



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

MINUTES OF PROCEEDINGS

No 51

WEDNESDAY, 21 MARCH 2018

1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms J. Burch) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PRIVILEGE—ALLEGED BREACH—STATEMENT BY SPEAKER

The Speaker made a statement concerning an alleged breach of privilege raised by Mr Wall in relation to certain aspects of the conduct of a witness before the Standing Committee on Economic Development and Tourism during its inquiry into annual and financial reports 2016-2017.

Paper: The Speaker presented the following paper:

Privilege—Alleged breach—Copy of letter from Mr Wall to the Speaker, dated 20 March 2018.

Having considered the matter, the Speaker concluded that the matter did not merit precedence over other business under standing order 276.

3 HEALTH (IMPROVING ABORTION ACCESS) AMENDMENT BILL 2018

Ms Le Couteur, pursuant to notice, presented a Bill for an Act to amend the *Health Act 1993*.

Paper: Ms Le Couteur presented an explanatory statement to the Bill.

Title read by Clerk.

Ms Le Couteur moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Fitzharris—Minister for Health and Wellbeing) and the resumption of the debate made an order of the day for the next sitting.



4 CHILD SEXUAL ABUSE

Mrs Kikkert, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) in the ABS's 2006 Personal Safety Survey, nearly 1.3 million Australians reported having experienced sexual abuse before the age of 15 (956 600 women and 337 400 men);
 - (b) this amounts to 12 per cent of women and 4.5 per cent of men;
 - (c) 9.5 per cent of those reporting sexual abuse before age 15 were under age 5 when abuse first occurred;
 - (d) research has demonstrated that child sexual abuse can affect brain development, psychological and social functioning, self-esteem, mental health, personality, sleep, health risk behaviours, including substance use, self-harm and life expectancy; and
 - (e) the economic cost of child abuse in Australia has been estimated to run into billions of dollars;
- (2) further notes that:
 - (a) since at least 1986, numerous experts have emphasised the need to better inform parents and other primary caregivers so that they can more effectively prevent and respond to child sexual abuse, with scholarly literature increasingly advocating for parent-focused child sexual abuse prevention efforts;
 - (b) well-informed parents and other primary caregivers are considered necessary in order to supplement school-based and other programs targeted at children because such parents and caregivers can:
 - (i) repeat and reinforce correct information;
 - (ii) aid in prevention by recognising risk factors and warning signs;
 - (iii) react helpfully to disclosure or discovery of abuse; and
 - (iv) relieve some of the burden of prevention currently placed on children;
 - (c) many Australian parents and other primary caregivers report feeling unprepared to teach correct and appropriate information to children, to recognise the signs of child sexual abuse or to respond correctly to suspected abuse;
 - (d) the Royal Commission into Institutional Responses to Child Sexual Abuse has recommended "prevention education for parents" that aims "to increase knowledge of child sexual abuse and its impacts, and build skills to help reduce the risks of child sexual abuse";

- (e) the Protecting Victoria’s Vulnerable Children Inquiry concluded that “more can be done to prevent child sexual abuse, particularly through the provision of information and education to parents and caregivers of children”, and observed that “the range of existing expertise and resources already available through organisations like Child Wise and Bravehearts would enable this action to be implemented without delay”; and
 - (f) the current *National Framework for Protecting Australia’s Children* states that “a focus on early intervention and prevention is more cost-effective in the long-term than responding to crises, or treating the impacts of abuse and neglect”; and
- (3) calls on the Government to:
- (a) at an appropriate time, provide all first-time parents and other primary caregivers in the ACT evaluated information packets that address child sexual abuse, including how to recognise offender tactics, potentially risky situations, and warning signs as well as how to helpfully respond to suspected abuse and actual discovery of abuse; and
 - (b) work with nationally recognised and accredited organisations such as Bravehearts and Child Wise to make sure that such information packets contain correct and appropriate information and reflect best practice.

