

# INTERIM REPORT 1

SELECT COMMITTEE ON THE COVID-19 PANDEMIC RESPONSE

MAY 2020



# 1 INTERIM RECOMMENDATIONS OF THE COMMITTEE

- 1.1 The Legislative Assembly for the ACT established a select committee to consider and report to the Assembly on any matter relating to the ACT Government's health and financial response and any other matter relating to the COVID-19 Pandemic as it relates to the ACT.
- 1.2 The Committee has held public hearings on 9, 16, 17, 23 and 30 April and on 1 and 8 May 2020. A list of witnesses the Committee heard from is available at Appendix A. The Committee intends to publish commentary and recommendations on a rolling basis.
- 1.3 The following recommendations are made to the ACT Government based on evidence already presented.

## WHOLE OF GOVERNMENT

- 1.4 The Committee believes that the Canberra community would appreciate better communication about a staged return to more normal community life. The Committee notes that some governments, such as the Northern Territory Government<sup>1</sup>, have outlined the steps involved in that process. These seem to provide more clarity to members of the public.
- 1.5 The Committee notes that the ACT Government is making announcements broadly aligned with the 'Steps' timetable from the National Cabinet. The ACT Government could consider providing a timeline associated with each 'Step'.

### Recommendation 1

- 1.6 The Committee recommends that the ACT Government prepare and publish a step-by-step process for easing restrictions in the Territory along the lines of the one prepared by the Northern Territory Government.**

<sup>1</sup> <https://coronavirus.nt.gov.au/steps-to-restart>

## HOUSING

- 1.7 The Committee heard evidence on 9 and 23 April about the pressures the pandemic and accompanying economic effects are having on the homeless and on vulnerable tenants and the need for additional community housing.

### **Recommendation 2**

- 1.8 The Committee recommends that the ACT Government remove the current 100-property limit on the land tax concession scheme for landlords, who rent their properties through a community housing provider at an affordable rent to low and moderate income tenants, and make this scheme permanent.**

- 1.9 The Committee heard evidence on 9 and 23 April about the difficulties some landlords and renters are having reaching agreement on altered arrangements to reflect the current situation. The Committee notes the mediation role being taken by the newly appointed COVID-19 Local Business Commissioner for commercial leases and sees the need for similar facilities for residential tenancies.

- 1.10 The Committee notes that the government has just funded the Conflict Resolution Service to provide mediation services for tenants.

### **Recommendation 3**

- 1.11 The Committee recommends that the ACT Government contact all landlords and tenants that have had their email details recorded when a bond was lodged to inform them of the supports available for renters and landlords alike.**

### **Recommendation 4**

- 1.12 The Committee recommends that the ACT Government create and make available a standard terms and rights document for tenants and landlords to assist them in understanding changes due to COVID-19.**

## Recommendation 5

- 1.13 The Committee recommends that the ACT Government establish a tenant transfer system to allow for easier and more convenient change of tenants and retrieval of bonds for members of group houses.**

## DEBTS

- 1.14 The Committee heard concerns from ACT Shelter and the Tenants' Union regarding rental debts that may be being accrued as a result of job losses or a loss of working hours. There is presently no framework or government-provided structure for how these debts should be repaid. As it stands, when the Residential Tenancies (COVID-19 Emergency Response) Declaration 2020 (the Declaration) expires any debts that are not repaid immediately could result in eviction proceedings being commenced. Mr Faulder from the Tenants' Union explained that if an amendment were made to the *Residential Tenancies Act 1997* that prohibited a lessor from issuing a termination for arrears accrued during the period of the Declaration that lessors could still go to ACAT seeking an order for repayments to be made.

## Recommendation 6

- 1.15 The Committee recommends that the ACT Government develop a framework for the repayment of any rental arrears accrued during the COVID-19 eviction moratorium.**

## Recommendation 7

- 1.16 The Committee recommends that the ACT Government develop a plan to prohibit a lessor or grantor from seeking termination solely on the basis of rent arrears accrued during the period covered by the Residential Tenancies (COVID-19 Emergency Response) Declaration 2020.**

## ENDING FIXED-TERM TENANCIES

- 1.17 The Committee heard concerns from the Tenants' Union that the Residential Tenancies (COVID-19 Emergency Response) Declaration 2020 does not include a provision to enable renters on fixed-term leases to more easily terminate a lease.

