



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**13 MAY 2021**

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**Thursday, 13 May 2021**

**MADAM SPEAKER** (Ms Burch) (10.00): Members:

Dhawura nguna, dhawura Ngunnawal.  
Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.  
Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

The words I have just spoken are in the language of the traditional custodians and translate to:

This is Ngunnawal country.  
Today we are gathering on Ngunnawal country.  
We always pay respect to Elders, female and male, and Ngunnawal country.

Members, I ask you to stand in silence and pray or reflect on our responsibilities to the people of the Australian Capital Territory.

### **Nature—Canberra Ministerial statement**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.02): In making a statement around the importance of nature in our city, it is particularly important to acknowledge the traditional custodians of the land on which we are meeting, the Ngunnawal people. I respect their continuing culture and the contribution they make to the life of this city and this region.

For tens of thousands of years, and to this day, Ngunnawal people have maintained a deep physical and spiritual connection with country and a cultural responsibility to care for it. They are part of country and are not separate from it. Their connection is often described with a simple phrase, “If we care for country, country will care for us.” When it comes to caring for and repairing our land and waterways, we have a lot to learn from Ngunnawal people. Our city’s liveability and the wellbeing of the ACT community are dependent on the environment.

We all celebrate the bush capital, from our expansive national parks and reserves to our urban parks and connected green spaces embedded within the city areas. Our “living infrastructure” encompasses a diversity of natural elements and features such as wetlands, the urban forest, mountain-tops and ridges, and green refuges that have been incorporated into the design aesthetic and functionality of the city.

Nature is integral to Canberra’s design. As the nation’s capital, Canberra was designed from its inception in 1913 to be a “city in the landscape”; to be nestled amongst forested hills and situated astride the impounded waterway of the Molonglo River and Lake Burley Griffin. Geometrically ordered thoroughfares, public spaces, national monuments and architectural features amidst a mosaic of green space and

urban forest throughout the city reflect the careful attention of Canberra's leaders to aesthetic design and respect for the natural environment.

Just over 100 years after the city's conception, and with a population far exceeding its original design, careful planning continues to be essential to ensure the city's liveability and the integrity of the vision for the next 100 years. We need to think carefully about how we maintain all we love about our city nestled in its landscape and do not oversee a never-ending urban sprawl that destroys habitat and undermines our irreplaceable natural assets.

The ACT government recognises that it has a key role in protecting, conserving and enhancing the region's natural environment and the ecosystem services provided by nature, while also supporting and sustaining the needs of a growing city and community.

The ACT protects more of its natural assets than any other jurisdiction in Australia. More than 70 per cent of the territory's 236,000 hectares is conserved in parks and nature reserves. This far exceeds the aim of the global Convention on Biological Diversity Aichi biodiversity target of at least 17 per cent of terrestrial and inland waters being conserved in protected areas.

Urban Canberra provides an additional 6,600 hectares of publicly accessible open space, including urban parks, sportsgrounds and semi-natural urban open space for the community. These areas are vital to ensuring that the natural, cultural and recreational values are conserved, managed and enhanced for all to benefit now and into the future.

As our city continues to grow, we need to increase our focus on the conservation of the natural environment to build our collective resilience, as we face the ongoing threats of introduced plants and animals, and the effects of a changing climate such as more extreme weather events and, as we have recently seen, the very real risk of global pandemics.

The COVID-19 pandemic has exposed to the world the profound interconnections between the health of humans, animals and ecosystems. The degradation of nature, through the loss and fragmentation of habitats, and industrial-scale resource extractions, have been clearly linked to pandemics, with all of their consequences. COVID-19 is just the latest and most widespread of these zoonotic pandemics caused by our impact on nature. Climate change and biodiversity loss will likely exacerbate the threat of future pandemics.

Recognising this relationship, world leaders and major institutions are calling for a nature-centred economic recovery to avoid future pandemics. The ACT is poised to be a global leader on this issue. Every day, we demonstrate the diversity of benefits for the community and for urban liveability of integrating nature into our urban design and ongoing city planning.

Our streets, parks and walkways, and the reserves within and surrounding the city, provide each of the city's more than 450,000 residents with access to nature within one kilometre of their home. These natural and semi-natural open spaces provide

significant opportunities to sustain people's health and wellbeing, recreation, exercise and social interactions. This foundation places the ACT in an enviable position.

In addition, the ACT government has undertaken significant planning and policy development to ensure the protection, conservation and enhancement of the territory's natural and cultural environments. We know that the maintenance of our natural assets will not just happen but need active planning and work. The ongoing delivery of this suite of strategies, policies and plans will see the ACT continue to be recognised for its nature-based landscape, as a compact and efficient city, and as a global leader in conserving our unique plants and animals while ensuring urban liveability.

Our primary environmental policy, the ACT Nature Conservation Strategy, is based on a landscape-scale approach for the whole of the ACT. Similarly, the ACT Planning Strategy and Canberra's Living Infrastructure Plan, which both apply to the urban context, take a whole-of-urban-footprint approach.

Moreover, the Urban Forest Strategy provides a vision for a resilient and sustainable urban forest that supports a liveable city and the natural environment. Canberra's Living Infrastructure Plan and the Climate Change Strategy aim for a 30 per cent tree canopy cover and 30 per cent permeable surfaces in Canberra's urban footprint by 2045, further recognising the importance of nature—our trees, grasslands, wetlands and watercourses—and their contribution to human wellbeing.

Together, these strategies will continue our delivery of a liveable city and the wellbeing of the community, despite a changing climate; and, importantly, they will assist us in building our resilience to future events.

However, we must remember that these strategies are paper thin, unless they result in demonstrable action. We need only cast our minds back to the devastating summer fires, smoke impacts and the extremely dry conditions of early 2020 to realise our connection to nature and its conservation is core to our survival. The ACT Bushfire and Flood Recovery Plan released in September 2020 will guide us in actions to assist recovery of our landscapes, cultural sites and ecosystem assets, and protect their environmental and cultural values. During the COVID-19 lockdown, Canberra Nature Park became a wellbeing hub for the people of Canberra, with its highest ever recorded levels of visitation as people used the park for recreation and a place for respite.

The ACT's wellbeing framework recognises the importance of the environment as a foundation to our wellbeing, as a critical resource for Canberrans in coping with challenges such as COVID-19 as well as with day-to-day challenges. The ongoing provision of clean air, clean water and other ecosystem services provided by nature is fundamental to our life and the life of everything around us. Our natural environment conserves and protects biodiversity, which is extremely important to all Canberrans.

We are taking action, but more is needed. We must recognise that we are in the middle of an extinction crisis and this must be a core part of the work in protecting nature in our city.

The international Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services predicts that a million species will be threatened with extinction globally over the next 10 years. Unfortunately, it is Australia that has the worst mammal extinction rate in the world.

Australia's wildlife has suffered an extraordinary rate of extinction—approximately 10 per cent of the 273 endemic mammals over the last 200 years. A further 21 per cent of Australia's endemic mammals are now assessed as threatened. Likewise 2.2 per cent of Australia's birds are now extinct, with a further 11.8 per cent that are threatened.

This is happening right now, in our own city. In the ACT there are currently 53 species and three ecological communities listed as threatened under the Nature Conservation Act. This means that they have been assessed as likely to become extinct in the foreseeable future. Six of these species are endemic and found nowhere else. Their very existence is in our hands.

Key threats to nature, as highlighted earlier, are loss of habitat and invasive species, known as biosecurity threats. These two threats have caused a vast majority of Australia's biodiversity loss, with climate change escalating the scale and impact of these existing threats.

The Convention on Biological Diversity, to which Australia is a signatory, lists the spread of invasive species as a major driver of biodiversity loss. Predation by introduced predators, including foxes and cats, has resulted in the extinction of a critical weight range of fauna across Australia. Research in Canberra has highlighted that, even with extensive fox control, the recovery of keystone species like bettongs is compromised by fox predation. Additionally, a Canberra research project estimated that free roaming but owned Canberra cats preyed on 61,000 native birds, 2,000 native mammals, 30,000 native reptiles and 6,000 native frogs each year. That is why we have consulted with the community on options to address the impact of cats. Later this year we will be finalising this work and presenting the ACT cat plan.

A similar story exists for invasive plants and their impact on threatened plants and ecosystems. But it is much more than a biodiversity issue. This is threatening our lives and livelihoods. Australia's biosecurity system is a trade and economic asset. It underpins \$59 billion in agricultural production, \$45 billion of agricultural exports and \$38 billion in inbound tourism. National biosecurity efforts also protect human health, social amenity and help maintain Australia's environmental assets—the latter estimated to be worth over \$6 trillion in 2016.

Responding to the biosecurity risks, the ACT government invests in excess of \$4 million annually to manage invasive species. This is not because we want to; it is because we have to. Targeting new and emerging species and species impacting high-value assets assists in the recovery of biodiversity. We are also working towards a new consolidated biosecurity bill and revising the ACT's invasive plants strategy and methods of reporting on the outcomes of our invasive species control programs.



The ACT government is playing its part in halting this biodiversity decline. This is a government that is committed to research and evidence-based environmental management. We know that we must be part of the research effort to reverse biodiversity decline, and we are proud of our rangers and scientists that are involved in world-leading work around threatened species. We currently run over 20 threatened species programs, working in strong collaborative partnerships with a range of universities, zoos, botanic gardens, state and federal government agencies, and community conservation organisations.

The ACT has conserved one of the largest patches of the nationally critically endangered yellow box-blakely's red gum woodland in public hands, and the largest patches of the also critically endangered natural temperate grassland left in Australia. We are implementing ongoing programs to increase protection and management to protect these important ecosystems.

At the individual species level, our recovery programs include threatened orchid seeds being "banked" in an ongoing collaboration with the Australian National Botanic Gardens, and planning is underway for translocation of the Canberra spider orchid and a multijurisdictional and community volunteer supported orchid conservation program.

The pink-tailed worm lizard habitat restoration across the Molonglo Valley has included the placement of approximately one million habitat rocks and extensive native grass and wildflower plantings. The broad-toothed rat research into the bushfire impacts, genetic diversity and post-fire recolonisation is a collaboration with New South Wales DPIE and the University of Canberra.

I refer also to the establishment of an insurance and breeding population of the grassland earless dragon at Tidbinbilla. This purpose-built captive breeding will breed dragons for subsequent release into the wild. Captive breeding of the northern corroboree frog has enabled the release of 540 individuals to a new trial release site in Namadgi National Park, building on thousands already released into the wild.

A breeding program of brush-tailed rock-wallabies will produce 25 individuals for release into the Jedbinbilla safe haven, a fenced predator-free enclosure to support the long-term survival of this species. There are only an estimated 40 brush-tailed rock-wallabies left in the wild across Australia.

This year the ACT has also taken a national coordination role in the recovery of gang-gang cockatoos following the bushfires. This is a partnership with the commonwealth, other range states for the species, and conservation NGOs across the country.

Our premier conservation initiative, the Mulligans Flat Woodland Sanctuary, is a partnership involving the ACT government, the Woodlands and Wetlands Trust, and the Australian National University. This is not merely a zoo or an entertainment venue; it is the focus of a significant research project that is contributing to halting decline and promoting recovery. This innovative program is supporting the recovery and reintroduction of locally extinct native animals, including the eastern bettong, the eastern quoll, the bush stone-curlew and the new holland mouse, which are all

threatened by predation from foxes and cats. This year we have also released eastern chestnut mice into the sanctuary.

By maintaining and enhancing the ACT's natural environments, our native plants and animals will continue to be protected and conserved, and our community will be able to experience, learn about and value our native species.

More broadly, across the region and the city, the ACT government is rolling out programs to mitigate climate change by reducing emissions and to adapt to the already locked-in climate change. We continue to be global leaders in demonstrating what impact cities can have by taking real climate action and responding to our global climate emergency. Our ACT Climate Change Strategy maps out a pathway to rapidly reduce emissions by 2025 and reach net zero emissions by 2045. Meanwhile, our Living Infrastructure Plan aims to sustain our native trees and vegetation, and to plant more living infrastructure to assist in adapting to climate change by cooling the city and improving air and water quality.

The vegetation in our natural environments cleans and filters water, traps sediment from erosion, recycles nutrients, stabilises slopes, and slows run-off, to improve the quality of water. Without the large expanses of intact native vegetation buffering our waterways, the costs of water filtration and flood mitigation would dramatically increase.

Namadgi National Park was established as a secure water catchment for the ACT. It provides up to 85 per cent of Canberra's water from the Cotter catchment, with an estimated economic value of at least \$100 million per year. The 2020 fires heavily impacted the park, but extensive work by the ACT government has resulted in trails and waterways being stabilised and made safe, recovery actions being implemented to protect our alpine bogs and fens, and recent reopening of the park to the public.

In the urban setting, the ACT's government investment in the Healthy Waterways program demonstrates our commitment to improving the health of our waterways and their maintenance as aesthetic and recreational resources for the community.

Government is also acting to ensure good air quality is maintained across the city. Our Living Infrastructure program and extensive planting of trees will naturally filter the air by stabilising dust and absorbing pollutants. Meanwhile the provision of our integrated transport network will reduce motor vehicle emissions by encouraging use of electric vehicles, improving road infrastructure to minimise transport delays, and encouraging active travel modes such as walking or cycling. We will also be leading the development of a new air quality strategy.

Protecting and enhancing our environment is a joint effort, and the work of government is supported by an incredible volunteer base. The ACT community is highly educated and committed. We have the highest volunteering rate in Australia, with 36.8 per cent of our population actively volunteering their time to help the community. These volunteers contribute over \$1.5 billion to the ACT economy every year.

Volunteers' activities provide enriched and extended services that would not otherwise be available to the community without their support. The ACT State of the Environment Report in 2019 calculated that the ACT's environmental volunteers across all environment sectors contribute around \$40 million to \$50 million per year to the environment of the ACT.

These volunteer contributions include: unparalleled local knowledge of the surrounding environment and local species; physical labour—planting, weeding, removing debris and caring for injured wildlife; monitoring and evaluation, such as through the Waterwatch and Frogwatch programs; administration and management of environmental group activities; education and raising awareness of local environmental issues; and encouraging practices to support the needs of present and future generations. I want to highlight and thank our environmental volunteers for the contribution they make. We are continuing to support our catchment groups, ParkCare groups and wildlife carers to maintain their commitment and the resources they need to look after our environment and our nature.

In conclusion, the ACT government recognises and reinforces the importance of nature in our city, our exemplary demonstration of a city in its landscape, and our progress towards building our resilience to climate risks and any unforeseen threats.

Our strategies and programs strive for a biodiversity-rich, resilient landscape stretching from the inner city to the mountains, where well-functioning, diverse ecosystems meet the needs and support the wellbeing of people and the environment, continuing and sustaining the liveability of Canberra. I present the following paper:

Nature: the foundation of Canberra as a liveable city and the wellbeing of the ACT community—Ministerial statement, May 2021.

I move:

That the Assembly take note of the paper.

**MS CASTLEY (Yerrabi) (10.26):** The Canberra Liberals are ambitious for our territory's environment and future. The Canberra Liberals believe that nature must be respected and protected. As the Canberra Liberals shadow minister for the environment, I welcome and am pleased to speak on Minister Vassarotti's ministerial statement on the importance of nature for the territory's liveability and Canberrans' wellbeing.

We often hear Canberra is a great place to raise children, and much of the reason for that is our green spaces, nature parks, reserves, waterways and the like. The Canberra Liberals agree with Minister Vassarotti that while Canberrans are rightly proud of our bush capital status, a city of clean air, trees, lovely gardens and well-maintained parkland, we cannot take this for granted.

While some Canberrans might assume that having a Labor-Greens government in power guarantees strong stewardship of our environment, I am not convinced. Sadly,

more than 20 years of a Labor-Greens government has led to a decline in Canberra's environment. Consider these points: Canberra is losing 3,000 trees each year, the tree canopy is shrinking, parks and reserves are poorly maintained, nature strips are often weed infested, many streets in Canberra's newer suburbs are almost treeless and communities are deprived of much-needed green space.

A report released last year by RMIT University and Greener Spaces Better Places found that, since 2016 in the ACT, green spaces—trees, grasses and shrubs—have increased by just 1.3 per cent, while grey spaces—roads, paths, car parks and roofs—have increased by 1.4 per cent. The *Where will all the trees be?* national tree canopy benchmarking document warned that the ACT could face problems just maintaining the green cover as our population grows and suburbs are developed.

The Canberra Liberals support the government's 30 per cent urban tree canopy target and believe that we should meet and exceed that. I want to emphasise the tripartisan support for this worthy environmental goal, as well as call on the government to provide annual updates to the Assembly about its efforts towards the target and a report on the current tree canopy percentage by suburb.

The Canberra Liberals went to the last election with strong environment policies, including planting one million trees to increase our urban tree canopy, provide guaranteed green space, improve our parks and reserves, and conserve water and reduce emissions. A Canberra Liberals government would have also given every child a tree on their first day of kinder, which contrasts with the government's poor record on tree planting at schools, which equates to less than five trees per school since 2017. Canberrans are concerned about the loss of trees because we know that our trees add to our environment, wellbeing and quality of life.

Tree canopies are under threat, particularly in our older suburbs, with development leaving postage-stamp-size gardens and certainly no tree canopy plantings. Too many Canberrans are mourning the loss and lack of trees in neighbourhoods that increasingly appear barren and grey. Clearly, we are not out of the woods. We can see grey cover mounting and need the green cover to be increasing alongside that.

The Canberra Liberals believe nature must be respected and protected, and that is why we will hold the Labor-Greens government to account on its environmental stewardship. It is the opposition, the Canberra Liberals, which has been demanding answers from the Greens leader and minister for emissions reduction, Shane Rattenbury, about when the government will begin work on the major review of the climate act, which should have started in October last year. Minister Vassarotti, Canberrans and the Canberra Liberals are still waiting for Minister Rattenbury to tell us when the government will start the review, let alone provide it.

In her statement, Minister Vassarotti says that Canberrans have access to nature within a kilometre of their home. That is something Canberrans should delight in, but that is not the case for everyone across the territory. In my electorate of Yerrabi, you only need to visit Yerrabi Pond to realise that this government still has a lot of work to do in making parks, green spaces and waterways pleasant for Canberrans and their

families, not eyesores that people avoid because there are so few bins, disgusting toilets, little seating and insufficient parking.

Minister Vassarotti states that strategies are paper thin, and indeed they are. Action is what we need. I call on Minister Vassarotti to put her ministerial statement on nature into action immediately by fixing up Yerrabi Pond for the benefit and enjoyment of the Yerrabi constituents I am so proud to represent.

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.32), in reply: I welcome the commitment of the Canberra Liberals in relation to recognising the importance of nature.

Ms Castley said that the tree canopy in the ACT is decreasing. I would remind her of the statement that I provided in response to a question without notice, a statement that I made in the April sitting, which put on the record the fact that the research that was being referred to was wrong, and we are one of only two cities in Australia where we are seeing canopy rise. I also understand that Minister Rattenbury has provided a response in relation to the review of the climate strategy, again in a previous sitting.

It is good to hear a commitment from the Canberra Liberals about the importance of nature in the city and some recognition of the work that the government is doing.

Question resolved in the affirmative.

## **Disability services—National Disability Insurance Scheme Ministerial statement**

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.33): I rise today to speak about current issues in commonwealth disability policy. Ten years ago, the people of Australia developed a vision. This vision was for a scheme which would provide people with choice and control of how, when and where support would be provided to people with disabilities. It was a once in a generation, ground-breaking change to the way people with disability were supported.

The National Disability Insurance Scheme, NDIS, has rightly been compared, in scale and scope, to the introduction of Medicare, a system where support would be based on individual need, where participants could choose who provides support—a scheme that is an insurance scheme, not a welfare system. The community was told that this scheme would be there for everyone.

The ACT was the first jurisdiction to accept all eligible residents into the National Disability Insurance Scheme. From the ACT NDIS trial in 2014 to today, the ACT government has continued to remain committed to the successful delivery of the NDIS and ensuring that people with disability are able to maximise the opportunities that the scheme presents to ACT residents.

Now, in 2021, there has been a shift in dialogue and a shift in values from the federal government, where the cost and financial “sustainability” of the scheme are highlighted. It dominates discussion between states, territories and the commonwealth. It is the focus of reviews and razor gang task forces.

The 2017 Productivity Commission estimate of costs by 2024-25 was \$30.6 billion. While the federal government have been throwing some big talk around about \$13.2 billion of extra funding in the federal budget, they have in fact committed only to an additional \$1.3 billion in 2024-25 over the Productivity Commission estimates for that year, to a total of \$31.9 billion in funding for supports by then.

This is not unexpected, particularly as the system matures and we develop a better understanding of what is needed. I am not fooled by the federal government’s smoke and mirrors. Federal minister Linda Reynolds’s language is focused on the costs of the system, not the value of everyone being able to participate in our community and live an ordinary life. This is not the NDIS that we Australians signed up for; it is not the NDIS that this ACT government signed up for on behalf of our community.

In fact, the federal budget is underpinned by a \$4.6 billion structural underspend on the NDIS that brought the budget back into surplus in 2018-19, prior to the pandemic. As a former community sector advocate who struggled to persuade federal governments to adequately resource social services programs, I know that an underspend in the delivery of social services such as this usually means that there are people in need of support who are not receiving it. That is unacceptable. It is unacceptable that having people with disabilities not receiving support is the reason we had a surplus as we went into the pandemic in 2020 and that that is the reason that the budget is not in an even worse deficit today. It is a travesty, and the federal government should be ashamed.

Significant reforms are being considered for the legislation for the first time. I echo the sentiments of the CEO of the National Disability Insurance Agency himself, who said in a Senate committee last week:

I deeply regret that our genuine attempts at communication and consultation have evidently not to date been sufficient or appropriate.

Members of the Assembly, I reiterate that this communication and consultation has not been sufficient or appropriate. Public policy is occurring on the run and playing out in the media and social media. This is no substitute for collaboration and codesign.

I want to comment on one aspect of these reforms which has caused people with disability and others in the community great distress. That issue is independent assessments. The implementation of independent assessments under the NDIS is of grave and serious concern. As Minister for Disability, I am deeply disturbed that there has been a lack of consultation with people who have disability. I am deeply disturbed that—as many people with disability have said—these changes undermine the fundamental premise of choice and control that the NDIS was meant to be built upon.

The consultation undertaken by the National Disability Insurance Agency on independent assessments has not been genuine. The announcements made on the successful assessment panel the day after the consultation round occurred did not reassure people with disability that this is a true and effective consultation. I note that the CEO of some of the parent and subsidiary companies with contracts to carry out independent assessments is a former CEO of the NDIA from around the time that independent assessments first began to be pursued as a policy idea. Contracts already awarded to roll out these independent assessments total \$339 million.

The introduction of independent assessments must not be assumed to be inevitable or necessary. It is imperative to the future of the scheme that the NDIA and the commonwealth have more meaningful consultations and address the concerns and questions of people with disability as a priority. I will keep asking for that consultation at every opportunity I get, and I will do everything I can to demonstrate by example how the ACT government properly codesigns and consults with people with disabilities when we make legislative and program changes.

On 15 April of this year, disability ministers from across the country met at the disability reform ministers meeting and discussed the proposed changes to the NDIS. In that meeting I asked that the independent assessment pilot cease immediately. Instead, focus should be given to genuine consultation and codesign on the future of the NDIS, and the nature and extent of legislative and operational reforms. It is disappointing that this did not occur and that the concerns that I expressed on behalf of the ACT community were dismissed. I will continue to advocate loudly that people with disability remain at the centre of the NDIS and that the fundamental principles of choice and control are maintained. But beyond that, people with disability deserve continuity of service through providers and professionals.

The ACT government takes on roles within disability policy in areas that fall outside the jurisdiction of the NDIS or those that are consistently falling through the gaps. Programs like the ACT government's integrated service response program are a government response to some of those gaps. The ISRP provides short-term case coordination and emergency funding to purchase interim supports and services from non-government providers for ISRP participants, including people who may not be eligible for the NDIS. The ISRP works with the National Disability Insurance Agency, ACT government directorates and ACT community service providers to resolve crises for ACT residents with disability whose complex support needs are not being met. Since the ISRP began in November 2018, 224 referrals have been received. ISRP case coordination and emergency funding have improved the outcomes for individuals and reduced the cost to the ACT government by providing cost-effective solutions that have diverted people from tertiary services such as out of home care and hospital admission.

The ACT government prepares and has input into a wide range of strategies in disability. The new National Disability Strategy is expected to be launched later this year, following agreement between commonwealth, state and territory governments. This new strategy, building upon the foundations of the previous National Disability Strategy, provides all governments with a significant opportunity to recommit to

improving the inclusion and participation of people with disability in all aspects of community life. It also provides the opportunity to reconsider those approaches and elements that have or have not worked, and to ensure that, where possible, we are working together to identify local solutions to local problems that in turn contribute to the broader outcomes sought by the national strategy.

To that end, the ACT government will ensure that the experiences of people with disability and their supporters are kept at the centre of our response to the new National Disability Strategy and that, wherever possible, we seek to codesign and collaborate on initiatives and actions affecting their interests.

The views of the ACT's Disability Reference Group have already been sought. As Minister for Disability, I will continue to take every opportunity that I can to listen to their views and the views of people with disability, of their families and of the broader community sector, as we work together towards using the new strategy as a means of making direct, meaningful and positive changes that result in a more inclusive community. I thank them for their ongoing contribution to ACT government policymaking and for their frank and fearless advice.

National and international research shows that people with disability face many barriers to accessing justice. The Disability Justice Strategy 2019-2029 aims to address this inequality and increase the responsiveness of the justice system to the needs of people with disability, improving the justice system for everyone.

I am pleased to report that in the first year of the justice strategy, significant achievements have been made, as documented in the first annual report released in September 2020. These achievements include the appointment of another disability liaison officer at the Alexander Maconochie Centre and the Director of Public Prosecutions. Recruitment is underway for disability liaison officers to join the ACT courts and tribunal, ACT Policing, and the Office for Children, Youth and Family Support. These disability liaison officers will support cultural change within justice agencies and build the capability and capacity of organisations to achieve equity and improve the inclusion of people with disability across the justice system.

In addition, justice agencies and organisations now have access to a needs identification tool that supports them to identify the reasonable adjustment needs of people with disability. A working group has been convened, including Bimberi Youth Justice Centre, the ACT courts and tribunal, ACT Corrective Services, ACT Policing, and Legal Aid ACT, to plan the implementation of trials of the tool across the justice system.

ACT Corrective Services are demonstrating leadership in the development and publishing of their Disability Action and Inclusion Plan, which outlines a series of commitments over the next three years to improve inclusion for people with disability who have contact with their service.

Ensuring that information is accessible for people with disability is a key priority of the justice strategy, with key information now having been translated into accessible formats. This includes the Easy English translation of a range of information sheets



and brochures. Easy English training has already been completed for 75 staff members from across the justice system to learn how to develop accessible documents.

The most pressing current issue for people with disability, as well as for their families, carers, disability support providers and broader support networks, is the challenges and uncertainty that COVID-19 continues to present. We know that this new environment has brought challenges that continue today, with reduced human contact, reduced social participation and reduced inclusion of people with disability. We know that the job losses have affected everybody, and that includes employment and jobs for people with disability.

There have been really impressive efforts to support better access to technology and better working-from-home arrangements. The online world has opened up in a way that would have taken years prior to COVID-19.

I would like to reiterate the ACT government's commitment to providing the support and information that people with disability, their families and the sector need to meet these challenges and uncertainties. Comprehensive information and links to further assistance and resources were made available on the Community Services Directorate website immediately following the outbreak of the pandemic, and this continues to be updated as new challenges are identified and new measures are put in place to address them, including vaccinations.

The ACT government has worked closely with community and sector stakeholders to develop and implement an action plan under the COVID-19 Disability Strategy, with \$850,000 allocated through stimulus funding to support this.

Over recent years, the ACT government has been a leader in changing the policy approach for disability policy. This is being achieved by approaching disability policy through the lens of the social model of disability. This recognises that disability is the result of physical, attitudinal, communication and social barriers.

Here in the ACT, we have an opportunity to continue our role as leaders in this space. The disability pride movement is one which is gaining momentum across the world and takes a step beyond the social model.

I would like to take a moment to echo the words of poet and disability rights activist Laura Hershey's seminal poem *You get proud by practicing*:

Remember, you weren't the one  
Who made you ashamed,  
But you are the one  
Who can make you proud.  
Just practice,  
Practice until you get proud, and once you are proud,  
Keep practicing so you won't forget.  
You get proud  
By practicing.

Where systemic and structural ableism peddle shame, deficit and stigma, disability pride offers the antidote. The Youth Disability Advocacy Service in Victoria recently produced a video on disability pride where Veronica, a young activist, shared the following:

Our disabilities are what make us unique. And as a community being able to share this uniqueness, will help society grow.

I share this quote because it illustrates how much disability pride benefits society as a whole.

We have disability rights activists to thank for turning the entire concept of disability on its head, through the social model of disability. Disability is not a burden, a problem or a deficit; it is the result of unsuitable and inaccessible environments and unequal power structures. Disability pride complements this reframing, underlining the truth that disability is a fundamental and necessary facet of human diversity. It spotlights the vitality, the validity and the value of diversity.

My colleague Greens Senator Jordon Steele-John has reflected on disability pride as both a gift and a fuel for activism. He says:

And as the disability movement goes forward, one of the things we've got to gift to the next generation, and to keep alight firmly in ourselves, is that sense of pride and celebration of ourselves as disabled people ... Disabled people are coming into our power as a community. And part of coming into your power is coming into a radical self-love, from which you can spark joy and hope.

What he has said highlights why disability pride is that important next step that we need to take as a community. It looks at the whole person and it is founded on love and hope. Disability pride's time has come—as a movement, a discourse and a lens through which to deliver policies and programs.

As Minister for Disability, I will work for improvements to the NDIS for it to fully meet its potential to provide adequate funding for individuals, including funding for respite services and individual and systemic advocacy services. I will advocate for people with disability to have access to secure, affordable housing options that meet their needs. I will advocate for support for people with disabilities over the age of 65 who require assistance outside the NDIS to access the community. I will advocate for the elimination of barriers in education, training, employment, transport and services.

The ACT government is committed to strategies, programs and policies which meet the needs of the ACT community. In a world where we are more connected than ever, there is an entire community who know what services and policies are required for people with disability and their full participation in society, and that is people with disabilities. They are telling us what they need, if only we will listen. I commit to listening, understanding and taking action for an inclusive Canberra for people with disabilities.

I present the following paper:

Disability Policy—Ministerial statement, May 2021.

I move:

That the Assembly take note of the paper.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.49): I wish to speak briefly on Minister Davidson's statement.

It is really pleasing to have the opportunity to talk about the ACT government's ongoing commitment to the original intent of the National Disability Insurance Scheme: choice and control over the supports people with disability need to live an ordinary life. This is a huge reform. As many others have done before, Minister Davidson likened it to the introduction of Medicare, a reform introduced proudly by our federal Labor government.

There were always going to be bumps in the road in implementing such a huge reform. The ACT government has consistently worked collaboratively with the commonwealth and with other states and territories to try to work through those issues as we have implemented this major reform.

As the first jurisdiction to have all eligible residents participating in the NDIS, as issues have arisen we have been able to draw them to the attention of the commonwealth, of the National Disability Insurance Agency, and of our state and territory colleagues across the country.

The ACT government, as Minister Davidson has touched on, has consistently filled gaps where the NDIS has not been working for Canberrans. We are continuing to have people in our hospitals and health services who are unable to get access to NDIS supports in a timely way. We introduced the Integrated Service Response Program—the ISRP, which Minister Davidson talked about—to ensure that there is a safety net for people whose issues are escalating or who cannot get timely access to the NDIS. We increased funding for individual advocacy when it became clear how difficult the NDIS was to navigate for so many people and how inadequate the commonwealth's funding for advocacy to support them was. We spent years funding health supports—like support to breathe and eat—that are fundamentally related to a person's disability when the NDIA identified that these were not in scope. They are. They have now been recognised, but states and territories picked up the bill for years. We have funded other services that were originally expected to be in scope but were subsequently determined not to be.

There have always been underlying concerns about the coalition government's approach, which has too often been driven by a focus on penny-pinching rather than the scheme's original vision. It is not surprising that we see this when people with disability, people with lived experience, are consistently absent from governance and leadership positions in the National Disability Insurance Agency. We have, as a government, consistently advocated for people with disability to be better represented in governance and leadership through the National Disability Insurance Agency as well as its advisory mechanisms.

This comes back fundamentally to a lack of empathy and compassion by the coalition government. The Prime Minister, Scott Morrison, has talked a number of times about the NDIS in relation to his brother-in-law Garry. Garry has multiple sclerosis. I have no doubt that this experience has influenced the Prime Minister's view about the importance of support for people with disability. The problem with this approach is that Garry's experience is not a typical experience of a person with a disability. There is no typical experience for a person with a disability. Some people are born with disability; some acquire disability as a child or as an adult. Some people acquire disability over the age of 65. I have been advocating for some time that the aged care system does not support people who acquire a disability over the age of 65 who are not eligible for the NDIS. There is a great inequity in that, and I raised it again with Minister Hunt at the recent health ministers meeting. Some people have cognitive disability; some have psychosocial disability; some have physical disability; some have sensory disability; some have a combination of these. Each person's experience is unique, and each person needs to have that choice in control over the supports that are going to enable them to live an ordinary life.

That is why the recent changes Minister Davidson talked about, with independent assessments, are so concerning for people with disability—to have a person who has never met them before sit down with them for three hours and determine what supports they need to live an ordinary life rather than dealing with those who have worked with them for years, those who know them best, dealing with the people with disability themselves and their own family members.

It is really unfortunate that the Prime Minister can see the NDIS and appreciate its value only through the lens of Garry's experience. But this is not surprising. He is the person who could only empathise with Brittany Higgins when his wife, Jenny, said that he needed to think about how he would feel if it was one of their girls who had had that experience.

There is a fundamental lack of empathy and compassion at the heart of the coalition government, and the changes they are proposing to the NDIS reflect that very sad situation.

Question resolved in the affirmative.

## **Planning—age-friendly city plan**

### **Ministerial statement**

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.56): I am honoured to rise in this Assembly today to provide an update on work progressed under the age-friendly city plan to ensure older Canberrans are able to lead active, connected lives as valued and respected members of our community. The plan includes a commitment for an annual statement to be delivered in the Assembly on the progress of actions. This statement will provide an update for the period May to December 2020.

Launched in May 2020, the age-friendly city plan was developed as part of the ACT government's broader social inclusion agenda. It facilitates collaboration across ACT government directorates and with community partners to progress key actions which address barriers older Canberrans have told us they face in staying mobile and socially connected, accessing services and living free from abuse.

The plan has been built following consultation with and listening to the ideas, concerns and solutions of older Canberrans and key sector stakeholder organisations over a two-year period. I will provide a summary of progress against each of the four focus areas. A full progress report update against each action is available on the Community Services Directorate website.

While the age-friendly city plan sets out a road map for key areas of work to be progressed over a four-year period, it also recognises the need to continue to be responsive to the needs and aspirations of older Canberrans as they change over time. I will therefore also be updating members on additional measures, not directly referred to in the plan, that have been introduced to address new and emerging needs, particularly in light of the COVID-19 pandemic.

The first of the four focus areas of the plan that I will provide an update on is: involved, connected and valued. This focus area centres on fostering the active involvement and participation of older Canberrans, with the recognition that these individuals bring experience, wisdom and resources to enrich and strengthen our communities.

In relation to actions identified in the plan, I am pleased to report that a whole-of-government resource to support engagement with older Canberrans is in the process of being developed to strengthen the way in which we engage and communicate with older Canberrans. The ACT government's engagement with older Canberrans is being supported with 29 per cent of YourSay community members being aged 55 years or older, which is comparable to the census population statistics of 28 per cent.

Work has progressed on the development of whole-of-population measures across the breadth of the ACT government wellbeing indicators, and examination of the extent to which information sets are available from these measures in respect of the various community groups identified, including for older Canberrans. The revitalisation of the Ngunnawal language is being supported by the development of a series of videos which will be made available across the ACT public service following endorsement by the Ngunnawal community. Efforts are underway to support volunteering opportunities through Transport Canberra and City Services with the development of a volunteers gateway system.

While an increase in the number of intergenerational playgroups held across our city was not able to be progressed in its current form due to the impact of COVID-19, both community organisations and government adapted their programs to support intergenerational connections through new methods of engagement. For example, the Community Services Directorate promoted the celebrating seniors initiative, which involved the promotion of a series of activities held across October 2020 to encourage

the community to re-establish activities and strengthen connections with older members of our community, including family and friends.

Due to the impact of COVID-19, identified actions to work with local business to support employment opportunities for older Canberrans have not yet commenced. This area of work will be a priority over the next reporting period, as we consider initiatives in light of the longer term impact of COVID-19.

