



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**2 DECEMBER 2021**

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**Thursday, 2 December 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.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Play spaces—playground fencing—petition 30-21**

*By Mrs Jones, from 451 residents:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

In 2020 \$400,000 was allocated for fully fencing playgrounds. This is not being spent effectively or with proper consultation with families of children with autism.

Playgrounds in Canberra are often built close to roads or ponds. Statistically children with autism are three times more likely to die from drowning and 65% of the incidents with a child with autism involved a close call with traffic.

62% of parents said fear of their child running away stopped from them enjoying activities outside the home.

The ACT Government will only build fences of 1.2m height. Older children with autism can easily get over a 1.2m fence.

Boundless and Turner School playgrounds fences are 1.6m to 2.1m.

Only one of the fully fenced playgrounds listed by Minister Steel in August 2020 met pool fence regulations. There are still 30cm gaps under fences in playgrounds near water.

Your petitioners, therefore, request the Assembly to call upon the Government to:

- create a standard for fully fenced playgrounds incorporating the needs of families of children with autism.

- construct the playgrounds at Kambah and Throsby with at least 1.6m fences. Throsby playground is next to a lake.
- repair all fully fenced playgrounds and create an equal geographic distribution.

### **Belconnen—cricket facilities—petition 46-21**

*By Ms Clay, from 378 residents:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw to the attention of the Assembly:

There is extremely limited cricket infrastructure in eastern Belconnen to support the largest community cricket club in the ACT - Western Districts Junior Cricket Club.

The ACT Government only provides two artificial surface community-use cricket nets across Aranda, Bruce, Belconnen, Cook, Giralang, Evatt, Kaleen, Lawson, Mackellar, and Macquarie.

The four enclosed/locked nets at Kaleen are insufficient for the training needs of approximately 30 teams in West's junior and senior clubs.

The enclosed nets in Aranda have been deemed unsafe by Cricket ACT, yet investment in repairs or redevelopment have been blocked by ACT Sportsgrounds. And, the stop-gap solutions offered at Weetangera and Scullin have introduced other safety concerns.

We have repeatedly raised these issues with Cricket ACT and ACT Sportsgrounds.

Your petitioners, therefore, request the Assembly to call on the ACT Government to invest in additional club-only and community use cricket infrastructure in eastern Belconnen, co-located with West's home grounds:

OPTION 1: Repair the existing club-only nets at Aranda and provide additional community use nets nearby, or

OPTION 2: Expand the existing club-only nets at Kaleen Enclosed Oval and provide additional community nets nearby, or

OPTION 3: Provide new club-only nets at Macquarie Enclosed Oval, and provide additional community use nets nearby.

*The Clerk having announced that the terms of the petitions would be recorded in Hansard and referred to the appropriate ministers for response pursuant to standing order 100, the petitions were received.*

### **Ministerial response**

The following response to petitions has been lodged:

## **Planning—Red Hill—petitions 24-21 and 29-21**

By **Mr Gentleman**, Minister for Planning and Land Management, dated 1 December 2021, in response to petitions lodged by Mrs Jones on 3 and 4 August 2021, respectively, concerning the integrated plan for Red Hill Nature Reserve.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letters of 3 August 2021 regarding two petitions 24-21 and 29-21 in relation to the Integrated Plan for Red Hill Nature Reserve and Surrounds (the Plan).

I note that petition 24-21 received more than 500 signatories and has been referred to the Standing Committee for Planning, Transport and City Services consistent with Legislative Assembly Standing Order 99A. I await the Standing Committee's consideration of this petition and will separately provide a whole of ACT Government response to the Committee if required.

The ACT Government has undertaken considerable community consultation and environmental studies in developing the Plan. Stakeholders informed the development of the Plan, and the Government undertook extensive consultation on the Plan in draft form prior to its finalisation.