Ms Stephen-Smith (Minister for Disability, Children and Youth) moved the following amendment: Omit all words after “(1) notes that”, substitute:

- “(a) in the ABS 2016 Personal Safety Survey, 1.4 million Australians aged 18 years and over reported having experienced sexual abuse before the age of 15;
 - (b) in Australia in 2016-17, 5861 children and young people were the subject of substantiated sexual abuse reports within families or out of home care;
 - (c) research has found that child sexual abuse can affect brain development, psychological and social functioning, self-esteem, mental health, personality, sleep, health risk behaviours including substance abuse, self-harm and life expectancy; and
 - (d) the economic cost of child abuse in Australia has been estimated by Access Economics to run into billions of dollars;
- (2) further notes that:
- (a) since at least 1986, numerous experts have emphasised the need to better inform parents and other primary caregivers so that they can more effectively prevent and respond to child sexual abuse, with scholarly literature increasingly advocating for parent-focused child sexual abuse prevention efforts;
 - (b) well-informed parents and other primary caregivers are considered necessary in order to supplement school-based and other programs targeted at children because such parents and caregivers can:

- (i) repeat and reinforce correct information;
 - (ii) aid in prevention by recognising risk factors and warning signs;
 - (iii) react helpfully to disclosure or discovery of abuse; and
 - (iv) relieve some of the burden of prevention currently placed on children;
- (c) many Australian parents and other primary caregivers report feeling unprepared to teach correct and appropriate information to children, to recognise the signs of child sexual abuse or to respond correctly to suspected abuse;
- (d) the *Royal Commission into Institutional Responses to Child Sexual Abuse* made 409 recommendations, including the development of a national strategy to prevent child sexual abuse which encompasses a range of initiatives including 'prevention education for parents delivered through day care, preschool, school, sport and recreational settings, and other institutional and community settings' that aims 'to increase knowledge of child sexual abuse and its impacts, and build skills to help reduce the risk of child sexual abuse';
- (e) other prevention initiatives recommended by the Royal Commission include social media campaigns to raise general community awareness; prevention education through preschool, school and other settings to increase children's knowledge; online education for children delivered via schools; online safety education for parents and other community members to better support children's safety online; prevention education for tertiary students before entering child-related occupations; and information and help-seeking services for parents and community members concerned about a possible perpetrator or possible child at risk;
- (f) the 2012 *Protecting Victoria's Vulnerable Children Inquiry* made 90 recommendations, one of which was that the Victorian Department of Education and Early Childhood Development 'should develop a wide-ranging education and information campaign for parents and caregivers of all school-aged children on the prevention of child sexual abuse';
- (g) the current *National Framework for Protecting Australia's Children 2009-2020*, to which the ACT Government is a signatory, cites research showing that 'a focus on early intervention and prevention is more cost-effective in the long-term than responding to crises, or treating the impacts of abuse and neglect';
- (h) the ACT Government has committed to issuing a formal response to the final report of the *Royal Commission into Institutional Responses to Child Sexual Abuse* by June 2018; and

- (i) the ACT Government provides information resources such as ParentLink's *Protecting Children from Sexual Abuse* and the ACT Government's *Keeping Children and Young People Safe—A Shared Community Responsibility Guide*, to support parents to recognise and respond to concerns of child abuse; and
- (3) calls on the ACT Government to:
- (a) continue to make information resources available to support parents to recognise and respond to concerns of child abuse; and
 - (b) ensure improved availability, distribution and promotion of the resources to parents and caregivers.”.

Debate continued.

Mr Coe (Leader of the Opposition) moved the following amendment to Ms Stephen-Smith's proposed amendment: Add new (3)(c):

- “(c) work with nationally recognised and accredited organisations, such as Bravehearts and Child Wise, to make sure that such information packets contain correct and appropriate information and reflect best practice.”.

Debate continued.

Amendment to amendment agreed to.

Amendment, as amended, agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) in the ABS 2016 Personal Safety Survey, 1.4 million Australians aged 18 years and over reported having experienced sexual abuse before the age of 15;
 - (b) in Australia in 2016-17, 5861 children and young people were the subject of substantiated sexual abuse reports within families or out of home care;
 - (c) research has found that child sexual abuse can affect brain development, psychological and social functioning, self-esteem, mental health, personality, sleep, health risk behaviours including substance abuse, self-harm and life expectancy; and
 - (d) the economic cost of child abuse in Australia has been estimated by Access Economics to run into billions of dollars;
- (2) further notes that:
 - (a) since at least 1986, numerous experts have emphasised the need to better inform parents and other primary caregivers so that they can more effectively prevent and respond to child sexual abuse, with scholarly literature increasingly advocating for parent-focused child sexual abuse prevention efforts;

