

2020

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

RESPONSE TO SELECT COMMITTEE ON ESTIMATES REPORT 2019-20

RECOMMENDATION 84

**UPDATE ON THE STATUS OF THE BUILDING DEFECTS AND
ANY ASSOCIATED WARRANTY MATTERS AT THE
CENTENARY HOSPITAL FOR WOMEN AND CHILDREN**

STATEMENT

**Presented by
Rachel Stephen-Smith MLA
Minister for Health
13 August 2020**

I am pleased to present an update to the Assembly in response to Recommendation 84 of the *2019-20 Budget Estimates Report*.

This recommendation reads:

The Committee recommends that the ACT Government resolve the legal issues associated with building defects in the Centenary Hospital for Women and Children and have the Minister for Health report to the Legislative Assembly on the status of the building defects and any associated warranty matters.

The Government Response agreed in principle to the recommendation, subject to advice pertaining to ongoing proceedings instigated against accountable parties.

I am pleased to provide an update on this issue but must also advise that the issue of liability for the existing findings in the Paediatric High Care Ward, which were identified late 2019, are still outstanding.

Nonetheless, I am able to provide the following information.

In doing so, I must state that the ACT Government, and Canberra Health Services which operate the majority of our public ACT health services, has always prioritised the health and safety of patients, staff, visitors and construction workers in the Centenary Hospital for Women and Children as this issue has unfolded and throughout the remediation process.

I can advise that following the discovery of mould growth in areas of the hospital – noting that this mould growth was identified in wall cavity areas which have been concealed – we have had confirmation that the mould spore generation has not been travelling into patient spaces. Of course, this is of major importance in protecting the health our community.

Nonetheless, the important focus has been to identify the cause, and seek to remedy those impacted areas to prevent this issue from reoccurring.

In 2018, an independent expert was engaged by the ACT Government Solicitor's Office to examine the cause of the leaks which were initially discovered in the Birthing Suite ward of the hospital. This expert determined that the principal cause of the leak into the wall cavity was the lack of an adequate waterproofing membrane or system between the tap body and the wall, allowing water ingress into the wall cavity.

Since the discovery of the Birthing Suite leaks, I can advise that remediation has now been undertaken to 14 bathrooms within the ward.

In May 2019, the Territory filed proceedings against two contractors involved in the construction of this element of the Centenary Hospital for Women and Children. The parties have since entered into informal settlement conferencing to settle the proceedings as ordered by the Court in June 2019.

Settlement of this matter was reached with parties in January 2020 in favour of the Territory.

Since that time, further instances of water damage have been identified in several concealed areas during the refurbishment of the same building, the Centenary Hospital for Women and Children (CHWC), in late 2019 and early 2020.

Remediation works are currently underway as part of the CHWC Expansion project.

Additional investigations are continuing to assess the extent of any further water damage. Given the concealed nature of water damage, these investigations require considerable time and effort to plan, to ensure the ongoing health and safety of staff, patients and visitors.

CHS will continue to liaise with the ACT Government Solicitor's Office to determine any further claims against the parties for new water damage not part of the previous settlement.

ENDS