The Plan appropriately addresses the matters raised in the Resolution of the Legislative assembly of 25 October 2017, including a likelihood of majority community support. In this regard, there was evidence of strong community support received during the engagement processes. The Plan has considerable planning merits consistent with the ACT planning framework for the following reasons:

- a. the Plan is consistent with the ACT Planning Strategy 2018 to promote a compact and efficient city, particularly in relation to action 1.1.1 which refers to investigating and planning for infill development in areas close to local centres; noting this site has good access to the existing community and facilities at both Garran and Hughes, including the Garran local centre;
- b. the Plan supports the opportunity to provide housing choice for communities to age in place and remain in their local communities;
- c. the Plan includes retention of an 18-hole golf course at the Federal Golf Course on the basis that a 9-hole course is less viable longer-term;
- d. the Plan also provides for protection of the ecological values, and to potentially increase the area of the Red Hill Nature Reserve consistent with advice of the Conservator of Flora and Fauna;
- e. the potential impacts of a possible future retirement village on the ecological values and on existing residential areas can be managed through careful siting and design of a retirement complex. This includes implementation of the 50-metre ecological buffer along the boundary of the golf course; and

- f. the Plan will be implemented through a range of approaches including a Territory Plan Variation and Development Applications which include further consultation.

The ACT Government will continue to implement the Plan. The ACT Legislative Assembly will have the opportunity to consider the relevant Territory Plan Variations when these are presented as part of the process involved to vary the Territory Plan.

I thank you for referring the petitions for my consideration and I trust this information clarifies the ACT Government position in relation to the Integrated Plan for Red Hill Nature Reserve and Surrounds.

### **Motion to take note of petitions**

**MADAM SPEAKER:** Pursuant to standing order 98A, I propose the question:

That the petitions and response so lodged be noted.

### **Belconnen—cricket facilities—petition 46-21**

**MS CLAY** (Ginninderra) (10.04): I rise today to speak to a petition by dedicated volunteers from a sporting community in Belconnen, the Western District Cricket Club. I would like to thank Bryce and Ryan for showing me around their club. It was fantastic to see how many young people were out on a rainy day to play cricket. It was lovely to see so many families from different schools, different areas and different parts of the community coming together to watch their kids and meet one another.

I was extremely impressed with the very young ones, four and five years old, all in their uniforms and all playing in the drizzle. Belconnen is a heavily populated area, with almost 100,000 residents. We have a lot of people participating in community sport and it is really encouraging, but our facilities are in need of improvement.

We need to foster all of that positive energy and community spirit in everything we do. It is so important for social cohesion. I think during COVID we have all realised how important that social cohesion is and how important it is that we learn to rely on one another and talk to one another. The ACT government has a major part in facilitating this.

We understand the pressures on the budget. I am pleased that we have made some great choices with our budget, but the community is asking for some modest and reasonable upgrades here. The petition points out that there is extremely limited cricket infrastructure in eastern Belconnen to support the largest community cricket club in the ACT. The ACT government has only provided two artificial surface community-use cricket nets across 10 suburbs in Belconnen.

The enclosed locked nets at Kaleen are insufficient for the training needs of the 30 teams in West's junior and senior clubs. That was really obvious when I visited and saw how many people were out. The enclosed nets in Aranda have been deemed unsafe by Cricket ACT, but the repairs have not yet gone ahead. Some stopgap



solutions have been offered at Weetangera and Scullin and I was pleased to see an interim solution for the club to train in Watson. I thank ACT sportsgrounds for setting that up.

We do not need a lot to make these cricket nets work. But they do need a high enough wire fence barrier so that the balls are not whizzing out and injuring people, and a bit of forward planning. The petition did not quite make it to the 500 signatures required for a committee referral, but it did get 378 signatures. I think at the end of the year, when everyone is exhausted, that really shows how much community concern there is on this issue.

I am asking government and the Assembly to consider the needs of that sporting group and all our sporting groups. When we hear from hundreds of people in Belconnen about such a simple upgrade, we know that a small number of resources will help build this thriving sport.