The second focus area—safe, secure and free from abuse—relates to ensuring older Canberrans are able to live free from discrimination, abuse, violence and exploitation. The following actions under this focus area have been completed within the first year of the four-year plan. Amendments to record keeping requirements under power of attorney legislation have been introduced on a temporary basis to ensure that requirements are consistent, regardless of the capacity of the principal. These provisions are to be made permanent through the Justice and Community Safety Legislation Amendment Bill 2020.

The Crimes (Offences Against Vulnerable People) Legislation Amendment Act 2020 has been introduced, which will see elder abuse made a criminal offence from April 2021. Targeted promotion of the home safety program for older Canberrans has been progressed, with five workshops targeting older Canberrans held during 2020.

In addition, work on the following actions is progressing. The ACT government has continued its work with the commonwealth and other jurisdictions to develop a national register of powers of attorney documents and to improve consistency of power of attorney legislation. Public consultation has occurred to support the consideration of ways to strengthen the powers of the ACT Civil and Administrative Tribunal in providing remedies and redress for the misuse of powers of attorney, and guardianship financial management appointment.

The third focus area of the plan—information, services and supports which embrace diversity—sees efforts to ensure older Canberrans have access to information and supports to promote wellbeing, active participation and independence. This also recognises the need for supports to be responsive to individual circumstances and affirming of older Canberrans' equal right to choice and to control over their lives. Achievements in this focus area include consultation on and drafting of a position statement outlining a vision for older persons mental health and wellbeing in the ACT. This will form the basis for the older persons mental health strategy to be developed in 2021.

LGBTIQ+ elders have been supported to engage and participate with community through the Capital of Equality Grants Program. This saw funding allocated for an intergenerational digital storytelling project, “forward together”, which aims to foster intergenerational dialogue within Canberra’s LGBTIQ+ community. Funding was also allocated to support the initiative “a community in isolation”, which aims to highlight the experiences of LGBTIQ+ youth and adults in periods of social, emotional and physical isolation.

Further, the ACT Health Directorate continues to collaborate across government and with key stakeholders to comprehensively develop the regulatory frameworks required to implement the national code of conduct for non-registered health professionals. Some actions under this focus area did not progress in their current form due to the impact of COVID-19.

However, I commend directorates across ACT government for the way in which they have worked with agility to introduce alternative approaches and actions to continue providing support for older Canberrans to stay connected and active, particularly during the pandemic. For example, Libraries ACT introduced a trial mystery box delivery service for ACT residents who were impacted by COVID-19 and unable to visit the library due to restrictions.

The fourth and final focus area of the plan—a city for all ages—centres on our city’s infrastructure, such as transport, pathways and open spaces, enabling older Canberrans to be active and involved. This also considers access to appropriate and affordable housing for older Canberrans. I can report that the Age Friendly Suburbs Program has continued with the delivery of pathways and related infrastructure, such as road crossings to support improved access for community members, particularly those who may have specific mobility needs. A description of recently completed works is available on the City Services website.

In relation to housing, the parliamentary and governing agreement for the 10th Legislative Assembly committed to a further expansion of the Growing and Renewing Public Housing program, to deliver an additional 140 new public housing dwellings, setting a revised target of 1,000 properties to be renewed and 400 additional dwellings to be delivered by 30 June 2025. It is anticipated that a portion of new housing to be made available in the future will meet the needs of older Canberrans.

Some actions under this focus area were not progressed in the reporting period due to the impact of COVID-19, with directorates working to adapt and shift their work to meet emerging and priority needs. For example, from July 2020 a new online application for the dual ACT seniors card and MyWay travel card was introduced to provide an additional platform for older Canberrans to apply for an ACT seniors card throughout COVID-19, removing the need for individuals to leave their home. The introduction of the online method of application also assisted to create an easy application process for the many older Canberrans who became eligible on 1 July 2020, due to a lowering of age eligibility from 62 to 60 years.

The adaptability and responsiveness to our approach in supporting older Canberrans has been tested during the COVID-19 pandemic. I am pleased to be able to include information on how services and supports have been modified to support older Canberrans through this time. Access Canberra has given priority to vulnerable customers, including older Canberrans, waiting in the queue at service centres during the COVID-19 pandemic though the introduction of an allocated quiet period between nine and 11 am each weekday.

The Connect in Canberra hub was established to provide an online information portal to help Canberrans stay in the loop, keep connected, be part of the community and access assistance and support as needed. The Australian Red Cross was engaged to provide the wellbeing call service, available to all ACT residents to register for a free one-off phone call or arrange regular check-ins. This was a particular focus for those who have experienced social isolation due to COVID.

The know your neighbour campaign was rolled out to support Canberrans to connect with their neighbours and refocus efforts on community connection. Additional, targeted messaging was developed to reassure the Canberra community that health and medical appointments are safe to attend and that health and wellbeing must remain a priority.

A new fortnightly community partner COVID-19 update was introduced as a further way to reach our community, particularly those who may not regularly access mainstream media, social media and other online sources. The publication is being distributed to almost 250 organisations, including those which support older Canberrans. An online smart form and phone line was established to refer Canberrans to assistance, information or referrals they may need during the COVID-19 pandemic. As part of this service, clients are contacted within one business day of their inquiry.

The ACT government rolled out a media campaign promoting safe travel through COVID-19 and the continuation of the essential service of public transport. This was vital to provide services for older Canberrans who had no other means of transport, particularly through the early lockdown periods. Libraries ACT have modified the way they support the community and are continuing to deliver popular services, such as story time, using digital channels, as well as the establishment of a telephone helpline to assist older Canberrans and others to access digital resources on their devices.

In May 2020, the ACT government announced a \$4.5 million mental health support package, providing additional funding for mental health services in response to the anticipated increase in demand by Canberrans impacted by COVID-19. This included the announcement of the Mental Health and Wellbeing Innovation Grants Program, inviting proposals from individuals and organisations.

The following initiatives relating to older Canberrans were successful in receiving grants. COTA ACT received funding of \$10,000 to coordinate the development and performance by older Canberrans to communicate the experiences they faced during COVID-19; and Palliative Care ACT received funding of \$75,000 to expand their support for carer respite during COVID-19.

The ACT government COVID-19 community support package included the following funding to boost resourcing to organisations who support older Canberrans. COTA ACT received funding of \$20,000 to enhance their capacity to support older members of the Canberra community during the pandemic; and Woden Valley RSL and the Vietnam Veterans and Veterans Federation ACT Incorporated were also provided with funding of \$20,000 respectively, in recognition that older Canberrans can be prone to social isolation when veteran specific services are unavailable.



The COVID-19 Stimulus Rapid Response Grants Program supported organisations to change and adapt services to effectively meet client needs under the COVID-19 pandemic, while the Participation (Digital Communities) Grants Program supported the following projects: COTA ACT received funding of \$7,500 to support a seniors pop-up technology hub to enable older Canberrans to become more confident using technology to stay in touch with their community and family members; and Canberra Seniors Centre received funding of \$7,744 to purchase ICT equipment and accessories towards their digital doors project, to support participation in health and educational communities at home.

The following initiatives, which are in addition to identified actions of the plan, have been progressed over the reporting period to benefit older Canberrans. The Common Ground Dickson housing development has been approved and progressed to the next stage of developing 40 social and affordable homes for in-need Canberrans. The project aims to provide long-term housing for people facing chronic homelessness in growing cohorts of need, including older women.

In July 2020, the ACT's first specialist dementia care unit opened at Uniting Eabrai in Weston. The facility provides specialised care to people with very severe behavioural and psychological symptoms of dementia and aims to reduce or stabilise symptoms so people can move into less intensive care settings. The facility is funded by the commonwealth government under the specialist dementia care program and is delivered in partnership between Uniting Eabrai and Canberra Health Services, with administrative oversight of the national partnership agreement provided by the ACT Health Directorate.

The ACT government has committed to funding Palliative Care ACT's new non-clinical respite facility. The facility will initially operate as a six-month trial before a purpose-built facility is made to suit the model of care. Once fully operational, the facility will provide an additional eight respite beds for people with life-limiting illness, allowing them to spend up to seven days in a home-like environment while their carers get the rest they need and time to manage other responsibilities. In July 2019, the ACT Health Directorate signed a five-year cost-sharing agreement with the commonwealth government to deliver an extension of the palliative care needs round model of care to all residential aged-care facilities in the ACT.

This is the first progress report made under the four-year term of the age-friendly city plan. Work will continue in relation to the actions under the plan, though, importantly, this will adapt as the longer term impact on the COVID-19 pandemic for older Canberrans and the community as a whole becomes clear and new areas of need emerge.

Additionally, I will be closely tracking the progress on actions which support Canberra as a dementia-friendly city. I think we all appreciate the motion brought forward by Ms Lawder on 21 April this year to take a closer look at what can be done to ensure we are putting in place the right environmental adaptations and supports for people with dementia and their carers to lead happy, connected and active lives.

While we have made progress in this area, including the opening of the ACT's first specialist dementia care unit, I will be seeking to strengthen this aspect of the plan. As agreed, I will be providing further updates in relation to how the age-friendly city plan is supporting Canberra to develop as a dementia-friendly city as the plan progresses.

I am proud to see the commitment of collaborative efforts to support older Canberrans. Together, each of us can contribute to the ongoing development of Canberra as a city that values the contributions, involvement and needs of older Canberrans. I present the following paper:

Age-Friendly City Plan—Statement of Progress—Ministerial statement, May 2021.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Road Transport (Safety and Traffic Management) Amendment Bill 2021**

**Mr Steel**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.13): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Road Transport (Safety and Traffic Management) Amendment Bill 2021 into the Assembly today. The purpose of this bill is to amend the road transport legislation to allow for the use of mobile device detection cameras on ACT roads. Advances in mobile device technology have improved our lives in many ways. Mobile phones, in particular, have become an essential part of our daily lives and we benefit in many ways from the connectivity that they create. That does not mean that the impact of these devices is all positive. Evidence the world over shows that distraction caused by mobile phones is increasingly a factor in road accidents.

Driver distraction is a serious road safety issue. Any activity that distracts a driver can result in higher speeds, lane deviations and a delay in reaction time. All of these lead to more crashes. The risks of mobile device use while driving are significant and undeniable. Research shows that drivers who look at their mobile phones while driving are three times more likely to be involved in a crash than non-users. For those who text or browse the internet, the risk of crashing increases by a factor of 10.

Unfortunately, Canberra drivers use their mobile devices while driving at alarming rates. In 2020, ACT Policing issued over 1,000 infringement notices and 190 cautions for mobile device use. We believe that this is just a fraction of the actual number of drivers using their mobile devices. Using mobile devices while driving leads to more accidents and fewer Canberrans coming home safely to their loved ones. Often those bearing the costs of this dangerous and reckless behaviour are not the drivers themselves. Too often it is other motorists, cyclists or pedestrians, as well as their families. Mr Assistant Speaker, this just is not acceptable.

A number of other jurisdictions have introduced mobile speed cameras to combat the risks presented by driver mobile device usage. In New South Wales, this has reduced offending by around 80 per cent. The ACT government successfully uses automated road safety cameras on ACT roads to address other high-risk behaviours such as speeding and red-light running. These cameras have a proven track record of helping to prevent crashes and reducing road trauma.

It is clear that technology can now also play a role in preventing mobile device use, as a supplement to traditional enforcement methods. We need to encourage and assist people to change their driving behaviour so that fewer Canberrans are injured or die on our roads. That is why the ACT government will introduce mobile device detection cameras to reduce driver distraction, help build better driver habits and make our roads safer for all users.

This is an important step towards the realisation of vision zero, a strategy outlined in the ACT road safety strategy 2020-25 and the ACT road safety action plan 2020-23. Vision zero acknowledges that deaths and serious injuries on our roads are preventable and they are not inevitable.

The bill I am introducing today provides a robust legislative framework to enable and underpin the use of mobile device detection cameras in the ACT. It amends the existing legislation governing the use of fixed and mobile speed cameras to be more flexible and responsive. In particular, it enables the use of this new technology through updated definitions of camera types and the circumstances under which roadside cameras can be used.

This bill does not change the penalties associated with using a mobile device while driving and the existing penalties will apply regardless of whether an offence is detected by a police officer or a camera. At the moment, the penalty for drivers who use their hand-held mobile device to make or receive a call is a maximum court fine of 20 penalty units or infringement notice penalty of \$480 and three demerit points lost.

The current penalty for a driver who uses a mobile device for messaging, social networking, a mobile app or accessing the internet is a maximum court fine of 20 penalty units or an infringement notice penalty of \$589 and four demerit points lost. This penalty reflects the seriousness of the conduct and the potential risk associated with this dangerous behaviour. Canberrans need to be aware that if they use their mobile phones while driving, there will be a very real chance of being caught, and a very serious penalty involved.

Importantly, the bill contains a number of safeguards to protect the use, collection, disclosure and storage of personal information. The ACT government has undertaken extensive consultation with the ACT Human Rights Commission and the Australian Information Commissioner in developing the framework for the use of the cameras.

The amendments in the bill provide for a robust and transparent framework for collecting, processing and using personal information related to the mobile device detection cameras, and clearly articulates the purposes for which this information may be used. The bill retains existing requirements in relation to use, retention and disclosure of personal information collected by traffic offence detection cameras.

The bill limits the collect of personal information to the minimum amount needed for the enforcement of the relevant road transport offences. The collection of information is consistent with the framework in other jurisdictions and information collected will be handled and stored in accordance with the territory privacy principles as provided in the Information Privacy Act 2014.

The bill requires that data collected by the cameras must be protected by security safeguards to prevent loss, unauthorised access, use, modification or disclosure and any other type of misuse. Also, the image, any data or information related to the image or the making of the image, must be encrypted. One important and foundational privacy safeguard is the fact that the photos taken by the cameras will only be reviewed by a human compliance officer if the software detects the possible use of a hand-held mobile device. If the camera does not detect a possible offence, the image is deleted on the spot and never viewed by the human eye.

Further, information collected by the cameras may only be disclosed in limited circumstances. This includes law enforcement, improving community education and for specific road safety related research purposes. These safeguards will ensure that the information obtained through the use of the cameras is appropriately collected, used, stored and disclosed while not unreasonably limiting any individual's right to privacy.

The bill also simplifies the framework for the operation of all road safety cameras, including mobile device detection cameras. This includes providing for the approval of these devices by disallowable instrument rather than by regulation, and by the relocation of the requirements in relation to images taken by a road safety camera from the Road Transport (Safety and Traffic Management) Act 1999 to the Road Transport (Safety and Traffic Management) Regulation 2017.

The relocation of these provisions to the regulation will allow the government to quickly respond as technology advances, emerging road safety issues are identified or where additional safeguards for the protection of personal information are needed in the future.

Similar to existing road safety cameras that are used to detect speeding and red-light offences, the framework requires that mobile device detection cameras must be tested before they are used on ACT roads. Each time a camera is installed, used after repair,

replacement or software changes, it must be tested. If a camera does not pass the test, it will not be used to detect road transport offences.

The cameras may also only be operated by police officers and approved people who are appropriately skilled and trained. Highly trained and authorised individuals will have responsibility for reviewing the images identified as detecting a possible mobile device use offence prior to any infringement notice being issued. All existing options available to a person who receives an infringement notice for a road transport offence will apply to infringements issued for an offence detected by these new cameras.

The bill also makes a minor change to the existing mobile device use offence in the ACT's road rules regulation. It is an offence under the road rules for a driver to use a mobile device while a vehicle is moving or is stationary but not parked. A "mobile device" in the territory includes a mobile phone and any other wireless hand-held or wearable device designed or capable of being used for telecommunications—for example, a tablet—but does not include a CB radio or any other two-way radio.

The road rules currently allow the driver of a vehicle to hand their passenger a mobile device while driving. This is inconsistent with the ACT government's commitment to addressing driver distraction and national reforms on driver distraction, which are designed to encourage people to place their devices elsewhere in the car when driving. Accordingly, the bill closes this loophole, meaning it will now be an offence for the driver of a vehicle to hand a mobile device to their passenger while driving.

The bill also creates a reverse onus of proof for camera-detected mobile device use offences. It assumes that an image captured by a mobile device detection camera is taken to be moving or stationary but not parked. As the images captured will be of drivers in their cars on the road, this is an appropriate assumption to make. It will now be the responsibility of the driver to provide evidence to the contrary, given they are clearly in the best position to provide this evidence. This is consistent with the approach to the onus of proof for Canberra's existing speed and red-light cameras. Importantly, the bill maintains a person's right to contest the evidence of the offence captured by a mobile device detection camera. This is consistent with arrangements in other states such as Queensland.

This introduction of the cameras is a significant change and the community will need some time to adapt to the operation of the cameras. During the first three months that the cameras are in operation, drivers caught by a camera using their mobile device illegally will be issued with a warning letter to encourage them to change their behaviour. No financial or demerit point penalty will apply during this period.

An extensive communications campaign will support the rollout of these new cameras. This will include advice to the community on the risks associated with mobile device use, how the cameras will operate in the ACT and how privacy concerns have been addressed. This campaign will have a particular focus on our younger drivers.

The ACT government is aiming to introduce these cameras from late 2021 or early 2022, following completion of the procurement process. I am confident the cameras will help the ACT government in our efforts to reach vision zero. The cameras will

improve road safety by reducing the high prevalence of mobile device use while driving so serious crashes can be avoided.

We hope that we never collect a single dollar in fines because Canberrans change their behaviour. But the cameras will be out there on the roads to catch people if they do not do the right thing. Driver distraction is a serious safety risk and we are taking the action necessary to prevent it. I commend the bill to the Assembly.

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

## **Legislative Assembly—conduct**

**MS BURCH** (Brindabella) (11.26): I move:

That this Assembly:

(1) notes:

- (a) media reports that a current Member of the Assembly, Mr Milligan MLA, is alleged to have contacted constituents in the period after the October 2020 election seeking to promote his business; and
- (b) that the Electoral Act provides penalties for the misuse of protected information, and that the Legislative Assembly's code of conduct for members states at paragraph (8) that members should respect the dignity and privacy of individuals, and not disclose confidential information to which they have official access other than with consent or as required by law;

(2) calls on Mr Milligan:

- (a) upon the passage of this motion, to make a statement to the Assembly detailing how many emails were sent promoting his business, where and how did he obtain the email addresses, personal names and addresses, and how many responses he did receive, when he sent the emails/letters and how he had access to contact details, specifically, if any information was obtained through his actions as an MLA;
- (b) to confirm how many responses he received that were a request for quote or tender for business and how many business transactions were agreed to, or completed, as a result of his communication;
- (c) to advise the Assembly how his constituent list was used after the October 2020 election, and how did this use differ from his use of this list during his time as an MLA;
- (d) to table the advice he sought and received from the Ethics and Integrity Adviser, as mentioned in the ABC news article of 1 May 2021;
- (e) to table any advice he has sought regarding possible breaches of the Privacy Act, including principle 75 of the Privacy Act that "an organisation must not use or disclose personal information it holds for the purpose of direct marketing unless an exception applies"; and
- (f) to provide information to the Assembly regarding his current business operations and if he is still obtaining, or is in receipt of, a benefit because of his correspondence; and

- (3) upon receiving the statement by Mr Milligan outlining how the information from constituents was used, the Assembly could consider whether the matter should be referred to the Assembly's Commissioner for Standards for investigation and report to the Standing Committee on Administration and Procedure, or whether any further action is required by the Assembly.

Members, I have become aware of matters raised in a media article, but I also am aware through an email I have received from Mr Hanson that Mr Milligan has referred matters to the Commissioner for Standards for consideration, including the matter raised in the motion that may warrant any investigation by the commissioner. Mr Hanson suggested that given the matters raised in the motion have been referred to the commissioner, it may be inappropriate for the subject to be debated by members. I committed to consider whether to bringing on this motion. I appreciate that yesterday I was of the view not to move this motion, but on further reflection I believe it is appropriate to do so.

When considering this matter I considered a referral originally to the Commissioner for Standards. However, there was a question as to whether he had the scope or the ability to look at this matter as at the time of the correspondence being sent Mr Milligan was not a member of the Assembly and the continuing resolution gives the commissioner scope to look and consider matters of conduct by members only.

As I have explained to the party whips, this is why I have made the decision to move this motion in the Assembly—that is, so all members can hear from Mr Milligan. The motion simply asks Mr Milligan to explain the matters raised in recent media articles, as outlined in the motion. This is not in any way an action to influence a process that may be underway.

As noted, I appreciate that yesterday I was the view not to move this motion, but on reflection of my original concern—that it was out of the scope of the commissioner under resolution 5AA which refers only to members—I consider the Assembly as a whole to have an interest in this and any follow-up action.

I seek leave to table correspondence referred to in the article.

Leave granted.

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

Thank you note to constituents from James Milligan, Publisher, JM Publishing.

Debate (on motion by **Mr Gentleman**) adjourned to a later hour.

## **Economy and Gender and Economic Equality—Standing Committee**

### **Statement by chair**

**MS LAWDER** (Brindabella) (11.29): Pursuant to standing order 246A I wish to make a statement on behalf of the Standing Committee on Economy and Gender and

Economic Equality. Pursuant to standing order 216, the Committee recently resolved to inquire into the future of the working week—in particular, what a four-day work week would look like and whether it is the future of work. Accordingly, the terms of reference for the committee's inquiry are:

To inquire into and report, on:

- (a) defining and configuring the concept of a four-day work week;
- (b) the advantages of a four-day work week;
- (c) the disadvantages of a four-day work week;
- (d) options, issues and challenges for transition to and implementation of a four-day work week across different sectors and industries;
- (e) considerations of implementing the four-day work week in the context of enterprise bargaining and current industrial law considerations;
- (f) how the four-day work week compares with flexible work arrangements or other alternative working arrangements;
- (g) best practice four-day work week policy approaches and responses being undertaken in other jurisdictions; and
- (h) any other related matters.

To assist submitters, the committee will be releasing a discussion paper in mid-June 2021 to coincide with its call for public submissions. The committee will therefore call for submissions to its inquiry shortly and is intending to commence holding public hearings in the second quarter of the 2021–22 financial year.

## **Domestic Animals Legislation Amendment Bill 2021**

Debate resumed from 31 March 2021, on motion by **Mr Steel**:

That this bill be agreed to in principle.

**MS LAWDER** (Brindabella) (11.31): I am pleased to speak briefly on the Domestic Animals Legislation Amendment Bill 2021. The changes to the domestic animals legislation introduces the requirement for dog owners to register their dogs annually in the ACT. Under the proposal, owners will receive an email, an SMS or a letter in the mail at least 14 days prior to their dogs' registration ending and owners must comply with the notice within 28 days. If they do not, there is a possible cancellation of their dogs' registration or a fine if they have not complied with registering their dogs annually.

The fines seem a little excessive but I understand the reasons we are reverting to an annual registration. It was some years ago that we moved to lifetime registration and some of the issues that have come with that have come to light over time. We are moving to a new digital dog database, and I am a little concerned about the extra work for our public servants. There is no additional fee, which is a good thing, but that means that the work must be absorbed into the current work of the public service.



We all recognise the need for correct contact details. Some of us may recall the case of poor little Izzy, an old, blind dog wearing a coat, that wandered out of its owner's house in 2018 and was picked up and, very sadly for everyone concerned, was put down within 24 hours of being taken to Domestic Animal Services. It was a very sad case. The owner of the dog was devastated. There was a difficulty in contacting the owner because of incorrect details on the microchip, so in that regard it is important that we do up-to-date details. But I wonder whether the government would be able to get those details in some other way—the government generally knows where people are living—rather than introducing yet another system for the registration of dogs.

In the interests of dog owners I understand the potential benefits of having up-to-date information, given that it is being introduced without additional cost to the resident in registering their dog.

**MS CLAY** (Ginninderra) (11.34): I am the Greens spokesperson on animal welfare and I am pleased to speak in support of this legislation. Anyone who keeps pets knows how much they become beloved family members. They bring joy to our lives on a daily basis. They help our kids learn empathy and responsibility, and they do so much more. I have a staffie and a kelpie, and I cannot imagine life without them.

Our pets are often working partners and vital companions too. They do everything, from sounding the alert if someone is about to have a seizure to providing emotional support for an elderly person living alone. They do so much for us, and we need to recognise that by creating the right mechanisms for responsible pet ownership.

This proposed amendment is an important step towards that goal. It allows lost dogs to be returned to their owners and it makes it much easier to identify unclaimed dogs. It starts the process of finding them a home, too, and it helps us identify dangerous dogs and animal cruelty offenders. I am glad to note that the new system will not create any additional cost for owners and will require just a few clicks once a year in response to an email, SMS or letter.

The amendment also paves the way for similar legislation for cats. That is really good news because it will help our ongoing efforts to protect our cats from being hit by cars or being otherwise injured. It will also help save our native birds and wildlife from feline hunting.

I recently visited Michelle Robertson and her marvellous team at the RSPCA in Weston. When I see the number of dogs and cats and other animals in need of a home, it is clear to me that we can do more to track and care for Canberra's pets. This bill has set up the simplest means for annual registration, and I think that it is well and truly time. When we take on a role that affects others, like driving a car or taking care of an animal, we should carry it out responsibly. A simple annual renewal is appropriate, particularly when it is a cost-free one.

This bill is a really good balance between tracking our pets and making sure that we are not creating needless administration. I welcome feedback to my office about how

it is going and any ways that we can improve it. The Greens are pleased to support this amendment to the legislation.

**DR PATERSON** (Murrumbidgee) (11.37): I am very pleased to stand here today in support of Minister Steel and the Domestic Animals Legislation Amendment Bill. The ACT government is committed to making this city as liveable and safe as possible for its residents. In 2017 we passed a bill that strengthened our law in relation to dangerous dogs. In 2018 the ACT government commissioned an independent review that looked at the management of dogs in the ACT. The Canberra dog model was released in 2019 and listed the introduction of an annual registration system for dogs as a key action.

The annual dog registration system, along with the rest of the action plans in the model, are based on three principles: responsible dog ownership; animal welfare; and a safer community. By supporting this bill we can support these principles. Annual dog registration is a cornerstone of responsible dog ownership. The introduction of this system keeps us on par with the most progressive cities in Australia and around the world when it comes to best-practice dog registration.

Encouraging responsible dog ownership through the annual registration system carries no additional cost to dog keepers. After the initial one-off registration fee when dogs are registered for the first time, the registration renewals are not accompanied by any further fees. Reminders will be sent to dog keepers 28 and seven days before the dog's registration lapses, making it easier for people to comply and keep their details current.

The bill is also about animal welfare, which links closely to responsible pet ownership. We are encouraging people to register their dogs on the database, to be responsible owners by updating their pets' details annually so each dog in the territory is accounted for. When dogs are lost and cannot find their way home, we can reunite them with their keepers easily. This will decrease pressure on Domestic Animal Services and will translate to limiting the numbers of dogs impounded. The bill also expands the range of information on the database and enables targeted services and initiatives based on an up-to-date database of dogs in the ACT.

When people adopt an attitude of responsible pet ownership, the benefits are felt in various tangible ways. Responsible pet ownership leads to spaying and neutering. Data strongly suggests a link between non-desexed dogs and the incidence of dog attacks. This translates to improved community safety, where dogs are cared for and managed in a way where they are unlikely to pose a threat to public safety.

The bill also requires keepers to provide other information requested in writing by the registrar to carry out a lawful function under the act. This provision will facilitate investigations in cases of allegations of irresponsible dog ownership or dog attacks. The bill will promote the three principles of responsible dog ownership, animal welfare and a safer community and will help support our community of dog owners in Canberra to do the right thing. I commend the bill to the Assembly.

**MS ORR** (Yerrabi) (11.40): I support the Domestic Animals Legislation Amendment Bill. This is a much-needed bit of legislation which will exclusively serve to benefit the Canberra community, particularly its canine constituents. This is a prime example of commonsense legislation. Minister Steel has worked steadily with the relevant departments and experts over the past couple of years to bring us this outcome, and I am delighted to speak to its passage today.

We know from the 2018 independent review into dog management that experts consider a system of annual registration to be a crucial element of efficient and humane dog management. It is worth noting that this bill will align the ACT with existing best practice across the nation. Mandatory annual registration at no cost to dog owners will be invaluable in, first and foremost, establishing accurate custodianship when an animal is lost. However, annual registration will also see the ACT experience a significant reduction in dog-related injuries.

While the individual can and must play a critical role in harm reduction by being a responsible pet owner and appropriately training, socialising and caring for their dog, it is on us, the government, to provide the best possible policy to make dog ownership and these individual requirements accessible only to those who are 100 per cent committed to the responsibility of dog ownership. These amendments do an outstanding job of striking that balance.

For instance, annual registration will be free and therefore will not introduce a fiscal burden on dog owners. By its finite nature it ensures that only responsible owners will retain registration, as keeping up to date on your dog's reoccurring dates such as vaccinations is already rightly non-negotiable, and responsible owners should not struggle to implement this simple administrative step into their lifestyle.

We also know that when a change of address or phone number occurs, or when the dog's ownership has transferred to someone else, this data rarely makes it to the authorities. A system of annual registration will eliminate this problem through its proactive approach to compliance. Perhaps most compelling, however, is the fact that a system of annual registration will greatly assist Domestic Animal Services rangers in implementing compliance and enforcement measures in the context of this act and the ACT's existing animal welfare regulations, as better data will generate more accurate and early identification of irresponsible dog owners. Specifically, a more accurate database of dogs and their owners in the ACT will be an invaluable resource to both government and dog owners.

At the Domestic Animal Services end, this more up-to-date database will allow for increased efficiency in the direction of resources and services. From the perspective of dog owners, it will provide a point of reference for their animals' records and for further guidance and education on their animals' health and wellbeing. From the perspective of the broader Canberra community, this amendment will contribute to an overall safer environment for individuals, animals and families. I commend the bill to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.43): I am pleased to close the debate on

the Domestic Animals Legislation Amendment Bill today. This bill strengthens responsible dog ownership in the ACT and is the next step towards our government's goal of creating a safer, more pet-friendly community. Canberrans should aspire to have world best practice for the management of dogs, and the best way to deliver a safer community and one that prioritises the welfare of dogs is to ensure that responsible pet ownership is ingrained in our approach.

This bill gives effect to commitments the government has made in recent years about developing an annual dog registration framework. Annual registration will ensure that we have up-to-date information on dogs so that we can better understand how many are living in the ACT and pinpoint where they are and who owns them. We are supporting this requirement with a new digital dog database so that owners can quickly and easily update their details once a year at no additional cost.

This new approach will address the challenges that we currently face with lifetime registration, as owners rarely tell the government when they change addresses or phone numbers, transfer their dogs' ownership to someone else or their pets pass away. This can be a particular problem when dog attacks unfortunately happen or there is concern about dangerous dogs.

The main benefit to dog owners in updating their details annually is that it will ensure Domestic Animals Services can return lost dogs to them as quickly as possible. The digital dog database will also provide a platform to educate and regularly communicate with dog owners on their responsibilities and how to keep their dogs safe and happy.

The amendments proposed in the bill provide a simple and effective legislative framework to pave the way for this approach from 1 July 2021. The process for dog owners will be simple: at least 14 days out from the registration's 12-month period ending, the owner will receive an email and/or text explaining when registration lapses; what the owner needs to do to renew registration; and the penalty that will apply for not updating their dog's details by the date the current registration ends.

We acknowledge that not all Canberrans have a mobile or an email, so hard copy letters will also be sent to ensure that we are reaching all dog owners in the community. Owners will receive a reminder notice at 28 days, followed by a second reminder seven days from the registration ending if the registration has not already been renewed. This allows plenty of time for people to act and ensures that the task of keeping track of the registration sits with the ACT government and not pet owners.

Importantly, there will be no additional cost to the existing one-off registration fee, despite a scare campaign from the Canberra Liberals. At the moment, Canberrans pay a one-off fee to register a dog. Going forward, Canberrans will continue to pay only a one-off fee to register a dog. The only change is that dog owners will now be required to jump online and quickly confirm or update those registration details once a year.

The system will be simple to use. Where the owner's information has not changed, they can simply access the secure online platform through the links provided in the notice and tick a box to confirm that the details are still accurate. This will

automatically renew their registration. Where an owner's details may have changed, there will be a short series of prompts helping them to update that information.

The digital dog database platform will also provide quick and easy options for changing a dog's registration status, such as advising of a transfer of ownership, providing advice that the owner has moved outside of the ACT, desexing or microchipping status or if the dog has sadly passed away.

We know from a government-commissioned pet census in 2019 that more than a quarter of Canberra households own dogs. The annual registration system will benefit these owners and our broader community by delivering helpful guidance and reminders on when to review a dog's registration details, making it quick and easy to comply with the legislation; reliable and fast return of a lost dog, as annual registration details will be more up to date than microchip information, reducing the likelihood that a dog will need to be impounded before being reunited with its owner; a more engaged and educated community of dog owners, promoting responsible pet ownership and making Canberra a safer and more pet-friendly city; an accurate database that includes up-to-date information on contact details of dog owners; and better data to support the delivery of more targeted services, education and evidence-based domestic animal policy.

I will now outline the key aspects of the bill and how these are central to establishing a simple and fit-for-purpose annual dog registration system. The bill amends section 9 of the act to convert the duration of registration from lifetime to 12 months. Registrations not renewed in time will be considered lapsed.

New sections 10 to 10B list the information required for registration renewals, stating that the registrar must notify an owner to renew their dog's registration within a minimum of 14 days prior to the 12-month period ending. This section includes details for reminder notices such as requiring the registrar to inform the owner of the date their registration lapses and that the information requires checking. The registrar's reminder notice must also give specific instructions relating to how the owner can comply with the notice and inform the owner of the penalty notice available if they choose not to comply.

The strict liability offence of 10 penalty units is for cases where an owner fails to comply with a notice, not for instances where they may not have received the notice. This penalty is the only one introduced in the bill, and it is essential to ensuring that owners understand their obligations to update their dogs' registration when prompted so that those who do the right thing are not at a disadvantage. This will help to build and maintain accurate and comprehensive data over time.

New section 12A ensures that the registrar can contact an owner to request information regarding a dog that may impact on its registration status. This means that the registrar can properly enforce the existing provisions in the act, such as those dealing with desexing and microchipping, by allowing the registrar to engage with owners in the event that they may be breaching the act.

New section 13 enables the registrar to cancel a dog's registration if information requested under section 12A is not provided within 28 days; if the dog is not desexed or microchipped, as required under the act; or if the registrar has been informed that the dog has passed away. This will keep the registration database up to date to prevent deceased dogs from continuing to be actively registered in the database.

The bill also makes minor amendments to the Domestic Animals Regulation to require the registrar to record basic information relating to a registered dog, such as its name, desexing status and contact details for the owner.

Lastly, the bill sets out transition arrangements for Canberra's dog owners to allow time before renewals are due. These dates are to be set on the next anniversary of the registration or one month after the next anniversary for those whose dogs were registered in July or on 1 August, ensuring that everyone will have ample warning to receive reminder notices and update their registration details.

I note that the explanatory statement for the bill has been revised with further clarification added for sections 10 and 10A. I thank the Standing Committee on Justice and Community Safety in their legislative scrutiny role for its comments on these sections. The revised explanatory statement explains that the strict liability offence for not complying with a reminder notice under section 10 cannot be applied to other requests in the bill or the act in general. Instead, the penalty is relevant only to registration renewal reminder notices and it cannot apply if a reminder notice is not sent. This again places the onus on the registrar to ensure that reminder notices are sent to owners with instructions on how to comply and with sufficient time allowed for it to be complied with.

Likewise, the existing penalty for having an unregistered dog will also not apply in the event that registration lapses, as these dogs will be categorised as lapsed in the system, not cancelled. Staff will then be able to manually follow up with any lapsed registrations to work with the owner to renew the registration or cancel it, if required.

This bill will see Canberra take a big step forward in the safe management of dogs and the protection of their welfare. Annual registration will strengthen responsible pet ownership, result in fewer lost dogs and ensure that any risks from dangerous dogs can be quickly identified and dealt with to make our community safer.

I table a revised explanatory statement for the bill, and I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 11.53 am to 2.00 pm.**

## **Questions without notice**

### **Alexander Maconochie Centre—incident**

**MS LEE:** My question is to the Minister for Corrections. Minister, at about 7.30 last night, fire crews were called to the Alexander Maconochie Centre after reports of a riot. What happened?

**MR GENTLEMAN:** I thank Ms Lee for the question. I am aware of the incident that occurred last night at the AMC. I want to thank corrections officers, who acted quickly and professionally to resolve the incident. I am pleased that there were no reports of injuries to staff. Corrective Services are investigating this incident.

**MS LEE:** Minister, have you sought a briefing about the progress of the investigation, and when will you update the community about its results?

**MR GENTLEMAN:** I was kept up to date during the incident yesterday and received a briefing from the acting commissioner of corrections this morning. As I ascertain further developments and results from that investigation, I will advise the community.

