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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018

MINUTES OF PROCEEDINGS

No 63

[**Wednesday, 1 August 2018**](http://www.hansard.act.gov.au/hansard/2018/pdfs/20180108.pdf)

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**1** The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms J. Burch) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional custodians. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 Conflict of interest—Standing order 156 and Continuing resolution 5—STATEMENT BY SPEAKER

The Speaker made a statement concerning a possible conflict of interest raised during a point of order yesterday during debate on the Work Health and Safety Amendment Bill 2018, and the application of standing order 156 and paragraph (12) of Continuing Resolution 5—Code of Conduct for all Members of the Legislative Assembly for the Australian Capital Territory.

3 Government Agencies (Land Acquisition Reporting) Bill 2018

Mr Coe (Leader of the Opposition), pursuant to notice, presented a Bill for an Act about reports about land acquired by government agencies, and for other purposes.

*Paper:* Mr Coe presented an explanatory statement to the Bill.

Title read by Clerk.

Mr Coe moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Cody) and the resumption of the debate made an order of the day for the next sitting.

4 sOCIAL HOUSING—pROVISION OF INCENTIVES—investment by RESIDENTIAL PROPERTY INVESTORS

Ms Le Couteur, pursuant to notice, moved—That this Assembly:

1. notes that:
   1. Canberra now has the equal highest rent for houses in Australia, and the second highest rent for units;
   2. the ACT has the highest proportion of people in the private rental market who are still in rental stress after receiving Commonwealth Rent Assistance of any jurisdiction;
   3. the proportion of dwellings managed by community housing providers in the ACT is modest compared to other jurisdictions, and the sector has not been growing at the same rate as their interstate counterparts; and
   4. community housing organisations are well placed to play a strong role in meeting the housing needs of the growing number of Canberrans who are in housing stress;
2. further notes that:
   1. the amount of social housing in the ACT has been falling as a proportion of overall housing stock for two decades;
   2. new social and affordable rental stock is not being added at a rate that maintains the amount of social and affordable stock as a proportion of overall housing stock;
   3. private investors can play an important role in adding to affordable housing in the ACT;
   4. some private investors may be motivated by social responsibility or altruism as well as maximising financial returns; and
   5. property investors that rent their dwellings at below market rent via a community housing provider may also be able to access an additional discount to Capital Gains Tax, from 50 to 60 percent, as part of a recent Federal Budget initiative, the enabling legislation for which is currently before the Senate; and
3. calls on the ACT Government to consider:
   1. providing an exemption from land tax for residential property investors that rent their property to low and moderate income households at a discount to market rent through a not-for-profit community housing provider that is regulated under the National Regulatory System for Community Housing;
   2. providing a last resort Government rent guarantee to property investors that rent their dwellings through a not-for-profit community housing provider that is regulated under the National Regulatory System for Community Housing;
   3. allowing community housing providers to access rates rebates for properties where the tenants would be eligible for such rebates if they were home owner; and
   4. report back to the Assembly by the end of the October 2018 sitting period.

Ms Berry (Minister for Housing and Suburban Development) moved the following amendment: Omit all text after paragraph (2)(e), substitute:

“(f) the Government has been considering in excess of 100 suggestions for policy initiatives received through its housing summit and extensive consultation, summarised in the ‘What We Heard’ engagement report, including proposals for tax incentives to increase the supply of affordable housing;

* 1. through the Parliamentary Agreement, the Government committed to establishing an affordable rental real estate initiative, based on HomeGround, through which investors can offer rental properties at below market rent to low income tenants; and
  2. the Government has established a $1 million Affordable Housing Innovation Fund to facilitate the affordable rental real estate initiative and other options to improve access to affordable housing; and

1. calls on the ACT Government to:
   1. announce the outcomes of the recent expression of interest process which sought a provider/s for the affordable rental real estate initiative as soon as possible once the process is complete; and
   2. investigate incentives to build on this initiative and further support affordable rental housing supply, including:
      1. land tax concessions for residential property investors who rent their property to low and moderate income households at a discount to market rent through a not-for-profit community housing provider which is regulated under the National Regulatory System for Community Housing;
      2. rent guarantees for property investors who rent their dwellings through a not-for-profit community housing provider which is regulated under the National Regulatory System for Community Housing; and
      3. rates rebates for community housing providers for properties where the tenants would be eligible for such rebates if they were home owners; and
   3. report to the Assembly by the end of the October 2018 sitting period.”.

