



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**18 JUNE 2020**

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**Thursday, 18 June 2020**

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

## **Legislative Assembly—language**

### **Statement by Speaker**

**MADAM SPEAKER:** Members, at the last sitting, on 4 June 2020, the Assistant Speaker, Ms Cody, undertook to review *Hansard* to determine whether some words were a breach of standing order 55. Standing order 55 states:

All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

During debate on a motion moved by the Leader of the Opposition, the Minister for Health stated the following:

As the Chief Minister has said, the numerous factual errors in Mr Coe’s motion and the way that he speaks really indicate that he is either ill informed, has not bothered to inform himself or he is just engaging in post-truth politics, which we know is a favourite pastime of conservative oppositions and, indeed, sometimes conservative governments.

Mrs Dunne then took a point of order, alleging that the use of the term “post-truth politics” is an accusation that Mr Coe lied, and that it should be withdrawn.

There are various definitions of the term “post-truth politics”. The *Oxford Dictionaries* selected “post-truth” as the 2016 international word of the year and defined post-truth as “relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief”. The *Cambridge English Dictionary* similarly defines the term post-truth as “relating to a situation in which people are more likely to accept an argument based on their emotions and beliefs, rather than one based on facts”.

The Assembly’s *Companion* notes that rulings have been made by Speakers on various words and cites an example of one of my predecessors. It says:

In October 2003, Speaker Berry, in referring to a Member’s comments about the issue of her being described as ‘being guilty of hypocrisy’, stated:

... I have had a chance to reflect on the *Hansard*, and the decision and practice in this place over many years. On other occasions hypocrisy has been ruled out of order but I have formed the view that it is difficult in such a political hotbed to rule out discussion about the pretence of one’s position, sometimes described as hypocrisy. That is not to say that I am going to allow it where an inventive use of the word could lead to disorder.

I will not tolerate using name-calling in this chamber—for example, where a member is described as a hypocrite—because I know that is unacceptable and unparliamentary.

That was a ruling by former Speaker Berry.

I find myself in a similar position to that of my predecessor, in that it is difficult to adjudicate on whether the claims made by some members are based on facts or beliefs or political views, or a combination of all three. Having considered the matter, I am not going to rule the words out of order but would remind members to be careful when they make statements in the chamber about other members' comments. As we are coming to the end of this Assembly, I will give an attentive ear to the way we conduct ourselves and the language used.

## Petitions

*The following petitions were lodged for presentation:*

### **Planning—Weston parkland—petition 5-20**

*By Ms Le Couteur, from 1,112 residents:*

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

The following residents of the ACT draw to the attention of the Assembly their concern that Community Facility Zoned parkland adjacent to Cooleman Court and homes in Watling Place, Weston, is to be destroyed to provide a car park to supplement a perceived shortage of parking spaces, due to the fact that the promised shops in Molonglo have not been built. This is being done despite an objective of the zoning being 'to safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise'.

This would be a Prohibited Development under the Planning and Development Act 2007, without the use of the Minimum Assessment or Merit Track. This Track allows a Prohibited Development if it is 'temporary'. Whilst 'temporary' is not defined by Act or Regulation, no reasonable person would consider levelling parkland, covering it in bitumen and felling mature trees to be temporary.

The parkland is a vital community asset. It is a cool, shaded play space, meeting place and waiting area for the bus. It provides a safe route allowing residents to access the shops and bus stops from adjacent suburbs. It is a buffer between homes and the noise and traffic of the shopping centre. It contains multiple local native shade and habitat trees that are critical to local biodiversity, urban cooling and community well-being.

Your petitioners, therefore, request the Assembly to call on the Government to preserve the parkland and not build a car park on Weston Section 75, Block 2.

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Planning and Urban Renewal.*

### **Planning—Chisholm—petition 9-20**

*By Mr Wall, from 71 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: The ACT Government propose to redevelop number 2 and 4 Durham Place Chisholm otherwise known as Blocks 18 and 19 Section 532 Chisholm to include 2-3 dwellings where single dwellings were previously. We the residents, are concerned about the additional traffic and noise generated by extra dwellings in a small area and believe this development is out of character with the surrounding neighbourhood. The construction of up to 3 dwellings on one block is inconsistent with the RI zoning of the area.

Your petitioners therefore request that the proposal be revised to be consistent with the appropriate planning controls.

*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.*

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

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

That the petitions so lodged be noted.

### **Planning—Weston parkland—petition 5-20**

**MS LE COUTEUR** (Murrumbidgee) (10.05): I am pleased to be able to support the 1,112 of my constituents who signed this petition but am appalled that the government is planning to replace a much-loved piece of green space with a car park.

The government is planning that the green space next to Cooleman Court will be replaced with asphalt to make it into a car park. This will lead to a hotter local environment, less tree canopy cover and less amenity. In particular, for the immediate neighbours at the townhouse complex at 8 Watling Place, there will be ongoing light pollution from lights over the car park and noise pollution from the construction and then operation of the unneeded and unwanted car park.

I say “unneeded” because an FOI that was put in by the neighbours found that parking surveys from 2008 showed spare car spaces near Cooleman Court at all times of the day, including even the peak time on late Saturday afternoon, when there were almost 200 free car spaces around Cooleman Court. And there was more parking added to Cooleman Court in 2019.

Residents have reported an almost total lack of enforcement of parking time restrictions. I would point out that enforcing parking restrictions is a cheap, possibly even profitable way of making better use of parking spaces and requires no asphalt.

In fact, there is reason to believe that the parking demand in Cooleman Court might be going down, not up. There are shops closing there. A few months ago, the local branch of the Commonwealth Bank closed, and a few weeks ago Beyond Q closed. Target has announced that next year the local shop there will also close.

Cooleman Court was designed to be the centre for Weston, and its car parking is adequate for that. It was well designed to do that. The real issue is the lack of shops and community facilities for Molonglo. As I and many other people have said before, this is a serious planning failure by the ACT government. I believe it will be one of the election issues in my electorate. The solution to this failure is not more car parks in Cooleman Court; it is decent community facilities and shops in Molonglo for the people who live in Molonglo.

Another reason, I am told, for the demand for more parking in Cooleman Court is that the bus service there has improved and a lot of people are using Cooleman Court as a park and ride. As a Green and a supporter of public transport, I am really pleased that more people are using the buses, but the government needs to make it clear to them that there is a big new park and ride next to the RSPCA and their cars would be very welcome there.

The neighbours at 8 Watling Place, as well as many other people, have put in submissions to ACTPLA pointing out the numerous planning problems with the car park proposal. As they say, the zoning there is such that the car park can only legally be a temporary car park. Why is the government spending \$661,000, which is the works budget, or, as I understand the FOI suggested, up to \$1.22 million, for a temporary car park? And if the car park is temporary, why was the money for its rehabilitation not budgeted at the same time as the construction? It does not make sense. We have a four-year budget cycle; it should have been in there. Will it, as the FOI shows the government is considering, become a permanent car park?

The car park proposal is inconsistent with our climate change and transport strategies, both of which support active transport, not increased car usage. It is also inconsistent with the Cooleman Court master plan, which calls for reduced reliance on private vehicles; creating opportunities for social interactions; a reduced heat island effect in urban areas; and improved microclimate through landscape design. The car park will increase reliance on private vehicles, increase the heat island effect, negatively impact on the microclimate and reduce opportunities for social interactions.

More worryingly, on social interactions, I have been told that there were intimidatory tactics by the government in the consultation with neighbours. The residents have told me they were told that the car park would definitely happen and that if they objected, their alternative was a three-storey apartment block, so they had better accept the car park. That is not permitted under the current zoning. I hope the government will listen to the community and give up on this unwanted car park.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel, Minister for Tertiary Education, and Minister for Transport) (10.10): The ACT government has committed to provide additional parking at Cooleman Court shopping precinct in response to requests from the community, particularly until the town centre is built in Molonglo.

Increasing car parking capacity at the centre reflects the commitments and recommendations outlined in the Weston Creek group centre master plan, which recognises that, until the town centre is built, temporary parking is required, in addition to the existing spaces that are available. It also reflects parking studies which have shown that the southern car park is under pressure. Despite extra car parking being provided in 2014 and 2019, Cooleman Court is a very busy and successful shopping centre and does require extra parking. It is now a major bus hub and it is also now home to a new public health facility in the Weston Creek walk-in centre.

The new car park is a temporary measure that aims to provide relief until the Molonglo town centre is completed. It will also help to deal with the pressure associated with the redevelopment of Kambah village and the supermarket there which is expected to be under construction from December 2020 and will see north Kambah residents using Cooleman Court, many for the first time.

The location of the car park on the corner of Brierly Street and Parkinson Street in Weston was rezoned from urban open space to community facility zone following the Weston Creek group centre master plan in 2014.

Following the announcement of the car park last year in the budget, I attended the Weston Creek Community Council to talk with residents about the proposal for the proposed new parking spaces. A consultation session was then held on 26 February 2020, with local residents, the Weston Creek Community Council and a representative of the Cooleman Court shopping centre owners, Mirvac, where the initial design for the car park was presented.

The design was revised after this session, in response to feedback from the community. The new design is for a temporary sealed car park with 65 parking spaces. The car park will be built on the north-western corner of the site to allow the greatest distance from nearby homes. The car park will have a single entry and exit from Brierly Street, with no access from Watling Place. That directly responded to concerns raised by the community.

We will construct a new pedestrian crossing on Parkinson Street to provide safe access from the new car park to Cooleman Court as well as the existing path from Stirling, which will be retained under the revised plans. A new pedestrian crossing will be built at the other end of the group centre, on Liardet Street, to provide safe access from the Mahony Court car park. We will also investigate additional street lighting at the underpass on Namatjira Drive so that safe connections can be made with the existing parks on Dillon Close.



The revised car park design means that we will need to remove only four trees and will retain the remaining 15 trees on site, including several trees adjacent to Watling Place. Further, we will offset those removed by planting 11 additional trees. We will also plant 125 westringia shrubs on the eastern edge of the car park, to provide further privacy to adjacent residents. Again, this responds to concerns raised during the consultation. The car park will be landscaped, including the installation of timber bollards along the perimeter.

The development application for the project has been notified and is out for comment until tomorrow, 19 June. I encourage the community to have their say on the proposal.

The ACT government expects that the site will be released as a community facility zone when the car park is no longer required, which is consistent with the uses in the Weston Creek group centre master plan, which has undergone significant consultation. Indeed, the associated Territory Plan variation came before this Assembly for consideration.

### **Planning—Chisholm—petition 9-20**

**MR WALL** (Brindabella) (10.14): Today I presented a petition on behalf of 71 residents of Chisholm who petitioned for the revision of a development proposal that has been put forward for blocks 18 and 19, section 532, in Chisholm. This petition has been developed and driven by residents and has only been circulated amongst Durham Place and Swanton Street residents.

These residents rightly deserve some consideration in light of the upcoming development proposed by Housing ACT in Durham Place, Chisholm, which is on a property owned by Housing. Effectively, the proposed development will more than double the number of properties on two blocks and continues a significant increase in the density of properties in this street, a significant increase in density that is occurring in an RZ1 zone.

After speaking to residents, I can see that they feel completely overlooked and cannot see any recourse or ability to have any input into the decision-making process around this development. I have met with them and it is clear that they feel that the decision has, in fact, been made and is a finalised deal.

That is particularly the case in light of the fact that ACT Fire & Rescue have been given the opportunity to use one of the properties, 2 Durham Place, for a training exercise which is proposed to commence today and continue into next week. This is on a home that neighbours and residents in the area believe to be a property that should be considered still fit for occupation. The exercises will involve crews accessing the property to extinguish simulated training fires. The residents' view is that this type of exercise would only be undertaken if the property were to be demolished. That is evidenced by correspondence that ACT Fire & Rescue have provided to neighbours, which stipulates that there will be damage to the property which will ultimately render it uninhabitable.

The views of these residents have been overlooked. This is not the first instance where Housing ACT has seemingly sought to bypass the proper planning process and guidelines in this part of Tuggeranong. Two other developments have already been completed. One example is where two public housing dwellings have been removed and eight units erected. Another, around the corner, is where a single home has been taken down and five units erected.

It is worth bearing in mind that this is all occurring in an RZ1 zone. This kind of development is inconsistent with the development controls that are outlined in an RZ1 zone context. There is no acceptable reason for the ACT government, or Housing, to be given a different set of rules for this type of construction when the same opportunity is not extended to the broader community. This undermines our planning system and only opens the door for corruption. The residents of this area of Chisholm deserve that development that is proposed in this area be consistent with the RZ1 zoning controls that exist and must be abided by.

I support the residents' call to have this development reconsidered and approved only if it is consistent with the RZ1 planning controls. I look forward to hearing a response from either the planning minister or the housing minister on how this will be addressed in a timely fashion. It is wrong that there is a single set of rules for the government and another for everyone else who seeks to do building work in the city. I commend the petition to the Assembly.

### **Planning—Weston parkland—petition 5-20**

**MR PARTON** (Brindabella) (10.18): I want to speak briefly on Ms Le Couteur's Cooleman park petition. I echo most of Ms Le Couteur's words on this petition about the problem that has been created by a lack of facilities in Molonglo. I echo just about none of the words of Minister Steel.

Is the green space that has become known as Cooleman park the most well-utilised, important green space in Weston Creek? No, it is not. It is not at all. It is the most important and well-utilised green space for the people who live behind it and close to it. All power to residents who have risen up to voice their disapproval at this proposal. Sue said, simply, on Facebook:

Leave the Creek alone.

Rhonda said:

LEAVE THIS PARK ALONE. Remember there is an election coming up!

The admin of the Save Coolo Park Facebook page said:

... Coolo Park certainly isn't the Amazon Rainforest or Central Park - but, as you know, this isn't about aesthetics. It's about function. Mother Nature doesn't care whether we think she's pretty or not; she's just getting on with performing her function ...

George said on Facebook:

What are the ACT Greens policies on saving our green spaces? The petition is a good start but what are they going to the election with?

The Canberra Liberals know full well the importance of suburban green space. We well and truly nailed our colours to the mast on that issue with our green space guarantee. I applaud the people of Weston for making their voices heard on this.

Question resolved in the affirmative.

## **ACT economic response to COVID-19**

### **Ministerial statement**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (10.19): When I handed down the 2019-20 budget review in February, the Ororua Valley bushfire, the smoke haze and the freak hailstorm were at the forefront of our minds. Today, we are months into a public health emergency and a rolling global health and economic crisis. The COVID-19 pandemic is the biggest challenge the ACT has faced in our self-government era.

In the 2019-20 budget review we had identified COVID-19 as an emerging risk to our economic growth, but it is fair to say that few of us could have contemplated how quickly and profoundly COVID-19 would change the world. As we learnt more about the virus and listened to the advice of health experts, there were dramatic changes in the way we all had to live our lives. The speed of change was so great that before the Appropriation Bill 2019-2020 (No 2) was debated and passed, it was amended to include additional funding to respond to the COVID-19 pandemic.

At this stage it is impossible to quantify the full impact of the continuing pandemic, but the economic ramifications and the personal toll are immense. The pain has been felt by everyone.

Here in the ACT we are in one of the strongest positions around the world, due to our decisive early steps to reduce the risk of transmission, while supporting our economy and protecting jobs. The government acted quickly to support our health system, our businesses, our jobs and our community. The restrictions and measures recommended by the AHPPC and agreed by the national cabinet have been evidence-based and aimed at minimising the health crisis.

We are in the relatively strong economic position we are only because we listened to and implemented that expert public health advice and we acted to ensure that our hospitals and healthcare services were equipped to deal with COVID-19. These times require an absolute focus on public health, on jobs and on economic recovery. There is more to do. Our objectives are to keep people in jobs and reduce unemployment, underemployment and underutilisation.

Before COVID-19 struck, the ACT was in a robust and stable economic position. In the 2018-19 fiscal year our economy was one of the strongest performing in the nation, with economic growth of three per cent, which is well above the national growth rate. We had the lowest unemployment rate in Australia, at 2.9 per cent; the fastest rate of employment growth, at 4.3 per cent; and an all-time record level of employment in the ACT, with 240,000 jobs in our city, representing 13,700 jobs created in the territory over the year to March.

In per capita terms, the ACT had grown to be Australia's leader in service exports, increasing by nearly 25 per cent since 2015-16, with the international education sector alone contributing \$1 billion annually to our economy. The ACT had also diversified its economic base, with the establishment of almost 1,500 new businesses in that 2018-19 financial year.

We have built a strong foundation upon which we have confronted the challenges over the last few months. The government is leading on the pathway back as we implement Canberra's recovery plan. There will be no greater priority for the territory government in the months and years ahead than the delivery of this recovery plan.

The full extent of damage from COVID-19 will be revealed in data releases in coming months. As this data becomes available, we will use it to ensure that we target government support where it is needed most. Nationally, economic growth contracted by 0.3 per cent in the March quarter as the bushfires and the early signs of COVID-19 impacts hit activity across the nation. That outcome nationally has been viewed positively, though, in light of much more significant contractions experienced across OECD economies. However, Australia is now in recession, as a further and more significant contraction will occur in the June quarter.

**MADAM SPEAKER:** Can you resume your seat for a moment. Mr Wall and Mrs Dunne, to allow you proper distancing, perhaps a conversation could be had elsewhere.

**MR BARR:** As I said, that outcome was viewed positively at a national level, in light of those more significant contractions experienced across the OECD economies. But the nation is now in recession. Interestingly, though, the ACT economy has remained more resilient as domestic final demand in the territory economy increased by up to 2.1 per cent in the March quarter, to be 4.2 per cent higher over the year. Of course, much of this was driven by spending associated with the series of unprecedented events in the ACT community over that period. In the June quarter, though, our economic activity will contract.

At 11.30 today, the Australian Bureau of Statistics will release the May labour force statistics. I can provide a brief overview of what we have observed in the ACT in April. The unemployment rate rose by one per cent, to 4.2 per cent. Underemployment has also risen, from 5.3 per cent in March to 9.3 per cent in April. COVID-19 saw the ACT lose 8,700 jobs in April. As at early June, almost 15,000 people were receiving JobSeeker payments, while around 10,700 ACT businesses had enrolled in the commonwealth JobKeeper package.

The government understands that the loss of each of these jobs is devastating, which is why we are devoted to getting every person back into work as quickly as possible. We anticipate that unemployment will continue to rise in the short term, noting that there will be a shorter lag between reductions in activity and employment due to the nature of the economic crisis we face.

We know that the effects of this crisis are not evenly distributed. Some industries have been far more affected than others, and certain demographics have been disproportionately impacted relative to others. People would have seen this. Supermarkets were booming whilst hotels sat empty. Tourism and education are likely to see the largest impacts in the medium term, given the likelihood that national borders will need to remain closed for an extended period.

The burden of unemployment related to COVID-19 has fallen disproportionately on women and younger people. Thirty-six per cent of the 8,700 job losses caused in April in the territory were young people aged between 15 and 24. Therefore, increased investment in skills and education will be more important than ever in the coming few years.

Through both our own policies and reduced economic activity, the territory has seen our main own-source taxation revenue collections declining by around six per cent to the end of May, relative to our 2019-20 budget review. Members would be aware that payroll tax and conveyance duty make up around 40 per cent of own-source tax revenue in the ACT. Property prices for attached dwellings declined by 2.4 per cent in the March quarter, and property transactions have slowed, declining by 3.8 per cent in April. In May, conveyance duty for the fiscal year was cumulatively down by around 20 per cent, relative to the 2019-20 budget review.

The impact on the ACT's fiscal position from the COVID-19 health emergency will obviously be significant. Of course, like every other state and territory government, and the commonwealth government—indeed, every government in the world—headline net operating balance positions are deteriorating, and net debt is rising. This will reflect major reductions in national GST revenue, further reductions in our own-source taxation revenue, and the increased expenditure required to support the COVID-19 response.

We will get further details from the commonwealth in their update towards the end of July, but advice is that national GST collections—our share of GST represents about 25 per cent of the ACT's revenue base—have declined sharply as household consumption has contracted. National household consumption expenditure declined by 0.7 per cent in March, which led to a 2.4 per cent reduction in GST collections reported in the national accounts over the same period. This is before the much more significant anticipated reductions that will come when the April and May figures are provided.

This fall in GST collections is in addition to the Commonwealth Grants Commission five-year methodology review, which reduced the ACT's GST relativity to the tune of around \$100 million in the 2020-21 fiscal year, and \$433 million across the budget

estimates. As we foreshadowed in the 2019-20 budget review, the territory is going to get a smaller slice of what will be a smaller GST pie.

The economic impact of COVID-19 has been lessened by the monetary and fiscal policy responses announced nationally and locally, reducing its direct impact on activity in the labour market. The first tranche of the ACT's economic survival package was announced in late March, followed by a further package in early April. The additional announcements over the last two months have included the expansion of programs, targeted support for industries and communities suffering the most, and significant reductions in stamp duty to encourage new construction.

The economic survival package is the largest support package in the ACT's history, significantly eclipsing measures announced during the global financial crisis. The government's focus has been on measures to support households, businesses and jobs. The initiatives provide assistance to all Canberrans but particularly target industries and households most impacted.

Support for businesses includes payroll tax waivers and deferrals, waivers of licence fees, residential and commercial rates rebates, and utility bill rebates. Initiatives such as jobs for Canberrans have created hundreds of essential jobs and provided opportunities for employment to those who have been overlooked by the commonwealth government for assistance during this period, due to their residency or citizenship status. Our fast-track infrastructure program has provided varied opportunities to local companies, most of them small and medium businesses, with over 1,000 local workers engaged since April.

We have always said that our response will be multi-staged and targeted, and we will continue that approach. There is still more to do, and we will make further announcements in the weeks and months ahead.

We will continue to support the construction industry and prioritise the long-term needs of the territory by delivering key productivity-improving, job-creating infrastructure projects. In October last year we released our infrastructure plan for the territory, and this forms a key part of our recovery plan. It means that we are proceeding with the major expansion of the Canberra Hospital, the single largest healthcare infrastructure project in ACT government history. It means building a new CIT campus in the Woden town centre, at a time, as I have indicated, when investment in vocational skills is going to be more important than ever. We will continue working on extending our light rail network, creating thousands of new jobs in the city over the coming decade.

Our forward capital program will be in line with the ACT infrastructure plan, and we will prioritise projects that will result in a high concentration of local employment that can be delivered on time and provide a significant social, environmental and economic benefit to the community. We will support our hospitality and tourism sector, with a renewed focus on domestic and trans-Tasman tourism in the short term. As part of the ACT's recovery plan, the government is putting our city forward to be a pilot for the return of both international flights and international students. As restrictions are eased, we have announced a \$6.2 million hotel and hospitality

package; we have reduced a range of fees and charges, provided utilities rebates and established a new national recognised infection control training program for workers.

Despite the recent significant struggles, the resilience and agility of our community and our business sector through this time has been inspiring. Workers across Canberra have adapted, often to very changed working environments, and quickly set up new ways of working and communicating. Businesses have innovated, developing new ways of selling and distributing their products and services and engaging with customers.

To support our local businesses, and all of their hard work and their aspirations for the future, the government has launched a major “buy local” advertising campaign that is in market now and will continue for several months across all media. We are encouraging people to spend money in the territory economy, maximising the multiplier effect and helping our community to recover quickly.

Yesterday I announced that we will continue our reforms of the tax system but adjust them for the circumstances we are in. We are continuing to cut stamp duty. We have removed a significant barrier to home owner entry, making it easier for Canberrans to buy a home with our reductions in stamp duty and the expansion of the home buyer concession scheme. Removing and reducing inefficient and ineffective taxes like stamp duty and insurance duty is why we started the tax reform journey. Our objective is to continue reducing stamp duty in a measured and targeted way.

Earlier this month, I announced significant cuts to stamp duty on new land and off-the-plan construction. This is an important stimulatory measure for the ACT construction and real estate industries. This means that any owner-occupier purchase for an off-the-plan unit-titled property below a value of half a million dollars will be free of stamp duty until 30 June 2021, and those between \$500,000 and \$750,000 will have an \$11,400 reduction on their stamp duty bill. We have also removed stamp duty for the purchase of new single residential land for owner-occupiers. This is a decision to deliberately inject more cash into the economy.

Three months ago I announced a \$150 rates rebate for all households. Inclusive of this rebate, the average rates increases for houses and units across the city will be zero per cent for 2020-21. The average increase for commercial properties with an average unimproved value of \$2 million or less will also be zero per cent for 2020-21. For residential properties, this means that there will be an actual rates reduction for over 110,000 Canberra households. For commercial properties, it means an actual rates reduction for 4,600 commercial property owners. By constructing our economic stimulus in this way, we can ensure that support is maximised to those properties with the lowest AUV growth, providing the greatest equity while still reducing inefficient taxes.

We have provided significant support for the community sector. A \$7 million package for community organisations was one of our first announcements, to ensure that we were able to best meet the increased service demand for emergency relief across our community. The government knows the impact this year has had on the mental health of Canberrans. That is why, on 6 May, we announced a \$4½ million COVID mental

health support package to help Canberrans access services at a time of increased stress and hardship.

We provided rental waivers and support for ACT government tenants; support to ensure the stability of private rental arrangements for both commercial and residential tenants; financial support for public housing tenants; and increased funding for arts organisations and community groups.

In recent weeks we have seen rises in consumer and business sentiment. These are all underpinned by one key factor: confidence—confidence that the government is getting the health strategy right through a staged easing of restrictions, and confidence that the government is supporting businesses, jobs and households.

Consumer confidence has rebounded more strongly than business confidence, though. This is encouraging for household consumption, but it does indicate that it may take a little longer until businesses are prepared to invest. There remains a significant risk to activity and jobs if a return to tighter restrictions is required from a second wave of COVID infections.

In times of economic contraction, a temporary increase to government spending is an important and powerful tool. We will continue to ensure that we keep money flowing through the economy with measures like our jobs for Canberrans fund and the fast-tracking of minor infrastructure projects. We will do this while creating the right environment for private investment.

The events of the last 12 months have had a stark impact on the wellbeing of our city, affecting our quality of life and testing our resilience. The ACT's wellbeing framework, launched in March, will play an important part in telling this story and shaping our recovery. The COVID-19 emergency remains a significant test of our resilience as a community, and we intend to track both our progress and recovery beyond just economic measures and across each of the 12 wellbeing domains that comprise our wellbeing framework.

As I have already noted, all Australian governments have decided to defer the delivery of their 2020-21 budgets. As a result, pursuant to section 5 of the Financial Management Act 1996, later today I will introduce a motion to the Assembly to delay the 2020-21 budget and appropriation bills. I believe that motion has been circulated to members.

The delay of the budget and the timing of the caretaker period for the ACT election have necessitated changes in financial management arrangements for fiscal year 2020-21. This includes the need to increase the amount of funding available during the 2020-21 supply period. In normal years the supply period lasts two to three months and the Financial Management Act provides for funding equivalent to 50 per cent of the appropriation provided by the appropriation acts in the year immediately prior. By contrast, the supply period for the coming fiscal year is likely to last between six and nine months.



Accordingly, at the beginning of this month, in the last sitting, I introduced the Financial Management Amendment Bill to the Assembly. The bill, which we will again debate later today, seeks to increase the amount of funding that may be provided during the supply period to 100 per cent of the amount provided by the appropriation acts of the last fiscal year, 2019-20. This amendment ensures the ongoing operations of government services until such time as the appropriation bill for 2020-21 and the Appropriation (Office of the Legislative Assembly) Bill 2020-21 is passed by this place after the territory election.

Although the budget is delayed until after the election, the business of government does not stop. There are some decisions relating to existing government programs and projects, usually made through the budget process, which we have needed to make now to provide surety to workers and the broader community. Likewise, there are infrastructure projects that cannot wait for a delayed budget—for example, commencing work on the new east Gungahlin high school so that it is ready to accept students in 2021.

As I have said repeatedly, now is not the time for government to be withdrawing funding from the community, and we will not be doing so. All of our decisions will be included in the detail of the economic and fiscal update that the government will release in late August. This document will also provide a whole-of-government statement and update on economic conditions which, due to the rapidly evolving circumstances of the past months, has not been possible to date.

As I will outline in the motion later today, there are aspects of the Financial Management Act that will not be able to operate exactly as prescribed in coming months. Many of the provisions of the act assume that the budget is released before or at the start of the financial year—which, in large part, up until this year, has been the case over the history of self-government.

While it may not be possible to meet these requirements exactly as written, their intent—to ensure accountability and transparency—remains as important as ever. For that reason, the government will continue to provide financial and performance information. We will continue to release quarterly financial statements, but, in the absence of the 2020-21 budget, we will include the estimates for the 2020-21 year in the upcoming economic and fiscal update instead.

We will also ensure that accountability to the public remains at the forefront of the public service, with performance reporting—an important measure that recognises the effectiveness of government in delivering much-needed services—protected through interim performance targets. These targets will be aligned to the financial estimates provided in the economic and fiscal update and based on current accountability indicators which will be updated where necessary to reflect the economic survival and economic recovery measures.

The last few months have been very hard for everyone. The pain has been felt by everyone. The pandemic is not over. News that is emerging from around the world at the moment absolutely confirms that. What the future holds is unclear. What

Canberrans can be clear on is that the ACT government has a credible, responsible, sustainable plan to weather the economic storm and to rebuild our economy. We will continue to invest in our public health system, education and training and will continue to invest to create and protect local and secure jobs. We will keep working with the community sector to ensure that vulnerable Canberrans are not left behind, particularly as federal support is cut back.

Governments have a duty now to step up to support and grow the economy. We will help shape, create and grow markets in a way that leads to greater job creation. It will not be easy, but when we look across Australia and we look overseas, it is clear that we are in a better position than most. We have a plan, and we are ready to deliver that plan, creating secure jobs, supporting households and providing the environment for businesses to grow.

I present the following paper:

COVID-19—ACT economic response—Ministerial statement, 18 June 2020.

I move:

That the Assembly take note of the paper.

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 Children, Youth and Families and Minister for Health) (10.48): I rise today to provide my fifth update to the Assembly on the COVID-19 situation in the ACT and the actions taken by the government to continue to protect the health and wellbeing of our community.

The first update I provided to the chamber, on 2 April 2020, accompanied emergency legislative amendments which allowed the COVID-19 public health emergency declaration to be extended by 90 days and ensured that the Chief Health Officer was able to concentrate on the task at hand—protecting the Canberra community. At that time there was significant growth in cases in the ACT and Australia and the outlook mirrored what we have witnessed overseas.

Two and a half months on from that period of intense planning, preparation and response, we are in much stronger epidemiological position. The situation in the ACT remains encouraging, with no evidence of community transmission. Since my last update, there has been one new recorded case, for a total of 108 laboratory-confirmed cases in the ACT, with 105 now recovered and, sadly, three deaths. As of yesterday, the ACT again had no active cases of COVID-19.

As members may know, the one new case was a male aged in his 40s who recently returned from overseas. This individual has been in quarantine since arriving from

overseas and we are confident that this case has posed no broader risk to the ACT community. A small number of close contacts are also quarantining.

What this most recent case should do is remind all of us is that the pandemic is not over and the risk to our community remains real. We continue to see new cases in neighbouring jurisdictions, with an ongoing risk of cases and clusters. However, the situation across Australia is promising, with reduced numbers of confirmed cases over recent weeks, and all jurisdictions are well placed to manage small outbreaks.

Testing is one of the key factors in guiding decisions around the easing of public health measures and also provides a good overview of the ACT situation. Testing rates remain appropriate in the ACT. More than 24,300 negative tests had been recorded as of 17 June.

Madam Speaker, while we are in a very strong position, we know that there is no vaccine for COVID-19 and that the pandemic continues to have significant impacts across the world.

As we move through Canberra's recovery plan, we must continue to balance the risk of easing restrictions with the risk of undetected chains of virus transmission and ensure that we have the capacity to respond quickly to new cases. Our dedicated communicable diseases control team remains on hand to quickly detect any new cases, should they arise, and undertake thorough contact tracing. The Chief Health Officer is keeping me advised of the situation and has presented me with the latest report on the status of the public health emergency due to COVID-19. I will table this report with my statement today.

The report recommends that the declaration of a public health emergency in the ACT due to COVID-19 remain in place until 7 July, subject to ongoing review. This advice remains consistent with the emergency status other states and territories continue to observe and the commonwealth's COVID-19 biosecurity emergency declaration, which is in place until 17 September 2020. We are all moving forward cautiously, as we do not want to undo the good work to date.

In that regard, I want to again thank the Canberra community and our businesses for continuing to follow the health advice and public health directions. We have made excellent progress in suppressing the virus in the ACT and we want this to continue. We need to remember our responsibilities and keep listening to the health advice. Continuing this vigilance will help to prevent the possibility of a resurgence of cases.

As restrictions are gradually eased, the government continues to focus on keeping our community safe. We are focused, because we know that an evidence-based approach to relaxing restrictions will ensure that our businesses can reopen and our economy can recover with confidence. That is why the government is working so closely with local businesses and industries to assist their safe reopening. Canberra businesses have worked incredibly hard to look after their staff and to reopen safely. As we have said before, and as we have heard from the business community, particularly small business, reopening too fast, seeing a resurgence in cases and then having to shut down again would be absolutely devastating.

We have seen very high rates of compliance as we have progressed through Canberra's recovery plan, and I commend and thank ACT businesses for this. We have recently launched a "choose local" campaign, and it is great to see members across the chamber and the Canberra community doing just that—choosing local to support our local businesses.

Thanks to the hard work of the Canberra community and local businesses, the ACT government will further ease restrictions from 12 noon tomorrow, Friday, 19 June. This follows the release of our road map on 26 May, which allowed three weeks between stages to monitor the impact and implementation of stage 2.1 from 11.59 pm on Friday, 29 May. Significantly, stage 2.2 of our recovery plan will move the restrictions from 20-person gathering limits to 100 people, provided that one person per four square metres is maintained. That is an increase from the 50 people originally planned for stage 2.2, reflecting the strong position we are in.

Unlike in some jurisdictions that have had vastly different gathering and customer numbers for different sectors over recent weeks, the ACT Chief Health Officer has again kept it largely consistent across the economy and community, moving from the rule of 20 to the rule of 100. This means that more community and business activities will be able to recommence, with a new maximum occupancy limit per enclosed space of 100 people or one person per four square metres, whichever is lesser. So from lunchtime tomorrow cafes, restaurants, bars and other licensed venues can seat up to 100 people per enclosed space and will be able to serve alcohol without a meal to seated patrons.

Gyms, health clubs and fitness centres will have greater flexibility to reopen free weight rooms and to conduct circuit training, with regular cleaning, while contact sports can start full training from 19 June and transition back to competition from 10 July. Non-contact sports are already well underway and from tomorrow will be able to involve a maximum of 100 people or one per four square metres, which will enable competition to restart.

Local theatres, cinemas and concert venues will also be able to reopen, and the maximum occupancy at places of worship will increase to 100 people for those facilities that can manage the one person per four square metre rule.

While we are allowing larger gatherings, we need to continue to mitigate the public health risks by having appropriate control measures in place. This is not just a requirement for businesses; it extends to all Canberrans. The Chief Health Officer has advised that many factors have been taken into consideration in the decision to progress easing of restrictions more quickly, including excellent business engagement and compliance, testing numbers well over 24,000 and no evidence of community transmission. Provided these measures do not result in any significant increase in cases or any other signs of concern across the territory, we plan to move to stage 3 of our recovery plan in July.

These latest changes are outlined in *Canberra's recovery plan: COVID-19 easing of restrictions roadmap*, version 2.0, which is available on the ACT COVID-19 website.

The road map also provides details about future changes in stage 3, in July and beyond. Our recovery plan reflects the nationally agreed *3 step framework for a CovidSafe Australia*, which each jurisdiction is moving through at a different pace, reflecting their current public health situation and conditions and informed by risk assessment and changing epidemiology.

The road map allows sufficient time between each stage of three weeks to provide for decision checkpoints to enable us to monitor and assess the public health impacts before any final decisions on further easing are made, and to ensure the safety of the community before we move to the next stage.

We know that the changes to restrictions can leave questions about what is and is not allowed, and we have continued to work closely with community and business stakeholders during this transition. As part of this, an Access Canberra business liaison line was established, available on 6205 0900. Between 20 March and 10 June, it provided support and advice to more than 1,200 callers. This has continued over the past week as businesses have asked varied questions about the support measures in place and the easing of restrictions.

Access Canberra is also active in providing on-the-ground and in-business advice and information through its proactive compliance activities. More than 3,600 proactive business inspections and engagements have been undertaken since the first public health direction was notified. Teams of inspectors have worked across weekends, public holidays and evenings to support businesses and provide information at a time that works best for them.

These engagements have provided another opportunity for businesses to ask questions, seek clarification and get advice on the restrictions specific to their business, and are part of Access Canberra's educative approach to supporting business compliance and ensuring community safety. No businesses have been fined or penalised for non-compliance with a public health direction. Inspectors provide information and advice, as well as fact sheets and information during visits, while also checking that businesses are compliant.

Teams that have been on the ground talking to businesses have reported that business sentiment overall has been supportive of a staged approach to lifting restrictions because the safety of the community and their staff is of paramount consideration for them, even though COVID-19 has impacted their operations. Access Canberra advises that one of the questions businesses most regularly ask at visits is: "How can I support my staff and community better?" It is great to see that businesses are committed to helping protect our community. This is also reflected in the correspondence I receive, where businesses are clearly seeking advice on how to do the right thing.

Access Canberra has also worked to implement practical measures to support businesses as they adjust their business models in response to COVID-19, such as through the introduction of free 15-minute parking to support takeaway pick-up near businesses and the introduction of free commercial liquor permits to facilitate takeaway for on-licences, with 119 businesses benefiting from this.

As we ease COVID-19 restrictions in the ACT, making information available to business will continue to be a focus. We will continue to work with industry peak bodies to make the transitions as smooth as possible for businesses and to help support our economic recovery. We will also continue to add to the comprehensive information on the COVID-19 website and the information available through the business resource kit, and we welcome industry's feedback on this.

Indeed, the COVID-19 website is currently in the process of being refreshed to ensure that information is up to date, is relevant and reflects feedback we have received to date. Finding the balance between the comprehensiveness of information and ease of navigation is an acknowledged challenge, especially in such a fast-moving environment.

There are still some restrictions on businesses, which take into consideration the level of risk present. For example, this may include the ways that people will come together at these venues, the number of people moving in and out of a business and how often, as well as the multiple surfaces people touch within a business, and the possibility of close contact between people. Those businesses previously restricted are required to have a specific COVID safety plan developed with regard to published guidance material endorsed by the Chief Health Officer.

But it is also important to recognise that all businesses have an obligation to consider the impact of COVID-19 and to make a plan. Work health and safety regulators across all jurisdictions except Victoria have endorsed a consistent statement of regulatory intent that sets out both how regulators will work in a COVID environment and what they expect from employers. The Chief Health Officer has consistently made the point that she needs to consider cumulative risk in circumstances where people gather and multiple social networks interact. COVID safety plans, other return to business plans and further control measures, such as visitor logs for patrons, will continue to be critical to ensure that we can ease restrictions while having confidence that our disease detectives can respond rapidly in the event of a case or cluster of new cases.

As I said, it is not solely a responsibility of business to operate in a COVID-safe way. All of us, as individuals, need to be responsible, keeping our physical distance, washing our hands often and well, staying home if we are sick and getting tested if we are experiencing symptoms of COVID-19. For those who are currently working from home, they are also encouraged to continue to do so if that works for them and their employer. For those who need to use public transport, we are still asking that they consider when to take bus or light rail and avoid peak times where possible.

In my last update to the Assembly, I provided detail on the successful operation that managed the first repatriation flight into Canberra from India on 15 May. Subsequently, on 9 June 2020 the ACT received a repatriation flight from Kathmandu, Nepal, with 296 Australian citizens and permanent residents. The flight was facilitated by the Australian government to repatriate Australians stranded overseas during the COVID-19 pandemic. All 296 passengers received health screenings upon their arrival at Canberra airport. Nine passengers were tested after being identified with COVID-19 related symptoms. All nine returned negative results for COVID-19. Passengers were transported to and accommodated in serviced apartments and will

remain in quarantine for 14 days, until 23 June 2020, and have been provided support from ACT government staff throughout.

To ensure the health and safety of passengers and the community, on day 11 all passengers will be offered the opportunity to be tested for COVID-19, even if asymptomatic. Children under two years of age will not be tested. On the final day ACT Health staff will conduct a final onsite health screening and provide clearance letters. Guests will then be permitted to return home at their own expense.

The ACT government undertook extensive planning for the repatriation flight and worked closely with ACT Ambulance Service, ACT Policing, Transport Canberra and City Services, Canberra Airport and the Australian Border Force. I again commend all the staff and agencies that were involved in this operation. I again recognise the incredible commitment and expertise of our health services staff. These dedicated individuals have been protecting the community and ensuring that we are in the position we are now. I particularly highlight the work of Dr Kerryn Coleman, who continues to ensure that we are best placed to protect the health and safety of Canberrans first with her expert advice and analysis. We are well placed but must remain vigilant to ensure that the progress we have made so far is not lost, that we do not need to go back to tighter restrictions and can continue to implement our plan for Canberra's recovery.

I present the following papers:

Status of the public health emergency due to COVID-19—Chief Health Officer Report—15 June 2020, dated 18 June 2020.

Coronavirus (COVID-19)—ACT Government response—Ministerial statement, 18 June 2020.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **COVID-19 Emergency Response Legislation Amendment Bill 2020 (No 2)**

**Mr Ramsay**, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.04):  
I move:

That this bill be agreed to in principle.

I rise to present the COVID-19 Emergency Response Legislation Amendment Bill 2020 (No 2). This bill introduces important changes to electoral legislation to support the upcoming 2020 ACT election, and it also repeals a temporary provision introduced by previous COVID-19 emergency response legislation relating to judge-alone trials in the ACT Supreme Court. This bill will be the third COVID-19 emergency response legislation that has come before the Assembly.

There has been significant positive progress in the containment and the reduction of COVID-19 cases in the ACT and across Australia since the first COVID-19 Emergency Response Bill was passed on 2 April. Over the past six weeks the ACT has recorded only one new case of COVID-19 and there remains no evidence of community transition. This is a tremendous testament to the hard work and the collaborative efforts of the entire ACT community.

With the 2020 ACT Legislative Assembly election on 17 October, the safe participation of ACT electors and the health and safety of electoral staff is obviously a key focus. In light of the ongoing health and safety risks of COVID-19, the government has been working with the ACT Electoral Commission to ensure that the commission can be appropriately supported in their preparation for the conduct of the 2020 ACT election. The electoral amendments that I present today are a result of these efforts and, importantly, these amendments will be in place only for the 2020 election and will expire following the election.

In summary, the electoral amendments will expand the early voting system so that any elector who is eligible to vote in the ACT election will be able to cast a vote before polling day at early voting centres. The amendments will support the commission's deployment of an overseas electronic voting solution for eligible ACT electors who are abroad, and will also support the commission's deployment of a telephone voting system for eligible ACT electors who are blind or vision impaired and electors who have a physical disability.