- (b) well-informed parents and other primary caregivers are considered necessary in order to supplement school-based and other programs targeted at children because such parents and caregivers can:
 - (i) repeat and reinforce correct information;
 - (ii) aid in prevention by recognising risk factors and warning signs;
 - (iii) react helpfully to disclosure or discovery of abuse; and
 - (iv) relieve some of the burden of prevention currently placed on children;
- (c) many Australian parents and other primary caregivers report feeling unprepared to teach correct and appropriate information to children, to recognise the signs of child sexual abuse or to respond correctly to suspected abuse;
- (d) the *Royal Commission into Institutional Responses to Child Sexual Abuse* made 409 recommendations, including the development of a national strategy to prevent child sexual abuse which encompasses a range of initiatives including 'prevention education for parents delivered through day care, preschool, school, sport and recreational settings, and other institutional and community settings' that aims 'to increase knowledge of child sexual abuse and its impacts, and build skills to help reduce the risk of child sexual abuse';
- (e) other prevention initiatives recommended by the Royal Commission include social media campaigns to raise general community awareness; prevention education through preschool, school and other settings to increase children's knowledge; online education for children delivered via schools; online safety education for parents and other community members to better support children's safety online; prevention education for tertiary students before entering child-related occupations; and information and help-seeking services for parents and community members concerned about a possible perpetrator or possible child at risk;
- (f) the 2012 *Protecting Victoria's Vulnerable Children Inquiry* made 90 recommendations, one of which was that the Victorian Department of Education and Early Childhood Development 'should develop a wide-ranging education and information campaign for parents and caregivers of all school-aged children on the prevention of child sexual abuse';
- (g) the current *National Framework for Protecting Australia's Children 2009-2020*, to which the ACT Government is a signatory, cites research showing that 'a focus on early intervention and prevention is more cost-effective in the long-term than responding to crises, or treating the impacts of abuse and neglect';
- (h) the ACT Government has committed to issuing a formal response to the final report of the *Royal Commission into Institutional Responses to Child Sexual Abuse* by June 2018; and

- (i) the ACT Government provides information resources such as ParentLink’s *Protecting Children from Sexual Abuse* and the ACT Government’s *Keeping Children and Young People Safe—A Shared Community Responsibility Guide*, to support parents to recognise and respond to concerns of child abuse; and
- (3) calls on the ACT Government to:
- (a) continue to make information resources available to support parents to recognise and respond to concerns of child abuse;
 - (b) ensure improved availability, distribution and promotion of the resources to parents and caregivers; and
 - (c) work with nationally recognised and accredited organisations, such as Bravehearts and Child Wise, to make sure that such information packets contain correct and appropriate information and reflect best practice.”—
- be agreed to—put and passed.

5 GENDER EQUALITY

Ms Cheyne, pursuant to notice, moved—That this Assembly:

- (1) notes the strength, determination and talent of Canberra women, who support and lead our community across all fields of industry, public administration, health, education, the arts, sport, and the community sector;
- (2) celebrates:
 - (a) progress being made in addressing gender inequality, while noting that women still face social and economic barriers to their full and free participation in society, including workplace inequality, domestic, family and intimate partner violence, and unequal distribution of family and household responsibilities; and
 - (b) the diversity of the ACT community, including all gay, lesbian, bisexual, transsexual, intersex and questioning individuals;
- (3) acknowledges the work of community organisations in the ACT in supporting women and advocating for their rights;
- (4) further notes the ongoing work of the ACT Government to promote true gender equality and to support women and girls to reach their full potential, including by:
 - (a) providing access to specialist health services;
 - (b) expanding women’s health infrastructure and improving accessibility, through the expansion of the Centenary Hospital and new nurse-led Walk-in Centres;
 - (c) promoting women’s participation in sports through grants and high profile sporting events and improving access to appropriate sporting facilities; and
 - (d) recognising the barriers to women in the workplace by improving Government board and public sector representation;

- (5) supporting people's reproductive health by having clear and defined policies on reproductive health, providing support for accessing termination services, and continuing to work to identify and address barriers to accessing termination services for Canberrans, including affordability;
- (6) encourages all Members of the Legislative Assembly to:
 - (a) make personal and professional pledges to promote gender equality in their lives; and
 - (b) call out instances of gender inequality and gender-based harassment that they see to support victims and promote a culture of respect; and
- (7) calls on the Government to:
 - (a) continue to drive outcomes in the Women's Action Plan 2017-2019 with adequate resources and the Safer Families package and report on the progress being made against those commitments;
 - (b) commit to reviewing and amending part 6 of the *Health Act 1993*;
 - (c) commit to reviewing and improving access to reproductive health services including contraception, abortion and termination services; and
 - (d) continue to deliver health services that meet the specific needs of women.