Debate continued.

Ms Le Couteur moved the following amendment to Ms Berry’s proposed amendment: Omit all text after paragraph (3)(b), substitute:

“(c) report to the Assembly with an implementation plan that includes information about cost impacts and viability of these measures, as well as detail on feedback from the community sector, community housing providers, and the real estate and property sector by the end of the October 2018 sitting period.”.

Debate continued.

Amendment to amendment agreed to.

Amendment, as amended, agreed to.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

1. notes that:
   1. Canberra now has the equal highest rent for houses in Australia, and the second highest rent for units;
   2. the ACT has the highest proportion of people in the private rental market who are still in rental stress after receiving Commonwealth Rent Assistance of any jurisdiction;
   3. the proportion of dwellings managed by community housing providers in the ACT is modest compared to other jurisdictions, and the sector has not been growing at the same rate as their interstate counterparts; and
   4. community housing organisations are well placed to play a strong role in meeting the housing needs of the growing number of Canberrans who are in housing stress;
2. further notes that:
   1. the amount of social housing in the ACT has been falling as a proportion of overall housing stock for two decades;
   2. new social and affordable rental stock is not being added at a rate that maintains the amount of social and affordable stock as a proportion of overall housing stock;
   3. private investors can play an important role in adding to affordable housing in the ACT;
   4. some private investors may be motivated by social responsibility or altruism as well as maximising financial returns; and
   5. property investors that rent their dwellings at below market rent via a community housing provider may also be able to access an additional discount to Capital Gains Tax, from 50 to 60 percent, as part of a recent Federal Budget initiative, the enabling legislation for which is currently before the Senate; and
   6. the Government has been considering in excess of 100 suggestions for policy initiatives received through its housing summit and extensive consultation, summarised in the ‘What We Heard’ engagement report, including proposals for tax incentives to increase the supply of affordable housing;
   7. through the Parliamentary Agreement, the Government committed to establishing an affordable rental real estate initiative, based on HomeGround, through which investors can offer rental properties at below market rent to low income tenants; and
   8. the Government has established a $1 million Affordable Housing Innovation Fund to facilitate the affordable rental real estate initiative and other options to improve access to affordable housing; and
3. calls on the ACT Government to:
   1. announce the outcomes of the recent expression of interest process which sought a provider/s for the affordable rental real estate initiative as soon as possible once the process is complete; and
   2. investigate incentives to build on this initiative and further support affordable rental housing supply, including:
      1. land tax concessions for residential property investors who rent their property to low and moderate income households at a discount to market rent through a not-for-profit community housing provider which is regulated under the National Regulatory System for Community Housing;
      2. rent guarantees for property investors who rent their dwellings through a not-for-profit community housing provider which is regulated under the National Regulatory System for Community Housing; and
      3. rates rebates for community housing providers for properties where the tenants would be eligible for such rebates if they were home owners; and
   3. report to the Assembly with an implementation plan that includes information about cost impacts and viability of these measures, as well as detail on feedback from the community sector, community housing providers, and the real estate and property sector by the end of the October 2018 sitting period.”—

be agreed to—put and passed.

5 Declaration of interests—STATEMENT BY MEMBER

Ms Cody, by leave, made a statement to correct comments, made during debate on the Work Health and Safety Amendment Bill 2018 yesterday, concerning her declaration of interests.

6 Bullying in the health system

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

1. notes:
   1. recent media reports about bullying in the ACT health system, in both the public and private sectors;
   2. bullying has extended to patients, and their carers and families;
   3. claims that bullying has been the primary cause of mental health problems for people currently or formerly engaged in the ACT health system;
   4. some victims of bullying have committed, attempted or threatened suicide or other forms of self-harm, attributing bullying as the primary cause of their actions;
   5. the Minister for Health and Wellbeing has made public statements that the Government has zero tolerance to bullying and that there are safe and respectful pathways available to people wishing to complain about bullying;
   6. the Minister’s statements do not appear to bear out the reality;
   7. there are significant psychological risks to the community-at-large from the impact of bullying on victims and associated persons;
   8. mental health problems occurring as the result of bullying are preventable; and
   9. the cost of treating preventable mental health problems is a significant drain on the ACT Budget; and
2. calls on the Executive to:
   1. by 31 August 2018, consult with the Opposition and the Crossbench on and finalise terms of reference and appointees for a board of inquiry under the *Inquiries Act 1991* (the Act) to investigate bullying in the ACT health system; and
   2. during the September 2018 sitting period, table an instrument of appointment in accordance with section 5 of the Act.

