher professionals, not families on median or lower incomes.

Renting is disproportionately more common in the lowest income households in the ACT. The 2016 census showed that, for households with total income of \$999 per week or less, 10.7 per cent were paying for a mortgage, but 21.6 per cent were paying private market rent. For households with income of \$1,000 to \$1,999 per week, 30.1 per cent paid for a mortgage compared to 31.2 per cent paying private market rent.

Housing stress disproportionately impacts households in the bottom 40 per cent of household incomes. In 2016 more than 52.4 per cent of ACT households with a total income of \$999 per week or less and more than 18.1 per cent of ACT households with a total income of \$1,000 to \$1,999 per week were paying 30 per cent or more of their income on rent. More than 27.2 per cent of single parents with an income of \$52,000 to \$103,999—that is, single parents who are juggling paid work with raising children—who were living in a three-bedroom dwelling in the ACT were paying 30 per cent or more of their income on rent.

The Housing and Homelessness Policy Consortium found in 2014 that households in the bottom 40 per cent of household incomes were making significant compromises on other necessary expenses, such as food or health care, because of the high cost of housing.

A 2014 report from the Domestic Violence Crisis Service found that 54.6 per cent of women with home ownership, and 62.5 per cent of women renting, lose their homes within a year of separation. In 2016 there were more than 40,000 women and girls living in middle-income households with equivalised household income of \$52,000 to \$103,999 per year with a mortgage, which is 24 per cent of all women and girls in the ACT.

The greatest impact we can have on reducing the number of women in need of public housing avoiding homelessness is to ensure that they are able to continue to afford rent or mortgage payments, should their household income be reduced, such as when a relationship ends, or through loss of paid work.

The shift from separate homes to apartments does not include enough housing that is affordable for the lowest 40 per cent of household incomes in the ACT, whether owned or rented. What is driving this shift is federal government policies on negative gearing and capital gains tax discounts, encouraging speculative property investment by those who already have the means to own their own home, an age pension rate that assumes liveability only for those who own their home by retirement, and encouraging aspirational socio-economic class mobility in the middle classes by literal rent-seeking from those in the lowest 40 per cent of household incomes.

Analysis by the Grattan Institute reported in the *Australian Financial Review* in January 2018 showed that capital gains tax discounts are distorting demand and supply in the housing market by encouraging the wealthy to buy up properties and benefit from negative gearing tax deductions and capital gains tax discounts.

Those in the top 10 per cent of incomes went from receiving 70 per cent of capital gains tax discounts in 2003-04 to 80 per cent in 2014-15. People in the top 10 per cent of incomes in 2014-15 earned more than \$110,000 per year, with an average income of \$203,000 per year. The tax office then provided these high-income individuals with capital gains tax discounts of more than \$7.6 billion. That is a lot. Imagine the investment we could make with \$7.6 billion in social and community housing, and incentivising investment in energy-efficient, accessible, sustainable housing that is affordable for medium to low income households.

Even COVID-specific short-term federal government policies have failed to address the housing affordability gap for those on medium to low incomes. The \$688 million HomeBuilder grants were only useful to households who could already afford most of the cost of the minimum \$150,000 renovation, meaning low income households who only needed small renovations to make their home more energy efficient or accessible did not benefit from those \$25,000 grants.

Meanwhile, the ACT government have implemented a sustainable household scheme and a vulnerable household energy support scheme to support low income households with improved energy efficiency that reduces their living costs and contributes to carbon emissions reductions, and including minimum accessibility standards in the 2022 National Construction Code.

If we are to truly address the ongoing crisis in housing affordability in this city, as in many other Australian cities, we cannot do so without also acknowledging the impact of federal government policies and advocating for change. The ACT government has done some amazing work on increasing public housing maintenance, minimum energy efficiency standards for rental properties, incentivising private landlords to make a meaningful contribution to affordable rental, and strengthening Access Canberra's capacity for regulation on building quality.

It is time that the federal government did their bit to make housing affordable for those on middle or lower incomes by changing the policies that distort the market. It is time that we had a home for all.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (4.25): Canberrans have told us that they want a city that is sustainable, diverse and inclusive, with affordable housing options. The government came to this term with a realistic and thorough plan to deliver on our housing needs in a sustainable way. Building a sustainable city and supplying a mix of housing options, including detached blocks, requires detailed planning and policy work. Green space, environmental sustainability, affordability and choice are all important factors.

The upcoming ILRP is forecast to supply dwellings for around 41,000 Canberrans, at a time when our population is only expected to grow by around 17,500. Housing affordability is an issue across Australia. The Reserve Bank, in their submission to a federal parliamentary inquiry on this topic, said:

Some features of Australia's tax and transfer system incentivise owner occupation and investing in property, and discourage mobility. This affects the balance of demand and supply in the housing and rental markets, and may contribute to affordability pressures for some.

If the Canberra Liberals are serious about affordable homes, they should be calling on their commonwealth government colleagues to change the tax and transfer system. Instead the Canberra Liberals continue to stand with Senator Zed Seselja in supporting the very commonwealth policies that are contributing to this problem.

Those opposite campaigned on behalf of Senator Seselja at the last election. They actively campaigned against policies proposed by federal Labor to address this very problem. That is why this is important, because if the Morrison government changed their policies tomorrow, this would have a significant positive impact for Canberrans.

The ACT government has some levers to help with housing affordability, and we are using those levers. An important lever to increase housing affordability is to have a range of different housing types at a range of different price points. Single dwellings, units and townhouses are all part of a range of options that we are delivering, and they all have a place in Canberra's future.

The focus of the Canberra Liberals only on detached housing is a bit of a slap in the face to the many Canberrans who want to live in an apartment or townhouse. During our recent estimates hearings, Mr Parton appeared to refer to those who do not have a single dwelling house as the “have-nots”. This attitude towards Canberrans who have chosen to live in an apartment or townhouse says a lot about the Canberra Liberals and their values.

Canberrans who have chosen to buy a unit, whether as a first home, as the right option for their lifestyle, or as a downsizing option, are certainly not have-nots. People are choosing to live in apartments and townhouses for positive reasons, and it is not a last resort. For example, apartments and townhouses are more environmentally sustainable. There can be lower maintenance costs. It can allow you to live right in the centre of the action, close to shops, services and entertainment. Families with busy working parents do not always have the time to be able to maintain a backyard. On top of that, our demographic data shows that our household sizes are shrinking, and more people live in lone-person households.

We need housing choices to cater for all Canberrans. We, as representatives, should have sufficient respect for the people who have elected us to represent them to understand that Canberrans have a range of different needs at different times in their lives. There is absolutely a role for single detached housing in Canberra’s property mix, and we have a sustainable amount of established detached housing. We continue to add single detached housing through the ILRP. However, we are also adding other options.

I note, as the Deputy Chief Minister remarked, that the Indicative Land Release Program represents less than two per cent of the ACT’s total established housing market. Nonetheless the ILRP continues to provide housing supply well above projected population growth. Housing supply is just one factor affecting our property market. We will keep setting an ILRP that meets the needs of our growing and changing community, and that does so in a way that is sustainable and offers a variety of choices for Canberrans.