The Electoral Commission has advised, in a special report titled *Impact of the COVID-19 Pandemic on the 2020 ACT Legislative Assembly Election*, that increasing opportunities for early voting, together with targeted preventative health measures at polling locations, is the most appropriate and adaptive election delivery model under prevailing conditions imposed by the COVID-19 pandemic and continued physical distancing requirements. The special report was developed by the commission in specific recognition of the need to adapt the delivery of the 2020 ACT election to mitigate expected health risks, whilst also ensuring electoral integrity in light of COVID-19.

The bill will also introduce a legislative framework for the commission's deployment of telephone voting and electronic voting for certain ACT electors who are unable to participate in the election through physical attendance at polling venues. Amendments in the bill which support the commission's implementation of their telephone voting system are aimed at assisting eligible ACT electors who are blind or vision impaired or who have a physical disability by allowing them to vote from home. Amendments to support the introduction of an electronic voting option will facilitate the



participation of overseas ACT electors and supplement the existing option of postal voting.

The bill further introduces an amendment to clarify that the offence under the Electoral Act for making a false or misleading statement in response to an official question may apply in relation to a person responding to a question on an approved form or a question otherwise authorised by the commissioner. For example, this offence provision may apply if electors in the ACT mislead the commissioner in response to questions asked about their eligibility to vote using the overseas electronic voting system.

Amendments for overseas electronic voting and telephone voting also relate to recommendations 14 and 15 of the Legislative Assembly Select Committee on the 2016 ACT Election and the Electoral Act. In its response to the select committee's report tabled on 10 April 2018, the government provided in-principle agreement to recommendations 14 and 15, noting that those recommendations are matters for the Electoral Commissioner.

In light of our encouraging progress on minimising the transmission of COVID-19 in the ACT, the government is also in a position to relax certain amendments to the Supreme Court Act 1933 that were put in place by the COVID-19 Emergency Response Act 2020. This bill will repeal section 68BA of that act, which authorises a judge to order a trial by judge alone rather than trial by jury for any offence being tried in the Supreme Court, if the criteria for making the order are met. This was introduced to ensure that serious criminal matters were not unnecessarily delayed due to COVID-19 distancing measures. 68BA was always intended as a temporary measure.

The COVID-19 amendments currently provide that section 68BA is in effect until the end of this year, and the repeal of section 68BA before the current expiry date of 31 December 2020, through the passage of the bill, will reflect the change to the distancing requirements and the resulting ability of the courts to accommodate those within a jury trial. I note that a recent practice direction of the Supreme Court stated that the court would recommence jury trials, with special measures to ensure that social distancing requirements can be complied with.

During these uncertain times, supporting Canberra and Canberrans remains the government's driving priority. The ACT government and the ACT community are remaining vigilant and grounded about the possibility of new outbreaks. This means an ongoing and diligent commitment to understanding the ever-changing risks of COVID-19 and timely responses so that the ACT can remain as safe as possible. This bill reflects our careful and diligent approach and I commend the bill to the Assembly

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

## **Justice Legislation Amendment Bill 2020**

**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—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (11.12): I move:

That this bill be agreed to in principle.

I am pleased to present the Justice Legislation Amendment Bill 2020 to the Assembly. The introduction of this bill demonstrates the government's continuing commitment to improving the operation of the territory's laws. This bill is not a typical Justice and Community Safety omnibus bill. While the bill makes a range of minor or technical changes to legislation, across 27 pieces of legislation, some amendments involve more substantive policy changes.

Some of the more substantive changes include: introducing a "fit and proper person" test for individuals to be licensed as a real estate agent or registered as a salesperson; protecting consumers by empowering the Commissioner for Fair Trading to conduct binding conciliation for consumer disputes up to \$5,000; streamlining and strengthening processes at the ACT Human Rights Commission; improving and clarifying processes under the Crimes (Sentence Administration) Act 2005, including with respect to confidentiality, hearings and holding in custody; and allowing for particular youth sexual offence convictions to be spent subject to robust safeguards.

The Agents Act 2003 sets out the eligibility criteria for a person to be licensed or registered as a real estate agent or salesperson in the ACT. It also sets out the grounds which disqualify a person from holding such a licence or registration. The bill introduces an additional "fit and proper" test in the form of a set of suitability matters to be considered by the Commissioner for Fair Trading. This test ensures that individuals who are licensed as agents or registered as salespersons are fit to hold these positions.

The suitability matters to be considered by the Commissioner for Fair Trading include that a person has been convicted of a relevant offence, which means an offence involving dishonesty, an offence against the person, an offence involving violence, a sexual offence, or a serious drug offence; the nature, seriousness and circumstances of the offence and its relevance to the duties required to be undertaken; and whether the offence indicates that the person may pose a risk to public safety or members of the public. The bill also empowers the Commissioner for Fair Trading to conduct binding conciliations for consumer disputes relating to claims of no more than \$5,000 in the ACT.

This mechanism will increase protections for consumers and strengthen enforcement remedies currently available to rectify harm caused by unlawful conduct and will deter non-compliance. Conciliations can occur at the request or with the consent of the consumer. The Commissioner for Fair Trading may also call compulsory conferences between the trader and the consumer. If the commissioner wishes to exercise their power to conciliate a dispute, the commissioner needs to be satisfied

that the complaint or matter is appropriate for conciliation. Civil penalties can apply where a trader fails to attend a compulsory conciliation without reasonable excuse. This is an important regulatory tool to support the commissioner to facilitate good outcomes for consumers in the ACT.

The bill also introduces a number of changes to the Human Rights Commission Act to streamline and improve the way in which the ACT Human Rights Commission deals with complaints. Changes include: allowing complainants to withdraw a complaint verbally; allowing a conciliation to be successfully resolved verbally; removing the requirement that a complaint can only be referred to conciliation if it is likely to be successful; and allowing for commission-initiated discrimination matters to be referred to the ACT Civil and Administrative Tribunal for determination.

The commission plays an integral role in the ACT's rights protection framework, and the changes in this bill ensure that the processes that the commission uses to handle complaints are fit for purpose. The bill also makes a number of amendments to the Crimes (Sentence Administration) Act 2005. It allows the Sentence Administration Board to remand an offender on parole in custody for up to eight days. Allowing the board to adjourn for a full week provides the best opportunity for issues to be resolved and the offender's situation stabilised prior to the next hearing. This is likely to prevent the need for a subsequent adjournment. In deciding the length of the adjournment, the board must consider how long a period is reasonably necessary, taking into account the purpose of the adjournment, the personal circumstances of the offender and the interests of justice.

To support the effective management of the board, the bill further provides for the power to issue a warrant of arrest for an offender appearing remotely who is remanded in custody pursuant to section 210. A further amendment is made to clarify that any period for which a warrant is outstanding and the offender is not in custody does not count as part of the offender's term of imprisonment. The bill makes further amendments to clarify the current practice that victims can give evidence to the Sentence Administration Board in relation to inquiries into parole applications, clarify that oral submissions may be kept confidential, and clarify that victims can request that their submission be kept confidential.

Another important change introduced in the bill is an amendment to the Spent Convictions Act to allow for a person with a youth sexual offence conviction to apply to the court for an order that the conviction is spent. As being convicted of a sexual offence can impact employment prospects and social participation, this amendment may improve employment outcomes for affected offenders. Unlike other convictions in the Spent Convictions Act, youth sexual offence convictions cannot become automatically spent. An applicant must apply to the court, and the court may order it be spent only where a sentence of imprisonment longer than six months has not been imposed and the offender has completed a five-year crime-free period. The court must also be satisfied that it is in the public interest to make the order by considering, for example, the nature, circumstances and seriousness of the offence, whether the applicant poses any risks to public safety if the order is made and any views of the victim.

The bill also makes a number of other amendments to legislation. The bill amends the Classification (Publications, Films and Computer Games) Enforcement Act 1995 to create a single licence to deal in X 18+ films, meaning to sell and/or copy X 18+ films.

The bill amends the Discrimination Act 1991 to update terminology in line with community expectations. For example, the protected attribute of “gender identity” is clarified to include “gender expression”, “intersex status” is changed to “sex characteristics”, and “sexuality” is more broadly defined to include more diverse sexual orientations.

Amendments to the Domestic Animals Act 2000 will update the definition of “serious injury” and include a definition of “serious dog bite”. The bill also introduces new requirements for selling or giving away a cat or dog, the contravention of which constitutes an offence.

The bill introduces a change to the definition of “fuel” in the Fair Trading (Fuel Prices) Act 1993 and the Fuels Rationing Act 2019. This definitional change ensures that these acts cover fuels currently in use in the ACT and that all fuels are appropriately covered by consumer protection provisions. In particular, the new definition covers hydrogen. Hydrogen fuel is a small but growing market in the ACT, and one that is likely to increase in the coming years as the hydrogen fuel market matures and Australia’s first hydrogen vehicle refuelling facility in Canberra becomes operational. The bill also replaces outdated references in the Fuel Prices Act to the “Prices Surveillance Authority” with “Australian Competition and Consumer Commission”.

In the Liquor Act 2010 and Liquor Regulation 2010, the bill makes minor and technical amendments to complete the implementation of the perpetual licence scheme. In the Road Transport (Alcohol and Drugs) Act 1977, the bill expands an existing offence for driving or riding a vehicle while under the influence of alcohol to also include while under the influence of a drug. The bill also makes a number of minor consequential amendments to the Unit Titles Legislation Amendment Bill 2019 passed earlier this year.

The bill makes technical changes to the Civil Law (Sale of Residential Property) Act 2003, Residential Tenancies Act 1997, and Unit Titles (Management) Act 2011, which will commence in line with the Unit Titles Legislation Amendment Act 2020 in November this year. Finally, an amendment to the Victims of Crime Act 1994 will allow for the courts to provide any victims levies payable by an offender to be stated on a written notice separate to an offender’s fine order or penalty notice.

The bill being introduced today is a human rights compatible bill. It improves the operation of our laws and increases the availability of services in our community. These improvements are a result of the government listening to, and working with, the community to deliver legislation that is up to date and fit for purpose. I commend the bill to the Assembly.

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

## **Employment and Workplace Safety Legislation Amendment Bill 2020**

**Ms Orr**, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS ORR** (Yerrabi—Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement) (11.23): I move:

That this bill be agreed to in principle.

Today I am pleased to present the Employment and Workplace Safety Legislation Amendment Bill 2020. This bill makes a number of amendments to legislation within my portfolio. It will make amendments to the Workers Compensation Act 1951 to modernise provisions in the act that deal with insurer and self-insurer approvals. The bill will make structural and technical amendments to the Dangerous Goods (Road Transport) Act 2009 in order to better align the territory's legislation with nationally agreed model legislation applying to the transport of dangerous goods.

The bill will also amend the Work Health and Safety Act 2011 to deliver better health and safety outcomes for workers in the territory. The lives of working people depend on the continual improvement and strengthening of work health and safety legislation. I am confident that the amendments introduced today will ensure that our safety and regulatory frameworks continue to be responsive and effective.

The proposed amendments to the Workers Compensation Act 1951 will improve the efficiency and effectiveness of the workers compensation scheme insurer and self-insurer regulatory framework. The Workers Compensation Act 1951 provides that all employers in the ACT must have a compulsory workers compensation insurance policy with an approved insurer unless they are granted an exemption by the minister. Employers who are granted an exemption are subsequently approved to operate as a self-insurer.

This approach is now out of date. It is time to move to a modern licensing framework for both insurers and self-insurers. It is critical that injured workers in the ACT should be able to expect a consistent standard of service regardless of whether their employer has an insurance policy or is self-insured.

Protecting working people is, and always will be, a priority for this government. If a worker is injured or suffers a disease as a result of their employment, the workers compensation scheme provides them with the coverage they need to get back on their feet and return to work or to support them if that is not possible.

There are several key amendments to the Workers Compensation Act being introduced in the bill. We are updating the general approval provisions to incorporate modern licensing drafting practices, including requirements to apply for a licence and

comply with conditions of a licence, and the regulatory tools necessary to respond to a breach of those conditions.

In relation to self-insurers, they will no longer be able to be treated as exempt employers. An exemption usually describes someone who does not have to comply with the obligations created under law. This is simply not the case. Self-insurers must also respond to and assist their injured workers to return to health and return to work. For this reason, a licensing framework for self-insurers will reflect the obligations that the workers compensation expects of self-insurers.

Other technical amendments will ensure that the regulatory functions under the Workers Compensation Act are appropriately legislated to be the function of the new Work Health and Safety Commissioner. This will include the licensing of insurers and self-insurers, a role currently performed by the commissioner and her office.

I now move to the amendments in this bill to the Dangerous Goods (Road Transport) Act 2009. In the ACT dangerous goods are regulated by several statutory instruments. The dangerous goods road transport legislation regulates the transport of dangerous goods in the territory. This legislation is based on the nationally agreed model act for the transport of dangerous goods by road or rail and is implemented in the territory pursuant to the intergovernmental agreement for regulatory and operational reform in road, rail and intermodal transport, signed in October 2003.

This bill will ensure that the territory is better aligned with the model dangerous goods road transport laws. Specifically, the bill will make a number of structural changes that will allow the ACT to continue to update the associated regulations, as required from time to time, to maintain consistency with revisions to edition 7 of the Australian Code for the Transport of Dangerous Goods by Road and Rail—ADG code—as adopted automatically in the ACT. These changes will have a positive impact and reduce the administrative burden on businesses that transport dangerous goods in the territory, often travelling through the surrounding New South Wales region before entering the ACT.

Amendments within this bill to the Work Health and Safety Act will explicitly provide for work health and safety right-of-entry permit holders to take photos and otherwise document breaches of work safety legislation that they see while conducting inspections, and make technical amendments to clearly give the work health and safety regulator powers to issue a compliance notice for the removal of illegally installed asbestos.

Workplace safety is everyone's responsibility and it requires the government to ensure that appropriate mechanisms are in place to keep every worker safe—something that the Canberra community rightly expects. In light of recent workplace injuries and fatalities, we acknowledge our ongoing responsibility to ensure that our work health and safety laws reflect this expectation.

In introducing this legislation, the government is delivering on its longstanding commitment to protect working people. The changes within this bill will support the role of the work health and safety regulator by better promoting compliance with work health and safety obligations and duties. The role and expertise of unions in

advocating for worker health and safety is one that is already recognised and established in our WHS laws. Under part 7 of the Work Health and Safety Act, work health and safety right-of-entry permit holders, who must be a member of a union, are able to inquire into suspected work health and safety breaches at workplaces. This is a critical role in assisting with the prevention and rectification of work health and safety breaches by persons conducting a business or undertaking, known as PCBU's. The amendments will ensure that permit holders can, in addition to their existing powers of entry, document work health and safety breaches more effectively through photographic and audiovisual means.

The changes being introduced were, in fact, explicitly included in the ACT's work health and safety laws before the 2011 model work health and safety laws were adopted. The 2011 model laws are silent on the matter of taking photographs or videos of safety conditions, and this amendment will clarify the powers available under that legislation, with the aim of keeping local workplaces safe. This is a specific response to recommendations by the ACT Work Safety Council for ensuring better safety across the ACT. Allowing WHS entry permit holders to document any suspected work health and safety breach observed at the workplace under a right of entry will ensure that all breaches can be documented.

It is my priority that we improve the safety culture on worksites across the ACT, and this important change will go a long way towards holding people to account. The amendments in this bill will keep the ACT in step with modern, effective and robust regulatory frameworks that are able to deliver better outcomes for our workers.

In addition to these amendments, the bill will also make one minor amendment to section 27 of the Public Sector Management Act 1994. This amendment will correct a misalignment between that act and the ACT public sector enterprise agreements to ensure that there is no confusion about the application of the merit and selection principles for temporary transfers to higher offices of six months or more, not three months or more.

This bill will deliver better protections for working Canberrans and ensure that the work health and safety regulator has the necessary powers available to conduct compliance activity. The government will always stand up for working people, and we will do everything we can to ensure that no worker is injured or killed at work. I commend the bill to the Assembly.

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

## **COVID-19 pandemic response—Select Committee Reporting date**

**MS CHEYNE** (Ginninderra) (11.31): I move:

That the resolution of the Assembly of 2 April 2020, as amended 7 May 2020, which established the Select Committee on the COVID-19 Pandemic Response be amended by adding the following paragraph:

“(6) the Committee deliver its final report no later than 27 August 2020.”.

This is a simple amendment to our terms of reference to ensure that we are no longer breaching the standing orders by having a reporting date for this committee which will be 27 August this year, which is the last day of sitting.

**MR WALL** (Brindabella) (11.32): The opposition will be supporting the amendment regarding the establishment of this committee. It is important that there continues to be scrutiny of government actions and functions during the COVID response. Whilst the date was not necessarily an easy date to agree on, I think that there is now agreement from all three parties for the date to be at the end of August. However, the opposition will reserve the right, should there be a second wave or a further outbreak of community transmissions of COVID, to review that decision, and we will reserve the right to come back and amend the reporting date if required.

**MS LE COUTEUR** (Murrumbidgee) (11.32): I would like to echo the comments of Mr Wall on the importance of this committee and the possibility—hopefully a possibility which does not eventuate—that there will be a second wave, noting that the future is uncertain. We support the motion as moved.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Scrutiny report 44**

**MS CODY** (Murrumbidgee) (11.33): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 44, dated 16 June 2020, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MS CODY**: Scrutiny report No 44 contains the committee's comments on four bills, 16 pieces of subordinate legislation, a proposed amendment to the Residential Tenancies Amendment Bill 2020 and five government responses. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

## **Health, Ageing and Community Services—Standing Committee Statement by chair**

**MS CODY** (Murrumbidgee) (11.34): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health, Ageing and Community Services relating to report 10. I wish to advise of a corrigendum to report 10 of the Standing Committee on Health, Ageing and Community Services. The corrigendum replaces the respective text in the published report. I therefore seek



leave to table a corrigendum to the Standing Committee on Health, Ageing and Community Services report 10: *Report on Inquiry into Maternity Services in the ACT*.

Leave granted.

**MS CODY:** I table the following paper:

Health, Ageing and Community Services—Standing Committee—Report 10—*Report on Inquiry into Maternity Services in the ACT*—Corrigenda.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Budget—2020-2021 postponement**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (11.36), by leave: I move:

That this Assembly:

- (1) pursuant to section 5 of the *Financial Management Act 1996*, resolves to delay the introduction of the Appropriation Bill 2020-2021 and the Appropriation (Office of the Legislative Assembly) Bill 2020-2021 and 2020-21 Budget until after the election has been held and the formation of a government, noting that this is in line with the National Cabinet decision and actions taken by all other States and Territories;
- (2) acknowledges that, as a consequence of the present situation, some amendments will be required to the reporting requirements prescribed by the *Financial Management Act 1996*; and
- (3) acknowledges and accepts alternative measures will be required until a budget can be presented.

This is a straightforward motion in accordance with the Financial Management Act that reflects the situation we find ourselves in. It has been foreshadowed for some time, and I outlined this morning in that major economic statement the process that the government will undertake between now and the caretaker period.

A successful passage of this motion allows that after the territory election, the government that is formed can then commence work—or preclude work, depending on the result of the election—on a 2020-21 budget. I commend the motion to the Assembly.

**MR COE** (Yerrabi—Leader of the Opposition) (11.37): For years the ACT government have said that their tax reform is fair. Every year in the budget there has been another pitch to Canberrans that their reform is fair, that it is only a cup of coffee a week and that it is reform for the times. Well, now, through the government's actions, they have admitted that their rates hikes are not fair—they are a burden.

Of course, it has taken an election for Mr Barr and the Labor Party to become accountable to the people with regard to their rates policy. It is a shame that it has taken an election for Mr Barr to respond to the hardship his policy has caused. Canberrans are not easily fooled. Canberrans know this Chief Minister has tripled their rates. They will not be fooled with a \$150 rebate when the rates they have been paying have increased by over \$1,000 year on year.

Canberrans know this Labor government is responsible for the transport bungles, including axing so many dedicated school buses. They will not be fooled by the minor tweaks announced this week. Canberrans know that this Labor government has seen a wholesale reduction in the tree canopy in the ACT. They will not be fooled by their puny 17,000 tree planting program. Canberrans know that, even before COVID-19, this government had racked up \$4 billion of debt with no plan to pay it off.

Now, after having some of the 100-plus communication advisers hyping his economic speech and economic statements, this is all that we get. The economic statement put out this week is simply a sedative—it will not do what the Chief Minister says it will. The economic statement provides no figures and no detail, and after 19 years in office it has no vision for the future of our city.

After 19 years in office Canberra should be a Labor utopia. Instead, everywhere you look there are very real problems for Canberra families. Taxes and rates are at record highs. Hospital waiting times are the worst in the country, and school results are lagging behind and getting worse. Of course, if you live outside the Barr Braddon bubble, you are simply forgotten. Canberrans deserve so much better.

There is a better way, and the Canberra Liberals will deliver just that. The Liberals have worked constructively with the government and with Canberra to protect the health and wellbeing of our citizens. We have also made no secret of our concerns about this government's lackadaisical approach to protecting jobs and backing the job creators.

We need to support the people in business who take risks, who invest time and money, who put their houses and life savings on the line, who employ Canberrans, who pay taxes and deliver the products we desperately need. The Canberra Liberals honour these people. We thank them for what they contribute to our economy and we want to make their lives easier, not harder.

We have been constructive and we have been recognised by many, including government ministers, for our constructive approach. We have pushed for commercial rates relief for affected businesses. We have advocated for commercial rent relief. We have advocated for drive-through testing facilities. We pushed for the ACCC to stop the gouging by some food delivery services. We pushed for rent waivers for ACT government commercial tenants. We advocated for a place for the homeless to sleep. We sought clarity, coherence and rationality regarding the restrictions. We pushed for fixed water and sewerage charge relief for the empty hotels across the city.

We advocated for basic urban services projects to get underway as quickly as possible as a stimulus for our city. We called for the government to book and pay for school excursions and carnivals with tourism operators to help them with their cash flow. We advocated to safely reopen all local schools. We launched a love your local campaign to support local businesses. We pushed for a tailored and safe approach to reopening the hospitality sector, and so much more.

Throughout this period, we have been in very close contact with the small businesses of Canberra, and we will keep serving them as their representatives, rather than a government that dictates to them. At every turn the government say no, and that is if they respond at all. The government simply said it was in the too-hard basket. They said everybody needed to share the pain. It seems that the entity that took the least pain was, in fact, the Barr Labor government.

The government were always more interested in what was easiest for them rather than what was in the best interests of Canberra. Their approach was lazy. Their so-called economic survival package has so many elements that are not available for struggling businesses, and so many elements that were so complex that some people did not even bother applying. We see that with commercial rates relief.

If you are serious about saving jobs and keeping small business doors open, you do everything you can to back them in. This government has taken the same contemptuous and lethargic approach to this as it takes to everything else. One employer here in the city told me business owners were told to work it out themselves.

Some are deferring payments. However, all this does is accumulate debt, placing business owners in unfathomable stress. It is heart-wrenching listening to these long-term business professionals share their stories. I cannot express the emotional devastation and desperation in their voices. This is impacting not only their business, families and financial stability but their health and wellbeing as well. The government's decisions, or lack thereof, have very real consequences for Canberrans.

The Canberra Liberals have not just called out Labor's tripling of rates over the last decade; we have actively campaigned every single day for genuine rates relief because we know that when the government drives up rates by seven, eight, nine, 10, 15 per cent year on year; it increases rents and pushes more and more families to the brink.

Since 2012 the number of households in the ACT that have applied for a rates deferral has increased by more than 1,000 per cent—tenfold. Tenfold is now the number of families that cannot pay their rates and need relief. Every single day there are more and more examples of families that are doing it tough.

Deb from Fisher emailed me to say:

Our life has become too far in Canberra. Rates are the biggest killer for most people.

Further:

The government does not even allow long extensions of time to pay before being slugged with interest if you can't pay the already massive amount that's due every 12 weeks. I have been in tears over this many times. I have to almost beg on the phone for just a two-week extension. It is cruel. I am only on a pension and pay the government a high percentage of my fortnightly pay, and yet I don't even use the services.

Our rates freeze guarantee is about giving back control of household budgets to the families of Canberra. Our rates freeze guarantee is about respecting and honouring the people of Canberra who have worked so hard and contribute so much to this city. Only the Canberra Liberals will deliver a rates freeze guarantee of four years.

After 19 years of Labor and a decade of that in coalition with the Greens, the number of street and community trees has gone backwards by about 3,000 trees every single year. The tree canopy has gone backwards from 30 per cent to 21 per cent. No more obvious is Labor's neglect of trees and our environment than in the new suburbs of Canberra. We have all been to suburbs that have almost no trees at all and, what's more, probably never will. That is the legacy of this Labor government.

Generations of people in some suburbs will never, ever have a street tree, a tree in their front yard or a tree in their backyard. How can it be that literally thousands of blocks in the bush capital may never have a single tree in them? This is a legacy of Labor's planning—thousands of blocks without a tree, ever, as a result of this government.

The Canberra Liberals are proud to partner with families, community groups, schools, local businesses and community-minded Canberrans to ensure that Canberra lives up to its name as the bush capital. As a key pillar of our plan to protect the local environment to ensure that we have a sustainable future for all, a Canberra Liberals government will plant and care for one million trees over the next decade. We will also deliver a green space guarantee to ensure that well-maintained green spaces are accessible to every household. These are real and practical measures that will protect our local environment.

Over the coming weeks we will continue to outline our positive plan for Canberra, and I am sure our opponents will continue to roll out poor copies of these initiatives. But one thing is very clear—only the Canberra Liberals will reduce the cost of living for families. Only the Canberra Liberals will deliver better local services for our city. There is a better way, and, soon, Canberrans will have a chance to vote for it.

**MS LAWDER (Brindabella) (11.51):** I move:

Add:

- “(4) consult with the Leaders of all parties in the Assembly before such measures are publicly announced;
- (5) notes that each month the Commonwealth publishes the General Government Sector Monthly Financial Statements; and

- (6) calls on the ACT Government to table, by the end of this sitting day, the Government's:
  - (a) operating statement;
  - (b) balance sheet; and
  - (c) cash flow statement for the period ending 30 April 2020, with figures for the:
    - (i) year-to-date; and
    - (ii) estimated outcome for 2019-20."

I have circulated a straightforward amendment which adds three points after the existing motion from the Treasurer, Mr Barr. As my colleague Mr Coe has already outlined, the Canberra Liberals have tried to take a constructive approach to the response to COVID. We have advocated for rent relief; drive-through testing; a place for the homeless to sleep; relief for pubs and clubs, and small businesses; and many other measures.

We realise that this is a difficult and challenging time for the ACT, for Australia and, indeed, for the world. That is why we have asked for additional consultation and information. We want to continue being constructive, where that is appropriate, but we want to ensure appropriate transparency and accountability and information.

That is why we are asking, in this amendment, for consultation with all leaders of all parties in the Assembly before measures are publicly announced. We have asked for information to be tabled about the government's operating statement, balance sheet and cashflow to the end of 30 April. I note, and it is noted in the amendment, that the commonwealth government provide monthly reports; they publish the general government sector monthly financial statements.

If the federal government, with all the complexity that is involved in it, can publish monthly reports then, surely, in our smaller jurisdiction, we have these reports already available. They must be reported on monthly, so they could be made available. The amendment is straightforward: three additional points to Mr Barr's existing motion. I look forward to the support of this Assembly for this amendment.

Debate (on motion by **Ms Le Couteur**) adjourned to a later hour.

## **Financial Management Amendment Bill 2020**

Debate resumed from 4 June 2020, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR COE** (Yerrabi—Leader of the Opposition) (11.53): The Canberra Liberals will be supporting the bill today, continuing in our bipartisan, collegiate approach to this pandemic crisis. The Assembly has agreed to delay the handing down of the 2020-21 budget until after the election later this year. Therefore, this bill is necessary to appropriate funds to ensure that the government functions throughout this period.

While we are supportive of this bill and its necessity, I note that this should not be taken as an opportunity for the Barr government to do whatever it wishes with taxpayer funds without oversight. As I have said before, extraordinary times require extraordinary scrutiny. It is important that the Assembly and Canberrans are kept well apprised of what the Barr government intends to spend taxpayers' money on during this period without a formal budget.

We do not know exactly what initiatives will be funded and we do not have the normal estimates process to put specific questions directly to ministers and public officials. My colleagues have already pointed out the ever-increasing number of taxpayer-funded signs and the extraordinary amount of communication that has taken place across this city now that there is an election around the corner.

The Treasurer has already highlighted in his address today that the government is likely to not meet some of its financial reporting requirements, which should be of concern to Canberrans. This remains a critical area of oversight, especially in the absence of an appropriation.

As I have said, the Canberra Liberals support this bill to ensure that the normal functions of government can continue. These have to be the normal functions of government, not extraordinary functions of government that are designed to help Mr Barr be re-elected. We will continue to scrutinise the government's spending and hold it to account to ensure that Canberrans' money is spent wisely.

**MS LE COUTEUR** (Murrumbidgee) (11.56): The Greens will be supporting this bill. Clearly, one of the most important jobs of the Assembly is keeping the government of the day accountable for the way it spends money. The way it spends money is one of the major ways, possibly the most major way, in which the government impacts on the lives of people in Canberra. So it is really important that we get this right. Government resources are finite and they need to be spent in the best way.

Many of the worst aspects of politics that we have seen federally, in other parts of Australia and around the world involve, unfortunately, the misuse of government funds. Earlier this year, for example, we saw the federal Liberal government's disgraceful sports rort coming to light. Funds for community sports and recreation were funnelled away from groups that needed the money into other groups who were politically expedient, and in some cases ineligible to get any funding at all.

To help keep governments accountable for the money they spend, Australian democracies have a complex process for setting annual government expenditure. It starts with the government presenting a budget each year, sometime before the start of the new financial year. Following that, there are formal scrutiny processes. Here, this includes a formal budget reply speech by the opposition and the crossbench, followed by two weeks of estimates committee hearings, a committee report, the recommendations, then a week and a half of debate on the various pieces of appropriation and revenue legislation. So this is quite a substantive undertaking every year.

The annual presentation, scrutiny and debate on the budget is an obvious process that happens every year like clockwork—except for this year, of course, which is why we have the bill—but I suspect that many people in the community are not aware that it is actually an important independent accountability measure. Presenting an annual budget does not happen in all countries. There are countries around the world where the government does not need to release a budget, because it appears to be accountable, certainly on a day-to-day basis, to nobody. There are countries where a budget is released but it is a fictional propaganda document.

This year, around Australia, the important tradition of accountability through presenting a budget for scrutiny has changed. The federal government has delayed its budget, as have New South Wales, Queensland, the ACT and so on. This is not something which has been done lightly. It has been done through a national cabinet agreement because of the COVID crisis.

The Greens are strong believers in government accountability. We do not lightly support delaying the budget. We have done so this year because it has been necessary at a time of crisis, but we believe that next year the process should return to normal. As soon as possible, the process should return to normal.

When I and the Greens were considering whether to support this bill, we were looking for two key things: first, whether the changes would apply only to this year and without any permanent reduction in accountability; secondly, whether the legislative changes were kept to a minimum. This bill receives the Greens' support because it meets both of these tests. It is restricted to the 2020-21 financial year. It is also very limited in scope and size. Rather than creating a whole new arrangement, it utilises an existing process that we use every year to allow the budget to be passed in August, after the financial year has already commenced.

The annual budget is an important accountability tool and it should not be delayed lightly. This year COVID-19 has forced governments around Australia, including the ACT government, to delay their budgets. However, we must be very careful in how we implement the delay to make sure it is a one-off delay. This bill is limited to this year only and makes no broader changes to the budget process. The Greens will therefore support it.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (12.00), in reply: As we have heard, the bill provides a straightforward change to the legislation which ensures that the government can continue the provision of continuing functions and critical services. This approach is consistent with the actions taken by all other state and territory governments to provide a larger than normal supply period, in recognition of the delayed commonwealth budget and the significant impacts experienced due to COVID-19.

The bill increases the amount of appropriation available to agencies from 1 July to 100 per cent of the amount of both appropriations acts in the 2019-20 fiscal year. It limits the increase, as Ms Le Couteur pointed out, of the available appropriation just

to the coming fiscal year and will ensure sufficient funding is available to continue the operations of government until the Appropriation Bill 2020-2021 can be passed by the new Legislative Assembly, following the election in October.

The government will continue to make publicly available information on initiatives and programs decided by cabinet, which has ensured the economic recovery of the territory and support for local business during the period.

The bill has been reviewed by the JACS committee in its scrutiny role, which found no comment or response required by government. The bill makes a time-limited and necessary adjustment to support the ongoing and critical functions of government during these unusual times. I thank the other speakers for their support and commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 12.02 to 2.00 pm.**

## **Questions without notice**

### **Schools—loss of income**

**MR COE:** The question I have is for the minister for education. When the government decided to cut hire fees for community groups and other organisations using schools, until September this year, did the government also make payments to schools to cover the loss of income?

**MS BERRY:** If schools require additional funding to deliver services and deliver education, the Education Directorate and the government will consider that, but at the moment we are all in this together, recovering from a health pandemic together and working our way through it together. That is how we will get through it. The Education Directorate are working very closely with schools to ensure that they can meet their needs, but, importantly, we need to make sure that our community sports can get back on track as well and be available so that people can get back to sports. We will keep a very close eye on it. If our schools do need additional funds to support education, we will work with them on what that looks like.

**MR COE:** Minister, how many schools have been affected by this decision, and have you contacted schools to advise them of what options are available in order to seek additional resources from the ACT government?

**MS BERRY:** I understand that the Education Directorate has been in touch with all schools who hire facilities out to sports and community groups.



**MRS KIKKERT:** What notification was given to schools who depend on such rentals?

**Ms Berry:** I am sorry, I could not quite catch that.

**MADAM SPEAKER:** Can you repeat the question, Mrs Kikkert.

**MRS KIKKERT:** What notification was given to schools who depend on such rentals?

**MS BERRY:** I should remind the Assembly that ACT public schools do not operate independent of the government; they are all funded by the government and part of one government system. If schools need additional support, they will get it. I am not sure what time frame was provided for that announcement, but we are all working closely together to make sure that everybody gets the same chance and that, as we in the ACT navigate our way through this international health pandemic, there are sports groups and community groups to get back to once it is safe to do so.

### **Planning—green space**

**MS LE COUTEUR:** My question is to the minister for planning and relates to artificial grass and whether or not it is living infrastructure. Minister, the Republic development in Belconnen has installed artificial grass where the approved plans say turf is required. Apparently, turf can be either grass or plastic manufactured to look vaguely like grass. Does ACTPLA actually ever require real, growing grass or is artificial always acceptable?

**MR GENTLEMAN:** I thank Ms Le Couteur for her question. It is indeed an interesting observation on how we treat our landscapes across the ACT. I have noticed, particularly on my walks, a lot of people choosing to use artificial grass rather than real grass. I think we know that natural vegetation across the ACT is far more beneficial than those artificial—

**Ms Le Couteur:** On a point of order, the question is whether ACTPLA actually requires grass, not whether people plant it.

**MADAM SPEAKER:** Yes. Mr Gentleman, to the point of the question.

**MR GENTLEMAN:** I was getting to it—18 seconds into the answer. Indeed, my observation is—

*Members interjecting—*

**MADAM SPEAKER:** Members, allow the minister to answer the question.

**MR GENTLEMAN:** the landscaping provisions do require real grass and real plants for landscaping purposes on a number of occasions. But I would imagine there would be some negotiation where proponents would want to use artificial grass.

**MS LE COUTEUR:** Minister, will the Territory Plan variation for living infrastructure which was under consultation earlier this year also count artificial grass as green space?

**MR GENTLEMAN:** It does, depending on what it is used for. I can advise, of course, that living infrastructure can be artificial grass. In particular, it is used for areas where you may have people with a disability wanting to use that area and real grass is an impediment to those people wanting to proceed, in some cases. There is the opportunity there.

### **Housing—community**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. Minister, the *Canberra Times* recently reported that more than 30 brand-new dwellings in Kaleen earmarked for community housing remained vacant 15 months after completion in March last year. It was also reported that a tenderer to manage these had been selected about five months ago. Minister, are you able to tell me how many people have remained on the waiting list for five months since the tenderer was selected?

**MS BERRY:** I thank Mr Parton for the question and for his interest in increasing and improving public housing across the ACT, despite the petition that was delivered by the opposition in the Assembly this morning to reduce the number of dwellings in Chisholm. I am disappointed that that contract did not come forward immediately. However, we have been operating in unprecedented circumstances and Housing ACT have gone above and beyond to make sure that they can support people in our community who are homeless, who are experiencing homelessness or who are sleeping rough.

I know that members of the opposition have taken the chance to visit some of the sites that have been provided and opened up—fast-tracked—to provide support, particularly for rough sleepers but also for women and children in our community. I can inform the Assembly that at MacKillop House, a fast-tracked project with CatholicCare, after a year of negotiations between CatholicCare and the nuns who lived there, there are, a week and a bit after opening, five families and eight single women being accommodated. At Axial housing there are now 21 people who had been previously sleeping rough.

**MADAM SPEAKER:** A point of order, Ms Lawder?

**Ms Lawder:** The question was: how many people have remained on the waiting list for five months since the tenderer was selected?

**MADAM SPEAKER:** I am not going to rule on the point of order because Ms Berry is providing information about the accommodation that has been provided. It goes to the point of the question, perhaps.

**Ms Lawder:** We are looking for a number—how many?

**MADAM SPEAKER:** Ms Berry, you have time left.

**MS BERRY:** I want to provide one more number, which is accommodation at the Winter Lodge, which I know Mr Parton is particularly interested in. There were 27 people accommodated there last month.

**MR PARTON:** I have a supplementary question. Minister, with regard to the issue that was raised in the question, what have you personally done and what are you doing to get these units filled?

**MS BERRY:** Thirty-three of the public housing units are filled, and there are about another four who are in the process of moving in, which does take some time. We have been negotiating for some time with the preferred tenderer, and I will be announcing the preferred tender next week, but it has been a long process because it is something new for the ACT that has not been done before. The contract that we have been negotiating has required significant work through both parties—the government and the community housing organisation. But, importantly, I want to acknowledge the work that Housing ACT has done in the meantime in supporting people in our community through heat, smoke, hail damage and now COVID-19. They conducted four heatwave responses for 600 of our most vulnerable public housing tenants.

**Mr Coe:** It would be easier if they were in a unit.

**MS BERRY:** Yes, it would be easier if they were in a unit. You were talking this morning, Madam Speaker, about hypocrisy, and I find that in the opposition, with respect to their petition that was presented in the Assembly this morning, which called for a reduction in public housing. Members of the opposition cannot come in here and ask, “Why isn’t there more?” and then call for less.

**MADAM SPEAKER:** Is there a supplementary question or a new question?

**MR COE:** There is. Minister, what lessons have been learnt from this failure so that future projects do not suffer the same fate and so that the ACT government can, at last, reduce homelessness in the territory?

**MS BERRY:** It has not been a failure; it has been a success. It is a new type of housing, where people are supported to build a strong community in mixed accommodation of affordable and public housing, working together to create a really strong community at this new development. I should remind members, again, of what Housing ACT has been working through over the last six months—in particular through the smoke, the fires and the hail damage to housing properties, as well as now through COVID-19.

It has been a significant amount of investment and fast-tracked work to ensure that people who have experienced homelessness in our community and who are most in need of support are getting it. We have provided additional supports for women who are escaping domestic and family violence, through making sure that they are supported not just for the short term but for the long term—for over 12 months.

**Mr Coe:** How many rough sleepers are there?

**MS BERRY:** The number of rough sleepers in the ACT has reduced as a result of the work that Housing ACT has done over the last six months to get them into housing with CatholicCare's Axial housing program.

### **Education—COVID-19**

**MISS C BURCH:** My question is to the minister for education. Minister, the Grattan Institute has released a report that shows that children from disadvantaged backgrounds learnt at only 50 per cent of their regular rate in remote online learning during the recent school shutdown and that the equity gap grows at triple the rate when schools are teaching remotely. In the ACT the gap is another 7.5 per cent, or nearly six weeks, wider because our schools had the second longest shutdown. Minister, what assessment have you done to determine how many students have been disadvantaged during the recent shutdown?

**MS BERRY:** I dispute some of the information that was provided in that report, particularly around the shutdown, because there were school holidays during that period and there was also remote education that was provided to children at home. We were in a much better place than the rest of the country because of the ACT government's delivery of Chromebooks in the ACT to our senior secondary students.

Disadvantage and its impact on student learning is well understood in the ACT. Supporting students who are less advantaged in the ACT has been a priority, as is evidenced by the principle of equity which underpins the future of education strategy.

I have absolute confidence in our teaching profession. Along this journey, which has been a difficult one for everyone as we have navigated our way through an international health pandemic, their support for students and the wellbeing of students has absolutely been at the front of their minds. I understand and have confidence that they will be able to provide the wellbeing first and the learning will follow, which has been the advice from our school leaders and schoolteachers all the way through this.

While the report is not completely contradictory to another important one from one of the world's most pre-eminent education thought leaders, it does go to a glass half-empty premise rather than a glass half-full one. A cautious diagnosis of quizzes and high-stakes evaluation is suggested, when what we are hearing from our teaching profession is that considered, formative, low-threat assessments of learning to reveal students' strengths and needs is what actually should be occurring and has been occurring all the way through as we have navigated our way through this health pandemic together. We have done it all the way from the start of the year, working together to get through this. That is the way that we will get through this within our education systems as well: together.

**MISS C BURCH:** Minister, what additional support have you provided to teachers so that they may assist disadvantaged students to catch up?

**MS BERRY:** We are now a week and a half into all students returning to on-campus education. What is happening now is that teachers are ensuring that the wellbeing of our students is at front of mind first, and the learning will follow from that. Teachers have been, as I said, from the start of remote education and pupil-free days and as they have returned to campus, making sure that they have a happy, healthy place to come back to, making sure that their return to school is seamless, careful and considered, and understanding families and students—because our teachers do understand our students much more than many of our parents do and can support them and their families along this journey. If there is additional support required along the way for individuals, that will be provided by our schools and our teaching professionals. If additional supports are needed then the Education Directorate will work with our schools to identify what those supports might be.

**MR WALL:** Minister, what has been done to assess the emotional needs of students who may have fallen behind their peers as a result of distance learning?

**MS BERRY:** I have to make the point again that this has been quite an incredible time for everybody. Our teachers and school leaders have worked incredibly hard through what have been incredibly difficult circumstances to continue to deliver an education to our students. I think everybody acknowledges that a remote education is not ideal. However, we are still going through an international health pandemic, and three months ago we were in a very different place from where we are now. But what we have always had is our strength and unity with each other, and we have supported each other all along the way. That is what our teachers are focused on within our schools: to ensure that young people get the support that they need both in their education and, in particular, for their wellbeing. If students are happy then they will learn much better. That is the focus of our teaching professionals. I have confidence, as I have had from the start of their work through this whole pandemic, that they will be able to deliver.

### **Transport Canberra—bus driver training**

**MISS C BURCH:** My question is to the Minister for Transport. Minister, I refer to a *Canberra Times* article dated 17 June 2020 regarding the government's announcement to fix some of the problems it created with network 19. The article states:

... a timeline to fully reinstate all promised weekend services—cut due to driver shortages—remains unclear.

Minister, how many prospective bus drivers have undergone driver training since you announced your recruitment blitz, and, of those, how many remain employed by Transport Canberra?