Mrs Dunne, by leave, was granted an extension of time.

Mr Rattenbury (Minister for Mental Health) moved the following amendment: Omit all words after “That this Assembly”, substitute:

“(1) notes that ACT Health:

* 1. believes everyone has a right to feel respected, supported and safe at work;
  2. has a policy of zero tolerance towards bullying and takes allegations of bullying very seriously by investigating complaints and taking appropriate action in relation to its employees; and
  3. has an Anti-Discrimination, Harassment and Bullying Policy that outlines ACT Health’s commitment to providing a safe and harmonious work environment that enhances the achievements of both individual and organisational goals;

1. further notes that:
   1. the Minister for Health and Wellbeing and the Interim Director-General of ACT Health have made numerous public statements reiterating that the ACT Government has zero tolerance for bullying and that there are safe and respectful pathways available to people wishing to complain about bullying within ACT directorates;
   2. the work undertaken over the past few months with the reaccreditation of Canberra Hospital and Health Services was a testament to the great work of all staff and the leadership team, demonstrating that there is an improving culture at ACT Health;
   3. the ACT Health Services Commissioner has a mandate to receive complaints about the provision of health services in the ACT as an independent party external from ACT Health;
   4. complaints can also be lodged with the ACT Ombudsman, the Auditor‑General and the Public Sector Standards Commissioner, including through the Public Interest Disclosure (PID) process;
   5. ACT Health has a range of measures in place to support staff, including:
      1. training programs to educate staff on respectful workplace behaviours and educate managers on how to manage complaints of inappropriate behaviour;
      2. avenues for staff to raise incidents of bullying and harassment, which include raising concerns with their Senior Manager, People and Culture (HR), Employee Services and through the electronic internal incident reporting mechanism;
      3. an established network of over 85 Respect Equity and Diversity (RED) Contact Officers for all professions;
      4. rigorous processes for investigating bullying appropriately and independently in line with the requirements of ACT Health Enterprise Bargaining Agreements and the *Public Sector Management Act 1994*, which all ACT Health and ACT Government employees are required to adhere to and ensures the employee against who the allegation has been made is provided the opportunity to respond;
      5. ensuring the employee against who the allegation has been made is provided with natural justice and procedural fairness in the process when given the opportunity to respond;
      6. suitable support programs for staff that have made allegations of workplace bullying through the Employee Assistance Program; and
      7. the Quality Strategy launched in March 2018 which has been designed to ensure staff, patients and families have mechanisms for providing feedback about patient care to drive a positive culture of continuous improvement and to improve outcomes for patients;
   6. ACT Health is undergoing organisational change by separating into two organisations, one delivering frontline health services, the other strategic policy and planning, which has been providing opportunities for staff to be consulted and engaged in helping to develop the details on the new structure; and
   7. Calvary Public Hospital Bruce also has a policy of zero tolerance towards bullying and takes any allegations of bullying seriously through:
      1. internal and external reporting mechanisms available for staff, volunteers and patients;
      2. investigating reported matters in accordance with Calvary’s policy and procedures, Code of Conduct, relevant industrial agreements and natural justice;
      3. executive leadership and staff orientation programs encouraging a culture of positive interactions by making expectations clear to all staff about appropriate behaviour; and
      4. supporting the WorkSafe ACT independent investigation of Calvary’s bullying and harassment allegations; and
2. calls on the ACT Government to:
   1. continue to promote and improve existing ACT Health internal mechanisms for hearing and investigating complaints;
   2. instruct the new Director-General of ACT Health and the new CEO of Canberra Hospital and Health Services to drive a culture of respect and zero tolerance for bullying in the two new organisations as a priority of the ACT Government; and
   3. provide an update to the Assembly before the end of 2018 on:
      1. the number of bullying complaints, investigations, outcomes and actions in ACT Health and Calvary Public Hospital Bruce;
      2. improvements to staff culture and behaviour through the implementation of the ACT Health organisational changes, the Quality Strategy and other measures as appropriate; and
      3. the process for the next Staff Culture Survey that will examine staff engagement, sentiment and views on the culture of ACT Health.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