I will reflect on some of Mr Cain’s comments about the levels of ILRP representation regarding single dwellings, detached dwellings and apartments across the ACT. He said there is some sort of cover-up; he cannot find the numbers. They are published in the ILRP. It is not the government’s fault that Mr Cain cannot use Google.

It is clear today that the Liberals remain committed to urban sprawl, and to bulldozing the bush capital.

*Members interjecting—*

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

**MR GENTLEMAN**: It is clear that Mr Parton wants his developer mates to get their hands on land to the west of Murrumbidgee, as we have heard, and Kowen Forest as well. Unlike the Canberra Liberals, we want to provide high-quality living while

protecting the landscape and creating accessible and friendly spaces that connect people and promote healthy communities.

Managing the outward spread of our urban footprint limits our impact on the environment and better connects people to their jobs and to each other. Our planning, land release and housing policies work together to achieve a sustainable city. They provide the housing choices that Canberrans want and have ultimately grown our city, while supporting jobs and protecting the environment.

**MS VASSAROTTI** (Kurrajong) (4.31): I rise today to thank Mr Parton for his motion, and to speak in support of Minister Berry's amendment.

The ACT Greens acknowledge that there is a housing affordability crisis across Australia, including here in Canberra. This is the result of decades of policy settings that encourage housing to be viewed as a market, as an investment, as a source of passive income, rather than as a home, a social good—moreover, a necessity.

These policy settings that have caused this crisis take time to undo and cannot solely be done by the ACT. We have already heard from Minister Berry today about how the government is tracking in the delivery of the housing strategy, which is specifically aimed at addressing issues around housing affordability. While the pandemic has caused unprecedented stress on housing, this government is committed to continuing to deliver housing options for all Canberrans.

Government investment is rightly focused on supporting people in the greatest need. As illustrated in the parliamentary and governing agreement, there is a commitment to deliver 400 more public housing homes and the renewal of 1,000 public housing homes so that they better meet the needs of tenants. Further, the 2021-22 budget includes an additional \$80 million for maintenance over the next three years and \$19 million towards the delivery of 400 more public housing dwellings.

Housing affordability was central to the Greens' election campaign and remains a priority as a governing partner. We will continue to work with the community to look at new and innovative ways that we can respond to housing affordability in Canberra. I would like to point out that supply is not the only issue. For example, we know that there are investment properties here in Canberra that are not rented out and are left empty, waiting for property values to rise even further, to be sold at huge profits, even though the property itself has remained unchanged. We also know that there are more short-term rentals through Airbnb and other short-term rental agencies that mean long-term rental is not available for local residents.

From Mr Parton's motion, it appears that he is saying that if the government were to cut land taxes and lower residential rates, this measure would have the most significant impact on the housing crisis in Canberra. Are we confident that if government did cut land taxes and residential rates landlords across Canberra would call up their tenants or agents and reduce the rent? Does this mean that government should simply rely on the goodwill of investors to lower their rental profits to be proportional to this reduction? Is it a reasonable expectation that, with a 0.8 per cent

vacancy rate for rentals in the ACT, we will still see a reduction in rental rates for Canberrans?

This suggestion ignores the fact that this policy change would significantly reduce revenue streams that provide affordable housing incentives in the ACT, that fund the building of public housing, that fund maintaining public housing and that fund the homelessness services in this city, amongst many other city services.

I remind Mr Parton that investment home owners already have the option not to pay land tax; they can do so by renting their properties at less than 75 per cent of the market rate to people who require affordable rental.

What do Canberrans want in a home? What do Canberrans value about living in this bush capital? Do they really all want a quarter-acre block? Let us imagine two scenarios. The first is the unlimited increased supply of RZ1 zoned land. This would inevitably see the clearing of Kowen Forest, the grasslands west of Belconnen and the land west of the Murrumbidgee—a sprawl of a city, where artillery roads would be bumper to bumper, full of people travelling to work every morning and afternoon. Does this really sound like the Canberra dream or is it some sort of dystopia?

The other option is a 30 per cent to 70 per cent density infill target that the government is aspiring to, where Canberrans get to live in well-designed, high-quality, medium density properties with good connections to public transport to connect them to a vibrant city, where car ownership can be optional, where services they need are close by and where nature is all around them, with beautiful hiking and mountain bike trails all around, and a 30 per cent tree canopy across the city. I know which one I would prefer, and the results of the last election show that many Canberrans agree. We are working towards implementing this vision.

The last year's growth in the housing market has had a disastrous impact on housing affordability. Historically low interest rates have seen people enter the housing market, causing housing prices to rise by over 20 per cent in some areas of Canberra. This, along with low vacancy rates, has impacted on the price of rentals, meaning that many more people are in housing stress or are simply unable to afford to buy in the private market. There are now next to no affordable housing options for people on abysmally low levels of government support outside social housing.

While Mr Parton has made some rather unusual assertions about my motivations, about where I have spent a lot of my time and professional efforts, this is the reason why I have spent much of my time focused on what we need to do to support people at the lowest end of the market to have a safe and secure home.

Unfortunately, for many of these people, home ownership will not be possible due to the federal policies that have fuelled this housing affordability crisis. Again, it has been left to the states and territories to help to fix problems that are caused or exacerbated by the federal government.

I would like to conclude by saying that we will not be backing away from this challenge, from addressing the housing affordability crisis. I thank Mr Parton for

raising this important issue today, but we will be supporting the government's amendment, for the reasons outlined.

**MRS KIKKERT** (Ginninderra) (4.38): I thank Mr Parton for moving this very important motion, which I support. Housing affordability in the ACT is a big problem. I quote from the Vital Signs Canberra 2021 report, which was released yesterday:

Lack of affordable housing remains the biggest challenge confronting people on low incomes in the Canberra community and Canberra is the most expensive capital city in which to rent.

As the same report makes clear, despite the territory's high average incomes, nine per cent of all Canberrans are living in poverty, including 11 per cent of children. This means that, on average, if you see nine children playing in a public park, one of them lives in a household below the poverty line.

Of course, whenever I speak in this place about addressing poverty, my Labor and Greens colleagues always demonstrate a complete lack of personal accountability by talking exclusively about income support payments. But as this report makes very clear, nearly 40 per cent of Canberrans living below the poverty line are in wage-earning households.

These are included amongst what researchers term the "working poor"—people who are employed, but still struggle to make ends meet in this increasingly expensive city. And they are not alone in facing difficulties. Beyond those already in poverty, another 24 per cent of residents are just squeaking by. As the Vital Signs report notes, this means that one in three adults in Canberra cannot survive a sudden large expense or a loss of income.

Clearly, this issue is much bigger than the 3.5 per cent of residents currently receiving income supports while looking for work. As a member for Ginninderra, I am intensely aware that many of these working poor and struggling families live in my electorate, which, according to the ABS, has the lowest income in the ACT. This is true whether one measures personal income, family income or household income.