**MR STEEL:** I thank Miss Burch for her question. Earlier this week I announced a time line for the increase in frequency of weekend services, which will be from the start of term 4, or earlier, depending on how we go with recruiting more bus drivers. We think we need an additional 27 bus drivers in order to improve the frequency on weekends. We have currently recruited up to 813 bus drivers. Those are the overall

numbers at Transport Canberra at the moment, but we do need 820. Noting that we may have some attrition, we want to recruit another 27 over the coming period to see improvement to frequency on weekends.

Of course, during this time we are currently not welcoming people back onto public transport. The message remains the same now as it has been throughout the pandemic and through each stage of the COVID-19 recovery plan.

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

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

**Mr Coe:** Miss Burch's question was: how many prospective bus drivers have undergone driver training to date? I do not think that the minister has answered that.

**MADAM SPEAKER:** There was also this part: how many have been trained, and employed or recruited? I think the minister has spoken about the number that have been recruited.

**MR STEEL:** Our advice remains the same, which is to avoid travel during peak times. We are not currently seeing crowding on public transport on the weekends. The focus for the government is to align the increase in services that we have announced, a 17.5 per cent increase in the number of services across the city, which will be focused on weekdays, when there are concerns that we might see crowding, and the obvious health risks that that presents for the community.

**MISS C BURCH:** Minister, perhaps you need to take this on notice: how many drivers have undergone training since you announced your recruitment blitz, and, of those, how many remain employed by Transport Canberra?

**MR STEEL:** I thank the member for her question. As I have noted, the amount of training that we have done has brought us up to 813 drivers. I am happy to take on notice the exact number that have been recruited. We will be undertaking further recruitment over the next period, until term 4. There has been a slowdown in training over the pandemic period. That is because the training has a face-to-face component. That has meant that it has taken longer than usual to recruit and train drivers. But we are very keen to make sure that we have more drivers on board. I would like to thank all Transport Canberra bus drivers for the work that they have been doing to deliver reliable services, essential services, during the pandemic, for the public who needed to use them.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, your colleague is seeking the call.

**MR PARTON:** Thank you, Madam Speaker. Minister, this is not the network Canberrans were promised over 12 months ago. When will Canberrans get this network?

**MR STEEL:** I am very pleased that we will be increasing the number of services on the weekend from term 3, and we will be further stepping up the frequency in term 4. Of course, that includes light rail, where we have increased services up to every five minutes during weekdays, during peak times in the morning. We will be starting earlier services on the weekend, from 7 am, with light rail as well, which will make it easier for people who are working on a Sunday to get to work. We will look to continually improve our bus network, going forward.

We have listened to community feedback about the bus network and have made a range of different changes across the city. The fundamentals of the network remain—running 10 rapid services throughout the city and providing the same services on the weekend that run on weekdays. That saw a very significant increase in the number of people using public transport prior to the pandemic starting. There was a 14 per cent increase in February. Of course, we want, at the right time, people to return to public transport, following the pandemic, so that they can experience the benefits of the public transport network and the improvements that I have announced this week.

### **Public housing—renewal program**

**MR WALL:** My question is to the Minister for Planning and Land Management. The Chief Minister has on numerous occasions reiterated his commitment to the ACT government public housing renewal program. Will you confirm that all developments that are part of this program comply with the Territory Plan and the Planning and Development Act?

**MR GENTLEMAN:** I am sure they do.

**MR WALL:** Minister, have any special exemptions been granted or put in place for any development undertaken as a part of the public housing renewal program at any stage?

**MR GENTLEMAN:** I imagine there would have been. I do not have any detail of that at the moment, but I am happy to take the question on notice and I will come back with further details to the chamber.

**MR PARTON:** Minister, have any special waivers or conditions been applied to any developments that are part of the public housing renewal program?

**MR GENTLEMAN:** As I said, I do not have the detail of that before me. It is part of the work that the independent planning authority does, but I am happy to take that part of the question on notice and come back with details for the chamber.

### **Children and young people—parental contact**

**MRS KIKKERT:** My question is to the Minister for Children, Youth and Families. Minister, a Childrens Court magistrate may order frequency and duration of contact between children and their birth parents, but, as noted on page 75 of the Glanfield inquiry report, child protection authorities in the ACT can reduce or limit this contact without explanation. For example, Magistrate Walker's stipulation for weekly contact

in some cases has been reduced by your government to only four times per year. Minister, how frequently are contact provisions reduced below what has been ordered or recommended by Childrens Court magistrates, and how do you justify this?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for the question and remind her again that, when she talks about decisions made by the government, there is a very clear role in the Children and Young People Act for the director-general and the directorate, and the minister is not a decision-maker in child and youth protection matters. I have had to remind Mrs Kikkert of this a number of times, but I do so again here today, for the benefit of the Assembly.

I think what Mrs Kikkert is referring to is that often when matters go to the Childrens Court, they go with a care plan that the Childrens Court magistrate considers in making orders for children and young people. Those care plans are the subject of change over time, often through meetings of the care team or as a result of changed circumstances or reconsideration of the best interests of children and young people.

Child and youth protection services operates on the basis of what is in the best interests of children and young people. Very often, people advocate, using that as the basis for their advocacy, but they are advocating for an adult in the system, whether that is a birth parent, foster carer or kinship carer. All of those people have a legitimate interest—

**Mrs Kikkert:** On a point of order, Madam Speaker, my question is: how many contact provisions have been reduced below what has been ordered or recommended by Childrens Court magistrates, and how do you justify this? Whether the minister has any decisions in this or not, she has the authority to actually ask for this information.

**MADAM SPEAKER:** Ms Stephen-Smith.

**MS STEPHEN-SMITH:** I am happy to take the detail of Mrs Kikkert's question on notice, noting that I am not sure that the premise of her question is accurate, so I am not sure that the detail will be able to be provided in the way that she would like it to be provided because of the way that decisions are made in the Childrens Court. I would yet again emphasise that child and youth protection— *(Time expired.)*

**MRS KIKKERT:** Minister, can you assure this Assembly that contact is never reduced or limited as a means of trying to control a birth parent who is seen as difficult to work with or too quick to complain?

**MS STEPHEN-SMITH:** I can assure Mrs Kikkert and the Assembly that decisions are made in the best interests of children and young people. That is the priority.

**MS LAWDER:** Minister, how does reducing the contact ordered or recommended by the expert opinion of the court support the care and protection principle that states that a child's contact with his or her family must be encouraged?

**MS STEPHEN-SMITH:** I thank Ms Lawder for the supplementary question. There are many processes that are gone through in relation to both developing and ongoing



review of the care plans for children and young people in the child protection system. As members would be aware, many of those children and young people have experienced quite significant trauma. It can be the case that contact with birth parents is a source of trauma, upset or behavioural responses in children and young people that are quite disruptive to their lives. Those contact arrangements are, quite properly, continually reviewed and worked through in the context of care team meetings, in the context of case management, with the best interests of children and young people at the forefront of all of those considerations.

### **Children and young people—parental contact**

**MRS KIKKERT:** My question is again to the Minister for Children, Youth and Families. Minister, it has come to our attention that supervised contact visits between children and their birth families have been terminated when a parent has attempted to explain to the child the contact restrictions that child protection authorities have placed on them. How often are supervised contact visits terminated because a birth parent has tried to explain the restrictions that your government has placed on them?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for the question. It is the case that sometimes, in my understanding, contact visits are terminated because a child is becoming distressed at the information or the way that they are interacting with their birth parent. These are very difficult and very complex situations, as you understand, Madam Speaker, as well as anyone in this place.

I do not know that I will be able to get Mrs Kikkert a specific answer to that question, and I would note that very often in these complex matters the adults involved have very, very different interpretations of the events that occur on any particular occasion. One adult may interpret the termination of contact for a particular reason, and another adult involved, indeed a caseworker or a supervisor of that contact from ACT Together, may have a very, very different interpretation of what occurred during that contact. I would be surprised if I could get a response with a specific number, in the way that Mrs Kikkert has asked the question, but I will take the question on notice and come back with further information.

**MRS KIKKERT:** Minister, who explains to children in care and protection what restrictions on contact visits have been placed on their birth parents, or are they left to assume that limited contact is the parent's choice?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for the question. It will depend on the individual circumstances of the child or young person in care who is going to be the person who primarily communicates with them in relation to the contact. It may be a carer; it may be an ACT Together caseworker; it may be a child or youth protection services caseworker. That will depend on the age and stage of the child, the relationship with that child that each of those people has, and who organises the contact. Madam Speaker, as you would be aware, sometimes contact is organised and supervised by child and protection services or ACT Together; sometimes contact is managed by carers themselves, with the birth parents, in a more natural way.

It is the case, unfortunately, that sometimes contact visits do not go ahead because the parent is not available or does not turn up for the contact. Sometimes parents do not

appreciate that being explained to a child or young person or, again, have a different perception. It really depends on the individual circumstances of the child or young person and the circumstances of the visit or the cancellation or postponement of that contact.

**MISS C BURCH:** Minister, why aren't birth parents allowed to explain to their children the restrictions that you place on them or the rules imposed on their contact with them?

**MS STEPHEN-SMITH:** I do not place any restrictions on birth parent contact with their children and young people.

### **Gaming—COVID-19**

**MR PARTON:** My question is to the Minister for Health. What is the health reason for reopening TAB and Keno facilities as of 19 June while not providing a recommencement date for gambling and gaming venues, currently listed as needing further consideration?

**MS STEPHEN-SMITH:** I thank Mr Parton for the question, but I am sure that he would understand that poker machines that people touch buttons on are quite different to a TAB or a Keno where you might fill out a piece of paper or place your bet in a different way.

**MR PARTON:** Minister, what is the health advice that indicates that brothels are safer than gaming and gambling venues, given that they have a hard reopen date in the program forward?

**MS STEPHEN-SMITH:** Far fewer people are involved in an interaction in a brothel or with a sex worker than would be the case in a gaming facility.

**MISS C BURCH:** Minister, what advice has been provided about how to maintain physical distancing of one person per four square metres in brothels and who will be responsible for policing physical distancing in brothels?

**MS STEPHEN-SMITH:** I thank Miss Burch for the question. Obviously, there are some businesses where maintaining a physical distance of 1.5 metres is not possible—hairdressing, beauty therapy, massage. All of these things are currently underway as non-essential businesses that are allowed to open, with restrictions.

### **Hospitals—specialist waiting lists**

**MR COE:** My question is to the Minister for Health. A constituent contacted the opposition on 4 June to advise that he would have to wait another seven years to see an ear, nose and throat specialist. This constituent has already been waiting almost two years. Another constituent has been advised that he faces a four-year wait. Minister, after 19 years of trying to solve this problem, why do Canberrans have to wait for nine years before they are able to see an ear, nose and throat specialist in Canberra?

**MS STEPHEN-SMITH:** I thank the Leader of the Opposition for his question. It is the case that ear, nose and throat specialists and outpatient appointments are a particular concern and difficulty in the ACT. Canberra Health Services are currently doing a lot of work to better understand their outpatient wait list, to ensure that people can be placed on a more appropriate path. This would be the case with category 3 patients, where there is a very long wait and there are a very large number of people who are waiting. That is part of the ongoing work that Canberra Health Services has been doing—a lot of deep diving into those outpatient lists, particularly where there are long waits—as to both how those can be addressed for those people who need an appointment and treatment and how more appropriate patient pathways can be established for people for whom that appointment may not be the most appropriate pathway.

**MR COE:** Minister, what assessments has the government done of the long-term and population-wide health impact of the government's inability to ensure that there are enough specialists in the ACT to service the community?

**MS STEPHEN-SMITH:** I thank Mr Coe for the question. There is a lot of ongoing health planning work that is always underway. One of those is the ACT territory-wide clinical services plan, which has been underway for some time. I will take Mr Coe's question on notice, because I want to go back and have a look at the *Hansard* and the question itself and make sure that we can provide the detail that responds to the question that he has asked.

**MR WALL:** Minister, why has the government reneged on its prior commitments to publish waiting time data on seeing specialists? What is currently the wait time for a patient to have a procedure performed, should they require it, after being able to see a specialist?

**MS STEPHEN-SMITH:** I thank Mr Wall for the supplementary question, but, as Mr Wall would be aware, wait times are quite significantly different, depending on the specialty and the treatment that people might require.

*Mr Wall interjecting—*

**MS STEPHEN-SMITH:** Sorry?

**MADAM SPEAKER:** Do not respond.

**MS STEPHEN-SMITH:** I should not respond to the interjections, should I, Madam Speaker. I am not sure that we are going to be able to answer Mr Wall's question in the form that he has asked it, but, again, I will take it on notice and come back to the Assembly with some more detail.

### **ACT Health—SPIRE project**

**MR WALL:** My question is also to the Minister for Health. Minister, I refer to documents obtained under the Freedom of Information Act that stated that the

operating theatres for SPIRE will be operating at full capacity as soon as it opens. Does the SPIRE project contain enough operating theatres to cater for Canberra's growth in population?

**MS STEPHEN-SMITH:** Yes.

**MR WALL:** Why hasn't the government consulted all surgeons about the capacity of the SPIRE project?

**MS STEPHEN-SMITH:** I thank Mr Wall for the supplementary question as well as the original question. I note that the information that was drawn on by the *Canberra Times* from the freedom of information request actually came from a workshop with clinicians at Canberra Hospital to talk about the SPIRE project. So your accusation is that there is not enough consultation, but you draw from the outcomes of a workshop with clinicians to specifically talk about the SPIRE project. The modelling that Mr Wall referred to was modelling that had been done by one of the doctors that was involved in that workshop. The people who were previously involved in that conversation now have a much higher level of confidence around the fact that SPIRE will deliver what is required for the community.

When Mr Wall talks about the engagement with stakeholders and clinicians, there are 10 specialised user groups in the clinical space to inform the early planning and design of this new facility—the biggest investment in health infrastructure since self-government. The user groups consist of approximately 120 clinicians, support staff and consumer representatives. They provide advice and input into the following key aspects of the project's planning: the emergency department, the surgical inpatient unit, the intensive care unit, medical imaging, the mental health short-stay unit, the perioperative and interventional suite, the loading dock and logistics, the helipad and retrieval service, the acute cardiac care unit and interventional cardiac laboratories, and the central sterilising services.

In terms of consulting every surgeon and every staff member across Canberra Hospital, in fact, those face-to-face consultations and information sessions had commenced prior to COVID-19, with stalls in various parts— *(Time expired)*.

**MRS KIKKERT:** Minister, to what extent will the lack of theatres and beds constrain the ability of the Canberra Hospital to conduct elective surgery to reduce waiting times?

**MS STEPHEN-SMITH:** I reject the premise of Mrs Kikkert's supplementary question.

### **Environment—Mugga Lane tip**

**MS LAWDER:** My question is to the Chief Minister. Chief Minister, recently complaints have been made by residents regarding the smell from the Mugga Lane Resource Management Centre. Ministers Steel, Ramsay and Gentleman have all been pointing fingers at one another regarding who is responsible for dealing with this. Chief Minister, can you advise, under the administrative orders, exactly which

minister is responsible for addressing the smell from the Mugga Lane Resource Management Centre that is troubling Tuggeranong residents yet again?

**MR BARR:** I think the issue here relates to identifying the source of the particular odour and then, were that to be identified, how it would be rectified. This matter has been the subject of a detailed amount of work from various government agencies. That process continues. There will be—

**Ms Lawder:** Which minister is it?

**MR BARR:** It would not be one single minister who would have complete—

*Mr Wall interjecting—*

*Mr Coe interjecting—*

**MADAM SPEAKER:** Mr Wall! Mr Coe!

**Mr Parton:** How many ministers does it take?

**MR BARR:** If it is not already apparent to the opposition, there are a number of different, overlapping responsibilities relating to this matter. It may well be that a solution is not possible.

**MS LAWDER:** Chief Minister, if your ministers cannot give a clear and consistent result and response to constituents about fixing the problem, how can residents in Tuggeranong have any faith that anything will ever be done to stop the smell?

**MR BARR:** As I indicated in my previous answer, it may be that there is no solution. There may be no solution. Extensive work has been undertaken. The issue has been examined extensively. Further work will be undertaken, but it may be that there is no solution.

I ask that all further questions be placed on the notice paper.

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

### **Housing—community**

**MR WALL:** Under standing order 47, I wish to make a brief statement. Earlier in question time, the Deputy Chief Minister made the assertion that the opposition was calling for less public housing to be constructed. I ask that she get her facts straight. The issue relating to the petition this morning was merely that the planning and development of public housing properties be done in accordance with the Planning Act.

My colleagues and I and no member of the community in Chisholm have made any assertion that less public housing should be built, and that is a remarkable stance, given the concentration of public housing that exists in this part of Tuggeranong already, having probably one of the highest concentrations of any area in

Tuggeranong. The residents have been more than welcoming of the new residents in that area and are continuing to be welcoming of new housing renewal in the area, but they want any development to be done in accordance with the planning framework.

### **Transport Canberra—bus driver training**

**MR STEEL:** Since the introduction of network 19, in response to Miss C Burch's question regarding the number of bus drivers that have been recruited, there have been 166 candidates who have completed the bus operator and training course successfully. During the same period, there was an attrition rate of 75 drivers. That makes a net increase of 91 drivers.

### **Leave of absence**

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

That leave of absence be granted to Mrs Jones for today's sitting of the Assembly due to family reasons.

### **Papers**

**Madam Speaker** presented the following paper:

Committee Reports—Schedule of Government Responses—Ninth Assembly, as at 15 June 2020.

**Mr Gentleman** presented the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Report No 1/2020—Shared Services delivery of HR and Finance Services—Government response.

Deaf community—Auslan support during emergency situations—Response to the resolution of the Assembly of 12 February 2020.

Economic Development and Tourism—Standing Committee—Report 8—*Report into Annual and Financial Reports 2018-2019*—Recommendation 6—Update to the Assembly, dated June 2020.

Electoral Act, pursuant to subsection 10A(3)—Impact of the COVID-19 Pandemic on the 2020 ACT Legislative Assembly Election—A special report by the ACT Electoral Commission—Government response.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Community Services Directorate (CSD 20/15), dated 21 April 2020.

Litter and illegal dumping—Response to the resolution of the Assembly of 19 February 2020—Statement, dated June 2020.

Mobility parking arrangements—Response to the resolution of the Assembly of 19 February 2020, dated June 2020.

Molonglo Valley—

Planning and development—Independent review—ACT Government statement and response to the resolution of the Assembly of 23 October 2019.

Independent review of planning, development and built form (excellence in sustainable design) in the Molonglo Valley—Final report, dated 23 March 2020, prepared by ARUP.

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 373 to the Territory Plan—Removal of mandatory gas provision from the Estate Development Code, dated 17 June 2020, including associated documents, together with a statement.

Publicly-Funded Homebirth trial in the Australian Capital Territory—Evaluation report—

Report, dated March 2020, prepared by the Burnet Institute.

Government response to the recommendations, dated 18 June 2020.

Recycling and waste reduction—Response to the resolution of the Assembly of 31 July 2019—Statement, dated June 2020.

Territory-owned Corporations Act, pursuant to subsection 19(3)—Statement of Corporate Intent—Icon Water—Business Strategy 2020-21 to 2023-24.

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

Legislation Act, pursuant to section 64—

City Renewal Authority and Suburban Land Agency Act—City Renewal Authority and Suburban Land Agency (Authority Board Chair) Appointment 2020—Disallowable Instrument DI2020-115 (LR, 28 May 2020).

Electronic Conveyancing National Law (ACT)—

Electronic Conveyancing National Law (ACT) Operating Requirements 2020—Disallowable Instrument DI2020-110 (LR, 25 May 2020).

Electronic Conveyancing National Law (ACT) Participation Rules 2020—Disallowable Instrument DI2020-109 (LR, 25 May 2020).

Fisheries Act—Fisheries (Fishing Gear) Declaration 2020, together with a regulatory impact statement—Disallowable Instrument DI2020-113 (LR, 14 May 2020).

Gaming Machine Act—Gaming Machine (Emergency Community Purpose Contribution—Club Employees) Declaration 2020—Disallowable Instrument DI2020-139 (LR, 11 June 2020).

Land Titles Act—

Land Titles (Verification of Authority) Rules 2020—Disallowable Instrument DI2020-111 (LR, 25 May 2020).

Land Titles (Verification of Identity) Rules 2020—Disallowable Instrument DI2020-112 (LR, 25 May 2020).

Liquor Act—Liquor (Fees) Determination 2020—Disallowable Instrument DI2020-117 (LR, 21 May 2020).

**Liquor Regulation—**

Liquor (COVID-19 Emergency Response—Licence Fee Waiver) Declaration 2020—Disallowable Instrument DI2020-119 (LR, 22 May 2020).

Liquor (COVID-19 Emergency Response—Permit Fee Waiver) Declaration 2020—Disallowable Instrument DI2020-120 (LR, 22 May 2020).

Public Place Names Act—Public Place Names (Strathnairn) Determination 2020 (No 2)—Disallowable Instrument DI2020-114 (LR, 18 May 2020).

Road Transport (General) Act—Road Transport (General) Application Order 2020 (No 1)—Disallowable Instrument DI2020-118 (LR, 25 May 2020).

**Planning—Molonglo Valley**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.46): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

**Molonglo Valley—**

Planning and development—Independent review—ACT Government statement and response to the resolution of the Assembly of 23 October 2019.

Independent review of planning, development and built form (excellence in sustainable design) in the Molonglo Valley—Final report, dated 23 March 2020, prepared by ARUP.

**MS LE COUTEUR** (Murrumbidgee) (2.46): I thank the government for finally preparing the response to this motion—a little late, as it was a matter for last week's sitting day. I obviously have not had a chance to read it as yet, but I very much look forward to it. I sincerely hope it has dealt with issues like solar passivity, cycle highway, off-road connections. The one thing I can clearly say, though, that I regret is that I have been informed by constituents that they were not in any way consulted as part of this review, which is somewhat unfortunate.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.47): I am pleased to table the independent review of planning and development for Molonglo Valley. This review is the response to a resolution passed by this Assembly on 23 October last year. The resolution required this review to be provided to the Assembly by 31 May 2020. Unfortunately, the COVID-19 public health emergency has affected government business and operations, including the provision of this response to the Assembly. It has been 10 years since the land was first released in Molonglo Valley and the development is expected to continue for another 15.

Members of this Assembly may recall that last year's resolution raised concerns about whether development in Molonglo is achieving excellence in sustainable design. This



concern was the driving factor to call on the government to carry out this independent review. The government ensured that the review was as independent as possible by engaging a Sydney-based consultancy, Arup, to complete the review.

I will now go into outlining Arup's approach and findings of their review. Arup used the green star communities framework, developed by the Green Building Council of Australia, to examine if the Molonglo Valley's planning and development is achieving excellence in sustainable design. While this is a well-regarded tool, it is typically used for a development to achieve accreditation at the outset. It is not normally applied retrospectively to areas of this scale that are at different stages of planning and development.

The examination does not differentiate between planning and delivery. Instead, it combines the two, which can mean that something achieved at the beginning of the stage but not yet delivered is considered as having not yet occurred. This is important to note, as a considerable number of matters noted in Arup's review were planned several years ago but are not yet delivered, and thus identified by Arup's examination as not yet achieved. An example of this is the planned provision of community facilities in Molonglo Valley.

The green star communities framework assesses planning and development against 33 credits, and these are grouped under four themes: governance, livability, environment and economic prosperity. Only 31 credits have been used in this review. Arup considered that these 31 credits assessed the matters raised in the resolution. For part 2 of the resolution, Arup assessed the Molonglo Valley development and found that nine credits were achieved, 13 were partially achieved and nine were not yet achieved. There were no credits identified as not achieved. As I have mentioned, for the credits rated as not yet achieved, these largely relate to work that is still underway or planned for later stages of Molonglo Valley's development and, therefore, are likely to be achieved in future years.

Arup also examined the rest of the resolution, which raised a range of specific sustainability matters such as public transport services, housing diversity, canopy trees and cycling infrastructure.

The government also prepared a response to part 1 of the resolution. The government is in a strong position to respond, considering the knowledge of what has been delivered to date, what work is underway and is planned for delivery in the future of the Molonglo Valley. The government's response to part 1 can be found in the ACT government statement and response to the Legislative Assembly's resolution that I have tabled today. The government's examination of these items indicates that more is achieved than Arup's review. This is largely due to the government considering planning and delivery as separate levels of achievement, which Arup's work has not done.

I ask that the Assembly note that Arup's independent review also includes 37 recommendations to inform and improve future development in the ACT. A number of these recommendations are already being considered and incorporated in future planning and development.

The Molonglo Valley is home to many Canberrans and will be to many more in the future. There is still much more that the government has planned for the Molonglo Valley, including a commercial centre, community facilities and schools. The community has already taken on an identity and its residents feel proud to live there. We continue to strive to deliver attractive, accessible and sustainable communities in the Molonglo Valley and elsewhere in the ACT.

The government acknowledges the importance of ongoing reviews. Arup's work provides an additional resource as we continue to pursue high quality outcomes for the Molonglo Valley and Canberra more broadly. I commend the independent review of planning and development for the Molonglo Valley to the Assembly.

Question resolved in the affirmative.

### **Planning and Development Act—variation No 373 to the Territory Plan**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.52): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 373 to the Territory Plan—Removal of mandatory gas provision from the Estate Development Code, dated 17 June 2020.

**MS LE COUTEUR** (Murrumbidgee) (2.52): I just want to say how pleased I am that gas will no longer be mandatory to be installed in ACT suburbs. That is a step forward. I very much look forward to the further step, which sees that gas will not be installed in new suburbs and new households.

Question resolved in the affirmative.

### **Health—homebirth trial**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.53): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Publicly-Funded Homebirth trial in the Australian Capital Territory—Evaluation report—Government response to the recommendations, dated 18 June 2020.

**MS LE COUTEUR** (Murrumbidgee) (2.53): I am very pleased to finally see these recommendations. As members may be aware, the Greens have been supporting

homebirths for a long time. It was part of the parliamentary agreement in the Seventh Assembly. I am very pleased that we have got to, hopefully, a final stage.

Recommendation 1 of the trial is that the ACT publicly funded homebirth trial be considered completed and the program be incorporated into the core business of the CHWC as an additional option of birth settings for eligible women. This will bring the ACT in line with other places which recognise that giving birth, while clearly a very risky proposition, is actually a normal part of life. And it can, in most cases, be very well managed at home. As the HACS report into maternity services said, what we need in our maternity services is a woman and baby-centred approach. Where this is what the woman would like then we should endeavour to provide it where it can be safely done, and it can be safely done in many more instances than it is currently done. I am very pleased with this recommendation and I am pleased that 42 mothers have successfully given birth under the scheme at present.

Question resolved in the affirmative.

### **Waste—illegal dumping**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.55): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Litter and illegal dumping—Response to the resolution of the Assembly of 19 February 2020—Statement, dated June 2020.

Question resolved in the affirmative.

### **Planning Legislation Amendment Bill 2020**

Debate resumed from 7 May 2020, on motion by **Ms Le Couteur**:

That this bill be agreed to in principle.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.56): I would like to thank Ms Le Couteur for raising the important issues that are outlined in her Planning Legislation Amendment Bill 2020. As chair of the Assembly's planning and urban renewal committee, she has, over this term, heard evidence of the complexity of the planning system and has heard the conflicting views of members of the community about which issues should be prioritised at this time, which policy lever should be pulled and which regulation change will make the key difference. I appreciate Ms Le Couteur's interest in ACT planning legislation and her work on considering changes to the planning framework through the bill.

The government wants to continue to improve our planning system. I acknowledge that it is complex and extremely difficult to balance the conflicting views and representations that we all receive. That is why I have formed the view that improving the system requires a comprehensive strategic response to make it a world-leading system. To achieve these goals, changes to the planning process must be carefully considered, evidence based and properly implemented.

While the amendments in the bill propose changes to the ACT's planning legislation, they offer changes in a piecemeal manner. The amendments propose incremental add-ons to the existing processes, rather than improving and simplifying the planning system in a considered and strategic manner.

Over the coming months, the government will work with Ms Le Couteur to further discuss ways that the amendments can be implemented in a strategic way to improve the ACT's planning system. As Ms Le Couteur would be aware, the government has already introduced many improvements to the planning system during this parliamentary term. The national capital design review panel is already improving design outcomes in our city. The pre-DA consultation process means that developers have plenty of time to adapt plans to respond to community concerns at the earlier stage of the project. We have made the sale of land to community organisations more transparent as well.

The government also has substantial plans for further improvements. I will take this opportunity to provide members with an update on the ACT planning review and reform project. This project is well underway, and it will both improve and simplify our existing system. The government has a progressive and holistic approach to reforming the planning system, which I acknowledge does require some changes in order to evolve as the city continues to grow and prosper. That is why this government announced a whole-of-system review for the ACT's planning system. The planning review and reform project is at present looking at the planning system as a whole and provides an opportunity to deliver well-considered and evidence-based legislative change.

The work done to date has focused on system structure, strategic planning, development controls, development assessment and system operation. Within these areas we are identifying gaps and deficiencies in the system and propose changes that could address those challenges and improve the planning system. The policy work that I have seen to date is reviewing the performance of the existing planning system, and benchmarking against other planning systems and feedback from users in our planning system—which is, of course, our Canberra community and local industry. I have endeavoured to see that, while planning is a technical subject, the policy work is written so that it is much more accessible to the general community.

I hope that in the coming weeks, and with further discussions with Ms Le Couteur, we are able to consider her proposals as part of a strategic and structured review and reform of the planning system, and better support the important work being undertaken by the chief planning executive and me.

**MR PARTON** (Brindabella) (3.00): Here we are, desperately close to the end of the parliamentary term, and we have a bill from my Greens colleague Ms Le Couteur which deals with and delves into some fairly complex and intricate spaces in the planning area, certainly as outlined by Mr Gentleman.

I would say that I have enjoyed my time here with Ms Le Couteur. Many of my Liberal friends are somewhat surprised when I tell them that, during my time on the planning committee with her, she and I discovered quite quickly that we had a lot in common in this policy space. I applaud Ms Le Couteur and Jason Forest from her office for having the courage to put this bill together, but such is the complexity involved here that there are some aspects of it that require some additional scrutiny. Time and again, in our history as a city, we have seen the extremely negative results of hurriedly prepared planning legislation, and I do not want this document to join that conga line.

Having said that, there are a number of aspects of this bill which the Canberra Liberals would be happy to support. Certainly, amending the public register requirements so that we can all see the documentation around DAs after they have been finalised makes a lot of sense. With some of the changes around public consultation and the requirement to state whether further information has been found—sure, why not? We are cautious about some new consideration of merit track DAs, because I think we need a thorough investigation of what this change would actually achieve. We are cautious about a number of things in this bill.

Mr Stanhope and Mr Corbell, in their time here, went to great lengths to separate the planning directorate from this parliament. A number of the clauses in this bill seek to change that, and I think we need to consider very carefully whether or not we want to further politicise planning. I am not sure it is something that we can just sign off on at a minute to midnight because some people thought that it was a good idea—however good it sounds on the surface.

When it comes to trees and tree protection, there needs to be more investigation of the relationship between the Tree Protection Act and the Planning and Development Act. This stuff is way too important to get wrong. I have to concede—and I know I will get agreement from Ms Le Couteur on this—that non-executive members have a very tough time constructing legislation, in a portfolio space like this one, without the resources of the directorate. It is close to impossible. It is not impossible but it is close to impossible.

I received an extensive briefing from the planning directorate on this bill, and executives pointed out some potential major flaws in it. Some aspects of it were thought to be unworkable.

I understand that there is an agreement in place for this bill to be adjourned after the in-principle debate and for it to come back to this chamber later in the term. I would love to have been a fly on the wall at that cabinet meeting. That being the case, I am not sure that it is beneficial for me to discuss it much further because my understanding is that, when it returns, it will be in a very much amended state. I understand that we are at the divorce time of the cycle, but it is pleasing to see that

you guys are still together at this stage. We look forward to seeing the re-emergence of this bill at some stage.

**MS LE COUTEUR** (Murrumbidgee) (3.04), in reply: I will close this part of the debate with some very mixed feelings. The first thing I would like to say to members is that this is not radical legislation. It is based on community feedback. Mr Parton is a member of the planning committee and he took part in the DA inquiry. To quite an extent, with the parts of the legislation relating to community accountability, it is about trying to choose the things that the community told us about that would be capable of being legislated for, as a crossbencher.

Some of it, certainly, should not have been done by way of legislation, if the government had got its act together. As Mr Parton mentioned, the overwhelmingly obvious one is that DA information should be put up, and stay up, in a way that is available to the public. I remember talking about this in the Seventh Assembly, when I was first elected. Of course, I came here as an ex-IT manager, and I was well aware that this was entirely technically possible. I am quite happy to agree that the best way of keeping information up on a website is not to require it by legislation. It should be done by the planning department. They should not need to be told about it like this. They have been told about it many times in planning committee reports that have mentioned this.

You can hear from my voice that quite a few parts of this legislation reflect frustration—frustration that I feel and, even more than that, frustration that the community feels. Every day I get letters and emails—I am sure every other member, every day, gets emails—from people who feel totally disrespected and frustrated by the planning system. We have an obligation to do better than what we are doing with the planning system. Whatever we think about it, we are living together in Canberra and we need a system that works for the community, as well as the government and developers. We need to do this better so that this is not a constant source of friction.

I do appreciate, as Minister Gentleman pointed out, that ACTPLA are doing a review of the planning system. I also appreciate that they have been on about this for three years so far and the chief planning executive's highest stated aim for this review is that it should comprise one page. That is a laudable aim, but accountability and a good planning system are probably vastly more important than that aim. I am very unsure how long it will take before this review sees the light of day—probably another three years.

I have been very heartened by the fact that I have received public expressions of support for my bill from Woden Valley Community Council, Inner South Canberra Community Council, Yarralumla Residents Association, Griffith Narrabundah Community Association and many others, including many individuals, some of whom were nice enough to say that they had emailed other MLAs to ask them to please vote for the legislation.

I understand that the debate on the legislation will be adjourned today. Hopefully, a few of the wrinkles will be ironed out. As my colleague Mr Parton said—I have to totally agree with him—it is very hard to try and draft legislation in any sphere, but

particularly in the planning sphere, as a crossbencher. I readily acknowledge that, while my staff are wonderful, I do not have quite as many of them as ACTPLA has. It really is hard for a crossbencher to draft significant planning legislation, which is why I have chosen a very small canvas in this bit of legislation.

I call on all members to back their local communities by supporting this bill. The other thing that I would like to talk briefly about is climate change, because my bill talks about that. It is probably a good time to talk about it, in so far as we have just noted, through Mr Gentleman, a Territory Plan variation which stops the mandatory provision of gas to all new suburbs. That is a great Territory Plan variation. It is something that we desperately need to do if we are to reduce our greenhouse gas emissions, but it highlights the fact that the planning system is very relevant to and responsible for greenhouse gas emissions in Canberra. If we truly want to become a net zero emitting territory, we have to make sure that our planning system is consistent with that. There are lots of things in it that need to change. Given the limitations of a crossbench MLA, I have not sought to do all of the things that will be needed.

Unfortunately, emissions are not addressed at all in our current planning system. You have to hope that what we are building now will last for at least 50 years, or maybe 100 years. If the world, as a whole, does not get to net zero emissions, or probably, in fact, actual carbon sequestration, the climate will be so different and the world will be so different that this debate will not even be academic. My bill took a modest first step towards doing this. Currently, amazingly as it may seem, the planning and development legislation does not talk about emissions. It should. That is a major omission which my bill would have started to address.

I understand that the ALP will seek to adjourn the detail stage of this debate to allow discussions between the three parties on potential amendments to my bill. The Greens will support this motion, on the understanding that it will, in fact, be a genuine opportunity for the parties to work together to get the best outcome for the community and the environment.

As I have said to the ALP and the Liberal Party privately, and I am happy to say it again, I am really happy to work with both parties to get this bill as well written as possible, so that as much as possible of it can be passed and there are no unintended side effects. I urge all members to support this bill in principle. I thank them for that support, which I believe will be forthcoming, and I look forward to seeing a significant part—hopefully, all of the bill—finally passed before the end of this term of the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clause 1.

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

## **Trees—proposed planting program**

**MS LEE** (Kurrajong) (3.13): I move:

That this Assembly supports the planting of one million trees in the ACT over the next decade.

On World Environment Day, Mr Coe, Mr Parton and I had the privilege of planting a tree at St Bede's Primary School at Red Hill. This tree is the start of the Canberra Liberals' commitment to planting and caring for one million trees throughout the ACT over the next decade. This tree symbolises a new beginning for Canberra—the start of a community investment in this territory and an opportunity to cement Canberra as environmentally the healthiest city to live, work and raise a family in, and as the most climate conscious jurisdiction in Australia.

I moved to Canberra over 20 years ago. Coming from Sydney, Canberra seemed to me a happy country town, with open spaces, lots of parks, trees in every street and garden, vibrant local shops and gardens, a healthy population, clean air and a genuine sense of pride among residents. Nearly 20 years of Labor neglect has changed all that. Today we have overgrown, dead and dying parks, weed-infested nature strips, shabby suburbs, treeless streets, sad and empty local shops, broken footpaths and a sense of abandonment in certain areas of Canberra by a complacent, arrogant government. Today we have soaring rates and a growing resentment among residents that Canberrans are not getting value for their hard-earned tax dollars. This is the face and the reality of almost 20 years of Labor in Canberra.

In the face of a combination of rising temperatures, a more challenging climate and a frenzied need for development, we need a government that will set and implement real, practical and tangible steps to protect our local environment for our future generations. I have previously acknowledged, and I again acknowledge, the work done by former Minister for the Environment, Simon Corbell, and the hardworking environment directorate in establishing the reverse auction scheme which has seen the ACT become a leader in tackling climate change. The Canberra Liberals have supported our collective commitment to 100 per cent renewable electricity well into the future. In fact, it was an amendment brought forward by the Canberra Liberals which secured an increase in our renewable energy generation to sustain our goal well into the future.

It should, then, be a no-brainer for Labor and the Greens to support my motion. The Canberra Liberals believe it is important to think globally but even more important to act locally. Our action on one million trees is the start of that local action plan. So why start with trees? Australia just experienced the second warmest summer on record—2019 being the hottest year. Summer temperatures soared across the country, causing economic and human loss. Research tells us that extreme heat in cities poses a significant threat to public health and urban livability. We know that more frequent, prolonged and intense heatwaves are predicted under future climate change and that they will pose unprecedented challenges for Australia's urban systems.



*Where Should All the Trees Go*, a report published by 2020 Vision in 2013 and updated in 2017, found canopy coverage in urban areas had declined in almost every state. Here in the ACT, despite a Greens-Labor government which is supposed to care for the environment, we are losing trees. The report indicates that tree canopy dropped by over 10 per cent between 2009 and 2017. Over the same period, hard surface area increased by 2.2 per cent to 7.4 per cent. It would come as no surprise if, since 2017, these figures have both continued to move in the wrong direction.

The recent *Nature in the City* report by the Assembly's Standing Committee on Environment and Transport and City Services attracted a number of submissions from universities, conservation groups, landscape architects and concerned Canberrans. Among the recommendations were several specifically related to trees. The committee has called for the ACT government to prioritise public tree canopy; to identify and prioritise the identification of nature corridors; to review the viability and appropriateness of tree species that are less adaptable to climate change; to review the Tree Protection Act 2005 to ensure that it is doing what it was intended to do; and to work more closely with Landcare and similar groups.

The Woodlands and Wetlands Trust submitted:

One of the oft-quoted aspects about living in Canberra is the proximity in the urban areas to nature reserves, parks and green areas. It is this consideration for many people that defines Canberra as the "bush capital" and goes to the heart of what differentiates Canberra from other major cities.

Landcare ACT argued that Canberra Nature Park is integral to Canberra, as the "bush capital", and called for the significance of the park to be recognised. The Commissioner for Sustainability and the Environment advised the committee of research showing that urban green space contributes to increased social cohesion. The Australian Institute of Landscape Architects similarly noted:

To the casual observer, the loss of vegetation across the city is apparent. Even on the large blocks of the inner south, enormous buildings, large paved surfaces, tennis courts with concrete bases, other hard surfaces are creating heat islands. Large trees are disappearing, but the space that these large trees used to inhabit are being built over with paved surfaces.

Other witnesses to the inquiry highlighted the fact that the ACT was losing more trees than it was planting. The government's response in late April was to announce funding to plant 4,000 trees in Canberra across 87 suburbs.

Turning to my own electorate, the Inner South Canberra Community Council, the ISCCC, which represents a number of residents' groups, conducted a survey recently, and their members identified that losing main street trees and verges were their greatest concerns about where they lived. Any visitor to Canberra can confirm what was observed by the committee inquiry—that under this ACT Labor government we are losing more trees each year. We have trees under stress from the drought and, for many, the rescue plan proposed by the government only a couple of months ago, after the heat of summer, will be too little, too late. The 4,000 trees announced by the

government will do little more than replace those that have died or will need to be removed because of that neglect and stress caused by this government.

In my own electorate, trees down Melbourne Avenue are under pressure and new trees that have been planted to replace the old, distressed eucalypts already have borer. Close to the Assembly, we have half-dead trees in the car park opposite Baileys Arcade. Elsewhere in the city, we have vacant holes where trees once were and, under powerlines, trees that have been so butchered that they, too, soon will give up. In Watson there are several trees outside Majura Primary School that have been dead for quite some time. At Deakin shops there are stressed oaks that have only recently been given water.

So what can be done? The short answer is: lots. In fact, one million lots. The Canberra Liberals firmly believe there is plenty that can be done, and under a Canberra Liberals government it will be done. We believe trees are one of the most cost-effective responses to our changing climate. They are a cost-effective alternative to heat islands and concrete jungles in the city's increasing densification. A Macquarie University study on Adelaide's last summer record temperatures found that trees and vegetation can lower local land temperatures by up to five or six degrees on days of heat. Their research suggests that a simple solution to extreme heat is literally at everyone's doorstep. It relies on the trees, the grass and the vegetation in our own backyards.

The Institute of Architects, in their submission to the committee inquiry, highlighted the work of AECOM, the world's premier infrastructure firm. AECOM found that an increase in canopy from 20 to 28 per cent results in a four-degree lower air temperature and a 14-degree lower surface temperature. Even irrigated grass surfaces can reduce surface temperature by 24 degrees, and planting vegetation for shade can reduce a building's cooling energy consumption by up to 25 per cent annually.

A recent CSIRO report, *Mapping surface urban heat in Canberra*, is also optimistic about how mature vegetation and water bodies can moderate temperatures in urban environments. CSIRO says that by increasing the deciduous vegetation coverage across Canberra the city can be cooled in summer, whilst allowing the city to be warmed through our cold winter months. As the research has shown, the way to make our cities more livable is as simple as increasing the amount of greenery. Urban trees in particular can significantly decrease land surface temperatures across entire suburbs and cities.

Griffith University urban and environmental planner Tony Matthews says:

We know a tried and tested strategy is the introduction of more trees and green roofs in urban spaces, reducing surface temperatures by up to 40 per cent.