Question resolved in the affirmative.

## **COVID-19 2021 Pandemic Response—Select Committee Report**

**MS LEE** (Kurrajong-Leader of the Opposition) (10.07): Pursuant to order, I present:

COVID-19 2021 Pandemic Response—Select Committee—Report—*Inquiry into the COVID-19 2021 pandemic response*, dated 1 December 2021, together with a copy of the relevant minutes of proceedings.

I move:

That the report be noted.

The Legislative Assembly for the ACT established a select committee to consider and report to the Assembly on any matter relating to the ACT government's health and financial response and any other matter relating to the COVID-19 pandemic as it relates to the ACT. The committee held seven public hearings in total and a variety of witnesses gave evidence, including several ministers, government officials and representatives of community organisations. The committee received 25 submissions and had 13 questions taken on notice in total. The committee report made 33 recommendations across human rights, business, social services, building and construction, health, education and the arts sector.

Madam Speaker, taking off my chair's hat, when the ACT was plunged into lockdown on 12 August, in Canberra it changed everyone's lives overnight, and the operations of the Assembly were no exception. It became obvious that the regular scrutiny of parliament was hampered. On our first sitting day after lockdown, the Canberra Liberals called for the re-establishment of the select committee to inquire into the COVID-19 2021 pandemic response. All commissioners from the Human Rights Commission agreed that it was in the best interests of our democracy and public scrutiny at a time when governments were exercising extraordinary powers to respond to extraordinary circumstances in extraordinary times.

The select committee was established by the Assembly on 16 September to consider and report to the Assembly on any matter relating to the ACT government's health and financial response and any other matter in relation to the COVID-19 pandemic as it relates to the ACT. The committee's purpose was to ensure that ACT government decisions made in response to the pandemic were appropriate, transparent and open to public scrutiny.

At the commencement of the inquiry the committee invited submissions from the public and wrote to a wide range of stakeholders and organisations seeking their views. The committee received a wide range of submissions to the inquiry from individuals, institutions, business organisations and community groups, including the ACT Human Rights Commission, the Tuggeranong Community Council, ANU, UC, the Salvation Army—and the list goes on.

In addition to the committee's consideration of written submissions across the seven public hearings that were held between September and November this year, we heard evidence from over 50 witnesses from a range of backgrounds, including hospitality, business, education, university, the arts, ACT Policing, and government ministers and officials. The committee received a broad range of feedback in relation to the government's handling of the August 2021 outbreak in the ACT.

ACT Policing informed the committee of its good cross-jurisdictional engagement with New South Wales police and the ADF and its collaboration in undertaking cross-border checks, as well as business compliance with public health directions here in the ACT.

Businesses were, however, particularly critical of the way the government had treated them throughout the lockdown and raised a number of concerns about how the public health directions were applied, including the unworkable density restrictions, the delay of much-needed support payments, unilateral changes to the eligibility criteria for support, and concerns about the lack of ongoing targeted support. Whilst we know that there are many businesses that are still doing it tough, we also heard some positive aspects, including very regular engagement and consultation.

The committee's report includes a range of recommendations for the ACT government about the learnings that we, as a community, have all taken away from the August lockdown experience. Moving forward into this new normal where our city learns to live with the virus, I hope that the recommendations and observations contained in the report will be helpful to the government in providing feedback about how we can improve our response to the ongoing pandemic to ensure that every member of our community and every business in our community is supported.

As is the case when you have a three-member committee comprising two members from the coalition government, there were some recommendations that I personally believe should and could have been made stronger and recommendations that should and could have been more explicit. However, I do thank my fellow committee members—Ms Suzanne Orr and Ms Jo Clay—for their willingness to work together on this inquiry, for their insights, their ideas and their genuine interest in making sure

that this inquiry, which is an extremely important one for our community, was conducted in a professional, thorough and meaningful way.