Far too many Belconnen residents work hard but find it increasingly difficult to keep a roof over their heads. According to ABS data, five years ago, one in every 12 renting households in my electorate was in rental stress and one in every 19 households with a home loan was in mortgage stress. We do not yet have the 2021 census data, but over the last five years the cost of health in Canberra has gone up 19 per cent, the cost of electricity and gas has soared by 28 and 26 per cent respectively, and the cost of housing has climbed by 16 per cent. Since 2018 the median weekly income has dropped. We can be reasonably certain, therefore, that even more families in Belconnen are struggling to make their rent or mortgage payments.

High accommodation costs are not only a tragedy for those on lower incomes but also impact those with greater financial stability. The December 2020 rental affordability index found that a single income couple with children will pay a higher proportion of their income on rent in the ACT than anywhere else in Australia, including greater

Sydney. The same is also true for a dual income couple with children on an estimated combined income of \$191,000.

In other words, despite Canberra's higher than average incomes, working families who choose to live here will fall further behind financially than if they chose to live elsewhere in Australia. The ACT government is choosing to punish families when they deserve to be rewarded by keeping more of their hard-earned dollars in their pockets.

Labor and the Greens have monopoly control over land supply and, according to basic economics, they therefore determine land prices. They also regulate land taxes and residential rates, both of which directly impact the cost of housing. It is time—past time—to declare a housing crisis in the ACT and to allow an independent review of the impact of ACT government policies on rising house prices and rents.

If the policy settings are right then the government has nothing to fear from such an inquiry. Defeat of this motion will make it perfectly clear that those opposite know full well that their policies are completely wrong. I commend this motion to the Assembly.

**MR PARTON** (Brindabella) (4.44): Madam Speaker, isn't it amazing to come into this place and be lectured about trickle-down economics by a real estate agent who is a property investor? But it is okay if he is a property investor, because he hates it! It is okay for Mr Davis to be a property investor, because he does not like it! Interestingly, Mr Davis suggested that the vast majority of homes being purchased are being purchased by investors, and that flies in the face of the advice that I get directly from the Real Estate Institute, who continue to advise me that the vast majority are being purchased by owner-occupiers.

Every housing motion that I bring to this chamber becomes a knock-down rebuild, and this one is no different—bulldozed to the ground. I love how there is always a focus on things that are way outside our control. We are back with that old chestnut of calling upon us to lobby the federal government, the federal Liberal Party, on these taxation levers federally.

I would draw members' attention back to the *Four Corners* documentary on housing affordability late last month. The presenter, Stephen Long, said, "Labor took a plan to the last two elections to wind back negative gearing and capital gains taxation measures; they've now dropped the policy." It is no longer federal Labor policy; both of the major parties are on the same page.

I would note that, during the recent estimates hearings, my Greens colleague Mr Braddock asked the planning minister, Mr Gentleman, "Have you lobbied your federal Labor party colleagues about this policy space?" Mr Gentleman looked at Mr Braddock as though he was speaking in some sort of foreign language. He looked at him as if to say, "What a silly question." He said, definitively, no; why would he be doing that? He has not done that. He said, "No, I haven't personally lobbied any of my federal Labor colleagues."

Let us pick through that. So much of Labor's focus in this space has been on trying to get us pesky Liberals to lobby our party to change policy. Mr Gentleman, who is a member of a party that has exactly the same policy, has not done any of that with those on his side. That either says that this form of lobbying is a waste of time or that Mr Gentleman does not think that Mr Albanese has a snowball's chance in hell of becoming Prime Minister. It really goes to a number of things in this amendment. I could go on, Madam Speaker, but I think you are sick of listening to my voice at this stage. We will not be supporting the amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

Noes 8

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

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Employment—portable long service leave schemes**

**MR PETTERSSON** (Yerrabi) (4.52): I move:

That this Assembly:

(1) notes the:

- (a) increasing trend towards insecure and casualised work that impacts modern employment patterns with only one in four Australians staying with the same employer for more than 10 years;
- (b) impact that transient and insecure work has on workers in some industries who are unable to accrue leave over long periods of time;
- (c) importance of equitable access to long service leave as a workplace entitlement; and
- (d) success of the existing portable long service leave schemes in protecting transient workers who may remain in the same industry but move between employers;

- (2) acknowledges the:
- (a) work that has already been done by the ACT Government to establish successful portable long service leave schemes for a number of industries, such as construction, contract cleaning, community sector and security; and
  - (b) commitment from the ACT Government to work with Hair Stylists Australia to develop portable long service leave for hairdressers; and
- (3) calls on the ACT Government to:
- (a) expand the Long Service Leave (Portable Schemes) Act 2009 to include the contract catering industry and report on the progress of this to the Assembly by June 2022; and
  - (b) investigate further industries for inclusion in portable long service leave schemes such as the hospitality industry. This investigative work should be undertaken in consultation with relevant trade unions and other stakeholders to ensure more workers receive fair entitlements.

As all members of this place would be aware, we are in an era of increasing casualisation, short-term and insecure work. Workers' rights are under threat, and corporate entities are coming up with increasingly creative ways to avoid their responsibilities to their workers.

As a government, we have a responsibility to make sure that our laws address this. As work has, unfortunately, become more casualised and short term, we need to do everything we can to protect working people from the obvious harms of these changes. Workers can and should expect to be compensated for their hard work with appropriate wages and conditions, and long service leave is an essential part of that compensation.

Long service leave is something that many of us look forward to and plan our futures around. It is key to protecting the work-life balance. It plays a role in making sure that workers' physical and mental health is not damaged by endless years of work with no reprieve.

Right now, many members of our community do not have access to long service leave. Increasingly, people are not staying with the same employer for long periods of time. In fact, only one in four Australians stay with the same employer for 10 years or more. This means that a huge proportion of our community are not able to access long service leave.

Often people hardest hit by this limited access are people who are already economically disadvantaged. More often than not, it is women and people from diverse backgrounds who work in casualised industries, or industries where it is common to move jobs frequently—industries like catering and hospitality.

The ACT has taken some great steps to protect workers' rights in the past, ensuring that construction workers, community sector workers, contract cleaners and security workers all have access to portable long service leave. This scheme has been a great

success story—helping to protect workers in these industries, who frequently move between employers.

I believe that we need to do more. This scheme needs to be expanded to include the contract catering industry. We need to look closely at what other industries this model can be applied to as well.

The contract catering industry is an industry that involves physically demanding work, and it is a highly transient industry. Job mobility in accommodation and food services is the highest in the country and it is increasing year on year. Last year the job mobility rate was at 17.1 per cent. With such massive turnover in the industry, expanding portable long service leave to cover these workers is essential.

Currently, in order to access long service leave, employees in the ACT need to work for the same company for at least seven years. Unfortunately, in this day and age, obtaining such long service at a single company is too hard for many workers. It is rare for workers in an industry like catering to stay with one company for that long. Even if they do manage it, companies often do their best to avoid having to pay for workplace entitlements like long service leave.