Naysayers on the other side of the chamber have scoffed at our proposal. I suspect that it is out of frustration because it shows that their efforts, despite their being in government for almost 20 years, are seriously lacking in genuine impact and effect. I know that we have great support for our policy announcement. And we will engage with local community groups like the ISCCC, who we know value trees as an important part of the Canberra landscape and are dismayed at the current state of play,

and passionate Canberrans like Edwina Robinson of the Climate Factory, who has embarked on a personal mission to plant 100,000 trees by 2025.

We will work with Landcare groups, who already have programs working with farmers to restore our open areas to better environmental health. The Southern ACT Catchment Group are already actively restoring the Griffith woodlands, and I had the pleasure last year of joining them to announce the Canberra Liberals' commitment to ensure they have certainty in funding over the full term of the next Assembly, rather than the annual cap-in-hand arrangement they have with the present government. We will seek advice from environmental scientists based here in the ACT—experts in the future of our environment who we are fortunate to have in our very own city. We will engage with Greening Australia and local farmers on large-scale, direct-drill tree-seeding projects.

We will seek advice from practical and experienced horticulturalists as to the best species of trees for the ACT to be planting, and where. We will work with seedling nurseries to ensure quality seedstock is available for all Canberrans. We will support local families, local gardening groups and residents to adopt local parks and care for them. We will ensure that ACT government services are appropriately resourced to be able to better manage the ACT landscape. We have been highlighting for a decade how the urban environment is being increasingly neglected and how new suburbs are little more than concrete jungles with mere tokens of green space. It is time we got serious about addressing that neglect.

The Canberra Liberals are serious about empowering all Canberrans to take an active and direct interest in caring for our local environment. We want to engage with and enthuse each and every Canberran to be part of making Canberra the clean energy, clean air capital of Australia, to remain a world leader in caring for our environment. There are times when it may seem too much of a challenge to be looking after and addressing our environment, that it is too big a task, but we can make a huge difference, starting on our very own doorstep, and a Canberra Liberals government will do just that.

One million trees over the next decade. These are real and tangible actions that will empower every Canberran to embrace a greener, cleaner future for all of us. I commend my motion to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel, Minister for Tertiary Education and Minister for Transport) (3.25): I thank Ms Lee for bringing forward this motion today, which I believe is the first motion in four years that Ms Lee, as the shadow minister for the environment, has moved in the Assembly about the environment.

Our government is committed to the responsible management of our environment, whether it is our parks and nature reserves or our urban treescape. One of the great things about living in Canberra is our tree canopy. Our government knows how important maintaining Canberra's tree canopy is. The large canopy coverage is important for the character of our city, the look and feel of our bush capital. It is also

great for the environment, providing habitat for native animals, including flowering trees for bees. Looking towards the next few decades, that urban forest will be essential to help mitigate the effects of climate change.

We are also aware of some of the challenges facing our urban forest. For context, four major tree plantings have been undertaken in the history of our city. Many of these trees are coming to the end of their life. This means that we have to confront the large number of trees which will be reaching the end of their life in the coming decade, which is exacerbated by our changing climate.

At present, the ACT has approximately 760,000 trees in our urban forest. Our government has a target outlined in the climate change strategy and the living infrastructure plan to increase Canberra's tree canopy coverage from 21 per cent at present to 30 per cent by 2045.

Meeting this 30 per cent target requires careful planning and investment to maintain and grow an urban forest that is healthy, diverse and resilient to a changing climate. Our government has taken responsible action to manage our urban forest, starting with the fifth largest planting of trees in our city's history, with over 20,000 trees being planted over the next three years—not just the 4,000 that Ms Lee talked about. We are planting 4,000 in this autumn and winter alone; more are to come in spring.

Canberrans can now see the extent of the tree planting program for themselves right across our city, with new trees being planted on street verges and parks across the city. Whether it is Strickland Crescent in Deakin or Summerland Crescent in Kambah, there are huge numbers of trees that have been planted just over the last few months, and we have been working with community groups on this.

In Mitchell we will have planted 34 new trees by the end of this winter, including crepe myrtles and pears. That is on top of the 78 that we planted last year in Mitchell. The government has been actively engaging with the Mitchell traders to improve the amenity of the precinct through replacing trees and enhancing growing conditions. Mitchell is a challenging location due to the large areas of hard surfacing. Tree replacement involves significant work to physically excavate and remove root balls, expand the size of tree surrounds and tree pits and ensure surrounding paving issues are addressed. This case study demonstrates that tree planting takes preparation, planning and maintenance in an urban environment.

Although Canberra consists of a large urban footprint, it is mostly low density. There are many constraints at play in planning for undertaking tree planting. Our city services teams work year round to look after the trees in our city and to plant thousands of new ones. When finding locations to plant new trees, they have to consider the size of the space or verge they want to plant on; what underground services may be present, or above-ground infrastructure like driveways, footpaths and streetlights; whether that location may be subject to future investment like a road duplication or footpath installation; species selection in light of the existing streetscape, available soil volume, suitability to the current and projected climate, best practice species diversity ratios, wildlife connectivity and foraging corridors, future planning for solar access and tree qualities such as growth rate and, of course, canopy

cover; and environmental factors like the conservation of native grasslands and threatened species that rely on grassland communities.

Our tree teams have to make sure that there is an availability of tree stock in our nurseries as well—noting that a long lead time, usually two to three years, is required, especially for the slower growing exotic species—to locally source suitable trees that are hardened to Canberra's climate. They also have to consider bushfire prevention on the outskirts of our city, in our increasingly fire-prone climate. They have to engage with local residents about the desirability of a new tree in their area and give particular thought to the tree species planted. That is why most of our planting is done by qualified contractors who are experts at doing this work. That means we that can keep people in jobs. Thousands of trees means thousands of hours of work for Canberrans, which is important now more than ever.

That is why our investment in planting 25,000 trees over the next three years is going to cost \$350 to \$400 per tree. This includes the cost of purchasing sufficiently mature trees that are ready to be planted in the street environment; choosing an appropriate location where the tree will be able to grow; investigating the site; checking for underground services; preparing the site for planting and mulching afterwards if required; planting the tree, including labour costs, machinery required and personal protective equipment; purchasing stakes and guards to protect juvenile trees; and ongoing maintenance and watering of the tree for the first five years after planting up to every eight weeks.

The ACT government will soon be releasing a draft of our urban forest strategy for consultation. This strategy outlines a framework for achieving our 30 per cent canopy cover by 2045 through planting additional trees, removing and replacing our existing trees—which also comes at a cost: over \$1,000 per tree if it needs to be removed, which we will need to do as some of our trees come to the end of their life. What improvements we can make to legislation will also be considered. That includes the ongoing review of the Tree Protection Act and the Planning and Development Act, and we will also look at the Public Unleased Land Act.

The work that has gone into this strategy to date and the modelling that has been done by qualified experts tells us that we are going to need 450,000 new trees to be planted in our urban context in Canberra over the next 25 years. These 450,000 trees will be chosen, planted and cared for to maturity with the consideration and diligence that I have outlined. The strategy will outline how we grow a diverse and resilient forest through careful choice of tree species, planting locations and end of life treatments for ageing trees so that our forest continues to remain healthy for generations to come.

For example, the ACT government has worked with the Fenner School of Environment and Society at the ANU to research the tree species that will be the most resilient in our future climate. Ms Lee commented on this as if this work had not actually taken place. It has already been done; we are already incorporating it and will do through the urban forest strategy. The resulting report makes recommendations about the ideal trees for certain conditions, including high pedestrian traffic pavement areas, irrigated areas, local streets and arterial roads. This information is vital to ensure our future plantings are diverse and appropriate for emerging conditions.

The urban forest strategy will also outline how the government plans to balance and diversify the urban forest to create resilience and support habitat for biodiversity. We are focusing on planting locations that have a lower canopy cover or are more at risk from the urban heat island effect, including protecting our shared paths to encourage more active travel. We are also planting trees in locations nominated by Canberrans through the government's yoursay page, which is still open and accepting suggestions.

This deliberate, carefully considered and responsible approach contrasts with the approach of the opposition, who have put out a half-baked and uncosted plan to pay for tube stock at a claimed cost of \$10 to \$20 a tree but without all of the other costs associated with maintenance and planting. Tiny and vulnerable plants require significant levels of maintenance to survive into adulthood if they are not accidentally or deliberately trampled on before then. The small root ball of tube stock needs to be watered very frequently and must be pruned regularly to develop a trunk. Planting tube stock like this in an urban open space will lead to a mass failure of plantings and will not help our urban canopy grow to maturity.

You have to wonder, Madam Deputy Speaker: if Mr Coe cannot even cost a street tree, how could he possibly run a budget? This is a Liberal opposition that is inexperienced and desperate to improve its green credentials. Mr Coe has taken one from his conservative protégés handbook, producing Tony Abbott's green army 2.0 with even less substance and even less benefit for the environment—a policy that you have when you do not have a policy to actually address and tackle climate change.

If the Canberra Liberals really cared about our environment, we might have seen them stand up to their federal colleagues' climate policies. Instead, we have seen Mr Hanson ridicule school students protesting to protect the environment. We have Ms Lee saying that the climate has always been changing and that too much discussion on climate change is based on fiction by extremists such as climate change alarmists. We have Mr Parton's plans to mow down Kowen Forest for development and expand urban sprawl west of the Murrumbidgee River, destroying bushland habitat, including trees.

Five seconds to midnight, or five seconds to the election, we have this conservative Liberal Party's attempt to greenwash, with Ms Lee's first motion in the Assembly on the environment since she has been the shadow minister for the environment: a simplistic policy lacking detail, costings and any knowledge of the urban forest, showing the inexperience of this opposition.

Our government will continue our responsible approach to managing our environment and the ACT's forests, including our urban forest, with our plan to reach our 30 per cent canopy target. We will continue to plant tens of thousands and hundreds of thousands of trees to get there and we will properly maintain them, including the existing ones, for the future.

I am moving an amendment to Ms Lee's one-line motion. It acknowledges this important work which is ongoing and some of the steps that we will need to take in order to get to our target of 30 per cent. I move:

Omit all text after “That this Assembly”, substitute:

“(1) notes:

- (a) growing a healthy and resilient urban forest that can withstand a changing climate means consideration must be given not only to planting more trees, but looking after our existing trees, ensuring a diverse range of tree species, choosing the right planting locations, caring for trees after they are planted, and removing and replacing trees reaching the end of their life;
- (b) the Government has committed to achieving a 30 percent canopy cover target in our urban areas by 2045 as set out in the Climate Change Strategy and Living Infrastructure Plan;
- (c) achieving this target will require a net increase of at least 450 000 ACT Government street and park trees, as well as planting tens of thousands of replacement trees for existing trees lost due to old age and the effects of climate change;
- (d) the target cannot be achieved through tree planting on government land alone, and will require the protection and replacement of existing trees on private land. This will require significant legislative and planning reform; and
- (e) the Government will soon release a draft urban forest strategy that will set out a framework for managing our urban forest over the next 25 years;

(2) acknowledges that:

- (a) the Government is currently undertaking the largest planting of urban trees this century, with close to 25 000 trees to be planted on urban land over the next three years, with over 4000 already planted in Autumn 2020;
- (b) this investment is expected to cost between \$350 and \$400 per tree, including:
  - (i) the cost of purchasing a tree that is ready to be planted;
  - (ii) choosing an appropriate location where the tree will be able to grow, investigating the site, including checking for underground services, preparing the site for planting and mulching afterwards if required;
  - (iii) planting the tree, including labour costs, machinery if required and personal protective equipment;
  - (iv) purchasing stakes and guards to protect juvenile trees;
  - (v) ongoing maintenance and watering of the tree for the first five years after planting; and
  - (vi) consultation and communication with the surrounding community when a tree is planted; and
- (c) Parkcare, Landcare and Catchment Groups play a key role in volunteer activity planting out trees and vegetation in our nature reserves, rural area and riparian areas;

(3) further notes that:

- (a) environmental conservation requires more than tree plantings, needing a range of activities to protect and enhance woodlands and grasslands;

- (b) the ACT Government is planting 500 000 trees in Ingledene Forest, creating new recreational areas for Canberrans while sequestering carbon;
  - (c) in the last two years, Australian Capital Territory Natural Resource Management (hosted by the ACT Government) has planted 17 000 trees and undertaken weed removal on 400 hectares of land; and
  - (d) that large-scale, poorly-planned expansion of new suburbs across rural and environmental areas of the ACT could see loss of many existing trees; and
- (4) calls on the Assembly to support the planting of potentially well in excess of one million trees, as well as the protection of hundreds of thousands of existing trees, by:
- (a) supporting the Government's Living Infrastructure Plan and Climate Change Strategy, which will achieve 30 percent canopy cover by 2045, including a net increase of 450 000 street and park trees;
  - (b) supporting legislative and planning reform needed for the protection and replacement of existing trees on private land;
  - (c) supporting the Government's commitment for 70 percent of new housing to be built within our existing urban footprint, protecting trees and environmental values in our surrounding landscape; and
  - (d) opposing urban development west of the Murrumbidgee River that would see trees and natural areas destroyed."

**MS LE COUTEUR** (Murrumbidgee) (3.36): The Greens will be supporting the ALP amendment.

**Ms Lee:** I am shocked.

**MS LE COUTEUR:** Easily shocked, Ms Lee. I will start by welcoming Mr Coe and his colleagues to the ACT Greens. Members have seen the Liberal branding for the one million trees announcement which features a green colour scheme, and even the traditional blue Liberal logo has turned green. Clearly, this is recognition of the fact that the Liberals want to become a sub-branch of the Greens, the only party that has a true long-term vision for Canberra and the rest of the world. So, Mr Coe and colleagues, thank you. Welcome on board with the trees and the public housing and the homelessness. It is really great to see progress in the Assembly. On a more serious note, because we may still remain separate political parties, I really welcome the Liberals' interest in trees. I take it as entirely real and serious, rather than a stunt.

The Greens have been trying to get action on trees for many, many years. I can remember in the Seventh Assembly a number of debates with the former Chief Minister, Mr Stanhope, on the subject of trees and the preservation or otherwise of them. Over the last couple of years the ALP has got considerably much more on board, which is great. The better suburbs program may have helped with that, with participatory budgeting and participatory democracy in practice.

Certainly, I am very pleased by the government's new-found interest in trees. As a result, there has been increased funding for trees and tree planting, the start of a



review of the Tree Protection Act and a start on changing the Territory Plan to make room for trees with living infrastructure plans. I am really pleased to find that this has been followed up by the Liberal Party's big, shiny promise for a million trees. This tripartisan support for trees is incredibly welcome.

**Mr Parton:** Your work is done.

**MS LE COUTEUR:** I am not quite sure the work is done, because so far we have not planted those trees.

**Mr Coe:** We did one. We're on the way, Caroline.

**MS LE COUTEUR:** Okay, still 999,999 to go. Unfortunately, getting to the details a bit more, as the ALP amendment points out, while one million trees sounds like an awful lot—and it is an awful lot—it is actually not a huge step forward from the position the government has agreed to after years of pressure from the Greens and the community as a whole.

The ALP amendment, being two pages, goes into a lot more detail. I applaud Ms Lee for moving what is probably the shortest motion in this Assembly. That is an achievement to be proud of. But the ALP's motion covers an awful lot of the things that are needed to deliver more tree canopy for Canberra. That is what I am going to say a bit more about in my speech. Quite a bit of it was covered by Minister Steel, and my Greens colleague Mr Rattenbury will also speak on this.

We all saw this last summer just how brutal climate change has already made our periods of extreme heat and dryness. Young trees find it very hard to get started in this climate. New young trees need to be watered for the first few years of their establishment. Sadly, even some of those will die or be vandalised and need to be replanted. This comes with a cost which, on average, is more than the cost of the tree itself. Then even the young trees will require water during conditions like our last summer, when public appeals were put out by the government and many other people to please water your street tree.

I am concerned that the Liberals have not factored these costs into their promise of a million trees, because I would like to see this promise happen. Mr Coe said in his launch video that the whole commitment would be funded through existing areas of government like the Yarralumla Nursery. I am concerned that possibly he does not appreciate the scale of the costs involved. If implemented just like that, it would cause a huge funding cost cut to the rest of the city services budget which would impact on areas like street sweeping, lawn mowing, playground maintenance and general city maintenance.

Part of the Liberals' plan is to give trees to young people to get them involved in tree planting. I quote from the Canberra Liberals' website:

A Canberra Liberals Government will give every child a voucher on their first day of kindergarten for a tree from a Canberra nursery of their choice. Families can use the voucher to redeem a tree, or a pot plant if that is more suitable to their premises, to plant in their own backyard.

The Greens have pushed for a long time the idea that getting children involved in nature is very important. Again, there is a lot of community support for that view and a view from educationalists that this is incredibly important. There is a lot of evidence of the benefits of this for children, and in the long term it also helps children grow up attached to the natural environment and therefore wishing to protect it. This is really important because we all need the natural environment to live in. Without that, as a species we cannot survive. So I applaud the concept of getting children involved in this, but it will not take us all the way to a million trees, unfortunately.

As I have also said in the Assembly several times over the last four years, our planning rules allow new homes to cover far too much of the block, leaving very little room for trees or even a decent sized pot plant in some instances. There is basically no backyard in some new houses, and the same applies in many multi-unit apartments. Children could well be growing up in places where there is no green space and no room for trees because developers were not required to provide it.

If there is a balcony or a courtyard in a multi-unit development it has no sun on it so that nothing is going to be able to grow except the artificial grass—and I was shocked to hear at question time that ACTPLA defines artificial grass as being part of living infrastructure. That was a very depressing moment this afternoon.

Front yards and verges in new suburbs often do not have room for any decent sized tree because most of the space is taken up by driveways and infrastructure like pipes and light poles. This is a problem that the Greens have been talking and campaigning about for a long time. If there is not even room for a decent street tree, we will be reduced to using pot plants on our verges. That is not what we want.

This is why the Greens have been pushing so hard for planning changes to make room for trees in redevelopments and new suburbs. This is one of the things we have been very concerned about with the new suburbs in Molonglo and it is one of the reasons we successfully pushed for a review of the Molonglo development.

I look forward to having a chance to read that review because it has to say something about the fact that Molonglo simply does not have the trees that other places in Canberra have, and it is not just because they have not grown. A lot of it is because there simply is not space for them.

The residential development and the estate development codes all need to be fixed. And I am afraid, Mr Coe and Ms Lee, there is no point in giving kids a nursery voucher if they cannot use it to grow anything. I really hope the Liberal Party will in the future support real change so that there is room for trees in our residential areas.

Of course, there is also no point in planting a million baby trees if we allow developers to clear off development sites another million full-size trees. That is why the Greens have been pushing for the last three years to start a review of the Tree Protection Act. Last year we were successful in that push, and the review has commenced. Public consultation started late last year. I am sure the Liberals will be supporting that process, in line with their new pro-tree rules.

Part of my planning legislation which has been deferred for later consideration includes more protection for registered trees, so I am very hopeful on the basis of this motion that the Liberals will be supporting that as well.

In conclusion—no sarcasm intended at all—I seriously welcome the new tripartisan agreement that trees are good and that we need more of them. This truly is a good thing and a really positive moment for the Assembly. We need now to move past motions and move to on-the-ground action to plant more trees and, even more than that, to keep the trees we plant, those that have been planted and those that have been growing without human intervention. We need to keep these trees alive and healthy so that we can achieve the beautiful bush capital that we all want to live in.

**MR COE** (Yerrabi—Leader of the Opposition) (3.48): I of course am delighted to speak in support of this wonderful motion Ms Lee has put forward. It is interesting that it is the Canberra Liberals that are ambitious and putting forward what should be an achievable policy. But you have the naysayer over there—Mr Hi-vis to plant a tree—who says it is not possible. It is not possible to plant a million trees over ten years. It is in the too-hard basket. Horticulturalist Steel comes out on a day and says, “You know what? I’ve been down to Bunnings and it looks like it’s too expensive.” Well, I am afraid their lack of ambition, their lack of confidence in urban services and their lack of recognition of the problem was starkly on display.

I very much welcome Ms Le Couteur’s contribution to this debate. She pretty much signed up to the policy, and I very much welcome that. I note there are many other Canberrans who want an ambitious but realistic tree policy for the ACT. At the moment, things are going backwards—more trees are dying or being chopped down than are being planted. That is the reality of this government’s policy.

It is all very well for Ms Le Couteur to say the government has failed, the government should have done this and the government should have done that, but for 12 years on and off she has been propping up this government. She has to take her share of responsibility for the estate development code in the territory. They have had 12 years to heavy the government when it comes to the estate development code, but it has not been a priority. They could have easily demanded that in the lead-up to any budget or at the start of each term where they signed their lives away. But instead they did not prioritise it.

The Labor-Greens combo has not served the ACT well when it comes to the tree canopy, the number of trees or access to green space. The Canberra Liberals think it is reasonable that somebody in the bush capital should be able to live in something that resembles the bush capital. In contrast, the planning system we have and the leadership of those opposite has meant that the bush capital is not a reality for many people in the ACT.

It was in the too-hard basket. The government was too lazy and too tired to make sure that streets in new suburbs could have trees. That is why there are thousands of dwellings in the ACT that will never have a tree on the street, in the front yard or in the backyard. Never. When the history books are written about urban design and

streetscapes I have no doubt that this 19-year period will be a very bleak part of that story. For 15 of those 19 years the Greens enabled it. Does anybody actually think that the estate development code of the last 19 years has served this city well? Obviously the Greens do, because they have not demanded change when they could have, when they were in the box seat.

We welcome Ms Le Couteur's endorsement of this policy. We need more trees in the ACT. We are pleased that we will instil in young Canberrans a love of trees and a respect for what it involves to look after that tree, to nurture it and to watch it grow. This is an important policy and one we are very proud of. It is disappointing that Labor and the Greens will once again vote to have fewer trees in the ACT.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (3.54): When I read about the thought bubble those opposite had planted in the *Canberra Times* about trees I wondered how they had come about that position. Looking past the fact that there were no details when the policy was announced, it did seem to me that perhaps it was a parody article drummed up by the writers of the ABC's *Utopia* program.

You can just imagine the discussion: "We have got a problem. People love the environment, of course, but we want to bulldoze the place. How do we pretend to love the environment without letting on our real desires?" Someone probably piped up, "Trees. People love trees." Somebody else probably responded, "Let's plant lots of them." Someone else said: "What is lots? 100,000? No? 200,000?" "I know," said the brains trust, "a million trees. That's the ticket. That will buy a headline."

**Mr Parton:** I wanted to go to a billion.

**MR GENTLEMAN:** As Mr Parton said, it did get a headline. As I thought further about those opposite and how they came to the policy, the more I realised it could not have come from the ABC, because that would require the most conservative bunch of Liberals in the country to acknowledge that the ABC had value.

I then remembered it is nearly 10 years since Mr Abbott first contested the election as the federal Liberal opposition leader. It has been 10 years since the climate sceptics took over the Liberal Party of Australia, when conservative Liberals in this town began their march to take over the ACT Liberals. I remembered one particular policy that Mr Abbott had. It is the policy you have when you do not accept the science that global warming is occurring and when you have disdain for the environment. It makes a great headline but delivers little else. Twenty million trees was Mr Abbott's promise. That Abbott policy sounds awfully similar to what Mr Coe has promised.

I have quipped in this place that Mr Coe wished to replicate his conservative idol. If he is reduced to copying Mr Abbott's failed policies, we should get past the charade and perhaps those opposite should invite Mr Abbott out of retirement to lead the Liberals in this place. At least Mr Abbott may bring more details to election promises than what was offered by Mr Coe.

Government requires more than just headlines. It requires knowing the community in which we live. Mr Coe clearly does not know that 50 per cent of Canberrans already live within 500 metres of nature reserves, with 25 per cent living within 100 metres of their nature reserve. Through hard work and good planning we have the Canberra Nature Park, a network of 38 nature reserves covering approximately 11,000 hectares. This is in addition to the wonderful parks and playgrounds that we have in our urban environment.

Canberra Nature Park is, of course, very important, as it is home to the rich ecosystems providing habitat for many species of regional and national conservation significance. It protects the largest surviving areas nationally of critically endangered yellow box-Blakely's red gum grassy woodland and important remnants of natural temperate grassland. I fear that these loved nature reserves are under threat under the policy announced by the Liberals.

On World Environment Day Mr Coe was quoted in the media talking about the benefits and simplicity of grass. No doubt Mr Coe loves the African lovegrass that can plague my electorate of Brindabella. These reserves are grasslands. As I said, they are home to some of the last remaining woodlands and grasslands in this part of Australia. Protecting the environment does not come about by planting more grass and trees. It is more complicated. Sadly, this policy shows that the Canberra Liberals truly have a minister against the environment.

I am proud of the efforts that we have made in planning to make and improve our environment, both in the urban and the non-urban areas. As the amendment from Minister Steel notes, we are planting half a million trees in Ingledene Forest, delivering new recreational opportunities for Canberrans while helping sequester carbon. Over the past two years the ACT NRM has tackled weed on 400 hectares of land and planted around 17,000 trees. Our efforts to improve the environment have also seen an additional 1,156 hectares of woodland added to nature reserves and parks since 2004. These are just some of the many efforts we are making to protect and enhance our natural environment.

I thank the hardworking staff across government, particularly city services and our parks and conservation service, who have achieved remarkable outcomes. They have done so, of course, with the help of volunteers. These include our ParkCare and catchment groups, with more than 800 volunteers in ParkCare who contributed 30,200 hours of their time towards protecting and conserving ACT parks and reserves. The volunteer program includes work with local schools and youth workers to develop virtual reality tours of reserves for the disability sector as well.

These are just some of the highlights. I could go on, but in the interests of time I conclude by commending Minister Steel's thoughtful amendment to the Assembly. This issue is more complicated than the opposition believe.

**MS LAWDER** (Brindabella) (4.00): I am pleased to stand today and talk about trees, which is something we have discussed on a few occasions in this Assembly. It is good to remember the significance of the bush capital. It is something that those of us who

live here value very, very highly, and we want future generations to also enjoy those benefits of living in the bush capital. We all, I think, understand the mental health benefits of trees and the natural relaxation and relief from everyday stresses that trees, urban forests, native forests bring to individuals. Studies have suggested that contact with natural environments promotes psychological restoration, improved mood, improved attention and reduced stress and anxiety.

Trees can also bring relief from the weather, especially in summer. They are vital to cooling and reducing the heat island effect that we can get in the capital. With development going on, we have more and more concrete and bitumen and hard surfaces in our everyday life in our suburbs, in our city, and that can be an extremely hot area. Having more trees can also bring relief from pollution, whether it is noise pollution or air pollution. Trees are important in helping to reduce that pollution. Planting one million trees over a decade is one of many practical things that we can do here in the ACT, and it benefits all of us.

Our trees also add a wonderful seasonal procession for us. Sometimes the falling of the leaves in some of our suburbs can be a bit problematic, but for many Canberrans observing that real difference in the seasons through the colouring of the trees is a real delight for them—the spring growth, the autumn colours and the beauty of the winter trees, not to mention the shade that they bring in the summertime.

But under this government there are some suburbs which, because of their narrow streets, small houses and lack of trees, will never understand and experience that. Kids in those homes will not be able to have a tree house in a tree in their backyard like many of us had when we were young. They will not be able to have a swing hanging from a tree in their backyard like many of us had. It is something that we all would like to see more of, but the design and the planning in this place has made that out of reach for many Canberrans.

Their urban renewal precincts have made tree cover more and more difficult, and do not forget that this is the government that chops down trees when it wants. They chopped down trees, 450 or so trees, on Northbourne Avenue. They chop down trees for solar farms. They chop down trees and often tell us it is because they are diseased. But they are diseased when it suits this government.

I remind members of Lindsay Pryor's seminal reference on Canberra trees from 1991. In fact, the first Labor Chief Minister, Rosemary Follett, said in the foreword of this book:

This book will be a useful resource for those involved in planning and planting trees in Canberra.

Unfortunately I do not think it is a resource book, a reference book, for this government. I do not think any of them have ever read this book. But it notes that, prior to European settlement of the Limestone Plains in the early 1820s, most of the valleys in which our town centres now sit were treeless. But over the following years these treeless plains have been planted with millions of trees, most of which have been planted by private citizens. There are millions of trees where there had been

none before. It was done without the government committing to planting trees. It was done without red tape and bureaucracy. It was done without a tree protection act. It was done without a tree preservation order. It was done because people love trees. People love trees and they know what the benefits of trees are.

We do not need the government to tell us what we can and cannot have in relation to trees. We can work that out when we go to our local nursery and rely on the expertise and professionalism of the people there. We all know that trees bring benefits. I cast my mind back to an Assembly inquiry in this place by the environment, transport and city services committee, I think it was, perhaps in 2017, on nature in our city. I am not sure if anyone here has read that report that the committee put forward but it had a number of recommendations, including, in recommendation 5:

The Committee recommends that the ACT Government, preferably as part of the City in a Landscape Strategy, articulate the vision for the urban landscape within the ACT, including what defines quality green space.

What we have heard today from this government is that the definition of quality green space is artificial turf. That is what we have got today from this government. I do not think many Canberrans would agree that that is what we want in our green space strategy. Recommendation 12 states:

The Committee recommends that the ACT Government, preferably as part of the City in a Landscape Strategy, prioritise public tree canopy coverage as a feature of the landscape.

I tell you what, a million trees over 10 years is going to prioritise the tree canopy coverage as a feature of the landscape. Recommendation 19 says:

The Committee recommends that the ACT Government require maintenance plans for new developments to be lodged with the planning approvals to demonstrate viability and transparency of the proposals.

Once again, artificial turf pretty much solved that issue and met that recommendation. Recommendation 23 states:

The Committee recommends that the ACT Government prioritise the planting of tree species that are as adaptable to a changing climate as possible.

That is exactly what our policy of a million trees over 10 years will help to achieve. And here are another couple that I really like. Recommendation 32 states:

The Committee recommends that the ACT Government develop and implement a strategy that is co-designed with, and supports, volunteer environmentalists to guide and sustain community stewardship of the environment within the ACT.

And recommendation 35 states:

The Committee recommends that the ACT Government, in conjunction with Landcare and similar groups, identify and implement further opportunities for Junior Landcare and Junior Parkcare.

Our policy of a million trees over the coming decade will assist that. We are already looking to bring in children and their families and encourage community stewardship of trees and the tree canopy.

I cannot let the remaining minute and a bit go past without commenting on something that the minister for the environment just referred to, African lovegrass, and some comment as if Mr Coe is somehow responsible for African lovegrass. This is from the minister for artificial turf, can I remind you! The minister for artificial turf has talked about African lovegrass plaguing Brindabella. I cannot tell you the number of times I raised the issue of African lovegrass with that minister for the environment when I was the shadow minister for the environment. Under his watch it has spread throughout the ACT. It has plagued and is continuing to plague Brindabella.

**Ms Lee:** Under his watch.

**MS LAWDER:** Under his watch—and the lack of resources that he allocated to his department to get rid of and try to contain African lovegrass. Now, apparently, he is saying it is Mr Coe's fault. Hello? Hello? Even if you put artificial turf in, that is not going to stop the spread of African lovegrass that we now have in the ACT. It is absolutely appalling.

This is a government that has had more trees chopped down and dying than they have bothered to plant. Once again, they take away, take away, take away, give a little bit back and expect you to be grateful! A million trees over the coming decade is what is going to make Canberra the urban space, the suburban space, that we all want and want to have for our children and grandchildren. I commend Ms Lee for her motion today.

**MR RATTENBURY** (Kurrajong) (4.10): I feel like I am having my best day ever at the Assembly because everyone is saying how much they love trees. I feel like this is finally where I want things to be in this Assembly. This has been a positive day but, unfortunately, the details warrant closer examination. The Greens are supporting Mr Steel's amendment because the details are important.

Ms Lee's motion is quite simple. As Ms Le Couteur noted, it is probably the shortest motion ever brought to the Assembly. That is not necessarily a bad thing; brevity can be a positive. The motion simply says: plant one million trees. There is no other detail. That is ostensibly a positive ask because trees are very important and they are a valued part of Canberra's landscape, as members have talked about today. We strongly agree with the need to rapidly increase the tree canopy in Canberra.

Over many years in the ACT Assembly the Greens have fought for improved tree policies in this city. In the 2008 Assembly Ms Le Couteur secured an inquiry from the commissioner for the environment on the urban treescape, to try to correct the policy being implemented at that time, where entire streets of trees were being taken out to ensure uniformity of tree cover rather than protecting the trees in good condition and simply removing the ones in poor condition.



This term she successfully moved a motion on trees that has led to significant action on a review of the Tree Protection Act—which I think Ms Lawder just suggested we do not need—and the planning rules around trees and green space. She has also campaigned to stop the decline in street and park tree numbers and for a government tree canopy target.

In my role as the climate change minister, I have released the new living infrastructure strategy for Canberra, following extensive community consultation and input. That strategy recognises the value of trees and other living infrastructure, particularly in the climate change context, and commits the government to a new 30 per cent tree canopy target, a significant increase on the current canopy of about 20 per cent. The investment in the tree canopy target already started through the last budget, with a large investment in new tree plantings, as Minister Steel has outlined in his remarks today.

At this point I want to note the public commentary of the Canberra Liberals that the government has apparently cut Canberra's tree canopy from 30 per cent to 21 per cent. I have heard that remark publicly a number of times now and it is also on their website. This is simply not true; it has not happened. It is more post-truth politics. That would be a good claim to refer to—

**Mrs Dunne:** It's in your own report.

**MR RATTENBURY:** Let's come to the report. The 2017 study which Ms Lee cited in her remarks today found that the ACT had lost 10.8 per cent of its tree canopy cover during 2008-16. The impact of the millennium drought was a significant causal factor in this reduction, the report notes. Losing ten per cent of canopy cover does not mean we have gone from 30 per cent to 20 per cent. If we assume canopy cover was around 20 per cent, a 10 per cent loss equates to a two per cent reduction in overall canopy cover. So it has not gone from 30 per cent to 20 per cent. I urge the Canberra Liberals to check their facts and check their maths and, if they have got this wrong, to correct it. If they think they have something that shows a difference, they should send it to me. I would love to see it. They have their maths wrong and they need to come clean and fix up their website and stop using this figure publicly because it is simply not true.

The simplicity of Ms Lee's motion perhaps reflects that same lack of policy thinking I have just highlighted, with the factoids being flung about to try and build a narrative that justifies the position they are trying to build. There is a lot more to making good living infrastructure and climate change policy than just saying, "We'll plant a million trees." There are some things about this election promise that make it look a bit tokenistic, as if there was a need for a really nice, round number and suddenly it makes it seem that they care about climate change after years of making semi-sceptic speeches, rather than actually having an effective and well thought out policy on climate change and living infrastructure.

What types of trees will these million trees be? That is an important question because they need to be trees that are appropriate for our urban area. They also need to be resilient to the changing climate and they need to support an increase in canopy to

mitigate the urban heat island effect. That has all been talked about today and I am pleased that is the case.

Part of the plan is giving kindergarten children a voucher for a nursery visit. I am not sure that by itself is going to do the job. They may or may not use it, and if you can use it to buy a pot plant, which is suggested on the website, will that add to the canopy target?

**Miss C Burch:** No, it won't.

**MR RATTENBURY:** Thank you. Miss Burch interjects and says no, it will not. Maybe it will buy a nice potted cactus for the front doorstep. Will that add to the canopy target? I do not think so. I think giving trees or plants to children is a great concept and I appreciate the idea of raising awareness and the love of nature at an early age, but we need to be clear about what we are doing here. Are we trying to fix the canopy target or are we just trying to give out vouchers?

We must acknowledge that this is not a strategic tree-planting policy that will achieve the canopy target and mitigate the future impacts of climate change. It is really a telethon policy where the Liberal Parties do whatever they can to get the trees out the door and get their tally up to a million. This is why the government's living infrastructure plan and the amendment talk about achieving a canopy target. We need a strategic plan to ensure that the canopy increases and the community gets the full benefit of trees.

Where will these million trees or cacti be planted? That is an important question because they need to fit properly into the urban environment if they are to create the amenity and climate benefits we want. We want them in the places they are needed, like urban areas where the tree canopy is low. I would be worried if this was simply a policy that would see a monoculture in some empty bit of nature reserve, instead of integrating them into the urban environment, just to make up the numbers.

I notice as well that the Liberal Party's tree policy does not say it will increase the overall tree canopy, at least not that I have been able to find. So you might plant a million trees, but how many will they destroy? A canopy target means the overall net tree number will need to significantly increase. Planting or giving away a million trees does not guarantee this. You have to make sure that you also put in place measures that will protect our green spaces, and have the review of the Tree Protection Act.

Ms Lawder said people love trees and they just want more of them. But, having been the urban services minister, I have seen the letters we get saying, "I want to be able to cut this tree down but the damn Tree Protection Act gets in my way." We are losing trees in this city at the moment because the Tree Protection Act is not doing its job. That is why the living infrastructure plan and the climate strategy call for a review of the Tree Protection Act—we know it is not doing the job we need it to do.

Clearing the urban fringes and the areas of natural bushland that exist there will also see the number of trees decline. Plans to simply build more suburbs will result in a loss of trees around this city, as well as endangering flora and fauna. So there is a lot of work to do.

I recall a motion I successfully moved in this place in 2008 to protect the sensitive environmental bays at Throsby. The Liberals strongly opposed that and ranted about the need for development. They said I was having another GDE campaign again, referring to the campaign to try and save Bruce Ridge, and that essentially we should stop opposing progress and development and give people the roads and schools and churches they want. That was the approach we saw back then, and right now the Prime Minister is looking at ways to loosen environmental protection by weakening the Environmental Protection and Biodiversity Conservation Act so that we can have a development free-for-all in this country.

That is why we support the amendment, which we contributed to putting together. We need support for the living infrastructure plan, the tree canopy target, the climate change strategy and a more compact and sustainable city. That goes to all the issues of how we create a more sustainable city into the future.

Lastly, I want to mention another important area in the amendment—the recognition of our Landcare and ParkCare and conservation groups. These groups play a really important role in looking after the natural environment in Canberra, and I have talked about them many times before in the Assembly over the years. They need sustained long-term funding, rather than going from year to year wondering if they will get funding in the next budget. An important part of what we need to put in place in the future is making sure those groups have certainty about their future funding patterns. We support the amendment.

**MS LEE** (Kurrajong) (4.20): I thank members for their contributions on this debate. I cannot even pretend to be surprised that the active minds and egos of those opposite felt the overwhelming and compelling need to once again rewrite my motion. After all, that is what they always do, but this one must take the cake. It was a simple and clear statement on purpose—that is, that this Assembly support the planting of one million trees in the ACT over the next decade: a no-brainer for anyone who is serious about a commitment to looking after our environment.

When I look at Mr Steel's amendment, "overcompensating" is the word that comes to mind. Whilst Mr Steel went to great lengths to try and rubbish my environmental credentials, it is worth noting that, aside from the prepared words and cheap shots from Mr Gentleman in this debate, ACT Labor have relegated the responsibility for the important issue of trees to city services, not even the environment directorate. But Mr Gentleman should be forgiven; he probably has not read my motion. Perhaps it was inappropriate for him to do so.

Given the overwhelming evidence submitted to the Assembly's nature in the city inquiry, one that Ms Le Couteur was very supportive of, the objections of both the Greens and the Labor Party to a simple, clear and ambitious statement to supporting the planting of one million trees in the ACT over the next decade are nothing short of pathetic. I would have thought that trees and reducing carbon emissions would be core business for the ACT Greens. But, once again, we see that keeping their political coalition partner happy is far more important than supporting tangible and real steps to protect our environment for future generations.

I have said it before and I will say it again now: Ms Le Couteur, thank you for your words, but I would much rather have your vote. As for Mr Steel, I am almost embarrassed for him at his lame response. At the time of the announcement of our commitment he dismissed it out of hand, flippantly, and predictably brushing it off as mere political tokenism. He has done so once again in this debate. I suspect Mr Steel needs to do a little more homework.

He suggested seedlings would be trampled or stolen or otherwise not survive. May I direct the minister to government plantings in Weston Creek, in his own electorate. Why plant them if he believes they will be stolen or trampled? I also suggest that the minister familiarise himself with the work of the Australian Tree Seed Centre right here in Canberra. For over 50 years they have been collecting, researching and supplying quality, fully documented tree seeds to both domestic and overseas customers. They must believe it is tangible and they must know what they are talking about—they have been a successful business for over 50 years.

Minister Steel could also do well to support our own CIT and enrol in one of their basic horticulture and backyard gardening courses to understand the importance of planting young trees to give them the best chance to acclimatise. The minister alleged that we were unrealistic and dreaming in our commitment to planning and caring for one million trees over the next decade, putting it squarely in the too-hard basket. Yet, funnily enough, in cohort with the Greens his amendment calls on the ACT government to potentially plant well in excess of a million trees. What is it, Mr Steel? Is it too hard and unrealistic and unachievable or is it going to be mere puffery?

The importance of trees for the future of our city—any city—cannot be understated. The Canberra Liberals firmly believe our commitment to planting and caring for one million trees over the next decade will make a real difference in shaping our city for future generations. Whilst ACT Labor and the Greens continue to take extraordinary steps to protect their own political alliance over supporting real action on caring for our environment, the Canberra Liberals will continue to ensure that we commit to taking practical and tangible steps for a greener, cleaner future for all Canberrans.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7		Noes 6	
Mr Barr	Mr Gentleman	Miss C Burch	Mr Parton
Ms Berry	Mr Rattenbury	Mrs Dunne	Mr Wall
Ms J Burch	Mr Steel	Ms Lawder	
Ms Cheyne		Ms Lee	

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## **Budget—2020-2021 postponement**

Debate resumed.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.31): Mr Gentleman has an amendment which is going to be circulated. I cannot move an amendment to my own motion without seeking leave, I understand, so the preference was that another member move the amendment.

The government will not be supporting Ms Lawder's amendment. I foreshadow that Mr Gentleman will move an amendment, effectively on my behalf, so that it is administratively easier for everyone in the chamber, which the government will be supporting. That amendment outlines the dates and times when the government will be providing further information in relation to the financial position of the territory, including the financial report that is provided at the end of the fiscal year, together with the June quarter financial update.

The broader statement, as I indicated this morning and have indicated previously, will be delivered in August, after the commonwealth have provided their update, which I understand is 23 July. As—

**Mrs Dunne:** We could have done the executive business that we were ready for and come back to this.

**MADAM ASSISTANT SPEAKER** (Ms Lee): Has Mr Gentleman's amendment gone missing? It is being done now?

**MR BARR:** Yes, but we cannot vote on my amendment until we have dealt with Ms Lawder's. So I am—

**Mrs Dunne:** But it has not been circulated.

**MR BARR:** Ms Lawder's amendment was circulated during my speech on mine, so do not give me a lecture on whose amendment has been circulated.