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| --- | --- | --- | --- | --- |
| AYES, 12 | |  | NOES, 9 | |
| Ms Berry | Ms Orr |  | Miss C. Burch | Mr Milligan |
| Ms J. Burch | Mr Pettersson |  | Mr Coe | Mr Parton |
| Ms Cheyne | Mr Ramsay |  | Mrs Dunne | Mr Wall |
| Ms Cody | Mr Rattenbury |  | Mrs Kikkert |  |
| Mr Gentleman | Mr Steel |  | Ms Lawder |  |
| Ms Le Couteur | Ms Stephen-Smith |  | Ms Lee |  |

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

(1) notes that ACT Health:

* 1. believes everyone has a right to feel respected, supported and safe at work;
  2. has a policy of zero tolerance towards bullying and takes allegations of bullying very seriously by investigating complaints and taking appropriate action in relation to its employees; and
  3. has an Anti-Discrimination, Harassment and Bullying Policy that outlines ACT Health’s commitment to providing a safe and harmonious work environment that enhances the achievements of both individual and organisational goals;

1. further notes that:
   1. the Minister for Health and Wellbeing and the Interim Director-General of ACT Health have made numerous public statements reiterating that the ACT Government has zero tolerance for bullying and that there are safe and respectful pathways available to people wishing to complain about bullying within ACT directorates;
   2. the work undertaken over the past few months with the reaccreditation of Canberra Hospital and Health Services was a testament to the great work of all staff and the leadership team, demonstrating that there is an improving culture at ACT Health;
   3. the ACT Health Services Commissioner has a mandate to receive complaints about the provision of health services in the ACT as an independent party external from ACT Health;
   4. complaints can also be lodged with the ACT Ombudsman, the Auditor‑General and the Public Sector Standards Commissioner, including through the Public Interest Disclosure (PID) process;
   5. ACT Health has a range of measures in place to support staff, including:
      1. training programs to educate staff on respectful workplace behaviours and educate managers on how to manage complaints of inappropriate behaviour;
      2. avenues for staff to raise incidents of bullying and harassment, which include raising concerns with their Senior Manager, People and Culture (HR), Employee Services and through the electronic internal incident reporting mechanism;
      3. an established network of over 85 Respect Equity and Diversity (RED) Contact Officers for all professions;
      4. rigorous processes for investigating bullying appropriately and independently in line with the requirements of ACT Health Enterprise Bargaining Agreements and the *Public Sector Management Act 1994*, which all ACT Health and ACT Government employees are required to adhere to and ensures the employee against who the allegation has been made is provided the opportunity to respond;
      5. ensuring the employee against who the allegation has been made is provided with natural justice and procedural fairness in the process when given the opportunity to respond;
      6. suitable support programs for staff that have made allegations of workplace bullying through the Employee Assistance Program; and
      7. the Quality Strategy launched in March 2018 which has been designed to ensure staff, patients and families have mechanisms for providing feedback about patient care to drive a positive culture of continuous improvement and to improve outcomes for patients;
   6. ACT Health is undergoing organisational change by separating into two organisations, one delivering frontline health services, the other strategic policy and planning, which has been providing opportunities for staff to be consulted and engaged in helping to develop the details on the new structure; and
   7. Calvary Public Hospital Bruce also has a policy of zero tolerance towards bullying and takes any allegations of bullying seriously through:
      1. internal and external reporting mechanisms available for staff, volunteers and patients;
      2. investigating reported matters in accordance with Calvary’s policy and procedures, Code of Conduct, relevant industrial agreements and natural justice;
      3. executive leadership and staff orientation programs encouraging a culture of positive interactions by making expectations clear to all staff about appropriate behaviour; and
      4. supporting the WorkSafe ACT independent investigation of Calvary’s bullying and harassment allegations; and
2. calls on the ACT Government to:
   1. continue to promote and improve existing ACT Health internal mechanisms for hearing and investigating complaints;
   2. instruct the new Director-General of ACT Health and the new CEO of Canberra Hospital and Health Services to drive a culture of respect and zero tolerance for bullying in the two new organisations as a priority of the ACT Government; and
   3. provide an update to the Assembly before the end of 2018 on:
      1. the number of bullying complaints, investigations, outcomes and actions in ACT Health and Calvary Public Hospital Bruce;
      2. improvements to staff culture and behaviour through the implementation of the ACT Health organisational changes, the Quality Strategy and other measures as appropriate; and
      3. the process for the next Staff Culture Survey that will examine staff engagement, sentiment and views on the culture of ACT Health.”—

be agreed to—put and passed.