Tactics such as phoenixing can be used by companies to avoid their obligations to employees. Phoenixing is where a company will declare bankruptcy and shut down, only to re-emerge under a new name. This can leave workers without their leave entitlements after years of hard work. This system is not fair. We need to be doing more to protect our workers. Expanding the portable long service leave scheme to include contract caterers is part of this.

Expanding portable long service leave will allow people who work in contract catering to accrue long service leave even if they switch between employers. An employee could work for several different companies within the contract catering industry and still accrue long service leave if they work for a total of seven years.

This change will make a huge difference to workers who move between employers. It will help to address work-life balance issues, to give back long service leave entitlements to vulnerable members of our community. This is not some radical, new idea or huge policy shift. This is simply the next step in ensuring that all workers have equal access to leave that they should be entitled to.

We should not stop with contract caterers, in my opinion. The ACT has always led the way on these types of reforms, and it is time to look beyond what we have already achieved. There are many more industries where it is unusual for an employee to stay with the same employer for more than seven years.

Hospitality is a great example. I think we all know just how transient hospitality is, from working in the industry ourselves, or maybe our partners or friends do; maybe you even have kids that do so right now. Hospitality is a flexible, casualised and transient industry where employees frequently move from maybe a bartending job at a local pub to working the floor of a restaurant in the city.

The problems with pay, leave entitlements and superannuation in the hospitality industry are well documented. Many employers know that their staff will not accrue seven years of service, and they have factored that into their business model. We need to look closely at what we can do as a government to improve the conditions of workers in this industry, because the hospitality industry in Canberra is one of our biggest sectors, employing thousands of people.

Workers in our city deserve to have equal access to basic rights like long service leave. We in this place have the ability to improve this by expanding portable long service leave to cover more industries and more workers. In the current climate of economic insecurity, casualisation and unstable working arrangements, reforms like this are essential to protect everyone in our community.

**MR CAIN** (Ginninderra) (4.58): I move an amendment which has been circulated to members:

Add:

“(c) publish guidelines for ministerial decision-making under Part 2 Section 12 (Declarations by Minister—additional coverage of Act) and Part 2 Section 13 (Declarations by Minister—limitation to coverage of Act) of the Long Service Leave (Portable Schemes) Act 2009.”.

While I acknowledge the points raised by Mr Pettersson, it ought to be recognised that, while the scheme has a policy direction to protect employee benefits, there is also an impost on businesses in Canberra. This is implicitly recognised in the legislation, because only a few select industries are covered by this scheme.

There is certainly a place for the government to review the operation of this scheme in broad terms. However, what I would like to speak to particularly, a point to which my amendment goes, is that under the act the minister has some significant discretions. Under section 12, for example, the minister has the discretion to extend the effectiveness of the scheme over a selected business or employer. Under section 13 of the act, the minister has unbridled discretion to exempt an employer from the scheme. They are quite enormous and wide-ranging powers, it would seem.

The Assembly, when passing this legislation a term or two ago, provided these discretions to the minister. But what I would like to speak to in particular is that, at the moment, the exercise by the minister of either discretion is completely lacking in transparency. There are no guidelines or explanatory statements that inform the community about when such a power would be exercised.

As the minister is aware, I have made a submission on behalf of an organisation in Canberra. I supported their application for an exemption from the portable long service leave scheme. The answer that came back was, “No.” I pressed the minister for answers. The answer, in summary, paraphrasing, came back: “I have the power to do this and I said no.” I am aware that in at least one other jurisdiction that application would have been received favourably.

I consider that what I am proposing here as an amendment is really friendly to Mr Pettersson's motion. I trust that he considers it in that manner. As written in the motion, I call on the government to require that the minister publishes guidelines for ministerial decision-making under section 12, "Declarations by Minister—additional coverage of Act", and section 13, "Declarations by Minister—limitation to coverage of Act"—in fact, exemption from the scheme. I consider this to be a very reasonable addition to Mr Pettersson's motion. I commend this to the Assembly.

**MR BRADDOCK** (Yerrabi) (5.01): The Greens are pleased to support this motion which seeks to extend the ACT's portable long service leave to areas of the hospitality industry. I am proud that here in the ACT we have led the way in introducing and expanding portable long service schemes. The vision is to protect the entitlements of workers who work in industries that are characterised by high levels of brief employment and mobility.

As highlighted by this motion, hospitality is one such highly mobile industry. The Greens recognise that workers need rest and balance in their lives. This applies at the best of times, but if COVID has taught us anything, it is that rest and balance are more important than ever.

Long service leave allows people to take breaks from work—for example, for caring or parental duties. Another key benefit of portable long service leave is that it allows people to leave situations where they are mistreated or treated unfairly at work without the fear of losing their entitlements. So portable long service leave contributes to employee health and wellbeing and safety. It also helps build a better and fairer society. We firmly support portable long service leave, not just in the sectors currently protected, but across all industries. We have been advocating for a national scheme.

Having said that, I am keen for the expansion of a portable long service scheme in hospitality to happen alongside attention to the very pressing issues of wage theft and mistreatment of workers in the hospitality sector. The 2021 Young Workers Centre survey clearly demonstrates that all measures of exploitation exist for hospitality workers in Canberra. Although many employers are doing the right thing, data shows that wage theft and health and safety failures are not restricted to a few dodgy bosses. And those dodgy bosses get a commercial advantage over the good employers, making it harder for them to do the right thing and stay in business. A portable long service leave scheme that is introduced without addressing this will further increase this inequity.

The key cause of workers' exploitation is insecure jobs. Insecure jobs create a power imbalance, and give employers power over shifts and access to work, making it too hard for workers to stand up to their bosses, let alone to claim rights such as long service leave. I am anxious to see the fundamental issue of safe and secure jobs being addressed alongside these calls for expanded entitlements.

One of my other concerns with the approach taken so far in the ACT is that expanding the scheme industry by industry creates the haves and the have-nots. Whilst a step-wise approach is practical and less resource intensive, I question how we

prioritise which industries to tackle and whether this is effectively targeting the most vulnerable workers in our city.

A concern for justice and equity means using a gender lens, especially when we are talking about superannuation. Women retire with 42 per cent less super than men, on average. Statistics about other genders are difficult to find, but are likely to reflect a similar gap.

This economic inequality is hugely impacted by the fact that the two industries that employ the most women in the ACT are also the lowest paid industries. It will probably surprise none of you that one of the lowest paid sectors is accommodation and food services, otherwise known as hospitality. Another is retail trade. Both industries were heavily impacted by job losses during the 2020 and 2021 lockdowns in the ACT, once again impacting continuity of employment and opportunities to earn a living wage, yet alone accrue long service leave.

As Mr Pettersson's motion notes, more and more people are employed casually and insecurely, meaning that 75 per cent of Australians do not stay in their jobs for enough time to accrue long service leave. These workers deserve long service leave if they continue working in the same sector of the workforce.

In fact, as my Greens colleagues have raised here previously, there is a real question about whether it is time for Australia's long service scheme to go through a fundamental transformation. All long service leave could be portable, recognising that many people change employers and industries frequently.