**Mrs Dunne:** And you do not have form on that?

**Mr Wall:** Longstanding form.

**MADAM ASSISTANT SPEAKER:** Members! It is coming around now.

**MR BARR:** Mrs Dunne, without responding overly to your interjection, your suggestion that we cannot even talk about this now because an amendment has not been circulated is exactly the position we were in prior to lunch. You and I have both been in this place for a very long time and know that this does happen on occasion. What I am doing now is filling some time—

**Mrs Dunne:** There was a bill that everyone was ready to debate. You could have done that to fill in the time.

**MR BARR:** What I am doing now, because there was mass confusion in the chamber, is being very clear that, on the advice of the Clerk that it would be cleaner and easier, rather than my moving an amendment to my own motion while Ms Lawder's amendment was before the Assembly, to deal with Ms Lawder's amendment we are not voting for that but we will vote for the amendment that Mr Gentleman has circulated. I hope that that clarifies the situation for members. I will stop speaking now. Ms Lawder can close the debate on her own amendment.

**MS LAWDER (Brindabella) (4.34):** I am of course disappointed that the government will not be supporting my amendment. When I introduced it earlier, I spoke about how it was quite straightforward and would have encouraged openness and transparency at a time when there is no budget. It would have given everyone the opportunity to understand what was proposed.

Given that we have been quite supportive, constructive and positive about many of the approaches that the government has proposed—in fact, we proposed many of them ourselves, which the government then adopted—I do not think it would have been a stretch too far for the government to agree to these three simple points after its initial three. We were not trying to disagree with the original three points of Mr Barr's motion; we were merely seeking to add additional scrutiny, additional transparency and additional accountability to what was already there. So I am disappointed that, as Mr Barr has flagged, they will not be supporting my amendment today.

**MR RATTENBURY (Kurrajong) (4.35):** I do not particularly want to get into whose amendment should be passed or not. I think it is about the content. Whilst I hear Ms Lawder's frustration, I think that Mr Gentleman's amendment is quite useful. It sets out some quite specific dates. It is very useful both for this place and for the public, for anyone who may care to look at it. It is quite explicit and transparent about what the steps are going to be, particularly noting the fact that the government will release its economic and financial update by 27 August, which will provide that account.

It also notes that there will be the normal pre-election budget update which is produced by the Under Treasurer during the caretaker period so that all the parties can see the open books. It is a really important part of where democracy has got to in Australia that this has become a feature of Australian elections—these pre-election budget updates so that the community and all the political parties can see what the state of the books is. Parties can finalise their costings and their election commitments in the context of having a clear line of sight on the state of the budget. Then they can make their judgement about how hard they do or do not want to go on savings, spending or whatever the thing will be.

We will be supporting Mr Gentleman's amendment, not because we have a problem with Ms Lawder's but because it has taken the next step in spelling out a series of quite explicit moments that are coming in the next couple of months in terms of the

community being able to see various reporting moments in light of the fact that, because of COVID, this year's normal cycle of budget et cetera has been changed quite substantially.

**MR COE** (Yerrabi—Leader of the Opposition) (4.38): Of course I am very supportive of Ms Lawder's amendment. The amendment is very important with regard to increased transparency and increased consultation at a time when we are giving the government more power. As I have said before, extraordinary powers require extraordinary scrutiny. Therefore it is reasonable that the government should publish the most recent financials as of 30 April.

In addition to that, if they are going to use the prerogative of not having a budget to announce more things, surely in the absence of an appropriation the government should at least be consulting with the Greens and with the Liberals before spending this money without appropriation? It is pretty straightforward. This is not hyperpolitical. Consult with the leaders of all parties in the Assembly before such measures are announced.

I note that the commonwealth publishes monthly reports already. You can go to Finance's website. Every month, four weeks in arrears, they publish monthly statements of accounts. The ACT government does this internally. How hard would it be to allow Canberrans to actually see what the state of their money is?

Finally, given that they already have these documents in house already, simply come in here and table them. I think it is pretty reasonable. Everything that Mr Gentleman has put forward is useful information, but there is no commitment there. It is all just useful information that, quite frankly, we could have got any other way. I urge Mr Rattenbury and Ms Le Couteur to support greater transparency and some collaboration in these extraordinary times.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 6

Mr Coe	Mr Milligan
Mrs Dunne	Mr Wall
Mr Hanson	
Ms Lawder	

Noes 7

Mr Barr	Mr Gentleman
Ms Berry	Mr Rattenbury
Ms J Burch	Ms Stephen-Smith
Ms Cheyne	

Question resolved in the negative.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (4.43): I move:

Add:

- “(4) notes that the March quarter financial reports were circulated on 15 May and tabled on 21 May;
- (5) notes that tomorrow, the ACT Government will publish on the ACT Treasury website initiative descriptions of the measures implemented as part of our Economic Survival Plan and Economic Recovery Plan;
- (6) notes that the Government is providing monthly reports to the Assembly on all COVID-19 measures;
- (7) notes that the Government has announced that it will release an Economic and Fiscal Update by 27 August, including the June quarter and 2019-20 financial reports, and detailed economic and budget outlook;
- (8) notes that, as per the usual process, the Under Treasurer will release a pre election budget update in September;
- (9) notes that the September quarter financial reports will be prepared and available for government consideration and circulation by 19 November; and
- (10) notes that all parties will be consulted if there are any changes to these reporting points or any further alternative fiscal processes are required.”.

The amendment speaks for itself. It shows the transparency of this government. I will leave it up to debate in the chamber.

**MRS DUNNE** (Ginninderra) (4.44): Madam Speaker, I am flabbergasted by the performance of the government here today. We have legislation that has already passed which puts in place the legal underpinning for what we are doing. But we need to have a feel-good motion about this as well, which really defies any particular usefulness. We have the government unprepared to come back in here and re-debate this after adjournment of debate. Then they come back and say that the proposal put forward to improve the motion by Ms Lawder is unacceptable, when it is essentially taking business as usual and putting it out into the public arena or, as point (5) calls for, consultation with the other parties in this place over things which may be doubtful at the margins.

What we are proposing to do is to continue to spend the money of the people of the ACT—not ACT Labor’s money; it is Canberrans’ money—without a fresh appropriation. The constraints on doing that are quite severe. If there are any variations to that it is unthinkable that they would be done without consultation across the board. That is what Ms Lawder’s motion essentially calls for: to publish your accounts every month, because you prepare them every month, and to consult.

Why is this so hard for this government? It is because this government is old, tired and arrogant and thinks that it can get away with anything because of the cosy arrangement it has with the Greens. The Greens, who have spent their time talking about third-party insurance, are not third-party insurers. They are joined hip and thigh with the Labor Party and do everything the Labor Party wants them to do. That is what this is about. It is about the coalition of majority that rides roughshod over the



people of the ACT, it is about lack of transparency and it is about the failure of the so-called third-party insurers to look after the moneys of the people of the ACT.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.46): Part 2 of the Financial Management Act requires in section 5:

Except as otherwise provided by a resolution of the Legislative Assembly—

the resolution that we are debating now—

the first appropriation bill relating to a financial year must be introduced into the Legislative Assembly not later than three months after the beginning of the financial year.

The act is clear that this resolution is required, so we have moved it. What we are witnessing is a grandstanding effort. Mr Gentleman's amendment responds to the issues raised by Ms Lawder and is very clear about when information will be provided. We provide consolidated quarterly reports and we will continue to do so. I commend the amendment to the Assembly.

**MR WALL** (Brindabella) (4.47): It is outrageous that, regarding an attempt to get additional scrutiny or additional transparency around the territory's finances at this time, the Chief Minister and Treasurer, aided and abetted by the Manager of Government Business and the leader of the Greens, are seeking to obfuscate their responsibility to those in the territory to provide that transparency on the money of which they are the custodians. It is not their money; it is the money of the ratepayers of the ACT, which they are entrusted with.

The Chief Minister is right; the motion is required in order to move the date of the budget beyond that three-month window. That point is correct; it is part of the Financial Management Act. We have no issue with moving the date of the appropriation. There has been quite broad discussion around that and acceptance that, in the COVID climate, this is a required step.

This is also an unprecedented time, when the government have more unfettered power than any territory government have ever had. They have 100 per cent of the previous year's appropriation with which to administer the territory. That is beyond what the FMA normally states. The bill that is coming up next seeks to increase that threshold from 50 per cent—

**Mr Barr:** It has already passed.

**MR WALL:** It has already passed. The check and balance that exists within the Financial Management Act is 50 per cent of the prior year's appropriation. The Treasurer and Chief Minister has come in here and said, "I want every cent that we had last year to do it again," without bringing to the parliament an explanation of where and how those moneys will be spent.

We are asking for further transparency around the state of the books—the balance sheet, the operating statements. What is the financial position of the territory at this point in time? We are asking for consultation amongst leaders. As we head into an election, where there has been no appropriation made, we ask that there is broad consultation. Again he is squibbing that obligation as a custodian of the treasury books. He is hiding behind the numbers that he enjoys due to the aiding and abetting of the Greens in this place.

This is an outrageous undermining of the trust which the people place in all of us when they elect us to this place. It breaches the contract of trust that the government and ministers enjoy in administering the territory on residents' behalf.

I call on Mr Rattenbury and Ms Le Couteur, as the crossbench votes, to have that rush of blood settle from their heads, look at what the common-sense and transparent options are, and vote on the side of allowing more information out into the public arena and greater consultation amongst the elected representatives that exist in this place until 17 October. This should include the administration of the territory's finances, as we move forward into the election and beyond, when finally an appropriation may be presented to the parliament.

**MR COE** (Yerrabi—Leader of the Opposition) (4.51): Madam Speaker, I will be seeking leave to move an amendment to Mr Gentleman's proposed amendment. It is being circulated, I gather. Madam Speaker, if you are going to postpone the budget, if you are going to remove the scrutiny opportunity, and the opportunity for us to interrogate the budget, it is reasonable that, in addition to points (1) through (10), as proposed by Mr Gentleman, we also have a requirement that the ACT government consult with the leaders of all parties in the Assembly before additional financial measures are publicly announced and, again, call on the ACT government to publish, on an ACT government website by 25 June—by next week—the general government sector operating statement, balance sheet and cashflow statement.

Madam Speaker, for your benefit, I draw to your attention that a substantive change in what I am proposing is that the ACT government publish on an ACT government website the operating statements by next week, rather than have to come in today and publish it, which now obviously will not be possible. Also, I am satisfied with just the general government sector—just the GGS.

Putting in those two important additions, thus changing what is before us, makes this a far more reasonable motion for the ACT government to comply with. The two substantive issues are, firstly, to consult in the absence of an appropriation bill and, secondly, to at least tell Canberrans where we are at with regard to the financials, rather than have to wait for another two months for the next quarterly update. I think it is pretty reasonable.

**MADAM SPEAKER:** I will let Mr Barr have the call. You have put your argument that it is different, but I am of a mind that it is the same in substance and you have just changed a date. I will allow Mr Barr to respond in the first instance.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.55): Point (11) is the same as the previous one. I am not sure what the opposition leader means by “consult”—as in tell him before the government makes an announcement? In seeking consultation, is he seeking an opportunity to influence government policy and to assume the role of a member of the executive? There are clear implications in terms of the self-government act in that regard—

*Mr Coe interjecting—*

**MADAM SPEAKER:** Mr Coe, you were allowed to speak.

**MR BARR:** so I am certainly not agreeing. We have certainly encountered this issue before, when non-executive members have sought to determine public spending. This relates specifically to government announcements.

**Mr Coe:** To consult.

**MR BARR:** I am not consulting, and the government is not consulting, on every single government announcement. This would cover every single government announcement, because the appropriation bills cover every activity of government. That is not acceptable or practical, frankly—both, Madam Speaker. The opposition leader may wish to assume the government benches, but he has to win an election in order to do so. This power grab, which is what it is, cannot be supported.

The second point is that the only thing that has changed in relation to point (12) is the timing of the request. The request remains the same. Whether that is substantially different obviously is a matter of interpretation, but the government’s position on both issues remains the same as it was for the previous vote. We have outlined an amendment to respond to the issues that Ms Lawder raised in her amendment. The Assembly has dealt with that. We will support Mr Gentleman’s amendment and we will not support Mr Coe’s amendment, which is substantially the same as the one that the Assembly voted on.

**MADAM SPEAKER:** Members, I believe that this is effectively a debating point. Mr Coe made the point that it changes the tabling from today to allowing for a week, and that the proposed new amendment includes the general government sector in paragraph (12). But you are still seeking for the government to provide operating statement, balance sheet and cashflow for a period, for year to date and an estimated outcome. The first point is the same, around consulting with party leaders before any financial measures are announced. I provided some leniency for Mr Barr, but I am of a mind now, Mr Coe, to rule the amendment out of order.

**MR COE** (Yerrabi—Leader of the Opposition) (4.59): Madam Speaker, I would add that we are also proposing to include (1) through (10), which is what makes it substantially different as well. Before, it would have been in place of what the government was proposing; this is actually in addition to what it is proposing. Therefore it is not a matter of saying that we do not want (4) to (10); we actually want

(4) to (12). Therefore it has to be different because how else could you take on both amendments? It would be impossible to take on both amendments if you cannot have a more dynamic arrangement like that. Having said that, Madam Speaker, I seek leave to move the amendment circulated.

**MADAM SPEAKER:** I do not believe that you need leave. Members, it is contentious. I must admit that I have made a ruling, but I did not catch on to the fact that (11) and (12) were not typos and were just an addition to Mr Gentleman's amendment. Given that I have provided leniency for Mr Barr to talk, I will let the floor decide about the amendments.

**MR COE:** I move:

Add:

- “(11) consult with the Leaders of all parties in the Assembly before additional financial measures are publicly announced; and
- (12) calls on the ACT Government to publish, on an ACT Government website by 25 June 2020, General Government Sector:
  - (a) operating statement;
  - (b) balance sheet; and
  - (c) cash flow statement for the period ending 30 April 2020, with figures for the:
    - (i) year-to-date; and
    - (ii) estimated outcome for 2019-20.”.

**MADAM SPEAKER:** With that, I will go to Mr Coe's amendment and give you the call, Mr Rattenbury.

**MR RATTENBURY** (Kurrajong) (5.00): Madam Speaker, I think you are in a difficult position, but my personal view would be to have the Assembly debate Mr Coe's amendment. I think that we are in the middle of a complex debate and it is an important issue. I think it is sufficiently different for us to have the discussion.

**Mr Hanson:** I agree with Mr Rattenbury.

**MR RATTENBURY:** That must hurt, Mr Hanson! Mr Coe is arguing about two points. One is about transparency. I think we are in unusual times, and a lot of points of transparency have been provided through this process. Mr Gentleman, in his amendment, has outlined a number of steps that have been taken, some of which are additional steps in the absence of the budget. We have the COVID committee which will continue, we determined this morning, until 27 August—until the end of the sitting period for this Assembly. Of course, we have brought back all of the sitting days that had been lost to COVID.

I think there is no shortage of opportunities for scrutiny provided in this place for members of the Assembly. Certainly, if we had been in the position that was mooted in March and April, when we thought the pandemic might curtail our activities much

more, and there would be no sitting days and no opportunities—no committee hearings and those sorts of things—one could make arguments about the need to provide additional reporting opportunities. We normally have quarterly reporting, and that will continue through this process. I think that the argument that there is not an opportunity to see these things is not a strong one.

**Mr Coe:** But we are not getting the end-of-year until August.

**MR RATTENBURY:** Mr Coe, you have had your chance to speak. I have the floor, Mr Coe.

**MADAM SPEAKER:** Mr Coe, please.

**MR RATTENBURY:** On the point around calling for consultation with the leaders of the other parties in the Assembly before additional financial measures are publicly announced, I am still not exactly clear what those additional financial measures are. If Mr Coe means every time a minister is going to talk about what the government is doing next, I do not think that is a realistic proposition.

With four months or so of caretaker government, ministers want to do their jobs, which we are supposed to get on and do. In fact, we are trying to do a lot more than usual because there have been a whole lot of moving pieces. As a practical matter of reality, and thinking about the way things operate, I do not think that is called for in the circumstances.

The opposition can come in here; they can put questions on notice and call members before the COVID committee and the like. I think there are plenty of opportunities for scrutiny. I return to what I said in my earlier remarks. Points (4) to (10) in Mr Gentleman's amendment outline a range of points of reporting, scrutiny and updates that are consistent with good practice in this place. We will be supporting Mr Gentleman's amendment as it stands.

**MR WALL (Brindabella) (5.04):** It seems that the big sticking point here is what would be new point (11) in Mr Coe's amendment, which is about consultation with party leaders. A way forward may be, in putting the amendment, to ask that the question be divided, under standing order 133. When the question is put, we can deal with points (11) and (12) separately. There is certainly a reasonable expectation that the financial statements would be published and made public under these circumstances. To reiterate, we would call on the government to publish, by 25 June, the operating statements, balance sheet and cashflow statements for the period ending 30 April, with figures for the year to date and the estimated outcomes for the 2019-20 financial year.

*Mr Coe interjecting—*

**MADAM SPEAKER:** Mr Coe, you will be warned if I have to come to you one more time. You had a chance to debate the matter. Please be quiet. The question is that Mr Coe's amendment be divided.

*Ordered that the amendment be divided.*

**MADAM SPEAKER:** The question now is that paragraph (11) of Mr Coe's amendment be agreed to.

Paragraph (11) negatived.

Question put:

That paragraph (12) of **Mr Coe's** amendment be agreed to.

The Assembly voted—

Ayes 6

Noes 7

Mr Coe  
Mrs Dunne  
Mr Hanson  
Ms Lawder

Mr Milligan  
Mr Wall

Mr Barr  
Ms Berry  
Ms J Burch  
Ms Cheyne

Mr Gentleman  
Mr Rattenbury  
Ms Stephen-Smith

Paragraph (12) negatived.

**Mr Gentleman's** amendment agreed to.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (5.08): With the amendment of Mr Gentleman there is now a very clear time line on when information will be available. One factor that limits the ACT government's ability to have full data is the fact that the commonwealth, which would also normally have had a budget and provided information to us, is not doing so until October.

The commonwealth is not providing its financial update until 23 July. On that date we will have more information about the other half of the territory budget, which, as Mr Coe has pointed out in more than one press conference in recent times, constitutes a very large part of the territory's overall budget. Our own-source revenue is a little over 40 per cent of the territory budget. The details of the balance, most particularly the GST and other commonwealth payments, will be known by 23 July. The territory government will then, as we normally do, take the time to feed all of that information through our own financial systems and then present a report. It will be for the June quarter, the full fiscal year 2019-20 and a forward estimates outlook. Then the Under Treasurer will undertake the pre-election budget update. So there will be two sets of information.

I get, monthly, our own-source revenue. I reported on that this morning, including that it is down six per cent on the midyear update figures and that, particularly, conveyance duty was down by 20 per cent. I have provided that information. Mr Coe was not even sitting in the chamber for that. I commend the amended motion to the Assembly.

Original question, as amended, resolved in the affirmative.

## Public Health Amendment Bill 2020

Debate resumed from 4 June 2020, on motion by **Ms Stephen-Smith**:

That this bill be agreed to in principle.

**MRS DUNNE** (Ginninderra) (5.11): The opposition will oppose the Public Health Amendment Bill 2020. However, I intend to propose an amendment in the detail stage, if the bill passes to that stage, which would improve this measure.

Let me begin by thanking the health minister for taking the opposition along on the journey to where we are today with this bill. It is indicative of the approach that she has taken throughout the whole of the COVID-19 emergency, by facilitating briefings on the emergency from the Chief Health Officer, the CEO of Canberra Health Services and other health officials. There were times when these briefings were not quite as transparent as I would have liked, but over all they have been informative, important and appreciated. There were times, in the early stages, when I expressed to the minister my frustration that there was not a sense of urgency, but luckily we have not been put in a situation where I could test my thesis about whether or not that sense of urgency was being fully developed.

I thank the minister for the consultative way in which she has dealt with changes to the Public Health Amendment Bill over the last few sitting periods, when we debated them. Sometimes the issues have been taken off the table in order that the government could come back and consult later. I note that something that was considered extraordinarily urgent two sittings ago has fallen entirely silent since then, so I wonder about the urgency of some of these things. I am pleased that we are now out of the phase where there is an insistence on introducing and passing this legislation all on the same day.

I have deep concerns about the way that this bill has been developed. Part 7 of the Public Health Act 1997 deals with health emergencies, including the rights of certain affected people, called “eligible persons” to apply to the minister for compensation. This bill seeks to remove that right, almost completely, for the life of the COVID emergency. The current bill provides that compensation will not be payable to anyone in relation to any loss or damage suffered as a result of anything done in the exercise of a function under the declared COVID-19 health emergency except in the case of an occupier of land or property that the Chief Health Officer has, in effect, commandeered.

This exception is proper, but it arose because in an early discussion about this bill I raised the point that we had already changed the legislation, back in March, to allow for the Chief Health Officer to commandeer property. It is important for all of us to note that in the ACT the territory must pay just compensation for the acquisition of property.

In getting to this bill today there was a process of considerable discussion and, as I said, the first intention was that it would be introduced and debated in the last sitting.

The opposition made it perfectly clear that we would not support that. Initially there were no exceptions to the taking away of the right to apply for compensation. There is now an exception, which was probably put in the bill because I raised the issue of the Chief Health Officer having the power to commandeer. Perhaps the government wanted to quieten the opposition and thought that if that were done it would satisfy our concerns. It does not satisfy our concerns. It goes some way to ameliorating our concerns, but it does not satisfy them.

The explanatory statement accompanying this bill seeks to justify the amendment based on the government's assessment that the range and scope of claims that an eligible person may make could be beyond the scope of the territory's financial resources. This, of course, is very serious stuff. The explanatory statement claims that any attempt to legislate to limit the range and scope of potential claims could test the territory's resources severely. But I go back to my concern: this is a classic case of legislation on the run, and legislation on the run is always fraught with risk.

It started with amendments that the minister wanted to force through during the last sitting. I am pleased that the opposition resisted that move and that we are here today. What this boils down to is the taking away of the rights of ACT taxpayers, ACT workers and ACT businesspeople to apply—and I emphasise “apply”—for compensation. It emerged during the briefings only yesterday that part of the problem is that there is no administrative process that deals with compensation under the health emergencies act—an act which has been in force since 1997.

When this issue first arose, members of the opposition were told that for a while the government thought it could deal with this administratively; then it became apparent that it was too difficult to do that. It came as a great surprise to me yesterday, when I asked whether or not there were already guidelines, to be told that, despite the bird flu, the swine flu, SARS and MERS—over the past 10 or so years we have been threatened with previous pandemics and wide-scale epidemics—this government had done nothing to ensure that its public health emergency legislation was fit for purpose.

It may have been that, even if the government had done things when we were confronted with bird flu, swine flu, SARS and MERS, we would have had to come back here today, in the course of this pandemic, to make adjustments, but this government, for the past decade, when confronted with the prospects of pandemics, has been asleep at the wheel. There has been a complete lack of preparedness for health emergencies, and it flies in the face of the urgings of a former health minister—the Hon. Tony Abbott, in the early 2000s—that the nation should be well prepared for such emergencies. We have a national stockpile, which the ACT drew down on during the smoke emergency associated with the fires, simply because the commonwealth and the health ministers in the early part of this century decided that pandemics were a risk and that we needed to have a stockpile of equipment.

That stockpile of equipment would not have been enough if we had been confronted with a COVID crisis such as we saw in Italy, Spain, the United States, Brazil or Peru. We have been lucky—and the reasons for that are a discussion for another day—but there has been no development of guidelines for an administrative process because, presumably, no-one thought about it, and when they did think about it they decided it



was too hard. They were afraid that if they did not get it right a judicial process would expose the government to significant financial risk.

I note in passing that I was told in a number of briefings that the government had worked on guidelines, that they were in the process of being drafted, but the government decided it was too hard and they threw up their hands. I have asked on a number of occasions, repeatedly, only to be told as late as Sunday that I probably could not have them because they were government working documents and they could not be released publicly. I made the point to the minister that I did not necessarily want them to be released publicly, but I thought that if the minister wanted to convince the opposition that we should agree to their course of action it might be useful to demonstrate to us how this process would be difficult.

But with the strict letter of the law approach that the government like to fall back on when they are in an uncomfortable position, the opposition has been refused access to those documents. I understand that it went as far as cabinet, who have refused the opposition access to those documents. The opposition is none the wiser on what the government's thinking was on this subject or why it simply became too hard for them to do anything.

But I suppose part of the problem is that—and we touched on this today a number of times—when you have nothing in the bank, and this government has nothing in the bank, then you do become a little afraid about the state of your finances in an emergency. And when you are in the situation, as this government is, that you have a \$3 billion deficit, rising to \$4 billion, in an annual budget of something approaching \$6 billion there is a real problem. I fear the ACT's financial dilemma is the sole reason why we are in a situation where the government would propose that we take away people's right to apply—and I emphasise again “apply”, not “receive”—for compensation.

We have been told that this has been done in other jurisdictions, notably Queensland, Tasmania, and South Australia, but I think that is not a sufficient reason for us to do that. As I have said before, where the government takes someone's property in the ACT, because we are a creature of the commonwealth parliament and not a state, we cannot consume it without paying for it. It would be unlawful. When I raised this in the first briefing, an official said that of course such behaviour would contravene the self-government act. It did cross my mind to ask why the government would consider a blanket removal of rights for compensation in this way and why they did not realise that, having created a specific power to commandeer property, they would have to ensure that people whose property was commandeered were protected.

As a result, we have the bill that is here before us today. The bill as it stands is unacceptable to the Canberra Liberals. As I said, I will be putting forward an amendment that retains the right to apply for compensation—to “apply” for compensation—and when the minister is deciding whether that compensation might be payable my amendment will give the minister some latitude to consider whether the actions taken by the Chief Health Officer in relation to the request for compensation were taken on sufficient grounds. I will elaborate on that more in the detail stage.

Really, my concern here, and the opposition's concern, is that the government has lost the plot with this bill. The government has tried to convince me and the opposition that this approach is okay because some Liberal-led jurisdictions are also doing this and taking away people's right to apply for compensation. I did say to the minister, and I will say it here, that I am not minded to remove the rights of Canberrans for fellowship sake with my colleagues in South Australia and Tasmania.

The Canberra Liberals do not lightly extinguish the rights of our fellow citizens. In saying this, I note that we have an enforceable obligation, as I said before, to resume property only on just terms. I am doubtful whether this legislation extinguishes that right and whether it does what the government thinks it does. Also, the ACT is a human rights compliant jurisdiction. I note, from the scrutiny report and from briefings that I receive from the government, that the ACT Human Rights Commission has expressed reservations about the government's approach in this case and has suggested to the government an approach similar to that which I am proposing in the detail stage.

The government has flip-flopped over this for some time. As recently as Sunday the minister made it clear that she would draft an amendment to accommodate the opposition's desire and possibly the scrutiny committee's desire to have a system which is closer to the Victorian model. But then by Monday evening I was told that that was off the table. Presumably, the minister got rolled in cabinet. It shows that there is not a really clear commitment from this cabinet, from this Labor-Greens cabinet, to allow rights to be complied with. It is very easy for the Attorney-General to say, "I have looked at it and, yes, we do take away people's rights but it is reasonable."

The justification that this government is using is that it has an impact on the territory's fiscal position. One of the things that we need to be very mindful of, and I do not think that any of us have really thought about this, is that the decisions that were made to keep the community safe, to minimise the prospect of our fellow Canberrans dying—let us not overstate it, that is what we set out to do, and I applaud the officials and the government who have made the decisions to keep our community safe, prevent our friends and relatives and our grandparents from death from this disease—are very expensive decisions to make. The collective decisions we have made to protect our community are very expensive. And no-one has yet totted up the cost.

But what this government is doing by taking away people's right to apply for compensation is to say that, for the good of the whole community, a part of the community will pay a higher cost. That is not what the Canberra Liberals are about. The Canberra Liberals understand completely that the decisions associated with protecting the ACT community and the Australian community from what other countries have experienced are very expensive indeed, probably less expensive than letting the pandemic run and really cripple your economy. Probably that is the case. But, irrespective of the outcome, we have imposed enormous costs on the community, and it should be that the whole community bears that cost, not individuals.

By taking away people's capacity for reasonable compensation, we are actually saying that this business sector or that community sector or somebody over here will bear an unequal burden, a greater burden than the community as a whole. That is what the Canberra Liberals oppose. That is why we are opposed to this legislation today.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (5.29): It has certainly been a challenging few months for our community. If, last year, one of us had stood in the chamber and told us that in 2020 we would all be required to stay home for three months due to a global pandemic, I suspect most people would have thought we were a bit crazy. But we have all travelled a long way together since 11 March, when the World Health Organisation declared COVID-19 a global pandemic.

The world went into varying responses, and we can all be a bit proud that Australia has been one of the best responders in the world. Although we are also very lucky to have been off the main paths for the initial COVID spread, here in the ACT our community has, on the whole, responded exceptionally well to the government's restrictions to protect our community from COVID. This can be seen in our low case numbers, with any new cases now only coming from people returning from overseas.

COVID-19 has affected each and every person in the ACT. The wholesale community action required has meant that we have all had to change our lives in some ways. For some of us that has been a lot of change and for others not so much. Whether it has been adjusting to working from home, perhaps caring for children or supporting them through school while trying to work, closing the doors of a business for an indeterminate time and, most sadly for some people, losing a job entirely, those impacts have been felt in many ways across our community. Essential workers have had to continue to go to work each day with increased risks of exposure to the broader community and, of course, higher risks of contracting COVID.

For most people it is understood that universally it has been a period of stress and uncertainty and that this is impacting on people and our lifestyles in different ways, both financially and emotionally. The Greens are certainly acutely aware that COVID-19 and the impacts we are all experiencing have posed a significant challenge to the mental health of many in our community, through isolation and significant disruptions to our lives, livelihoods and lifestyles.

Across Australia, governments have endeavoured to support people through this difficult period in a range of ways. Federally, support payments have been designed for people who have lost their jobs, either through direct support, through JobSeeker, along with a COVID supplement—this was clearly necessary, as we all know that the previous Newstart payments were not enough for people to live on without falling far below the poverty line—or through support to employers to maintain their staff through the JobKeeper scheme for businesses that have lost significant income through this period. These are only coarse support mechanisms which, unfortunately, leave some cohorts of people falling through the gaps.

The Greens have been very pleased to be able to work with the ACT government over the past few months to identify those gaps and support members of our community who needed it. We have created employment opportunities for people who were ineligible for the federal assistance schemes. The jobs for Canberrans and screwdriver-ready project schemes have been very successful in employing people who have relied on casual work and are not eligible for the Australian government's wage subsidy scheme or other support mechanisms.

I understand that at this stage already almost 200 people are employed by the jobs for Canberrans program, delivering positions like rangers, including Indigenous rangers, city services staff, roads program workers, communications and IT roles and administrative roles. Another 250 people will be employed in coming weeks, based on the projections of further rollout.

I am glad to report that three-quarters of the jobs have gone to tier 1 applicants—that is, people who are completely ineligible for any federal government support, such as international students who found themselves here when COVID struck, and provisional work visa holders. The other quarter of these positions have employed tier 2 people—that is, those who are ineligible for both JobSeeker and JobKeeper.

This means that 200 people in Canberra who would have otherwise be both unemployed and ineligible for any government funding over the past few months have been able to gain employment to give their life stability through this difficult period, or at least as much as possible.

The government has also committed over \$25 million to screwdriver-ready projects being rolled out this financial year to create local jobs, while also ensuring that we are able to deliver the hundreds of smaller infrastructure projects our community has been calling for over time. I am sure all members of the Assembly will have seen things being fixed or upgraded in their local communities, whether it is local school buildings, cycling and walking path upgrades, solar PV installation on social housing or energy efficiency work at swimming pools. These are really practical projects across our community.

The Greens have been focused on ensuring that while we are creating these extra jobs we are also addressing our long-term climate challenges, with active travel support and energy efficiency programs and pieces of work. These projects are supporting our community through these challenging times by creating over a thousand jobs since April and improving our infrastructure while we are at it, which we will be able to enjoy for decades to come. We have been able to work with government to ensure that long-term priorities, such as additional tree planting and Namadgi restoration have also been able to be undertaken with these funds. The government has been very focused on delivering these project and there are at least \$10 million more of these projects to come in the next financial year.

As Minister for Mental Health, I have been working hard with the Health Directorate and Canberra Health Services on how we can help the community to keep as mentally healthy as possible. We know that Canberra Health Services and a range of

non-government organisations have been experiencing an increase in contacts and requests for mental health information, help and support, with related anxiety, unease and confusion at the current situation.

I have been working with the Coordinator-General for Mental Health and Wellbeing and I am very pleased we have been able to deliver a \$4.5 million whole-of-government mental health response to support our community as COVID-19 develops. This funding is to expand our government acute mental health support services, as well as giving over \$2.5 million of additional funds to community mental health organisations to support their existing services to meet the increased demand from the Canberra community. This will enable the government to expand HAART—the access mental health and home assessment acute response team; extend PACER—the police, ambulance, clinician emergency response service—to operate 7 days a week; and to create two Canberra safe haven cafes to create a service which allows for mental health diversion from our emergency department.

The additional funds for the community sector are being provided to organisations such as Lifeline Canberra, Menslink, the Way Back Support Service and OzHelp, as well as Canberra's LGBTIQ+ community through A Gender Agenda and the AIDS Action Council ACT. There is also increased grief and loss counselling in recognition of the significant challenges the public health restrictions, hospital and aged-care visiting rules and bushfires have had on people and families across the Canberra region during this challenging period.

The government has also been working with non-government organisation partners to develop the \$7 million community support package to best meet increased service demand for emergency relief. This has included providing coordinated food relief and support for vulnerable members of our community, increased support for Aboriginal and Torres Strait Islander organisations and services, and additional supports for more than 40 NGOs in the health sector in diverse areas ranging from alcohol and drug services to palliative care. Helping our non-government healthcare organisations shift to telehealth service provision models has been a high priority to ensure that we continue to support all members of our community who need help at this time.

Overall, the government has provided community support and economic stimulus packages totalling over \$350 million. I detail all these things because it is entirely relevant to underline how much work the government has done to support the community through the range of challenges during this really difficult period. That is an important context in relation to this bill.

The Greens understand that when the Public Health Act was written in 1997 no-one envisaged a pandemic of the proportions we are seeing around the world today. The act was simply not designed for a health minister to declare a public health emergency for such an extended period. No amount of watching science fiction movies would have had anyone think that for public health reasons we would try to keep our entire local and global population inside for months on end. When the compensation clause in the Public Health Act was inserted it was not envisaged that the legislation would be used to declare a global pandemic that would literally affect every single person in our community for perhaps six months or more.

Just as most other jurisdictions have done across Australia, this bill stipulates that the general compensation clause does not apply to any claims relating to loss or damage in relation to the COVID pandemic. The compensation clause in the current legislation is not well targeted to the scale of the COVID pandemic and, given the impacts on our community, opens the government up to a range of unpredictable claims that were never the intention of the legislation.

While the government has worked very hard to support our community in the many ways I have outlined, if there are special circumstances where ACT government actions are directly responsible, people are still eligible to apply for act of grace payments. Such payments enable the Treasurer to authorise payments in special circumstances. The guidelines for these payments were revised late last year and are available on the Treasury website. I believe the criteria and procedures are easily understandable for those rare cases where people feel they have suffered in circumstances beyond the average impact to our community and wish to make a claim.

That is the reason we will be supporting this bill: where there are outstanding or particularly rare circumstances where there has been a disproportionate impact on somebody, there is a pathway available through the act of grace mechanism. We do not think there should be a pathway for a range of compensation claims under the Public Health Act where the entire community has been affected and some people choose to exercise that and others do not. That would be an uneven and inappropriate outcome as we work to support the entire community through these exceptional circumstances.

We support the bill. Mrs Dunne has circulated an amendment which I assume she will move later in the debate. We will not be supporting that amendment for the reasons I have outlined.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families and Minister for Health) (5.41), in reply: I start by thanking Mrs Dunne, particularly for her remarks at the beginning of her contribution, and for her engagement in the conversation as we worked through this bill and potential amendments. I note that I did acknowledge that her feedback had improved the bill when I introduced the bill. She does not need to suppose that she had an impact on the bill. I have already acknowledged that she did and that the current form of the bill does reflect her early feedback in the briefings, which I thought were thoughtful and were much appreciated. We have acknowledged that.

I would like, however, to respond to Mrs Dunne's commentary about our preparedness for a pandemic. Mr Rattenbury has referred to elements of the bill. We have all acknowledged that a bill written in 1997 is not perfect in responding to a global pandemic and, as we spoke about the first time we came back to this place after the declaration of the public health emergency, neither would the Emergencies Act have been appropriate to respond to the pandemic. We, as a government, had to make a choice about whether the emergency would be declared under the Public Health Act or whether it would be declared under the Emergencies Act. Mrs Dunne indicated that

she agreed that using the Public Health Act would be more appropriate, given the nature of this emergency, being a global pandemic, and given the call-out that it gives to the Chief Health Officer as the person who should be the decision-maker in responding to the emergency.

What this bill does, effectively, is put us in the same position in relation to compensation as we would be if we had declared an emergency under the Emergencies Act, which was our other option. We chose a more appropriate act for a public health emergency, but that does not mean that every element of it is appropriate, and our view is that this particular element, the compensation measures in section 122, is not appropriate for this type of emergency. I think we have also acknowledged that the Public Health Act itself will need quite significant contemplation in relation to its emergency measures once we are through this and have an opportunity to look back.

I also respond to Mrs Dunne's broader comments about preparedness. I think she noted that Australia has been lucky. I have said that too. It is definitely the case that Australia was lucky that we were relatively late in getting a significant number of COVID cases in our community, and most of those cases came from overseas. But this was also a case of making your own luck. I note Mrs Dunne's comments around not thinking that we had a sense of urgency and she could not prove that we did not because we did so well. We did so well because we had a sense of urgency, not just in the ACT but nationally.

We did so well because the Australian Health Protection Principal Committee, comprising all our chief health officers across the country and the commonwealth Chief Medical Officer, and its expert committees know what they are doing. They monitor the World Health Organisation; they monitor what is going on around the world. They provided very quick advice to health ministers and to first ministers to move fast: to move fast on border closures, to move fast on quarantining arrivals and to move fast on restrictions of mass gatherings and public gatherings. It was not just luck; it was incredibly good management by the Australian Health Protection Principal Committee, the national cabinet and all state and territory governments across the country. That is the reason that we are in the very, very good situation that we are in now.

Since the pandemic began, as Mr Rattenbury has well articulated, the government has been focused on ensuring that public resources have been targeted at supporting the parts of the Canberra community that need it most. As I outlined when I tabled the bill, officials were initially of the view that we may be able to address this particular aspect of risk to the territory's finances through administrative means. That was in line with the approach that the government had taken to the pandemic—keeping legislative changes to a minimum while ensuring that public health can be protected and services can continue. We did consider different pathways for applying a compensation framework as part of our public health response as the pandemic evolved, but the bill was developed and introduced when it became clear that the extent of the pandemic and its effect on the community meant that this bill and this amendment were necessary to ensure the territory's ongoing ability to properly respond to the pandemic and to protect the ability of the government to continue to deliver critical services into the medium term.

The response to the COVID-19 pandemic puts demands on our community that, as Mr Rattenbury has indicated, clearly were not anticipated when this legislation was originally drafted. It is not to say no-one could have imagined there would be a global pandemic. There have been global pandemics before. But the legislation, as I said earlier, clearly was not drafted, and particularly this part of the legislation, with that in mind.

A public health emergency under the act can range from a small-scale health issue to a pandemic, and COVID-19 is different even from other pandemics that we have seen over the last 20 years or so, in that it is such a highly transmissible virus that the impact that it has on vulnerable populations, and the fact that there is no vaccine or effective treatment, means it is quite different from the pandemics that had been anticipated and planned for, which were flu pandemics, and people needed to shift their response to that. This bill will ensure that we are dedicating our resources in a fair, equitable and evidence-based way to support the community as a whole.

As Mr Rattenbury has articulated, the government has already made significant financial commitments in that regard. Prior to more recent announcements, the ACT government had already provided financial stimulus packages valued at more than \$350 million that targeted areas of need and both businesses and individuals. Recent announcements have been made in relation to the hospitality and tourism sectors and, of course, just this week in relation to residential and commercial rates.

The commonwealth has also provided significant financial support for businesses, through JobKeeper payments. Although we have issues, as Minister Rattenbury does, with who has fallen through the gaps in relation to JobKeeper—and the ACT government has worked hard to try to provide support for those people—we recognise that the commonwealth has also made a very significant financial contribution. Therefore, it is prudent to ensure that our resources can continue to focus on the community as a whole, and that is what we intend to do as we move forward.

I note that today's unemployment figures actually reflected a welcome reduction in the ACT's unemployment, to 4.1 per cent. That is an initial sign that Canberra's economic recovery plan and the measures that we have put in place to support our economy are working. That is supported by reductions in underemployment and in the underutilisation rate of labour. I think that is further evidence that what we have been doing has been working. We have been making our own luck in this regard.

I take the opportunity to respond quickly in relation to the issues that will be raised in Mrs Dunne's amendment. I may speak again in the detail stage, depending on where that gets to. I want to start, in relation to that, by thanking the scrutiny committee for its comments on the bill and note that the scrutiny committee did ask for a response in relation to whether or not the government had considered the Victorian-type model of a more limited compensation scheme, where people could only apply for compensation if they considered that there were insufficient grounds for the Chief Health Officer to have made a direction or taken an action. I responded to Mrs Jones yesterday in relation to that.



Mrs Dunne also spoke about the human rights compatibility, and I emphasise again, as I did in introducing the bill, that the government considers that the bill is compatible with the Human Rights Act. This view was based on the construction of the current section 122 and analysis of the scope of rights protected under the Human Rights Act, including the permissibility of potential limitations of those rights. Advice was taken on this from the Solicitor-General. The explanatory statement to the bill outlines a detailed response to the rights engaged by the bill, and I was pleased to note that the Standing Committee on Justice and Community Safety, in considering the bill in scrutiny, did not make any adverse comments about its human rights implications; it simply asked the question whether we had considered the Victorian model.

The Victorian provisions that I spoke about earlier may be a reasonable consideration in the context of an ordinary public health situation that does not require extraordinary whole-of-community actions to prevent the spread of a virus that causes serious illness and death. However, we consider that creating new provisions would encourage disputation with the government as a means to receive financial support and would divert critical and scarce government resources away from service delivery and stimulus into defending public health decisions that ultimately were made on the advice of the Australian Health Protection Principal Committee. It would be likely to require a significant administrative structure to implement the kinds of guidelines and support for decision-making in this regard.

The approach we are taking preserves the right to compensation if a person is deprived of their property, as Mrs Dunne has indicated, and, as Minister Rattenbury has spoken to, the act-of-grace scheme will continue to operate for those who may be in exceptional circumstances. This approach, we believe, is tailored to the unique needs and resources of the ACT. Mrs Dunne and I have spoken about this and, again, we have engaged through this process, but fundamentally I disagree with Mrs Dunne about the implications of proceeding with this bill or otherwise. I actually think that, contrary to her closing comments about some people bearing a burden if we do this or if we do not implement her amendment, this is critical to ensuring that everyone, including all sectors of the economy that have been affected by COVID-19, can be fairly supported.

Many people and many businesses have been hard hit by COVID-19 but have not necessarily been specifically affected by the actions of the Chief Health Officer or authorised officers under part 7 of the act. There have been such widespread implications of COVID-19 that, essentially, retaining this provision would privilege—and I use that word advisedly because obviously people have been very, very significantly impacted—and would give those who have been directly affected by our Chief Health Officer's actions and directions an opportunity to apply for compensation that is not available to those who have been affected but by an administrative decision of government, by advice from the Commonwealth Chief Medical Officer or the Prime Minister or the Chief Minister to stay at home, which was not a direction that was made in the ACT.