**MRS KIKKERT:** Minister, what was damaged, and what was the estimated cost?

**MR GENTLEMAN:** Those investigations are ongoing. There was some minor damage to some of the cells from fires. We do not have an estimation of the cost at this time.

### **Alexander Maconochie Centre—disciplinary action**

**MRS JONES:** My question is to the Minister for Corrections. Minister, those familiar with the prison's workings have repeatedly said that discipline has been breaking down for years. Corrections officers cannot create a disciplined environment when senior management discourages the use of penalties for things like illicit drugs and shivs. Minister, what is the penalty for inmates possessing shivs at the AMC?

**MR GENTLEMAN:** There are a range of disciplinary actions that corrections officers are embedded with to be able to use where they find that detainees have committed offences. That is a wide range and it would depend of course on the circumstances at the time. As Mrs Jones has said, these are quite serious allegations and they will be investigated and dealt with appropriately.

**MRS JONES:** Minister, how many incidents involving shivs have there been at the AMC under your watch and what penalties have been given?

**MR GENTLEMAN:** I cannot recall that in briefings I have been advised of any incidents involving shivs since I have taken this portfolio, but I will take that on notice and certainly ascertain the number that have occurred.

**MRS KIKKERT:** Minister, what are the benefits of disciplinary penalties in a prison?

**MR GENTLEMAN:** I think that the way that prisons are managed and our AMC is managed ensures that we try and keep a safe environment in our prison. That is why our COs are trained to such an extent, particularly with the use of force and managing those detainees. Those detainees, of course, come from a difficult background and, indeed, bring with them some experiences that we do not normally see in our normal community. That is why our COs are trained so well to deal with these sorts of operations.

### **Alexander Maconochie Centre—chemical agent use**

**MR HANSON:** My question is to the Minister for Corrections. Minister, the ironically named Healthy Prison Review revealed that gas had never been used in the prison. Since then, the opposition has heard reports that gas such as tear gas or capsicum spray has been used at least twice since the November 2020 riots, including last night. According to the inspector's review into the November riots, ACT Corrective Services had no policy about whether gas should be retained as a use-of-force option at the AMC. Minister, does ACT Corrective Services now have a policy on the use of gas, including capsicum spray and tear gas? If so, can you table it?

**MR GENTLEMAN:** Corrections officers are trained in use of force in all aspects, whether it is OC spray, CS gas, batons or other uses of force. Corrections officers are trained as, indeed, police and protective service officers are trained in those uses of force as well. In regard to this particular policy, I will take that on notice, because I am not sure that it would be appropriate to table the strategic use-of-force parameters in this vein. I will certainly take it on notice.

**MR HANSON:** I have a supplementary question. Minister, how many officers there last night during the riot had been trained in the use of OC spray and CS gas?

**MR GENTLEMAN:** I thank Mr Hanson for the question. I can advise that the volume of officers trained from January to April this year in chemical agent sprays was 66 officers; BA, 44 officers; CPR, 73 officers; 44 for fire, 63 for first aid; 11 for suicide and self-harm; 124 trained for use of force—

**Mr Hanson:** Madam Speaker, on a point of order on relevance, the question is specifically about the officers involved in last night's riot not more generally how many are trained on an ongoing basis. If the minister could be directed to that. If he does not have that information, then maybe he can take it on notice.

**MADAM SPEAKER:** I think you are within scope but if you could provide some more detail that may be useful, Mr Gentleman.

**MR GENTLEMAN:** I understand all officers are trained in use of force.

**MRS KIKKERT:** I have a second supplementary question. How many times has gas been used at the AMC since the November 2020 riot? Also, how many officers were not prepared to use the OC gas last night?



**MR GENTLEMAN:** That is a detail that I do not have in front of me. I will take that on notice.

### **Planning—sporting facilities**

**MS LAWDER:** My question is to the Minister for Planning and Land Management. Minister, I refer to the development application submitted by your government's buddy, the Burns Club, to remove 25 per cent of the Tuggeranong Little Athletics field to install a car park. How does your government justify the potential destruction of the Little Athletics shotput, discus, long jump and triple jump spaces for a car park in an area that already has ample car parking?

**MR GENTLEMAN:** I thank Ms Lawder for the question. Development application 2022138449 for the construction of the 98 vehicular car parks at block 10 section 353 Kambah remains under assessment by the independent Planning and Land Authority. It would not be appropriate for me to comment on it at this stage.

**MS LAWDER:** Minister, why would your government consider the destruction of 25 per cent of the Little Athletics area, which would have a devastating impact on community sport participation for Tuggeranong children, in order to accommodate your Labor mates at the Burns Club?

**Mr Barr:** A point of order, Madam Speaker.

**MADAM SPEAKER:** Mr Barr.

**Mr Barr:** The questions, both the first one and that supplementary, were loaded and contained unparliamentary language and accusations.

**Mrs Jones:** What unparliamentary language?

**Mr Barr:** The use of the words “Labor mates”, and, in the first question, I forget the exact words, but there was certainly an implication associated with some sort of connection to the Burns Club. It was an imputation and unparliamentary. Ms Lawder has been in this place for long enough to know that that sort of language and that sort of tone and approach are certainly unparliamentary and are unbecoming of any member of parliament.

**Mr Hanson:** Madam Speaker, on the point of order, the term “mate” was used by the Deputy Chief Minister yesterday. She referred to Mrs Kikkert as “old mate”, I think. The term “mate” is not unparliamentary.

**Mrs Jones:** Mr Milligan.

**Mr Hanson:** Mr Milligan? My apologies; she referred to Mr Milligan. It is not an unparliamentary term, and I think the connection between the Burns Club and the Labor Party, when there is a planning matter involved, is an important issue to raise and for the minister to address.

**Mr Rattenbury:** Madam Speaker, for the point to be made, there has to be some proof of affiliation between the Burns Club and Labor. I am certainly not aware of any such affiliation.

**MADAM SPEAKER:** Working back a little bit, in the reference to the word “mate”, it is about context. The Deputy Chief Minister did refer to Mr Milligan as “old mate”. That caused some mirth and humour at the time, as I understand. On reflection, with the connection and the use of “mate”; the question was loaded and it does imply that there is—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, you have had two warnings in the last two weeks of sittings. I might just jump to naming you next time. There is a tone of imputation to say that there is a wrongness in the connection with the Burns Club. There is no connection between the Burns Club and the Labor Party, as I understand it. I will allow the supplementary question that is due, but whoever is asking it should be very mindful of the language that is used.

**MR HANSON:** Minister, can you outline what connections the Burns Club has to the Labor Party, including past and present board members, and how you are dealing with this actual or perceived conflict of interest involving you and other Labor members?

**MADAM SPEAKER:** Did we not just highlight—

**Mr Hanson:** Madam Speaker, he is the minister for planning and there is a development application which involves an organisation which has board members who are active Labor Party members, as I understand it, and who are the close associates of the planning minister. I think that creates, at the very least, a perceived conflict of interest, and I have asked the minister to explain how he can—

*Members interjecting—*

**MADAM SPEAKER:** Members, there is no point of order. The planning authority is independent of the minister. We could have everybody in this place know everyone in town, and we could not answer a question or do anything.

**Mr Hanson:** Are you ruling the question out of order? Could I confirm under what standing order that has been ruled out of order?

**MADAM SPEAKER:** I am going back to what I originally said: there is no connection that the minister is responsible for between the Burns Club and the Labor Party.

**Mr Hanson:** If you are ruling the question out of order, Madam Speaker, it is up to the minister to decide, and up to the minister to explain in his answer, if there is no connection between the Burns Club and the Labor Party. That is for the minister to explain; otherwise will you explain under what standing order you are ruling this out of order?

**Mr Gentleman:** Madam Speaker, to make it very clear, there is no conflict of interest. I do not make the decision. The decision is up to the independent Planning and Land Authority.

**MADAM SPEAKER:** Standing order 114 states:

Questions may be put to a Minister relating to public affairs with which that Minister is officially connected, to proceedings pending—

**Mrs Jones:** He is officially connected.

**MADAM SPEAKER:** There is no official connection involving the minister between Labor and the Burns Club.

### **Organ and tissue donation—acknowledgement**

**DR PATERSON:** My question is to the Minister for Human Rights. Minister, can you please outline how the government is recognising the gift of organ and tissue donation and providing that acknowledgement to the loved ones of donors?

**MS CHEYNE:** I thank Dr Paterson for the question. Organ and tissue donation is a truly remarkable gift. It is the gift of life. I am proud that the ACT government is the first jurisdiction in Australia to provide the loved ones of organ and tissue donors with two ways for a formal, tangible and entirely optional acknowledgement of this gift.

From last Thursday, 6 May, families of an organ donor in the ACT can request to have that donation recognised on their loved one's death certificate and on the death register. If they wish, the statement "The deceased gave a gift of life, generously donating organs/tissue" will be added to the death register and to the donor's death certificate.

Families can also request a formal letter from the Chief Minister. This is a letter personally acknowledging, on behalf of the people of the ACT, the significance to others of the contribution and the immeasurable impact this decision has made to others. These acknowledgements are entirely optional, up to the family and are not time limited. Families have control over deciding if, how and when they wish to have their loved one's donation recognised. These are small acknowledgements but go some way to recognising the selfless gift of life.

**DR PATERSON:** Minister, what consultation was undertaken with donor families to develop these acknowledgements of organ and tissue donation?

**MS CHEYNE:** The guiding principles for these acknowledgements are that they are optional and entirely up to the family. They are to give families control and agency in deciding if, how and when to acknowledge their loved one's donation. That is why the loved ones of organ donors have been very closely involved every step of the way, from advocating for this reform to the final touches of the scheme.

Donor families were involved in the drafting of this legislation, they were involved in crafting the wording of the acknowledgement that will be added to the death register and they were involved in the drafting of the wording for the Chief Minister's letter. They were involved in designing and testing the form that the next of kin will use to request these acknowledgements online.

I want to use this opportunity to express my sincere thanks to DonateLife, Gift of Life, Donor Families Australia and individual families for their willingness to share their expertise, views and personal stories to bring this to reality.

**MR PETTERSSON:** Minister, how can a loved one of an organ donor apply to have that donation recognised by the ACT government?

**MS CHEYNE:** I thank Mr Pettersson for the question. If families of organ donors decide they would like these acknowledgements, the next of kin can apply online. The first step is to contact DonateLife ACT to request a donor confirmation letter. Once they receive that letter, the next of kin can fill out one simple online form via the Access Canberra website where they can nominate if they would like to amend the death register and then receive an amended death certificate.

At the same time, or separately, they can also apply to receive a letter from the Chief Minister. Access Canberra aims to process these applications within 15 working days. Importantly, applications are not time limited. Families whose deceased loved one was an organ donor in the ACT before these reforms came into effect have this option available to them.

What might be right for each family can change over time, so at any time after a death certificate has been issued a family can later request it to be amended to include the acknowledgement. There is no time limit for applying for the letter from the Chief Minister either and this does not have to occur at the same time as the request for the amendment to the death register and certificate. There will be no costs to families if they seek a letter from the Chief Minister or, importantly, for an amended death certificate to be reissued.

### **Municipal services—glyphosates use**

**MS CLAY:** My question is to the Minister for Transport Canberra and City Services. The parliamentary and governing agreement sets out a commitment to reduce the use of glyphosate and other pesticides over the term of this Assembly. This is essential for the health of all Canberrans and of our kids in particular. It is also important for our bees, our wildlife and all living things. I understand that glyphosates are routinely used by TCCS and that they are frequently applied in and around playgrounds. What is the spraying program for glyphosates in and around playgrounds in the ACT?

**MR STEEL:** I thank Ms Clay for her question about the use of glyphosate in TCCS. While TCCS does not regulate the use of glyphosate—that is not in my portfolio—it is regulated both by the ACT government and federally as well. The ACT government uses glyphosate sparingly and in a range of different applications, mainly to treat invasive weeds that damage native ecosystems, including African lovegrass, serrated

tussock and blackberry. We use it in accordance with the label and directions to make sure that City Services staff are safe, and all those involved in spray work including the use of glyphosate-based products use PPE that is appropriate for the use.

Glyphosate is used in playgrounds on a limited basis and is used sparingly. The soft-fall bulk mulch in playgrounds acts as weed suppressant and glyphosate is only used where required to control weeds that are difficult to remove by other means such as couch grass.

I have previously been on record saying I have a level of healthy concern in relation to glyphosate use. It is something the ACT government takes an evidence-based approach on. There are not many good alternatives to the use of glyphosate in terms of weed control. I am always interested in looking at new ways we can treat invasive weeds in our city. But at the moment the alternatives are not efficient. If you have any ideas about what we could trial and what else we could do to help remove the use of glyphosate, we are all interested in doing that.

We have also introduced new ways of using of glyphosate which reduce the level of glyphosate needed, and I will explain that further later.

**MS CLAY:** Are TCCS and PCS using the same standards in terms of glyphosate?

**MR STEEL:** Glyphosate needs to be used according to the label, and TCCS uses glyphosate according to all the directions that are provided under that label. In 2016 the APVMA, which adopts a risk-based scientific approach to the regulation of chemical use in Australia, reviewed the safety of glyphosate and concluded that based on current risk assessments the label instructions on all glyphosate products when followed provides adequate protection for users.

**MS LAWDER:** Minister, does the ACT government check before they purchase trees or plants whether they have been treated with pesticides toxic to bees, such as glyphosate?

**MR STEEL:** I will check that. Obviously Yarralumla Nursery propagate our own plants for ACT government use. However, some may be purchased in other contexts. I am happy to check that. But in relation to the evidence on glyphosate, we will continue to be guided by the latest research and the advice of expert regulators like the APVMA, in the use of glyphosate in the community.

### **Health—quarantine facilities**

**MR PARTON:** My question is to the Chief Minister. Chief Minister, federal Labor leader Anthony Albanese said on 30 April:

Scott Morrison needs to establish dedicated, fit for purpose national quarantine facilities in every state and territory.

That is what he said: in every state and territory. He went on to say:

The best time to do this was last year. The next best is right now.

Chief Minister, do you support establishing a nationally run quarantine facility in the ACT?

**MR BARR:** I do not think it would be the first one built in Australia; I think we would probably be the eighth. We have the least capacity of all the states and territories to accommodate such a centre. But, if the commonwealth are going to roll out a national program—and presumably the scale of these would need to be the sort of scale of Howard Springs in the Northern Territory—you are talking about centres that could accommodate 1,000 to 2,000 people, I could not immediately identify a block of land that would be suitable, right at the moment. But it may well be that, as part of a national program, the commonwealth may seek sites on its own owned land, of which it has a considerable amount in the ACT, for such a centre. I suspect that they would focus on larger jurisdictions with more land and greater connectivity to international airports and regular flights as part of a national program. At this point, they have made no such commitment, and it is not on the immediate horizon.

**MR PARTON:** Chief Minister, what sort of locations would be considered for a facility like this if this program was rolled out here in the ACT?

**MR BARR:** That is a hypothetical question.

**MADAM SPEAKER:** It may be.

**MS LEE:** Chief Minister, have you had conversations with Mr Albanese or any other federal colleague about the building of this facility in the ACT? If so, what are the results of those discussions?

**MR BARR:** No, and there are no such conversations underway. Various members of the national cabinet have raised this matter with the Prime Minister, and various proposals have been put forward by state governments. The government acted on an expansion effectively of Howard Springs in the Northern Territory in partnership with the Northern Territory government, but there are no such proposals for the ACT.

### **Advertising—use on public transport**

**MR MILLIGAN:** My question is to the Minister for Transport and City Services. Canberrans take pride in our territory and it is not awash with billboards and public space advertising. Only six of the 166 submissions to the 2017 Legislative Assembly inquiry supported outdoor advertising. Yet the light rail now features wraparound advertising. The Sydney-based TorchMedia company, which manages the advertising, states on its website that it can offer clients the opportunity to wrap the iconic Canberra light rail from May 2021. It says light rail advertising comes in response to growing demands from advertisers. Minister, given Canberrans strongly oppose outdoor advertising why has this government allowed advertising on light rail?

**MR STEEL:** I thank the member for his question in relation to advertising on public transport. For some time—for many decades, in fact—across the ACT there has been advertising on public transport. That includes our buses as well as light rail. Since the

beginning of operations, there has been advertising both at light rail stations and on the light vehicles themselves on the inside of the vehicles. Yes, I have made a decision to allow advertising on light rail vehicles as a wrap, and that is consistent with the approach on buses at the moment. As I have reported to the Assembly this week, we have had a shortfall in revenue of \$9.3 million as a result of the effect of COVID-19 on public transport. So this is one way that provides an extra revenue source that we can use to help improve public transport services going forward, as we have done with revenue from advertising on our buses and on our road networking at bus stops as well.

The difference and the distinction made between the approach that we take in relation to advertising and then in other areas with the ban on advertising on buildings is that this is for a public good. The revenue that is used from this advertising goes into supporting better public transport. That is the approach that the government has taken to support better public transport first and foremost.

**MR MILLIGAN:** Minister, what consultation has the government done with the community to gather whether or not they support advertising on light rail?

**MR STEEL:** I thank the member for his question. As he knows, there has been a recent inquiry into advertising. I note that when Tim Hollo posted about his concerns about light rail advertising on Twitter just the other week the response to that tweet was actually quite supportive of the advertising being provided on public transport, because people know that the revenue is going to support better public transport operations—a public good.

There has been an inquiry, people have put their views and there has been no suggestion that we should remove advertising from public transport overall. In fact, there has been quite a lot of support for that, and that is why the decision has been made. There is also the context of many groups coming forward and asking the ACT government to enable us to provide advertising on light rail. Many not-for-profit charity groups, DonateLife included, wanted to do advertising on our light rail vehicles as well to promote the good work that they do. In that context we are allowing them to come forward, as well as making sure that we continue to provide light rail safety wraps on our light rail vehicles, with at least two vehicles being available to continue that good work which of course was designed by our local students from Gungahlin College, and also to promote important public messaging on COVID-19 and the latest wrap with the Check in CBR App, which I think helped to get the message out making sure that people are COVID safe. That is the context in which the government has made the decision, and we are doing so based on public good and supporting better public transport operations in the territory.

**MR PARTON:** Minister, can you give some more examples of the type of advertising that will be allowed on light rail and is it—if not in breach of the government's regulations—in breach of the community concerns against public space advertising to proceed?

**MR STEEL:** It is in accordance with the guidelines that already operate for buses.

**Canberra Institute of Technology—board membership**

**MR DAVIS:** My question is to the Minister for Skills and it relates to the AEU at CIT. Minister, the parliamentary and governing agreement requires the government to include a member from the Australian Education Union on the CIT board. Given the valuable insights that the union provides, when can the community expect a member of the AEU to be represented on the CIT board?

**MR STEEL:** I thank Mr Davis for his question. Yes, I certainly acknowledge that it was a Greens election commitment to have an AEU member on the board. I welcome the interest by Mr Davis in the good governance of the CIT, which the ACT government is committed to, as well as to making sure that we have a board that can provide really strong links to industry to support the skilling-up of Canberrans and also during a time when there is quite significant reform occurring in the skills sector nationally.

Under the Canberra Institute of Technology Act 1987, the board must have at least seven members but not more than 11. One of those is a CIT staff member, so we already have an elected position for a staff member. An AEU representative is welcome to apply for that position. In fact, an election has just occurred, over the last month, for that position, duly in accordance with the regulations for the election of that position representing staff members. There is also a CIT student member.

A review was conducted into the governance of the CIT by Derwent Executive in 2017, which actually recommended the removal of the government, student and staff representative positions, but we did not accept that. While the government member was removed, we wanted to make sure that there were student and staff representative positions retained on the board. That is the position that we have taken.

There are also general positions on the board. In fact, we have been advertising to fill those positions over the last few months. AEU members are welcome to apply for those positions. I should note, as well, though, that in terms of staff union representation, the AEU is just one union that represents staff of the CIT. The CPSU, the Community and Public Sector Union, is also a representative of staff there, and we engage with both the AEU and the CPSU in terms of ongoing operations and strategic directions.

**MR DAVIS:** I have a supplementary question. Minister, in addition to the one staff member position you have mentioned, will the government consider reserving one of the 11 positions specifically for a representative from the AEU?

**MR STEEL:** At this stage we have no plans to do that given that we have a staff member that is already elected to the board. We may make appointments from time to time in relation to vacancies that come up on the board. The government will make that decision over the coming months, as a result of having advertised for positions that are vacant. We will fill those and that will be based on a merit based selection process. We will continue, though, to engage directly with the AEU as part of the CIT



workplace consultative committee provided for within the CIT teachers' enterprise agreement and the general staff agreement.

As Minister I will continue to engage directly with the AEU and the CPSU on matters relating to the CIT and the skills sector more broadly, because there are significant reforms that are coming in this space, which are being led by the federal government, and we want to make sure that the public provider remains critical to the delivery of skills education in the ACT. We are quite concerned about some of what is coming out of the federal government, and we will continue to work with the AEU to make sure that the CIT remains a strong public provider of quality vocational education and training.

**MR BRADDOCK:** Minister, other than employee representatives, what ways does the government plan to ensure that educators are represented in CIT's strategic decision making in the situation you just described?

**MR STEEL:** I will continue to meet with the AEU directly. As it happens, Val was my year 7 SOSE teacher, so we know each other quite well from way back. That is the kind of place Canberra is. I also went to university with the CIT industrial advocate. We will continue to engage with the AEU regularly through various mediums and through those consultative committees. I have asked Leanne Cover, the CEO of CIT, to meet regularly with the AEU, particularly during a time when these reforms are being discussed. Those could have a very significant impact on the operations of the CIT, and we want to make sure that staff are well placed as we move through those reforms. We also want to make sure, in particular, as we move into the new CIT at Woden, that staff are supported in that process and that they have the digital capabilities to work in an age where the CIT is looking at a cloud campus model so that staff can transition and support students in the best way possible.

### **Aboriginals and Torres Strait Islanders—legal services**

**MRS KIKKERT:** My question is to the Minister for Police and Emergency Services. Minister, section 24A of the Crimes (Forensic Procedures) Act mandates that an Aboriginal or Torres Strait Islander suspect must not be asked to consent to a forensic procedure unless an interview friend is present. For years, the government funded an interview friend program. The JACS website claims that the Aboriginal Legal Service still offers this program, but ALS had to stop when your government defunded the service two years ago. The Ombudsman's March 2021 report states:

ACT Policing advised that the list of interview friends—

for Indigenous suspects—

is now maintained by Anglicare.

But Anglicare have confirmed that they have never provided this service and do not know why police keep ringing them to ask for Aboriginal interview friends.

Minister, does the ACT still have a service that provides interview friends for Indigenous suspects?

**MR GENTLEMAN:** I thank Mrs Kikkert for the question. My understanding is that this was funded by JACS through the Attorney-General's portfolio, so I will take that question on notice and come back to Mrs Kikkert.

**MRS KIKKERT:** Minister, if neither the Aboriginal Legal Service nor Anglicare provides interview friends for Indigenous suspects, how is ACT Policing compliant with the act, and is there compliance for every Aboriginal and Torres Strait Islander suspect?

**MR GENTLEMAN:** I thank Mrs Kikkert for the supplementary question. There are rigorous compliance checks for ACT Policing and the work they do in our community. We see that often reported both in the media and in the reports that I table here in the Assembly. I am quite confident that they are compliant with their own regulations and acts.

**MR HANSON:** Minister, why did the government abolish funding for this program that supported Aboriginal and Torres Strait Islander suspects? Where has that money been redirected?

**MR GENTLEMAN:** As I said, this was funded through JACS, through the Attorney-General's portfolio. I will take that question on notice. I am not sure if the premise of the question is correct, but I will check for you.

### **Housing—COVID-19**

**MR PETTERSSON:** My question is to the Minister for Housing and Suburban Development. How has the ACT government supported community housing providers and tenants through the COVID-19 pandemic?

**MS BERRY:** Last year and even leading into this year during the international health pandemic that we all faced there were obviously people in our community that were affected more than others. Through the economic stimulus that the ACT government provided to support Canberrans, we provided \$2.2 million in an additional \$250 payment to all social housing tenants, which included families within community housing. That was over 1,400 community housing households that received that payment. I have heard from tenants that coupled other financial support that was provided last year that this payment provided much relief and helped with extra costs.

Over the nine months until 1 January 2021, \$3 million was provided to community housing providers in rent relief. Providers were given flexibility to decide how that would best support their tenants. It was in addition to the investments that were made by the ACT government to support solar and sustainability upgrades on community housing, which will always provide a long-term benefit to tenants.

Over the last year the ACT government has continued to provide support to public and community housing tenants to ensure that their financial needs are met as well as other supports during this time.

**MR PETTERSSON:** Minister, what are some of the programs and initiatives that have assisted community housing tenants?

**MS BERRY:** First and foremost this relief was provided so that any tenant who faced financial hardship through the period would have this relief passed on. Some extended all or part of that relief to tenants to provide extra financial support. Most providers, such as the YWCA, Beryl, CatholicCare and Everyman, provided extra staffing and support workers to assist tenants in maintaining their homes and support their overall health and wellbeing.

Toora Women used the funds to install improvements and furnishings at properties for their tenants. Havelock Housing provided rent relief to affected tenants and supported new programs to provide food and meals to tenants, to run mental health training for staff and to contribute towards upgrades to tenant properties. St Vincent de Paul provided furnishings, food and materials for rough sleepers and clients transitioning to housing.

These are just a sample of some of the projects that were put in place to support those through rent relief. Through the \$3 million investment community housing tenants were able to be supported in their homes over this challenging time, to receive extra financial supports and services.

**MS ORR:** Minister, how are the government's investments lowering the energy costs for community housing tenants?

**MS BERRY:** In May 2020 the ACT government committed to solar and sustainability upgrades in public and community housing as part of the government's fast-tracked infrastructure projects to support the local economy. Some \$600,000 was spent to install solar panels on Common Ground Gungahlin, Toolangi in Kaleen, and 10 shared accommodation disability homes—all homes to community housing tenants. At Common Ground Gungahlin 169 solar panels have been installed. At Toolangi in Kaleen 342 solar panels were installed and across 15 community homes 187 panels were installed to homes head leased to CatholicCare, Focus ACT, Havelock Housing and St Vincent de Paul.

Overall, these panels will provide a year production of 348,645 kilowatt hours across all properties. These investments into community housing will provide long-term benefits to providers and tenants by lowering energy costs and assisting in tackling the effects of climate change. This has been a particularly challenging time for so many in the Canberra community, and while the effects of this pandemic will continue for some time it is great that these investments that have been made by the ACT government have had a positive impact on community housing tenants as well as their providers.

**Environment—Climate Change Action Plan**

**MS CASTLEY:** My question is to the Minister for Water, Energy and Emissions Reduction. I refer to a *Canberra Times* article from 20 April 2012 in which the ACT Greens criticised the Labor government for not doing an annual review of its 2007 Climate Change Action Plan, as was recommended by the ACT sustainability and environment commissioner. At that time the Greens did their own review, with you, Mr Rattenbury, slamming the government's performance as poor and dismissing what you called the government's "wishy-washy action points where we don't know if we've made a difference or not". My question relates to the difference being achieved by the current climate change strategy that was introduced in 2019. Minister, how will each of the measures in this current strategy reduce our greenhouse gas emissions and how will it be measured?

**MR RATTENBURY:** Sadly, I only have two minutes to talk about this!

**Mrs Jones:** Finally, the question you want.

**MR RATTENBURY:** Exactly; this was not even from my own team, but this is great. There are 97 actions, if I remember rightly, in the action plan. Obviously, there is a lot of detail in there. It is my intention that we will provide annual reporting on the action plan. That did not happen last year, having regard to COVID and the election cycle. From 2019 to 2020, that has not got underway. But I have made it clear to my agencies that I do want to have regular and transparent reporting on this, so that the community, as well as members of this place, if they are interested, can keep an eye on what is happening with the actions. I expect to have that provided. I am happy to think about the best way to do that. We do provide an annual minister's statement on climate change action. That might be the correct vehicle, but I am thinking about the best way to do it.

**MS CASTLEY:** Is each measure in the current strategy assessed on its cost effectiveness for reducing emissions, so that Canberrans can be sure we are getting the best bang for our buck, rather than the wishy-washy actions, which your first criticisms of the government's first climate change strategy, referred to?

**MR RATTENBURY:** I am very pleased to assure the member for Yerrabi that this process, during the last term, was put together after extensive community consultation. We went out and asked the community for their ideas. We received over a thousand suggestions—a thousand specific policy proposals from the community. Some of those overlapped. That was all distilled down through work by government agencies and by various other expertise. The measures that are in there then went through cabinet; they went through a range of government circulation processes. So they have had quite a bit of honing. There is still work to be done on the specific implementation. As we work through those, we want to find the way to deliver those actions that delivers the most emissions reduction at the most cost-effective price. That will be a series of ongoing pieces of work over the coming years as this strategy is implemented.

**MR CAIN:** Minister, what measures in the current strategy will make the most difference to our greenhouse gas emissions profile, putting aside the delivery of 100 per cent renewable energy?

**MR RATTENBURY:** As Mr Cain rightly touches on, the delivery of 100 per cent renewable electricity is the single largest measure to reduce greenhouse gas emissions. It has been responsible for around 40 per cent of the ACT's emissions reductions already—40 percentage points. In terms of the remaining measures, perhaps the best way to answer the question is that there is no single measure that will have such a large impact. That is why there are so many measures in the strategy. Each of them will deliver a bit. Those will vary. I am not able to provide a specific answer to Mr Cain's question off the top of my head. I will have a look and see if I have any data on that. If I do, I will provide that on notice.

### **Health—diabetes**

**MR CAIN:** My question is to the Minister for Health. Minister, I refer to the Capital Chicks CANberra platform that was launched by Diabetes NSW & ACT in July 2020 and funded by your government. It already has had over 7,000 women engage with the platform but was recently unsuccessful in securing ongoing ACT Health funding. Minister, why have you failed to provide funding to this important initiative?

**MS STEPHEN-SMITH:** I thank Mr Cain for the question. I was counting down to two full sitting weeks without a question from the opposition, but I have been foiled at the last!

Mr Cain would probably be aware that Diabetes NSW & ACT received a one-off grant under the Healthy Canberra grants program—that is my recollection of the grants program—to establish the Capital Chicks CANberra program. It has indeed garnered a lot of people coming to it, with a lot of hits on its website and a lot of women engaging with it.

I recently met with Diabetes NSW & ACT to discuss this. At the time, no decision had been made about funding. I will go and check with the directorate, but I am not aware that they have been advised specifically that there will not be any further funding at this point in time.

It is true that the grant that they received was a specific time-limited grant that they applied for. It was specifically time limited. The intention is, for those grants programs, that if you establish something, it is supposed to be able to continue without ongoing government funding. That is the nature of grants programs overall. However, there have been some delays in the establishment of the Capital Chicks CANberra program. We recognise that it may take a bit longer to get to that ongoing sustainability without ACT government funding. If Diabetes NSW & ACT want to have another conversation with me about it, I will be very happy to have that conversation. They did not specifically indicate to me that they had been advised that they were not receiving funding—unless I have some correspondence that has not been drawn to my attention, which that I have not seen yet.

**MR CAIN:** What advice would you give women living with diabetes in the ACT, given this uncertainty about ongoing funding?

**MS STEPHEN-SMITH:** I thank Mr Cain for the supplementary. I should be very clear that this project was not specifically targeted initially at all women with diabetes in the ACT. This is a specific program to target gestational diabetes, which we know has been rapidly growing in our community, trying to target women who are either pregnant or considering becoming pregnant. That has not been primarily the target audience that in fact it has reached.

I would certainly encourage any woman who is considering becoming pregnant or who is pregnant to talk to their health practitioner, their midwife, about gestational diabetes—the risks associated with it and what prevention measures they might be able to take to reduce their risk of gestational diabetes. There is a lot of information online. They can still use the Capital Chicks CANberra information that is currently available. They can sign up to that community. They can participate in that.

As I said, I will follow up in relation to the funding issue.

### **Culture—multilingualism**

**MR BRADDOCK:** My question is to the Minister for Multicultural Affairs. Minister, multilingual Canberrans bring great value to the Canberra community. What is the ACT government doing to recognise the value they bring?

**MS CHEYNE:** I thank Mr Braddock for the question. I absolutely agree that the many different languages that are spoken in the ACT are a very key part of what makes the ACT so great. We know from the 2016 census that about 24 per cent of households had a language other than English spoken in the home and that this has increased year on year.

Mr Braddock might be aware that we recently announced the development of the multicultural recognition act and, while I will not go to exactly what we think is going to be in that legislation and in our charter, in the draft charter we certainly have elevated the idea of language and how important that is to the community. At the moment we are conducting plenty of consultation and hearing from the community about what they would like to see in that and to make sure it is properly elevated and at the front of people's minds.

We have also been doing quite a bit, particularly during the pandemic but generally as well, in ensuring that we have plenty of resources available, including translated resources. That has been information about testing facilities, a recovery plan, hotel quarantine, the check in CBR app and the vaccine rollout. These have been translated into 14 languages, being the most widely spoken in the ACT. On top of that, the multicultural recognition act has 14 fact sheets aiding that discussion paper, which are also reflective of those different languages that are popular in the ACT.

**MR BRADDOCK:** Minister, what is the government doing to actively promote the retention and development of people's multilingual skills?

**MS CHEYNE:** The government is doing quite a bit, including supporting community language schools. Since 2012, we have provided annual grants to over 40 ACT community language schools. The ACT government's investment in community language schools is over \$275,000 annually. Just this past week I was very pleased to be the chief guest at the Canberra Tamil School's pearl jubilee, celebrating 30 years of teaching students, which is almost entirely volunteer-run. It is a fantastic example of ensuring that we are keeping language alive in the ACT and, of course, that is one of the traditional classical languages that have been in unbroken existence for millennia.

**DR PATERSON:** A supplementary. Minister, the multicultural recognition act seems to be one way that multilingual Canberrans are able to be recognised. How can Canberrans have their say on the development of the act?

**MS CHEYNE:** I thank Dr Paterson for the question. Regarding the multicultural recognition act, we released the discussion paper and the 14 associated fact sheets with that just the other month. We have been very pleased with the take-up that we have had so far, with people right across the community participating. We have said right throughout this process that we really want this act to be community owned and that it needs to be reflective of what the community wants to see for the future of multiculturalism here in the ACT. There is a live YourSay survey. Again, that discussion paper and the fact sheets help guide what people's thoughts might be there. We have also been conducting public workshops. There are six of those. One of them is actually being conducted today and a final one is being conducted next week.

### **Reconciliation Day—events**

**MS ORR:** My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Many Canberrans will be looking forward to Reconciliation Day on 31 May. How is the ACT government supporting the community to mark this important public holiday?

**MS STEPHEN-SMITH:** I thank Ms Orr for her question and her ongoing interest in reconciliation, an interest I am sure we all share across the chamber. Reconciliation Day is, indeed approaching once again with Canberra's public holiday falling this year on Monday, 31 May, midway through National Reconciliation Week. Of course, the ACT is the only jurisdiction to have a public holiday to mark reconciliation and to provide people with an opportunity to stop and reflect on the true history of our city, our region and our nation.

Members will recall that last year's Reconciliation Day was not marked with a public event as it had been in each year since the public holiday was gazetted in 2017. As last year's Reconciliation Day fell in the early days of the COVID-19 pandemic a public event was not considered to be appropriate at that time. Instead, Reconciliation Day was recognised by Canberrans in their own homes through online activities and content.

I am glad to say that this year Reconciliation Day will again be marked with a marquee, government-funded community event in line with COVID-19 restrictions and advice. In previous years our Reconciliation in the Park event has been held in Glebe Park. This year's event will be a little different, being hosted at the Arboretum, providing a large open space for the community to gather and participate in activities which facilitate reflection, conversation about our true history and celebration of Aboriginal and Torres Strait Islander cultures. As people who attended the last Reconciliation in the Park may remember, it was bitterly cold, so the Arboretum also provides an opportunity to be indoors.

In addition to this public event, the Reconciliation Day grants program provides funding to individuals and organisations to hold meaningful initiatives in the lead-up to and during the Reconciliation Day public holiday.

**MS ORR:** Minister, can you provide some more detail about the community event at the Arboretum?

**MS STEPHEN-SMITH:** I thank Ms Orr for her supplementary. As I mentioned in my previous answer, the government will be supporting this year's Reconciliation Day with this public event at the Arboretum, and it will be an opportunity for all Canberrans to come together in the spirit of reconciliation and participate in family-friendly activities which will inspire reflection as well as celebration of culture and community.

Activities will include a yarning circle where community members will be able to sit with elders—Aboriginal and Torres Strait Islander traditional custodian and non-Indigenous—and participate in honest, responsible and respectful conversation to build relationships and promote understanding of the meaning of reconciliation.