I also thank the staff who supported the work of the committee—secretary David Monk and senior research officer Miona Ikeda, and the many staff who work behind the scenes to make everything happen. It has been an incredibly challenging time during lockdown. To be able to overcome not only the technical aspects but also engage with stakeholders and community members during a very stressful and difficult time is, of course, no mean feat. In particular, to David and Miona, thank you for your support, your professionalism and your guidance on this inquiry.

Thank you also to all witnesses that appeared before the committee to provide evidence, as well as those who took time to prepare written submissions. I am proud to say that every written submission and public hearing was taken into account in deliberations over the final report. I thank this Assembly for the opportunity to chair such an important inquiry.

Question resolved in the affirmative.

### **COVID-19 pandemic response—update Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.13): I rise to provide my final update for 2021 to the Legislative Assembly on the COVID-19 situation in the ACT and the actions being taken by the government to protect the health and wellbeing of Canberrans.

I am sure we all agree that the last 12 months have been incredibly challenging for the ACT community. We started this year in the hope that the COVID-19 situation would ease, and we end in much the same way, hopeful, with world-leading vaccination rates but on guard for further risks to our community.

Just this week, we have had a sharp reminder of the ongoing threat COVID-19 presents to our community, with the need to implement precautionary measures rapidly in response to the new Omicron variant of concern, including travel restrictions and quarantine requirements for international travellers.

However, as the summer holiday season approaches and we look back on the challenges we have faced together through this singular year, I want to thank Canberrans for their tremendous efforts in keeping our city safe and strong. It is thanks to our caring and resilient community that we have transitioned relatively smoothly out of lockdown and into a COVID-normal environment.

Madam Speaker, I am pleased to advise that the local COVID-19 situation continues to be stable, with our dedicated health officials responding to a low number of new daily cases. While the risk of COVID-19 is still present in the ACT, we remain in a strong position.

We have seen over recent days all governments across Australia taking a cautious response to the World Health Organisation's classification of the Omicron variant of concern. Any travellers who arrive in Australia on or after 11.59 pm on 27 November and have spent any time in South Africa, Lesotho, Botswana, Zimbabwe, Mozambique, Malawi, Namibia and Eswatini in the 14 days prior to arrival are required to quarantine at their port of entry, in accordance with the restrictions in place in that jurisdiction, regardless of vaccination status.

The period of quarantine is 14 days from arrival into Australia. Seychelles was removed from the list of countries of interest by the commonwealth Chief Medical Officer on 30 November. Any travellers who arrived in Australia before 11.59 pm on 27 November 2021 and have spent any time in South Africa, Lesotho, Botswana, Zimbabwe, Mozambique, Malawi, Namibia and Eswatini in the 14 days prior to arrival in Australia must also quarantine until 14 days have passed since they were last in the country, complete an online declaration form immediately if they have not already, get tested for COVID-19 immediately if they have not already, and get tested for COVID-19 again on day 5 or 6 and on day 12 or 13 after arriving in Australia.

Household members of any international travellers who have been in one of the listed countries must also quarantine with the traveller.

Fully vaccinated international travellers arriving from countries other than those listed above must follow the requirements of the jurisdiction of their port of entry into Australia. If the port of entry allows travel to the ACT, travellers must complete an online declaration within 24 hours prior to arriving in the ACT, travel directly to their ACT residence or accommodation to complete a three-day quarantine period, with day zero being the day of arrival into Australia, get tested for COVID-19 within 24 hours of arriving in Australia, and get tested for COVID-19 again on day 6 after arriving in Australia.

All residents in the household where a returned traveller is quarantining must also quarantine if appropriate separation cannot be maintained. Provided the returned traveller receives confirmation of a negative PCR test, they and other household members may leave quarantine at 11.59 pm on day 3. They do not need to wait to be formally advised of the end of their quarantine by ACT Health.