There have been so many responses that trying to unpick that and creating an administrative structure that enables people to argue through that would have

significant potential administrative impacts not only for the government but also for those people who are encouraged to apply for compensation. There would be, I have no doubt, people in our community who would be encouraged to put significant resources into legal and administrative measures to apply for compensation under the scheme that Mrs Dunne proposes that would then be wasted if their applications were unsuccessful. Of course, that would be their right, if that amendment were to get up, but I do not think that it is the right thing to do. I do not think it is the fair thing to do. I can assure Mrs Dunne that it is absolutely my position that, as I said to her when we talked this through and when I emailed her to advise what the government's position would be, this is not a decision that we have taken glibly or lightly.

We did have an amendment drafted because we wanted to fully understand what the implications of making an amendment to reflect the Victorian scheme would be. Once we fully understood those implications, we made an informed decision that this would be the right way to go, the fair way to go and the only responsible way to go when it comes to protecting the territory budget to ensure that everybody affected by COVID-19 can be supported fairly and that the government can continue to provide the critical services right across our economy and our community that we do every day. We will not be supporting Mrs Dunne's amendment.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MRS DUNNE** (Ginninderra) (5.56): I seek leave to move an amendment to this bill that has not been considered by the scrutiny committee.

Leave granted.

**MRS DUNNE:** I move amendment No 1 circulated in my name [*see schedule 1 at page 1407*]. Throughout the COVID-19 crisis, the Prime Minister, the Hon. Scott Morrison MP, has consistently said that we are all in this together. He said that we must fight the crisis together and that together we can beat it. On the whole, the Australian people have responded to this very positively. The result is that Australia has been one of the least affected countries in the world. Mr Morrison has put his words into action at government level. The commonwealth government has launched a wide range of programs to support and stimulate the economy, keeping people in jobs and keeping the economy ticking along.

As a result, Australia is one of the best performing economies in the world, even in these circumstances. The JobKeeper program, the enhanced JobSeeker program, and now the JobMaker program are examples of those initiatives. The establishment of the national cabinet, too, was an example of Mr Morrison's "all in it together" mantra. Through that mechanism, the states and territories have launched their own programs to stimulate their respective economies.

The explanatory statement to this bill tells us that the ACT government's work in this area is valued at well over \$350 million. That is, of course, if people subscribe to the programs; in some cases they are not subscribing to the programs because they are too complicated. If these programs meet their targets they will be laudable, but they do not help everyone. Even the Chief Minister's announcement yesterday about rate changes for the next financial year does not help everyone. Some people will end up paying more—as much as four or five per cent more—and there is little or no relief for unit and apartment owners, who have borne the brunt of savage increases over the past several years.

However, my amendment seeks to acknowledge that we are still all in this together. It seeks to remove the barrier built by the government's bill. It seeks to restore people's human rights in a human rights jurisdiction. I am speaking of the right to apply for compensation, not necessarily to receive it. The government's bill limits the ability of anyone, other than an occupier or owner of a property which has been commandeered, to seek any recompense from the government. It removes that right from all people, whether they are directly or indirectly affected. We have seen, for example, the hospitality, sporting and arts sectors struggling through this crisis. There is no avenue for them; they are cut out of any possibility of compensation, and this flies in the face of the Prime Minister's expression that we are all in this together.

In a briefing earlier this week, the health minister cited the example of her own dry-cleaner as one business that had been severely affected by the crisis. The decline in business had not resulted directly from any particular restrictions to that line of business but had come about because of the huge overall impact, the minister told me. I empathise with the business owner, who has seen a decline of 80 or 90 per cent in business.

The Victorian health emergency provisions provide a way forward in that state. To paraphrase the provisions, a person can apply to the department secretary for compensation if the person considers that there were insufficient grounds for certain actions taken by the Chief Health Officer—and, of course, that would also include inaction by the Chief Health Officer. If the secretary in Victoria decides that there were insufficient grounds, the secretary is able to pay just and reasonable compensation to the applicant. I acknowledge that the government considered this approach but the minister—I alluded to this before—was rolled in cabinet over this. The result is that the ACT Labor-Greens government has slammed the door—

**Ms Stephen-Smith:** Point of order. I left Mrs Dunne to say that the first time she said it, but I corrected her in my speech. I was not rolled in cabinet. I do not appreciate that reflection on me; I ask her to withdraw it.

**Mr Hanson:** Not appreciating something is not a point of order.

**MADAM SPEAKER:** Mr Hanson, I do not need your advice. I suggest that at the end of this debate Ms Stephen Smith makes a personal explanation.

**MRS DUNNE:** The result of the cabinet decision is that the ACT Labor-Greens government has slammed the door in the face of Canberrans and locked it. In the meantime, I considered that the Victorian approach was a worthy compromise, so I asked parliamentary counsel to draft the amendment which I have now put forward. The Victorian provisions, in this area, are somewhat lengthy, but the wonderful people at PCO have been able to reduce the Victorian provisions to a simple and succinct but effective two-line provision that achieves much the same purpose.

The minister is concerned that any application that is likely to come forward will do so in the caretaker period, from mid-September. That is a fair enough concern, but it would be open to the government to make amendments to cover that if they were so minded. It is not, in and of itself, a sufficient ground to say that the provision will not work.

The bottom line is this: if we are all in this together, we must be willing to remain true to that principle. We cannot say that we will keep the whole of the community safe but only part of the community will foot the bill. We failed to write guidelines to support the provisions when the act was written or to update them any time in the last decade, in the face of other pandemics and other widespread influenza outbreaks. As I mentioned previously, we failed to hear the urgings of the former commonwealth health minister, and we are now scrambling to cobble together a set of guidelines to address a crisis in which we are already embroiled, when we are clearly unprepared.

We cannot, then, claim that it is too hard to write a guideline and we cannot simply slam the door shut and lock it because it is more convenient for the Labor-Greens government. My amendment unlocks and opens a door in somewhat limited circumstances. As members of the whole community, we must support each other to the extent necessary to get the whole of the community through the COVID-19 crisis. We cannot expect some sectors of our community to weather the storm alone and unassisted. Therefore, I commend my amendment to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families and Minister for Health) (6.04): As I said in my intervention—and I apologise; you are right; I should have waited—this is my position as well as cabinet’s position that I am putting forward today.

I fundamentally disagree with Mrs Dunne’s construction of this. I think the bill that we have put forward and the amendment that we are proposing to the Assembly is actually about all being in it together. It is actually about protecting the territory’s fiscal capacity and protecting the capacity of the ACT government to respond fairly across all of our economy and all of our community to everybody who has been affected by the COVID-19 pandemic and to continue to provide services that are so valued by the ACT community, and not to have that put in jeopardy by some people who, even under Mrs Dunne’s construction, may be able to apply for compensation that could be extremely costly for the territory.

I repeat the response that I provided to the scrutiny committee, because I am sure that most people probably have not had an opportunity to read my letter to Mrs Jones of yesterday. As I said earlier, the ACT government did examine the range of approaches to compensation under public health and emergency statutes in other Australian jurisdictions, and this consideration did extend to section 204 of the Public Health and Wellbeing Act 2008 in Victoria, which provides for compensation in respect of public health directions in circumstances where the use of a power was based on insufficient grounds.

The Victorian provisions, as I said earlier, are a reasonable consideration in the context of an ordinary public health situation that does not require protective whole-of-community action. However, the government has concluded that such provisions would not be suitable as a response to COVID-19 in the ACT. There are a number of reasons for this. Taking this approach would potentially draw heavily on the administrative resources of government and involve substantial costs for applicants, with a low probability that any applications would actually be successful. This is because the Chief Health Officer's directions in response to the global pandemic have been guided by the Australian Health Protection Principal Committee and have been consistent with those of other jurisdictions. It is therefore considered very unlikely that a decision-maker would find that there were insufficient grounds for directions made or actions taken under part 7 of the act.

The treasury has estimated that these administrative costs could run into the millions, depending on the number of applications received, because each application would need to be considered on its own merits and individual decisions made. Many applicants would also incur legal and administrative costs in putting together applications that adequately set out their losses, how those losses relate to a thing done under part 7, and why there were insufficient grounds for the thing.

At the same time, while the probability of any application being successful is considered low, the potential fiscal impact of a successful application could be significant. This would particularly be the case if a successful application opened the door to a large class of applicants receiving compensation in relation to the relevant direction or action. This fiscal risk, while not quantifiable, could dramatically affect the territory's financial position and the ACT government's ability to respond to the whole-of-economy and whole-of-community impact of COVID-19. This includes the many costs and consequences of the pandemic that, as I have said, are not directly related to the Chief Health Officer's actions or directions under part 7 of the act.

As Mrs Dunne has noted, a number of other jurisdictions have also made amendments to provide that the compensation provision in their respective public health legislation does not apply for loss or damage in relation to the COVID-19 emergency. These jurisdictions have recognised that their compensation provisions with respect to the exercise of public health powers are not designed to respond to pandemics which require the imposition of community-wide restrictions.

Across Australia, the public health measures to limit the impact of COVID-19 on the Australian community are anchored in advice from the AHPPC and the national

cabinet. Importantly, the proactive approach to implementing and sustaining the AHPPC advice has been vital in controlling the spread of COVID-19 in Australia. This, in turn, has prevented Australia from experiencing the devastating economic consequences of widespread COVID-19 infections and deaths that have been seen in many overseas jurisdictions.

As I said in my previous speech, since the start of the emergency the ACT government has provided significant financial support to the community to deal with the impacts of COVID-19, through a series of stimulus measures. This is targeted support for those businesses and sectors hardest hit as a result of the COVID-19 emergency. Should an individual or business consider that their exceptional circumstances warrant specific financial support, the ACT government retains the capacity to consider such matters through the discretionary act of grace framework under the Financial Management Act.

We have considered all of the options available to government and the matters detailed. Given that, and the matters that I have just outlined, I remain, and the government remains, of the view that this bill is a proportionate response.

Mrs Dunne has said a number of times that we indicated in briefings that it was too hard to write guidelines. It was not too hard; it was impossible to write guidelines that would sufficiently protect the fiscal position of the territory. It was not possible to write guidelines that would align with administrative law while sufficiently protecting the fiscal position of the territory.

In voting against this bill in principle, in supporting the current compensation provisions of the Public Health Act, the opposition have yet again shown their complete fiscal irresponsibility, their ability to just promise anything to anyone without saying how they would pay for it.

I think Mrs Dunne, and particularly Mr Coe, will be very pleased if they form government after the election in October. Whoever is the health minister then—it obviously will not be Mrs Dunne; presumably it will be Mrs Jones, but whoever is the health minister then—will be very pleased that we did not support a position whereby the minister has the discretion to determine an application for compensation on the basis of whether there were insufficient grounds for the Chief Health Officer to take an action or make a direction. That could create very significant problems for a health minister, particularly in an environment where the opposition has been clearly advocating on behalf of some particular stakeholders in relation to some of the directions that the Chief Health Officer has made. They will be between a rock and a hard place if Mrs Dunne's amendment gets up and the Liberals win in October. They can take the opportunity now to oppose this, but if they win the election in October they will be very glad if Mrs Dunne's amendment does not get up and this bill is passed.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 6

Noes 7

Mrs Dunne  
Mr Hanson  
Mrs Kikkert  
Mr Milligan

Mr Parton  
Mr Wall

Mr Barr  
Ms Berry  
Ms J Burch  
Ms Cheyne

Mr Ramsay  
Mr Rattenbury  
Ms Stephen-Smith

Amendment negatived.

Bill, as a whole, agreed to.

Bill agreed to.

## Building and Construction Legislation Amendment Bill 2020

Debate resumed from 21 May 2020, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

**MR PARTON** (Brindabella) (6.17): In this pandemic phase of our history, our building industry has come into stark prominence as a sector that is able to make a major contribution to rescuing jobs in our recovery phase. I know that the minister will agree wholeheartedly with me on that. As we have seen in the past few years, there is much that can be done to improve the functioning of our building industry and to support it as a vital element of our community. Work is underway on reforms and improvements on a number of fronts.

It was great to see our federal government very recently passing legislation on a range of measures to combat so-called phoenixing practices, including verification of directors' identities and improving their accountability. Given that phoenixing costs the Australian economy between \$2.9 and \$5.1 billion a year, these improvements are most welcome and will help our local industries as much as those across the country generally.

At the territory level, I must give Mr Ramsay a well-deserved compliment for taking the trouble to fix up one of the promises made by his colleague Mr Gentleman way back in June 2016. This bill establishes a number of sensible and practical measures to unclog the residential building dispute resolution process and, in doing so, allows the industry to work more smoothly. That is a good thing for Canberra.

We have a building industry on the verge of dropping to its knees as it weathers the frightening storm created by the COVID pandemic. The crisis has impacted consumer confidence, the financial sector that supports the building industry, its suppliers, and the viability of small and large building businesses alike. It does not matter if a building business is a sole trader, a mum and dad company or a much larger enterprise; they all contribute to the strength of the territory's economy by sustaining

badly needed jobs. It is not only about existing jobs but also about the building industry's capacity to create additional jobs to help us climb out of this pandemic-created hole.

I am sure that the minister's office receives many constituent representations when a builder or a homebuyer finds themselves at loggerheads with the other party. I know our office does, and many of them end up being referred to the minister's office. Based on the pleas for help that I have received and that, no doubt, the minister has received, I can say that often things can be sorted out without taking a case through ACAT or an even more expensive court process.

The proposals in this bill set out a framework for disputing parties to be brought together to establish a mutually agreeable solution. That has to be a good thing. That framework defines the parties involved in a dispute, the sorts of matters that would be dealt with in the dispute resolution process, and the main elements of the process. It also sets out the administrative structure for handling disputes and creates powers for making a decision. The bill also enables the creation of regulations that will prescribe detailed implementation provisions.

It is difficult to fault the broad framework and goals created by this bill. The building industry and the ACT community should not have high hopes, though, for what exactly is going on here. What we have here is not a solution to fix gaps in industry mediation by any means. The bill's content and provisions are admirable goals as far as they go, but the fact is that the bill has no bite because it has no effect, because there are no detailed regulation amendments accompanying the bill. Without these, at this stage, it is a hollow log or an illusion, much like a colourful hologram that gives you an attractive picture but has no substance. The reason for this exercise in illusion is that the regulatory adjustments will be of such complexity that another couple of years will be needed to bring this bill into effect.

It is a bit disappointing that we are looking at passing a law that will not benefit the residential building industry or its customers for quite some time. In the meantime, those involved in disputes will have to endure costly ACAT and court proceedings when they really should not have to.

Here we are, Madam Speaker—dare I say it—rushing through a piece of last-minute legislation firmly welcomed by the building industry and, I am sure, by customers of the residential sector of the building industry; but if this legislation does not really come into effect, if it does not actually do what it is supposed to do for two years, then there is a risk that issues discovered in the regulation development process may, in fact, call for changes to the bill itself. Sadly, optics have prevailed over outcomes, and it will be left to a Coe Liberal government to do the actual fixing.

I thank Mr Ramsay for his efforts in setting up a bit of our work program for the Tenth Assembly, but I hope that this government is not going to say that it has met recommendations 28 and 43 committed to by Minister Gentleman back in 2016. I remind this chamber that, back then, this government said that recommendation 28 would be achieved by the end of 2016 and recommendation 43 by the end of 2017-18. Lo and behold: here we are in mid-2020 still looking at a fix, only to be told that this



bill will have to wait until 2022. I would like to think that under a territory Liberal government Canberrans will not have to wait until 2022.

The aspirations in this bill are desirable aspirations. They are badly needed. They are long overdue in every sense of the word. This side of the chamber will not be opposing this legislation.

**MS LE COUTEUR** (Murrumbidgee) (6.23): The Greens will be supporting this bill. Most of the bill consists of minor and technical changes, such as updating terminology to match recent changes to terminology in the national building code. As I have said, in cases like this the Greens are very happy to support minor legislative changes that assist the public service in their work, provided the changes are consistent with our environmental, social and economic values. We have reviewed this bill and we believe it is consistent with these values.

Like Mr Parton, I will discuss briefly the new building dispute resolution process. Like him, I think that, in principle, it is a good idea. I sincerely hope that many people who get into disputes with builders will be able to use it and get a satisfactory outcome.

Sadly, though, it is not going to stop all disputes from reaching the courts and it is not going to stop the steady flow of buyers of new apartments who end up with severely defective apartments through no fault of their own. The reality is that some developers in Canberra have made it their business model to develop faulty apartment buildings and then walk away, leaving the new owners to bear the cost.

It is notable that there are very few defective commercial buildings but a very large number of defective apartment buildings. Most large commercial building projects have an experienced future owner, such as a major property fund or shopping centre owner. These organisations have their own teams of experts and lawyers breathing down the builders' necks. Apartment buyers, on the other hand, have none of that; they have to rely on the regulatory system.

Since the deregulation of the industry several decades ago, the regulatory system, both here in the ACT and around Australia, has not been strong enough to protect people such as groups of apartment buyers. There has been quite a lot of toughening by Minister Ramsay and Access Canberra over the last two years, which has been pleasing to see, but I believe there is more to be done.

I am afraid I have to agree with my colleague Mr Parton that members who return to this Assembly in four months time are going to be dealing with this issue again in the next term. I wish them well in their endeavours.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (6.25), in reply: I will do my best to be brief, noting that, again, it is great to have agreement across the chamber on this matter.

It is important for people to be able to have their homes built to an acceptable standard. The review of the Building Act and the building regulatory system is something that we are working on to make sure that Canberra has the highest quality of building and the highest confidence in building.

One of the matters raised today has been the matter of the commencement date. The commencement date in the provisions in the scheme does allow proper and appropriate consultation. It is always very interesting to hear the opposition speaking about the importance of consultation and the importance of taking time and listening to people, but if you take time and listen to people, they say you are too slow and you need to move more quickly.

Mr Parton is known for having dogs as pets. These circumstances demonstrate that he is probably more of a cat person—specifically, Schrodinger’s cat: he likes to have them both alive and dead simultaneously in his policy and development. What we need to do is make sure that we are working very carefully and very appropriately, making sure that the policy that we implement here is well thought through. We do listen and we will continue to consult.

I believe that the matters in the bill stand for themselves. I want to place on record my deep appreciation to the team of people across the government who have been working on this bill so determinedly, listening to people very carefully, working with industry, working with owners, working with people right across the board to make sure that we have the best possible buildings here in the ACT. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Adjournment**

Motion (by **Ms Stephen-Smith**) proposed:

That the Assembly do now adjourn.

## **Children and young people—parental contact**

**MRS KIKKERT** (Ginninderra) (6.28): Last sitting I spoke about the ill-treatment inside CYPS of some members of our community. I spoke about how a mother’s 30-minute phone call to her daughter lasted only four minutes, when it was rudely cut off. It has been brought to my attention that the supervised contact visits between child and birth mother were terminated when the parent refused to follow instructions.

I wondered what kind of instructions would warrant terminating a phone call. Could it be that the instruction was, “You are not allowed to swear,” and the mother did and kept swearing and eventually, after many attempts to get her to stop, she did not and finally the call was terminated. No, absolutely far from the truth. The mother was actually talking truth after attempting to see her child for months without success. When she finally spoke to her daughter after days, weeks and months of lonely, painful time without speaking to her daughter, she said on the phone, “They won’t let me see you. I tried to send you presents but they wouldn’t let me give them to you.” And that was it.

The mother was not allowed to say this: “They won’t let me see you. I tried to send you presents but they wouldn’t let me give them to you.” So they terminated her phone call because she was telling simple truths. They terminated the phone call because they did not want to appear as the bad government in this kid’s life. They terminated the phone call because they wanted to hide something, as they often do. They were the ones putting this restriction on the mother.

The state of the department is the fault of Ms Rachel Stephen-Smith. The care and protection principles include that a child’s contact with his or her family must be encouraged. How does the minister for children, Rachel Stephen-Smith, reconcile this principle with the practice of terminating a phone call between a mother and her child? How does Ms Stephen-Smith justify not allowing a parent to see their child at a happy place, such as a park or the mall?

How does Ms Stephen-Smith justify restricting a mother from telling her daughter, “I’ve been trying to see you. I had brought presents for you”? How are these phrases of love and displays of affection to her daughter a reason to terminate the phone call? I wonder if Ms Stephen-Smith has had those words said to her—“I have been trying to see you. I have brought presents for you, but they wouldn’t let me”—and then someone terminated the phone call because that was deemed inappropriate? I do not think Ms Stephen-Smith would like that at all, or anyone for that matter.

This mother was wrongfully dealt with and an apology should be given by the government. The state of child and youth protection services is directly the result of Ms Stephen-Smith. This is a tired, old government that has no care for and no compassion towards this kind of work as we deal with our most vulnerable people in our community—both children and parents. We, the Canberra Liberals, will take a restorative approach to child protection seriously. We are caring, compassionate and wise to deliver good child and youth protection services.

### **Workers—COVID-19**

**MS CODY** (Murrumbidgee) (6.32): I rise tonight saddened to learn that, during this terrible COVID pandemic, workers are being vilified, bullied and treated unfairly. Last week it was brought to my attention that workers at Casino Canberra had been stood down. I understand that. At the time of being stood down in March, they were told they were valued employees, that they would be cared for and would be contacted throughout the shutdown. Unfortunately, just last week some of these employees were

contacted months after they were stood down to be told that they must take their annual leave.

Even though they are entitled to JobKeeper, Casino Canberra was not prepared to support them in their application for JobKeeper. Instead, they did not give employees an opportunity to decide what they wanted to do. They did not give these workers a chance to think about what might be best for them. They were given a three-minute phone conversation saying, “You take your leave at half pay or you take it at full pay, but that is your only choice today”.

It is a really sad state of affairs that, in this day and age in Canberra, workers are still being bullied, are still being disadvantaged, and are still not given the opportunity to seek advice and to have a think about what is best for their families and their circumstances, and about how they would choose to use their time off.

Some of them took their annual leave because they wanted to. That was their choice; they asked for their annual leave to be used during this time. Many others were not given the same opportunities; they were just told that they had to without anyone giving them a second piece of advice.

I was lucky enough to talk to many of these workers. We went along to try and have a polite conversation with Casino Canberra. Unfortunately, they would not meet with these workers. They would not have a conversation with these workers. They would not hear the frightened voices of these workers.

So today I stand at this Assembly and I call on Casino Canberra to get in touch with the United Workers Union, and the workers they have bullied, to have that conversation. Let those workers have their say. We have opportunities to help. The ACT government has put many things in place to help support businesses throughout this pandemic. It is a terrible shame that Casino Canberra are not supporting their workers throughout this time. I thank those workers for meeting with me and for working with their union to try and have their voices heard to make things better for them.

### **Order of Australia—recipients**

**MR GUPTA** (Yerrabi) (6.36): Today I would like to offer my congratulations to the most recent recipients of the Order of Australia Medal. The awards were given on the Queen’s Birthday, and I am proud to say that, of the 933 Australians who were recognised, 39 live in the ACT. This round of awards serves as a timely reminder of the amazing things Canberrans are capable of. More than anything else, the last few months have taught us the importance of community and caring for one another, and the medal recipients are an example we should all be looking to.

The Order of Australia Medal is designed to allow ordinary Australians to be recognised for extraordinary achievements, and it is reassuring to know that so many Australians continue to work so hard to serve their community and make Australia the wonderful country it is. Every recipient has done something truly outstanding, but I would like to highlight how wonderful it is to see immigrants receiving awards for

such outstanding contributions to Australian society. Like me, these are people who have chosen Australia as their home, and it is great to see them embrace and serve this community with such enthusiasm.

Receiving an Order of Australia Medal is no small feat, and we are lucky to have such noble individuals calling Australia home. Such prestigious recognition of the hard work of immigrants and other multicultural Australians is a credit to our community. I am proud to live in a city, a country, that values the contributions of multicultural Australians. The diversity of Canberra is something of which we should all be proud, and I am glad that these contributions are being recognised.

I would like to acknowledge all of the 39 recipients but that is not possible in this short time. I do acknowledge Lakshman Prasad Alluri, or Lucky, who I am lucky to call a friend. Lucky arrived in Australia in 1993 and immediately began working hard to be of service to his community, volunteering and fundraising for a multitude of events and causes.

Lucky has been involved with and founded several organisations with the aim of connecting Indian Australians both to each other and to the broader Canberra community. I had the privilege of working with him on the Canberra India Council, which is celebrating its 12th anniversary this year.

Most recently, Lucky brought together Marie Ball Associates, Vishnu Shiva Mandir Mawson, Canberra India Council, and Canberra Telugu Vani to provide groceries and other supplies to Canberrans during the height of the coronavirus lockdown, delivering packages to 58 people every week. Lucky is a credit to this country and his community, and I hope that he will continue his tireless work to make Canberra a better place.

In conclusion, to become the recipient of an Order of Australia Medal requires hard work and dedication, but, more than anything, it requires self-sacrifice. The COVID crisis has taught us many things, but one of the most valuable lessons we can take from this is the importance of generosity and community service.

### **Ms Emily Deidre Kelly Capt RAANC (Retired)—tribute**

**MS LAWDER** (Brindabella) (6.39): I rise today to pay tribute to Captain Emily Deidre Kelly RAANC (Retired). Emily Deidre Kelly, nee Coy, was born in Sydney on 13 January 1941 and passed away in Canberra on 1 March 2020 at the Pines Living aged-care facility in Farrer, ACT. Deidre, as she was known, grew up in Manly with sisters Dianne, Jan and Beverley and her brother, Denis, and, while times were tough, they were always a tight group that looked out for each other.

That same caring spirit led Deidre into nursing training at the then Manly District Hospital, from where she graduated in 1962. Reports are that she was exceptional at her work. A next-door neighbour in Canberra many years later had been a former patient at Manly hospital at that time and remembered her and agreed what a great nurse she was.

Deidre worked night shifts at Manly hospital. As she said, it gave her more time to spend at the beach. She was eventually put in charge of what was then called the casualty department. She also studied obstetrics at the Crown Street Women's Hospital in Sydney and qualified as a midwife in 1965.

It was clear Deidre liked to challenge herself, and one day in 1968 she announced to her family that she had joined the Army. After an initial posting at 8 camp hospital in Singleton, New South Wales, she was on her way to Vietnam. From 1970 to 1971, she was posted at a 1st Australian Field Hospital in Vung Tau, where she spent 12 months treating and caring for severely wounded soldiers.

Deidre was one of only 43 Army nurses to serve in Vietnam, and there is no doubt that her time in Vietnam had a profound impact on her life, not only through the lifelong friends that she made but in the caring quality she so openly displayed when she returned to civilian life.

In May 1971 Captain Emily Deidre Coy met Lieutenant William James Kelly, an Army pharmacist at the 2nd Military Hospital, Ingleburn. They married in August 1972 and Deidre joined her husband, Bill, at the ANZUK military hospital in Changi, Singapore where he had been posted 12 months earlier. That began a lifelong love affair for both of them with that island nation.

Bill and Deidre returned to Australia late in 1973 to military hospital postings in Sydney. Though at the time females could be married and serve in the defence force, becoming pregnant generally spelled an end to their career, and that was the case in 1974 when Bill and Deidre's first son, Darren, was born, followed by Stuart in 1976.

Deidre continued to nurse part time through her pregnancies and her children's early years. After various moves across Sydney, Bill was eventually posted to Canberra in 1982, where they set up the family home in Fadden, where Bill still is today. Agreeing that, with Deidre being from Manly and Bill being from Brisbane, Canberra was not a bad compromise proved to be a wise and rewarding decision even 38 years later.

Deidre's old football loyalties went out the window when the Raiders came on the scene. While Bill pursued his Army career and the boys their schooling at Marist, Deidre not only totally supported them, looking after the family, but returned to nursing, firstly at the then Woden Valley Hospital and then at Jindalee nursing home, specialising in geriatric care and working night shifts, something she would do for the next 25 or so years. She loved her elderly and frail patients and looked after them in the same caring manner she had shown to her wounded soldiers in Vietnam.

As her son Darren said at her funeral:

She was a brilliant mum, completely dedicated to raising her two boys and looking after the family. She adored her three grandchildren: Kaitlyn, Freya and Henry. She was generous and loving of them all the time, and her caring and calm nature, along with her adventurous spirit, flows through all three of her grandchildren.

It was absolutely devastating when Deidre was diagnosed with Alzheimer's disease, or dementia, in 2015, as she had spent a long time nursing patients suffering from it and she had seen firsthand what happens when this cruel disease takes hold. As the years went on and her memory faded, it became clear that the most important things in her life would never disappear. (*Extension of time granted.*) Deidre talked constantly about growing up in Manly, her siblings, her departed beautiful friend and fellow Vietnam nurse, Maureen, her two boys, her beloved Canberra Raiders and her loving husband. There are clearly some memories that can never be forgotten.

Deidre and Bill were married for nearly 48 years and he was completely devoted to her. They travelled all over the world and shared many wonderful memories together. She was grateful that she had had such a happy marriage with a husband who clearly loved her very much. The care and love Bill provided for her, especially over the past couple of years, was nothing short of heroic.

Deidre passed away on 1 March this year and I was privileged to attend her funeral service, where, in front of her family and friends, her operational Army nursing contribution was recognised with the wonderful RSL poppy ceremony. Deidre is now interred in the military section of Woden Cemetery.

I never met Deidre, but every time I spoke with her husband, Bill, his love for her was so evident. In Deidre we remember a loving, dedicated, compassionate and devoted carer and the heart of a loving family. Deidre's silent but not inconsiderable contribution to the nation and the Canberra community over 40 years needs to be acknowledged, and I am privileged to do that today in this place.

### **International Year of the Nurse and Midwife**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families and Minister for Health) (6.46): I rise today to recognise that 2020 is the International Year of the Nurse and Midwife and to acknowledge the important work of our nurses and midwives across our city. As has been said many times, 2020 has been a year of unprecedented challenges around the world, around the country and in our region. Nurses have been at the forefront of these challenges, particularly in responding to COVID-19. In some countries this work has endangered their own health and even their lives. Nurses have also been at the forefront of fighting for the rights of health workers to a safe work environment and for a strong public health response to the pandemic.

In the ACT we have seen our nurses and midwives stand up for their colleagues, their patients and their communities, as they always do. They have staffed our testing centres and provided compassionate care to the small number of Canberrans who have been hospitalised with COVID-19. Midwives have supported Canberra women who are pregnant or have given birth in an environment of great anxiety and reduced hospital visitor access. One of the highlights of my role as Minister for Health, in what has been a busy time, has been hearing from Canberrans and visitors to our region about the care and compassion that has been provided to them by nurses and midwives across our ACT health system.

Today I pay tribute to the nurses and midwives who have been recognised through the 2020 nursing and midwifery excellence awards which were announced in May. Christopher Harris at the University of Canberra Hospital was recognised as the ACT's nurse of the year. Christopher is a clinical nurse consultant at UCH and was nominated for modelling exemplary professional behaviour and providing consistent leadership, as well as meeting all his clinical goals and supporting staff to develop and pursue their professional education. Tellingly, Christopher said that he would share the award with his whole team because they all work incredibly hard together to get patient outcomes and, importantly, to provide amazing staff culture. Chris's assessment of the ward he leads was reflected in the recent culture survey in which it received the highest rating.

Midwife of the year was awarded to Kathy Coonan at Calvary Public Hospital, Bruce. Kathy began her midwifery career in Canberra in 1983 and has dedicated her career to providing babies, mothers and their families with the best care, particularly in challenging times. Kathy was part of the team that established the newborn and parent support service at Canberra Hospital in the mid-1990s, and that program continues to allow premature babies to be discharged earlier, with skilled neonatal clinicians caring for the family in their home.

Team of the year went to Britt Shephard and Shannon Narracott in the ED at Canberra Hospital for their compassion and for advocating for the vulnerable patients that they interact with. Britt and Shannon also organised the 2019 Suicide Prevention Ball that raised more than \$41,000 for the Black Dog Institute—a great achievement and contribution to awareness raising, as well as fundraising.

Nikki Johnston OAM at Clare Holland House was recognised for excellence in quality improvement and research. Nikki leads the effective integration of evidence-based knowledge into practice through palliative care needs rounds, which integrates specialist palliative care to support staff to provide the best care possible. Nikki is recognised as being at the forefront of nationally and internationally acclaimed groundbreaking research to improve end-of-life care for older Australians living in residential aged care. Nikki is also a member of the Clinical Leadership Forum and a strong voice for nurses and nurse practitioners.

Heather Needham received the excellence in leadership award for leadership in improving patient care at Canberra Health Services. The excellence in management award went to Mercy Lukose at Canberra Health Services for her contribution to building a positive and powerful team spirit to ensure the provision of person-centred care. Rachel Bilton-Simek, who works at Clare Holland House, was recognised for excellence in education practice, for her caring and professional nature, and for assisting others to develop plans to engage in further education. Finally, the excellence in clinical practice award went to the ward 11A nursing team at Canberra Hospital for delivering compassionate and patient-centred care and for treating each patient with respect, professionalism and kindness.

These are great examples of the care and compassion, the innovation and professionalism and the commitment to patient-centred care experienced in our health



service every day. I congratulate all the nursing and midwifery award winners and nominees, and again thank all the nurses and midwives across the ACT health system.

As I have a few seconds left, I also take this opportunity to associate myself with the remarks of Mr Gupta in relation to Lucky, who I am sure we are all lucky enough to know, and congratulate him on his recent recognition as well.

Question resolved in the affirmative.

**The Assembly adjourned at 6.51 pm until Thursday, 2 July, at 10 am.**

## Schedule of amendments

### Schedule 1

#### Public Health Amendment Bill 2020

##### Amendment moved by Mrs Dunne

1

##### Clause 4

##### Proposed new section 122 (3) (c)

##### Page 2, line 12—

*omit everything after*

*force,*

*substitute*

*except—*

- (i) anything done in relation to a direction given under section 120 (1) (f); or
  - (ii) if the Minister considers there were insufficient grounds for the exercise of the function.
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## Answers to questions

### Mental health—model of care (Question No 2899)

**Mrs Dunne** asked the Minister for Mental Health, upon notice, on 14 February 2020:

- (1) In relation to the ministerial brief, tracking No MIN19/895, which the Minister signed off on 8 August 2019, as at the time of the ministerial brief, why was there no “agreed Territory-wide model of care for mental health” (MOC).
- (2) For how long has there been no MOC and why has there been no MOC.
- (3) In the absence of a MOC, how (a) could consumers of mental health services expect consistency in services and systems across the Territory and (b) was mental health care co-ordinated across the Territory.
- (4) Was a MOC in place as at the date this question was published on the Questions on Notice Paper; if not, (a) why not, (b) when will it be, (c) will the Minister provide a copy when it is in place; if not, why not; if so, (a) will the Minister provide a copy and (b) if not, why not.
- (5) To what extent has the absence of a MOC inhibited the Territory’s ability to gazette the emergency department at Calvary Public Hospital Bruce (CPHB); and
- (6) Has the Minister’s concern about a decision needing to be made as opposed to exploring options, as noted in the Minister’s office feedback section of the ministerial brief, translated to appropriate action in the administration; if not, why not; if so, what is the evidence of that action.
- (7) What is the status of development of the business case for gazettal of the CPHB emergency department.
- (8) Will the business case be put forward for the budget deliberations for 2020-21; if not, (a) why not and (b) for which budget will it be put forward.

**Mr Rattenbury:** The answer to the member’s question is as follows:

- 1) Prior to the creation of Canberra Health Services (CHS) and the ACT Health Directorate, Mental Health Justice Health and Alcohol and Drug Services at ACT Health operated under a variety of models of care across different disciplines within mental health – for example a Child and Adolescent Mental Health Service Model of Care, an Adult Community Model of Care, and a Forensic Model of Care.

As a result, at 8 August 2019, when the ministerial brief was written, there had not been an attempt to create and agree a Territory-wide Model of Care for mental health.

- 2) As mentioned above, there have continuously been a variety of models of care for different disciplines within mental health services rather than a single consolidated model of care across the Territory.

It is not practicable to create a single consolidated model of care that can account for the clinical realities of every mental health service domain. Work is currently underway to integrate those models of care, where possible.

However, whilst there is no single consolidated territory-wide model of care there are still several mechanisms that help to coordinate territory-wide planning and governance for mental health services. For example, a Territory-Wide Mental Health Management Committee, which includes members from ACTHD, CHS and CPHB, was established in 2019 to provide strategic and executive oversight of public mental health activity. This Committee has had an important role in monitoring and coordinating the availability and activity of hospital mental health services during the ACT's response to COVID-19.

- 3) While the various models of care mentioned above are in place, all services operate according to common standards of practice - with patients being prioritised according to risk and treatment occurring in the appropriate treatment setting.

Consumers of mental health services are able to access community services through a single point of entry (the Access service which came on stream in November 2018; prior to that through the Crisis Assessment and Treatment Team) or, if they access services through the Emergency Department they are then referred to appropriate parts of the service. This means that consumers have been able to access coordinated services which respond in a consistent manner. Following access to any part of the service, consumers are then provided with appropriate care and treatment or referred on to those services identified as more appropriate to their needs.

In addition, there are several existing mechanisms, shared between CHS and Calvary, that help to ensure the ongoing coordination of mental health services and demand for consumers. These mechanisms include:

- a Patient Flow Coordinator who provides increased visibility of bed capacity across the territory and supports a proactive approach to increasing the movement of patients. This Coordinator reports twice a day on bed capacity, including all inpatient units and the identification of patients suitable to be cared for in other settings;
  - the Home Assessment and Acute Response Team (HAART) service has been expanded to both CHS and Calvary services
- 4) As mentioned in the responses to questions 1 and 2, there have continuously been a variety of models of care for different disciplines within mental health services rather than a single consolidated model of care across the Territory.
- a) See response to question two.
  - b) See response to question two.
  - c) Since a Territory-wide model of care is not able to be developed, no.
- 5) The absence of a single Territory Wide Model of Care has not prevented any decision about whether to gazette the emergency department at Calvary.
- 6) The government's decisions about resource allocation are normally made in the Budget process.
- 7) A business case is not currently being developed for gazettal of the Calvary emergency department. Other options to improve patient outcomes are being developed and explored. These include the PACER trial, which will assess the viability of a tri-service (Police, Mental Health Services and Ambulance) model in responding to mental health requirements in the community and preventing people being taken to Emergency Departments, who have been triaged by the PACER team as not requiring transportation to hospital.

8) See answer to question seven above.

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**Municipal services—parks  
(Question No 2991)**

**Ms Lawder** asked the Minister for City Services, upon notice, on 8 May 2020:

Can the Minister provide a list of (a) all town parks and (b) district parks, in the ACT.

**Mr Steel:** The answer to the member's question is as follows:

**(a) Town Parks locations**

Park Name	Suburb
TUGGERANONG TOWN PARK	GREENWAY
ARABANOO PARK	PHILLIP
WODEN TOWN PARK	PHILLIP
MARGARET TIMPSON PARK	BELCONNEN
GLEBE PARK	CITY
CITY HILL	CITY
GUNGAHLIN CENTRAL LINEAR PARK	GUNGAHLIN
GUNGAHLIN TOWN PARK	GUNGAHLIN

**(b) District Parks Locations**

Park Name	Suburb
KAMBAH DISTRICT PARK	KAMBAH
FADDEN PINES DISTRICT PARK	FADDEN
POINT HUT DISTRICT PARK	GORDON
LAKE TUGGERANONG DISTRICT PARK	GREENWAY
EDISON DISTRICT PARK	PHILLIP
YERRABI DISTRICT PARK	GUNGAHLIN
GINNINDERRA PENINSULA DISTRICT PARK	BELCONNEN
BLACK MOUNTAIN PENINSULA DISTRICT PARK	ACTON
ACTON PARK DISTRICT PARK	ACTON
WESTON PARK DISTRICT PARK	YARRALUMLA
YARRALUMLA BAY DISTRICT PARK	YARRALUMLA
LENNOX GARDENS	YARRALUMLA
BOWEN PARK	BARTON
GREVILLEA PARK	BARTON
JOHN KNIGHT MEMORIAL PARK	BELCONNEN
MOLONGLO REACH DISTRICT PARK	CAMPBELL
BOWEN PARK	BARTON
TELOPEA PARK	BARTON
UMBAGONG DISTRICT PARK	LATHAM
LAKE GINNINDERRA WESTERN FORESHORES	BELCONNEN
HAIG PARK	TURNER
GREVILLEA PARK	BARTON
RAY ELLIS CRESCENT DISTRICT PARK	FORDE

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**Municipal services—mowing contractors  
(Question No 2992)**

**Ms Lawder** asked the Minister for City Services, upon notice, on 8 May 2020:

- (1) Can the Minister advise if public lawn mowing in the ACT is still maintained by contractors.
- (2) What other city services are using contractors.
- (3) For each contractor, can the Minister advise (a) what company currently has this contract, (b) how long they have held this contract and (c) how regularly is the contract reviewed.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Mowing is undertaken in-house by Transport Canberra and City Services, except for the Canberra North Roads package which is currently mown by contractors. This contract covers arterial and major connection roadways in the Belconnen and Gungahlin Regions.
- (2) Services provided by contractors to City Services include:
  - Graffiti inspection, removal and reporting services;
  - The provision of security services for the locking and unlocking of gates and toilets;
  - The provision of maintenance of urban park irrigation systems;
  - The provision of public toilet sanitary bins and collection services;
  - European Wasp awareness and entomological advice services; and
  - Cleaning, maintenance and repairs of electrical and gas barbeques in the ACT.
- (3) Information regarding ACT Government contracts can be found on the ACT Government Contracts Register at: <https://tenders.act.gov.au/contract/search>  
Contracts are reviewed prior to their expiration dates.

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**Housing ACT—sales and maintenance  
(Question No 2993)**

**Mr Parton** asked the Minister for Housing and Suburban Development, upon notice, on 8 May 2020:

- (1) Can the Minister provide the (a) volume and (b) revenue, on how many Housing ACT properties were (i) disposed of by sale and (ii) transferred to another entity for the financial years (A) 2016-17, (B) 2017-18, (C) 2018-19 and (C) 2019-20 to 31 March 2020.
- (2) Can the Minister provide (a) the Housing ACT conflict of interest policy for staff, (b) any policies, procedures and requirements for staff to declare conflicts of interest during recruitment processes and (c) any policies, procedures and requirements for suppliers (including valuers) to declare conflicts of interest.