Guided walks will be held which will make full use of the beautiful setting of the Arboretum and encourage connection and understanding of country and its importance to Aboriginal and Torres Strait Islander people. Basket weaving will enhance the cultural understanding of Canberrans and offer another opportunity for conversation. Music and storytelling will be available to provide a safe, fun, family-friendly way for Canberrans of all ages to share in a celebration of culture. Of course, it would not be a public event in Australia without a sausage sizzle.

I look forward to as many members of the Assembly being at the Arboretum for this event, as in previous years. Further details will be available soon. We will be having a public campaign to raise awareness of it and, of course, there will be the other events that are supported through the Reconciliation Day grants as well, which I will be able to say more about in the next couple of days.

**DR PATERSON:** Minister, why is it important that we have a public holiday to mark Reconciliation Day?

**MS STEPHEN-SMITH:** I thank Dr Paterson for the supplementary question. We all know too well that the history of Australian colonisation has been one in which



Aboriginal and Torres Strait Islander peoples have been largely written out, and yet, for our First Nations, the oldest cultures from the oldest continent on earth, the recent history has been marred by dispossession, violence, racism and the flow-on effects of intergenerational trauma.

Reconciliation Australia's 2016 report, *The State of Reconciliation in Australia*, describes reconciliation this way:

At the heart of reconciliation is the relationship between the broader Australian community and Aboriginal and Torres Strait Islander peoples.

To achieve reconciliation we need to develop strong relationships that are built on trust and respect and that are free of racism. Building trust is not an easy process, and it is not something that will be achieved in a day. But what Reconciliation Day provides a focal point for our community—a day off with the explicit purpose of stopping, listening and thinking about our shared history and how it has shaped our society today. We are lucky in Canberra and generally speaking in this country to enjoy a high level of bipartisanship or tripartisanship in support of the idea of reconciliation.

As I mentioned earlier, the public event at the Arboretum is a fantastic opportunity for our community, including members of this place, to come together in a shared spirit of reflection and reconciliation. I know that that has been the case at the public events that have been held previously, which many members have attended. Reconciliation Day is one small way that the ACT is leading the nation, and I am looking forward to marking this day and reflecting with the community again on 31 May.

**Mr Barr:** Further questions can be placed on the notice paper.

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

### **Alexander Maconochie Centre—chemical agent use**

**MR GENTLEMAN:** In relation to questions from Mr Hanson earlier in question time concerning documents relating to procedure at the AMC, I can advise the following: the use of force and restraint operating procedure 2020 and the use of force and restraint policy 2020, along with other procedures, are publicly available on the legislation register.

### **Aboriginals and Torres Strait Islanders—legal services**

**MR GENTLEMAN:** In relation to a question from Mrs Kikkert regarding ACT Policing and access to Interview Friends for Aboriginal and Torres Strait Islander persons, which I took on notice, I can advise that ACT Policing recognises the important protections and support offered by Interview Friends. It is mandatory for ACT Policing to utilise Interview Friends where the subject of an interview identifies as Aboriginal or Torres Strait Islander and is suspected of committing a crime.

There are specific legal requirements that ACT Policing must follow, and they are in the Crimes Act 1918 section 23H, a federal act. An interview friend is a person who supports the interview subject by accompanying them while the interview is occurring and provides assistance. ACT Policing contacts Interview Friends once a person under arrest has self-identified as Aboriginal or Torres Strait Islander and ACT Policing then notifies the Aboriginal Legal Service for appropriate follow-up and support and legal representation.

ACT Policing follows the suspect interview plan which sets out scripting and procedural requirements to be followed by ACT police officers so that interviews with suspects satisfy legal requirements under part 1C of the Crimes Act 1914, a commonwealth act. An interview plan expressly prompts officers to ask the person being interviewed whether they identify as Aboriginal or Torres Strait Islander. Where a person does so, officers are required to pause the interview and arrange for an interview friend to be present during the interviewing process unless the person expressly and voluntarily waives the right to an interview friend. An interview plan also requires members to contact the ALS to notify them of an Aboriginal or Torres Strait Islander person being the subject of an interview unless the person has arranged separate legal representation to attend the interview.

I also understand that Anglicare have information about recruiting interview friends on their website for ACT-New South Wales.

**Ms Kikkert:** New South Wales, not here?

**MR GENTLEMAN:** ACT and New South Wales.

### **Planning—Territory Plan**

**MR GENTLEMAN:** In relation to a question from Mr Davis on Tuesday, which I took on notice, I can advise that all developments in existing suburbs can access the gas network, as this network already exists. The Minister for Water, Energy and Emissions Reduction may be able to assist the member with the information regarding the number of consumers who use gas.

### **Health—diabetes**

**MS STEPHEN-SMITH:** I have had an opportunity to look back through my correspondence in relation to a question that I was asked by Mr Cain. Capital Chicks CANberra did, in fact, write to me last week to advise that they had been unable to secure ACT Health funding. I understand that this is a decision of the ACT Health Directorate and I will seek some further advice. I do note that Capital Chicks CANberra are not specifically asking me to intervene in this decision, but I will seek some further information from the Health Directorate.

### **Papers**

**Mr Gentleman** presented the following papers:

Children and Young People Act—ACT Children and Young People Death Review Committee—Review of Children and Young People Who Have Died as a Result of Intentional Self-Harm—Government response, dated May 2021, together with a statement.

Public Health Act—Pursuant to subsection 10(3)—ACT Chief Health Officer's Report—2020.

Terrorism (Extraordinary Temporary Powers) Act—Pursuant to section 100(b)—Statutory Review, dated April 2021.

## **Chief Health Officer's Report 2020**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.04): Pursuant to standing order 211, I move:

That the Assembly take note of the paper.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.04): I am pleased that we are tabling the *ACT Chief Health Officer's Report 2020*, as required under section 10 of the Public Health Act 1997. Historically the data has taken the form of a consolidated document published in hard copy and online which presents data from the previous two years. Since the release of the last report in 2018 and the appointment of Dr Kerry Coleman as Chief Health Officer in late 2019, consideration has been given to improving the format of this data in order to present indicators that are more meaningful and useful for stakeholders.

In 2016 the HealthStats ACT website was launched to support the published report. HealthStats ACT provides up-to-date population health statistics as indicators and short reports on a wide range of health topics. This data provides a wealth of information to inform government and our community by identifying health trends and emerging issues. The demands of managing the COVID-19 pandemic over the past 15 months have brought considerations about the structure of the Chief Health Officer's Report forward.

As a result, a decision was taken to not produce a full published report for 2020 as per previous occasions. Instead, we are tabling today four supporting documents developed by the Chief Health Officer for the community, which summarise highlights from HealthStats ACT for this reporting period. The four reports—*Healthy City*, *Healthy Minds*, *Healthy Lifestyles* and *Healthy People*—acknowledge the importance that our local environments and changing lifestyles have on the health and wellbeing of our community.

The information utilised on HealthStats ACT is the most recent available data for all indicators and measures presented. Data is sourced from a variety of ACT and national databases, including administrative and surveillance data, cross-sectional, longitudinal surveys and data registries. The data tells us that, overall, there is much to

be proud of in our collaborative and sustained efforts to create a healthy Canberra. Canberrans have a healthy city, and that is something worth celebrating and protecting.

The ACT has excellent ambient air quality on most days. However, this is something we cannot take for granted. As we experienced in late 2019 and early 2020, smoke from fires both within our borders and beyond, dust storms, as well as atmospheric conditions that could lead to thunderstorm asthma, can all pose a threat to health. We have a world-class system for measuring and reporting air quality, as well as warning the public of hazardous atmospheric conditions that may affect their health.

Since the 2019-20 fires, further improvements have been made on how we report air quality both in the ACT and nationally. To ensure that we are well placed to address these challenges now and into the future, the ACT government is currently developing an air quality strategy which will outline our whole-of-government approach.

With regard to *Healthy People*, the evidence is clear. ACT residents are living longer and people in the ACT can also expect to live many years in full health. However, chronic disease remains an ongoing challenge for the ACT and Australia at large and continues to take a toll on our health systems.

In 2017-18 one in two ACT adults reported having a chronic condition such as arthritis, asthma, cancer, diabetes, mental illness or heart disease, and one in five had at least two of these conditions. The leading causes of the disease burden in the ACT were coronary heart disease, anxiety disorders and back pain. However, our incidence of cancer is lower than the national rate. Overweight and obesity is still a leading cause of disease burden. We know by now that fixing this issue is not simply a matter of personal responsibility by leaving it purely up to individuals to solve. For Canberrans to live long, healthy and productive lives we need to keep working on creating a city where the healthy choice is the easy choice.

Our healthy Canberra ACT preventive health plan 2020-2025 details five priority areas to achieve our goal of preventing and reducing chronic disease in our community. Three of the priority areas—healthy weight, healthy eating habits and active lifestyles—are key to further reducing our risk of chronic disease and early death. This report shows us that, positively, the percentage of children aged five to 15 years consuming sugar-sweetened beverages in the ACT is continuing to trend down.

Physical activity is higher for ACT adults than the national average and more children are actively travelling to school. However, surveys conducted over the past decade have reported that at least one in five children in the ACT are overweight or obese. While the latest figures suggest a downward trend, the survey estimates tend to fluctuate in the ACT due to our small population. The trend in future years will be closely monitored to see if it continues downward and reaches significance.

While we have seen some improvements in these areas, we know that lifestyle risk behaviours—including smoking, drinking alcohol and illicit drug use—are responsible for a large proportion of the disease burden in the ACT. We all make choices that impact our health. However, it is important to recognise that these health behaviours do not occur in a vacuum but are influenced by a complex interplay of

factors. Reducing risky behaviours requires collaboration across multiple government and community sectors.

We have made excellent gains on smoking overall, with the daily smoking rate continuing to decline, and the ACT has the lowest smoking prevalence in Australia. However, smoking remains the leading contributor to the burden of disease in the ACT and there are parts of the ACT community in which smoking rates remain stubbornly high. These include some of our most vulnerable people and communities, people with mental illness, those with drug and alcohol dependencies, those in custody, the homeless and those who identify as Aboriginal or Torres Strait Islander.

Canberrans want to reduce tobacco-related problems, and the ACT government has been working over a number of years to prevent the uptake of smoking and reduce the harms to the community from tobacco. In recent years the ACT government has taken action to limit the harmful effects of passive smoking and to reduce the exposure of children and young people to role-model smoking.

We know that there is more to do, particularly regarding e-cigarettes. Locally the government will continue to focus on reducing the uptake by young people who, we know, tobacco companies are targeting. Nationally the ACT government is working with all Australian governments to address the risk from e-cigarettes, and I will continue to raise it with my health minister colleagues.

Risky alcohol consumption remains a continuing issue for the ACT and Australia as a whole. However, fewer young people used alcohol in the last year compared with previous reports. While most secondary students have tried alcohol, this number has been steadily decreasing over time. To guide our responses to these challenges, the ACT government developed the drug strategy action plan. The plan is aligned to the national drug strategy 2017 to 2026 and aims to build safe, healthy and resilient communities. It will do this through preventing and minimising alcohol, tobacco and other drug-related health, social, cultural and economic harms among individuals, families and communities.

In line with the national strategy, the ACT government has focused on harm minimisation, taking a three-pillared approach, which includes demand reduction, supply reduction and harm reduction. This approach aims to prevent uptake and delay first use; reduce harmful use and support people to recover; restrict availability and access to alcohol, tobacco and other drugs, to prevent and reduce problems; and encourage safer behaviours and reduce preventable risk factors.

Recent data available on sexually transmitted infections and blood-borne viruses in the ACT shows that while the incidence of newly acquired cases of hepatitis C, hepatitis B and HIV remains stable in the ACT, consistent with trends across Australia, there has been a steady increase in chlamydia and gonorrhoea rates, with the highest number of notifications being detected in younger age groups. Careful monitoring needs to continue in order to be able to respond to new public health trends and threats in this area. There has been an impact of COVID-19 here, with our public health messaging being very much focused on being COVID safe, which has placed on hold some other very important public health messaging.

Mental illness is a leading cause of chronic disease in the ACT, with anxiety disorders and depressive disorders contributing to 5.1 per cent and 2.7 per cent of the burden of disease, respectively. Of particular concern are the higher rates of anxiety in the ACT in comparison to the rest of Australia. Early intervention, or ideally prevention, can have significant and life-changing positive consequences for a person's mental health.

It is important to measure health and wellbeing at key development points across the life span. In recognition of the importance of developing healthy minds and addressing mental health concerns early in life, the ACT Health Directorate has undertaken a range of initiatives to improve the outcomes for the one in five Canberrans who have a mental health or behavioural condition and the one in seven who have an anxiety related condition and the one in 10 who reported depression or feelings of depression.

I have outlined here just some of the key findings in the current HealthStats ACT data, many of which are highlighted in the four summary reports tabled today. The path to a healthier Canberra requires collaboration and connecting our efforts across the health sector, across government—particularly in relation to the social determinants of health—and in partnership with academics, industry, community organisations and individuals. By working together and pooling knowledge, skills and resources, we have the best chance of delivering a sustained and comprehensive approach to improving health outcomes for all Canberrans.

I thank Dr Kerryn Coleman and her team for preparing this data and I commend HealthStats ACT and the supporting summaries to the Assembly.

Question resolved in the affirmative.

## **Royal Commission into Defence and Veteran Suicide**

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (3.15), by leave: I take this opportunity to formally recognise the federal government's intention to establish a royal commission into defence and veteran suicide and to restate the ACT government's support for this critical inquiry. This Assembly recently endorsed an executive motion recognising the devastating rates of suicide among veterans, the groundswell in the community for a royal commission and formally called on the federal government to endorse a royal commission into this matter.

The announcement on 19 April from the federal government that a royal commission will be established is welcomed by the ACT government and is testament to the tireless advocacy of veterans, their families and the organisations who represent and work with them. We are committed to supporting the royal commission through consultation, submissions and information as required.

The key to setting up this royal commission is to ensure that the terms of reference capture the issues that are important to the community. Consultation is currently underway to shape the scope and areas of inquiry and there is no doubt that this is a

critical moment, not only to get the terms of reference right but to cement trust that this royal commission will respond to the needs and experiences of the large and diverse defence and veteran communities. Canberra is home to a significant defence and veteran population, and I am dedicated to making sure that they have their say on these terms of reference.

Last week I held a drop-in consultation to hear from local veterans, defence members, families and others working to support veterans on what they think that the terms of reference should encompass. I thank those individuals and organisations who took the time to discuss with me their hopes for this royal commission and to share their views and perspectives. This will shape the ACT government's input into this terms of reference consultation. I also recognise the Ministerial Advisory Council for Veterans and their Families for their advice and input to this process.

I understand that this will be a challenging time for many people, and the royal commission may bring up feelings of grief and other feelings. It will be critical that awareness, availability and accessibility of supports and services be at the forefront of this royal commission and I am committed to working with our federal counterparts to this end.

This royal commission, the culmination of much enduring community advocacy, is not an end in itself. By working in concert with the National Commissioner for Defence and Veteran Suicide Prevention and leveraging previous inquiries and findings, it is my sincere hope that this royal commission will enable people to have their voices heard where they may have felt silenced or shine a light on what many may have felt has been hidden, and will catalyse action where many have experienced stasis.

I will continue to update the Assembly on the progress of the Royal Commission into Defence and Veteran Suicide as needed.

## **ACT Health—workplace culture**

**MRS JONES** (Murrumbidgee) (3.19): I move:

That this Assembly:

(1) notes:

- (a) the ACT public health system has suffered from a toxic workplace culture;
- (b) in September 2018, after months campaigning from the Opposition and health stakeholders, the ACT Government committed to an independent review of the workplace culture in health;
- (c) the Independent Review into the Workplace Culture within ACT Public Health Services (“the review”) was completed on 5 March 2019; and
- (d) in the 800 days since the review, just five of the 20 recommendations have been completed;

(2) further notes the review found:

- (a) inappropriate behaviours, bullying and harassment in the workplace;

- (b) inefficient procedures and processes, including complaints handling;
  - (c) inadequate training in dealing with inappropriate workplace practices;
  - (d) inability to make timely decisions;
  - (e) poor leadership and management at many levels throughout the ACT public health system; and
  - (f) inefficient and inappropriate human resource practices, including in recruitment; and
- (3) calls on the ACT Government to implement the remaining recommendations within the next 200 days.

Our public health system has been under stress for too long. Years and years of not being able to keep up by the Labor-Greens government has resulted in some of the worst health outcomes in Australia. As this government serves its 20th year in office, their continued broken promises and failure to deliver services is no clearer than in the area of health. Labor and the Greens have overseen the significant deterioration of the public health system.

Our public hospitals are regularly operating at full capacity, at times even overflowing. As I have mentioned before, I have seen, and others have reported to me, patients in beds in hospital corridors. Wait times for emergency department treatment are the longest in the country. Elective surgery waiting lists are far too long, and just recently in this place we debated the massive waiting list of over 7,000 people waiting for endoscopy treatments. These long waits are unacceptable; but in the ACT, this has been the case for years. Unfortunately, these waits can have deadly consequences.

Labor and the Greens have also been talking about the expansion of Canberra Hospital for well over a decade. But they still have not delivered it. The government promised at the 2016 election that the SPIRE building would be completed by 2022—just months away now. However, it was just in the past week that the development application for this building was even submitted—the first time that the community has seen any detailed plan, just months before the original completion date. Now the government maintains that it will complete the project in the 2023-24 financial year. Given the track record, that is unlikely.

The government also promised that the expansion to the Centenary Hospital for Women and Children would be completed by 2021, which is now blown out to late 2023. The record in health infrastructure is very clear, and they would rather not talk about it.

It is not a surprise that the government's inability to properly manage the health system, or deliver on its key health commitments, has resulted in a toxic workplace culture in health. Staff are not given the improved workplace facilities that they so desperately need, working in an under-capacity hospital with too few staff and inadequate support. So many do not feel supported by the government. Sadly, many are subjected to bullying and harassment, which should have no place in any workplace.



Just a few months ago, I attended the emergency department with a friend and spoke to a junior doctor who was very kind and very professional. After so professionally looking after my friend, at the end of the visit I had the opportunity as we walked out to ask him about his experiences in the public health system. I asked him if since the beginning of the year things were improving at all.

He told me that the long hours are not the biggest issue but that the bullying and harsh treatment by superiors was wearing him thin—and his colleagues. He said that if it happened occasionally, he could probably manage; but when it happens on a regular basis, it becomes professionally very difficult to go on.

This junior doctor's experience is all too common in the health system. Unfortunately, it is continuing to happen some 800 days since the Independent Review into Workplace Culture within the ACT Public Health Services was completed.

This was a review that, in September 2018, the then Minister for Health and Wellbeing was very reluctantly committed to. She only committed to the independent review after months of campaigning from the opposition and health stakeholders who had had enough. The review revealed a deep desire from staff and the community for significant change.

The review found that there were inappropriate behaviours, bullying and harassment in the workplace; inefficient procedures and processes, including complaints handling; inadequate training in dealing with inappropriate workplace practices; an inability to make timely decisions; poor leadership and management at many levels throughout the ACT public health system; and inefficient and inappropriate human resource practices, including in recruitment.

Since the review's release, we have all hoped sincerely and watched to see if there is a real turnaround in the culture. The minister committed to providing updates biannually to track work undertaken. These regular statements in the chamber have updated us on the number of times the various established committees have met and the work they are doing. I am appreciative of these updates, but what is missing is concrete evidence of changes for staff on the ground. Concrete change should have happened by now, as it has been 800 days.

The report noted that there are, and always have been, some examples of things working well and some shining lights in the ACT's public health system which have a different and healthier culture. However, having accepted that—even after much demand from staff and the opposition to take the issue, deal with it and turn it around—it is essential that along the way the progress of those affected is measured.

I accept that tracking progress on the review from outside the system can be somewhat difficult. That is why we look closely at the minister's words. I also look closely at the words of those inside, working on the ground. I know from the many, seemingly unending, complaints that I receive, and the descriptions of what individual staff and units within the public health system say they are experiencing, that those on the ground are impacted most by the culture in health. They are on the receiving end of it, and they know best.

One nurse wrote this to me:

I loved working as a nurse. However, it was the workplace environment, the culture I worked with, that broke me to pieces like shattered glass. What I experienced in working for CHS I know I am not alone in, as I have encountered many who have had similar experiences or worse, for which in the year of 2021 is pretty sickening and disgusting and something that would cause change but hasn't and it doesn't. Why? Because despite documenting, reporting, having witnessed and evidence of those events, when meeting with HR and workplace resolution officer they refuse to even warrant the need for an investigation or address any of my or the other staff members' ongoing issues. Even the head of people and culture and the CEO, which I received correspondence from, stated that it was "not their job"—

this is in inverted commas—

to deal with these types of issues in the workplace.

Here are only just a few of the things that I experienced so one can understand what working in some areas of CHS is really like. I was intentionally spat on a number of times by a colleague whilst being verbally abused. Threats spoken at me, then having a staff member physically assault me in the staff toilets. A number of times being intimidated and verbally abused by a manager, not only in her office but in hallways of the healthcare facility and public areas. Being mobbed, harassed, intimidated, humiliated in the treatment rooms, and in front of patients and their families by work colleagues. Repeated threats from colleagues in leadership roles on how they would intend to cause psychological harm, and physical harm, so that I would just leave. Asked to do certain tasks with the threat that if I don't do it, then I would be reported for misconduct and ensure that they would organise for my dismissal. False accusations made to staff in leadership positions and to the manager. Discrimination in decision-making around training and job opportunities by the then leadership positions. Repeated and intentional verbal abuse, humiliation, gaslighting and intimidation by other healthcare professionals that worked in the same area. Threats of physical and sexual assault by a work colleague. Threats of intentional physical assault even to the point where a work colleague joked about lacing my water bottle with medication so that I would potentially die. Witnessing bullying, harassment and intimidation of graduate nurses and student nurses.

The repeated intentional and inappropriate behaviours to myself and other staff members—such as acts of sabotage, intimidation, verbal abuse, physical and sexual assault, threats of violence, gaslighting, coercive control, isolating, humiliating, undermining, manipulation—go on constantly within the Canberra Health Service. Targeted to the point where taking your own life seemed like the only option for me, and something I did attempt in the end. On reflection, this is not the answer to coping with or dealing with workplace violence and bullying. I am glad I survived and am speaking out to highlight the lack of action employers like CHS undertake to deal with these issues.

For me ACT Health and CHS has failed in their vision role statement of creating an exceptional health care together. And also in workplace values of being reliable, progressive, respectful, kind. If anything, what the above quoted statements of what CHS is supposed to be about are just words on a piece of paper and part of the required business policy. Because in my and many other cases, none of this has been shown by

not only colleagues but managers, HR and the CEO. And those who have resigned have left in a last-ditch attempt to preserve their own dignity, reputation and mental health, due to the ongoing failures of ACT Health and CHS.

The government must demonstrate that, in achieving the recommendations of the report, staff are more satisfied, systems have changed, and confidence is growing. It is something that the minister needs to demonstrate.

Some progress has been achieved with five of the 20 recommendations. At the time that I wrote my motion, that was the latest information I had, although I believe the minister said that now seven of the 20 recommendations have been implemented, which is even better. We continue to work on other areas. Many meetings have taken place. We have heard here in the chamber about individual units, one or two of them, trialling a program to see a change to their culture in the reporting of harassing behaviours.

However, it has been 800 days since the completion of the review, and concerns that I am receiving from on the ground indicate that not enough is happening. While all the trials are going on, and that is great, how is the government tracking them? What is the evidence being collected? How are we measuring for success?

At the time the report was being compiled, based on feedback, it was ascertained that, shamefully, 12 per cent of staff had been subjected to physical harm, sexual harassment or abuse at work. Of those, 46 per cent indicated that it was by someone they worked with, while 37 per cent said it was by a member of the public. Only 22 per cent of staff at the time had confidence in the way grievances were resolved once identified and reported. What are those figures now, 800 days on? We need to know. The public has a right to know. The health workers have a right to know. Pride in working for the ACT public health system at the time was low; bullying was common; confidence in grievance resolution was very low. What are the current reported confidence levels in the grievance resolution process?

Much work has been undertaken, but evidence of concrete results from this work has not been presented alongside the reports of actions taking place. After 800 days, the Canberra community has a right to know if these matters have improved on the ground in practical, concrete and measurable outcomes.

The minister is good at coming in here, and going on TV, saying, "We are working on it." Assurances are one thing, but I am concerned that we have not seen the concrete evidence that should accompany such statements. As to the identified issues in the review, have they been resolved in any way? The last update suggested five have been. The minister will now come to the table saying that there have been seven recommendations completed in the last 800 days. Which seven have been completed? What of the other 13? When will they be completed? It is time for the minister's assurance to translate to measurable action and for us to see an end to these systemic problems.

It would be good if the minister was able to see the further 13 recommendations actioned and completed in the next 200 days, by the 1,000-day mark after review.

Surely we could have actioned 20 recommendations within 1,000 days? In the process of implementing these recommendations, I also call on the minister to produce real, practical, concrete evidence along the way, to show that these actions have actually achieved their intended outcomes on the ground.

The whole point of the review process is to see a truly healthy work environment in our public health system and to see an end to the terrible outcomes that led to the review more than 800 days ago. In 800 days, we could have seen more. Over the next 200 days, I call on the minister to complete this job and to evidence the outcomes. I commend the motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.32), by leave: I move the two amendments circulated in my name together:

(1) Omit paragraph (1) and substitute:

“(1) notes:

- (a) the ACT public health system employs more than 8 000 people across a range of locations, services and professions;
- (b) areas within the ACT public health system have experienced significant workplace culture issues that have affected staff, patients and non-government organisations;
- (c) in September 2018, after months of campaigning from the Opposition and health stakeholders, the ACT Government committed to the Independent Review into the Workplace Culture within ACT Public Health Services (“the Review”);
- (d) the Review was completed on 5 March 2019 and made 20 recommendations;
- (e) ninety-two actions have been identified to implement these recommendations, of which 55 have been completed and 31 are on track, with six actions being managed to ensure all recommendations are addressed by 30 June 2022;
- (f) overall, seven recommendations have been completed;
- (g) implementation of the Review recommendations is overseen by the Culture Review Oversight Group;
- (h) papers presented at Oversight Group meetings are publicly released after the meetings and include a program plan and risk register; and
- (i) the Minister for Health reports to the Assembly on progress in implementing the Review recommendations every six months, with the most recent Ministerial Statement made on 31 March 2021;” and

(2) Omit paragraph (3) and substitute:

“(3) calls on the ACT Government to continue:

- (a) implementing the review recommendations with the involvement of all stakeholders; and
- (b) updating the Assembly through biannual reporting that outlines progress of the implementation of recommendations.”

I thank Mrs Jones for raising this matter in the Assembly. The ACT government has, of course, made a significant commitment to culture reform in the ACT public health system, and I am pleased to have an opportunity to be able to talk about this very important issue.

There are more than 8,000 people working across the ACT public health system, and making sure that we are getting the culture right for our staff, consumers and everyone who enters our services is crucial. Ensuring effective workplace culture reform requires sustained effort and resourcing over an extended period of time. That is why, in responding to the review, the ACT government committed \$4 million a year over three years to the implementation of these recommendations to the period end of June 2022.

The issues that underpin culture across the ACT public health system are complex. For this reason, the government has taken a considered and strategic approach to improving culture. We recognise that culture change benefits everyone, and our primary goal continues to be one of creating an environment in which our workforce feels supported and valued in delivering exceptional health care.

To date, as Mrs Jones indicated, we have in fact completed seven of the 20 recommendations across the system from the *Independent review into the workplace culture within ACT public health services* final report and have made significant progress on addressing the remaining recommendations.

To date, the following recommendations have been completed: recommendation 5—review mechanisms to better integrate clinical streams of the community health services within the clinical divisional structures in CHS; recommendation 10—clear requirement for senior clinicians to collaboratively participate in clinical governance activities; recommendation 11—Choosing Wisely program; recommendation 12—clinically qualified divisional directors across each clinical division with business manager support within CHS; recommendation 17—the public commitment that was made by the previous minister, by me and by all members of the culture review oversight group; recommendation 18—the establishment of the culture review oversight group; and recommendation 20—change management and communications strategy.

This is not just a question of 20 straightforward actions made as recommendations. Many of the recommendations were high level. The culture review oversight group, the steering committee and the team working on this have identified 92 actions in order to fully address the 20 recommendations outlined in the independent review, to be completed primarily by the culture review implementation team in the ACT Health Directorate as a system-wide response to the review and in partnership with the ACT Health Directorate and Canberra Health Services, and Calvary Public Hospital Bruce—the third arm of the ACT public health system that was considered in the review. Other actions identified by the review are being completed individually by Canberra Health Services and Calvary Public Hospital Bruce to ensure that local, contextualised actions are addressing the specific needs of our health system.

To date, 55 of the 92 actions, or approximately 60 per cent, have been completed and a further 31 actions are on track to meet the agreed delivery date. The remaining six actions are being managed to ensure that all 20 recommendations are addressed by 30 June 2022.

As indicated in my amendments, the culture review oversight group—recently renamed the culture reform oversight group—meets on a regular basis, generally every two months, and papers presented to the oversight group meetings are publicly released after the meetings. These include a program plan and a risk register outlining when people can expect to see these actions. All 92 of these actions are identified in the risk register as to whether they are on track, completed or otherwise, and the program plan demonstrates what the timing of the implementation looks like.

We know, however, that measuring our progress is not just about whether or not we have implemented the recommendations. Measuring our progress through key indicators and metrics aligned to priority areas provides on-the-ground feedback that is central to sustainable improvement and change.

We are ensuring that how we measure success is meaningful, looks at what is important to our people, and monitors whether they feel more comfortable to report issues and concerns in the health system. For example, this means measuring staff confidence in reporting issues and speaking up, rather than just the number of issues reported. That is the type of measurement that demonstrates that we are making progress, which is why it is so important.

The three arms of the ACT public health system have implemented culture surveys, and all are currently in the consolidating phase of results to measure the engagement of people in the work that the culture review is undertaking. As an example, a Canberra Health Services survey in November 2019 found the best result, in terms of engagement, that it has ever had. It was the only one that was comparable to the former ACT Health structure. It found that the organisation is in a culture of consolidation in the BPA model, which it has never been in before. It has previously been in cultures of blame and reaction, so to achieve “consolidation” is a good, positive outcome. We recognise that we have more to do on the trajectory to get to “ambition” and “success”, as measured by BPA.

Each organisation is either in the process of planning their follow-up staff surveys for 2021 and/or investing in pulse surveys, which Canberra Health Services has been doing on a regular basis, to provide responses on initiatives that are being implemented so that we can continue to measure our success. Our pulse surveys are demonstrating that Canberra Health Services remains in that culture of consolidation and that engagement is remaining consistent—and that is despite the challenges of COVID-19.

The health system has been progressing considerable culture change through a time of unprecedented experiences affected by the impact of COVID-19. This important culture change effort has continued even as we work to ensure that the ACT community is safe, prepared and responsive. What I have observed is a highly

committed workforce who are striving to ensure that the ACT public health system is prepared for future challenges, and our progress with culture change will enhance our capability to respond to those challenges.

The renamed culture reform oversight group, which I chair, has met on nine occasions to oversee the implementation of the recommendations of the final report. The group comprises representatives of three ACT public health system organisations, union groups and the Health Care Consumers Association. The culture review implementation steering group, chaired by the Director-General of the ACT Health Directorate, has met 19 times and comprises further stakeholders who are facilitating implementation of the recommendations of the review.

Culture change requires a collaborative effort, and we continue to engage with key stakeholders from across the health system through a range of other forums as well, including the Non-Government Organisations Leadership Group, the Clinical Leadership Forum and the Professional Colleges Advisory Committee, which is actually meeting now, and I will be heading over there after we finish this debate.

Across the system we are establishing strong foundations to ensure success. All three organisations in the ACT public health system continue to embed and incorporate their vision, values and desired behaviours into organisational and people-related practice. This has included integration into organisation-wide strategic planning, and coming down to division and business unit planning.

In 2019 we established a partnership with the Australian National University's Research School of Management to develop, through co-design, the ACT Public Health System Workplace Culture Framework. This provided an evidence-based approach to inform organisational and cultural change and is serving as our road map to culture reform. This has been an important part of our investment in a systematic and coordinated approach to improving the "people" aspects of ACT public health services.

The workplace culture framework is designed to act as a model to develop and implement evidence-based practices that foster respect, inclusion and trust. It guides each organisation's approach to key cultural changes. It supports the system in the delivery of high-quality health care to our community, and the goal of being an employer of choice both now and into the future.

We are strengthening the support networks available to staff by mapping the respect, equity and diversity contact officer network. We have mapped the complaints and grievance process within each organisation to ensure that there is a consistent application of relevant policies and role clarity across the system. Action plans have been developed by the three organisations to ensure that processes and procedures are efficient. The organisations have reviewed governance frameworks and structures to support effective and timely decision-making for our staff.

In Canberra Health Services there has been a focus on providing managers with the knowledge and skills to effectively manage inappropriate workplace behaviours. At Calvary Public Hospital Bruce a significant investment has been made in reviewing

and enhancing their performance development program, with direct links to organisational values.

The ACT Health Directorate has implemented a culture uplift program that provides staff and managers with training and support services aimed at improving the quality of interactions between staff. This includes reinforcing the organisation's values, conscious interactions, performance management discussions and interpersonal skills development.

A review of the human resource function in all three organisations was undertaken in 2020 and identified key priority areas for action. The review is informing opportunities to improve current practices to ensure that processes and capabilities are consistent with contemporary human resources approaches. The review reports will be published soon on the ACT Health website and were discussed at the recent culture review oversight group, now culture reform oversight group, meeting last week.

The process has reviewed recruitment processes and systems, and changes to the administrative processes have been implemented across each organisation. Regular training programs are delivered by each organisation to ensure that selection panels are aware of the processes and procedures, and their responsibilities in recruiting and selecting staff. Recruitment processes are being regularly monitored and evaluated to ensure good compliance with processes and systems.

The Speaking Up for Safety program has made considerable progress at Calvary Public Hospital Bruce, with Canberra Health Services trainers delivering sessions for staff over the next few months. The Speaking Up for Safety program creates whole-of-organisation change in the way that staff escalate concerns. Every person in the organisation undertakes the same program, whether that is the CEO, frontline workers, managers or support staff. Speaking Up for Safety facilitates communication that elevates the concerns of staff alongside a culture of respect for colleagues. It is evidence-based and built on a strong foundation with the other work that has been done. The program also delivers the key message of empowering all staff to raise concerns by being receptive to and thanking the person for communicating to support a safe environment for everyone.

I want to thank Mrs Jones for bringing forward the personal story that has been shared with her. It is extremely distressing to hear those stories, and the purpose of Speaking Up for Safety is to ensure that people, if they do have those experiences, feel safe and supported in speaking up, and that the matters can be addressed. That is why one of our measurement and monitoring strategies is around feeling safe to speak up.

The most significant area of focus for the coming 12 months is investing in our managers and leaders. We are taking a multifaceted approach to this initiative, with work progressing at the system-wide, organisation-specific and discipline levels. Procurement activity is underway for the design and development of management fundamentals training for the health system because we want to set up our staff and managers for success.



We know that too often in the past people have been promoted on the basis of their expertise and clinical skill and not necessarily on the basis of their capacity as managers, and not necessarily given training and support when they move into those management roles. And that is not unique to the ACT. Through collaboration across the system, we have identified gaps in training and are making investments that will enrich our staff's experience.

I provided an update to the Assembly regarding culture review on 31 March 2021. That included the outcomes from the inaugural annual review. The review noted:

Significant culture reform requires sustained effort over several years for the full impact of the investment in the system to be felt. However, improvements are being seen and more is on the way.

We are currently planning for the second annual review of the culture reform program to commence to ensure that we are continuing to be transparent and remain on track to deliver actions that will sustain the improvements in culture in our health system.

In closing, I would like to refer to Ms Kirsty Cummin, who was recently awarded Nurse of the Year at the 2021 Nursing and Midwifery Excellence Awards. Kirsty talked about how they have so proudly delivered timely service in a safe way at Weston Creek Walk-in Centre—where they have not only delivered to the community but they have also demonstrated a commitment to each other to ensure that colleagues are safe, valued and cared for. That is what we are aspiring to achieve across the entire ACT public health system.

We are not just focusing on delivering 20 recommendations; we are focused on our people and getting this right for them. We are committed to ensuring a safe and healthy environment in which our people work day in, day out, and we want to empower them to do the best they can in caring for our community.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (3.48): I thank Mrs Jones for raising the item of culture reform underway across the ACT public health system. As Minister Stephen-Smith has noted, the ACT government is committed to workplace culture reform across the ACT public health system to ensure patients, families, consumers and the broad ACT community and surrounding areas receive high-quality health care. As Minister for Mental Health, I assure Mrs Jones and the Assembly that we are working hard to ensure that our staff are cared for and feel valued. The mental health and wellbeing of our workforce is critical.