Although travellers may leave quarantine after day 3, due to the uncertain public health impact associated with the Omicron variant, we strongly encourage them to limit movement in the community until they receive a negative test result from the mandatory day 6 PCR test. This means travellers should stay at home wherever possible and minimise their movement in public spaces to essential reasons only, keep good records of where they have been, including dates and times, and use Check In CBR wherever it is required or indeed available, avoid use of public transport and, if essential, ensure a mask is worn, practise good hand and respiratory hygiene and wear a face mask whenever in a public space.

Entry to high-risk settings in the ACT is restricted for fully vaccinated international travellers who have been overseas in the 14 days prior to entering a facility.

Individuals will need to seek an exemption directly from the operator of a facility. Travellers are also not permitted to enter the following settings until they receive a negative test result following their day 6 test: childcare or early childhood education services, a primary school or school attended by children under 12 years of age, or a specialist school or flexible education program.

Arrangements for unvaccinated international travellers have not changed. These travellers are still required to complete 14 days quarantine at their port of entry regardless of where they are travelling from. These travellers will need to seek an exemption if they want to travel to the ACT before they have completed this quarantine.

As at 8 pm on 30 November, nine individuals have been identified in the ACT as close contacts of a confirmed case of the Omicron variant and have been directed to quarantine for a period of 14 days. It is expected that this number may increase due to the evolving situation. Indeed it has.

The ACT government is working closely with the commonwealth and state and territory governments to identify any international travellers who may have entered the ACT from one of the listed countries prior to the introduction of travel restrictions. The ACT will continue to monitor this evolving situation and align our response to support the national approach and minimise risks associated with this new variant of concern.

The ACT's COVID-19 vaccination coverage of people aged 12 years and over continues to be world-leading, with almost 98 per cent of eligible Canberrans now fully vaccinated. The equity to access program is still in operation and providing vaccine doses to people in our community who are less likely to access health services.

As of 26 November, ACT government clinics have administered 50.3 per cent of all COVID-19 vaccine doses in the territory, with our partners in primary care administering 46.2 per cent, and 3.5 per cent through commonwealth aged-care programs. This is an outstanding effort by all involved and has put the ACT in a very strong position. Since 1 November, adults who completed their primary COVID-19 vaccine course over six months ago have been able to book in for a booster vaccine at an ACT government vaccination clinic or through participating GPs and pharmacies. As of 30 November, we have already administered over 16,800 third dose and booster vaccines to 4.3 per cent of the vaccine-eligible Canberra population.

As this is the final statement for 2021, I would like to take a moment to update members on the equity to access program, which delivers COVID-19 vaccinations to vulnerable and marginalised community members through in-reach, pop-up, mobile and in-home settings. This program represents the best of our community and our expectation that everyone, no matter their circumstances, should be offered the opportunity to be protected. Aspen Medical and Canberra Health Services have worked closely with the ACT Health Directorate to deliver these clinics since 11 September.

As of 24 November, Aspen Medical has delivered almost 2,000 vaccine doses to marginalised and hard-to-reach community members. I was advised this morning that we have now topped the 2,000 mark. Vaccination opportunities were targeted to people from culturally and linguistically diverse backgrounds, people living with disability, and their family and carers, LGBTIQ+ community members and people living in insecure accommodation.

Canberra Health Services pop-up clinics have targeted regions with lower than average vaccine uptake across the ACT. Since 27 September, pop-up clinics have administered 1,470 vaccine doses, while CHS has administered more than 1,400 doses through outreach to patients in settings such as hospitals and hospices, mental health units, dialysis centres, adult incarceration centres, disability hubs and methadone clinics.

The ACT government remains committed to increasing vaccination coverage across the Aboriginal and Torres Strait Islander community. As of 30 November, commonwealth data indicates that 89 per cent of eligible Canberrans who identify as Aboriginal and Torres Strait Islander had received their first vaccination dose and 84.9 per cent were fully vaccinated. It is important to note that vaccination coverage for this cohort is calculated using population figures sourced from the Australian immunisation register in alignment with a decision of the commonwealth Aboriginal and Torres Strait Islander Advisory Group.