7 LEAVE OF ABSENCE TO MEMBER

Mr Gentleman (Management of Government Business) moved—That leave of absence be granted to Ms Fitzharris to attend an interstate ministerial council meeting for today and tomorrow.

Question—put and passed.

8 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Mr Hanson for today for personal reasons.

Question—put and passed.

9 Australian Space Agency—Proposed location in Canberra

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

1. notes that the global space industry is growing exponentially, and Canberra is best placed in Australia to support the Australian Space Agency with strong government partnerships, links to nation-leading education and research institutions, and existing world-class space technology and infrastructure;
2. acknowledges that Canberra has played a vital role in the invigoration of the space industry in Australia in recent years, and has provided leadership in the national conversation on the space industry, including by:
   1. successfully arguing for the establishment of the first Australian Space Agency;
   2. investing $375 000 to help establish a space mission design facility to bring together industry, agencies and the research sector to rapidly design and validate the technical and economic viability of space missions;
   3. providing $1 million over the last three years to leading education institutions in Canberra to strengthen Canberra’s space sector;
   4. providing $250 000 in funding to enable free access to the largest space testing facilities in the country; and
   5. committing to investing $9.75 million over the next three years in stimulus and innovative infrastructure projects under the Priority Investment Program;
3. notes that:
   1. the Chief Minister has met with the newly appointed head of the Space Agency to advocate for Canberra as the logical permanent home of the Agency; and
   2. Federal Labor has committed to permanently basing the Agency headquarters in Canberra should it win the next election;
4. further notes the co-location of the Australian Space Agency with key Commonwealth departments in Canberra enables the Agency to effectively carry out its primary role of coordinating Australia’s space policy, in particular:
   1. space exploration is the core work of the Commonwealth;
   2. Canberra is home to every major Commonwealth stakeholder except the Bureau of Meteorology;
   3. co-locating the Australian Space Agency with the Department of Defence, national security agencies and key government agencies will foster greater collaboration and efficiency, and will provide significant opportunities for the commercialisation of Australian space technologies; and
   4. bilateral and multilateral space treaties raise issues across a wide range of portfolio areas, which require a whole-of-government approach to negotiations, and the skills and expertise required to negotiate complex international agreements are concentrated in Commonwealth Departments in Canberra;
5. also notes that making Canberra the permanent home of the Australian Space Agency will foster partnerships with significant national research and education institutions, and highlights that:
   1. the Australian National Concurrent Design facility at the University of NSW Canberra combined with the ANU National Space Test Facilities provide Australia’s only capability to conceptualise, design, build, test and monitor spacecraft;
   2. ANU and UNSW Canberra both have satellite operation capabilities with ground station infrastructure to support satellite missions; and
   3. Canberra is committed to building a skilled workforce pipeline, and is currently providing cutting-edge STEM training and space-focussed education programs, entrepreneurship outreach initiatives;
6. recognises that Canberra is on the cutting edge of space technology and innovation, and has the necessary infrastructure and workforce to complement the Australian Space Agency’s central role in the space industry, particularly:
   1. almost one in four Australian space sector jobs are in Canberra;
   2. Canberra has significant space exploration infrastructure, including one of only three NASA Deep Space Network facilities in the world, satellite ground stations and world-class facilities in areas such as Space Situational Awareness, earth observation, debris monitoring and positioning, navigation and timing infrastructure; and
   3. there is significant private sector space capability in Canberra, including companies such as Q-Labs, Liquid Instruments, Locata, Shoal Group, EOS Space Systems, Geoplex, Geospatial Intelligence, Clearbox, Equatorial Launch Australia, Via Sat, Lockheed Martin, Northrop Grumman and Airbus Defence and Space; and
7. calls on Members of this Assembly to continue to reinforce to federal colleagues at every opportunity that Canberra plays a vital role in supporting Australia’s space industry, and is the rightful national home of the Australian Space Agency.