Significant culture reform requires sustained effort over an extended period. This effort will need to be ongoing for the full impact of our investment in the system to be felt. We know that a strong organisational culture occurs through an ongoing, considered approach that is responsive to environmental impacts and the changing needs of our workforce. The issues are complex and multifaceted, and for this reason the ACT government has taken a deliberate and strategic approach that will result in sustained and enduring change across the system.

We recognise that cultural change will not only benefit the entire workforce but also patients, their families and carers and our non-government partners. Our goal continues to be one of creating an environment in which our workforce feels supported, valued and empowered to deliver exceptional care and enhance patient and consumer outcomes and experiences.

To reiterate the comments of Minister Stephen-Smith, to date seven recommendations from the culture review have been completed. Significant work has progressed on the remaining 13 recommendations and I am glad to be a part of the culture reform oversight group to progress this work.

I will talk about a couple of specific initiatives that demonstrate the ACT public health system's commitment to supporting our workforce, including our mental healthcare workforce. The first is the workplace resolution and support service available to staff in both Canberra Health Service and ACT Health Directorate. It provides a range of services, including direct resolution between employees, by providing internal mediation and facilitated discussions. The service conducts facilitated discussions or mediation for all preliminary assessments where the outcome is alternative dispute resolution. It supports managers, as well as staff, in helping them address and manage inappropriate workplace behaviours, deal with interpersonal conflict between team members, and conduct difficult conversations about performance and attendance.

It provides guidance and direct support to employees experiencing personal stresses that impact the workplace, including family violence and mental health concerns. Staff who access the service report that they are encouraged by the fact that the service reports directly to the CEO of Canberra Health Services or the Director-General of ACT Health Directorate.

Both Canberra Health Services and Calvary Public Hospital Bruce are implementing the Speaking Up for Safety program, which Minister Stephen-Smith mentioned earlier. The aim of the program is to help overcome ingrained interpersonal behaviours that prevent staff from speaking up and raising concerns that may lead to poor patient outcomes. The program involves skills training to support effective communication amongst peers.

Significant progress has been made with this program. At Calvary over 700 staff have attended the training program, and at Canberra Health Service 19 staff from a range of disciplines have completed the two-day training program and accreditation process, to facilitate Speaking Up for Safety seminars. Training for staff will be delivered by September this year. The Speaking Up for Safety program is supported by other initiatives that are also being implemented, including the occupational violence strategy and the nurses and midwives Towards a Safer Culture program.

In the six months that I have been involved in this program as Minister for Mental Health I have been encouraged by the strong evidence-based approach being used to inform the culture reform program that has been developed and is being implemented across the system. I particularly want to mention the Safe Wards work undertaken

across a number of health services—I saw this recently at their roadshow—and the impressive way it has been implemented by different health services in different ways to suit their different needs and situations.

I also want to note the cooperative approach all the members of the culture reform oversight group have taken to continuing to participate in and commit to the ongoing work that we are doing together. I thank them for their ongoing commitment.

Through the changes we are implementing, we are striving to ensure that our staff feel valued, safe and supported in the important work they do for our community. I am confident the work we are doing will strengthen the mental health and wellbeing of our workforce and will therefore enhance the mental healthcare delivered to people in the ACT.

**MRS JONES** (Murrumbidgee) (3.53): I thank the minister for her amendment and for notifying my office about this last night. The only disappointing thing in the amendment is that at point 1(e) it says that the recommendations will be addressed by 30 June 2022, which is over 400 days away. I understand there is a lot going on in health; I am not denigrating that fact. I just think that employees have a right to go to work in a safe environment, and that will then have been 1,200 days since the report to make the 20 recommendations come to fruition. I understand what the minister has said—they are complicated and deep, and big, and wide, and broad, but so are the problems that people are suffering from because they have been bullied in the health system.

I would have liked to have seen that we are coming to conclusion faster. I will continue to ask about this area because it matters a lot to me and to those who come to talk to me about their experiences in health. I very much want to see them going to work in a healthy environment, as I am sure the minister does, too. But we cannot know if we are getting to the bottom of the problem and if the implementation of the recommendations are having the required effect unless we measure it in a statistical, meaningful way. That is why I will move an amendment to the minister's amendment requiring that we report on all the matters identified in (2).

The report came into the public domain stating there were inappropriate behaviours, bullying and harassment in the workplace; inefficient procedures and processes, including complaints handling; and inadequate training in dealing with inappropriate workplace practices—very basic things that we must have right in a big workforce like this; an inability to make timely decisions; poor leadership and management at many levels through the health system; and inefficient and inappropriate human resource practices.

I have thought to myself many times that if this damning list was a list given to a Liberal government, we would have been pilloried non-stop. But we have given the minister 800 days—.

**Ms Stephen-Smith:** I think you might find Minister Fitzharris was pilloried non-stop.

**MRS JONES:** Well, I am talking to this minister, here. These matters are horrendous and some of them at least are still going on because I am receiving direct complaints about them. We cannot put our hand on our heart at this point and say that we know things are getting better. We do not know that for sure because we do not have a statistical basis. I really hope that, as a result of this motion, a statistical basis comes to fruition. It is very important.

The Healthcare Consumers Association spoke to me yesterday about whether there is a possibility of a set of performance indicators under each of the measures, where we actually track and measure the responses year to year. It would have to be independently measured, ideally not by a government agency. We really want this data to be totally trustworthy and correct. We want those matters to be resolved so that people can grow confidence to go to work in the ACT's health system. Therefore, I move:

Add to part (3)(b)

“and report on measures on all matters identified in (2).”

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.58): We will be supporting Mrs Jones amendment to my amendment. I am very happy to report back on that. I omitted to say in my earlier remarks that the measures of success have been an ongoing topic of conversation in the culture review oversight group, and we are developing a data dashboard that will have internal data in relation to it. The BPA culture surveys are undertaken by an independent organisation and are evidence based, so the dashboard will sit alongside our ongoing working culture surveys as well.

Amendment agreed to.

**Ms Stephen-Smith's** amendment, as amended, agreed to.

**MRS JONES** (Murrumbidgee) (3.59): I thank all present today for this debate; it goes to show what can be done when people approach sensitive topics in the best way that we possibly can, with total understanding of the humans involved. In this case, it is the humans involved in the health system. I want with all my heart for the nurses, doctors, allied health professionals, midwives, and administrators in our system to go to work and have a reasonably good experience at work. There are always going to be human systems, but I want people to be able to go to work confidently and go home with their dignity, and we know that sometimes that does not occur.

I want to be able to assure the community that change is coming after all the efforts and the courage shown, especially by the nurses who wrote the public letter some years ago about what was happening in their experience of work. I want the legacy they have left is that the system actually changes.

I am very appreciative of the support for my amendment to the minister's amendment, because that shows that we can have a discussion that has an even more productive

outcome. I look forward to seeing those measures; I truly hope that they are improving.

The minister mentioned that we have a highly committed workforce. Yes, we have an amazingly committed workforce. That is part of the reason that everything has continued to go on despite all of these problems. People in the healthcare sector, as I have said before, like other frontline-type workers, go to work and give everything they have. It is in their nature. People do not choose to work in health care if they are just striving for financial advantage. People do not work in the healthcare system because they just want a job; they work in the healthcare system because they are absolutely some of the best human beings we have in our society. I know that is well understood here. But that means that if the burden gets too much, they will work themselves into the ground. In some cases, as with the experience I referred to today, they have the potential to die because of the stress they are under. It is our responsibility to do everything in our power to ensure that their workplace is a reasonable one.

As I mentioned earlier, the performance indicators for this work would be great to see. After a couple of years of work it is reasonable that the public get a look at that. The amendment that we just passed talks about implementing the review recommendations with the involvement of all stakeholders. But I think the commitment is that they will all have been addressed by 30 June 2022. That gives us an end date, and a useful part of this discussion is to come away saying, “Okay, that’s the point at which we hope to have implemented all of these things.”

I would love to see a report from the original report writer about the changes they are able to see in the system and where we are tracking—what has gone well and what still needs improving—so that we go on a trajectory that improves these matters. I commend the amended motion to the Assembly.

Original question, as amended, resolved in the affirmative.

## **COVID-19—Indian community**

**MS ORR** (Yerrabi) (4.02): I move: That this Assembly:

(1) notes that:

- (a) the COVID-19 pandemic has had an unprecedented impact on many countries and communities around the world;
- (b) India is currently facing one of, if not the worst, outbreaks of any country since the pandemic began;
- (c) this outbreak is beginning to spread to other regions of South Asia;
- (d) while many of us here in Canberra will watch the news reporting and be saddened by the tragic loss of life and other impacts experienced in India because of the pandemic, members of our own Indian-Australian and other South Asian communities here in Canberra will be particularly affected;

- (e) that many members of the Canberra Indian-Australian and South Asian community have lost family members and friends to the recently worsened crisis;
  - (f) that many members of the community have friends and family members who are sick with COVID in India and South Asia;
  - (g) that this is a really difficult time for the community as a whole and the individuals who make up the community, with many experiencing significant distress at being so far away from loved ones;
  - (h) that this trauma has been compounded by the Commonwealth Government decision to halt citizens' return from India specifically, with harsh penalties, when this has never been applied to citizens in other nations with bad outbreaks; and
  - (i) after public pressure the Federal Government will allow citizens and permanent residents to be safely accommodated through the federal facility at Howard Springs in the Northern Territory from 15 May, where there has been no external COVID transmission;
- (2) acknowledge the pain and trauma being faced by the Canberra Indian-Australian and broader South Asian community;
- (3) write to the Commonwealth Government expressing:
- (a) the need for expanded, improved and federally funded quarantine facilities like that at Howard Springs in the Northern Territory;
  - (b) concern with the insensitive approach taken by the Commonwealth Government to use the Bio-Security Act and travel bans in one instance but not others; and
  - (c) a desire to see the Commonwealth affirm the commitment to citizen's fundamental right to return home to Australia; and
- (4) calls on the ACT Government to:
- (a) provide information to the Indian and South Asian communities in Canberra regarding where they can contact for advice and support on ACT Government services, including where to access counselling services;
  - (b) consider, along with state and federal counterparts, what medical supplies and assistance can be provided to health workers in South Asia;
  - (c) continue to work with the Indian and South Asian communities in Canberra to provide support as this changing situation evolves; and
  - (d) provide an update back to the Assembly on the outcomes of this consultation and subsequent action at an appropriate time.

I rise today to speak in support of the motion moved in my name on the notice paper. The last 18 months or so have seen an unprecedented series of difficult, stressful and damaging events in the lives of many, many, Canberrans: starting with the bushfires, smoke, and subsequent hailstorm, then quite suddenly transitioning into dealing with a pandemic. I am proud of how the community has handled these immense challenges, supported each other and those from outside the territory needing help. However, it has not been easy.

The lockdown and general pressure from COVID outbreaks interstate have been high. Border closures and varying restrictions interstate have been effective and successful but difficult to deal with. This is exacerbated by the number of people who have made Canberra their home but who grew up interstate or overseas and still have family and friends elsewhere.

However, while it has been a difficult year for everyone, I cannot imagine the stress and anxiety for those Canberrans who have family and friends in countries particularly impacted by the pandemic—from Iran to Indonesia, the USA, the European Union, the United Kingdom, and Central and South America.

The coronavirus crisis in India, Nepal, Pakistan and other South Asian countries at the moment, and what is on the way in future weeks, is unprecedented in this unprecedented pandemic. The images coming out of New Delhi, Mumbai, Kathmandu and other areas of the region are horrifying: hospitals running out of oxygen, running out of beds, sick patients being treated in car parks or in rickshaws, sick patients dying in the street. It is grim beyond imagining.

Canberra, particularly my electorate of Yerrabi, is home both to a large community of people who have migrated from India and made Canberra their home and to people of Indian heritage who were born in Canberra or elsewhere in Australia. I have been speaking to several of my constituents who are part of this community in Yerrabi, and this is a really difficult time both for the constituents I know personally and for the community as a whole. Several of the constituents I know well have lost close family members in the last fortnight. Many members of the community have been spending hours and a lot of money desperately trying to get access to oxygen and medical care for their families in India.

There are few situations that I can imagine which would leave a person and community feeling more helpless and desperate. This is a situation that was beyond imagining a year ago. My heart goes out to every single member of the Indian community in Canberra during this time.

While this crisis is impacting members of the Indian community in Australia and their family and friends in India, the federal government has moved not to provide any particular help to Australians in India, but quite the opposite! From late April the federal government moved to further restrict flights coming in from India, leading to the cancellation of many flights and seats booked by hundreds of Australians attempting to return home. Since then the federal government has additionally banned all returns from India. This is without precedent. Never has quarantined return not been available to Australian citizens who can find a path home.

I note that they have subsequently backflipped after outcry and that the ban will be lifted this Saturday. However, I also note that, when the situation in the United States got particularly bad with cases in December and January, returns through quarantined stations were not totally halted. When the UK was experiencing extremely high cases over the New Year period, including the appearance of a potentially worrying new strain, there was no blanket halt to returnees.

Why is this policy suddenly being implemented now? Why are the punishments for those who potentially avoid the restrictions suddenly imposed? The Prime Minister claims that no-one will end up in prison or being harshly punished under these laws. But my question then is: why implement them in the first place? Why advertise those punishments in a press release? There are a lot of questions around the federal government's policies on returning from India.

The federal government is responsible for and should be organising quarantine facilities—this is set out in the constitution—and, not only that, it makes sense. Purpose-built quarantine facilities with high capacity are the best way to quarantine those returning from overseas.

While not purpose built, the design and layout of Howard Springs in the Northern Territory has proven to be an optimal place to quarantine returnees. To date there have been no instances of the virus escaping this facility, like we have seen in almost every capital city in the country through hotel quarantine. The air conditioning is not centralised. There is plenty of open air between the residences. And it is just a better system.

I note that this facility has been designated a quarantine site for anyone returning from India since the federal government removed its travel ban due to constituent pressure. I also note that since it opened for quarantine purposes, the federal government has given some funding for its operation.

However, this pandemic did not start with the outbreak in India in the last couple of months. The federal government has had well over a year to think about this issue and to build additional facilities. They are better equipped to do so than any state or territory due to the economies of scale and size of budget. They are responsible for it. They have an example set for them in Howard Springs and they have had the community calling for it.

It was revealed just last Friday, through a Senate inquiry, that the only reason that the India travel ban was needed was in fact because there was not enough space in quarantine facilities for people coming home. If the federal government had taken action on this 12 months ago, there would not be so many Australians stuck in India. There would not be tens of thousands more stuck in other places with uncertainty when they will be able to come home.

I encourage my colleagues in this place to support the motion moved in my name and the associated actions. Acknowledging the pain and trauma being faced by the Canberra Indian-Australian and broader South Asian communities is the least that we can do in this place.

I again reiterate my condolences to those constituents of mine who have lost family and friends or who have family and friends who are suffering. I have heard heartbreaking stories from some constituents personally. I would like to make a particular note of sending my condolences to them.



The letter which this Assembly is called on to write will express our view that additional federally funded quarantine-specific facilities are needed. It will express our concern at the insensitive approach with which the federal government has treated the Indian and South Asian communities. It will also iterate the desire for the federal government to affirm the commitment of citizens' fundamental right to return home to Australia.

Finally, I hope that the government moves quickly to work with the community and its leaders to provide measures to help those in need or distress and, additionally, to encourage not only the ACT government but also interstate and federal colleagues to provide assistance to those on the ground in India during the worse phase of this pandemic to date.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (4.09): I thank Ms Orr for raising this important issue in the Assembly today. As mental health minister, I am acutely aware of the toll that COVID-19 has taken on the mental health and wellbeing of our communities. As a member for Murrumbidgee, a vibrant multicultural community, I also recognise and am saddened by the tragedy occurring in India and in many parts of the world due to COVID-19. The grave situation with COVID-19 in India reminds us that the mental health and wellbeing of our communities here in Canberra can be impacted by what is happening abroad. That is what I love about our multicultural community, that we are necessarily connected to places geographically far away.

I can assure the Indian community in Canberra that we are by your side as the tragedy in India unfolds. We share your sadness at the COVID-19 tragedy and we vow to support you. As mental health minister, I hope that our Indian community will find some comfort in the range of services available for people who are experiencing distress due to the situation impacting their loved ones in India. I would be pleased to spell out a range of services available to our community in this place today and I urge anyone experiencing distress or with mental health concerns to please reach out for support.

In the February 2021 ACT budget, the ACT government invested over \$19 million in the mental health system, including investment for child and adolescent mental health services, the PACER program, grief counselling and a range of community-based mental health programs and services, including those through Mental Illness Education ACT and Menslink.

The Office for Mental Health and Wellbeing and the Chief Psychiatrist also continue to work closely across the ACT government and the community sector to ensure coordinated and connected whole-of-community planning. In a conversation that I had with them earlier this week, we talked about taking care of mental wellbeing as well, making sure that we are eating healthily, that we stay active, that we stay connected to friends and family wherever possible and that we get enough sleep. The Office for Mental Health and Wellbeing meets regularly with peak mental health and non-government organisations to identify the emerging and ongoing issues impacting consumers, carers and community service providers.

At this time we particularly note the experience of people from the Indian community in the ACT and we recognise the need for particular targeted support. First and foremost, I encourage all people who are experiencing distress to reach out for assistance. Information on the mental health impact of COVID-19 and available supports is available on the ACT COVID website and translated information on the current situation and mental health is also available on the Beyond Blue website.

In Canberra we also have a range of services available to assist our multicultural community with mental health resilience in this difficult time. This includes the Multicultural Youth Services ACT drop-in service for young people, as well as mentoring services that may be valuable for people dealing with current events. The Support Asian Women's Friendship Association Inc is a self-help group aimed at addressing isolation and fostering social connection. I encourage Indian women who are feeling isolated from their family or struggling with isolation related to their grief or experiencing distress to reach out for support. All affected members of the Indian community can also access mental health support through their GP to discuss support available to meet their specific circumstances.

Finally, anyone who needs immediate mental health support and assistance can call Access Mental Health at any hour on 1800-629-354. People have a right to an interpreter when using this service and, if you are experiencing escalating distress, I urge you to reach out.

The COVID-19 pandemic and associated border closures and physical distance from loved ones is unprecedented. I extend my deepest sympathies to people separated from their families during this time. Fear, worry, stress and grief are normal responses to the tragedy that is occurring in India and in many parts of the world due to COVID-19.

I want to assure our community that it is understandable that people will be experiencing increased concerns about their mental health due to this tragedy. Although it is understandable, people do not have to deal with this alone. There are a wide range of supports available for those who want to reach out and talk and to those who might need immediate assistance. I strongly encourage our Indian community members to reach out to the services that are available. We are here for you.

**MRS JONES** (Murrumbidgee) (4.14): Our Indian and South Asian communities are so important to us here in the ACT. They are a growing and essential group within our community. They fulfill very important roles in our community and we value them greatly. It is my great privilege to call many of those Canberrans with Indian and South Asian heritage my friends and to work with them in my role as shadow minister for multicultural affairs.

I have dedicated, and continue to dedicate, my life to newer Australians—those from culturally diverse backgrounds. I see your struggle and I see your hard work. I see that you are a great part of our city, and your aspirations matter to me. I know how hard you have worked for Australian residency and citizenship, and I am here to serve you. As many already know and have experienced, I will continue to work for you and for our beloved city of opportunity, Canberra, in our nation of opportunity, Australia.

In my maiden speech I said that Canberra is a city of migrants in a country of migrants, and it is very much our nature and our approach to welcome many different people to call Canberra home. Because of the diverse nature of our city, I think that there has been a particular interest in the decision for a temporary pause in travel between Australia and India. It must, however, be acknowledged that the temporary pause has been effective in stemming the flow of positive cases into Australia's quarantine system in hotels.

Facilitated commercial flights into Howard Springs will resume this Saturday, with one flight every seven to nine days, with an estimated 1,000 Australians expected to return under these arrangements by the end of June. The government had very good reason for the pause and it was based on medical advice. As you would expect, the commonwealth government will continue to listen to the medical advice and make decisions in the best interest of all Australians. Just this week, on Tuesday, the Minister for Health said in the chamber:

Over the past several weeks we have seen COVID-19 cases rise in many parts of the world. Concerningly, in late April we saw new peaks in global daily cases since the pandemic began, largely driven by the situation unfolding in India.

The minister went on to say that this is obviously distressing, that it is placing a terrible strain on the health system in the country and that their health systems are struggling to cope. She acknowledged:

I know this situation is extremely distressing for Australian citizens and residents who have family and friends in India and other countries that are seeing waves of new COVID cases.

Our thoughts are with those Indian, Nepalese and other communities who are experiencing loss and anxiety as the global pandemic spreads.

This is the appropriate way to acknowledge the suffering that this pandemic is causing, without driving a wedge in our community at a time when we should be banding together.

Meanwhile Ms Orr's motion is an attempt to divide. I think that is unfortunate. Therefore, I will be moving an amendment to remove part (3) of Ms Orr's motion. This part is an unnecessary attack on the commonwealth government which I am surprised has been accepted by the Labor Party and the Greens, who have operated in a collaborative fashion during the pandemic in keeping unnecessary politics out of what has been at times a very delicate situation.

Of course, the temporary pause is very difficult. It is a very difficult decision to make and it has caused distress. This is the case for so many aspects of the response to this pandemic. But most of those I have spoken to are very understanding of the decision, so long as it is temporary and short term, which it certainly has been. I encourage the Assembly to do all in our power to continue to encourage and support a cohesive and harmonious society while we deal with this great area of challenge.

My amendment is very simple, and it has been circulated. It simply seeks to omit part (3). Part (3) goes to the decision of the federal government. I would like to quote some Labor luminaries regarding what they think about the temporary flight ban, which was the recommendation of the Chief Health Officer of Australia. Mr Mark McGowan, WA Labor Premier, said:

India is facing a severe third wave, one that we have not seen anywhere else. With more and more arrivals coming from India, we need to seriously look at temporarily restricting our travel of people who have been in or through India. They are trying to put a stop to the third wave. However, in Australia we need to do everything we can to keep this double mutant variety away.

That was said on 27 April. He is quoted as saying:

“There needs to be a suspension,” Mr McGowan told reporters. “We obviously have a problem with India ...

“It’s a big risk to our hotel quarantine system and you can see the consequences.”

He said that he supported a suspension because it was putting this country at risk. He said that that was a hard thing to say, and for Australians, or permanent residents and others, who want to come into Australia from India, it will be difficult for them. But he understood that it was a medical choice that was made, because we were not ready to accept people in those numbers into Howard Springs. Annastacia Palaszczuk, the Queensland Labor Premier, said:

I welcome the federal government’s decision to increase aid to India ... I know the decision to suspend flights will be difficult for families, but it is the right decision at this time.

On 27 April she said:

We have to do everything we can to protect Queenslanders and protect Australians. I understand that the Commonwealth is meeting to discuss this issue. Other countries have done a temporary suspension, and I don’t think it would be out of kilter for Queensland and Australia to also do the same.

Anthony Albanese was asked this by a journalist:

And just moving on to the news of the day, is it reasonable to close the borders with thousands of Australians stuck in India?

Mr Albanese said:

Well, we need to make sure that we prioritise getting Australians home. And it’s understandable, these border closures, given what has occurred in India.

He was asked:

Do you think it was the right decision to reduce the number of arrivals from India by 30 per cent?

He said:

Well, I think we have to be cautious. We understand it's a difficult decision. Look, I will leave it to the health experts to respond to these matters. They have recommended a reduction and I think it's appropriate. But we should continue to monitor the situation.

Correct, Mr Albanese. Mark Butler, the shadow health spokesperson, said:

The scale of the crisis in India is jaw-droppingly bad but we do need to make this period—

without flights—

work, then build something that allows us to bring back the 9,000 people who are wanting to come home, but recognise also that that's only one small part of the ... crisis.

He said that on 1 May, the day when the travel ban came into place—the temporary travel ban. Mr Butler also said:

I suspect the public health advice will be we need further restrictions, maybe a temporary pause altogether in arrivals from India. And if that is the public health advice, my view would be that we have to follow that. That is what we have done over the course of the last 12 or 13 months consistently, and it has served Australia very well.

That was on 27 April.

**Mr Hanson:** Don't Labor always say that they listen to the experts?

**MRS JONES:** That was Mark Butler. That was his statement. Bill Shorten, shadow minister for the NDIS, said:

... it is well past time to shut our borders to flights from India.

He said that on 27 April. He continued:

And one very good humanitarian reason to do it is if we don't have COVID here, then we can use some of our supplies, which we are not using to fight it here, to help Indians in India ... but time to close the borders. They should have been closed days ago.

"They should have been closed days ago," said Bill Shorten. Richard Marles, Deputy Leader of the Opposition, said—

**Ms Orr:** A point of order, Mr Deputy Speaker. I would note that since Mr Hanson has come into the chamber the tone of the interjections has changed quite significantly. I would ask that we return to hearing Mrs Jones in silence.

**MRS JONES:** I am not sure that the tone is a matter of order.

**MR DEPUTY SPEAKER:** Thank you, Ms Orr. Mr Hanson, I would reflect that Mrs Jones was powering along well without you here.

**MRS JONES:** Mr Marles, the Deputy Leader of the Opposition, said:

So, when you think about India and the 9000 Australians who are seeking to come back, I don't question the advice of the need to shut the border now, but it's obviously not a solution for those Australians. We can't abandon them.

I agree with that, and they were not abandoned. It was a temporary, two-week travel ban. I could go on. I have quite a few quotes here. Tania Plibersek said:

Look, I think this is the right decision at the moment.

She said, on 28 April, that it was the right decision at the moment. We should not go down the path of pointing fingers at the federal government's health advice. That is why our country is doing so well on this matter.

What really upsets me is the idea that this motion will be spun out into the Indian diaspora in Canberra, to tell them that somehow everyone has been sticking it up to the federal government to try and tell them to pull their head in. Frankly, they are doing the right thing, as difficult as it is. When every difficult measure has been taken by this government, in this city, we have stood by them, because nobody here thinks that we are the experts on the health matters that are advised to us by the Chief Health Officer of the ACT. In the same way, this decision was made on the advice of the Chief health Officer of Australia. I think it is very disappointing that this motion includes the idea that the federal government is being insensitive. It is absolutely difficult. What is a sensitive way of stopping this virus coming here? It is really difficult. I move the amendment that has been circulated in my name:

Omit part (3).

*Ms Cheyne interjecting—*

**MRS JONES:** This part of the motion is divisive. I am glad that Minister Cheyne finds it hilarious, but I do not find it hilarious. I find it to be very serious.

**MR BRADDOCK (Yerrabi) (4.26):** We have all seen on our screens the confronting images and stories that try to record or describe the ravages of COVID as it ripples through South Asian countries. But these confronting images do not capture the trauma, and the impact on members of our ACT community. They are grappling with grief, fear, sadness, anxiety, uncertainty and a feeling of helplessness being so far away from friends, family and loved ones during such a harrowing time. I have spoken to many in our community, tried to support them, tried to empathise with them and tried to share their pain. My efforts are woefully inadequate and a mere speck in the face of a remorseless pandemic.

I never thought I would be quoting John Donne in this Assembly, but this captures my mood:

Each man's death diminishes me,  
For I am involved in mankind.  
Therefore, send not to know  
For whom the bell tolls,  
It tolls for thee.

This community is in pain and needs our support. These people have brought so much to the ACT and greatly enriched our community, so it is only fair that the ACT government extend what help we can to assist this community at this terrible time.

This situation was compounded when Australian citizens trying to flee the danger and return home for safety had the door slammed in their face. This action is in breach of the compact between the Australian government and its citizens, breaking trust and leaving a sour taste in mouths. As the Seekers sang, "I am, you are, we are Australian." No-one is more Australian than another; there are no levels to being Australian. These people should be afforded safe harbour in the same manner as any Australian citizen would hope and expect.

This right to return highlights the importance of an efficient and effective quarantine system to ensure that Australia remains safe from COVID. Under the Australian constitution, quarantine is the responsibility of the federal government, and I support the call on the federal government to expand and improve its quarantine system to provide safe harbor for Australians returning to their homeland. We support this motion.

**DR PATERSON** (Murrumbidgee) (4.29): I thank Ms Orr for bringing this motion to the Assembly. What is unfolding across India and South Asian countries is simply awful. The pandemic, now in its third wave in India, is causing hundreds of thousands of new cases every day. I read the news and I am saddened, aghast and deeply concerned. Just a few days ago the headline was bodies washing up on the banks of the Ganges River, believed to be those of families who cannot afford wood for the funeral pyres. The rate at which this pandemic is spreading is horrific. The lack of medical supplies and facilities to assist is a real concern. Exhausted health workers are being pushed to the brink of collapse.

I read these articles, and while deeply distressed by what is going on, I know that my response is nothing compared to those in our community who read these same articles and have direct connections with the people affected. From the ACT, where we have been relatively and comparatively unscathed by the pandemic, it is difficult to comprehend the devastation being caused by the pandemic overseas. Many members of our ACT community have intimate connections to India and South Asian countries, whether it be their country of origin, whether they have friends and family members living there or because they have other connections.

In the Murrumbidgee electorate, which I represent, India is the third most common place of birth for residents behind Australia and England. Our Indian and South Asian

communities contribute much to our city's culture and lifestyle. We benefit from this diversity in our businesses, organisations, religions and lifestyles, and now it is our turn to give back.

Many ACT residents need our compassion, care and empathy right now as they struggle with loved ones living in some of the hardest-hit and worst-affected countries in the world. As Ms Orr points out, people in the Indian and South Asian communities in the ACT have already lost loved ones and wait anxiously for news on others who are unwell. The effect of distance has its own toll, with people in our community feeling helpless to assist family and friends in India and elsewhere and are suffering their own anguish and despair, let alone grief and heartbreak.

The federal government's response to the situation falls far short of addressing the reality being faced by Australian citizens in India and by people in our own communities. Now, more than ever, our Indian community needs our care, support and compassion. It is abhorrent that the federal government has imposed such harsh penalties, preventing Australian citizens from returning home from India.

I welcome that there will be some limited repatriation flights for people returning to Australia from these worst-affected nations after the ban is lifted in two days. I acknowledge that we need to continue our excellent response in Australia to the pandemic. However, as we all now live with the realisation that COVID-19 is not going away, there is a significant way to go to addressing the ongoing health and security of the Australian population, alongside effective logistical arrangements and quarantine facilities to allow the thousands of residents overseas to return home. We should not be leaving Australians stranded in some of the worst-affected areas of the world during a global health crisis. I support Ms Orr's motion to write to the commonwealth government calling for expanded quarantine facilities.

We need to consider what we as a community can do: firstly, support those living in our communities who are anxious, grieving, frustrated and feeling more isolated than ever before. Let's ensure that these people know who to contact for support and counselling and what resources are available. I thank the Minister for Mental Health for outlining these in her speech.

Secondly, we need to consider what we as a country can do to improve the situation for those suffering this pandemic in India and South Asia. Indian hospitals are desperate for medical supplies and equipment. I support Ms Orr's motion to call on the ACT government to consider what medical supplies and assistance can be provided to workers.

Across all regions of the ACT we have people in our communities who have loved ones in COVID-19 ravaged countries. I encourage all Canberrans to be kind and thoughtful and offer support and assistance where you can. Our reputation as the lucky country has never rung more true. We have been spared the worst of the pandemic to date; but in a strange irony of distance and closed borders, the pandemic is affecting many people in our community, perhaps not physically but emotionally, and it is taking its toll. I support this motion by Ms Orr.



**MR PETTERSSON** (Yerrabi) (4.34): I am sure that all of us in this chamber, as indicated in the speeches I have heard, are very saddened to see the tragic loss of life and devastating humanitarian crisis that is currently unfolding in India and across Asia. The crisis has only been made worse by a lack of oxygen supplies, hospital beds and medical care. The result of this is a wide-scale and far-reaching humanitarian catastrophe, leaving many Australian citizens stranded and in harm's way.

Canberra has a vibrant Indian community. My electorate of Yerrabi has a vibrant Indian community. We must acknowledge that for many of our neighbours and friends this is a particularly distressing time. Seeing loved ones affected by the ongoing crisis must be deeply traumatising.

I would like to pass on my sincere condolences to Canberrans who have lost family and friends. I want to acknowledge the many members of the community who have reached out to me to try to seek assistance for their loved ones stuck overseas.

The distress that so many Canberra families have felt has only been made worse by the commonwealth government's decision to stop Australian citizens from returning home. Not only were Australian citizens banned from returning to Australia, but they were threatened with \$66,000 fines, up to five years in jail or both. The USA and UK have similarly experienced significant COVID outbreaks, with hundreds of thousands of cases and many, many deaths. For these countries, our citizens were afforded the option of returning home and quarantining for 14 days. These are Australian citizens. All they want is to return to their home and be with their family and friends.

I am deeply concerned about the insensitive way the federal government has approached this situation. Australian citizens who are trapped in India need assistance now more than ever. Our federal government, in their moment of need, has been found lacking.

I would like to see Australians easily able to return home and complete their quarantine in a federally funded quarantine facility. I was disappointed to see that in Tuesday's budget the federal government outlined no further plans to build new purpose-built quarantine facilities. More facilities like the one in Howard Springs would allow Australians stranded overseas to come home and complete their quarantine far more easily.

That is why I find the proposed amendment by Mrs Jones so interesting. Ms Orr's motion is asking us to write a letter. I have written many letters in my time as a politician. Writing a letter is easy. What Ms Orr wants that letter to say is very sensible and very agreeable. I find it quite strange that Mrs Jones would seek to remove all contents of that letter.

Paragraph 3(a) of Ms Orr's motion refers to the need to expand and provide facilities like Howard Springs. I think all members in this place could agree that we should be providing more federally funded quarantine facilities. But seemingly no: the Canberra Liberals do not support that. Seemingly, going to point 3(c), the Canberra Liberals do not want to affirm the right for Australians to return home. Paragraph 3 has many

good points. I would still insist that a letter containing those points would be an important show of support for the many residents in Canberra who would support it.

I believe Australians have a legal right to return home. They have a right to be reunited with their family and their friends. Threatening Indian Australians who want to return with massive fines and jail time is just wrong. It is time to bring them home.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.38): I take this opportunity to acknowledge the worsening COVID-19 situation in India and South Asia. I acknowledge the profound loss and grief currently being experienced in India and South Asia, and I thank Ms Orr for her motion.

The scenes we see in the media and the sheer numbers of cases and fatalities in India right now are devastating. I want to acknowledge the impact that this is having on our Indian community here in Canberra, many of whom have family and friends in India and South Asia. The distress and hardship being experienced by Indian Australians here in the ACT, and across the country, are visceral.

India and Australia have a strong, close and enduring relationship across trade, defence, culture, education and fundamental values. Our city is privileged to have such an energetic and active Indian community, one which is integral to Canberra's rich multicultural way of life.

Like my colleagues, I add my voice and condolences to communities in India and South Asia and their families and friends. Please know that our ACT community is here to support you, because we support our friends. If you or someone you care about is struggling, there is always support available.

In particular, I acknowledge the organisations which are coordinating efforts to support the Indian community here in Canberra, including the India Australia Association of Canberra and the Federation of Indian Associations of ACT, which many of us know as FINACT.

These organisations are using their skills, connections, experience and passion to advocate for, and meet the needs of, our broad and diverse Indian community. They are supporting people experiencing loss and raising funds to send across to India for much-needed supplies and equipment and general support. Most importantly, they are bringing the community together at a time when it is most needed.

I, along with many MLAs, was pleased to provide support to the India Australia Association of Canberra this past Sunday at the Gungahlin town centre barbecue, the first of many events it intends to hold.

I would also like to recognise the continuing support of many other community organisations, including, but not limited to, Legal Aid ACT, the multicultural hub, MARSS and the Red Cross. These organisations are reaching out and into the Indian community to provide support, whether it is legal, financial or wellbeing support or

food and housing. By partnering with these organisations, the ACT government is supporting, and will continue to support, Canberrans impacted by the situation in India and ensure that everyone is able to access the support services that they need.

It is the government's role to proactively provide information and support to the ACT community throughout the pandemic. This includes tailored assistance measures for multicultural and culturally and linguistically diverse communities. Our Indian and South Asian communities are a vital part of this. We have done this through ensuring that essential health and wellbeing communications are translated into 14 different languages, and we are partnering with community organisations to ensure that communities get the information they need.

I was pleased to hear Minister Davidson outline the many supports available. I stress again that Access Mental Health is available for the ACT community on 1800 629 354. This is a 24/7 line providing mental health services, with access to assessment and treatment services, and advice and information on a range of mental health issues. And Access Canberra provides a "no wrong door" entry point to navigating ACT government services at its service centres or by calling 13 22 81.