Using the same methodology, the ACT's non-Indigenous vaccination rate is estimated to be 86.8 per cent having received their first dose vaccination and 85.2 per cent with two doses. This is because AIR population figures inflate the ACT population by up to 20 per cent, based on health services usage in the ACT as recorded by ACT Medicare addresses. In fact, it means that Aboriginal and Torres Strait Islander vaccination rates appear to be comparable with non-Indigenous rates. ACT Health continues to partner with Winnunga Nimmityjah Aboriginal Health and Community Services in the rollout of the COVID-19 vaccination program, funding three nurses to support vaccination administration.

Madam Speaker, the COVID-19 outbreak in the ACT continues to remain stable at this time. Cases have recently been associated with schools, residential aged-care facilities, disability support services and construction. As at 8 pm on 30 November, there have been a total of 2,010 cases linked to the current ACT outbreak. There are 135 active cases, with eight COVID-19 patients admitted to hospital, three of whom are in intensive care and two requiring ventilation. As of that time, there are now 1,864 cases associated with this outbreak who have recovered and, of course, sadly, there have been 14 deaths since the start of the pandemic.

The ACT's total case number over the whole pandemic is 2,134. As at 9 am on 30 November, there were 1,118 people in quarantine in the ACT being supported by ACT Health, with 876 of these individuals identified as close contacts of locally acquired cases and 231 who are overseas travellers. Testing numbers have increased over the past month, with testing numbers fluctuating between 1,000 to more than 3,000 tests per day in recent weeks. As at 9 am on 1 December, the ACT has recorded a total of 638,055 negative tests.

It is likely that further cases will be identified in schools until such time as children under 12 years of age become eligible for the COVID-19 vaccine. While we understand that school communities are concerned about the identification of new cases in schools, the ACT government remains committed to supporting the delivery of COVID-safe face-to-face learning, and health officials will continue to provide the necessary guidance and support for schools to reduce the risk of transmission among students and staff.

The ACT Health Directorate and the Education Directorate are working with officials in New South Wales and Victoria to understand how their respective rapid antigen testing trials in schools are progressing and pivoting to changing public health requirements. As I have informed members previously, the government is closely observing these interstate trials to inform consideration of an ACT rapid antigen testing pilot in time for term one of 2022.

Madam Speaker, tomorrow is the International Day of People with Disability, and I would like to briefly reflect on the efforts undertaken throughout the ACT's COVID-19 response to support people in our community with disability as well as their families and carers. Since the start of the pandemic, ACT Health has worked closely and collaboratively with all stakeholders in the disability sector to address and manage the specific challenges faced by people with disability, their carers and support workers, and the sector more generally.

ACT Health Directorate's communications have become much clearer and more consistent, benefiting from co-design with key sector partners and the coordinating efforts of the Public Information Coordination Centre. Regular incremental improvements have also been made to the content on the COVID-19 website. Since the start of the recent local outbreak, the ACT Health Directorate has led outbreak responses for 14 different disability providers and supported numerous other providers where cases were identified but where the risk did not indicate the need for an enhanced public health response.

ACT Health has worked closely with organisations and government stakeholders to provide detailed public health advice and training, alternative accommodation for people with disability when required, logistical support with food and personal protective equipment, specific nuanced communication to support the needs of residents, support with workforce surge and linkage with various ACT and commonwealth government agencies to ensure continuing support.

Perhaps most critically, the ACT has demonstrated its commitment to inclusion by leading the nation in its vaccination of people with disability as we have consistently performed above the national average when it comes to ensuring that people living with disability are able and supported to access COVID-19 vaccination. The government will continue to support people with disability, their families and carers, and the disability sector, as our public health response continues. I wish everyone a happy I-Day tomorrow. I will speak very briefly on Minister Davidson's subsequent statement.