Debate ensued.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

10 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly that, due to the absence of Minister Fitzharris, questions without notice normally directed to the Minister for Health and Wellbeing, the Minister for Transport and City Services and the Minister for Higher Education, Training and Research could be directed to Minister Rattenbury, Minister Gentleman and the Chief Minister, respectively.

11 QUESTIONS

Questions without notice were asked.

12 Further question without notice

Ms Le Couteur, by leave, asked a question of the Chief Minister.

The Chief Minister responded.

13 Administration and Procedure—Standing Committee—MEMBERSHIP

Mr Wall, pursuant to standing order 223, moved—That, notwithstanding the provisions of standing order 16, Mr Wall be discharged from the Standing Committee on Administration and Procedure between 10 August and 16 August and that Mrs Dunne be appointed for that same period.

Question—put and passed.

14 Australian Space Agency—Proposed location in Canberra

The order of the day having been read for the resumption of the debate on the motion of Ms Cheyne (*see* [entry 9](#Entry9))—

Debate resumed.

Question—put and passed.

15 A.C.T. Multicultural Framework 2015-2020

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

1. notes:
   1. that the ACT is a richly multicultural territory where, according to the latest census:
      1. 32 percent of residents were born overseas;
      2. another 14.7 percent of residents had at least one parent born overseas;
      3. a non-English language is spoken in 23.8 percent of households; and
      4. its residents report nearly 200 different nationalities;
   2. that as many as one-third of the ACT’s overseas-born residents are relatively recent arrivals;
   3. that the ACT has declared itself a Refugee Welcome Zone, making a public commitment to enhance cultural and religious diversity in the community; and
   4. that through the “ACT Multicultural Framework 2015–2020”, the ACT Government has pledged to:
      1. “effectively deliver their services to people from culturally and linguistically diverse backgrounds”;
      2. provide “the tools and resources for all Canberrans to reach their full potential”; and
      3. ensure that all can benefit from our rich and vibrant cultural diversity;
2. further notes:
   1. that the Multicultural Framework’s first Multicultural Action Plan includes actions and outcomes to be achieved during 2015–2018;
   2. that the Multicultural Framework states that “progress on the first Multicultural Action Plan (2015–18) will be reviewed and a second ACT Multicultural Action Plan (2018–20) will be developed”;
   3. that the Minister for Multicultural Affairs annually tables a statement intended to “detail activities and efforts undertaken on practical efforts and outcomes in relation to the Framework”; and
   4. that, as noted in previous ministerial statements, a number of actions and outcomes from the Framework’s first action plan have not yet been fully achieved; and
3. calls on the Government to:
   1. ensure that the 2018 ministerial statement provides a candid and detailed reporting on each and every action and outcome from all three years of the first ACT Multicultural Action Plan as listed in the “ACT Multicultural Framework 2015–2020”;
   2. to include in this reporting, amongst other things:
      1. which actions and outcomes have been fully achieved and when;
      2. which actions and outcomes are in progress, what specific steps have been taken to achieve this progress and by whom, what steps still need to be completed, what obstacles and challenges have been encountered, and what the projected completion dates are; and
      3. which actions and outcomes have not been progressed yet, reasons behind the delays (including what obstacles and challenges have been encountered), and projected completion dates;
   3. table this ministerial statement by the last sitting day of September 2018; and
   4. update the Assembly on what is happening with the development of the second ACT Multicultural Action Plan (2018–2020) and when this plan should be finalised.

Ms Stephen-Smith (Minister for Multicultural Affairs) moved the following amendment: Omit paragraphs (3)(a) to (d), substitute:

“(a) continue to update the Assembly on the progress of the implementation of the ACT Multicultural Framework through an annual ministerial statement;

* 1. include in this update:
     1. which actions and outcomes have been fully achieved and when;
     2. which actions and outcomes are in progress; and
     3. which actions and outcomes have not been progressed yet, reasons for any delay, and projected completion dates;
  2. provide this update to the Assembly, in the form of a ministerial statement, no later than the last sitting day of 2018; and
  3. include in this statement an update on what is happening with the development of the second ACT Multicultural Action Plan (2018–2020) and when this plan is expected to be finalised.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