I would like to lend my strong support to Ms Orr's motion to express the ACT government's view—I hope the ACT parliament's view—to the commonwealth government about its insensitive and unprecedentedly punitive approach to the temporary flight ban. I genuinely do not believe that this is an attempt to divide at all. In fact, it has echoed public commentary from our local community. Mrs Jones said that I found it funny. I do not find it funny at all; it was her approach that I found to be quite remarkable. Australian citizens must have the fundamental right to come home, especially in a time of crisis. The only question on the federal government's mind at times like this should not be if, or when, but how we get them home safely as soon as possible.

The decision of the National Security Committee of cabinet to lift the pause on flights from India from 15 May is a welcome development. We want to see as many Australians as possible return home.

Through national cabinet, the ACT government supported instituting additional pre-departure measures for travellers from India. These measures will enable the resumption of government-facilitated flights and aim to minimise the risks of COVID-19 to the community. They include additional pre-departure testing and the continuation of government support programs for Australians currently in India. These measures will help to ensure the safety of Australians waiting to come home, enable the return of our residents and citizens to resume, and help protect our community.

As publicly called for by the Chief Minister, investment in federal quarantine facilities by the commonwealth is sorely needed to lift the country's repatriation and quarantine capacity—and, indeed, safety. Additional dedicated facilities would lift quarantine capacity and increase Australia's ability to repatriate our friends and loved ones in a safe way.

As the opposition itself noted during question time, dedicated commonwealth quarantine facilities would provide additional opportunities to consider the return of Australians overseas, as well as international students from India and other countries. We should have had these long ago; the federal government should have stepped up. We were hopeful that even now, perhaps in the most recent budget, we would have seen some leadership there, but we did not.

Because of its own sheer inaction, the commonwealth has found itself making this incredibly difficult decision that has had ongoing repercussions and will for some time, even with the ban lifting later this week. That was followed by midnight decisions to criminalise Australians trying to return home. That decision was certainly not made by the Chief Health Officer.

I support the motion's call for action to further strengthen the ACT government's efforts to provide information to our Indian and South Asian communities on accessing advice and support. I look forward to working with colleagues in the Assembly and across our government directorates towards achieving this.

All Canberrans grieve with our Indian community at this difficult time. As the Minister for Multicultural Affairs, I applaud the collective efforts of the Indian community to support each other in a time of crisis, and I thank Canberrans of all backgrounds for their strong support of the community.

**MS ORR** (Yerrabi) (4.46): I thank my colleagues for their contributions to this discussion. It is important to show our solidarity with the Indian and South-East Asian community here in the ACT and everything that they are going through.

Going to the question of Mrs Jones' proposed amendment to part 3, I thank my colleagues in Labor and the Greens for their support for this amendment. Mr Pettersson summed it up very well when he said that our writing to and asking for an expansion of something and not having a repeat of what we have seen is not unreasonable. That is the going sentiment on part 3, and it is a perfectly reasonable one; we should not have to find ourselves back in this situation.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7

Mr Cain  
Ms Castley  
Mr Hanson  
Mrs Jones  
Mrs Kikkert  
Ms Lawder  
Mr Parton

Noes 14

Mr Barr	Ms Orr
Mr Braddock	Dr Paterson
Ms Burch	Mr Pettersson
Ms Cheyne	Mr Rattenbury
Ms Clay	Mr Steel
Ms Davidson	Ms Vassarotti
Mr Davis	
Mr Gentleman	

Amendment negatived.

Original question resolved in the affirmative.

## **Legislative Assembly—conduct**

Debate resumed.

**MR HANSON** (Murrumbidgee) (4.52): I am very disappointed that this motion is being brought before this place. As Ms Burch or Madam Speaker—I am not sure which role she is playing here at the moment—said when she moved this motion, she was not going to do it, then she was going to do it, then there was an adjournment until a later hour. I am not sure why we adjourned the matter if we were going to proceed.

We certainly will not be supporting this motion that has been brought before us today. It is a highly partisan and inappropriate witch-hunt. The trawling for information is a little bit of a fishing exercise. The real intent of this is to smear Mr Milligan. That is what is happening here. It is a partisan, deliberate move by the Speaker to smear Mr Milligan. That is what is happening in this place.

I must say, the fact that the Speaker would move such a motion brings her and this place into discredit. She knows, as we all know, that she has done it this way to try and create this smear, trying to get the Assembly to do it because, under the code of conduct, vexatious and politically motivated referrals to the Commissioner for Standards would be a breach of the code of conduct. She did not want to go down the route, understandably, because I think that what we would find is that this would be the case.

Let me go to a number of reasons why we will not be supporting this motion, this smear motion. Firstly, I make the point that Mr Milligan has referred these issues in this motion to the commissioner, not because of any view that they have substance but because, essentially, they have been litigated. This motion has been sitting on the notice paper. So in the interests of accountability, he has done so. I note that that is the intent of this. At the end of the day, what the Speaker is trying to do is get this referred to the Commissioner for Standards. That has been done. That was done two days ago.

I am not sure what the point of having a debate in this place about a referral to the Commissioner for Standards is when that had been done two days ago. Ms Burch is well aware of that because I sent her an email to advise her of that two days ago.

Secondly, as I just said, it is before the Commissioner for Standards. He is an independent body. We have appointed him an office holder, an independent body to conduct investigations of members of this place. If you refer to standing orders, you will see all the appointment. You can go to the website. We should all be aware of what his role is.

What we are doing here is undermining his independence. He has a referral before him. Now what we are doing is having a debate in this place on this matter on the notice paper, and we are going to be doing this trawl for information so that somehow, instead of the Commissioner for Standards doing his job, Ms Burch and her Labor mates, and I assume the Greens—they are always in cahoots—think that they are going to have a bit of a kangaroo court here.

It is not good enough that the Commissioner for Standards does his job. No, we are going to have a bit of a kangaroo court to run in parallel. It is just in case he comes back with an answer that they do not like obviously, from the Labor Party point of view and the Greens point of view. What they want to do in this place is have a parallel process where this kangaroo court of the Greens and the Labor Party can run their little smear campaign against him.

Certainly, this prejudicing of an independent referral is potentially a denial of due process and that is why Mr Milligan will not be talking to this. He has made the referral. He is the subject of the referral. And he is not going to do what we find that the Labor Party is doing in this place and try to push forward a process that potentially prejudices the independent actions of the independent commissioner.

The third point I have is that I think that the trawl for information that we see in the motion is pretty dangerous and an outrageous abuse of the powers of the Assembly in terms of privacy. They are asking about his actions when he was not a member of this place. They are asking for things that are potentially business-in-confidence and are asking for private legal advice—items of legal advice on matters and advice from the Integrity Commissioner.

If asking for potential legal advice, if that is the precedent of this place, I look forward to that. If tabling legal advice is now going to be something the Speaker calls for and is ruling on obviously by this, as it is in her motion—that this is something we can ask for and expect—be careful, members, because it is a longstanding form of this place that legal advice has privilege.

It is an extraordinary thing that the Speaker of the Legislative Assembly would be asking for a member's legal advice. If that is not enraging you, as members of this place, then it should.

Fourthly, there is the substance of the issues raised. I do not want to go too far into these matters because they have been referred to the Commissioner for Standards, but the title of this motion is "Protected Information". The protected information in the Electoral Act is the electoral roll. The electoral roll is not emailed. How is it possible that somehow this conflicted motion, this smear campaign, is going to conflate what is protected information, which is the electoral roll and the Electoral Act, with emails that are not on the electoral role?

But that is the title of this motion, to try to give the impression that somehow some great crime has been committed against the Electoral Act. It is not possible. And the rest of the motion makes that abundantly clear.

There is then the issue of the Privacy Act. I cannot possibly see how that could have been engaged. I cannot see how that possibly can be engaged.

However, another great act that the Speaker has done by trying to trample all over independent bodies is to refer to media articles that this is based on. The person, who I note is a former political candidate, a member of the Greens, has referred this matter to the Information Commissioner. It said in the article that this matter has been referred to the Information Commissioner. So let us go trampling all over that independent process as well, shall we? Not just the Standards Commissioner that this has been referred to, the Information Commissioner that this has been referred to, but no, Ms Burch wants to be conducting our own kangaroo court, her own independent investigation—

**Ms Lawder:** Judge and jury.

**MR HANSON:** Judge and jury, yes, Ms Lawder, well said. There is no breach of the Privacy Act. They are going to get looked at by the commissioner. There is clearly nothing that engages the Electoral Act. It has been referred to the Commissioner for Standards. What is the intent of this, other than this smear and trawl for information that we have seen?

I hope that Mr Rattenbury, as the Leader of the Greens and a former Speaker, will see this for what it is. There are plenty of opportunities if he wants to get involved in scraps with the Liberal Party, if that is what he wants to do. But I hope that he has not gone that far and the Greens have not gone so far that they will trample all over the independence of the standards commissioner, trample all over the independence of the Information Commissioner, in order to score these pretty tawdry, cheap, political points.

I would also ask what on earth is the Speaker doing moving this motion?

**Mr Rattenbury:** On a point of order, Mr Assistant Speaker, Mr Hanson has now made a number of comments on the motives of the Speaker. And he looks like he is about to go there again. It is quite clear from the Companion to the standing orders that members are not to reflect on the conduct or decision-making or motives of the Speaker without moving a substantive motion. So I ask you to be mindful of this as Mr Hanson continues with his remarks, because I think he is skating quite close to and, in fact, probably has already crossed the line.

**MR ASSISTANT SPEAKER** (Mr Pettersson): Thank you, Mr Rattenbury. Mr Hanson, I think Mr Rattenbury has a good point. If you could please reflect on the words.

**MR HANSON:** I am happy to do so. But, of course, the confusion comes from the fact that we do not know whether this is being actually moved by Ms Burch as the Speaker or—

**Mr Steel:** On a point of order, it is very clear in standing order 55 that all imputations of improper motives on members, not just the Speaker but all members, shall be

considered highly disorderly. Mr Hanson, on several occasions throughout his comments, has made reference to Ms Burch smearing. So he should withdraw that. He should withdraw that now.

**MR ASSISTANT SPEAKER:** Thank you, Mr Steel. That is a very good point. Mr Hanson, I would ask you to withdraw “smearing” and then we will go and check the transcript for other words that impugn the Speaker.

**MR HANSON:** Yes, the conspiracy continues on, does it not, Mr Assistant Speaker?

**MR ASSISTANT SPEAKER:** Mr Hanson!

**MR HANSON:** This is a smear motion. And I can say it is a smear motion. That is a debating point, Mr Assistant Speaker.

**MR ASSISTANT SPEAKER:** Are you going to withdraw, Mr Hanson?

**Mr Rattenbury:** If I might add a comment, I think that Mr Hanson is able to call this a smear motion but what he cannot do is reflect on the Speaker’s motivations. I think there is a difference there that needs to be brought out.

**MR ASSISTANT SPEAKER:** I will seek advice.

Thank you, members, for your patience as I sought advice—one of the wonders of being an Assistant Speaker. Mr Hanson, there were numerous points in your speech where you did impugn the motive of Ms Burch, as she moved the motion. Ms Burch is not moving this motion as the Speaker. She is moving it as a member. Regardless, you cannot impugn the motive of a member. So I would ask you to withdraw those imputations. Then the Speaker will go away and reflect on the transcript and we will seek further clarity.

**MR HANSON:** Sorry, can you just clarify that she is moving it as a member, not as the Speaker?

**MR ASSISTANT SPEAKER:** Correct.

**MR HANSON:** I was just advised by the Leader of the Greens that she was moving it as the Speaker. So clearly there is confusion in this place about her role in what is actually happening here, Mr Assistant Speaker.

**Mr Gentleman:** On a point of order, Mr Assistant Speaker, you have asked him to withdraw. He is not withdrawing. I ask that you force him to withdraw.

**MR ASSISTANT SPEAKER:** Thank you, Mr Gentleman. We are getting there. Mr Hanson, I have asked you to withdraw.

**MR HANSON:** I withdraw, Mr Assistant Speaker.

**MR ASSISTANT SPEAKER:** Thank you, Mr Hanson.



**MR HANSON:** I am disappointed that this motion is before us. As I said, I think that there are a number of reasons why this is an inappropriate motion that tramples all over the independence of the standards commissioner. It tramples all over, potentially, the independence of the Information Commissioner. There are people out there that we have set up to do certain jobs and this trawling for information, I think, is highly inappropriate and we will not be supporting this motion.

**MR BRADDOCK (Yerrabi) (5.07):** I stand today as the Greens spokesperson for integrity matters. The integrity of this Assembly is very important and requires constant vigilance to maintain. This particular issue creates head-scratching technical and procedural questions, given that the alleged incident happened whilst not a member of this Assembly. I do not think that anyone in this chamber disagrees that the Commissioner for Standards is the best person to consider this matter. The Commissioner for Standards is extremely skilled and experienced at investigating matters. I trust him fully to get to the truth of this matter, outside of the partisan politics which we are witnessing inside this Assembly.

It is in everyone's best interests, including Mr Milligan's, that questions about this matter do not linger for longer than they have to and to ensure that no question remains after the completion of this process. Therefore, we support the Assembly referring this matter today to the Commissioner for Standards. It is important for the Assembly to have visibility of the outcomes of the commissioner's inquiry. If it is a private referral, the Assembly will not be able to have visibility of that and will not be able to be assured of the completeness of the process. Therefore, we support this referral.

I just wish to correct one matter. The individual that Mr Hanson referred to during his speech was, in fact, a Democrats candidate in the past and a previous member of the Greens.

**MR HANSON (Murrumbidgee) (5.08), by leave:** There seems to be some confusion. I think Mr Braddock was saying that he supports this because it is a referral to the Commissioner for Standards. On my reading of this motion, that is not the case. It says, "consider whether the matter should be referred to the Assembly's Commissioner for Standards for investigation." It does not actually have a referral to the Commissioner for Standards.

I just say that because I am a little bit confused. If that is the intent, then the matter has been referred to the Commissioner for Standards. So what is the intent of this motion? Mr Braddock seems to think that that is what the intent is. Is there an amendment, then, to that effect? Based on the clause in here, it is asking for information and then further consideration as to whether it should or not. There is no referral in this motion.

**MR BRADDOCK (Yerrabi) (5.10), by leave:** I wish to clarify the comments I made earlier that Mr Hanson seems to be confused about. Given that we are now referring to two separate motions, I got my words confused in terms of the intent of the particular motion. I just wish to clarify that the Greens are very keen to see this matter

referred to the Commissioner for Standards. Therefore, when the first motion asked us to consider that, I was just signalling that intent. When the second motion comes forward for debate, that is what I wish to state.

**MS BURCH** (Brindabella) (5.11): Just in closing, I will respond very briefly to some of the comments by Mr Hanson but not to the colourful language. I have been very clear from the beginning that I think there are questions to answer in this and this is simply a referral motion. As I mentioned this morning, there remains a question for me, as Speaker and as a member, about whether this is in the scope of the Commissioner for Standards. To address that and to remove any such question—and I mentioned this morning that Mr Milligan has self-referred—I will say a little bit more when I get to the next motion, which I will need leave to do. With that, I will close, Mr Assistant Speaker.

**Ms Lawder** (Brindabella) (5.12): Mr Assistant Speaker, if I might seek clarification? We have notice No 1, Assembly business, and I have an unnamed motion in front of me. I am not certain which motion we are voting on.

**MR ASSISTANT SPEAKER:** We are currently debating Assembly business notice No 1. The motion that is circulating has not been moved yet. We are debating Assembly business notice No 1 on the notice paper. That is the question before us.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 15

Noes 8

Mr Barr	Ms Orr	Mr Cain
Mr Braddock	Dr Paterson	Ms Castley
Ms Burch	Mr Pettersson	Mr Hanson
Ms Cheyne	Mr Rattenbury	Mrs Jones
Ms Clay	Mr Steel	Mrs Kikkert
Ms Davidson	Ms Stephen-Smith	Ms Lawder
Mr Davis	Ms Vassarotti	Ms Lee
Mr Gentleman		Mr Parton

Question resolved in the affirmative.

### **Mr James Milligan—resolution** **Statement by member**

**MR HANSON** (Murrumbidgee) (5.16): I seek leave to table a statement by Mr Milligan.

Leave granted.

**MR HANSON:** I present the following paper:

Statement by Mr James Milligan, MLA, dated Thursday, 13 May 2021.

**MR ASSISTANT SPEAKER** (Mr Pettersson): Members, I will seek some advice.

Members, paragraph (2) calls on Mr Milligan, upon passage of this motion, to make a statement to the Assembly detailing how many emails were sent promoting his business, where and how he obtained the email addresses, personal names and addresses, how many responses he received when he sent the emails, and how he had access to contact details; specifically, if any information was obtained through his actions as an MLA. I call on Mr Milligan to make a statement.

**Mr Hanson:** Mr Assistant Speaker, on a point of order, the motion calls for a statement from Mr Milligan, and I have provided you with a statement from Mr Milligan. That is entirely in order.

**MR ASSISTANT SPEAKER:** Thank you, Mr Hanson. Mr Milligan has to make the statement. That is what the resolution says.

**Mrs Jones:** On a question of clarification, does the motion say that Mr Milligan must make the statement immediately after the motion is passed or that he must make a statement?

**MR ASSISTANT SPEAKER:** Members, let me seek some advice. Let me seek clarity from Ms Burch as to the intention of her wording.

**Ms Lee:** On a point of order, Mr Assistant Speaker, there is nothing in the wording of this motion that specifies that Mr Milligan must come into this chamber and make an oral statement. It asks for a statement. Mr Hanson has tabled a statement on behalf of Mr Milligan, and that is satisfactory.

**MR ASSISTANT SPEAKER:** Members, let me seek some advice. Members, no-one has had a chance to read the statement. The Assembly has called upon Mr Milligan to make a statement. I stand by that ruling. I have called upon Mr Milligan to make a statement to the Assembly.

**Mrs Jones:** On a matter of clarification regarding your earlier ruling, as I asked, which you have not yet answered, does the motion state that Mr Milligan must immediately make a statement or that he must make a statement? There is nothing in there that states that he must, immediately after the passing of the motion, come down and make a statement—merely that he must make a statement.

**Mr Gentleman:** Mr Assistant Speaker, on a point of order, you are in control of this parliament, not those in the opposition that are reflecting on your decision. It is up to you to make that decision, and your decision should not be reflected on by those opposite.

**MR ASSISTANT SPEAKER:** Thank you, Mr Gentleman. Members, let me seek some advice. Members, I think you will all appreciate that it will be to the benefit of everyone if we suspend for 10 minutes, to give members a chance to read the statement, circulate it and, from there, we can further decide on the matter.

*At 5.23 pm, the sitting was suspended until the ringing of the bells.*

*The bells having been rung, Mr Assistant Speaker (Mr Pettersson) resumed the chair at 5.33 pm.*

## **Commissioner for Standards—referral**

**MS BURCH** (Brindabella) (5.33), by leave: I move:

That:

- (1) this Assembly notes the statement made by Mr Milligan relating to his correspondence to constituents, and that he has referred himself to the Commissioner for Standards; and
- (2) Notwithstanding the provisions of continuing resolution 5AA, and noting that the actions of Mr Milligan occurred at a time when Mr Milligan was not an MLA but that he has subsequently been re-elected to the Assembly, to ensure that the Commissioner has coverage of this matter, this Assembly refers the actions of Mr Milligan in writing to constituents and seeking their support in his private business to the Assembly's Commission for Standards to ascertain whether the actions of Mr Milligan breached the code of conduct of Members.

The point I have been trying to make to various people throughout the discussion of this matter is that the motion seeks to ensure that the commission has coverage of this matter, so that an independent body can look at it, and so that it is not played out on the floor of this chamber. The motion asks the Assembly to refer the actions of Mr Milligan, in writing to constituents and seeking support for his private business, to the Assembly's Commissioner for Standards to ascertain whether the actions of Mr Milligan breached the code of conduct of members.

By way of clarification, statements were made questioning whether I was moving this as the Speaker or as Ms Burch, a member of the Labor caucus room. I have also been very clear in conversations that I have moved this as Speaker, to keep it out of party politics, because I uphold the integrity of this place to high standards. If there is a question around the code of conduct and a sitting member, I feel obligated to refer it to an independent arbiter, and that is the Commissioner for Standards. Once the question was raised, as to whether I could refer it or a member of the public could refer it—or, indeed, as Mr Milligan has referred it; that was within his scope—I did not want to leave that question unanswered; hence, the reason for this motion.

Question resolved in the affirmative.

## **Adjournment**

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

### **Children and young people—out of home care**

**MRS KIKKERT** (Ginninderra) (5.36): The other day during the debate on collecting data on care leavers I was surprised by Minister Rachel Stephen-Smith's response, referring specifically to what I said about the importance of data. The minister said, "She makes it sounds like it is really easy". She also said, "We cannot force them to provide us with data. They would need to be willing to engage in that process." To me this was a sign of defeat—"When something is too hard we won't do it." The minister's own directorate produced a discussion paper in 2018 that repeatedly emphasises the importance of data collection on care leavers. Three years later, there is still nothing. Now we know why that there is nothing—it is simply too hard.

I am here today to give the minister as solution. I have a solution for her 24 hours after the debate—not three years; one day. Imagine what I could achieve if I was the minister. So here it is. Please listen carefully, minister, and your directorate's senior managers—although I note the minister has just stepped out of the chamber.

As I said during the debate, if the young people who exit the government's care and protection system are not willing to engage once they turn 18, then we have a serious problem. Young people who have felt safe in government care and who have felt genuinely valued and respected, do not need to be forced. I stand by this statement. In addition, I would like to add to it.

The minister's reaction to what I said in the debate two days ago raises serious concerns about how unsupported care leavers in this territory might really be. The minister made it sound like young people themselves are the only source of information when she said, "We cannot force them to provide us with data". This is only true if care leavers have been abandoned with no-one to watch out for them. I believe that is what is happening in Canberra.

In the UK the Staying Close program provides youth who have exited residential care with 10 hours of ongoing contact each week with trusted support workers in the same homes they once lived in. They also regularly visit these homes for dinners and to celebrate birthdays and holidays with their former housemates. In such a situation it is not necessary to ask people how they are going. If someone is homeless, support workers know. If someone is struggling with school or needs help securing employment, support workers know. Data collection on these care leavers is not hard as the minister claimed because they still have people they trust looking out for them.

I offered similar counsel at recent budget estimates hearings after questioning the high number of community-based justice orders not being completed by young people. The ACT government has taken it upon itself to provide the case work for these youths,

but the young people do not trust the government. The solution I gave them? Offer them case management by people who they trust. It is that simple.

This is a big part of what I meant two days ago when I called on the government to commit to an extension of care. This is not just about a housing subsidy, as useful as that may be. We must do better at replicating for these kids the benefits of belonging to a family. Foster and kinship carers will need to be involved, as will youth workers and case workers. Our efforts almost certainly will need to include community services providers as well. I have spoken with many of these providers. They currently have a much clearer understanding of how care leavers in the ACT are going than the ACT government does.

The solution to the minister's problem with data collection is as simple as making sure that care leavers are plugged into a network of people with whom they share a genuine relationship of trust, people who can and will keep a respectful but watchful eye on them.

### **Federal budget—education**

**MR DAVIS** (Brindabella) (5.40): I rise today to reflect on the federal government's continued egregious attacks on our public education system. Unsurprisingly, Tuesday night's budget continues to prioritise the big end of town, forgoing the opportunity to truly invest in our public services and systems in favour of lining the pockets of large for-profit companies.

This budget again sees the federal government continue to invest in the privatisation of education, from early childhood right through to tertiary education. Education should never be for profit. We need free and universal public education from every child right through to their retirement. The federal government's funding of early childhood education falls seriously short of ensuring that we have an education system that captures and protects the most vulnerable.

Thankfully, the ACT government has committed to rolling out universal early childhood education for three-year-olds. The ACT Greens know that this cannot come soon enough. When it comes to early childhood education, Australia is being left behind compared to other OECD countries, many already having moved to universal free preschool for three and four-year-olds.

The overwhelming majority of a child's brain development happens in the first five years, and research consistently shows that every dollar spent on early learning pays significant dividends that grow out over the life of the individual. It is especially significant for those from disadvantaged backgrounds.

Public schools are central to our communities and are key to ensure equity of opportunity throughout all Australia. To quote the Federal President of the Australian Education Union, Correna Haythorpe:

... across primary, secondary and TAFE, this Federal Budget fails students in every corner of our nation ... Australian public schools are experiencing

booming enrolment growth, yet this Budget fails to deliver the capital works funding that provides modern, 21st century classrooms and facilities ... As a result, public school staff are denied the resources they need to provide the education and support their students deserve.

Private schools are benefiting from long-term prioritisation of government funding while the federal government continues to ignore calls from the education sector for equitable funding. This budget sees the federal government hand out just over \$5 billion a year for the next four years, to a total of \$20 billion over the forward estimates.

Coincidentally, a 2020 report by Adam Rorris, a former economic adviser to the World Bank and the federal government, found that \$19 billion is the exact funding shortfall between current funding and the minimum funding levels required under the recommendations from the Gonski review. This means that they subsidise private education. The federal government is forgoing the opportunity to properly fund our public schools.

We know that our teachers are working harder than ever to keep up with increases in class sizes and ever-growing expectations for what they must deliver. As the ACT Greens spokesperson for education, I will always support calls for proper funding of our public school system and support for our teachers. Every school should be provided with the resources to ensure that every child gets the best education, regardless of their background or circumstances.

Again, the federal government has failed to deliver on any vision for long-term sustained investment into our TAFEs to restore vocational education, which has suffered from ongoing cuts year after year and has, like the university sector, been struggling from the loss of international students. The JobTrainer package has given our CIT a small boost, but this style of funding brings with it huge boosts to the pockets of for-profit vocational providers who seek to make money from our education system.

This budget cuts funding to universities by 10 per cent at a time when our university sector is crying out for help as it tries to respond to the ongoing financial burden of losing international students. We are already seeing the result of the so-called job-ready graduates reforms. The federal government is cutting funding at exactly the time it should be investing in our universities to ensure equal opportunity for all Australians and to support research to bolster our growing knowledge economy.

We know that education is a fundamental driver for ensuring a strong economy and improving the lives of the most vulnerable. This week it has been made clear that the federal government lacks a clear and systemic vision in the education portfolio. I am proud to be part of a party and a government that will always choose to support our teachers and our public education system.

### **Parking—delivery vehicles**

**MR CAIN** (Ginninderra) (5.45): Today I rise to provide an update on my Florey shops project. Earlier this year, I met with several locals at the Florey shops to talk

through their concerns about road safety around the shopping precinct for pedestrians, cyclists, motorists and, particularly, students and teachers from the nearby Florey Primary School.

Of particular concern was the difficulty faced by delivery vehicles due to the lack of proper loading zone facilities at the back of the shops. The safety issues with delivery trucks are made more concerning, as I mentioned, by the nearby and adjacent primary school. I raised these issues with the minister and am pleased to say that—though several months later—the minister has agreed to have Transport Canberra and City Services undertake a seven-day traffic survey to analyse delivery vehicle movements.

I bring this up today to emphasise the importance of persistence by the community and by MLAs in this house and to let the people of Ginninderra know that I plan to continue to listen to and act for them during this term of government. Unfortunately, my action is often required, because of Labor-Greens indifference to basic services.

I remain committed to the residents of Ginninderra to ensure that they get the best services and infrastructure, which they thoroughly deserve.

### **Roads—safety**

**MS CLAY** (Ginninderra) (5.46): I wanted to say a few words about our vulnerable road users and road safety. Now, there was a really interesting article in Sydney news yesterday by Ian Ross of Pedal Power about this issue and it was sparked by a very serious accident in which a car towing a trailer slammed into a person riding a bike and it was pretty horrifying to have a look at that footage. And I would really like to say that that almost never happens but that is actually not true. There are a lot of people in this town who feel like they take their life in their hands simply getting to work or popping down the shops. Now, we would not find that acceptable for people driving cars but for some reason we find that acceptable for our vulnerable road users, for those who are walking around, riding bikes, riding motorcycles.

In this particular incident that was highlighted by Pedal Power, the driver was penalised. They received a \$393 fine. For the driver to walk away and receive such a small fine and for that person who was injured to receive lifetime injuries is absolutely not right. We would be outraged again if that were happening to people in cars regularly, but we are apparently okay with it happening to people riding bikes.

In Australia in 2020, 42 cyclists died and that figure is increasing. The deaths are tragic but the deaths are also a very, very small part of the puzzle. Typically what happens when a car crashes into a vulnerable road user, to somebody on a bike or somebody walking or somebody in a wheelchair, the person driving the car will be fine. That person who has been crashed into will not necessarily die but they are probably going to have lifetime injuries. They might have PTSD. They might need surgery. There can be some very serious consequences and not many people walk away from that kind of VRU accident without suffering damage.

Only last week one of my constituents sent me some really horrific photos of their elderly mother who had tripped on a badly maintained footpath, and she suffered a lot



of injuries to her face, her shoulder and her hand. It is quite serious and we actually need to take these matters a bit more seriously than we do.

Obviously the best solution would be for us to have better infrastructure. We need more separated bike paths and we need more shared paths so that we are providing more protection for our vulnerable road users so that they do not have to be on the roads mixing it up with fast cars. And we should be maintaining that properly and spending the money that we need to in order to maintain it and to build it and to fill in the missing links.

I am really pleased to say that when we covered this in estimates TCCS told us they did not actually have the equipment they needed to even check the condition of some of those paths, and they are now acquiring it. I will be following up to make sure they are setting proper targets on maintenance and filling in those networks.

I have said it before and I will say it again. If we want 20 per cent of Canberrans using our active travel then we should be spending 20 per cent of our roads budget maintaining that and building it. But we also need some proper penalties to protect our vulnerable road users. A \$393 fine is frankly ridiculous. It is really not a penalty at all. It is a bit of a joke. So I will be looking forward to working further with the community to see what we can do to make an improvement to this.

### **Multicultural affairs—Eid al-Fitr events COVID-19—Indian community**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (5.50): I want to take this opportunity to wish the community a happy and joyous Eid al-Fitr. This past month has marked Ramadan, the holiest month for the Muslim community.

Ramadan is a sacred time of reflection and celebration and a time for charity and taking care of the weaker sections of our society. Ramadan celebrations include 30 days of fasting from before sunrise to after sunset, large family and community iftar meals after sunset, and an increase in spiritual activities such as prayer, giving to charity and strengthening family ties.

After a very different Ramadan in 2020, this year the ACT government was pleased to again host a community iftar last Thursday evening in concert with Mr Mohamed Ali and local imams. This included Imam Adam Konda who is the Chairman of the ACT Council of Imams; Imam Hamza Abujabu from the Gungahlin Mosque; Imam Moaazh Salah from the Gungahlin Mosque; Imam Mohammed Ali Saeed from the Molonglo Mosque; and Imam Ismael Jibah from the Spence Mosque.

It was a wonderful opportunity for us to come together at the Theo Notaras Centre. It was an opportunity to share faith and to build a greater understanding in the broader Canberra community of Islamic beliefs and values. And I was pleased to see many MLAs present too as we filled the centre in a COVID-safe way, forged connections and created new ones.

On the following night I was very pleased to be back at the Theo Notaras Centre again to join the Multicultural Hub for a women's iftar event. Again it was a fantastic turnout and very special to join together as women.

An enormous amount of work goes into these larger events and I sincerely want to thank and commend the hardworking staff at the Office of Multicultural Affairs for all of their work in engaging with the local community and ensuring that Thursday night was such a good event.

I also want to thank and commend Zakia Patel from the Multicultural Hub for her leadership and vision in bringing together Friday's event and ensuring that women from across the multicultural community were welcomed and that it was inclusive of different cultures. Eid Mubarak.

And while I just have a few more minutes, I just want to draw the Assembly's attention. The opposition does have a habit of selectively quoting. Earlier today during the debate on Ms Orr's excellent and very sensitive motion about the Indian community, Mrs Jones appeared to take great delight in quoting from Labor members.

But she conveniently missed that there was a motion moved in the Senate today by Labor members condemning the Indian travel ban and calling on the government to help Australians in India return rather than jailing them and fix our quarantine system rather than leaving our fellow Australians stranded. And interestingly enough, Senator Matthew Canavan crossed the floor to support that.

So it is worth putting on the record all the comments and concerns that are held across a broad cross-section of our community and our parliaments. Thank you, Mr Assistant Speaker.

Question resolved in the affirmative.

**The Assembly adjourned at 5.54 pm until Wednesday, 2 June 2021 at 10.00 am.**

## Answers to questions

### Florey shops—delivery vehicles (Question No 135)

**Mr Cain** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) How many times has Transport Canberra and City Services inspected Kesteven Street adjacent to the Florey Shops delivery area in 2021.
- (2) Can the Minister provide the date, time, and duration of those inspection/s referred to in part (1).
- (3) On how many occasions were delivery vehicles parked in the delivery area or on Kesteven Street during the inspections in 2021.
- (4) Can the Minister provide the date, time and duration that the delivery vehicle/s referred to in part (3) were observed.
- (5) For each of those occasions referred to in part (4), can the Minister advise the category of delivery vehicle, eg semi-trailer, delivery van, others.

**Mr Steel:** The answer to the member's question is as follows:

- (1) An officer from Transport Canberra and City Services (TCCS) inspected Kesteven Street, adjacent to the Florey Shops delivery area once in 2021 in response to the initial enquiry.
- (2) The Officer arrived on site around 8.50am and made observations over an hour period on Friday 26 February.
- (3) The officer did not observe any inappropriate parking of delivery vehicles during the inspection. TCCS will arrange for a traffic survey to be undertaken to identify delivery vehicle movements over a 7-day period.
- (4) Refer to answer 3.
- (5) Refer to answer 3.

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### Government—invoices (Question No 141)

**Mr Cain** asked the Special Minister of State, upon notice, on 1 April 2021:

- (1) Does the ACT Government use e-invoicing.
- (2) Does the ACT Government plan to use e-invoicing; if so, can the Minister provide details on when e-invoicing will be implemented.

- (3) Does the ACT Government track invoice payment times to companies that contract to the ACT Government.
- (4) What are the target payment times by the ACT Government on company invoices and if the standard is not universal, can the Minister provide an appropriate breakdown to show how they differ across the ACT Government.
- (5) What are the average invoice payment times for companies that contracted to the ACT Government for the financial years of (a) 2017-18, (b) 2018-19, (c) 2019-20, (d) 2020-21 and (e) 1 July to 31 December 2020.
- (6) If there is a target payment time, what percentage of the invoices referred to in part (5) were paid on time and can the Minister provide a breakdown by directorate.
- (7) What are the average invoice payment times for companies that contracted to the ACT Government and invoiced less than \$100,000 for the financial years (a) 2017-18, (b) 2018-19, (c) 2019-20, (d) 2020-21 and (e) 1 July to 31 December 2020.
- (8) If there is a target payment time, what percentage of the invoices referred to in part (7) were paid on time and can the Minister provide a breakdown by directorate.
- (9) What are the average invoice payment times for companies that contracted to the ACT Government and invoiced less than \$20,000 for the financial years (a) 2017-18, (b) 2018-19, (c) 2019-20, (d) 2020-21 and (e) 1 July to 31 December 2020.
- (10) If there is a target payment time, what percentage of the invoices referred to in part (9) were paid on time and can the Minister provide a breakdown by directorate.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The ACT's invoice payment process is automated but at this stage does not incorporate e-invoicing. The ACT Government supports the e-invoicing initiative and is working with the Commonwealth Government to ensure national consistency for the planning and implementation of e-invoicing. As the ACT will be required to upgrade its current automated invoice system as part of the e-invoicing initiative, a body of work will be required to effectively scope, cost, procure and roll out a new e-invoicing capability.
- (2) Yes, refer to (1) above.
- (3) Yes, supplier payment times are tracked and currently 94 percent of invoices are paid within 14 days. Where a supplier has a contract with a specific payment term, payments are made in accordance with that contract.
- (4) As part of the ACT Government's commitment to support business during the Covid-19 health emergency, the Government announced it would reduce the standard payment terms from 28 days to 14 days. Currently all suppliers are paid within 14 days from the date of a correctly rendered invoice. Where a supplier has an agreed contract term which is less than 14 days, payments are made in accordance with that contract.
- (5) This data is not tracked for contracted companies.

- (6) Listed below is the average of suppliers being paid within standard payment times.  
Noting pre Covid-19 health emergency the standard payment terms were 28 days.