As my colleagues noted when Ms Cody brought on her motion to extend the portable long service leave scheme to hairdressers in the Assembly last year, the time has come to broaden the scheme to other sectors. All workforces are becoming more fluid and flexible. This is an opportunity to share the benefits of long service leave with all employees in the ACT, not just those in individually championed industries.

I again thank Mr Pettersson for recognising insecure employees and for giving us the opportunity to again discuss this issue in the Assembly.

**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) (5.07): The government knows that safe and secure jobs are good jobs. These principles inform our ambitions and progressive workplace relations reform program. Our position is based on compelling Australian and international evidence.

A World Health Organisation study on the social determinants of health found that temporary workers have shorter life expectancies than people with permanent roles. Poor mental health outcomes are associated with unstable employment arrangements, and employees who believe their work is insecure experience significant detrimental effects on their mental health. Other studies have also found that mental health benefits of work are gained from good-quality jobs. However, the poorest quality of

work is comparable to unemployment as a risk factor for poor mental health, and this is very concerning.

Our commitment to driving secure employment is why we have been working cooperatively with businesses, unions and the community to design and implement an integrated suite of reforms that foster safe and secure work. One example of these reforms is the Secure Local Jobs Code which uses the government's procurement power to encourage a high ethical and labour standard amongst our contractors. A more recent example uses the territory's licensing powers to ensure that labour hire operators fulfil their workplace obligations to their employees.

Portable long service leave is one of our longest standing and most effective initiatives in this area. Long service leave is an important workplace entitlement that supports workers, their wellbeing and productivity. The government is proud of our long service leave portable schemes legislation and what it has achieved for workers and employers in the industry sectors it already covers.

Since the portable long service leave schemes were introduced, globalisation and other factors have increased levels of workforce casualisation, short-term agency work and outsourcing. The positive health, wellbeing and productivity value of portable long service is increased in these circumstances. Consequently, it is important that we consider the scheme's scope of coverage.

I am also proud to be supporting this motion from Mr Pettersson today, and the government will not be supporting Mr Cain's amendment to the motion that we have heard. The act already provides clear guidance on ministerial declarations, under sections 12 and 13. Importantly, it ensures that ministers can make a decision only if it is consistent with the objects of the act. This amendment would change the legislative powers under the act to administrative powers that are subject to further process and may restrict the powers under the act.

The government will not support any move to water down or weaken this legislation that provides essential protection for workers. We need to be doing more to provide secure jobs in our community, not undermining schemes that will help provide this. Despite what Mr Cain may say, his amendment is nothing more than a fig leaf designed to undermine the right of workers.

It is this government's intention that portable long service leave schemes should be expanded, and the motion is reflective of the shared commitment under the parliamentary and governing agreement for the 10th Legislative Assembly of the ACT to amend the portable long service leave scheme legislation to ensure more workers receive fair entitlements as they move jobs in their profession.

Mr Pettersson has highlighted the contract cleaning industry for possible expansion under the portable leave schemes, and I note that last year the previous Assembly passed a motion putting forward the hairdressing industry for possible coverage. Sectors that are currently covered by the portable long service leave were selected in part based on the degree of short-term employment, contract work, high mobility and

part-time and casual employment. Contract cleaning shares many of these characteristics.

In view of this and in response to the motion, I intend to request that directorate officials begin a process of consultation with the ACT Long Service Leave Authority, employers, workers and their representatives on the question of how to establish portable long service leave for the contract catering industry in the ACT. This consultation will allow the government to test the views of the workers and employers who would be most affected and would have the most to gain from accessing portable long service leave. It will also explore the most efficient and effective method for extending the cover.

Portable long service leave schemes respond to the fluidity of modern-day workforces and they recognise that workers very often do not stay in the same job for their whole working life. Even so, they remain committed to their professions, their careers and their industry. Portable long service leave supports workers who are willing to commit to the same industry. This can have beneficial productivity impact for that industry which is better able to retain skilled workers.

Workers compensation wages declarations indicate there are around 1,080 ACT-based employers operating in the broader hospitality sector in the ACT, employing more than 21,000 people, with more than 1,000 of those workers in the contract cleaning industry.

I thank Mr Pettersson for his advocacy on behalf of the contract catering industry in the ACT and look forward to delivering on those workplace safety reforms.

**MR CAIN** (Ginninderra) (5.14): The minister seems to be under a misapprehension of what my amendment actually presents. He said, for example, that having guidelines may interfere with the proper administration of the act. That is absolutely untrue. Firstly, he said “may”; so that indicates he does not really know. If it is a “may”—many things are “may”—does that mean he has an argument to not support something?

I am aware that many pieces of ACT legislation contain discretions which are guided by explanatory statements in a bill or guidelines published in disallowable instruments. I am aware of that, Minister. Surely you are too. So to say that my amendment, these proposed guidelines, would interfere with the administration of the act is really quite misleading.

Again I endorse the amendment. I see this as friendly to the motion and providing the community with clarity on how the government makes very significant decisions. The example I mentioned during my proposal for the amendment is an example where a decision by the minister to say no, because he could, is highly impacting on that operation. The guidelines are there to highlight how the government makes significant decisions. Why would my colleagues on the other side of the chamber be opposed to that? I think it is a disgrace. I endorse my amendment to the Assembly.

**MR PETTERSSON** (Yerrabi) (5.16): I would like to thank all members who have contributed to this debate, some more passionately than others but all passionate. Workers rights and equitable access to long service leave is an important discussion. I am glad to see that many members are as passionate about this topic as I am.

As we all know, the nature of work is changing rapidly. Casualisation and short-term and skilled work is becoming the trend. As legislators, we have a responsibility to keep up with this trend and ensure that we protect and back workers whenever we can. Long service leave is an Australian national treasure and something that I think all workers are entitled to. However, with many workers now having to frequently switch employers, long service leave has become an unreachable reality for so many Australians, especially the most vulnerable in our community.

Today only a small minority of Australians stay with one employer long enough to access long service leave. This highlights the changing nature of our workforce and shows that a huge proportion of our community are unable to access long service leave, and this should not be the case.

I want to pause to address Mr Cain's amendment. In short, I believe the amendment is redundant because the minister may only make a declaration that is consistent with the objects of the act. The act is the guidelines. I appreciate Mr Cain's enthusiasm on this issue. However, I do not think his amendment is warranted.

Again I would like to acknowledge the ACT government's hard work in establishing portable long service leave schemes for a number of industries already. Portable long service leave schemes for construction workers, community sector workers, contract cleaners and security workers have all been incredible success stories. This hard work has ensured that in these industries, in which the workers frequently move between employers, workers still have access to long service leave. That is why we should not stop here.

The ACT government has a proud record of leading the way. I believe a good next step is expanding the scheme to the hospitality industry. I look forward to that investigative work to come and to being part of that conversation.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Mr Cain  
Ms Castley  
Mr Hanson  
Mrs Jones  
Mrs Kikkert  
Ms Lawder  
Mr Milligan  
Mr Parton

Noes 15

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

Amendment negatived.

Question resolved in the affirmative.

## **Emergencies Amendment Bill 2021**

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

Title read by Clerk.