The Chief Health Officer has provided me with her 20th report on the status of the public health emergency due to COVID-19, which I now table. This report outlines the actions taken by the Chief Health Officer and ACT Health's COVID-19 response in the 30 days to 7 November 2021. The report also recommended that the public health emergency declaration, which was due to expire on, I think, 14 November 2021, be extended for a further 90 days. The government recognises the ACT is in a very good position on the ongoing response to COVID-19 due to our high vaccination coverage and low daily case numbers.

However, as the Chief Health Officer has identified in her report, COVID-19 still poses a serious risk to the health and wellbeing of our community, particularly as our domestic and international borders have reopened and there is a higher chance of cases seeding with more people travelling to and from the territory. Due to the continued public health risk at this time, the government accepted the Chief Health Officer's recommendation to extend the public health emergency. The Public Health (Emergency) Declaration Further Extension 2021 (No 4) was notified on 12 November and extends the public health emergency for a further 90 days until 12 February 2022.

In doing so, the government recognises that the need for the public health emergency is likely to be much less in the new year, which is why I will shortly be introducing, along with the Chief Minister, the Public Health Amendment Bill 2021 (No 2) into the Assembly to establish appropriate medium-term measures that will protect the community from COVID-19 without a public health emergency declaration in place.

Madam Speaker, the ACT's COVID-19 response has been incredibly effective over more than 18 months. This is in large part due to the incredible healthcare and frontline workers who have facilitated the delivery of essential services across the territory right from the start of the pandemic, and as we responded to the local outbreak in August.

On behalf of the government, I acknowledge the work of all of the essential workers and volunteers across Canberra and I thank them for their tireless efforts in supporting our community throughout 2021. Many of us have relied on the goods and services delivered by these hardworking Canberrans and I know that we would not be in the strong health and economic position if it was not for them.

Going into the new year, the government will be focused on our COVID-19 recovery plan and supporting our economy to ensure that it is stronger than ever. Our COVID-19 public health response will continue, along with our vaccination and booster program, to ensure Canberrans that have the best protection against the virus. I remind Canberrans to remain COVID-safe over the holiday period, and I hope everyone gets to spend time with their family and loved ones. I present the following papers:

Status of the Public Health Emergency due to COVID-19—Chief Health Officer Report 20—7 November 2021, dated 7 November 2021.

Coronavirus (COVID-19)—ACT Government response—Ministerial statement, 2 December 2021.



I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **International Day of People with Disability 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) (10.30): I thank members for the opportunity to present a ministerial statement on the eve of International Day of People with Disability.

Each year International Day of People with Disability, or I-Day, is celebrated on 3 December. The annual observance of I-Day was proclaimed in 1992 by a United Nations General Assembly resolution. I-Day promotes awareness and understanding of disability issues and encourages support for the dignity, rights and wellbeing of people with disability. I-Day also seeks to increase awareness of the benefits of inclusion of people with disability in every aspect of political, social, economic and cultural life, and celebrates the contributions people with disability make to the diversity and richness of our community.

Each year the UN announces a theme to observe for I-Day. The annual theme provides an overarching focus on how society can strive for inclusivity through the removal of physical, technological and attitudinal barriers for people with disability. The theme for I-Day 2021 is “Leadership and participation of people with disability towards an inclusive, accessible and sustainable post-COVID-19 world”.

There is no doubt that this past year has been incredibly difficult and a challenging time for the whole community, especially people with disability, who may be at greater risk of negative health outcomes from COVID-19. However, this time of adversity has also seen us make great progress in listening better to people about what they need and becoming more responsive.

For all of the challenges that the health emergency has presented, it has also required businesses, workplaces and friendship circles to embrace communication in a more disability-inclusive way. For many people with disability, pre-COVID ways of meeting and working were inaccessible. Our built infrastructure, rigid work hours and ways of travelling are not always accessible to people with disability.