Percentage of Invoices paid within standard timeframe				
Reporting Entities	17/18 %	18/19 %	19/20 %	20/21 %
ACT Electoral Commission	99.2%	100.0%	98.8%	98.3%
ACT Veterinary Surgeon's Board	55.6%	88.9%	77.8%	100.0%
ACT Executive	86.1%	97.6%	96.5%	98.7%
ACT Insurance Commission	N/A	N/A	96.3%	95.2%
Canberra Institute of Technology	96.9%	95.9%	95.2%	97.7%
Chief Ministers, Treasury & Economic Development	98.5%	97.4%	98.6%	98.9%
Community Services Directorate	98.7%	98.5%	99.6%	99.7%
Environment Planning & Sustainable Development	96.4%	93.8%	95.6%	97.1%
Education Directorate	95.5%	92.6%	94.7%	97.0%
Gambling & Racing Commission	98.5%	98.4%	98.7%	100.0%
Health Directorate (HD)	97.8%	N/A	N/A	N/A
ACT Health Directorate (HD)	N/A	90.9%	94.3%	97.0%
Canberra Health Service (HD)	N/A	97.5%	98.0%	98.8%
Justice & Community Safety Directorate	97.1%	96.0%	97.4%	98.0%
Major Projects Canberra	N/A	N/A	89.3%	96.0%
Transport Canberra & City Services	96.7%	94.4%	96.7%	98.3%
WorkSafe ACT	N/A	N/A	N/A	94.7%
<b>Grand Total</b>	<b>97.7%</b>	<b>96.8%</b>	<b>98.0%</b>	<b>98.7%</b>

N/A - These are Directorates that either did not exist at the time, have since split or did not use Shared Services .

- (7) This data is not tracked for contracted companies. Currently Purchase to Payment (P2P) Contract Management solution is being rolled-out to most directorates/agencies and this will allow contracts to be linked to purchase orders and invoices which in turn enables better reporting.
- (8) The table in point 6 reflects the percentage of all invoices paid within standard timeframes, due to the nature of purchases many procurements do not require formal contracts to be entered into. As referred in point 7. The roll out of the P2P Contract Management Solution will assist in developing further reporting. this data requested is not currently tracked for contracted companies. Currently all suppliers are paid within 14 days from the date of a correctly rendered invoice. For contract suppliers with the terms less than 14 days, invoices are paid in accordance with the contract.
- (9) Refer to (7) above.
- (10) Refer to (8) above.

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### **Municipal services—footpaths (Question No 146)**

**Ms Castley** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) Can the Minister provide an update on requests made to Access Canberra on (a) 9 December 2019, (b) 28 February 2020, (c) 6 August 2020 and (d) 4 September 2020

in relation to complaints about dangerous footpaths around the Gungahlin Marketplace, particularly in front of the TAB on Gozzard Street.

- (2) Can the Minister provide advice on waiting times for Fix My Street requests such as those listed in part (1).
- (3) Can the Minister explain why Access Canberra has not responded to these requests.
- (4) When will Access Canberra fix the dangerous footpaths to ensure no more incidents occur.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Transport Canberra and City Services (TCCS) has acted on the requests lodged on the above-noted dates in relation to Gozzard Street.
  - (a) 9 December 2019 - An inspection occurred and no defects were identified.
  - (b) 28 February 2020 – Following an inspection of the area repairs were completed on 8 July 2020.
  - (c) 6 August 2020 – Following an inspection repairs were completed on 14 April 2021.
  - (d) TCCS were unable to identify any data in our system which is associated with the request made on 4 September 2020.

Unfortunately, these defects can continue to occur due to misuse such as motor vehicles parking on pavers.

- (2) TCCS prioritises and inspects paths within 10 business days of receiving a request. Once the path has been assessed it is entered into Roads ACT's asset management database system for repair and/or replacement.

Any issue confirmed as posing an immediate safety risk to the public is made safe within three to 10 business day after the initial inspection depending on priority. Other works are packaged into larger contracts by locality for efficiencies. These are prioritised and repaired within 12 to 18 months after the initial inspection.

- (3) See (1).

- (4) See (1).

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### **Municipal services—Gungahlin pond (Question No 147)**

**Ms Castley** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

In relation to the Gungahlin Pond that sits between Nicholls and the Gungahlin Lakes Gold Club, when will the minister prioritise improving the pond by installing more  
(a) lighting, (b) bins, (c) taps, (d) playgrounds and (e) barbeques.

**Mr Steel:** The answer to the member's question is as follows:

City Services currently has no plans to prioritise the installation of additional infrastructure to the Gungahlin Ponds parkland. The facilities currently provided by the ACT Government in the parkland include several seats, an electric BBQ with a picnic setting, a playground with a shade sail and a basketball court. Street lighting along the cycle path is provided.

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### **Roads—noise complaints (Question No 149)**

**Ms Castley** asked the Minister for Business and Better Regulation, upon notice, on 1 April 2021 (*redirected to the Minister for Transport and City Services*):

- (1) In relation to road noise from Horse Park Drive which is affecting quality of life in Amaroo, can the Minister arrange for the Environment Protection Authority to visit houses with these complaints to take a noise reading.
- (2) Can the noise barrier be extended so it covers all areas affected.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Roads ACT, within the Transport Canberra and City Services Directorate is responsible for managing, monitoring and responding to road related noise enquiries. As specific addresses of concern have not been identified, I would appreciate if you can please provide details of the affected houses to my office so that noise surveying can be undertaken.
  - (2) Should the noise levels identified through the survey exceed the current noise thresholds, then mitigation options will be identified and considered.
- 

### **Municipal services—community gardens (Question No 150)**

**Ms Castley** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) In relation to the process involved in starting community gardens in Gungahlin, can the Minister please advise when the Transport Canberra and City Services Public Land Use team considers granting a license for private use of public open space and what consultation occurs with the local community.
- (2) If there is consultation, how and when does it occur.

**Mr Steel:** The answer to the member's question is as follows:

- (1) TCCS considers approval for the use of public unleased land on a case-by-case basis, either under the *Public Unleased land Act 2013* (for short term permits) or the *Planning and Development Act 2007* (for a longer term licence). Factors such as type of use, duration of use, availability/suitability of land and impact on the surrounding area (public spaces, neighbouring residents and businesses) guide consideration of proposals.

In light of the long-term tenure required to establish and operate a community garden, community gardens are licenced under section 303 of the *Planning and Development Act 2007*. Once a proposal is received, the potential impacts on the surrounding area are considered and an appropriate consultation process determined. The proponent is required to address all criteria set within the 'Guide to Community Gardens in the ACT'.

- (2) Consultation can include onsite notification signage, letter box drops to adjacent residences, targeted notification to community groups and online notification. TCCS would require the proponent to begin consultation early in the approval process and generally allocate a minimum of four weeks for initial community consultation. However, if the proponent demonstrates that adequate consultation has previously been undertaken, TCCS may not require further consultation.

### **Domestic Animal Services—rangers (Question No 153)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) How many rangers are currently employed by Domestic Animal Services (DAS).
- (2) How many rangers were employed in the (a) 2019-20, (b) 2018-19, (c) 2017-18, (d) 2016-17 and (e) 2015-16 financial years.
- (3) How many rangers were employed at DAS (a) full-time, (b) part-time and (c) casually in the (i) 2019-20, (ii) 2018-19, (iii) 2017-18, (v) 2016-17 and (vi) 2015-16 financial years.
- (4) What are the types of staff employed by DAS which undertake duties other than being rangers.
- (5) How many of the staff referred to in part (4) were employed in the (a) 2019-20, (b) 2018-19, (c) 2017-18, (d) 2016-17 and (e) 2015-16 financial years.
- (6) Why do MLAs continue to receive complaints from constituents that the number of rangers employed is not sufficient to service their complaints.
- (7) What plans are in place to ensure that DAS's resourcing is sufficient to ensure the safety of the community.
- (8) What communication does DAS have with Queanbeyan Palerang Regional Council and how are dangerous animals managed that are being transported over the border from Queanbeyan.
- (9) What protocols does DAS have in place to ensure that complaints involving parties outside the ACT have a satisfactory outcome.

**Mr Steel:** The answer to the member's question is as follows:

- (1) DAS currently employs 14 rangers, as well as two Operations Managers who also perform the functions of rangers.



- (2) Domestic Animal Services (DAS) separated from the Licensing and Compliance (L&C) section of TCCS in 2018-19. Following this separation, a number of positions within the L&C team and within DAS are responsible for providing dog management services across the ACT.

The number of rangers employed full time by DAS for the last five financial years is listed below:

	<b>No of Full Time Rangers.</b>
<b>2019-20</b>	<b>16</b>
<b>2018-19</b>	<b>14</b>
<b>2017-18</b>	<b>16</b>
<b>2016-17</b>	<b>6</b>
<b>2015-16</b>	<b>8</b>

- (3) The DAS full time employee are as in response (2), there have been no part-time or casual staff for the periods listed.
- (4) DAS has staff who support a range of duties including customer service, licensing and permits administration, kennel management, education and animal welfare community support, volunteer management and investigation services.
- (5) The number of staff who performed duties as described in (4) excluding ranger services are listed below:

	<b>Support</b>	<b>Senior Director</b>
<b>2019-20</b>	<b>16</b>	<b>1</b>
<b>2018-19</b>	<b>12</b>	<b>1</b>
<b>2017-18</b>	<b>12</b>	<b>1</b>
<b>2016-17</b>	<b>9</b>	<b>1</b>
<b>2015-16</b>	<b>7</b>	<b>1</b>

- (6) The DAS Ranger team continues to grow to enable and support DAS' ability to respond to calls to ensure community safety. Complaints or emergency calls are prioritised by risk with teams needing to travel between locations. DAS is looking to implement satellite response teams to improve service availability to the community.
- (7) DAS frequently assesses resourcing requirements in relation to staff as needed and ensures current and new staff are trained to better service the community. In addition, our education strategy is currently being deployed to raise awareness of domestic animal welfare. It is intended that this approach will promote more responsible pet ownership and management resulting in a safer community.
- (8) If DAS receives notification that an animal that has been declared dangerous is moving to a new jurisdiction, it is obliged to inform the gaining jurisdiction of that animal's status.
- (9) DAS communicates with regional councils to ensure all animals are managed appropriately.

**Disability services—National Disability Insurance Scheme  
(Question No 159)**

**Mrs Kikkert** asked the Minister for Disability, upon notice, on 1 April 2021:

- (1) In relation to NDIS-registered behaviour support practitioners, how many practitioners in the ACT have submitted a positive behaviour support plan to the Senior Practitioner during the year 2019–20.
- (2) How many positive behaviour support plans have been received by the Senior Practitioner for the year 2019–20.

**Ms Davidson:** The answer to the member's question is as follows:

- (1) A total of 38 behaviour support practitioners submitted behaviour support plans to the Senior Practitioner during the year 2019–20. In 2019, the NDIS allowed unregistered practitioners to write plans. NDIS registration is a matter between the NDIA and the practitioner. The Senior Practitioner does not have exact data on how many submitting practitioners were NDIS registered.
  - (2) A total of 86 positive behaviour support plans were received by the Senior Practitioner for the year 2019–20.
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**Trees—removal  
(Question No 164)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) When did the ACT Government first become aware of a property-damaging tree on the front yard of 36 Slessor Crescent, McKellar.
- (2) Did a resident on Slessor Crescent request the Government to cut down this tree; if so, what reasons were stated by the resident for the removal of this tree.
- (3) Were any of these reasons accepted by the ACT Government as grounds for removing this tree.
- (4) Why did the ACT Government agree to remove this tree.
- (5) Was there any cost to the resident on 36 Slessor Crescent for the removal of this tree.

**Mr Steel:** The answer to the member's question is as follows:

- (1) 16 November 2017.
- (2) The resident at 36 Slessor Crescent, McKellar submitted a claim for property damage caused by a street tree adjacent to the resident's property. Claimed property damage included: damage to a retaining wall, letter box, concrete pavement and blocked sewer within the lease boundary.

- (3) Yes. The property damage was considered substantial and provided sufficient grounds for removing two street trees within close proximity to each other.
  - (4) The ACT Government agreed to remove the two trees due to obvious and substantial property damage within the lease boundary of 36 Slessor Crescent, McKellar.
  - (5) No.
- 

**Municipal services—footpaths  
(Question No 165)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) In relation to a footpath being built on Blackman Crescent, Macquarie, on which side of Blackman Crescent will the footpath be built on the side closest to (a) Catchpole Street (b) Lachlan Street.
- (2) Will there be any footpath construction on the Blackman Crescent playground block or adjacent to the road surrounding the Blackman Crescent playground block.
- (3) What action will the Government take with the resident to achieve a mutually agreeable outcome in cases where the footpath must cut through obviously cared for gardens.
- (4) Does the Government, as a matter of course, offer compensation to residents if a footpath must cut through an obviously cared for part of their property.
- (5) Has the Government ever offered or agreed upon compensation to a resident if a footpath needs to cut through an obviously cared for part of their property.
- (6) Was there a possible discrepancy between the answer received to question on notice No 73 submitted to Standing Committee on Planning, Transport and City Services during the February-March 2021 estimates hearings and the Freedom of Information Request – Reference 21-008, that lists the construction of a Blackman Crescent Footpath as relatively high.
- (7) Is it the case that individual community paths are not necessarily funded, but rather that community paths are funded as a whole.

**Mr Steel:** The answer to the member's question is as follows:

- (1) A community request was received for a new path to be constructed along Blackman Crescent, Macquarie. This footpath request has been assessed and ranked through the warrant system. A safe path alignment was identified as viable through the assessment for the north-eastern side of Blackman Crescent. As such, the proposed path along Blackman Crescent has been placed on the community path priority list.

More detailed investigations would be required to determine if the path construction works are feasible (i.e. considering site specific constraints not assessed through the warrant ranking assessment). Community consultation would be undertaken before any design or construction works are commenced.

- (2) See (1).
  - (3) See (1).
  - (4) In general, the ACT Government would aim to avoid the construction of a public footpath on residential property leases. For Blackman Crescent the proposed alignment would be limited to the street verge, which is public land between a residential property boundary and the roadside kerb. If the Blackman Crescent footpath was to be constructed, the ACT Government would not be responsible for reinstating any approved or unapproved landscaping or structures installed by residents on a nature strip, including irrigation systems, gravel, groundcover plants, garden edging and synthetic turf. Further details are available on through the Nature Strip Guidelines 2019 (Link: [https://www.cityservices.act.gov.au/\\_\\_data/assets/pdf\\_file/0004/1392088/Nature-Strip-Guidelines-2019.pdf](https://www.cityservices.act.gov.au/__data/assets/pdf_file/0004/1392088/Nature-Strip-Guidelines-2019.pdf)).
  - (5) As mentioned in (4) above, and noting that a nature strip is public land, the ACT Government is not responsible for reinstating any approved or unapproved landscaping or structures installed by residents on a nature strip.
  - (6) No. The priority order of community path requests is dynamic with new requests potentially changing the relative top priorities.
  - (7) Funding mechanisms for path projects vary depending on their scope, nature and value.
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### **Municipal services—tree management (Question No 168)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) Does the ACT Government have the capacity to detect roots underground from the surface; if so, how does the Government make use of this tool.
- (2) When was the last time the Government used this tool and for what purpose.
- (3) Does the Government ever use this tool to detect underground tree roots that may be damaging infrastructure or interfering with plumbing.
- (4) Why did the ACT Government undertake the mature tree transplant trial conducted in November 2019.
- (5) Does the ACT Government have the capacity to remove mature trees themselves without needing to engage a contractor.
- (6) Does the ACT Government have any plans to obtain the capacity, expertise and machinery to do mature tree transplants themselves.
- (7) Is tree transplantation being looked at as a way to avoid cutting down infrastructure-damaging trees.

- (8) Is the ACT Government considering using tree transplantation to resolve residents' concerns about trees that may be damaging their property but are not allowed to cut the tree down.

**Mr Steel:** The answer to the member's question is as follows:

- (1) No.
- (2) See response to question 1.
- (3) See response to question 1.
- (4) The mature tree transplanting trial undertaken in 2019 was undertaken by the City Renewal Authority in collaboration with TCCS. The objective of the transplanting project was to assess the viability of transplanting as a way to avoid the loss of mature trees in development situations where they are unable to be retained.
- (5) No.
- (6) No.
- (7) No. The process involved in transplanting a mature tree that is impacting on infrastructure is likely to cause further damage to nearby infrastructure.
- (8) No.

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**Planning—Charnwood  
(Question No 169)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) In relation to Development Application DA20213858 Octavia development at 117 Tillyard Drive, Charnwood, and given the former childcare centre located at 117 Tillyard Drive has been demolished and development of 8 units will soon commence at this location, does the ACT Government have a traffic management plan for this busy street; if so, can the Minister attach a copy of the plan as part of the answer to this question on notice; if not, what measures will the ACT Government take to ensure safe and uncongested traffic for the construction period, as well as after the completion of the development.
- (2) What consultation was undertaken with nearby residents prior to the approval of the development application and when did consultation occur.
- (3) What feedback was received from nearby residents regarding traffic and noise management.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Development Application (DA) 202138358 relating to 117 Tillyard Drive (Block 13, Section 31) is currently being assessed by the ACT Planning and Land Authority. The

DA was published on the Environment, Planning and Sustainable Development Directorate's website including plans relating to vehicle turning movements.

- (2) The DA was subject to a public notification period from 31 March 2021 to 23 April 2021 and is still being assessed by the ACT Planning and Land Authority.
  - (3) As indicated in response to question 1, the DA is currently being assessed by the ACT Planning and Land Authority.
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### **Parking—ownership and management (Question No 170)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) How many carpark does the ACT Government own and manage as of 31 March 2021.
- (2) How many carpark did the ACT Government own and manage at the end of (a) 2020, (b) 2019, (c) 2018, (d) 2017 and (e) 2016.
- (3) How many carpark has the ACT Government sold or given up management of since 2016 and how many of these carpark are now owned or managed by private enterprise.
- (4) Was the carpark behind ACT Housing on the corner of Chandler Street and Benjamin Way ever owned or managed by the ACT Government.
- (5) Does Wilson's Security now own or manage the carpark.
- (6) Does Wilson's Security share any of the parking fees generated by this carpark with the ACT Government.
- (7) When did the ACT Government remove their signs from this carpark.
- (8) When did the ACT Government sell or give up management of this carpark to Wilson's Security.
- (9) If the carpark was sold, how much did the ACT Government sell the carpark for.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Transport Canberra and City Services (TCCS) currently own 535 off-street carpark.
- (2) The details are:
  - a. At the end of 2020 TCCS owned 536 off-street carpark.
  - b. At the end of 2019 TCCS owned 537 off-street carpark.
  - c. At the end of 2018 TCCS owned 513 off-street carpark.
  - d. At the end of 2017 TCCS owned 483 off-street carpark.
  - e. At the end of 2016 TCCS owned 497 off-street carpark.

- (3) Since 2016, 22 carparks are no longer managed by TCCS due to brownfield developments and are no longer carparks. This includes the construction of community facilities and/or Government Department buildings (e.g. police and fire stations, parks and playgrounds and transport interchanges).
  - (4) No.
  - (5) Wilsons Security manages the carpark on behalf of the private leaseholder.
  - (6) No.
  - (7) The carpark is part of the Lakeview Square mixed-use development completed in 1991. It has always been a privately operated carpark.
  - (8) See (4).
  - (9) See (4).
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**Municipal services—contracting policy  
(Question No 171)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) What job positions within Transport Canberra and City Services are considered to fulfill essential government services.
- (2) Is lawn mowing considered an essential government service.
- (3) Is the locking and unlocking of public toilets considered an essential government service.
- (4) Can the Minister explain the reasoning behind engaging Wilson's Security for the purpose of "locking and unlocking of gates and toilets" in Contract No. 2018.27994.210.
- (5) Are there any current public service roles that provide similar services to those described in the contract; if so, can the Minister explain why this service was outsourced to a private business if the Government already employs people to fulfill these services.
- (6) In relation to the answer to question on notice No 103, about moving services, during the March 2021 estimates hearings in which the Minister informed that the Government had employed private contractors for mowing, can the Minister explain why private contractors were employed when there are public service employees who fulfill the same role.
- (7) When did the Government engage these private contractors.
- (8) Why is the Government ending the contract in March 2021.
- (9) Can the Minister attach the relevant tender for the contract in his response.

- (10) Can the Minister explain how these are not an example of the Government privatising jobs.

**Mr Steel:** The answer to the member's question is as follows:

- (1) All TCCS positions.
- (2) Yes.
- (3) Yes.
- (4) Wilson's Security were engaged by TCCS through a tender process to undertake gate and toilet locking and unlocking services. This service was put out to tender as no TCCS staff hold the requirements for delivering the service which are:
  - a) a Security Master Licence;
  - b) Australian Security Industry Association Ltd (ASIAL) Certification; and
  - c) a security employee licence for each Patrol Officer.
- (5) See (4).
- (6) Contractors were engaged to supplement in-house mowing capacity during peak grass growing periods when the in-house mowing capacity was unable to adequately meet mowing demand.
- (7) November 2020.
- (8) The contract was intended to cover peak mowing demands in the period November 2020 to March 2021.
- (9) TC2200950 RFQ Statement of Requirements 05-Nov-2020 is provided at [Attachment A](#).
- (10) Contractors were engaged to supplement in-house mowing capacity during peak grass growing periods when the in-house mowing capacity was unable to adequately meet mowing demand. Contractors were used in addition to, not instead of, public service employees.

*(A copy of the attachment is available at the Chamber Support Office).*

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### **Trees—canopy (Question No 173)**

**Mr Braddock** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

- (1) Does the Urban Forestry Strategy state that i-Tree software was used to model the number of trees needed to reach the 30 percent canopy cover and has Transport Canberra and City Services also previously estimated the per tree cost of establishing trees; if so, what is the anticipated tree canopy cover by 2045 for each suburb.



- (2) Can the Minister provide the next most detailed information, by area, on the anticipated tree canopy cover by 2045, if the anticipated tree canopy cover per suburb is not available.
- (3) What resources are needed, per suburb, to reach 30 percent tree canopy cover by 2045.
- (4) Can the Minister provide the next most detailed data possible for the resourcing needs to reach tree canopy cover by 2045, if suburbs are not available.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Yes, modelling undertaken by the CSIRO in 2019 using the i-Tree software estimates that approximately 450,000 trees will need to be planted on public land by 2045 to achieve the 30 percent canopy cover target.

Yes, Transport Canberra and City Services (TCCS) has estimated the per-tree cost for the establishment of trees on public land.

In relation to the anticipated 2045 tree canopy cover by suburb, the CSIRO report did not model where trees could or should be located to meet the canopy cover target. While current canopy cover data shows coverage at the suburb level, data is not available to determine the anticipated tree canopy cover by 2045 for each suburb. Forecast modelling at the suburb level to identify planting opportunities and therefore canopy cover is difficult due to the detailed site assessment requirements for each new planting. Such forecast modelling would require consideration of:

- land use planning and policy (including custodianship).
- location of utility services.
- existing canopy.
- surface permeability.
- climate variables (canopy growth and loss).
- species variability.
- lifespan of existing trees.
- public requests.
- environmental and recreation considerations (e.g. native grassland sites or sportsgrounds).

Detailed site assessments for planting opportunities are currently undertaken in a progressive manner in the lead up to seasonal planting programs.

- (2) As outlined in the response above, detailed information on anticipated tree canopy cover by 2045 for each suburb is not available. The 2045 tree canopy coverage has been modelled for the entire urban area of the ACT.
- (3) Resources required to reach the 30 percent tree canopy cover target across Canberra by 2045 will be calculated across the complete urban area. As outlined in the Urban Forest Strategy, achieving the target will require a range of actions with varying resource requirements. These will be determined and sought through future budget processes.
- (4) Resourcing requirements to work towards the 30 percent tree canopy cover target are being developed in accordance with the actions in the Urban Forest Strategy.

### **Schools—concept of consent (Question No 176)**

**Ms Lawder** asked the Minister for Education and Youth Affairs, upon notice, on 1 April 2021:

- (1) Why is consent not specifically outlined as a concept in the Respectful Relationships Education Program for ACT government schools, as seen in the Resources for Teachers ACT Education Directorate webpage.
- (2) What steps will the Government take to ensure that the concept of consent is safely introduced into the Respectful Relationships Education Program for government schools.
- (3) If consent as a specific concept is already being taught in ACT government schools, what resources are available to teachers and how can parents and carers access these resources.

**Ms Berry:** The answer to the member's question is as follows:

1. Consent education is taught as part of the Australian Curriculum primarily through the Health and PE content area. The Australian Curriculum is taught in all ACT public schools. The Australian Curriculum supports students to develop knowledge, understanding and skills that will help them to establish and manage respectful relationships. This includes elements such as teaching about consent and refusal strategies, the development of protective behaviours and the understanding of physical and emotional development. The content and elaborations provide teachers with information that is age, year level and developmentally appropriate.

Respectful Relationships Education (Gender Equality Education) is a school-based approach to the primary prevention of domestic and family violence. It aims to develop skills and attitudes early to prevent gender-based violence from happening in the future. It includes content that relates to consent, taught in an age-appropriate way. Information about Respectful Relationships Education, as well as a range of resources for families and schools are provided on the Education Directorate website

2. The concept of consent is included and taught in Respectful Relationships Education (Gender Equality Education) which is available in all ACT public schools.
3. Teachers are provided with resources and supports to provide Gender Equality Education to our students to address topics such as respect in relationships and consent. Schools work with parents and carers to engage them and ensure learning programs are sensitive to families' cultural and religious beliefs and preferences. Parents and carers can access resources supplied on the Directorate website at <https://www.education.act.gov.au/schooling/resources-for-teachers/respectful-relationships-education#rf>.

### **Roads—traffic data (Question No 177)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 1 April 2021:

Can the Minister advise what days of the week and what times was the data collected in relation to the assessment of traffic data on Callaway Crescent that indicated it carries around 384 vehicles per day travelling at an average speed of 46 km/h.

**Mr Steel:** The answer to the member's question is as follows:

Traffic data was collected continuously over a seven-day period, starting on a Wednesday.

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**Lake Tuggeranong—waste dumping  
(Question No 178)**

**Ms Castley** asked the Minister for Business and Better Regulation, upon notice, on 23 April 2021 (*redirected to the Minister for Transport and City Services*):

- (1) Is the Minister aware that the Lake Tuggeranong waterway on Drakeford Drive is being used as a dumping point for toxic waste by vacuum trucks.
- (2) What action will the Minister take to ensure this does not happen.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The Drakeford Drive Gross Pollutant Trap (GPT) assists to prevent negative water quality impacts in Lake Tuggeranong from sediment and debris captured in the stormwater system. It includes a designated drying pad. This site is used to dry the collected waste from the stormwater network before disposal in landfill. The GPT is designed and operated specifically to improve water quality in Lake Tuggeranong. Removing debris like organic material and litter from waterways is a critical activity to protect the lake from excessive nutrient pollution which may lead to algal outbreaks.
  - (2) This large trap is cleaned between four and eight times per year depending on the number of rainfall events.
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**Municipal services—Bonner  
(Question No 179)**

**Ms Castley** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

- (1) What is the ACT Government doing to clean up public spaces in Bonner, including poorly maintained trees causing hazards on walking and bike paths, weeds and inadequate mowing.
- (2) Why are Fix My Street responses not answered and what is the process and timeframes for responses.
- (3) What are the waiting times for Fix My Street requests as outlined in part (1).
- (4) What action will the Minister take to ensure the area is better maintained to a standard all residents expect and deserve.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The ACT Government manages its streetscapes, urban open space and assets according to programmed and reactive maintenance and servicing activities. Due to the recent La Nina weather event, plants, grass and weeds around the Canberra region have seen significant growth over the warmer months. This is a challenge that Transport Canberra and City Services (TCCS) has been working to manage and has implemented a number of measures to get grass and weeds back within specification.

During the 2020/21 mowing season, the Gungahlin region including Bonner was serviced from September to April with seven mowing passes completed at monthly intervals. There are a number of grassland reserves and rocky outcrops in the Gungahlin region which are "no mow" zones due to the nature of the sites and/or conservation values.

Bonner shops and nature strips with plantings along Mabo Boulevard are the responsibility of the residents and the shops. There are regular requests from members of the community to manage weeds in this area. There is a crushed concrete drainage swale down the centre of Mabo Boulevard that is subject to a regular spray program to keep the weeds under control. TCCS has confirmed that grass and weeds along Mabo Boulevard in Bonner were sprayed in late February-early March 2021 with further follow up completed at the end of March 2021.

TCCS tree maintenance crews have commenced an extensive formative pruning program across Gungahlin to address lines of sight and public access issues. Further juvenile tree maintenance programs are being developed to support the significant increase in planting currently underway to achieve the ACT Government's target of 30% tree canopy cover by 2045. Trees are being planted across Bonner this autumn and will continue to be planted as priorities dictate in future programs.

- (2) TCCS officers address around 40,000 maintenance requests each year through Access Canberra including the Fix My Street portal. Ensuring public safety is the highest priority when triaging requests generated by the community. TCCS employs a team of skilled and experienced staff that assess requests based on need and determine the appropriate management action. All programmed works are allocated a priority with a corresponding estimation of scheduled timing. However, additional unexpected works of a higher priority, such as storm events, can extend the period of time in which previously programmed works are undertaken. Teams must often reschedule routine maintenance work to allow urgent response to address risks to the community following these unforeseen events.
- (3) TCCS received 38 requests for tree related maintenance in Bonner in 2020, with five requests prioritised as low to medium, yet to be completed. To date in 2021, 12 requests for tree related maintenance have been received and seven have been completed. The remaining five have been allocated a low to medium priority. All uncompleted requests remain within the estimated time of completion according to their priority status.

TCCS received 91 requests for action on other open space maintenance during the last 12 months. 59 of these were for mowing/weed removal, nine for cleaning, 18 for illegal dumping and five for graffiti. 13 requests for mowing were prioritised for action and 46 of those requests were or will be actioned during scheduled activities. 11 illegal dumping cases were resolved with seven under investigation. Three cleaning and maintenance requests were resolved with six actioned during scheduled

activities. Four requests for graffiti removal were actioned with one under investigation.

- (4) Public safety, particularly line of sight, access and fire fuel reduction remains a priority when delivering maintenance programs. As a result, activities for these purposes take priority when all available resources are fully engaged, such as during the peak of the mowing season. Individual residents are encouraged to play their part in maintaining their local areas, for example by watering their street tree, picking up after their pets and maintaining their nature strip. Some in the community choose to undertake voluntary activities like picking up rubbish or removing weeds and this is very much appreciated.

### **Motor vehicles—registration (Question No 181)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 23 April 2021 (*redirected to the Minister for Business and Better Regulation*):

What was the number of registered vehicles in the ACT on (a) 30 June 2012, (b) 30 June 2015, (c) 30 June 2019 and (d) 30 June 2020.

**Ms Cheyne:** The answer to the member's question is as follows:

- a) 30 June 2012 – 300,488
- b) 30 June 2015 – 316,485
- c) 30 June 2019 – 339,897
- d) 30 June 2020 – 342,953

### **Domestic animal services—dog registration cost (Question No 182)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

What was the cost to register a dog on (a) 30 June 2012, (b) 30 June 2015, (c) 30 June 2019 and (d) 30 June 2020.

**Mr Steel:** The answer to the member's question is as follows:

a.	<b>30 June 2012</b>	<b>\$46.00</b>
b.	<b>30 June 2015</b>	<b>\$49.30</b>
c.	<b>30 June 2019</b>	<b>\$56.15</b>
d.	<b>30 June 2020</b>	<b>\$57.55</b>

### **Municipal services—fix my street (Question No 183)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

- (1) Can the Minister advise how many “Fix my Street” requests were received for the financial years (a) 2019-2020 and (b) 2018-2019.
- (2) Of those requests referred to in part (1), what was the number of requests made for the category of (a) abandoned vehicles, (b) bus stops, (c) domestic garbage bins and collections, (d) footpaths, (e) graffiti, (f) mowing, (g) litter and illegal dumping, (h) illegal parking, (i) road maintenance, (j) street lighting, (k) street sweeping, (l) tree related, (m) traffic/traffic lights and (n) parks and playgrounds.
- (3) What was the average time to complete requests for the periods referred to in part (1).
- (4) How many of those requested were not completed.

**Mr Steel:** The answer to the member’s question is as follows:

- (1) (a) 34,707, (b) 35,682.
- (2) (a) 4,480.  
(b) 182.  
(c) 380.  
(d) 2,063.  
(e) 1,592.  
(f) 910.  
(g) 4,434.  
(h) 4,940.  
(i) there is no category for road maintenance however potholes, road safety and road condition are 5,803.  
(j) 10,196.  
(k) 1,380.  
(l) 8,663.  
(m) 2,821.  
(n) 4,021.
- (3) Access Canberra does not have aggregate data for this metric as workorders arising from the requests received through Fix My Street are managed in a range of business information systems administered by TCCS. New systems currently being implemented will improve integration between Access Canberra and TCCS and improve future reporting capability. For details see the joint media release issued by the Minister for Transport and City Services and Minister for Business and Better Regulation on 27 April 2021.
- (4) See response to Question 3.

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### **Parks and reserves—budget (Question No 185)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

Out of the 66 local shopping centres that are maintained by Transport Canberra and City Services which shopping centres have (a) rubbish bins, (b) recycling bins, (c) public toilets and (d) drinking fountains.

**Mr Steel:** The answer to the member's question is as follows:

The table below outlines the requested assets located at the local shopping centres maintained by Transport Canberra and City Services.

Shopping Centre Name	Number of rubbish bins	Number of recycling bins	Number of public toilets (within 50m)	Number of drinking fountains (within 20m)
AINSLIE SHOPPING CENTRE	3	0	1	0
BRADDON SHOPPING CENTRE	1	0	0	0
CAMPBELL SHOPPING CENTRE	3	0	1	0
CASTLEY CIRCUIT SHOPPING CENTRE	1	0	0	0
CHAPMAN SHOPPING CENTRE	2	0	0	1
CHARNWOOD LOCAL SHOPPING CENTRE (TILLYARD DR)	1	0	0	1
CHIFLEY SHOPPING CENTRE	5	0	1	0
COOK SHOPPING CENTRE	2	3	1	1
DEAKIN SHOPPING CENTRE	5	0	1	1
DOWNER SHOPPING CENTRE	2	0	0	0
DUFFY SHOPPING CENTRE	3	0	0	1
EVATT SHOPPING CENTRE	3	0	0	0
FADDEN SHOPPING CENTRE	1	0	0	0
FARRER SHOPPING CENTRE	1	0	0	1
FISHER SHOPPING CENTRE	3	0	0	0
FLOREY SHOPPING CENTRE	3	2	0	0
FORDE SHOPPING CENTRE	2	0	0	0
FRASER SHOPPING CENTRE	2	0	0	0
GARRAN SHOPPING CENTRE	7	0	0	0
GIRALANG SHOPPING CENTRE	0	0	0	0
GORDON SHOPPING CENTRE	1	0	0	0
GOWRIE SHOPPING CENTRE	2	0	0	0
GRIFFITH SHOPPING CENTRE	6	0	1	1
HACKETT SHOPPING CENTRE	2	0	0	0
HIGGINS SHOPPING CENTRE	2	0	0	1
HOLDER SHOPPING CENTRE	3	0	0	0
HOLT SHOPPING CENTRE	2	0	0	1
HUGHES SHOPPING CENTRE	4	0	1	1
ISAACS SHOPPING CENTRE	2	0	0	1
ISABELLA PLAINS LOCAL SHOPPING CENTRE	1	0	0	0
KALEEN SHOPPING CENTRE (BOYNE PL)	1	0	0	0
KALEEN SHOPPING CENTRE (GWYDIR SQ)	2	0	0	1
KAMBAH LOCAL SHOPPING CENTRE (Livingston Ave)	0	0	0	0
KAMBAH LOCAL SHOPPING CENTRE (Marconi Cres)	0	0	0	0
KAMBAH LOCAL SHOPPING CENTRE (Carleton St)	2	0	0	0

KAMBAH LOCAL SHOPPING CENTRE (Mannheim St)	1	0	0	1
LATHAM SHOPPING CENTRE	0	0	0	0
LYNEHAM SHOPS	5	1	1	0
LYONS SHOPPING CENTRE	3	0	0	1
MACGREGOR SHOPPING CENTRE	0	0	0	0
MACQUARIE SHOPPING CENTRE	2	0	0	0
MCKELLAR SHOPPING CENTRE	0	0	0	0
MELBA SHOPPING CENTRE	2	0	0	0
MONASH SHOPPING CENTRE	1	0	0	0
NARRABUNDAH SHOPPING CENTRE	3	0	1	0
NGUNNAWAL SHOPPING CENTRE	2	0	0	0
NGUNNAWAL SHOPS (PAUL COE CRESCENT)	1	0	0	1
NICHOLLS SHOPPING CENTRE	2	0	0	0
NORTH LYNEHAM SHOPPING CENTRE	1	0	0	0
O'CONNOR SHOPPING CENTRE	4	0	1	0
OAKS ESTATE SHOPS	2	0	0	0
PAGE SHOPPING CENTRE	2	0	0	0
PALMERSTON SHOPPING CENTRE	0	0	0	0
RED HILL SHOPPING CENTRE	4	0	0	1
RICHARDSON LOCAL SHOPPING CENTRE	2	0	0	0
RIVETT SHOPPING CENTRE	4	0	0	0
SCULLIN SHOPPING CENTRE	3	0	1	1
SPENCE SHOPPING CENTRE (COPLAND DR)	1	0	0	0
SPENCE SHOPPING CENTRE (GLASSEY PL)	5	2	0	1
THEODORE SHOPPING CENTRE	2	0	0	0
TORRENS SHOPPING CENTRE	4	0	0	1
WANNIASSA LOCAL SHOP	1	0	0	0
WARAMANGA SHOPPING CENTRE	4	0	0	1
WATSON SHOPPING CENTRE	3	0	0	1
WEETANGERA SHOPPING CENTRE	2	0	0	0
YARRALUMLA SHOPPING CENTRE	4	0	1	0

### Energy—gas meters (Question No 186)

**Ms Castley** asked the Minister for Business and Better Regulation, upon notice, on 23 April 2021:

- (1) Given the ActewAGL website quotes a cost for installing a gas meter as \$1,095 and noting that a constituent has been quoted \$28,303.30 for the installation of a new gas meter in the city area due to the fact that the existing meter is not up to standard with current gas service and installation rules and needs to be replaced, can the Minister explain why the cost is so high given this is an historical fault not caused by the constituent.