**MR GENTLEMAN** (Brindabella-Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (5.23): I move:

That this bill be agreed to in principle.

I am pleased to present the Emergencies Amendment Bill 2021. The Emergencies Act 2004 was introduced following the 2003 Canberra bushfires and consolidated all previous emergency legislation in the ACT. Section 203 of the act requires that its operation is reviewed at five-year intervals, to ensure that it reflects contemporary best practice. This requirement acknowledges the importance of continuous improvement in the emergency management sector.

Canberra's status as the bush capital makes us uniquely vulnerable to natural disasters such as bushfires and extreme heat events. This means that our emergency arrangements must be of the highest order. The recurring review requirement in the act ensures that the territory is best placed to meet not only the hazards currently facing the territory, such as bushfires, but also risks that the territory will face in the future, such as the risks associated with a changing climate.

On 16 September 2021, I tabled in this place the report on the review into the effectiveness of the operation of the Emergencies Act, which was prepared to meet the requirements of section 203. The review was undertaken by a high-level group led by the Justice and Community Safety Directorate, with representatives from the Emergency Services Agency, ACT Policing and the Environment, Planning and Sustainable Development Directorate. Stakeholders such as emergency service volunteer organisations, unions and the ACT Bushfire Council were also engaged in the review.

This broad representation in the review process is reflective of the all-hazards approach to emergency management contained in the act, and a recognition that no one agency or directorate can cover the full spectrum of emergency situations which may face the territory.

The review addressed the operations of the act over the last five years. This included the events of the 2019-20 bushfire season. In doing so, the review considered the

findings of the many reviews of that period, including the Royal Commission into National Natural Disaster Arrangements, the report on the ACT government's coordination and response during the 2019-20 bushfire season, the ACT Emergency Services Agency Operational Review of the Bushfire Season 2019/20, and the report of the ACT Legislative Assembly Standing Committee on Justice and Community Safety on the review of the ACT Emergency Services responses to the 2019-20 bushfire season.

I would like to thank all persons and organisations that contributed to the review. I appreciate their commitment to ensuring that the ACT emergency management arrangements are of the highest order. The report's overall conclusion was that the act was appropriately meeting its objectives. It also found that the act operates to facilitate the protection and preservation of life, property and the environment so far as possible.

The report did, however, identify a number of areas where the operation of the act could be improved. These recommendations have been adopted and progressed through this bill. An important amendment made by the bill is to create a legislative power to appoint an ACT recovery coordinator. The ACT recovery subplan provides that if the scale or nature of the emergency is such that a number of different ACT government directorates and agencies are needed to undertake recovery activities, a recovery coordinator will be appointed to coordinate recovery efforts across the ACT, as well as in the community and private sectors.

The recovery coordinator is responsible for ensuring recovery planning, coordination, and stakeholder engagement. The recovery coordinator also has the important responsibility of determining the most effective way to deliver recovery services to affected communities. The review noted that there is no reference to the ACT recovery coordinator in ACT legislation. Given the important role of the recovery coordinator, the review recommended that the role be specifically referred to in legislation.

The increased focus on the importance of recovery in the emergency management sector is reflected in the comprehensive approach to emergency management, which refers to prevention, preparedness, response and recovery.

Responsibility for all aspects of emergency management, including recovery, is shared between governments, individuals, industry and communities. However, while all of these sectors have responsibilities, the responsibilities may not be shared equally. It is vital that the government lead in determining and coordinating the most effective way to inform and deliver recovery services to affected communities. This important role will be undertaken by the ACT recovery coordinator.

This bill recognises this vital role by providing the minister with the power to appoint someone as the recovery coordinator where the scale or nature of an emergency requires a recovery operation involving different territory agencies. The recovery coordinator will coordinate recovery efforts across the ACT government, community sector and private sector; coordinate the provision of essential services to

communities affected by the emergency; and advise SEMSOG and the minister on recovery matters for the emergency.

Another important change made by the bill is an amendment to the objects of the act to require that emergency management in the territory develops community resilience to emergencies. It is an unfortunate reality that, despite the best emergency planning or the efforts of our dedicated emergency services personnel, our community will continue to be exposed to hazards that may impact life, property or the environment.

Community resilience refers to the capability of communities to respond positively to a crisis, and the ability of a community to adapt to pressures and transform itself in a way which makes it more sustainable into the future. Community resilience is critical in minimising the effect of disasters and contributes to a quicker, more effective response.

This bill ensures that the territory's emergency management framework promotes and develops community resilience across the spectrum of emergency management activities.

As Minister for Police and Emergency Services, I have long benefited from the advice of the ACT Bushfire Council. The members of that council have been drawn from a variety of backgrounds and experiences, and possess a broad range of qualifications and expertise. Territorians are all too aware of the dangers posed by bushfires. However, the territory faces a range of other natural hazards, such as heatwaves, severe storms and flash floods.

Reflecting on the range of hazards facing Canberrans, this bill transitions the ACT Bushfire Council into the ACT multi-hazard advisory council for the ACT. This will allow the minister and the Emergency Services Agency to gain advice, perspective and understandings from a range of experts and community representatives across a range of hazards.

Each current member of the Bushfire Council has automatically been deemed to be a member of the new multi-hazard advisory council. Additional members with expertise in a range of natural hazards will be appointed in the near future to complement the existing membership. The bill also modernises the governance arrangements for the advisory council by removing a number of administrative provisions that are more properly dealt with in the council's terms of reference.

Another amendment made by this bill is to create a power to appoint an Assistant Emergency Services Commissioner. Members of this Assembly would agree that the ACT's Emergency Services Commissioner, currently Georgeina Whelan, plays a vital role in ensuring that our community is safe and protected. This amendment provides support for the commissioner, by allowing an Assistant Emergency Services Commissioner to be appointed. The assistant commissioner would support the commissioner in the exercise of many functions, and act as commissioner in their absence. This change will support and enhance the Emergency Services Agency's ability to plan for and respond to emergencies.

No-one can deny the rise of social media in recent years. Social media is becoming an increasingly important source of information during disasters and other emergency events. Social media platforms are routinely used by the ACT emergency responders to communicate updates and other essential materials. Information appears on those platforms in real time, frequently preceding traditional channels such as television and radio.

For this reason, the bill amends the obligation in the act to notify the community about emergencies. The act currently obliges emergency declarations—such as declarations of a state of alert, state of emergency or total fire ban—to be broadcast on television and radio. This bill adds to that by also requiring that these emergency declarations be disseminated on social media. This change will increase community awareness about emergencies. Increasing awareness is vital, as this knowledge empowers people to make informed decisions and to take protective action during emergencies.

Another amendment through this bill relates to the employment protections provided to volunteers under the Emergencies Act. As members would appreciate, emergency services across Australia rely on highly skilled and dedicated volunteers to achieve their function of protecting and safeguarding the community. These volunteers are regularly required to provide this support and assistance during their normal working hours.

The vast majority of employers recognise the important role that these volunteers play, and support their employees to volunteer. I applaud those organisations and thank them for the support they provide to the ACT community. Unfortunately, across Australia some volunteers have been victimised at work for their volunteering commitment. This includes being fired, being moved from positions or being given unfavourable shifts.