1. notes:
   1. that the ACT is a richly multicultural territory where, according to the latest census:
      1. 32 percent of residents were born overseas;
      2. another 14.7 percent of residents had at least one parent born overseas;
      3. a non-English language is spoken in 23.8 percent of households; and
      4. its residents report nearly 200 different nationalities;
   2. that as many as one-third of the ACT’s overseas-born residents are relatively recent arrivals;
   3. that the ACT has declared itself a Refugee Welcome Zone, making a public commitment to enhance cultural and religious diversity in the community; and
   4. that through the ‘ACT Multicultural Framework 2015–2020’, the ACT Government has pledged to:
      1. ‘effectively deliver their services to people from culturally and linguistically diverse backgrounds’;
      2. provide ‘the tools and resources for all Canberrans to reach their full potential’; and
      3. ensure that all can benefit from our rich and vibrant cultural diversity;
2. further notes:
   1. that the Multicultural Framework’s first Multicultural Action Plan includes actions and outcomes to be achieved during 2015–2018;
   2. that the Multicultural Framework states that ‘progress on the first Multicultural Action Plan (2015–18) will be reviewed and a second ACT Multicultural Action Plan (2018–20) will be developed’;
   3. that the Minister for Multicultural Affairs annually tables a statement intended to ‘detail activities and efforts undertaken on practical efforts and outcomes in relation to the Framework’; and
   4. that, as noted in previous ministerial statements, a number of actions and outcomes from the Framework’s first action plan have not yet been fully achieved; and
3. calls on the Government to:
   1. continue to update the Assembly on the progress of the implementation of the ACT Multicultural Framework through an annual ministerial statement;
   2. include in this update:
      1. which actions and outcomes have been fully achieved and when;
      2. which actions and outcomes are in progress; and
      3. which actions and outcomes have not been progressed yet, reasons for any delay, and projected completion dates;
   3. provide this update to the Assembly, in the form of a ministerial statement, no later than the last sitting day of 2018; and
   4. include in this statement an update on what is happening with the development of the second ACT Multicultural Action Plan (2018–2020) and when this plan is expected to be finalised.”—

be agreed to—put and passed.

16 A.C.T. Public Service—Public interest disclosures

Miss C. Burch, pursuant to notice, moved—That this Assembly:

1. note the importance of transparency and integrity in the ACT Public Service, to protect against inefficiency and poor performance, as well as against bullying, fraud and corruption, and to support the hardworking public servants who continue to diligently serve our community;
2. notes that:
   1. as per the 2016-17 State of the Service Report, the Public Service Standards Commissioner was notified of 17 public interest disclosures, of which four were reported from the Health Directorate, and five from the Justice and Community Safety Directorate;
   2. reviews into similar jurisdictions’ legislative frameworks found that current frameworks discourage, rather than encourage a culture of “if in doubt, report” within the workplace; and
   3. current methods of restitution inadequately compensate those individuals whose lives and careers have been irrevocably damaged by detrimental action as a result of making a disclosure; and
3. calls on the relevant Ministers to:
   1. explain to the Assembly why these two directorates accounted for over half of the total number of public interest disclosures reported in the ACT Public Service overall; and
   2. produce an ACT Public Service-wide report on current public interest disclosure legislation which would:
      1. be produced alongside the 2018-19 State of the Service Report; and
      2. report on the effectiveness of current legislation and workplace mechanisms, including, but not limited to, employees’:
         1. knowledge of workplace reporting frameworks;
         2. confidence in the framework in ensuring their reports be adequately heard, investigate, and an outcome ensured; and
         3. perception of workplace “whistle-blowers” and their role in ensuring a more transparent ACT Public Service.”.

Mr Barr (Chief Minister) moved the following amendment: Omit all text after “That this Assembly”, substitute:

1. notes that:
   1. the *Public Interest Disclosure Act 2012* plays a major role in the ACT public sector integrity framework;
   2. the Act is a best practice model for managing disclosures and protecting genuine whistle-blowers; and
   3. its passage in the Assembly on 23 August 2012 received tri-partisan support;
2. further notes:
   1. the Public Sector Standards Commissioner provides effective oversight of public interest disclosure investigations and coordinates related education and training programs to ACT public servants;
   2. the Public Disclosure Act 2012 and the Public Interest Disclosure Guidelines 2017 provide effective mechanisms to foster a pro-reporting culture within the ACT Government when misconduct is suspected;
   3. the Public Disclosure Act 2012 and the Public Interest Disclosure Guidelines 2017 clearly articulate the protections received from reprisal that result from the disclosure; and
   4. the Public Sector Standards Commissioner reports on public interest disclosures through the annual State of the Service Report, which includes compliance of directorates and public sector bodies with provisions of the Public Interest Disclosure Act and the number of public interest disclosures notified by directorate or public sector body;
3. acknowledges that the Government agreed to Recommendation 78 of the Select Committee’s Inquiry into an Independent Integrity Commission to appoint an independent person to conduct a statutory review of the Public Interest Disclosure Act; and
4. calls on the Government to:
   1. continue to have in place a robust and accountable integrity framework across the ACT Government; and
   2. reaffirm its commitment to a review of the Public Interest Disclosure Act.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