Debate ensued.

Question—put and passed.

6 PRESENTATION OF PAPER

The Speaker presented the following paper:

Privilege—Alleged breach—Events at Standing Committee on Economic Development and Tourism Hearing of 6 November 2017—Procedural advice from the Acting Clerk of the Legislative Assembly, dated 21 March 2018.

7 QUESTIONS

Questions without notice were asked.

8 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Mrs Jones from 22 March to 17 September 2018 for maternity leave.

Question—put and passed.

9 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—MEMBERSHIP

Mr Wall, pursuant to standing order 223, moved—That Mrs Jones be discharged from the Standing Committee on Justice and Community Safety and Ms Lawder be appointed in her place.

Question—put and passed.

10 PRESENTATION OF PAPER

The Speaker presented the following paper:

Government Agencies (Campaign Advertising) Act, pursuant to subsection 20(1)—Independent Reviewer—Report for the period 1 July to 31 December 2017, dated 15 March 2018, prepared by Professor Dennis Pearce.

11 WARAMANGA—PROVISION OF PLAYGROUND

Mr Hanson, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) playgrounds provide an important amenity for communities and families;
 - (b) Waramanga shops has no playground;
 - (c) the lack of adequate playground infrastructure across Weston Creek;
 - (d) the benefit to Waramanga and the broader Weston Creek community that would come from a new playground at the Waramanga shops;
 - (e) the Waramanga community has put forward a comprehensive proposal for a playground at Waramanga shops;
 - (f) the significant community consultation and petition conducted by the Waramanga community;
 - (g) the mixed signals about the proposal from the ACT Government; and
 - (h) the 50th Anniversary of Waramanga in 2018; and
- (2) calls on the ACT Government to work with the Waramanga community to progress the establishment of a new Waramanga playground in the 2018-19 budget.

Ms Le Couteur moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes that:
- (a) playgrounds provide an important amenity for communities and families;
 - (b) investment in public infrastructure like playgrounds provides social and economic benefits to the wider community;
 - (c) playgrounds provide an accessible play environment for children to exercise both their bodies and their creativity, leading to tangible and provable developmental outcomes for children through dexterity, cognitive growth, and socialisation;
 - (d) research suggests that access to playspaces with installations to guide physicality can result in a 25% increase in children’s physical activity;

- (e) playgrounds serve an important role for all community members, acting as a space of social connectivity and giving people tools to socialise naturally—a space for jogging, a regular meeting place for parents, or for holding events such as birthday parties; and
 - (f) the ACT Government maintains 507 playgrounds across Canberra, playgrounds are prioritised for upgrade utilising recommendations from annual audits along with current demographic, spatial and social information, and that this process ensures that safety standards are maintained and public investments are suitably targeted;
- (2) congratulates the Waramanga community on preparing a comprehensive submission for their proposed playground and their dedication to local community activism;
 - (3) acknowledges how hard the Waramanga community has been working together to support this initiative, and how uplifting and inspiring to local residents this grassroots campaign has been;
 - (4) acknowledges that:
 - (a) Waramanga shops does not have a playground or kid-friendly playspace;
 - (b) Waramanga has four existing playgrounds and another four are located close by in the neighbouring suburbs of Stirling and Fisher;
 - (c) the Waramanga community has been running a campaign for two years to have a new playground built at the Waramanga shops in the lead-up to this year's Waramanga and Weston Creek 50th anniversary on 4 June 2018;
 - (d) like many other Canberra suburbs built in the 1960s and 1970s, Waramanga's local infrastructure, including playgrounds, is getting older;
 - (e) the Waramanga community has conducted extensive consultation and campaigning on the importance of a playground at the local shops, including a local Block Party;
 - (f) the Waramanga community brought a petition of 377 residents to the Assembly on 8 June 2017, sponsored by Mr Steel MLA who noted that the 'Government will continue to engage with [the Waramanga community] on the project as [they] continue to build community support';
 - (g) in their 2018-19 budget submission, Weston Creek Community Council noted as one of their priorities for the next budget the need for a new playground in Waramanga as a result of the community's 'changing demographic' and noting that the local playground at Arawang School is 'behind the new fences at the school' and inaccessible to the local community; and
 - (h) the Waramanga community has collaborated with an award-winning playground designer to propose a number of high quality possible designs for the playground, with built-in multi-phase implementation plans for each design;