For this reason, the Emergencies Act, like similar legislation in other jurisdictions, confers certain employment protections on volunteers that prevent those persons being victimised at work as a result of their volunteering commitment during an emergency.

Currently the employment protections in the act only apply during a state of alert or state of emergency. This bill allows for the minister to declare that the employment protections are available during other emergencies. This could include emergencies that are not at a scale to justify a state of emergency but that require an extended commitment from our volunteers.

The bill requires that any declaration be widely publicised to ensure that both employers and volunteers are aware that the protections have been activated. While I am sure that many employers in the ACT will continue to support our many wonderful emergency service volunteers, this change rightfully ensures that those volunteers, should they be victimised at work for their service, are supported.

The bill makes a number of other amendments: to increase clarity on when a state of alert or state of emergency can be declared; to support the delegation of functions by the commissioner and chief officers; to improve the rules for issuing fire permits; and to improve internal governance arrangements within the ESA.

Even the best emergency management legislation and plans are of no use without the right people to operate within that framework. In introducing this bill, I would like to take the opportunity to acknowledge the many wonderful members of our community who work so dedicatedly to protect their fellow Canberrans. The government's thanks goes to all the members of the Emergency Services Agency, our career firefighters, our paramedics, and our volunteers within the Rural Fire Service, community fire units or the SES.

I also wish to make special mention of the mapping and planning volunteer support team, the MAPS team, which celebrated 15 years last month. These people are supported by a range of people and agencies across the broader ACT government, such as the Parks and Conservation Service, as well as our partners in the community sector. Their sustained efforts help protect and serve the people of Canberra.

I am proud to commend this bill to the Assembly as part of our efforts in delivering a robust emergency management framework in the territory.

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

## **Standing orders—suspension**

**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) (5.37): I move:

That so much of the standing orders be suspended to substitute Private Members' business, notice No 6, from Ms Castley with the motion circulated by Mr Hanson concerning correspondence from Senator Seselja.

We are happy with the Canberra Liberals doing the bidding of Senator Seselja. However, it is proper that we have time to consider the motion, so let us leave this debate for Thursday afternoon.

**MR HANSON** (Murrumbidgee) (5.38): This is a pretty outrageous move by the government, I would have to say, Madam Speaker. It is a well-established form in this place that, when you become aware that you have misled, at the earliest opportunity you come in here and correct the record. That is the long-established form in this place. The government is essentially rejecting that long-held protocol, adherence to the standing orders—as a former Speaker, Mr Rattenbury would know this—by deferring the withdrawal of the misleading statements by Ms Cheyne and Mr Rattenbury to a debate down the track.

**Mrs Jones:** And cancelling one of our motions.

**MR HANSON:** Mrs Jones is right. The attempt to scrub a Liberal motion as part of this is one of the most outrageous abuses of parliamentary procedures that I have seen in my 13 years in this place. The Greens should not be supporting this. This is tricky by the Labor Party. You kind of get that; you understand that is the way they play the game. But Mr Rattenbury is a former Speaker, and we always hear about the ethical conduct of the Greens, that they will always do the right thing. That is what they say.

Quite clearly, we have a very serious allegation before us from two federal senators that they have been misrepresented in this place, and not just in this place; the Speaker then wrote a letter from this Assembly to all federal senators and, I believe, members. She may be able to clarify; she is nodding her head. For us to say that, with that sitting here before us, we are going to just shunt that off to Thursday and we will cancel a Liberal motion on an important topic, which is something that we have all agreed previously, is an absolute declaration of war on democracy in this place.

It is an absolute declaration of war on democracy. It is the sort of gutter politics that I expect from Mick Gentleman, this minister, this Manager of Government Business, who is trying to evade this debate and is trying to say it is okay. That is what this government is saying. It is okay to come in here and mislead, slur, misrepresent and make false statements about senators. You can then get the Speaker to write a letter to all federal members up on the hill with those lies in it and there is no consequence. You just say, “We’ll put that debate off until Thursday, knock off a Liberal motion and have a good laugh about it in the interim.”

There is a two-hour notice period if you are going to move a vote of no confidence. The letter was tabled by Madam Speaker two hours and 40 minutes ago. So what we are saying is that we have not had enough time to look at what is clearly a mislead in this place, but somehow you have got to have two hours for a vote of no confidence. This is outrageous, Madam Speaker, and you know it. Mr Gentleman knows it. Mr Rattenbury knows it. All of you know it. If you all vote for this disgusting little grubby motion then forget democracy in this place! You have showed your colours and the Greens will have showed their colours indeed!

Question resolved in the negative.

### **Members—conduct**

**MR HANSON** (Murrumbidgee) (5.43): I seek leave to move the motion circulated in my name calling on Ms Cheyne and Mr Rattenbury to withdraw misleading statements and apologise to federal members.

Leave not granted.

### **Standing orders—suspension**

**MR HANSON** (Murrumbidgee) (5.43): I move:

That so much of the standing orders be suspended as would allow this motion to be debated.

What is happening in this place today is extraordinary. For members who are not across the detail, on 8 October Ms Cheyne and Mr Rattenbury moved a joint motion in this place that made certain allegations about Senator Seselja and Senator McMahon. Senator Seselja has written to the Speaker and made it absolutely clear, and has got statements from Senator McMahon, that what was in the motion was false. The Speaker then got a copy of that motion and sent it to every single federal member. This is not just a simple mislead of this Assembly. This is then compounding the error and sending that mislead, that misrepresentation, that falsehood, up on the hill.

That letter was tabled in this place by Madam Speaker at about 3 pm. We should all have copies of it. As Madam Speaker will agree, the protocol of this place is that if you have misled, you come into this place and you withdraw. It is also, I think, fair of us to say that should happen at the earliest opportunity, which is two and a half hours after it became apparent.

There is no need for a delay on this matter, Madam Speaker. The matter needs to be dealt with forthwith. I think that it is reasonable, given these false, misleading statements have been made and have been circulated by this place to the federal parliament, that the record is corrected and those members who were misrepresented are apologised to. It is a reasonable position and it needs to be dealt with straightaway.

Madam Speaker, it is outrageous. You know it. Mr Rattenbury, as a former Speaker, knows it. Mr Gentleman knows it; he has been in this place long enough. When you have these sorts of matters before you, they are not shunted off. They are dealt with as a matter of precedence. For this not to be dealt with as a matter of precedence is a running interference to protect members of one particular political side over what we should all do, which is adhere to the standing orders on these matters.

Let me be very clear: I have not seen this before. When people mislead—and it happens from time to time on all sides of politics, people stuff up, people make mistakes, and that is what has happened here—generally speaking, they come in here, they acknowledge they have made a mistake, they correct the record and they move on. That is what has always happened in this parliament. To now breach that, to decide that we are no longer going to conform to that as an established protocol, is probably one of the most retrograde steps I have ever seen in this place.