1. notes that:
   1. the *Public Interest Disclosure Act 2012* plays a major role in the ACT public sector integrity framework;
   2. the Act is a best practice model for managing disclosures and protecting genuine whistle-blowers; and
   3. its passage in the Assembly on 23 August 2012 received tri-partisan support;
2. further notes:
   1. the Public Sector Standards Commissioner provides effective oversight of public interest disclosure investigations and coordinates related education and training programs to ACT public servants;
   2. the Public Disclosure Act 2012 and the Public Interest Disclosure Guidelines 2017 provide effective mechanisms to foster a pro-reporting culture within the ACT Government when misconduct is suspected;
   3. the Public Disclosure Act 2012 and the Public Interest Disclosure Guidelines 2017 clearly articulate the protections received from reprisal that result from the disclosure; and
   4. the Public Sector Standards Commissioner reports on public interest disclosures through the annual State of the Service Report, which includes compliance of directorates and public sector bodies with provisions of the Public Interest Disclosure Act and the number of public interest disclosures notified by directorate or public sector body;
3. acknowledges that the Government agreed to Recommendation 78 of the Select Committee’s Inquiry into an Independent Integrity Commission to appoint an independent person to conduct a statutory review of the Public Interest Disclosure Act; and
4. calls on the Government to:
   1. continue to have in place a robust and accountable integrity framework across the ACT Government; and
   2. reaffirm its commitment to a review of the Public Interest Disclosure Act.”—

be agreed to—put and passed.

17 Energy Efficiency Rating Scheme—Proposed review

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

1. notes that:
   1. energy efficient homes provide significant health benefits to the residents of the household;
   2. energy efficient homes lower the cost of living by reducing energy bills for households;
   3. energy efficient homes can help reduce carbon emissions by lowering demand for energy;
   4. the ACT remains the only jurisdiction with a compulsory home energy efficiency rating disclosure scheme, the Energy Efficiency Rating (EER) Scheme;
   5. since the introduction of the ACT EER Scheme the tools used to measure energy efficiency have evolved; and
   6. the ACT Government has committed to undertake a review of the effectiveness of the EER Scheme, and assess the feasibility of improving EER standards for rental properties as outlined in the Parliamentary Agreement; and
2. calls on the ACT Government to:
   1. finalise this review as a matter of priority;
   2. consider as part of this review:
      1. the range of tools that measure energy efficiency and which one would be most suitable to the ACT scheme;
      2. any amendments, additions or subtractions of inputs that should be considered under the ACT Scheme, e.g. appliances;
      3. appropriate compliance measures including consideration of verification post construction;
      4. the application of the EER to houses compared to apartments. The interaction between the minimum energy efficiency rating mandated in the National Construction code and the rating required for the ACT disclosure scheme;
      5. the most helpful information that will allow renters compare the energy efficiency of properties;
      6. public education that would increase the understanding of the scheme, its intentions, benefits and constraints;
      7. options for how assessors are trained and monitored;
      8. whether the content of the point of sale report needs updating; and
      9. how best to engage and consult with industry and community in conducting the review; and
   3. provide a report on the progress of this review to the Assembly by the last sitting day in 2018.

Debate ensued.

Question—put and passed.

18 ADJOURNMENT

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Standing order 171—Motion for in principle agreement—Statement by Speaker:* The Speaker made a statement concerning remarks made by Minister Gentleman after seeking the call to adjourn debate on the Government Agencies (Land Acquisition Reporting) Bill 2018.

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Debate ensued.

Question—put and passed.

And then the Assembly, at 6.15 pm, adjourned until tomorrow at 10 am.

**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Ms Fitzharris\*, Mr Hanson\* and Mrs Jones\*.

\*on leave

Tom Duncan

Clerk of the Legislative Assembly