- (2) Can the Minister advise if the constituent has any other option other than paying \$28,303.30 to have a new gas meter installed.

**Ms Cheyne:** The member's constituent is referring to a commercial agreement with a utilities supplier. Though Government has no influence over his arrangement, I sought advice from ActewAGL on the Member's questions and the following response was provided:

- (1) This is a request for a new gas connection that requires substantial civil and capital works to enable the connection. In such circumstances where the costs of work required substantially exceeds the standard connection fee, the customer is required to contribute to the costs to ensure that other customers are not subsidising the connection.
- (2) Evoenergy is working with subcontractors Jemena and Zinfra to review the proposal and see if there is a more cost-effective engineering solution. Evoenergy and ActewAGL will continue to liaise with the customer.

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### **Access Canberra—working with vulnerable people applications (Question No 187)**

**Ms Castley** asked the Minister for Transport and City Services, upon notice, on 23 April 2021 (*redirected to the Minister for Business and Better Regulation*):

- (1) Can the Minister advise why it is taking over four months for a constituent to receive a Working with Vulnerable People (WWVP) card and as a consequence the constituent has missed out on three job offers.
- (2) Can the Minister advise why the constituent was not contacted by Access Canberra when further information was required in relation to their application and only became aware of the need for further information after following up on their application.
- (3) Can the Minister advise how much longer the constituent will have to wait to get the WWVP card.

**Ms Cheyne:** The answer to the member's question is as follows:

- (1) There are a range of factors that may influence the length of time to process a WWVP application, including the risk assessment process as outlined under Division 5.3 of the *Working with Vulnerable People (Background Checking) Act 2011* ('the Act'). A number of these factors are outside the control of Access Canberra and directly impact on timeframes for a decision. As information relating to applicants and registered people is protected under s 65 of the Act, it is not appropriate to disclose information relating to specific matters.
- (2) As information relating to applicants and registered people is protected under s 65 of the Act, it is not appropriate to disclose information relating to specific matters.

In recent months, there have been legislative amendments that resulted in changes to the WWVP scheme, and a large number of incomplete applications were received in January and February 2021.

This increased volume of applications has led to some delays in contacting applicants to finalise their WWVP applications. Access Canberra has put into place process improvements to make it easier for customers to provide the necessary information that has seen the number of incomplete applications being reduced.

- (3) Further to my response to question (1), any applicant who has questions about their WWVP application is encouraged to contact Access Canberra on 13 22 81 or via its website: [www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au).

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### **Municipal services—mowing (Question No 188)**

**Ms Castley** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

In relation to the moving of lawns around the Gungahlin Pond, given the recent schedule of mowing this area is 9 December, 20 January and 16 March, can the Minister advise why these areas are not mown in accordance with the Government's policy on grassed areas in parks, open spaces, pathways and laneways which states these areas will be mown every four weeks.

**Mr Steel:** The answer to the member's question is as follows:

The schedule of mowing is indicative and subject to seasonal conditions. The urban open space around Gungahlin Pond has been mown five times this mowing season. Mowing was completed the week of 14 September 2020, 2 November 2020, 7 December 2020, 18 January 2021 and 15 March 2021. Mowing was scheduled for action in February 2021, however due to the significant rainfall and high soil saturation, mowing activities were postponed.

Mowing program timelines were challenged throughout the 2020/21 season due to rapid grass growth caused by consistent rainfall as a result of the La Nina weather event. Rapid and thick grass growth makes mowing slower, while mowing time is lost on rainy days due to the difficulty of cutting wet grass and the risk of bogging or other safety issues.

Areas around the edge of the Gungahlin Pond are not mown due to safety issues and the action of natural filtration that these grasses provide.

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### **Housing—rates (Question No 191)**

**Ms Lee** asked the Treasurer, upon notice, on 23 April 2021:

- (1) What is the annual interest rate that is charged to overdue rates accounts.
- (2) What modelling or assessment was done to determine that interest rate and can the Treasurer provide a copy.
- (3) How does this compare to the current market interest rate.

- (4) What is the difference between the interest rate charged to overdue rates accounts and the market interest rate and what is the justification for this difference.

**Mr Barr:** The answer to the member's question is as follows:

- (1) For the period 1 January 2021 to 30 June 2021, the annual interest rate on overdue debts for rates is 8.02 per cent (compounded monthly).

Interest rates for tax debts are publicly available from the ACT Revenue Office website, see <https://www.revenue.act.gov.au/rights-and-obligations/interest-and-penalty-tax>.

- (2), (3) & (4) –

Under the *Taxation Administration (Amounts Payable—Interest Rates) Determination 2017 (No 1)*, the interest rate for section 21 of the *Rates Act 2004* comprises the market rate component and the premium component prescribed under section 26 of the *Taxation Administration Act 1999* (TAA).

The market rate component is prescribed under section 26 (2) of the TAA. It is applied for 6 months of a year based on monthly 90-day bank bill rates (for either the previous May or November, as relevant) as published by the Reserve Bank of Australia.

The premium component is prescribed under section 26 (3) of the TAA and is specified as 8 per cent.

As described in Revenue Circular GEN009.4 *Interest – Taxation Administration Act 1999* (available on the ACT Revenue Office website, [www.revenue.act.gov.au](http://www.revenue.act.gov.au)) interest plays an integral role in tax administration as it aims to:

- deter non-compliance by making it unprofitable for taxpayers;
- promote equity among taxpayers by ensuring that those who meet their obligations are not disadvantaged in comparison with those who do not;
- encourage the full and immediate disclosure of any tax default;
- encourage the payment of tax liabilities by the due date; and
- compensate the government for being denied the use of funds to which it is entitled.

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### **Litter—offences (Question No 193)**

**Ms Lee** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

- (1) How many fines have been issued in the ACT for littering cigarette butts in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21 to date.
- (2) How many reports have been made through Access Canberra to report someone littering a cigarette butt.

- (3) How many of the reports referred to in part (2) have been followed up on and fines issued.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Fines issued for littering of cigarette butts are as follows:

<b>2016-17</b>	<b>0</b>
<b>2017-18</b>	<b>0</b>
<b>2018-19</b>	<b>0</b>
<b>2019-20</b>	<b>9</b>
<b>2020-21</b>	<b>15</b>

- (2) A breakdown of reports of littering of cigarette butts is not available. Complaints are received as general littering complaints and include all littering offences.
- (3) All complaints are followed up; however, compliance action can be undertaken only when sufficient evidence is available. Of the complaints received about the littering of cigarette butts through Access Canberra, fines have been issued as follows:

<b>2016-17</b>	<b>0</b>
<b>2017-18</b>	<b>0</b>
<b>2018-19</b>	<b>0</b>
<b>2019-20</b>	<b>9</b>
<b>2020-21</b>	<b>4</b>

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### **Lake Tuggeranong—water quality (Question No 196)**

**Ms Lawder** asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 23 April 2021 (*redirected to the Minister for Business and Better Regulation*):

- (1) Can the Minister advise how many times areas of Lake Tuggeranong have been closed to the public due to algae blooms since January 2020.
- (2) Further to part (1), can the Minister list the areas that have been closed and the number of times individually.

**Ms Cheyne:** The answer to the member's question is as follows:

- (1) Lake Tuggeranong was closed to primary contact due to blue green algae on five separate occasions between January 2020 to May 2021. Primary contact is considered as whole-body contact in which the entire body or face or trunk are frequently immersed, or the face is frequently wet by spray, where it is likely that water may be swallowed, inhaled, come into contact with ears, nasal passages, mucous membranes or cuts to the skin.
- (2) The closure of Lake Tuggeranong for primary contact due to blue green algae applies to the entire Lake.
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**Public housing—Strong Connected Neighbourhoods program  
(Question No 197)**

**Mrs Kikkert** asked the Attorney-General, upon notice, on 23 April 2021:

- (1) How much is being funded to the Building Strong Connected Neighbourhoods for this financial year.
- (2) Is there any funding for this program for the next three financial years.
- (3) What changes will be made to the program following the independent evaluations done on this program in 2018.
- (4) Which communities in Canberra will be receiving this funding.
- (5) Were evaluations conducted on any of the other public housing sites; if so, can the Minister provide these evaluation report.
- (6) Are there any ongoing Building Strong Connected Neighbourhood programs besides the ones in Braddon, Reid and Belconnen.
- (7) Have any of the programs in Braddon, Reid or Belconnen ceased.

**Mr Rattenbury:** The answer to the member's question is as follows:

- (1) The funding for Building Strong Connected Neighbourhoods for this financial year 2020-21 is \$515,000.
- (2) Funding for the program is as follows:

2019-20 Budget	2020-21 Budget	2021-22 Estimate	2022-23 Estimate
\$'000	\$'000	\$'000	\$'000
527	515	578	541

- (3) The 2018 evaluation of the program by the Australian Institute of Criminology (AIC),<sup>1</sup> reported that the program met its objectives by:
  - reducing violent crime by 50 per cent
  - reducing property crime by 60 per cent
  - reducing disturbance incidents by 49 per cent
  - increasing levels of social cohesion among residents at public housing sites across Ainslie Avenue, and
  - providing a realised saving to government (of police time alone) through reduced crimes of at least \$0.42 to \$0.51 for every \$1 invested.

These results supported the expansion of the program and Reclink are engaged to run the program until June 2022.

In response to recommended improvements in the evaluation report, the current program contract includes outputs related to increasing participation rates, increasing awareness of program activities, working with partner agencies and community safety assessments.

The program will be further evaluated in 2021-22 through the ANU Research Collaboration that supports the RR25by25 Plan. This will inform the direction of program beyond June 2022.

(4) Reclink is currently funded to run the program in the following Housing ACT sites:

- Kanangra Court
- Jerilderie Court
- Reid Court
- Braddon Court
- Illawarra Court

(5) The High Density Housing Project (now Strong Connected Neighbourhoods program), was only running in the Ainslie Ave precinct at the time of the evaluation. The focus of the evaluation was that project / program and no other Housing ACT sites were within that scope.

(6) See the list of sites provided in response to question (4).

(7) No.

In 2020, the Strong Connected Neighbourhoods program was modified to respond to the COVID-19 pandemic.

With the easing of COVID-19 restrictions, normal program activities are resuming.

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<sup>1</sup><https://aic.gov.au/publications/rr/rr6>

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## **Aboriginal and Torres Strait Islanders—legal services (Question No 201)**

**Mrs Kikkert** asked the Attorney-General, upon notice, on 23 April 2021:

- (1) In relation to the Justice Housing Program, is the Ngurrambi program still being funded; if not, why is this program not receiving any funding and which community organisations were consulted before decided to cut funding; if so, how much funding is the program receiving this year and over the forward estimates until 2024.
- (2) Which community organisations will the ACT Government be partnering with to deliver the Ngurrambi Program.
- (3) Are there any plans to expand the program to non-Aboriginal and Torres Strait Islanders.

- (4) Has this trial concluded; if so, has the evaluation commenced/finished; if not, when will the trial conclude.
- (5) If the evaluation has finished, can the Minister provide the results of the evaluation.

**Mr Rattenbury:** The answer to the member's question is as follows:

- (1) The Ngurrumbai Bail Support Program is currently funded for the financial year 2020-21. Funding for the current financial year 2020-21 was \$495,000 and for financial year 2021-22 is \$482,000.
  - (2) Service delivery for the Ngurrumbai Bail Support Program is currently contracted to Aboriginal Legal Service.
  - (3) At this time, the program is targeted at Aboriginal and Torres Strait Islanders, however the scope of the service may be considered during the evaluation process.
  - (4) The program is being evaluated in 2021-22 as part of evaluations under the Reducing Recidivism by 25% by 2025 plan.
  - (5) The program will be evaluated in 2021-22.
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**Parking—limited time  
(Question No 203)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

- (1) Can the Minister provide a list of each precinct that has had free 15-minute parking areas added since the beginning of the COVID-19 health emergency.
- (2) For each of these precincts referred to in part (1), how many (a) free 15-minute parking bays does each have, (b) existed before the declaration of the COVID-19 health emergency, and (c) have been added as part of the Government's commitment to supporting local businesses during the pandemic.
- (3) What guidelines and which data did the ACT Government use to determine which precincts should receive new/additional free 15-minute parking.
- (4) Has the ACT Government assessed the success of this parking scheme in any way; if so, what were the outcomes; if not, why not.
- (5) How long is it expected that this parking scheme will last.
- (6) In what cases would the ACT Government determine to leave this scheme in permanently in place.

**Mr Steel:** The answer to the member's question is as follows:

- (1) (2) (a) (b) (c)

The 15-minute parking areas have been provided in the following locations:

Location	Existing Spaces	Covid 19 Response '15 Min Free' Spaces	Total Spaces
Anketell Street, Tuggeranong	0	7	7
Lathlain Street, Belconnen	0	14	14
Lonsdale Street, Braddon	0	15	15
London Circuit, City	0	3	3
Ainslie Place, City	0	3	3
Furneaux Street, Forrest	0	3	3
Flinders Way, Manuka	0	5	5
Giles Street, Kingston	4	11	15
Jardine Street, Kingston	3	5	8
Genge Street, City	2	2	4
Bunda Street, City	0	2	2
Whitney Place, Weston	4	9	13
<b>Totals</b>	<b>13</b>	<b>79</b>	<b>92</b>

- (3) 15-minute parking was provided at the group centres and at local precincts where demand for takeaway pick up parking during the COVID-19 pandemic was foreseeable. Local businesses were consulted about the parking changes as they were implemented and were generally supportive of the parking changes as part of the various measures required within the hospitality industry to keep businesses viable during the pandemic.
- (4) A review of the parking changes has not been undertaken yet. TCCS will consult with affected businesses prior to removing the temporary restrictions to determine if some 15-minute parking may be required in the longer term.
- (5) See (4).
- (6) See (4).

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### **Parking—limited time (Question No 204)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

- (1) When free 15-minute parking was introduced in restaurant and café precincts to collect takeaway food and drinks, was the consideration primarily for those picking up their own food and drinks, delivery drivers picking up food and drinks, or both.
- (2) Does the ACT Government have any data about which areas are most heavily used for pickups by delivery drivers; if so, what is it.
- (3) Does the ACT Government have any data to indicate that delivery drivers have access to sufficient short-term parking near restaurants and cafés to be able to perform their work efficiently.



- (4) Does the ACT Government have any policies or guidelines regarding food-and-drink delivery services and the need for short-term parking for their drivers; if so, what are they; if not, why not.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The 15-minute parking was introduced to facilitate the safe collection of take away food to support small businesses during the COVID 19 crisis.
- (2) No.
- (3) No.
- (4) The ACT Government has a policy of providing short stay high turnover parking close to commercial centres to support local businesses. This policy also supports delivery drivers, either private or operating commercially.

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**Transport—Lawson bus services  
(Question No 206)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 23 April 2021:

- (1) Given that in Question Time on 31 March 2021, the Minister stated that regular bus service cannot commence in Lawson until the completion of Stage 2 because the buses are too big for the existing streets, but existing unused bus stops indicate that the plan is for buses to travel along Stockman Avenue, what is preventing Transport Canberra buses currently servicing Lawson, the width of streets other than Stockman Avenue, the fact that the narrow streets make it impossible for buses to turn corners, or both.
- (2) Which streets in Lawson Stage 1 are wide enough to accommodate standard Transport Canberra buses.
- (3) Which intersections in Lawson Stage 1 can be navigated by a Transport Canberra bus turning left.
- (4) Which intersections in Lawson Stage 1 can be navigated by a Transport Canberra bus turning right.

**Mr Steel:** The answer to the member's question is as follows:

- (1) As part of the suburb's planning, the identified bus route through Lawson is along Stockman Avenue between Ginninderra Drive and Baldwin Drive. Bus stops have been constructed in preparation for the future route connection from Stockman Avenue onto Ginninderra Drive. Stockman Avenue was designed and constructed as a 'collector' road, with a carriageway width suitable for bus movements. All other roads within Lawson have been designed as 'local access' streets, in line with the original estate development plan. This is consistent with the approach adopted in other newly-developed suburbs in Canberra including Ginninderry and Whitlam.

The width and general alignment of local access streets does not accommodate bus routes, or facilitate bus turning movements to or from Stockman Avenue. Upon extension of Stockman Avenue through to Ginninderra Drive, Transport Canberra will expedite delivery of a bus route that runs through Lawson on this collector road.

- (2) Only Stockman Avenue is wide enough to accommodate Transport Canberra's bus fleet.
  - (3) Other than the intersection of Baldwin Drive and Stockman Avenue, there are no intersections within Lawson Stage 1 that can facilitate a bus turning left or right because the planning intent is for buses to travel directly through the suburb via Stockman Avenue.
  - (4) See answer above.
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**Building—quality  
(Question No 209)**

**Mrs Kikkert** asked the Minister for Planning and Land Management, upon notice, on 23 April 2021 (*redirected to the Minister for Business and Better Regulation*):

- (1) Are the props installed by the ACT Government at the Kingston Place apartments, following the Morris Construction Corporations refusal to install them, still in place; if so, for how much longer will they be in place; if not, why were they removed.
- (2) What was the cost to the ACT Government to have these props installed.
- (3) How many props were installed.
- (4) Following the serving of an emergency order issued from Access Canberra to the Morris Construction Corporation in relation to the Kingston Place apartments, has the Morris Construction Corporation complied to date; if not, is the Morris Construction Corporation still refusing to comply.
- (5) What attempts has the ACT Government made to enforce their compliance with the emergency order.
- (6) Has the Morris Construction Corporation paid any fines to the ACT Government related to non-compliance with the referenced emergency order; if so, how much was paid in fines and for what fines were they paid; if not, and if the Morris Construction Corporation has not complied with the emergency order, why has the ACT Government not received payment for the fines.
- (7) What attempts has the ACT Government made to enforce payment of the fines.
- (8) What legal actions or sanctions has the ACT Government made against the Morris Construction Corporation for failure to pay the fine.
- (9) What current projects in Canberra is the Morris Construction Corporation working on.

**Ms Cheyne:** The answer to the member's question is as follows:

- (1) Matters associated with building quality at Kingston Place Apartments are currently part of an ongoing investigation, may be subject to rectification orders and may also be subject to a civil matter in the Supreme Court. As such, I am limited in what I can say about this matter at this time.
- (2) The cost for the supply and installation of props was \$184,008. Access Canberra is recovering this amount from Morris Construction Corporation.
- (3) 234.
- (4) Please see response to question 1 above.
- (5) Please see response to question 1 above.
- (6) Please see response to question 1 above.
- (7) Please see response to question 1 above.
- (8) Please see response to question 1 above.
- (9) Morris Construction Corporation Pty Ltd have no current building projects in Canberra. Morris Construction Corporation Pty Ltd no longer hold an ACT Builders licence. The previous Class A builder licence 2009969 expired on 14 October 2018 and was not renewed.

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**ACT Health—psychiatry registrars  
(Question No 211)**

**Mrs Kikkert** asked the Minister for Health, upon notice, on 23 April 2021:

- (1) How many psychiatry registrar positions were there at The Canberra Hospital (TCH) at the end of (a) December 2020, (b) January 2021, (c) February 2021 and (d) March 2021.
- (2) How many of these positions were filled at the end of each of these months.
- (3) How many psychiatry registrar positions are there at TCH as of 23 April 2021.
- (4) How many of these positions are currently filled.
- (5) How many of the currently filled positions are held by (a) full-time, (b) part-time and (c) casual employees.
- (6) How many of the currently filled positions are held by Canberra based employees as opposed to locum employees.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

Please see table below in response to questions 1-4 and 6.

Psychiatry Registrar positions across Canberra Health Services	Budgeted FTE	Actual FTE	Locum FTE	Variance
End of December 2020	37.75	30.5	4.0	-3.25
End of January 2021	37.75	30.5	4.0	-3.25
End of February 2021	37.75	32.39	4.0	-1.36
End of March 2021	37.75	33.2	5.0	0.49*
On 23 April 2021	37.75	33.2	5.0	0.49*

\*Variance due to maternity leave.

- (5) (a) 30.0 FTE at full-time
- (b) 8.2 FTE at part-time
- (c) 0 casual

### **Alexander Maconochie Centre—oversight committee (Question No 221)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 23 April 2021:

- (1) On what date was the prison oversight committee established, and how many times has the committee met since that date.
- (2) How often are they intended to meet.
- (3) How many members are on there on the committee, what are their names and what are each of their relevant qualifications.
- (4) Which organisations are represented on the committee.
- (5) Are any members of the committee also working as staff under Minister for Corrections.
- (6) Are any members of the committee also working in ACT Corrective Services.
- (7) What is the anticipated completion date for the committee's blueprint for change.
- (8) Are there any sharing protections on the information generated at committee meetings i.e. minutes, draft blueprints etc; if so, how is this information protected.
- (9) What actions has the committee taken so far since its establishment to the date this question on notice was published.
- (10) What recommendations has the committee made to the ACT Government, if any?
- (11) If recommendations have been made to the ACT Government, what has so far been actioned by the Government in response.
- (12) Are members of the committee receiving any remuneration for their position on the committee; if so, can the Minister provide the details.

**Mr Gentleman:** The answer to the member's question is as follows:

1. The ACT Corrective Services (ACTCS) Blueprint for Change Oversight Committee (the Committee) was established on 3 March 2021. The Committee has met twice, the first meeting held on 24 March, and the second taking place on 19 April 2021.
2. The Committee plans to meet on a monthly basis, or as agreed.
3. There are a total of 12 Committee members, including Ms Christine Nixon as the independent Chairperson. Members have been selected on the basis of their broad-ranging expertise and experience.
4. Members include representatives from:
  - the Human Rights Commission;
  - Official Visitors;
  - the Aboriginal and Torres Strait Islander community;
  - Visiting Elders;
  - the Community and Public Sector Union;
  - staff representatives from the Alexander Maconochie Centre and Court Transport Unit; and
  - Senior Executive representatives from ACTCS and the Justice and Community Safety Directorate.
5. No, there are no Committee members who are also working as staff under the Minister for Corrections.
6. Yes, the Committee includes several ACTCS staff members (see response to Question 4 above).
7. The Committee has been appointed for an initial period of twelve months, and it is anticipated that the Blueprint for Change will be developed within that timeframe.
8. Information is shared between Committee members in accordance with the Committee's Terms of Reference.
9. The Committee has met twice and considered a number of issues relating to staff training, policy and practice.
10. The Committee has not yet made any recommendations to the ACT Government.
11. Please see response to Question 10 above.
12. Yes. As previously advised, Ms Nixon is remunerated for her work as independent Chairperson of the Committee. Please refer to my response to Estimates Question on Notice 118 for further information.

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**Alexander Maconochie Centre—nicotine replacement therapy  
(Question No 222)**

**Mrs Kikkert** asked the Minister for Justice Health, upon notice, on 23 April 2021:

- (1) What nicotine replacement therapies (NRTs) are currently available at the Alexander Maconochie Centre (AMC) including nicotine (a) patches, (b) lozenges and (c) gum.
- (2) Were there any NRTs that used to be available at the AMC and is no longer available; if so, (a) what NRTs, (b) when were they available and (b) what was the reason for its removal at the AMC.
- (3) Are all NRTs available free of charge for any inmate at the AMC.
- (4) Is there a time limit given for conducting nicotine replacement therapy (NRT) free of charge; if so, at what point in time will an inmate need to pay for NRT and what is the cost.
- (5) Do staff have access to NRTs through the ACT Corrective Services, and at what cost.
- (6) How many detainees underwent NRT for each financial year from 2017–18 to date.
- (7) Are there any dedicated nicotine addiction counsellors at the AMC; if so, (a) how many and what are each of their relevant qualifications, (b) do the counsellors conduct their work in group sessions or individual sessions, and what is the duration of each session and (c) is there a waiting list for access to these counsellors.
- (8) Where there is a waiting list referred to in part (7)(c), how many people are currently on the waiting list and what is the average waiting time.
- (9) What has been the total cost of NRT delivery at the AMC borne by the ACT Government for each financial year since 2017–2018 to the date this question on notice was published.

**Ms Davidson:** The answer to the member's question is as follows:

- (1) Nicotine Patches and lozenges are available to detainees at the Alexander Maconochie Centre (AMC) as a Nicotine Replacement Therapy (NRT). Under the *Corrections Management (Prohibited Things) Declaration 2019 (No 3) Notifiable Instrument NI2019-659* made under the *Corrections Management Act 2007, s81 (Prohibited things)*, chewing gum is listed as a prohibited item.
- (2) No.
- (3) All NRT is free of charge to all detainees within the AMC.
- (4) There is no time limit for NRT being free of charge.
- (5) Justice Health Services (JHS) staff have access to NRT, free of charge, through Canberra Health Services.

NRT is not currently accessible via ACT Corrective Services (ACTCS). Staff who wish to reduce their consumption of nicotine-containing products are encouraged to discuss options with their health care provider and may seek up to \$100 reimbursement each year for smoking cessation programs as part of the Justice and Community Safety Directorate Staff Health and Wellbeing Program.

- (6) This data is not recorded. Information regarding NRT is contained within an individual's clinical record.
- (7) JHS in conjunction with Alcohol and Drug Services and ACTCS Therapeutic Community, is piloting a quit smoking program within the AMC for detainees within the Therapeutic Community, Accommodation Unit East and for female detainees in the Special Care Centre. This work is being undertaken within existing resources by JHS Alcohol and Drug Nurses, the Mental Health, Justice Health and Alcohol and Drug Services Comorbidity Clinician and the Corporate Health Management team. The pilot is due to commence on 31 May 2021.
- (8) Please see response to question 7.
- (9) The following includes the total cost of NRT stock:
- FY 2017/18 – \$20,052.87  
FY 2018/19 - \$19,876.79  
FY 2019/20 - \$19,857.67  
FY 2020/21 YTD - \$14,769.84

\*The stock costs do not factor in the staff time taken to provide this service.

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## Questions without notice taken on notice

### Molonglo Valley—community facilities

**Mr Gentleman** (*in reply to a supplementary question by Mr Hanson on Tuesday, 30 March 2021*):

The ACT Government recognises that the current rental arrangements at the Coombs Community Activity Centre are not satisfactory to the Coombs community and is looking at options to make the space more accessible to community groups. The Coombs Community Activity Centre is privately owned, and an opening date is a matter for the private owner.

### Budget—capital works

**Ms Berry** (*in reply to a question and supplementary questions by Ms Lee and Ms Lawder on Tuesday, 30 March 2021*):

The ACT infrastructure investment program is a rolling program with most projects being allocated funding over the four-year budget cycle. Annual funding allocations for projects are determined on the basis of information available on project delivery timelines. However, timing of actual expenditure may differ from the original schedule due to unforeseen circumstances which may result in delay or acceleration of the delivery of specific projects.

Total capital works program expenditure in 2019-20 was \$603.8 million, compared to a program forecast at 2019-20 Budget Review of \$856.4 million. A key reason for this

underspend is the disruption to the delivery of the 2019-20 capital works program caused by the COVID-19 pandemic. Other factors included wet weather, extreme weather events (eg bushfires, hailstorms), defect periods for projects resulting in financial completion of a project lagging physical completion by 3-12 months and, in a small number of cases, ongoing planning approval processes delaying commencement. Access to skilled workforce and certain construction materials has also been a problem faced not just in the ACT but around Australia, and this will continue to impact on the ability to progress quickly with major infrastructure projects.

As a mechanism to protect jobs in the short term, the Government prioritised the procurement of smaller projects through the Fast-Track Infrastructure program that delivered funding for projects that were ready to progress more quickly. This was a very deliberate action from the Government in response to the pandemic.

Details on the underspend by project is available in Appendix 1 of the *Capital Works Program—Assembly Progress Report—June Quarter 2019-20*. Information on the expected completion date for individual projects is available in the 2020-21 Budget Statements for individual delivering agencies.

Information on progress to date in the delivery of the 2020-21 capital works program is available in the *Capital Works Program—Assembly Progress Report—YTD December 2020* and the accompanying Appendix 1.

### **Casey—community recreation park**

**Ms Berry** (*in reply to a question and a supplementary question by Ms Castley on Wednesday, 21 April 2021*):

The ACT Government has engaged SGS Economics and Planning to undertake a Community and Recreational Facilities Assessment for Gungahlin. The analysis as part of this work will identify the types of community and recreational facilities that may be needed in Gungahlin, including in Casey, which will help inform future directions for the site.

The Community and Recreation Facilities Assessment for Gungahlin is expected to be finalised by the end of July 2021 at which point the report will be considered by the ACT Government.

### **Energy—cost**

**Mr Rattenbury** (*in reply to a question by Ms Lee on Thursday, 22 April 2021*):

The \$43 cited during the election campaign related to the Independent Competition and Regulatory Commission's (ICRC) price investigation and new price determination that was issued in June 2020. ACT residents were delivered a \$43 reduction in 2020-21. For more information on this finding, please visit the ICRC's website <https://www.icrc.act.gov.au/energy/electricity/retail-electricity-prices-2020-24>.



Any increase in electricity costs is of concern. In relation to the announced potential network charge increases by Evoenergy, I note that this is just one part of what makes up retail electricity prices in the ACT. The announced potential network cost increases are expected to be partially offset by a reduction in the wholesale electricity purchase costs. Wholesale electricity purchase costs account for approximately 30 per cent of a retail electricity bill.

The net effect of the network price increase and wholesale electricity purchase cost reduction will not be known until June when the ICRC makes its annual update to the standing offer retail price.

I also note that Evoenergy's proposal suggests the cost of the ACT large-scale Feed-in Tariff could rise by around \$3.70 per week in 2021-22, or around \$193 per year, not \$300.

### **Arts—dementia-friendly access**

**Ms Cheyne** (*in reply to a question by Ms Lawder on Thursday, 22 April 2021*):

I am advised that the Canberra Museum and Gallery (CMAG) has commissioned an access expert, who has inspected the ramp and is providing advice on the most appropriate way of overcoming the depth perception issue and improving the functionality of the ramp.

The timing of works to achieve this outcome will depend on the complexity of modifications required, and I will provide a further update once this is known.

CMAG is respectful of the visiting public, especially people living with dementia, and view this as an opportunity to improve access to their open collections space (which is one that engages the community through the profiling of collections from individuals and groups in the local community).

### **Arts—dementia-friendly access**

**Ms Cheyne** (*in reply to a supplementary question by Ms Lawder on Thursday, 22 April 2021*):

Whether an ACT Government owned arts facility is a suitable environment for a person living with dementia and their carer depends on the individual's abilities and interests, the design of the physical spaces as well as appropriate community programs. Given this, it is difficult to quantify how many facilities are not dementia friendly.

New spaces at arts facilities are designed in accordance with current accessibility standards. For example, the recently completed Belconnen Arts Centre Stage 2 is fully accessible for visitors. The building is easy to move around as it is on one level and is also evenly lit. Both these design features promote safety, security and comfort which align with dementia enabling environment principles. Belconnen Arts Centre also runs

a Dance for Wellbeing with Dementia community program which enables people with dementia to visit the centre and to participate in arts activity with the appropriate supports in place.

### **Canberra—growth**

**Ms Vassarotti** (*in reply to a supplementary question by Mrs Kikkert on Thursday, 22 April 2021*):

This has not been modelled or measured by the ACT Government.

### **Environment—dredging**

**Mr Steel** (*in reply to a question and a supplementary question by Ms Lawder on Friday, 23 June 2021*):

TCCS is the custodian of, and responsible for, the maintenance of stormwater and waterways infrastructure in the ACT. TCCS works closely with environmental protection agencies to ensure the best environmental outcomes, including for water quality, environment protection, aquatic and riparian outcomes. Measures such as Environmental Management Plans and cross agency collaboration are implemented to ensure that maintenance works will generate the least disturbance to the environment and at the same time, improve water quality outcomes for the Territory.

The Fadden Pond is an important part of the stormwater infrastructure. It collects stormwater from the drainage channel upstream of Fadden, captures sediment and then, through other channels, feeds to Isabella Pond and others in the area which are part of the Healthy Waterways system. The method of removal of sediment from the Fadden Pond has been extensively consulted with environment protection agency subject matter experts and the outcomes of these consultations have been approved in the form of an Environmental Management Plan.

The removal of the sediment will be completed using a long reach excavator. This method is preferred by the environmental protection agencies to dredging and use of the eductor truck. It is also a more efficient and cost-effective method. The pond will not be emptied completely during the dredging process. Rather, the water level will be lowered to allow removal of the debris, service the overflow inlet and remove the excess sediment with a lesser disturbance to the wildlife.

The sediment material will be stored on a drying pad consisting of temporary fence panels and geotextile fabric around the perimeter to allow for the water to flow down, back to the pond. This method has been approved by the environmental protection agency as the movement of wet sediment pollutes roads during transportation. The scheduling of works during a dry weather spell will ensure the shortest drying time. The impact on residents should be minimal as the drying pad is located in an open space and behind a buffer of trees.

Leaving of sediment around the stormwater infrastructure is standard and is the preferred method as it minimises pollution during transportation and drying of a

sediment in a new location. The sediment is left for drying at all Gross Pollutant Traps (GPTs) and trash racks as well as in sediment ponds, including those cleaned during last two months at Nicholls, Bowen Park in Kingston Foreshore, Curtin and Conder.

### **Environment—dredging**

**Mr Steel** (*in reply to a supplementary question by Mr Parton on Friday, 23 April 2021*):

In the new financial year (2021-2022), TCCS is planning to perform maintenance works including removal of sediment in the following locations: Giralang, Gordon and O'Connor.

Smaller ponds and other stormwater infrastructure may be included in the maintenance plan if required.

### **Environment—green buildings**

**Mr Steel** (*in reply to a supplementary question by Ms Castley on Friday, 23 April 2021*):

In response to the question taken by Minister Rattenbury, I can advise of the eleven (11) proposals in the Registration of Interest (ROI) stage of the Civic Office project, six (6) companies were invited to provide detailed submissions in the Request for Tender (RFT) stage. None of the 6 submissions included an electric heating, ventilation, and cooling (HVAC) system, as gas-fired HVAC systems are predominantly used in commercial buildings in Australia.

An approach was subsequently made to the winning tenderer, Capital Property Group (CPG), to determine whether it was willing to include an all-electric HVAC solution in the new building. However, CPG considered that the base building design was substantially advanced, and the risks and costs associated with a change from a gas to an electric HVAC system were too great to include such a system in their building.

### **Family and domestic violence—legislation**

**Mr Rattenbury** (*in reply to a question by Ms Lee on Friday, 23 April 2021*):

The Review of the *Family Violence Act 2016* was commenced in June 2019. The Government commissioned the Review to gauge the impact of the Act and inform the Government's family violence work going forward.

An initial draft report was provided by the consultants to the Justice and Community Safety Directorate (JACS) in January 2020. A copy of this document was shared with stakeholders who participated in the review, and they were invited to provide their feedback to the consultants. An updated version of the report was provided to JACS in late March 2020.

Detailed consideration of the updated version of the report was delayed due to COVID-19, and the unprecedented re-direction of resources required to respond to the

pandemic. Between March and December 2020 JACS progressed six emergency bills as part of the Government's legislative response to the COVID-19 pandemic.

During this time further feedback from stakeholders in relation to the report was received. It is standard government practice for draft reports to be received by government agencies and for clarifications to be sought or for some areas to be subject to requests for further consideration of issues. JACS liaised with the consultants and a (further updated) final report was provided to JACS on 14 December 2020.

A copy of the final report was published online by the ACT Government on 23 February 2021.

In accordance with the motion passed in the Legislative Assembly on 30 March 2021, the Government will provide a formal response to the report during the August – September 2021 sitting period.