## **Recommendation 8**

- 1.18 The Committee recommends that the ACT Government explore a method for renters in fixed-term leases to terminate their tenancies during the COVID-19 emergency, such as by using the same mechanism available to people on periodic tenancies, i.e. by providing three weeks' notice.**

## HOUSING PROVISION

- 1.19 The Committee heard evidence from ACT Shelter about an increase in homeless people, especially older women, who had no support needs except for being unable to afford private accommodation. These were often women who had been successfully couch surfing for years but who had been asked to leave because of COVID-19 fears. Safe Shelter ACT talked about the increase in demand for their services due to increased unemployment.

## **Recommendation 9**

- 1.20 The Committee recommends that the ACT Government consider providing financial mechanisms to assist community housing providers in expanding their property holdings to provide accommodation for people eligible for community housing.**

## COMMUNITY SERVICES

- 1.21 The Committee heard from Anglicare on 23 April 2020 that Anglicare is seeing increased demand for its services but is seeing a reduction in its workforce as volunteers are seeking to limit their possible exposure to COVID-19. The Committee also heard evidence from ACTCOSS and Anglicare that organisations, including St Vincent de Paul, had hoped to be able to redeploy staff under JobKeeper, but have had considerable challenges in accessing funding because they received significant donations during the bushfire appeal.

## **Recommendation 10**

- 1.22 The Committee recommends that the ACT Government make all necessary representations to the Commonwealth to assist community service organisations to obtain COVID-19 funding.**

- 1.23 The Committee heard evidence from Anglicare that the Canberra Relief Network and associated hampers which Anglicare was helping deliver were ‘fantastic’. However, Anglicare raised that it was hoping to repurpose a number of its currently closed sites so that it could store food closer to where it needed to be delivered. It also raised the need for vehicles to help with the delivery.

## **Recommendation 11**

- 1.24 The Committee recommends that the ACT Government consider establishing a small infrastructure grants program to assist community organisations who may need extra support to help deliver services in response to COVID-19.**

## **Recommendation 12**

- 1.25 The Committee recommends that the ACT Government ensure that disability service providers, aged care homes and similar service providers have adequate supplies of personal protective equipment (PPE) to protect and reassure both clients and staff.**

## **Recommendation 13**

- 1.26 The Committee recommends that the ACT Government provide funding to enable service providers to shift to on-line delivery of services where possible.**

- 1.27 The Committee heard that OneLink’s opening hours are limited and that more people may need to be accessing its services.

## **Recommendation 14**

- 1.28 The Committee recommends that OneLink expand its opening hours so that it is available later at night and on weekends.**

- 1.29 The Committee heard that South Australia has a ‘Connections Week’, where once or twice a year community sector organisations prioritise meeting rough sleepers, understanding their needs and learning their names. By doing so, there is a ready list of names of rough sleepers which can be accessed at times of crisis. The Committee believes there would be value in prioritising this. This approach would also be useful if there happened to be an outbreak in any particular area in the ACT.

## Recommendation 15

**1.30 The Committee recommends that the ACT Government fund and participate in a Connections Week exercise at least twice a year to connect with rough sleepers and other people experiencing, or at risk of, homelessness and understand who they are and their individual circumstances and needs.**

1.31 The Committee heard that many rough sleepers are in the city - some distance from the primary testing venues at the Weston Creek Walk-in Centre and the EPIC drive-thru facility. Additional testing facilities, whether funded by the Commonwealth or the ACT, should priorities this area.

## Recommendation 16

**1.32 The Committee recommends the ACT Government prioritise the city centre as the next location for a COVID-19 testing facility, if testing facilities are expanded.**

1.33 The Committee raised concerns with the Chief Minister regarding the ongoing closure of libraries and the broad impact this was having, including for those who needed to access libraries for recreation, but also for computers for job and JobSeeker applications, or to use bathroom facilities. The Chief Minister noted that libraries were an area that, in the medium-term, and with appropriate physical distancing, the ACT Government could look towards reopening. The Committee notes that partial library re-opening has been announced.

## HEALTH

1.34 The Committee asked a range of questions about the decision to fund and build a pop-up emergency department on Garran Oval. The Committee has received a submission about this facility which notes that the development was not subject to the usual approvals.<sup>2</sup> The Committee further notes that despite an in-principle decision being made on 22 March 2020 to build the facility, Cabinet did not formally agree to the project until 16 April and the Contract for the project was not signed until 24 April, despite works commencing on 10 April.