- (5) further notes:
- (a) on average, the ACT Government has built five new playgrounds each year for the past six years;
 - (b) the ACT Government contributes a sizable portion of the City Services budget to playgrounds each budget including:
 - (i) \$1 812 000 in 2017-18;
 - (ii) \$3 217 000 in 2016-17;
 - (iii) \$1 354 000 in 2015-16; and
 - (iv) \$1 459 000 in 2014-15;
 - (c) this budget excludes the substantial other investments made in playgrounds across Canberra by the Suburban Land Agency and the City Renewal Authority in new suburbs and city precinct;
 - (d) a number of other local communities have likewise campaigned for improvements to their local playgrounds over the last two years, including:
 - (i) the Greenway community bringing a petition of 185 residents to the Assembly on 20 February 2018;
 - (ii) the Torrens community bringing a petition of 713 residents to the Assembly on 30 November 2017;
 - (iii) the Higgins community bringing a petition of 203 residents to the Assembly on 17 August 2017;
 - (iv) the Farrer community bringing a petition of 540 residents to the Assembly on 1 August 2017; and
 - (v) the Giralang community bringing a petition of 107 residents to the Assembly on 11 May 2017; and
 - (e) the budget process for playgrounds needs to balance the need for new playgrounds with major upgrades and ongoing minor maintenance of over 500 existing playgrounds in the ACT; and
- (6) calls on the ACT Government to:
- (a) continue to investigate community engagement strategies to connect communities with the future of their local infrastructure and guide local priorities, through deliberative democracy mechanisms including the Better Suburbs project and conducting a participatory budgeting pilot no later than the 2019-20 Budget cycle;
 - (b) investigate co-funding options to allow local communities and businesses to support infrastructure projects like playgrounds and parks;
 - (c) continue to ensure that playgrounds are provided equitably across Canberra and allow all Canberrans to access green—and play—spaces within walking distance of where people live, work and shop;

- (d) investigate expanding ‘adopt a park’ programs to support, with both finance and services, communities to improve and maintain local infrastructure; and
- (e) continue to work with the Waramanga community to develop a way forward for a new playground at Waramanga shops.”.

Debate continued.

Ms Fitzharris (Minister for Transport and City Services) moved the following amendment to Ms Le Couteur’s proposed amendment: Add new (6)(f):

- “(f) consider an ongoing mechanism for maintenance, upgrade and establishment of playgrounds across Canberra as part of the Better Suburbs project.”.

Debate continued.

Mr Hanson moved the following amendment to Ms Fitzharris’ proposed amendment to Ms Le Couteur’s proposed amendment: Add new (6)(g) and 6(h):

- “(g) commit to the establishment of a new playground at Waramanga shops; and
- (h) report back to the Assembly on progress by July 2018.”.

Debate continued.

Amendment to amendment to amendment agreed to.

Amendment, as amended, to amendment agreed to.

Amendment, as amended, agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
 - (a) playgrounds provide an important amenity for communities and families;
 - (b) investment in public infrastructure like playgrounds provides social and economic benefits to the wider community;
 - (c) playgrounds provide an accessible play environment for children to exercise both their bodies and their creativity, leading to tangible and provable developmental outcomes for children through dexterity, cognitive growth, and socialisation;
 - (d) research suggests that access to playspaces with installations to guide physicality can result in a 25% increase in children’s physical activity;
 - (e) playgrounds serve an important role for all community members, acting as a space of social connectivity and giving people tools to socialise naturally—a space for jogging, a regular meeting place for parents, or for holding events such as birthday parties; and