- (3) Can the Minister provide Housing ACT's policies and procedures for monitoring and reporting of potential Housing ACT sales to Housing ACT (a) contracted valuers, (b) suppliers (excluding valuers) and (c) staff.
- (4) Were there any sales to Housing ACT (a) contracted valuers, (b) suppliers (excluding valuers) and (c) staff, in the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (5) Can the Minister provide, for those sales identified in part (4), (a) the property address, (b) the property valuation, (c) the name of the property valuer, (d) the sales price, (e) the date of the sales advice, (f) the date of settlement, (g) information on whether a declaration of any conflict was made and (h) where a declaration of conflict was made, what date was it made.
- (6) What was the average commission paid to Housing ACT contracted real estate agents for disposal sales, as a percentage of sales proceeds, for the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20 to 31 March 2020.
- (7) What was the (a) largest dollar commission paid and (b) largest commission paid as a percentage of sales process, to Housing ACT contracted real estate agents for disposal sales in the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (8) In each instance, for those sales identified in part (7), what was the (a) property address, (b) valuation, (c) company, (d) final sales proceeds and (e) commission paid.
- (9) Did any valuation company value a property prior to sale and then manage the subsequent sale for Housing ACT in the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20 to 31 March 2020.
- (10) For those sales identified in part (9), what is the (a) property address, (b) valuation, (c) company, (d) final sales proceeds and (e) commission paid.
- (11) Can the Minister provide (in a table) for Housing ACT sales the (a) total payments for real estate services, (b) three suppliers with the highest payments for real estate services to Housing ACT including (i) supplier name and (ii) total money payments to the supplier, (c) total payment for valuation services and (d) three suppliers with the highest payments for valuation to Housing ACT including (i) supplier name and (ii) total money payments to the supplier in the financial years (A) 2016 17, (B) 2017-18, (C) 2018-19 and (D) 2019-20 to 31 March 2020.
- (12) How many Housing ACT dwellings, less than 12 months old, were not yet occupied as at 31 March 2020.
- (13) Can the Minister, for those dwellings identified in part (12), provide the (a) property address and (b) completion date.
- (14) What are the policies and standards that Housing ACT has in place for monitoring and reporting of maintenance response times.
- (15) What reporting does Housing ACT undertake in relation to the policies and standards and can the Minister provide a copy of the most recent periodic reporting on maintenance response times.

- (16) In relation to Urgent (4) maintenance items, can the Minister provide (in a table), the (a) total Urgent (4) maintenance items and (b) total Urgent (4) maintenance items completed within four hours, for the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (17) In relation to Priority Next Day (PND) maintenance items, can the Minister provide the (a) total PND maintenance items and (b) total PND maintenance items completed by 6 pm the next calendar day, for the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (18) In relation to Priority (D5) maintenance items, can the Minister provide the (a) total Priority (D5) maintenance items and (b) total priority (D5) maintenance items completed within five calendar days, for the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (19) In relation to Normal Repairs (D20) maintenance items, can the Minister provide the (a) total Normal Repairs (D20) maintenance items and (b) total Normal Repairs (D20) maintenance items completed within 20 calendar days, for the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (20) What periodic surveys have been conducted in relation to Housing ACT clients.
- (21) Can the Minister provide a copy of each of the Housing ACT tenant survey results for the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20 to 31 March 2020.
- (22) What were the number of dwellings (a) that were vacant at any stage, (b) vacant for at least 30 days and (c) vacant for at least 180 days, for the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (23) What were the numbers of Housing ACT dwellings (a) vacant and (b) vacant due to maintenance requirements, as at the date of receipt of this request.
- (24) Can the Minister provide the Housing ACT complaints and complaints reporting policy.
- (25) Can the Minister detail any quality accreditation of the Housing ACT complaints and complaints reporting policy.
- (26) Can the Minister provide the most recent regular Housing ACT complaints management report.
- (27) Can the Minister provide, with respect to complaints received by Housing ACT, the (a) total complaints received, (b) total complaints responded to within target timeframes of 28 days and (c) average response times, in the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (28) Does the Housing ACT complaints and complaint reporting policy contain a dispute resolution mechanism.

**Ms Berry:** The answer to the member's question is as follows:



I do not approve the considerable diversion of public sector resources needed to respond to this question during the COVID-19 Health Emergency. Some of this information is already publicly available in the Community Services Directorate Annual Report 2018-19:

[https://www.communityservices.act.gov.au/\\_\\_data/assets/pdf\\_file/0005/1425119/CSD-Annual-Report\\_Final.pdf](https://www.communityservices.act.gov.au/__data/assets/pdf_file/0005/1425119/CSD-Annual-Report_Final.pdf).

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### **Gaming—gambling harm prevention and mitigation fund (Question No 2994)**

**Mr Parton** asked the Minister for Business and Regulatory Services, upon notice, on 8 May 2020:

- (1) Does the Gambling and Racing Commission (GRC) have a role in the decision-making process as to the awarding of grants from the Gambling Harm Prevention and Mitigation Reduction Fund (GHPMRF).
- (2) Is advice sought from the GRC Advisory Committee (GRAC) on funding submissions to the GHPMRF.
- (3) Have there been any funding awarded from the GHPMRF where the advice of the GRCAC was not sought.
- (4) For those funds identified in part (3), can the Minister provide (a) grant description, (b) total funds awarded, (c) total funds subsequently paid and (d) reason for not consulting with the GRCAC.
- (5) How much revenue was collected in the Gambling Harm Reduction Fund (GHPMRF) for the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20 to 31 March 2020.
- (6) Are unspent funds in the GHPMRF in any given year rolled into the following year.
- (7) What is the value of unspent funds in the GHPMRF, as at 31 March 2020.
- (8) Can the Minister detail any tenders or calls for expressions of interest relating to the GHPMRF that have gone public since the establishment of the GHPMRF including (a) the date of any tenders or calls for expressions of interest and (b) funds awarded from the GHPMRF as a result of these tenders or calls for expressions of interest.
- (9) For the GHPMRF in total across duration of the fund, can the Minister detail (in a table) the (a) recipients, (b) total funds awarded, (c) total funds subsequently paid and (d) whether the grant awarded was from a tender/expression of interest or was from an unsolicited proposal.
- (10) Which organisation receives the annual grant from the GHPMRF to provide gambling counselling services.
- (11) For the organisation identified in part (10), does this organisation sub-contract the counselling services; if so, to which organisation.

- (12) When is the next tender scheduled for the gambling counselling service.
- (13) Have any extensions to the current contract for gambling counselling services been granted; if so, (a) what was the reason for granting the extension and not going to tender and (b) when was the tender originally due.
- (14) In the current contract for gambling counselling services, how many extensions were allowed for.
- (15) If any extensions to the current contract for gambling counselling services have been granted, was the advice of the GRCAC sought.
- (16) Can the Minister provide any analysis, advice or benchmarking obtained or conducted that shows whether the current contract for gambling counselling services represents value for money.

**Mr Ramsay:** The answer to the member's question is as follows:

- (1) The *Gaming Machine Act 2004* (the Act) section 163C (2) provides that the Commission may make payment from the Gambling harm prevention and mitigation fund ('the mitigation fund') for a purpose the Commission is satisfied will assist in—  
(a) alleviating gambling harm; or (b) alleviating the disadvantages that arise from gambling harm; or (c) providing or ascertaining information about gambling harm. Monies from the mitigation fund are not paid by way of a grant. The Commission assesses applications for funding against the criteria specified in the Act.
- (2) Yes.
- (3) No new mitigation fund commitments have been made since the establishment of the GRCAC without the advice of the Committee having been sought.
- (4) See (3).
- (5) The mitigation fund commenced operation on 1 July 2019.  
  
(d) **2019-20 to 31 March 2020** – Mitigation Fund \$ 1,331,692
- (6) Yes.
- (7) As of 30 March 2020, the balance of the mitigation fund is \$2,406,179. This includes funds that have been committed for approved projects.
- (8) (a) The ACT Gambling Counselling and Support Services Tender was advertised on 8 November 2019 through a Request for Proposal process using the ACT Government procurement guidelines.  
  
(b) This procurement process is currently in progress.

(9)

Mitigation Fund Expenditure to 29 February 2020			
Recipient	Funding approved	Actual EXP	Project funding type
Relationships Australia for ACT Gambling Counselling and Support Service	(886,541)	(597,144)	Open Tender
Wisdom Learning for Gambling Contact Officer and Club Board Member Training	(25,000)	(10,463)	EOI through ACTGOV training provider panel
Hammond Street Developments ACT Gamblers Exclusion Database Support	(15,000)	0	Tender through ACTGOV ICT provider panel
Gambling Help Online contribution to National Program	(7,500)	0	Interjurisdictional MOU
Gambling Harm Awareness Week 2019	(100,000)	(79,949)	GRC Board approved as per the Act section 163C (2)
Counselling and Support Services Environmental Scan and Needs and Gap Analysis (Deakin University)	(16,000)	(16,000)	GRC Board approved as per the Act section 163C (2)
Clubs ACT - Janine Robinson Presentation	(4,000)	(2,000)	Unsolicited Bid
ACT Prevalence Study (ANU Centre for Gambling Research)	(180,000)	(60,300)	Subject to Deed of Agreement with ANU
Gambling Research Australia contribution to National Program	(5,092)	(5,092)	Interjurisdictional MOU

- (10) No organisations receive a grant to provide this service. Relationships Australia Canberra and Region (RACR) are the current provider for the ACT Gambling Counselling and Support Service.
- (11) RACR provide gambling counselling and support services in Canberra and the Region through face to face, telephone and online counselling sessions. RACR subcontracts Relationships Australia Queensland to respond to calls originating from the ACT to the 24 hour/7 days a week National Gambling Helpline and subcontracts Care Financial Counselling Service to provide financial counselling to members of the ACT Community experiencing gambling harm.
- (12) The ACT Gambling Counselling and Support Services Tender was advertised on 8 November 2019 and closed on the 10 December 2019 through a Request for Proposal process. This procurement process is currently in progress.
- (13) No.
- (14) The current contract allows the term of the Agreement to be extended by up to 12 extensions of one month each.
- (15) There has been no extension granted under the current contract for the ACT Gambling Counselling and Support Services.
- (16) The current contract for the ACT Gambling Counselling and Support Services has followed the guidelines and recommendations of ACT Procurement and the ACT Government Procurement Board. As part of the ACT Gambling Counselling and Support Services Tender, a Counselling and Support Services Environmental Scan and Needs and Gap Analysis by Deakin University was undertaken to inform the Statement of Requirements and evaluation requirements.

**Suburban Land Agency—valuations  
(Question No 2995)**

**Mr Parton** asked the Minister for Housing and Suburban Development, upon notice, on 8 May 2020:

- (1) In relation to the Suburban Land Authority (SLA), can the Minister provide residential RZ1 land sales by (a) volumes and (b) sales revenue, by the sales mechanisms of (i) over-the-counter, (ii) auction, (iii) tender, (iv) industry release, (v) via builder and (vi) ballot, for the financial years (A) 2017-18, (B) 2018-19 and (C) 2019-20 to 31 March 2020.
- (2) Can the Minister provide details of policies and procedures relating to allocating RZ1 land lots to real estate agents.
- (3) Can the Minister provide residential RZ1 land sales per real estate agent by (a) settled volumes, (b) allocated volumes, (c) sales revenue and (d) commission paid, for the financial years (i) 2017-18, (ii) 2018-19 and (iii) 2019-20 to 31 March 2020.
- (4) What is the (a) average and (b) median duration of listing in days of RZ1 residential lots currently listed and not under yet offer.
- (5) What was the (a) average and (b) median listing duration of RZ1 residential land lots settled in days for the financial years (i) 2017-18 and (ii) 2018-19.
- (6) For RZ1 residential lots currently listed but not yet under offer, by (a) volume and (b) total list prices, how many have been listed for greater than (i) 30, (ii) 90 and (iii) 180 days.
- (7) Can the Minister provide the current SLA sales pricing policy.
- (8) Are independent valuations used in the setting of SLA prices.
- (9) How many independent valuations are ordered for the pricing of each property.
- (10) How is the appropriate valuation to base pricing selected, if more than one independent valuation is ordered for pricing purposes.
- (11) Can the Minister provide any SLA policies and procedures relating to the (a) discounting of sales prices and (b) revision of sales prices once they are listed.
- (12) For sales that settled in each of the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020, how many properties were sold for less than (i) the original list price or auction reserve price and (ii) any independent valuation on that property within the 12 months prior to settlement.
- (13) Can the Minister provide details of any bulk sales of more than one lot to a purchaser in a 12-month period including (a) volumes, (b) total revenue, (c) details of any discounts to valuations, (d) discounts to list price and (e) purchaser, for the financial years (i) 2017-18, (ii) 2018-19 and (iii) 2019-20 to 31 March 2020.

- (14) For any SLA sales that settled in the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20 to 31 March 2020, can the Minister provide (i) how many were not released formally to market and (ii) what was the total value of these sales.
- (15) Were there any transactions in the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20, that contained properties that had been released to market and properties that had not been released to market.
- (16) For any transaction identified in part (15), can the Minister provide the (a) purchaser, (b) total property volumes, (c) total transaction revenues, (d) volume of properties not publicly released and (e) revenue from properties not publicly released.
- (17) What allowance or risk weighting in setting SLA annual sales budgets is made for late developer payments.
- (18) Can the Minister provide policies and procedures on the monitoring and reporting of settlement occurring later than the original settlement date on the sales advice of SLA sales.
- (19) Can the Minister provide policies and procedures relating to the SLA approving settlement dates later than the original settlement date on sales advices on SLA transactions.
- (20) Can the Minister provide any policies and procedures relating to the application of penalty interest on SLA sales that have delayed settlements.
- (21) Can the Minister provide copies of regular management reporting of settlement delays on SLA sales.
- (22) Can the Minister provide any policies and procedures for monitoring and reporting on settlement activities including settlement delays.
- (23) In relation to settlement delays for SLA sales what was (a) the median delay in days, (b) the mean delay in days and (c) the longest delayed settlement in days for a property that settled in the relevant year, for the financial years (i) 2016-17, (ii) 2017-18, (iii) 2018-19 and (iv) 2019-20 to 31 March 2020.
- (24) In relation to delayed settlements for SLA sales, (a) how many transactions had delayed settlements by (i) volume and (ii) sales revenue, (b) what percentage does this represent of overall transactions for each year by (i) volume and (ii) sales revenue, (c) how many of these settlement delays were caused by the SLA by (i) volume and (ii) sales revenue, (d) how many of these settlement delays were caused by the buyer by (i) volume and (ii) sales revenue, (e) how many of these settlement delays were caused by a combination of SLA and buyer by (i) volume and (ii) sales revenue and (f) where the settlement delay was caused by the buyer, what (i) was the volume of these transactions that had penalty interest levied, (ii) was the total penalty interest collected and (iii) volume did not have penalty interest levied, for the financial years (A) 2016-17, (B) 2017-18, (C) 2018-19 and (D) 2019-20 to 31 March 2020.
- (25) In relation to part (24)(f)(iii), can the Minister detail, the (a) property address, (b) original settlement date, (c) actual settlement date, (d) foregone interest based on the difference between the original settlement date and the actual settlement date and (e) the reason for not charging interest.

- (26) Can the Minister provide any analysis or reports that have been commissioned to obtain advice on the organisational structure of the SLA.
- (27) Can the Minister provide the current SLA conflict of interest policy for staff and Board.
- (28) Can the Minister provide current policies and procedures for monitoring and reporting of SLA sales to SLA (a) contracted valuers, (b) contracted suppliers, (c) staff and (d) Board members.
- (29) For sales that settled in the financial years of (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020, can the Minister provide details of the (i) property address, (ii) settlement date, (iii) sales price, (iv) list price, (v) any capital valuations obtained related to the pricing of the property, (vi) whether a conflict of interest was declared or not and (vii) the date of the conflict of interest declaration, of any SLA sales to SLA (A) contracted valuers, (B) contracted suppliers, (C) staff and (D) Board members.
- (30) Can the Minister provide a list of consultancy expenditures for each of the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020, to entities employing former Land Development Authority or former SLA staff, including for each expenditure amount (i) company names, (ii) key contact, (iii) contract value and (iv) a brief descriptor of the nature of the work.
- (31) What is the average percentage commission paid as a percentage of total sales proceeds paid to SLA contracted real estate agents for each of the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020, in relation to (i) residential sales, (b) commercial sales, (c) mixed-use sales and (d) industrial sales.
- (32) What was the maximum commission paid to a SLA contracted real estate agent on a single transaction for each of the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020 for (i) residential sales, (ii) commercial sales, (iii) mixed-use sales and (iv) industrial sales.
- (33) For the transactions identified in part (32), can the Minister provide details of the property sold including the (a) property address, (b ) zoning, (c) sales price achieved, (d) real estate agent and (e) commission paid.
- (34) Can the Minister provide any policies and procedures relating to whether suppliers are able to value a property prior to sale and then manage the sale of the property.
- (35) Did the same company value the property prior to sale and then manage the sale for the SLA for any sales in the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020.
- (36) For transactions identified in part (35), can the Minister provide the (a) property address, (b) capital valuation, (c) valuation company, (d) final sales proceeds and (e) commission paid.
- (37) Can the Minister provide any policies and procedures relating to the tracking of affordable purchases post-sale.
- (38) What proportion of affordable housing purchased in (a) 2016-17 and (b) 2017-18 were on-sold within (i) 12 and (ii) 24 months of settlement.

- (39) How many properties initially allocated to the affordable housing purchase program by (a) volume and (b) affordable list prices, were (i) released for sale, (ii) subsequently sold, (iii) approved by the SLA to be released from the program, for the financial years (A) 2016-17, (B) 2017-18, (C) 2018-19, (D) 2019-20 to 31 March 2020.
- (40) For properties identified in part (39)(iii), can the Minister provide (a) how many were subsequently sold, (b) the additional revenue received above the affordable housing list price revenue and (c) what was the average duration of listing before being released from the program.
- (41) Can the Minister provide the SLA complaints and complaints reporting policy.
- (42) Can the Minister detail any quality accreditation of the SLA complaints and complaint reporting policy.
- (43) Does the SLA complaints policy have a dispute resolution mechanism.
- (44) Can the Minister provide the most recent regular SLA complaints management report.
- (45) What is the target response time to complaints received by the SLA and how many complaints were responded to within this timeframe for the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020.
- (46) For the financial years (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 to 31 March 2020, how many complaints (i) has the SLA received, (ii) have been received about the conduct of SLA contracted real estate agents, (iii) have been received about allocation of sales to real estate agents, (iv) have been received about the allocation of RZ1 sales to real estate agents, (v) have been received about the allocation of work to valuers, (vi) have the SLA received relating to build quality for dwelling built through the affordable purchase program and (vii) have the SLA received via Access Canberra relating to build quality relating to the affordable purchase program.
- (47) Can the Minister provide details of policies and procedures relating to the allocation of land lots to builders through the put and call option program.
- (48) Can the Minister provide the policy and procedures detailing how checks are conducted on builders to make them eligible for the program.
- (49) Can the Minister provide any advice received that these checks provide adequate consumer protection for potential buyers
- (50) How many complaints has the SLA received relating to this program from (a) buyers and (b) builders since the inception of the put and call builder program.
- (51) Can the Minister provide any policies, procedures and requirements for SLA suppliers (including valuers) to declare conflicts of interest.

**Ms Berry:** The answer to the member's question is as follows:

I do not approve the considerable diversion of public sector resources needed to respond to this question during the COVID-19 Health Emergency. Some of this information is already publicly available as below links.

- (7) Can the Minister provide the current SLA sales pricing policy.  
[https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/1\\_About/Policies/Valuations/Valuations%20Procedure%20\(A18048845\).pdf](https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/1_About/Policies/Valuations/Valuations%20Procedure%20(A18048845).pdf)
- (8) Are independent valuations used in the setting of SLA prices.  
[https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/1\\_About/Policies/Valuations/Valuations%20Procedure%20\(A18048845\).pdf](https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/1_About/Policies/Valuations/Valuations%20Procedure%20(A18048845).pdf)
- (9) How many independent valuations are ordered for the pricing of each property.  
[https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/1\\_About/Policies/Valuations/Valuations%20Procedure%20\(A18048845\).pdf](https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/1_About/Policies/Valuations/Valuations%20Procedure%20(A18048845).pdf)
- (47) Can the Minister provide details of policies and procedures relating to the allocation of land lots to builders through the put and call option program.  
[https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/3\\_Commercial/Put\\_Call/Put%20and%20Call%20Option%20Conditions.pdf](https://suburbanland.act.gov.au/uploads/ckfinder/files/pdf/3_Commercial/Put_Call/Put%20and%20Call%20Option%20Conditions.pdf)
- (48) Can the Minister provide the policy and procedures detailing how checks are conducted on builders to make them eligible for the program.  
<https://suburbanland.act.gov.au/en/builders-put-and-call>

### **ACT Health—notifiable invoices (Question No 2997)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 8 May 2020:

- (1) In relation to payments disclosed on the Notifiable Invoices Register, why did it take 52 days to pay the invoice for \$53,736.87 from The Social Research Centre Pty Ltd.
- (2) Why did it take 141 days to pay the invoice for \$31,392.18 from the University of Canberra.
- (3) What were the national projects to which the ACT Health Directorate contributed via payments to (a) Australian Digital Health Agency (\$132,225.00) and (b) Department of Health, South Australia (\$425,298.80).
- (4) What capital works projects were undertaken for the payments to (a) AGH Demolition and Asbestos Removal Pty Ltd (\$164,135.10 and \$142,879.32), (b) IQON Pty Ltd (\$295,327.00), (c) Shape Australia Pty Limited (\$236,433.91 and \$125,202.93), (d) Shaw Building Group Pty Ltd (\$50,122.94) and (e) Silver Thomas Hanley (Aus) Pty Ltd (\$25,630.00).
- (5) Why were the descriptions for the payments listed in part (4) not more detailed than a generic “capital work project”.
- (6) What facilities management services were provided by Brookfield Global Integrated Solutions Pty Ltd (\$799,953.33 and \$49,970.58).

**Ms Stephen-Smith:** The answer to the member’s question is as follows:

- (1) The invoice for the Social Research Centre was received on 13 December 2019 and transferred into the online invoice payment system. The invoice was coded and



forwarded for approval to the delegate on 18 December 2019. The invoice was unable to be processed due to systems error and administrative error. This administrative issue has been rectified to avoid any future delays.

- (2) The invoice for \$31,392.18 relates to ACT Health's quarterly contribution for the University of Canberra's Clinical Chair in Nursing, who is based part-time in the Research Centre for Nursing and Midwifery, ACT Health Directorate. Payment was primarily delayed due to inconsistencies between the amount invoiced and the contract between ACT Health and the University of Canberra. This was resolved by the University of Canberra on 6 May 2020. The invoice was coded and approved for payment by the ACT Health Chief Nursing and Midwifery Officer on 12 May 2020.
- (3)
  - (a) The payment to the Australian Digital Health Agency (\$132,225.00) is one of four equal annual instalments of the ACT contribution to the Council of Australian Government's Inter Governmental Agreement on National Digital Health.
  - (b) The payment of \$425,298.80 was the ACT Health Directorate's 2019-20 contribution to the Nationally Funded Centres (NFC) Program.
- (4)
  - (a) Demolition of Units 3-6 Gaunt Place as part of the construction of a new six-bed Southside Community Step Up Step Down facility.
  - (b) Refurbishment of 10-bed Extended Care Unit at the Brian Hennessy Rehabilitation Centre.
  - (c)
    - (i) Refurbishment of the Paediatric High Care Unit as part of the Centenary Hospital for Women and Children Expansion.
    - (ii) Nurse Call/ICT Project and Replacement of Linear Accelerator as part of the ACT Health Critical Assets Upgrades (CAU) program.
  - (d) Replacement of Hot and Cold Water Hydraulic Infrastructure as part of the Upgrading and Maintaining ACT Health Assets (UMAHA) program.
  - (e) Building 10 Heating, Ventilation and Air Conditioning (HVAC) accommodation review as part of the ACT Health CAU program.
- (5) The brief description for the invoices is in line with the requirements of Division 3A.2, sections 42B and 42C of the *Government Procurement Act 2001* (the Act).
- (6) The amount of \$799,953.33 was paid to Brookfield Global integrated Solutions (BGIS) for the following 10 FM Services provided at University of Canberra Hospital (UCH) in December 2019:
  - Contract Management & Administration Services
  - Help Desk Services
  - Cleaning Services
  - Food Services
  - Building Engineering and Management Services
  - Pest Control Services

- Grounds and Garden Maintenance Services
- Security Services
- Distribution and Patient Support Services
- Materials Distribution Services

The amount of \$49,970.58 was paid to BGIS in January 2020 was for minor building works to install automatic doors and access control to the UCH central courtyard.

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### **Hospitals—procedures data (Question No 2998)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 8 May 2020:

- (1) In relation to the answer to part (e) of Question on Notice No 2821, in which peer group is (a) The Canberra Hospital and (b) Calvary Public Hospital.
- (2) Are the average peer group costs per procedure the same for each peer group; if not, will the Minister clarify the figures provided for the average peer group costs per procedure given in part (e).

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) In 2016-17, both Canberra Hospital and Calvary Public Hospital Bruce were grouped under the same peer group 'A1 peer group hospitals' using the Independent Hospital Pricing Authority (IHPA) categories.
  - (2) As above, Canberra Hospital and Calvary Public Hospital Bruce were in the same peer group, so average costs were the same.
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### **ACT Health—medical training (Question No 2999)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 8 May 2020:

- (1) In relation to payments disclosed on the Notifiable Invoices Register, (a) what training was provided by the Black Dog Institute for the payment of \$30,800 made on 2 January 2020, (b) when and where was the training given and (c) how many people attended and from what areas of ACT Health or Canberra Health Services.
- (2) What services were provided by (a) Best practice Australia Pty Ltd, (b) In Control Pty Ltd and (c) The Advisory Board Company and why were they not described as consultants or contractors.
- (3) In relation to NTT Australia Pty Ltd, (a) what training was provided by NTT Australia Pty Ltd for the payment of \$247,895.74 made on 7 January 2020, (b) when and where was the training given and (c) how many people attended and from what areas of ACT Health or Canberra Health Services.

- (4) Why did it take 63 days to pay the invoice for \$37,960, received on 21 November 2019 from Health Care Consumers Association of the ACT Inc.
- (5) What services were provided for the payments of \$30,357.54 and \$32,653.78 to Dr OnCall Pty Ltd on 9 January 2020.
- (6) Does Canberra Health Services still use Canberra Afterhours Locum Medical Service (CALMS); if not, (a) why not and (ii) when did Canberra Health Services stop using the services of CALMS.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1)
  - (a) This training was provided as a key element of the Youth Aware of Mental Health (YAM) Program, a component of Black Dog Institute's Lifespan Integrated Suicide Prevention Framework, being implemented in the ACT through ACT Government funding of \$1.545 million provided in the 2018-19 Budget in the ACT over three years to 2021. LifeSpan is an integrated, multi-faceted approach to suicide prevention. YAM is an evidence-based mental health and suicide awareness program aimed at addressing the needs of young people. YAM promotes early intervention and help seeking behaviours and involves discussion and role play to help young people develop problem solving skills and build resilience. YAM is being rolled out to Year 9 students in ACT schools in 2020 and 2021.

The payment to Black Dog Institute made on 2 January 2020 was to provide training for eight ACT YAM Instructors, who require specialised training to ensure the safe and effective implementation of the YAM Program with young people. The training is run by certified instructors over a 4.5 day period. At completion of this training individuals become certified YAM Instructors capable of delivering the program to young people in the ACT.

- (b) The training was provided between 2 and 6 December 2019 at Black Dog Institute's premises in Randwick, NSW.
  - (c) Eight people attended the training, from Mental Illness Education ACT, ACT Education and Catholic Education (ACT).
- (2)
  - (a) The Best Practice Australia Pty Ltd payment should have been classified as "Consultants" and not "Service Provider". The service rendered was for the Workplace Culture Survey.
  - (b) The In Control Pty Ltd payment should have been classified as "Consultants" and not "Service Provider". The service rendered was to provide a secure and efficient mechanism for the collection and reporting of clinical audit data.
  - (c) The Advisory Board Company should have been classified as "Memberships and Associations" and not "Service Provider".
- (3)
  - (a) NTT Australia Pty Ltd payment should have been classified as "IT Equipment" and not "Training", which it was mistakenly published as.

- (b) Not applicable.
  - (c) Not applicable.
  - (4) Initially the Health Care Consumers Association of the ACT invoice was incorrectly allocated in the Territory's invoice payment system which delayed commencement of the normal validation, approval and payment process. These initial delays were then exacerbated by the Christmas and New Year holiday period. Major Projects Canberra has since worked with the Territory's centralised accounts processing team to improve invoice processing and reviewed their internal procedures to ensure that all invoices are paid in a timely manner.
  - (5) Both invoices were for locum Senior Resident Medical Officers to work in the Canberra Health Services inpatient rehabilitation unit. The invoice for \$30,574.54 was for 172.5 hours over 15 shifts in September 2019 and the invoice for \$32,653.78 was for 173 hours over 20 shifts in October and November 2019. Both invoices include the doctors' salaries, travel and accommodation fees and locum agency fees. The locums were required to fill vacancies in the unit's medical rosters.
  - (6) ACT Health Directorate provides funding to CALMS to operate an accredited, primary "afterhours medical service", available to all ACT residents based on clinical need, inclusive of Residential Aged Care Facilities (RACFs) throughout the entire after-hours period inclusive of public holidays and the period 25 December to 1 January. CALMS have three locations in the ACT including one clinic located within the Canberra Hospital which is providing services as contracted.
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**Canberra Hospital—hydrotherapy pool  
(Question No 3000)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 8 May 2020:

- (1) In relation to the closure of the hydrotherapy pool at The Canberra Hospital, has the pool been emptied, cleaned and stabilised; if not, (a) why not and (b) when will it be.
- (2) What are the (a) immediate term, (b) short term, (c) medium term, and (d) long term plans for the use of the space created by the closure of the pool.
- (3) What capital works are planned for the space, including, but not limited to, remediation of the area currently occupied by the pool.
- (4) When will those capital works (a) begin and (b) end.
- (5) What will those capital works cost.
- (6) What will happen to any redundant equipment recovered from the facility.
- (7) What is the timeline for removal and disposal or storage of redundant equipment.
- (8) Has the call for expressions of interest (EOI) in building a new hydrotherapy pool on the southside of Canberra closed.

- (9) What was the closing date.
- (10) How many EOI were submitted.
- (11) By what date will (a) evaluation of the EOI be completed and (b) a decision on “next steps” be made.
- (12) If a decision on “next steps” has been made (a) on what date was it made and (b) what was the decision.
- (13) If a decision on “next steps” has not been made (a) why not and (b) by what date will it be made.
- (14) In deciding on “next steps” who (a) was or (b) will be, consulted.
- (15) On what date will the decision (whether yet made or not) be implemented.

**Ms Stephen-Smith:** The answer to the member’s question is as follows:

- (1) Yes.
- (2) The staff in the adjacent clinical area are utilising the toilets and showers.  
  
The future use of the pool area will be considered as part of wider master planning being undertaken for the Canberra Hospital site.
- (3) There is currently no planned capital works for the space.
- (4) Not applicable, refer to response to question 3.
- (5) Not applicable, refer to response to question 3.
- (6) Facilities Management will salvage any reusable plant and equipment.
- (7) Any reusable plant and equipment will be removed and retained by Facilities Management before end of June 2020. The remaining equipment will be decommissioned and removed as part of future development works.
- (8) The EOI for the new hydrotherapy pool on the Southside of Canberra is closed.
- (9) The EOI process closed on 14 February 2020.
- (10) Only one EOI application was submitted.
- (11) ACT Health Directorate Strategic Infrastructure is currently finalising the evaluation of the EOI. A decision on next steps will be made in conjunction with the finalisation of a concurrent piece of work on an Options Analysis for Southside Hydrotherapy pool.
- (12) Not applicable, refer to response to question 11.
- (13) The evaluation panel for the EOI is awaiting the conclusion of the Options Analysis to inform their decision. The Options Analysis is expected to be finalised by the end of June 2020.

- (14) ACT Health Directorate is working with stakeholders on the Options Analysis for Hydrotherapy facility in Canberra's South. These stakeholders and Government will be briefed on the outcome of the Options Analysis and any decision on the EOI.
- (15) A decision to implement a future hydrotherapy facility on the Southside of Canberra will be subject to a Budget Process.
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**Health—safe injecting room  
(Question No 3001)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 8 May 2020:

In relation to the study of a so-called safe injecting place by the Macfarlane Burnet Institute for Medical Research, does the ACT Government intend to make (a) a decision and (b) an announcement, about the establishment of a “safe” injecting place before the ACT election; if so, when.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

(1) (a) and (b)

As part of the *ACT Drug Strategy Action Plan 2018-2021* (Action Plan), the Government committed to investigating the feasibility, need, effectiveness and appropriateness of establishing a medically supervised drug consumption facility for the ACT.

The ACT Health Directorate (ACTHD) has engaged the Burnet Institute, in partnership with the Canberra Alliance for Harm Minimisation and Advocacy, to undertake this work. The study has a research focus, investigating current and future drug usage patterns, risk behaviours, and drug related health problems. In line with the *National Drug Strategy 2017-2026* and the Action Plan, the study will focus on harm reduction for individuals who use drugs in the ACT and possible approaches to reduce overdose related morbidity and mortality.

The final report is due to ACTHD by 14 August 2020. The report will contribute to future Government consideration of harm reduction policy in the ACT.

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**WorkSafe ACT—foster care investigations  
(Question No 3003)**

**Mrs Jones** asked the Minister for Employment and Workplace Safety, upon notice, on 8 May 2020:

- (1) In relation to WorkSafe ACT investigation for Barnados in the ACT, given that the Foster Carer Association announced on 4 May 2020 that WorkSafe ACT have been undertaking onsite investigations and meetings with the Community Services Directorate as well as Barnardos, is Child and Youth Protection Services also included as part of the WorkSafe ACT investigation.

- (2) Does WorkSafe ACT or the ACT Work Safety Commissioner have the authority to enforce determinations made as a result of their investigations; if not, who has such authority.
- (3) What is the anticipated duration of this investigation and when is the investigation expected to be completed.
- (4) Were issues of non-compliance at Barnados found under four sections of Workplace Health and Safety legislation; if so, what were the issues, and under which sections of the legislation were they found to be non-compliant.

**Ms Orr:** The answer to the member's question is as follows:

- (1) The investigation being undertaken by WorkSafe ACT is only focussed on Barnardos. The Community Services Directorate along with Child and Youth Protections Services are assisting WorkSafe ACT with the investigation. Both government agencies are not subject to the complaints WorkSafe ACT are investigating.
- (2) The Work Health and Safety Commissioner as the statutory authority of the Office of the Work Health and Safety Commissioner has legislative delegations and authorisation to enforce appropriate regulatory sanctions against any entity identified contravening the Work Health and Safety legislation.
- (3) The investigation is ongoing and any timings as to an anticipated finalisation would be premature to state at this time. WorkSafe ACT advises that the investigation is well advanced.
- (4) WorkSafe ACT has requested information from Barnardos, through the Community Services Directorate that aligns with the nature of complaints received. WorkSafe ACT is focussed on Barnardos obligations under the provisions of the Work Health and Safety (WHS) legislation primarily being Primary Duty of Care, Information and Training Induction and Consultation of staff/carers. The relevant sections of the *Work Health and Safety Act 2011* are Section 19 Duty of Care, Section 47 Duty to Consult (workers) and regulation 39 of the *Work Health and Safety Regulation 2011*: Provision of information, training and instruction.

### **Transport—park-and-ride facilities (Question No 3004)**

**Ms Le Couteur** asked the Minister for Transport, upon notice, on 8 May 2020:

In relation to park and ride site capacity and utilisation, at the last survey prior to COVID19 restrictions, what (a) was the percentage utilisation of each park and ride facility, (b) was the capacity of each park and ride facility, (c) was the date of the survey and (d) is the current capacity of each park and ride facility.

**Mr Steel:** The answer to the member's question is as follows:

- a) Refer to Table 1 below.
- b) Refer to Table 1 below.

c) The last Park & Ride utilisation survey prior to the COVID-19 emergency was undertaken in October 2018.

d) Refer to Table 1 and the additional information below.

**Table 1: Capacity and utilisation of existing Park & Rides at the last survey, which was undertaken in October 2018.**

Park & Ride sites	Capacity 2018	Utilisation 2018
Calwell	70	11%
Cooleman Court	12	17%
Chisholm	12	67%
Curtin	15	93%
Fyshwick	115	41%
Kambah Village	8	38%
Kambah Centre	18	25%
Mawson	153	97%
North Weston	50	80%
Tuggeranong Bus Station	93	81%
Wanniassa	60	98%
Woden Bus Station	146	100%
Belconnen Bus Station	30	93%
Belconnen	27	93%
Bruce	87	97%
Charnwood	14	100%
Gungahlin	113	27%
Jamison Centre	13	85%
Kippax	15	73%
Kippax Centre	48	10%

**Additional information:**

Since the most recent survey, the ACT Government has invested in expanding Park & Ride capacity, including:

- As part of the Light Rail Stage 1 project:
  - a. a new formal 60-space EPIC Park & Ride commenced operation; and
  - b. the Gungahlin Park & Ride was expanded by 40 spaces.
- 46 additional spaces at the North Weston Park & Ride on Kirkpatrick Street.
- 35 to 41 additional spaces to the Wanniassa Park & Ride.
- Construction of a new 150-200 space Well Station Drive Park & Ride.

The 2020 planned survey has been deferred due to impacts of COVID-19 restrictions and will be undertaken at an appropriate time in the future.

**Transport—active travel  
(Question No 3005)**

**Ms Le Couteur** asked the Minister for Roads and Active Travel, upon notice, on 8 May 2020:

In relation to the response to question on notice No 15(1) of the Standing Committee on Environment and Transport and City Services inquiry into 2018-19 annual and financial reports that included the initiatives of (a) Walking – Community Paths, (b) Cycling –



Cycle Network Improvements and (c) Footpath and Cycleway upgrades – Community Paths, can the Minister provide a list of works funded under these initiatives, including status, and estimated completion date for uncompleted works.

**Mr Steel:** The answer to the member's question is as follows:

Status and expected completion dates for the projects are listed below for (a) Walking – Community Paths, (b) Cycling – Cycle Network Improvements and (c) Footpath and Cycleway upgrades – Community Paths

Initiative	Status	Revised Estimated Completion
<b>Capital works</b>		
(a) Walking - Community Paths	<p><b>Package 1 – Design Stage</b></p> <ul style="list-style-type: none"> <li>• Giralang: Primary School to underpass</li> <li>• Kaleen: Baldwin Dr to Tyrell Cct</li> <li>• Narrabundah: Kootara Cr to Wambool St</li> <li>• Torrens: Batchelor St to trunk path</li> <li>• Hackett: Bus Stop 3196 to Antill St service road</li> <li>• Lyons: Launceston St from underpass to Burnie St</li> <li>• Gungahlin: The Valley Ave at Hinder St</li> <li>• Turner: McCaughey St from Masson St to Barry Dr</li> <li>• Barton: Darling St</li> <li>• Barton: New South Wales Crescent at Telopea Park</li> <li>• Ngunnawal: Intersection of Horse Park Dr and Gungahlin Dr</li> <li>• Kingston: Currie Crescent at childcare centre</li> <li>• Downer: Swinden St ramp</li> <li>• Florey: Bus stop 5003 on Southern Cross Dr to existing path network</li> </ul> <p><b>Package 2 – Construction tender stage</b></p> <ul style="list-style-type: none"> <li>• Wanniasa: Hindmarsh Dr to Arawang Primary School</li> <li>• Monash: Cockroft Ave Bus Stop 1441 to shops</li> <li>• Greenway: Soward Way northside to car parks</li> <li>• Greenway: Soward Way southside to Archery club</li> <li>• Bonython: Barr Smith Ave at Derrington Cr</li> </ul>	Late 2020
(b) Cycling - Cycle network Improvements	<p><b>Part 1 Priority Crossings – In construction</b></p> <ul style="list-style-type: none"> <li>• O'Connor: Hovea St wombat crossing</li> <li>• O'Connor: Boronia Dr path upgrade</li> <li>• O'Connor: Dryandra St wombat crossing</li> <li>• O'Connor: Kunzea St zebra crossing</li> <li>• Lyneham: Wattle St path improvements</li> <li>• Turner: McCaughey St/Masson St wombat crossing</li> <li>• Kaleen: Cossington Smith Cr wombat crossing</li> <li>• Yarralumla: Weston St wombat crossing</li> <li>• Deakin: Yarra Glen drainage improvements</li> </ul> <p><b>Part 2 Wayfinding</b></p> <p><b>PCR branding and MCR signage - In construction stage</b></p> <ul style="list-style-type: none"> <li>• PCR C1 City to Gungahlin</li> <li>• PCR C4 City to Tuggeranong</li> <li>• PCR C5 Belconnen to Tuggeranong</li> <li>• PCR C6 ANU to Dickson</li> </ul> <p><b>PCR branding and MCR signage (Design Only) – design stage</b></p> <ul style="list-style-type: none"> <li>• PCR C3 City to Belconnen</li> <li>• PCR C7 Belconnen to Gungahlin</li> <li>• PCR C8 City Loop</li> </ul>	Late 2020

	<ul style="list-style-type: none"> <li>• PCR C9 Gungahlin to Airport</li> </ul> <p><b>Part 3 Feasibility Studies – (Design Only) - design stage</b></p> <ul style="list-style-type: none"> <li>• PCR C3 - Battye St Link</li> <li>• PCR C3 – O’Conner/Turner Link</li> <li>• PCR C6 – Barry Dr/McCaughey St Intersection</li> <li>• PCR C2 – City to Queanbeyan from Kings Ave to Newcastle St</li> <li>• PCR C4 – City to Tuggeranong from Atkins St to Woodcock Dr</li> </ul>	
<b>Better Infrastructure Fund</b>		
Footpaths and Cycleway Upgrades - Community Paths	<p>Ongoing <b>2019/20 Construction</b></p> <ul style="list-style-type: none"> <li>• Dickson: Cowper St at Daramalan College</li> <li>• Kaleen: Diamantina Cr intersections</li> <li>• Calwell: Were St at Calwell shops</li> <li>• Lyons: Glenorchy St</li> <li>• Wanniasa: Drakeford Dr to Bus Stop 1372</li> <li>• Belconnen: Coulter Dr from Luxton St to Nettlefold St</li> <li>• Phillip: Ainsworth St from Alsop Cl to Hindmarsh Dr</li> <li>• Wanniasa: Mc Bryde Cr from Bromley St to MacKinnon St</li> <li>• Wanniasa: McBryde Cr at Wynne St</li> </ul>	20/21

### **Municipal services—trees (Question No 3006)**

**Ms Le Couteur** asked the Minister for City Services, upon notice, on 8 May 2020:

- (1) In relation to the urban tree planting announced in the COVID-19 emergency stimulus package, is the tree planting announced in the emergency stimulus package additional to that announced in the 2019-20 Budget, or a re-profiling/bringing forward of the 2019-20 Budget planting.
- (2) What is the total number of trees funded for urban tree planting by financial year from the 2019-20 financial year to the 2022-23 financial year (inclusive of pre-existing commitments and new emergency stimulus commitments).
- (3) What is the total funding on urban tree planting by financial year from the 2019-20 financial year to the 2022-23 financial year (inclusive of pre-existing commitments and new emergency stimulus commitments).

**Mr Steel:** The answer to the member’s question is as follows:

- (1) The urban tree planting announced in the COVID-19 emergency stimulus package is additional to the tree planting announced in the 2019-2020 Budget.
- (2) A total number of 24,958 trees are funded for urban tree planting from 2019-20 to 2022-23. The number of trees funded for urban planting by financial year during this period is:

2019-2020	4,754 trees
2020-2021	4,294 trees
2021-2022	7,410 trees
2022-2023	8,500 trees.