1.35 The Committee notes the advice of the Health Minister that they are considering other possible uses for the Emergency Department on Garran Oval if it is not used for clinical uses during the COVID-19 health emergency.

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<sup>2</sup> Submission 02, James French, 5 May 2020.



## **Recommendation 17**

- 1.36 The Committee recommends that the ACT Government report regularly to the Legislative Assembly, and the Garran community, on any alternative uses proposed for the pop-up Emergency Department while it is on Garran Oval.**

## **Recommendation 18**

- 1.37 The Committee recommends that the ACT Government prepare plans for the future use of the pop-up emergency building once it is removed from Garran Oval.**

# **HOSPITALITY**

- 1.38 The Committee recognises that the hospitality sector is one of the hardest hit sectors. The Committee notes that National Cabinet has provided an outline for how the sector may reopen. To give confidence to consumers engaging with pubs, clubs and restaurants, it seems sensible that those employed in that sector have undertaken hygiene training specific to COVID-19, ideally before they reopen.**

## **Recommendation 19**

- 1.39 The Committee recommends that the ACT Government require that hospitality workers undertake hygiene training specific to COVID-19.**

## **Recommendation 20**

- 1.40 The Committee recommends that the ACT Government prepare rules for the reopening of cafes, restaurants and other venues such as provision of hand sanitiser, distancing between tables, and cleaning of premises.**

## **Recommendation 21**

**1.41 The Committee recommends that specific and targeted information is provided to patrons to ensure that social distancing measures are adhered to and highlighting the responsibility of each and every person.**

1.42 Representatives of different sectors of the hospitality industry: clubs, hotels and restaurants all gave evidence that opening venues based on a number rather than a ratio of people to floor space could be a serious disincentive for venues, especially large venues, to re-open. The Committee heard that a better approach might be to consider allowing venues to open with a proportion of their, already established, occupancy loadings. This might be a more flexible and effective approach than the steps currently suggested in the National Cabinet's Roadmap to a COVIDSafe Economy in Steps 2 and 3.

## **Recommendation 22**

**1.43 The Committee recommends the ACT Government continues to work with the hospitality and club sector on occupancy arrangements, informed by up to date health advice, particularly with a view to reopening venues and increasing employment in the sector.**

## **TOURISM**

1.44 The Committee notes that a considerable number of national and cultural institutions in the ACT have a very large physical footprint. The Committee notes that the National Cabinet's Roadmap to a COVIDSafe Economy suggests that 20 people in Step 2 and 100 people in Step 3 would be appropriate for museums and galleries. The Committee heard evidence that these institutions in the ACT could accommodate more than the numbers of people currently suggested in Steps 2 and 3 with appropriate physical distancing and one person per four square metres adhered to.

## **Recommendation 23**

**1.45 The Committee recommends the ACT Government give consideration as to whether the national and cultural institutions in the ACT could have a relevant patron limit set for them, informed by up to date health advice, particularly with a view to aiding tourism.**

## COMMERCIAL RATES

### **Recommendation 24**

**1.46 The Committee recommends that the ACT Government develop and communicate the criteria and process for applying for commercial rates waivers due to COVID-19 pandemic impacts.**

Mr Alistair Coe MLA

Chair

14 May 2020

# THE COMMITTEE

## COMMITTEE MEMBERSHIP

Mr Alistair Coe MLA

Ms Tara Cheyne MLA

Mrs Vicki Dunne MLA

Mr Michael Pettersson MLA

Ms Caroline Le Couteur MLA

## SECRETARIAT

Hamish Finlay	Committee Secretary
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## CONTACT INFORMATION

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## RESOLUTION OF APPOINTMENT

On 2 April 2020 the ACT Legislative Assembly resolved that:

(1) select committee be appointed to consider and report to the Assembly on any matter relating to the ACT Government's health and financial response and any other matter relating to the COVID-19 Pandemic as it relates to the ACT;

(2) the Committee be composed of:

- (a) two Members to be nominated by the Government;
- (b) two Members to be nominated by the Opposition; and
- (c) one Member to be nominated by the Greens;

to be notified in writing to the Speaker within two hours of this motion passing;

(3) an Opposition Member shall be elected chair of the Committee by the Committee;

(4) in conducting public hearings, the Committee shall be mindful of the Public Health Emergency declaration, including that:

(a) all efforts are made to minimise the time witnesses are required to be present by scheduling designated hearing times, advising in advance which witnesses the Committee wishes to call or topics that will be discussed, and other measures that minimise impact on essential government, business or organisational resources;

(b) where a public hearing is scheduled requiring Government ministers and/or officials:

(i) these are to be held no more than once per fortnight for a maximum of two hours, with no directorate to appear for more than an hour;

(ii) the Committee must advise of the directorates and officers required and the Committee's intended lines of inquiry no less than one week prior; and

(iii) hearings are not held at the same time as National Cabinet or a meeting of the ACT Government Cabinet;

(c) hearings are held virtually or via teleconference only; and

(d) the above provisions only apply during the Public Health Emergency declaration; and

(5) for the purposes of this Committee's operation, standing order 254D does not apply.

**On 7 May 2020**—at its meeting, the Assembly agreed the resolution be amended by omitting “paragraph (4)(b)(i)” and substituting by the following:

“(4)(b)(i) these are to be held no more than once a week for a maximum of two hours, with a minister or directorate to appear no more than once per fortnight for a maximum of one hour;”

## APPENDIX A - WITNESSES

### 9 APRIL 2020

- Dr Emma Campbell, CEO, ACT Council of Social Services
- Mr Craig Wallace, Policy Manager, ACT Council of Social Services

### 16 APRIL 2020

- Ms Rachel Stephen-Smith, MLA, Minister for Health
- Dr Kerryn Coleman, Chief Medical Officer, ACT Health Directorate
- Mr David Pepper, Deputy CEO, Strategy, Policy and Planning, Canberra Health Services

### 17 APRIL 2020

- Mr Andrew Barr MLA, Chief Minister and Treasurer
- Mr David Nicol, Under Treasurer
- Mr Jonathan Kobus, Executive Branch Manager, Visit Canberra, CMTEDD

### 23 APRIL 2020

- Mr Andrew Hannan, Regional Chair, Community Housing Industry Association (CHIA) ACT
- Ms Michelle Tynan, CEO, Real Estate Institute ACT
- Ms Adina Cirson, Executive Director ACT, Property Council of Australia
- Mr Joel Dignam, Executive Director, Better Renting
- Dr John Boersig, CEO, Legal Aid ACT
- Mr Brice Hamack, Solicitor, Legal Aid ACT
- Mr Jeremy Halcrow, CEO, Anglicare
- Ms Sarah Murdoch, Executive Officer, St Johns Care

### 30 APRIL 2020

- Mr Graham Catt, CEO, Canberra Business Chamber
- Mr Archie Tsirimokos, Chairman, Canberra Business Chamber

### 1 MAY 2020

- Ms Rachel-Stephen-Smith MLA, Minister for Health
- Dr Kerryn Coleman, Chief Health Officer, ACT Health Directorate

- Mr Dave Pepper, Deputy Chief Executive Officer, Canberra Health Services
- Mr Duncan Edghill, Chief Projects Officer, Major Projects Canberra
- Ms Bernadette McDonald, Chief Executive Officer, Canberra Health Services
  
- Mr Andrew Barr MLA, Chief Minister and Treasurer

## 8 MAY 2020

- Mr Richard Griffiths, Safe Shelter Coordinating Committee
- Ms Nicole Wiggins, Director, Early Morning Centre
- Mr Travis Gilbert, CEO, ACT Shelter
- Mr Charlie Faulder, Tenants' Union
- Mr Anthony Brierley, General Manager, Australian Hotels Association
- Mr Wes Lambert, CEO, Restaurant and Catering Australia
- Mr Gwyn Rees, CEO, Clubs ACT
- Ms Grace Flanagan, Organiser, United Workers Union
- Ms Lyndal Ryan, ACT Spokesperson, United Workers Union
- Mr Nishan Upasena, Member, United Workers Union
- Mr Gagandeep Singh, Member, United Workers Union
- Ms Veronica Paquibot, Member, United Workers Union
- Ms Sabrina Clarke, Member, United Workers Union
- Dr David Marshall, Chair, Canberra Region Tourism Leaders Forum and Canberra Region Tourism Leaders Advisory Forum
- Mr Michael Matthews, CEO, Canberra Convention Bureau
- Dr Naomi Dale, President, National Capital Attractions Association
- Mr Noel Langdon, Founding Director and Secretary, Cultural Attractions of Australia