- (f) the ACT Government maintains 507 playgrounds across Canberra, playgrounds are prioritised for upgrade utilising recommendations from annual audits along with current demographic, spatial and social information, and that this process ensures that safety standards are maintained and public investments are suitably targeted;
- (2) congratulates the Waramanga community on preparing a comprehensive submission for their proposed playground and their dedication to local community activism;
- (3) acknowledges how hard the Waramanga community has been working together to support this initiative, and how uplifting and inspiring to local residents this grassroots campaign has been;
- (4) acknowledges that:
 - (a) Waramanga shops does not have a playground or kid-friendly playspace;
 - (b) Waramanga has four existing playgrounds and another four are located close by in the neighbouring suburbs of Stirling and Fisher;
 - (c) the Waramanga community has been running a campaign for two years to have a new playground built at the Waramanga shops in the lead-up to this year's Waramanga and Weston Creek 50th anniversary on 4 June 2018;
 - (d) like many other Canberra suburbs built in the 1960s and 1970s, Waramanga's local infrastructure, including playgrounds, is getting older;
 - (e) the Waramanga community has conducted extensive consultation and campaigning on the importance of a playground at the local shops, including a local Block Party;
 - (f) the Waramanga community brought a petition of 377 residents to the Assembly on 8 June 2017, sponsored by Mr Steel MLA who noted that the 'Government will continue to engage with [the Waramanga community] on the project as [they] continue to build community support';
 - (g) in their 2018-19 budget submission, Weston Creek Community Council noted as one of their priorities for the next budget the need for a new playground in Waramanga as a result of the community's 'changing demographic' and noting that the local playground at Arawang School is 'behind the new fences at the school' and inaccessible to the local community; and
 - (h) the Waramanga community has collaborated with an award-winning playground designer to propose a number of high quality possible designs for the playground, with built-in multi-phase implementation plans for each design;
- (5) further notes:
 - (a) on average, the ACT Government has built five new playgrounds each year for the past six years;

- (b) the ACT Government contributes a sizable portion of the City Services budget to playgrounds each budget including:
 - (i) \$1 812 000 in 2017-18;
 - (ii) \$3 217 000 in 2016-17;
 - (iii) \$1 354 000 in 2015-16; and
 - (iv) \$1 459 000 in 2014-15;
 - (c) this budget excludes the substantial other investments made in playgrounds across Canberra by the Suburban Land Agency and the City Renewal Authority in new suburbs and city precinct;
 - (d) a number of other local communities have likewise campaigned for improvements to their local playgrounds over the last two years, including:
 - (i) the Greenway community bringing a petition of 185 residents to the Assembly on 20 February 2018;
 - (ii) the Torrens community bringing a petition of 713 residents to the Assembly on 30 November 2017;
 - (iii) the Higgins community bringing a petition of 203 residents to the Assembly on 17 August 2017;
 - (iv) the Farrer community bringing a petition of 540 residents to the Assembly on 1 August 2017; and
 - (v) the Giralang community bringing a petition of 107 residents to the Assembly on 11 May 2017; and
 - (e) the budget process for playgrounds needs to balance the need for new playgrounds with major upgrades and ongoing minor maintenance of over 500 existing playgrounds in the ACT; and
- (6) calls on the ACT Government to:
- (a) continue to investigate community engagement strategies to connect communities with the future of their local infrastructure and guide local priorities, through deliberative democracy mechanisms including the Better Suburbs project and conducting a participatory budgeting pilot no later than the 2019-20 Budget cycle;
 - (b) investigate co-funding options to allow local communities and businesses to support infrastructure projects like playgrounds and parks;
 - (c) continue to ensure that playgrounds are provided equitably across Canberra and allow all Canberrans to access green—and play—spaces within walking distance of where people live, work and shop;
 - (d) investigate expanding ‘adopt a park’ programs to support, with both finance and services, communities to improve and maintain local infrastructure;
 - (e) continue to work with the Waramanga community to develop a way forward for a new playground at Waramanga shops;

- (f) consider an ongoing mechanism for maintenance, upgrade and establishment of playgrounds across Canberra as part of the Better Suburbs project;
- (g) commit to the establishment of a new playground at Waramanga shops; and
- (h) report back to the Assembly on progress by July 2018.”—

be agreed to—put and passed.

12 BUILDING REGULATORY SYSTEM—REFORMS

Mr Parton, pursuant to notice, moved—That this Assembly:

- (1) notes that:
 - (a) the Government has an obligation to provide a proper and effective regulatory framework to ensure the building industry delivers high quality property construction outcomes;
 - (b) failure to ensure construction quality across the building industry not only endangers the safety of those involved in construction activity but potentially the safety of building occupants;
 - (c) poor quality construction can have severe financial impacts on those who, in good faith, have purchased a defective structure;
 - (d) media reports on defective constructions are damaging Canberra’s reputation as a jurisdiction of high quality building standards;
 - (e) major industry bodies agree that substantial and fundamental improvements in design and construction regulatory disciplines are urgently needed; and
 - (f) industry bodies have expressed strong support for strengthening the regulatory framework governing construction standards and also support clamping down on shoddy builders;
- (2) further notes that:
 - (a) in June 2016, the Minister for Planning and Land Management announced major reforms for the building regulatory system;
 - (b) these reforms consisted of 43 separate proposals that make a major contribution to strengthening regulation of Canberra’s building industry and hence its reputation and desirability of this industry as a preferred vendor;
 - (c) the Minister promised to have these completed by the end of 2017 with the exception of reforming alternative dispute resolution standards to be completed by the end of 2017-18;
 - (d) despite the pressing need for these reforms, the Minister has missed his deadlines by a wide margin; and
 - (e) as a result, the Canberra community and the building industry itself are suffering considerable reputational and financial damage; and

- (3) calls on the Government to implement all remaining reforms from the *Improving the ACT Building Regulatory System Summary of Proposed Reforms* no later than 31 December 2018.

Mr Gentleman (Minister for Planning and Land Management) moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes that:

- (a) the Government has an obligation to provide a proper and effective regulatory framework to ensure the building industry delivers high quality property construction outcomes;
- (b) poor construction quality across the building industry not only endangers the safety of those involved in construction activity but potentially the safety of building occupants;
- (c) poor quality construction can have severe financial impacts on those who, in good faith, have purchased a defective structure;
- (d) major industry bodies agree that substantial and fundamental improvements in design and construction regulatory disciplines are urgently needed;
- (e) industry bodies have expressed strong support for strengthening the regulatory framework governing construction standards and also support clamping down on builders that don’t comply with standards;
- (f) the Government is aware of the detrimental effects on the community and industry of poorly designed and constructed buildings which is why it has implemented, and continues to implement, a series of reforms arising from a review of the ACT building regulatory system;
- (g) these reforms consisted of 43 separate proposals that make a major contribution to strengthening regulation of Canberra’s building industry;
- (h) the *Building and Construction Legislation Amendment Act 2016*, passed in August 2016, implements or establishes the foundation for many of the reforms;
- (i) the reforms are wide-reaching and target all stages of the regulatory system—from training, licensing and design to the construction process and through to resolving post-occupancy disputes;
- (j) due to the changes being extensive, results across the industry may take some time to be realised; and
- (k) reforms to date include changes to licensing laws to ensure that only people who have the competency to be a building licensee are granted licences and to help prevent phoenixing or people shifting their operations to other existing licences instead of fixing defective buildings. Changes also give the building regulator and ACAT a broader range of options to use when things do go wrong;

(2) further notes that:

- (a) many of the reforms are highly technical, detailed and interrelated pieces of work requiring careful planning and ongoing consultation with industry and the community;
 - (b) the immediate priorities are to develop and improve codes of practice for builders and building certifiers, minimum documentation guidelines and builders licensing reforms;
 - (c) these codes and documentation standards will also inform the new risk based audit system for building approvals and building work, which will start to roll out in 2018. While this system is under development, Access Canberra continues to audit and inspect buildings and respond to complaints; and
 - (d) there are a number of national reviews relating to security of payments, enforcement of the National Construction Code (technical standards) and building product and supply change accountability which relate to the reform program in the ACT; and
- (3) calls on the Government to:
- (a) report to the Assembly on the status of the implementation of each of the 43 *Improving the ACT Building Regulatory System Review* reform actions by the last sitting day in June 2018 and include a forward work plan for any outstanding items;
 - (b) publish updates on progress in delivering any outstanding actions every six months until the reform program is complete; and
 - (c) continue working with industry and community stakeholders to implement remaining reforms from the *Improving the ACT Building Regulatory System Review*; and
- (4) invites the relevant Standing Committee/s to consider conducting an inquiry into construction quality, compliance, enforcement and any gaps in the current building regulation reform program.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
- (a) the Government has an obligation to provide a proper and effective regulatory framework to ensure the building industry delivers high quality property construction outcomes;
 - (b) poor construction quality across the building industry not only endangers the safety of those involved in construction activity but potentially the safety of building occupants;
 - (c) poor quality construction can have severe financial impacts on those who, in good faith, have purchased a defective structure;