The number of trees to be planted is based on the best available current cost estimates and is subject to future changes to the cost base, which may increase or decrease the number of trees that can be planted with the available funds.

- (3) The total funding for urban tree planting by financial year from 2019-20 to 2022-23 (inclusive of pre-existing commitments and new emergency stimulus commitments) is:

2019-2020	\$1,699,193
2020-2021	\$1,573,191
2021-2022	\$2,872,942
2022-2023	\$3,406,842

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### **Parking—fines (Question No 3007)**

**Miss Burch** asked the Minister for Business and Regulatory Services, upon notice, on 22 May 2020:

Can the Minister provide the number of parking infringement notices issued along Beltana Road, Pialligo, broken down by month from 1 January 2019 to date.

**Mr Ramsay:** The answer to the member's question is as follows:

- (1) **January 2019 to December 2019** – 0.
- December 2019** – 49 Warnings issued.
- January 2020** – 12 Infringements issued.
- February 2020** – 38 Infringements issued.
- March 2020** – 25 Infringements issued.
- April 2020** – 0 Infringements issued.
- May 2020** – 3 Infringements issued, and 14 Warnings issued.
- June 2020 (As at 11 June)** – 4 Infringements issued.

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### **Public housing—tenants with disabilities (Question No 3009)**

**Mr Parton** asked ask the Minister for Housing and Suburban Development, upon notice, on 22 May 2020:

- (1) What is the total number of dwellings in the public housing stock at present.
- (2) Of those properties identified in part (1), how many are occupied and how many are vacant.
- (3) How many occupied dwellings in the public housing stock are configured for disabled tenants.

- (4) Is it sometimes necessary to allocate public housing configured for people with disabilities to tenants who do not have a disability.
- (5) If it is necessary to allocate housing for disabled to tenants without disabilities, do such allocations become permanent.
- (6) If such allocations referred to in part (5) are temporary, what is the approximate duration of such allocations.
- (7) What proportion of occupied dwellings configured for disabled tenants are actually occupied by disabled tenants.

**Ms Berry:** The answer to the member's question is as follows:

- 1. There was a total of 11,019 Housing ACT residential properties in the public housing stock as of 9 June 2020.
- 2. Of these properties, 10,574 were occupied and 445 were vacant. Of the vacant properties, 111 were ready to be allocated, and 31 were under offer, that is, waiting for the applicant to respond.

The remaining 303 properties are part of the usual churn of stock through routine maintenance, up-grade maintenance, or identified as part of the growth and renewal program. The dwelling occupancy rate is currently 95.8%. This is just below the accountability indicators of between 96%-97% of the previous years, mostly due to the impacts of the events of 2020 which have made moving to a house more challenging than usual.

- 3. Of the occupied public housing properties;
  - a. 1,990 properties have received one or more modifications for disabled tenants, including 183 that meet the requirements of Class C adaptable housing under the Australian Standard for Adaptable Housing AS4299; and
  - b. There are 509 properties that have not required modification to better suit a tenant's specific disability as they have been built to meet the requirements of Class C adaptable housing.
- 4. Yes, with a focus on ageing in place and building homes for long term tenancies, wherever possible, all new public housing is designed to meet Class C Adaptable housing standards. Adaptable housing ensures people of all ages and abilities can live within the home and it can be easily adapted to meet changing household needs without requiring costly or substantial modifications. Class C housing must include all essential features of the Australian Standard for Adaptable Housing (AS4299-1995). These homes are prioritised for allocation to clients with a disability in the first instance. If a suitable tenant is not identified, then offers are made to clients from across the housing registers.
- 5. Yes, as with all public housing tenancies, Housing ACT tenants have security of tenure to live in their homes for as long as they comply with their tenancy agreement.
- 6. See 5.

7. Of the occupied public housing properties that have received one or more disability modifications, 1269 (64%) are currently occupied by a household with at least one person with a disability. 297 (58%) of the unmodified Class C adaptable housing properties are also occupied by a household with at least one person with a disability.
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**Municipal services—charity bin removal  
(Question No 3013)**

**Mr Milligan** asked the Minister for City Services, upon notice, on 22 May 2020:

- (1) In relation to the announcement made on 3 April 2020 to remove charity bins on public land across Canberra, were charities who operate charity collection bins consulted regarding this decision; if so, which charities were consulted.
- (2) Can the Minister detail the number of reports of illegal dumping that have been received in the month following the announcement, 3 April to 3 May 2020.
- (3) Can the Minister detail the number of reports of illegal dumping that have been received in the month following the announcement, 3 April to 3 May 2020, specific to Gungahlin.
- (4) Can the Minister detail how many reports of illegal dumping were received in the month prior to the announcement, 3 March to 3 April 2020.
- (5) Can the Minister detail how many reports of illegal dumping were received in the month prior to the announcement, 3 March to 3 April 2020, specific to Gungahlin.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Yes. Koomarri, Lone Fathers and Anglicare were consulted.
  - (2) 87 complaints were received in this period.
  - (3) Zero.
  - (4) 117 complaints were received in this period.
  - (5) One.
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**Ginninderra—maintenance of ovals  
(Question No 3015)**

**Mrs Kikkert** asked the Minister for Sport and Recreation, upon notice, on 22 May 2020:

- (1) In relation to oval maintenance in the Ginninderra electorate, in the past year, what maintenance work has been carried out specifically for each of the following ovals, and how often were each of these works performed at (a) Macquarie and (b) Spence ovals.

- (2) If applicable, why was one oval maintained more than the other.
- (3) What are the current maintenance plans in place for each of these ovals, including the nature of the maintenance works and how often works will be performed.

**Ms Berry:** The answer to the member's question is as follows:

- (1) (a) Macquarie Oval - Mowing was undertaken on this oval as follows:
  - 27/09/2019
  - 17/10/2019
  - 25/02/2020
  - 18/03/2020
  - 21/04/2020
- (b) Spence Oval - Mowing was undertaken on this oval as follows:
  - 23/09/2019
  - 15/10/2019
  - 03/12/2019
  - 20/03/2020
- (2) Both of these neighbourhood ovals are mown in line with the general suburban mowing program for open spaces and parkland, however if grass height is not sufficient to warrant mowing it is not undertaken.
- (3) Neighbourhood ovals are suitable for informal recreation and serve as a play space for the local community. They are not suitable for organised formal sporting use. Neighbourhood ovals are mown on the same cycle as other suburban mowing, around six times per year depending on the season. The surface is also inspected periodically to ensure it is in a safe condition. A final 2019-20-year mow of Spence and Macquarie ovals is scheduled to take place in early June 2020.

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### **Children and young people—adoptions (Question No 3016)**

**Mrs Kikkert** asked the Minister for Children, Youth and Families, upon notice, on 22 May 2020:

- (1) In relation to progress in responding to the Final Report of the Review of the Domestic Adoption Process in the ACT, given the report called on the Community Services Directorate (CSD) and the Justice and Community Safety Directorate (JACS) to 'explore possible legislative amendments to dispensation of consent provisions' (recommendation 8.5) following consultation with all relevant stakeholders (recommendation 8.6) and a report on consultations was released in November 2019, what specific steps remain between the release of this report and the tabling of proposed amendments.
- (2) Of these steps, which have been completed, which are in process and which have not been started.
- (3) What is the expected date of completion for this entire process, including the tabling of proposed amendments.

- (4) Given that the report also called on CSD, JACS and Access Canberra to ‘explore whether the ACT could issue integrated birth certificates’, which would require amendment to the Births, Deaths and Marriages Registration ACT 1997, what (a) steps have been taken to date to progress this recommendation, (b) specific steps remain to be completed according to the government’s plan regarding this matter and (b) is the expected date of completion for this entire process, including the tabling of proposed amendments.

**Ms Stephen-Smith:** The answer to the member’s question is as follows:

1. The final step remaining before tabling the proposed legislative amendments is a brief targeted consultation with key stakeholders. This acknowledges the shared effort and significant contribution of individuals who contributed to the Bill’s development, providing them with an early opportunity to view the amendments included in the Bill.
2. Final consultation with key stakeholders is currently underway and will conclude on 22 June 2020.
3. The *Adoption Amendment Bill 2020* is scheduled for introduction in the Legislative Assembly on 23 July 2020.

4.

- a. To progress this recommendation, Justice and Community Safety Directorate (JACS) has consulted stakeholders with a view to developing legislative amendments.

Community stakeholders consulted include Barnados Australia (as part of ACT Together) and the Australian Red Cross Birth Family Support Service.

JACS also consulted with the South Australian Registry of Births, Deaths and Marriages, South Australian Department of Child Protection, and the New South Wales Department of Communities and Justice regarding approaches taken in those jurisdictions.

- b. The process of developing legislative amendments is underway.

An implementation process will then be required to facilitate Access Canberra issuing integrated birth certificates and to educate and support government and non-government agencies on recognition and use of the certificates.

- c. The Government is working towards presenting the legislative amendments in the current term of government and I have previously acknowledged frustrations at the slow progress of this work.

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**Chief Minister, Treasury and Economic Development Directorate—  
staffing  
(Question No 3017)**

**Mr Coe** asked the Chief Minister, upon notice, on 22 May 2020:

Can the Minister provide a breakdown of the total number of Chief Minister, Treasury and Economic Development Directorate staff by (a) full-time equivalent and

(b) headcount, employed under each classification band of the Administrative and Related Classifications Enterprise Agreement (such as ASO 4.1, ASO 4.2, Senior Officer Grade A) for each year from 2011-2012 to date, noting this detailed information is not contained in annual reports.

**Mr Barr:** The answer to the member's question is as follows:

**Table 1** below provides a breakdown of the total number of (a) full-time equivalent and (b) headcount employed under each classification band of the Administrative and Related Classifications Enterprise Agreement for each financial year 2014-2015 to date. Instances where officer is at a lower than classification level is explained as the officer being on partial duties. Where the officer is at a higher increment level than classification the level can be explained as the officer has been on higher duties allowance. The table below reflects figures since Chief Minister, Treasury and Economic Development Directorate was established in July 2014. Between July 2014 and current, the Directorate has had numerous Administrative Arrangement Order (AAO) changes applied to it which has affected FTE and headcount throughout this period of time. Classifications that are not in this table are either under other Enterprise Agreements or nil employees.

*(Answer is available at the Chamber Support Office).*

### **Legislative Assembly—travel by members (Question No 3018)**

**Mr Coe** asked the Chief Minister, upon notice, on 22 May 2020:

Can the Minister provide, for each year since 2011-12 to 2019-20 to date, the details of (a) interstate and (b) international travel undertaken by ministers and/or ministerial staff, including (i) name of the minister and ministerial title or portfolio responsibility under which the trip was taken, (ii) number of ministerial staff, (iii) number of ACT Government staff and any other public members, (iv) where the delegation travelled, (v) dates of travel, (vi) reason or nature of the travel and (vii) total cost, including (A) accommodation, (B) travel, such as airfares, (C) hospitality and (D) any other relevant category of costs.

**Mr Barr:** The answer to the member's question is as follows:

The ACT Public Service is currently responding to the COVID-19 public health emergency. The majority of the information required to answer your questions is already available publicly. Ministerial travel reports from 2011 to December 2017 can be found at <https://www.parliament.act.gov.au/members/ethics-and-accountability> and information since December 2017 is available on the ACT Government Open Access website and can be found at <https://www.act.gov.au/open-access/ministers-information/ministerial-travel-expenses-disclosure>. Additional information has also been provided previously and in response to Question on Notice paper 16, 23 February 2018, QON 938 and Estimates Committee Hearing 2018-19, QON No. E18.

### **Rates—deferrals (Question No 3019)**

**Mr Coe** asked the Treasurer, upon notice, on 22 May 2020:



- (1) How many applications for rates deferrals have been received during 2019-20 to date broken down by type of scheme or concession and (a) residential and (b) commercial properties.
- (2) Further to part (1), for 2019-20 what is the total (a) value and (b) interest charged on rates deferrals broken down by type of scheme or concession and (i) residential and (ii) commercial properties.

**Mr Barr:** The answer to the member's question is as follows (as of 10 June 2020):

Type of scheme/concession	Deferral applications approved in 2019 20 (year to date)	Value of rates deferred (includes prior year assessments) (\$)	Interest charged in 2019-20 (year to date) (\$)
Aged (residential)	29	109,916	158
Pensioner (residential)	74	202,082	442

For the aged and pensioner schemes, interest is charged at the market rate (currently 0.91 per cent).

Type of scheme/concession	Deferral applications approved in 2019 20 (year to date)	Value of rates deferred (includes prior year assessments) (\$)	Interest charged in 2019-20 up until COVID period (\$)	Interest charged in 2019-20 during COVID period (\$)
Hardship (residential)	429	2,655,891	99,802	Nil
Commercial	92	3,470,893	82,944	Nil

Residential property taxpayers shown in the above table fall into the following categories:

- 19 taxpayers received hardship assistance prior to the COVID-19 period. Interest has not applied since the beginning of the COVID period; and
- 410 taxpayers have been provided an interest free period as a result of COVID-19. Some of these taxpayers had overdue rates prior to seeking assistance and incurred interest.

The 92 commercial rate payers have been provided an interest free period as a result of COVID-19. Some of these taxpayers had overdue rates prior to seeking assistance and incurred interest.

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### **ACT Revenue Office—objections (Question No 3020)**

**Mr Coe** asked the Treasurer, upon notice, on 22 May 2020:

- (1) Further to question on notice No 1118, can the Treasurer provide a breakdown of the total number of (a) objections lodgement through the ACT Revenue Office by type and (b) appeals lodged through the ACT Revenue Office by type, during the financial years (i) 2017-18, (ii) 2018-19, and (iii) 2019-20 to date.

- (2) Of the number of objections in each financial year lodged in each financial year referred to in part (1), can the Treasurer provide the number and type of objections that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, (d) outstanding or (e) any other relevant category.
- (3) Of the number of appeals in each financial year lodged in each financial year referred to in part (1), can the Treasurer provide the number and type of objections that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, (d) outstanding or (e) any other relevant category.

**Mr Barr:** The answer to the member's question is as follows:

Requested objections and appeals figures for the 2017-18 financial year have previously been provided with the response to Question on Notice No. 2330 of 22 February 2019. Figures for 2017-18 are provided where there were outstanding objections or appeals noted in that response.

- (1)(a) **Table 1** shows the number of objections lodged through the ACT Revenue Office by type, during the financial years of (ii) 2018-19 and (iii) 2019-20 to date.

**Table 1**

Year	Duty	FHOG	HBC	Land Rent	Land Tax	Payroll Tax	Rates	UV	Total
2018-2019	24	6	21	1	186	10	38	144	430
2019-20 (to 26/5/2020)	42	4	3	2	136	10	34	80	311

- (1)(b) **Table 2** shows the number of ACAT appeals lodged through the ACT Revenue Office by type, during the financial years of (ii) 2018-19 and (iii) 2019-20 to date.

**Table 2**

Year	Duty	FHOG	HBC	Land Rent	Land Tax	Payroll Tax	Rates	UV	Total
2018-2019	0	0	2	0	14	1	3	14*	34
2019-20 (to 26/5/2020)	3	1	1	0	10	1	2	8**	26

\* Includes three Lease Variation Charge (LVC) appeals.

\*\* Includes five LVC appeals.

## (2) Objections

**Table 3** shows the number of Duty objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 3 – Duty objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	4	16	1	3	24
2019-20 (to 26/5/2020)	6	23	3	10	42

**Table 4** shows the number of First Home Owner Grant (FHOG) objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 4 – FHOG objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	1	5	0	0	6
2019-20 (to 26/5/2020)	0	2	0	2	4

**Table 5** shows the number of Home Buyer Concession (HBC) objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 5 – HBC objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	0	19	2	0	21
2019-20 (to 26/5/2020)	1	0	0	2	3

**Table 6** shows the number of Land Rent objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 6 – Land Rent objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	0	1	0	0	1
2019-20 (to 26/5/2020)	0	1	1	0	2

**Table 7** shows the number of Land Tax objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 7 – Land Tax objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	12	167	7	0	186
2019-20 (to 26/5/2020)	18	60	16	42	136

**Table 8** shows the number of Payroll Tax objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 8 – Payroll Tax objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	2	4	0	4	10
2019-20 (to 26/5/2020)	1	4	0	5	10

**Table 9** shows the number of Rates objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 9 – Rates objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2018-2019	3	32	3	0	38
2019-20 (to 26/5/2020)	0	25	2	7	34

**Table 10** shows the number of UV objections by financial year lodged that were (a) allowed or part allowed, (b) disallowed, (c) withdrawn, (d) outstanding and (e) any other relevant category.

**Table 10 – UV objections**

Year	Allowed or Part Allowed	Disallowed	Withdrawn	Outstanding	Total
2017-18	30	48	6	0	84
2018-2019	25	112	7	0	144
2019-20 (to 26/5/2020)	16	54	9	1	80

### (3) ACT Civil and Administrative Tribunal (ACAT) Appeals

**Table 11** shows the number of ACAT Duty appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn, (d) outstanding or (e) any other relevant category.

**Table 11– ACAT Duty appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other (Settled)	Total
2018-2019	0	0	0	0	0	0
2019-20 (to 26/5/2020)	0	1	1	0	1	3

**Table 12** shows the number of ACAT FHOG appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn, (d) outstanding or (e) any other relevant category.

**Table 12 – ACAT FHOG appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other (Settled)	Total
2018-2019	0	0	0	0	0	0
2019-20 (to 26/5/2020)	0	0	0	0	1	1

**Table 13** shows the number of ACAT HBC appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn and (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 13 – ACAT HBC appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other	Total
2018-2019	0	2	0	0	0	2
2019-20 (to 26/5/2020)	0	0	1	0	0	1

**Table 14** shows the number of ACAT Land Rent appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn or (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 14 – ACAT Land Rent appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other	Total
2018-2019	0	0	0	0	0	0
2019-20 (to 26/5/2020)	0	0	0	0	0	0

**Table 15** shows the number of ACAT Land Tax appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn, (d) outstanding or (e) any other relevant category.

**Table 15 – ACAT Land Tax appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other (Settled)	Total
2018-2019	3	3	6	0	2	14
2019-20 (to 26/5/2020)	1	1	2	3	3	10

**Table 16** shows the number of ACAT Payroll Tax appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn or (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 16 – ACAT Payroll Tax appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other	Total
2017-18	0	1	6	0	0	7
2018-2019	0	0	0	1	0	1
2019-20 (to 26/5/2020)	1	0	0	0	0	1

**Table 17** shows the number of ACAT Rates appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn or (d) outstanding. There are no numbers for (e) any other relevant category.

**Table 17 – ACAT Rates appeals**

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other	Total
2018-2019	0	0	3	0	0	3
2019-20 (to 26/5/2020)	0	1	1	0	0	2

**Table 18** shows the number of ACAT UV (and LVC) appeals lodged by financial year that were (a) allowed or part allowed, (b) dismissed, (c) withdrawn, (d) outstanding or (e) any other relevant category.

Table 18 – ACAT UV appeals

Year	Allowed or Part Allowed	Dismissed	Withdrawn	Outstanding	Other (Settled)	Total
2017-18	1	3	3	0	4	11
2018-2019	1	3	5	0	5	14
2019-20 (to 26/5/2020)	0	0	1	6	1	8

### Government—land release (Question No 3023)

Mr Coe asked the Minister for Planning and Land Management, upon notice, on 22 May 2020:

- (1) In relation to land release, what was the (a) maximum, (b) minimum, (c) median and (d) average price of released blocks during each financial year since 2008-09 to date broken down by suburb.
- (2) In relation to land release, what was the (a) maximum, (b) minimum, (c) median and (d) average price of land per square metre during each financial year since 2008-09 to date broken down by suburb.
- (3) What is the target number of dwellings to be released during each financial year since 2008-09 to date broken down by (a) standalone residential dwellings, (b) townhouses, (c) apartments and (d) any other relevant category of residential dwellings.
- (4) What was the total number of dwellings actually released during each financial year since 2008-09 to date by (a) standalone residential dwellings, (b) townhouses, (c) apartments and (d) any other relevant category of residential dwellings.

**Mr Gentleman:** The answer to the member's question is as follows:

I do not approve the considerable diversion of public sector resources needed to respond to this question as this data is not readily available through reporting mechanisms. The data below is available for response to questions 3 and 4.

Q3. Target Residential Land Releases (dwelling sites)			Q4. Actual Residential Land Releases by Type (dwelling sites)			
	Published Target	Target Breakdown by dwelling type	Actual	Single dwelling blocks	Compact Blocks & Medium Density	Multi-unit (apartment)
2008-09	4,208	N/A	4,339	2,331	N/A	2,008
2009-10	3,014	N/A	4,279	1,856	N/A	2,423
2010-11	5,000	N/A	5,048	3,233	N/A	1,815
2011-12	5,500	N/A	2,466	566	N/A	1,900
2012-13	5,000	N/A	4,354	2,208	N/A	2,146
2013-14	4,800	N/A	3,299	519	82	2,698
2014-15	3,600	N/A	3,669	355	299	3,015
2015-16	3,513	N/A	4,024	810	349	2,865
2016-17	4,550	N/A	4,907	1,333	503	3,071
2017-18	4,120	N/A	4,309	432	233	3,644
2018-19	4,060	N/A	3,204	913	121	2,170

**Health—screening procedures  
(Question No 3033)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 5 June 2020:

- (1) How many breast screening procedures have been performed in the period between 1 January and 30 April 2020 and how does this compare with the same periods in (a) 2019, (b) 2018, (c) 2017, (d) 2016 and (e) 2015.
- (2) How many ovarian cancer screening procedures have been performed in the period between 1 January and 30 April 2020 and how does this compare with the same periods in (a) 2019, (b) 2018, (c) 2017, (d) 2016 and (e) 2015.
- (3) How many prostate cancer screening procedures have been performed in the period between 1 January and 30 April 2020 and how does this compare with the same periods in (a) 2019, (b) 2018, (c) 2017, (d) 2016 and (e) 2015.
- (4) How many bowel cancer screening procedures have been performed in the period between 1 January and 30 April 2020 and how does this compare with the same periods in (a) 2019, (b) 2018, (c) 2017, (d) 2016 and (e) 2015.
- (5) What impact has COVID-19 had on the performance of cancer screening procedures in the ACT.
- (6) When is it likely that cancer screening procedures occur at the same rate as before COVID-19.
- (7) What actions is the Government taking to target high risk areas of the community to encourage them to be tested.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1)-(7) Please refer to the response to QON No 4 of the Select Committee into the COVID-19 pandemic response at [Attachment A](#).

*(A copy of the attachment is available at the Chamber Support Office).*

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**Land—tax rebate scheme  
(Question No 3035)**

**Ms Le Couteur** asked the Treasurer, upon notice, on 5 June 2020:

- (1) In relation to rebates to land tax for lessors who reduce rent for COVID-19 affected tenants, how many lessors have accessed the land tax rebate scheme.
- (2) Does the ACT Government have information about the value of these discounts and the location of the dwellings they apply to; if so, can the Minister provide information about the number of dwellings and the value of the land tax discounts for each suburb in Canberra where there are lessors participating in the scheme.

**Mr Barr:** The answer to the member's question is as follows:

The number of applications and their value, as at 11 June 2020, are shown in the table below. Due to low numbers in some suburbs, the information is shown by district.

District	Number of approved applications	Value of approved applications
Inner South	25	\$31,035
Woden	24	\$27,305
Tuggeranong	21	\$25,053
Weston/Molonglo	12	\$13,751
Inner North	53	\$57,076
Belconnen	63	\$68,552
Gungahlin	44	\$52,802
<b>TOTAL</b>	<b>242</b>	<b>\$275,573</b>

### **Arts—local artists and performers (Question No 3036)**

**Ms Le Couteur** asked the Minister for Tourism and Special Events, upon notice, on 5 June 2020:

- (1) What proportion of entertainment and art was provided by local artists and performers at this year's Enlighten festival.
- (2) What proportion of the entertainment and art program for Floriade this year had been planned to be provided by local artists.
- (3) What measures, if any, have been undertaken to support paid entertainers and artists who may have been originally booked for Floriade 2020 prior to the decision to cancel it
- (4) What formula, if any, is used to calculate the payment to artists and entertainers who perform at ACT Government-funded events and does this differ across different types of events; if so, how.

**Mr Barr:** The answer to the member's question is as follows:

- (1) Across the 2020 Enlighten Festival program, 88 per cent of artists and performers were from the ACT.
- (2) Floriade and NightFest annually engage 96 school and community groups – with more than 4,853 individual artists, school group performers, community group performers, workshop providers and professional performers over the 30 days.

Approximately 80 per cent of these performers are from the ACT, with the remainder from the surrounding region or elsewhere in NSW.

- (3) As a result of the COVID-19 pandemic, Floriade will not proceed in its traditional format in Commonwealth Park this year. However, the event has not been cancelled. It will be delivered via a re-imagined format, including garden bed plantings and potted sites at locations across Canberra, along with online programming. Work on revised programming for the 2020 event is currently underway.



No professional artists or performers had been engaged for Floriade in 2020 when the decision was made to deliver the event in a different format.

Through Floriade Reimagined, the intent is to provide opportunities to professional artists and performers through the online event offering. This includes authors, workshop presenters and artists that would have otherwise been engaged in the traditional event format.

Local community groups typically involved in the event as performers are instead participating through the Floriade Bloom community program and by planting bulbs and annuals around Canberra.

- (4) While no set formula is used or applicable, professional artists and entertainers are paid as per industry rates, with many of these performers represented by agents who negotiate an agreement on their behalf.

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### **Motor vehicles—hail damage (Question No 3043)**

**Ms Le Couteur** asked the Minister for Recycling and Waste Reduction, upon notice, on 5 June 2020 (*redirected to the Minister for Planning and Land Management*):

- (1) In relation to hail damaged cars in paddocks in the Majura Valley, is a development application required for car storage in this location.
- (2) Was a development application sought for a car storage facility in this location.
- (3) Does the Government have information about how long the vehicles are likely to stay in their current location; if so, can the Minister provide details.
- (4) What is the approach to dealing with these vehicles, will they be recycled and are they able to be roadworthy again.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) No.
  - (2) No.
  - (3) Most recent advice is that all vehicles will be removed by the end of July 2020.
  - (4) The vehicles are currently in the possession of an insurance company. I understand that the vehicles are being auctioned and depending on how the buyer intends to use the vehicle there are a number of different purposes that could be intended for the vehicles such as, re-registering a vehicle for road use, wrecking a vehicle for parts, crushing a vehicle for scrap metal or even export purposes. Buyers range from repairers, dealers, recyclers, exporters and private buyers. Some vehicles may still be road worthy if they meet the criteria issued by a local jurisdiction. Other vehicles have limited capability for future uses including those that are deemed statutory write offs.
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## Questions without notice taken on notice

### Business—COVID-19

**Mr Barr** (*in reply to a supplementary question by Mr Wall on Thursday, 7 May 2020*):

Restrictions for real estate and open homes were eased on 8 May 2020. Further information is available at <https://www.covid19.act.gov.au/faqs/faqs-changes-to-restrictions-8-may-2020#Real-Estate-and-Open-Homes>.

### Emergency services—COVID-19

**Mr Barr** (*in reply to a supplementary question by Mr Coe on Thursday, 7 May 2020*):

The ACT Public Service has adapted quickly and effectively to significant changes in working conditions brought about by the COVID-19 pandemic. To support this, a suite of guidance material has been produced providing advice about working from home; how social distancing and hygiene measures can be implemented in specific work environments; and managing the psychosocial hazards that may arise from the sudden changes to work. No changes to EBAs were required to facilitate these changes.

For hospital nursing staff parameters were provided for those who were at a potentially greater risk of complications from COVID-19 along with areas that were identified as higher risk COVID-19 zones. Discussions were held with any staff who expressed concern or were at a potentially greater risk and, where appropriate, the option to be redeployed to another area or transition to work from home was provided.

Transport Canberra and City Services (TCCS) centralised the management and coordination of all COVID-19 leave within its People and Capability Branch and each case has been assessed based on individual merit. Employees who were a primary carer for a school aged child have, largely negotiated local arrangements that enable them to work remotely and flexibly. Where flexible work has not been practicable given the nature of the role, COVID-19 leave has been extended through the centralised HR arrangements.

TCCS has taken proactive steps to communicate with, and actively support, its employees in accessing their entitlements. This has been led through Director-General messaging, regular workforce engagement, pulse surveys, safety assessments, consultation with union officials and the establishment of a Human Resources hotline and a 1800 hotline staffed 24/7 by registered nurses.

The Education Directorate has undertaken extensive consultation with the Australian Education Union in relation to staff entitlements and working arrangements to support the teaching workforce as we manage our response to the COVID-19 pandemic.

From March, and consistent with whole of government advice, staff were able to request and access flexible working arrangements consistent with ACTPS Enterprise Agreements and the ACTPS Flexible Work Policy. This approach facilitated home-based work arrangements for most public-school teachers during the period of pupil-free days and remote learning.

### Hospitals—performance data

**Ms Stephen-Smith** (*in reply to a question and a supplementary question by Mr Wall on Thursday, 7 May 2020*):

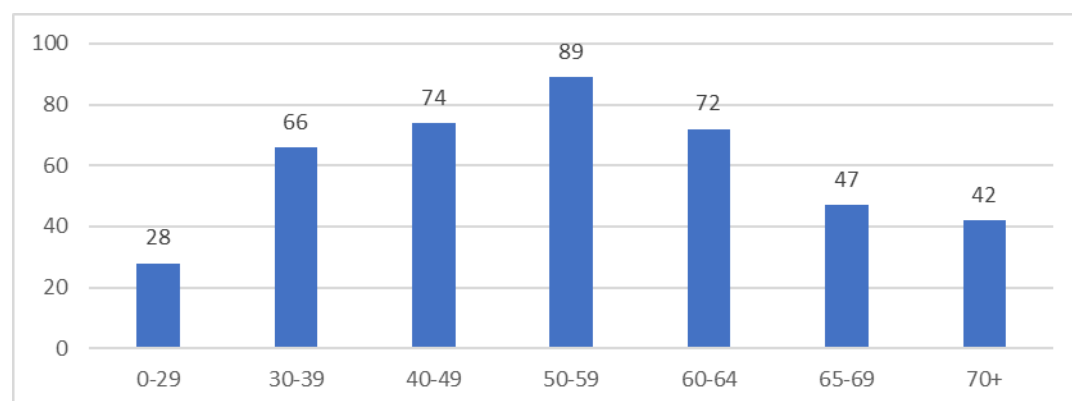
1. My Office received the draft Quarterly Performance Report (QPR) on Wednesday 31 March 2020. On Thursday 1 April 2020, I approved the publication of the QPR pending additional information and analysis being provided by the ACT Health Directorate (ACTHD). My Office received the additional information on Friday 17 April 2020 and approved the release of the report on Monday 20 April 2020.
2. The QPR is coordinated and published by the ACTHD. The development of the report is a collaborative effort across our public health services, with much of the data provided by the health services. At the time of finalisation of the 2019 20 Quarter 2 QPR, key health services personnel and ACTHD staff were being re prioritised to manage the COVID-19 public health emergency.

### Schools—COVID-19

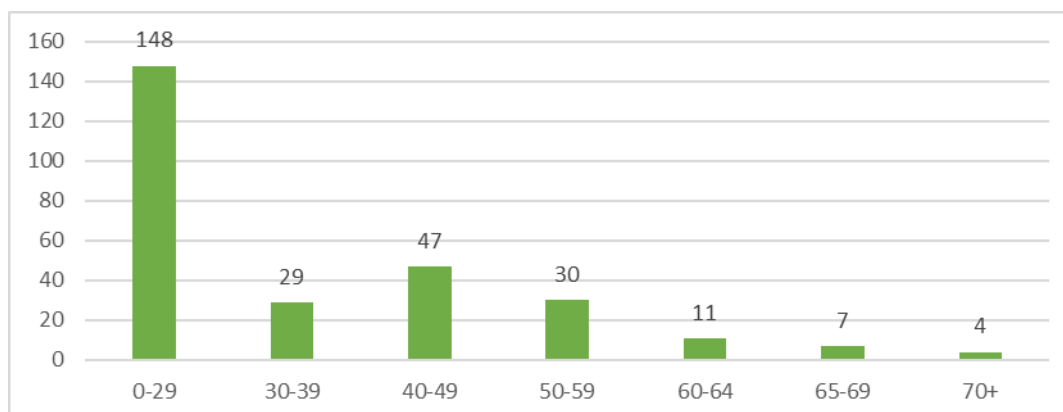
**Ms Berry** (*in reply to a question and a supplementary question by Mr Milligan on Thursday, 7 May 2020*):

- 1) The Education Directorate does not centrally record the health or medical conditions of employees. The age profile of casual classroom teachers and school assistants are provided below:

#### a) Casual classroom teachers

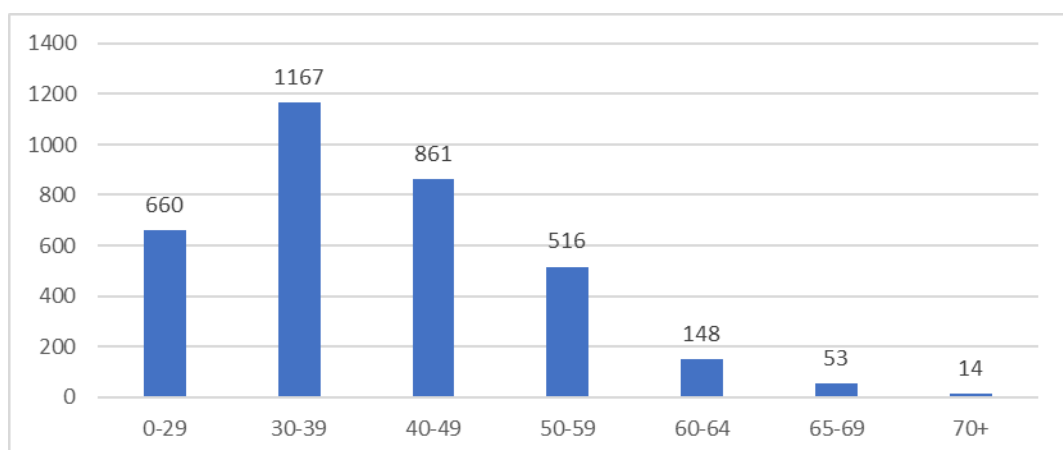


## b) Casual school assistants

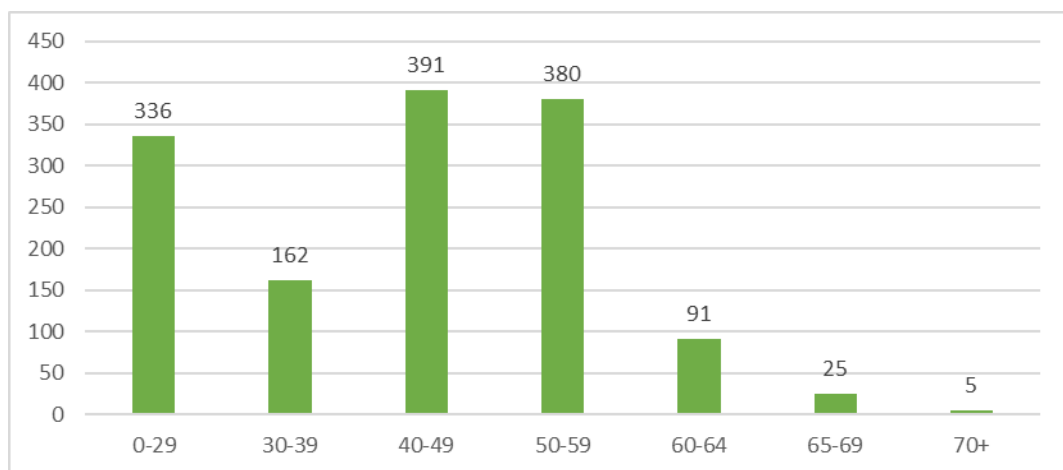


- 2) The Education Directorate does not centrally record the health or medical conditions of employees. The age profile of permanent and temporary classroom teachers and school assistants are provided below:

## a) Permanent and temporary classroom teachers



## b) Permanent and temporary school assistants



- 3) The Directorate is committed to supporting vulnerable staff members through flexible working arrangements as appropriate.

### **Sport—COVID-19**

**Ms Berry** (*in reply to a supplementary question by Mr Milligan on Thursday, 21 May 2020*):

While I cannot confirm at what stage of the eased restrictions the maintenance and upgrades at the facilities will be completed ACT Property Group are working to expediate the required maintenance works. By commencing the works during the current closures ACT Property Group aims to reduce closures and downtime for the facilities in the future. The current schedule of work will see the maintenance and upgrades completed as follows:

<u>Pool:</u>	<u>Completion Date:</u>
Tuggeranong	31 July 2020
Gungahlin	31 July 2020
Canberra Olympic	30 May 2020

### **Planning—development applications**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mr Parton on Thursday, 21 May 2020*):

Three.

### **Mental health—patient follow-up**

**Mr Rattenbury** (*in reply to a question and a supplementary question by Mr Milligan on Thursday, 21 May 2020*):

1. This person left the Canberra Hospital Emergency Department (ED) after being taken there for a mental health assessment. Normal ED security measures were in place, however there were no clinical indications that he was of a high risk of absconding.
2. On that day, the Adult Mental Health Unit (AMHU) was operating at full capacity, and appropriately staffed. The capacity of AHMU was not related to the patient absconding from the ED.

### **Business—COVID 19**

**Ms Orr** (*in reply to a question and a supplementary question by Mr Wall on Thursday, 21 May 2020*):

There are a number of hand sanitiser sourcing arrangements, both pre-existing and newly established to meet demands under the COVID-19 Pandemic.

Prior to the Pandemic general office supplies of hand sanitiser were sourced through the whole of ACT Government stationery contract supplied by national companies COS and WINC. In addition, Canberra Health Services (CHS) procured a broader range of hand sanitiser for its specific needs, most notably the 3M product Avagard, which meets a higher specification suitable for hospital use.

Due to excessive national demand resulting from the COVID-19 response it became necessary to supplement these standing arrangements with additional sourcing. In discussion with Procurement ACT it was determined that the Emergency Services Agency (ESA) would lead a further whole of ACT Government sourcing initiative and co-ordinate delivery to ensure prioritisation of front line workers.

ESA struck a contract with local Kambah supplier Underground Spirits for the production and supply of 24,000 litres of WHO spec, TGA approved hand sanitiser for \$273,000. 12,000 litres have been allocated to CHS and 12,000 to ESA and other government agencies. The delivered cost of this product is approx. \$15/litre, which is very competitive with current market offers.

In parallel the Education Directorate purchased 17,000 bottles of hand sanitiser and ongoing school supply from Chemworks, a Canberra based Supply Nation certified Indigenous business. This procurement was in conjunction with broader hygiene products and utilised market knowledge from a recent cleaning services and supplies tender.

None of the mentioned procurements relate to a Victorian supplier.

The ACT Government's Local Industry Participation Policy (LIPP) has been in effect since January 2017. The LIPP applies to all goods, services and works procurements. The LIPP requires Territory Entities to consider local capability and the broader economic benefits for the Canberra Region as part of determining the best available procurement outcome. The LIPP is consistent with the Territory's national and international obligations ensuring equal and transparent access to government procurement opportunities to all respondents regardless of place of origin.

To ease financial hardship to small to medium businesses the ACT Government is expediting the payment of bills to provide cashflow support. More than 90 per cent of invoices processed through Shared Services are being paid within 14 days of the date of receipt.

To support the local economy the ACT Property Group Project Team staff are continuing to project manage existing projects and where possible, facilitate and procure new projects. ACT Property Group is managing the delivery of close to 70 projects funded through the COVID-19 Stimulus fast-track program, and Procurement ACT is supporting agencies in the rapid engagement of contractors to deliver these projects.

## **Business—development**

**Mr Barr** (*in reply to a question by Ms Lee on Thursday, 4 June 2020*):

In 2018 the City Renewal Authority developed the Braddon Place Plan and the *Dickson Place Plan*. A place plan is a community-led process that identifies a place's character and sets out actions to make the place even better. As a community-led process creating a place plan process involves significant community engagement.

The Braddon Place Plan was developed between March and August 2018 and was released in January 2019.

The Dickson Place Plan was developed between March and August 2018 and was released in December 2018.

The community engagement conducted to develop both place plans is set out in the following table.

Place Plan	Event/s	Participation
<b>Braddon</b>	March to August 2018: <ul style="list-style-type: none"> <li>• Trader workshop and door-to-door engagement</li> <li>• On-street engagement &amp; interviews</li> <li>• Hello Braddon! – community event</li> </ul>	Received 312 responses: <ul style="list-style-type: none"> <li>• 46 from traders, predominately in face-to-face engagement</li> <li>• 41 from residents and visitors through on-street interviews</li> <li>• 225 responses during the Hello Braddon community event</li> </ul>
	Braddon Trader meetings were held on 31 Jan 2019 & 1 February 2019 – all Braddon traders were invited to attend.	14 attended and participated in the workshops including representatives from: <ul style="list-style-type: none"> <li>• Tipsy Bull</li> <li>• Lonsdale St Roasters</li> <li>• Grease Monkeys</li> <li>• Bitten Good Foods</li> <li>• Newcastle Studios</li> <li>• Sancho's Dirty Laundry</li> <li>• Cruelty Free Shop</li> <li>• Baked on</li> <li>• Design Community</li> <li>• Naked Foods</li> <li>• Good Work Canberra</li> <li>• YESFest Organiser</li> <li>• Bytes + Colours</li> <li>• KYO</li> </ul>
	The <i>Braddon Place Plan</i> was released in January 2019. Copies were provided to stakeholders, placed in key locations in Braddon and on the City Renewal Authority website.	Approximately 60 residents and business representatives attended and provided feedback.
	In addition, the Authority held an information session on 31 January 2019 to present the place plan and receive feedback.	

	Braddon Ideas & Actions workshop – Braddon Town Team on 13 February 2019	Approximately 18 residents and business representatives attended. Businesses and organisations recorded were: <ul style="list-style-type: none"> <li>• Reid Residents Association</li> <li>• Timber + Tailor</li> <li>• Cruelty Free Shop</li> <li>• The Braddon Project</li> </ul>
	The Authority also received a number of public comments and submissions via email.	
<b>Dickson</b>	Community Street Party – event and workshop on 27 April 2018.	Approximately 350 people attended with 12 local businesses participating and providing entertainment, food and activities.  147 comments were received as part of the open workshop and several on-going discussions were generated as a result of the ideas.
	Ideas and Actions workshop – resident and business workshop on 10 May 2018.	38 residents and businesses participated including a wide range of younger and older people.
	Woolley Street Project – between September 2019 and November 2019 Feedback from the community on the project included: <ul style="list-style-type: none"> <li>• Regular face-to-face interviews with the people on Woolley Street</li> <li>• Post-project interviews with local businesses</li> <li>• Online survey</li> <li>• Evaluation of social media comments and sentiment</li> </ul>	
	In addition, visits to businesses and briefings for community groups were provided.	