Here we are, Madam Speaker, all on the unity ticket of trying to get states rights on whatever issue it may be. We want to be treated like a grown-up parliament that can be trusted. This has taken us on a backward step. Everybody up on the hill, let me tell you—because I am aware that this has been circulated now, not by me but by senators up on the hill—are aware of what has happened in terms of the misrepresentation.

On the one hand, we are saying, “Trust us. We’re trustworthy. We are a responsible parliament. We can behave like a state.” This chaos ensues and, instead of them dealing with it responsibly like a grown-up, mature parliament would, that does not

happen. In this parliament the Greens and the Labor Party get together and say, “Stuff that. We’ll forget about all the protocol. We’ll forget about doing the right thing. We’ll forget about adhering to standing orders, because we’ve got the numbers.”

Why would anyone in the federal parliament trust us? Why, after this debacle, would anybody on the hill say, “Yes, they deserve state rights. Look at them. Look how professionally they conduct themselves”? They are going to be on the hill looking at this and saying, “My goodness me, why would you trust this mob if the Labor ministers and the Greens ministers are going to misrepresent senators and then, when they become aware of it, instead of dealing with it in a professional matter as parliamentarians should, they’re going to hide from it; they’re going to use their numbers to muzzle it”? What a disgrace. The motion is before you there, Mr Rattenbury and Ms Cheyne. You should, whether it gets debated in this place or not, deal with it. Come into this place and withdraw, write a letter of apology, correct the record, end this fiasco and restore some of the damage you have done. (*Time expired.*)

**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) (5.48): We will not be supporting the suspension of standing orders to bring this motion on today. As I said, Mr Hanson can happily bring it on on Thursday, when it will be debated. We are not hiding from anything. We are happy to debate it in the appropriate timeslot where it gives the government and those concerned some time to consider the content of the motion.

Question put:

That so much of the standing orders be suspended as would allow his motion to be debated.

The Assembly voted—

Ayes 8

Mr Cain  
Ms Castley  
Mr Hanson  
Mrs Jones  
Mrs Kikkert  
Ms Lawder  
Mr Milligan  
Mr Parton

Noes 15

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

Question resolved in the negative.

## Adjournment

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

That the Assembly do now adjourn.

**Schools—Miles Franklin Primary School**

**MR CAIN** (Ginninderra) (5.52): I speak briefly on a matter that has affected my local area. As members would be aware, the Miles Franklin Primary School has suffered the devastating loss of part of their playground, including some equipment and shade sail, due to an act of arson on Friday, 29 October—not that long ago. Miles Franklin School is just down the road from our home in Evatt.

I have heard from Ginninderra residents how difficult this news has been for that school community. I am devastated for the Miles Franklin Primary School community and the children that were so looking forward to getting back to school and using their playground. The shade sail would have been used in the summer months upcoming and would have supported the encouragement of outdoor learning.

The school community have told me that they have had trouble raising funds over the previous period because of COVID disruptions. So it is heartbreaking to hear that they are now faced with this tragedy at the end of so much disruption.

As a local member, I do want to congratulate the minister for her fast response in choosing to support the Miles Franklin Primary School by insurance coverage and to help them rebuild this vital infrastructure. I will, of course, be keeping a close eye on how quickly these repairs are done.

No primary school should go without play equipment for a lengthy period of time or a shady area during the warmer weather. So I do want to indicate my support and encouragement to the school community, letting them know I am also available to assist where needed.

**Asylum seekers—Anniversary of SIEV X sinking**

**MS VASSAROTTI** (Kurrajong) (5.54): Today I rise to speak about the 353 people who drowned at sea in 2001 en route to Australia in a boat known as SIEV X—19 October marked the 20th anniversary of this desperate day, the worst asylum seeker boat tragedy on record for those trying to reach Australia. The boat departed Indonesia with over 400 people on board, most from Afghanistan and Iraq. When the boat's engine failed in heavy seas, it capsized and sank; 353 people drowned—146 children, 142 women and 65 men.

SEIV stands for suspected illegal entry vessel. It is the acronym used for a boat or vessel that has entered Australian waters without prior permission. X is a designation used where a tracking number has not yet been assigned.

The boat sank 70 kilometres south of Java. This area is in international waters but it also fell within both Indonesia's internationally designated zone of search and rescue responsibility as well as the border protection surveillance area temporarily designated by Australia. Over 20 hours after the SIEV X sank, 45 survivors were rescued by Indonesian fishing boats.

Twenty years after it happened, questions surrounding the sinking of the SIEV X still remain, and I hope these will be answered. We cannot change what happened on that day but we can and must remember those who died.

A temporary memorial was established here in Canberra at Weston Park in 2006, with a permanent memorial dedicated in 2007. Former Chief Minister of the ACT, Jon Stanhope, opened the temporary memorial in 2006. Support from the ACT government for the memorial was in stark contrast to the opposition from the federal government at that time. For those who are not familiar with it, the memorial consists of 353 white wooden posts, each one inscribed with the name of a person who died and decorated by student and community artists from across Australia. The memorial is well known to me, as it will be to many others. Stretching across several hundred metres by the lake, it is beautiful, moving, and powerful.

I was fortunate to meet recently with Sue Packer AO and other members of the SIEV X subcommittee of the ACT Refugee Action Campaign. The committee has worked for many years to maintain the memorial. A group of committed volunteers have recently undertaken some much-needed preservation and restoration but ongoing work will be required to conserve this precious wooden memorial. The committee are calling out for younger people to become involved and become stewards for the future.

Thinking about this, I realise that there is new generation emerging who are likely unaware of the sinking of SIEV X. In this 20th anniversary year, it is an important time to share and reflect on what happened. We must not forget those who died that day. For those who have not been to see the memorial, I strongly encourage you to do so. It is something you will not forget.

### **Mr John Ley—tribute**

**MS CLAY** (Ginninderra) (5.58): I have not given an adjournment speech for a while. It seemed almost ridiculous given the year we have had to be rising and saying a few words about what I have been doing and where I have been and the people I have seen. I wrote one of those. And I am not going to give that one either.

I actually just wanted to take a moment and recognise somebody who has recently died during COVID. He was a family friend of mine, John Ley. He was a real social justice warrior. And he campaigned for a lot of issues; it is a shame he is not going to see the fruits of those campaigns.

He was very concerned about the age of criminal responsibility. He was a lifetime lawyer; so he had seen the impacts of what criminalising children can have. He was very, very concerned about recidivism and the social impacts of prison and the need for justice reinvestment and he was really, really committed to bringing about those really difficult changes that take a long, long time to work through. And I think he would have been pleased to see some progress on that too.

He was very involved in the drug harm minimisation community. I know that is a really difficult topic for a lot of people. A lot of people involved in it have lost some

people. I know there are strong views on many sides of that. But I think he was very much of the “drugs are a health problem” camp. I think he would have been pleased to see that.

He died during COVID. He was not a young man. He was one of the many people who perhaps did not do so well during that period. I was really pleased that we saw each other a lot beforehand and I was really looking forward to catching up afterwards.

I just want to say: John Ley, we will miss you.

Question resolved in the affirmative.

**The Assembly adjourned at 6 pm.**