- (d) major industry bodies agree that substantial and fundamental improvements in design and construction regulatory disciplines are urgently needed;
 - (e) industry bodies have expressed strong support for strengthening the regulatory framework governing construction standards and also support clamping down on builders that don't comply with standards;
 - (f) the Government is aware of the detrimental effects on the community and industry of poorly designed and constructed buildings which is why it has implemented, and continues to implement, a series of reforms arising from a review of the ACT building regulatory system;
 - (g) these reforms consisted of 43 separate proposals that make a major contribution to strengthening regulation of Canberra's building industry;
 - (h) the *Building and Construction Legislation Amendment Act 2016*, passed in August 2016, implements or establishes the foundation for many of the reforms;
 - (i) the reforms are wide-reaching and target all stages of the regulatory system—from training, licensing and design to the construction process and through to resolving post-occupancy disputes;
 - (j) due to the changes being extensive, results across the industry may take some time to be realised; and
 - (k) reforms to date include changes to licensing laws to ensure that only people who have the competency to be a building licensee are granted licences and to help prevent phoenixing or people shifting their operations to other existing licences instead of fixing defective buildings. Changes also give the building regulator and ACAT a broader range of options to use when things do go wrong;
- (2) further notes that:
- (a) many of the reforms are highly technical, detailed and interrelated pieces of work requiring careful planning and ongoing consultation with industry and the community;
 - (b) the immediate priorities are to develop and improve codes of practice for builders and building certifiers, minimum documentation guidelines and builders licensing reforms;
 - (c) these codes and documentation standards will also inform the new risk based audit system for building approvals and building work, which will start to roll out in 2018. While this system is under development, Access Canberra continues to audit and inspect buildings and respond to complaints; and
 - (d) there are a number of national reviews relating to security of payments, enforcement of the National Construction Code (technical standards) and building product and supply change accountability which relate to the reform program in the ACT; and

- (3) calls on the Government to:
- (a) report to the Assembly on the status of the implementation of each of the 43 *Improving the ACT Building Regulatory System Review* reform actions by the last sitting day in June 2018 and include a forward work plan for any outstanding items;
 - (b) publish updates on progress in delivering any outstanding actions every six months until the reform program is complete; and
 - (c) continue working with industry and community stakeholders to implement remaining reforms from the *Improving the ACT Building Regulatory System Review*; and
- (4) invites the relevant Standing Committee/s to consider conducting an inquiry into construction quality, compliance, enforcement and any gaps in the current building regulation reform program.”—

be agreed to—put and passed.

13 HOUSING AFFORDABILITY AND HOMELESSNESS

Mr Pettersson, pursuant to notice, moved—That this Assembly:

- (1) notes:
- (a) the challenges facing Australia in relation to housing affordability and homelessness;
 - (b) that on numerous indicators, the ACT rates among the best performing jurisdictions on housing affordability and provision of housing support and homelessness services;
 - (c) the active role played by the ACT Government in improving housing affordability for all Canberrans through measures such as phasing out stamp duty and accelerating land supply;
 - (d) that the ACT Government provides the highest rate of public housing of all States and Territories and a large public housing portfolio is a major contributor to affordable housing;
 - (e) that Community Housing Providers provide important affordable rental and purchase options for Canberrans on lower incomes; and
 - (f) that a mix of housing types including public, affordable, community and privately owned can help promote social inclusion and cohesion;
- (2) further notes:
- (a) State and Territory governments are in negotiations with the Australian Government on a new National Housing and Homelessness Agreement;
 - (b) that housing affordability is influenced by a range of factors and policies at both the Territory and National levels;
 - (c) that the ACT Government is developing a new housing strategy and early measures such as the affordable home purchase database, the new innovation fund and targets for community housing will help make housing in the ACT more affordable, accessible and fairer; and

- (d) that the ACT Government is also working with other jurisdictions to progress national reforms that will lower barriers to entry for home ownership and improve affordability for first home buyers; and
- (3) calls on the Government to:
- (a) continue to evaluate and build on current housing affordability measures;
 - (b) proactively respond to the community feedback arising from the consultation and housing summit last year to address housing affordability; and
 - (c) release a new housing strategy in 2018.

Debate ensued.

Ms Le Couteur addressing the Assembly—

Adjournment negatived: It being 6 pm—The question was proposed—That the Assembly do now adjourn.

Mr Gentleman (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Question—put and passed.

14 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 6.43 pm, adjourned until tomorrow at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mrs Dunne*.

*on leave

Julia Agostino
Acting Clerk of the Legislative Assembly