Reflecting on this, it is essential that, post-COVID, we not only retain but build upon these more flexible and accessible ways of living. We have the opportunity to create a more inclusive post-COVID world, where the reasonable adjustments and accommodations made by employers, businesses and services are accepted as not only mainstream practice but also the norm.

Unfortunately, during the COVID-19 health emergency many people without disability experienced exclusion and isolation. For people with disability, this is not

dissimilar to some everyday life experiences. Suddenly, everyone was experiencing exclusion from everyday activities and isolation from community, work and family, and difficulty accessing secure employment, services and everyday necessities. For people without disability, this experience should be motivating. We need to take these experiences and translate them into action to ensure that no-one should feel excluded or isolated because of disability.

I urge our community to not lose traction on the reasonable adjustments made by business and community over the past 18 months, such as the range of home delivery and click and collect options made available, and the option to work flexibly and participate online in meetings, forums, webinars and conferences.

Daily COVID-19 press conferences gave us the privilege of seeing Auslan interpreters. Let us now think about how we can continue this norm and use Auslan interpreters not just in emergencies but in other important public discussions.

I would like to acknowledge the people with disability who demonstrate their tenacity and leadership to ensure that their voice is heard and experiences included as they work with commitment to change our community for the better. I would like to thank the services, business and community groups who listen and respond and who seek out the voice of diversity in the shaping of their programs, service offers and businesses.

I would like to recognise the work of our health services in Canberra, who have led the nation in implementing an access and equity program and a targeted vaccination program to make it easier for people with disability and their families to get vaccinated and tested. The development of this work has been supported by a key group of people with disability and their allies working in partnership with government, providing advice and direction.

To better support the voice of people with disability across our supports and services, government has encouraged and supported government, community and business to develop disability action and inclusion plans. Disability action and inclusion plans enable community, business and government agencies to be strategically and practically responsive to the needs of people with disability and provide a tool to embed access, universal design and inclusion into systems, services and infrastructure.

I am so pleased that Canberra Health Services are developing their own disability action and inclusion plan and shortly will share the draft plan with the ACT community for their feedback via the YourSay platform.

In 2020 Canberra Health Services completed a disability needs assessment to inform the development of a specific and measurable plan for the organisation to reflect the needs of the community. The needs assessment reviewed local and national reports and available CHS data, including consumer feedback, to identify the key issues and themes relevant to people with disability, their families and carers. This work supported CHS to undertake consultation with patients and carers who access CHS, their staff, community members, and other external stakeholders, including community groups as identified by the ACT Disability Reference Group.

Amongst the many things CHS have heard is the need to get better at communicating with people with disability in supporting their staff to be more disability confident, providing consistent physical access to their services, and to engage more in planning with people with disability. The draft of the disability action and inclusion plan will shortly be released on the YourSay platform, with a view to finalising and releasing the plan in the first quarter of 2022.

The ACT government is also currently in the process of developing an overarching disability health strategy in accordance with the parliamentary and governing agreement for the Tenth Legislative Assembly. It will provide a responsive and confident health system, supporting people with disability to have better health outcomes and person-centred support. This work has commenced and will be developed, and people will be consulted over the coming year, with an expected launch in 2023. To our community I say: get involved and have your say. Support our services to become more responsive and confident so that government can meet your needs as best we can.

Whilst the focus on health has been at the top of our minds over the last year, there has been so much more happening in our community. Tomorrow I will be with Canberra Community Law as they launch their social scripts, which will improve access to legal assistance and enhance people's capacity to provide legal instruction. The social scripts provide person-centred narratives to introduce new events and interactions and to outline what to expect using short, descriptive sentences and images. These are accessible tools, helping to reduce uncertainty and anxiety in a legal setting or in any other setting where clear communication and understanding are required.

This work is supported through the disability justice strategy and is part of a whole suite of work taking place across justice agencies to provide equity of access to justice and the justice system. The progress being made is constant, and the annual report on the strategy will shortly be available for people to see what has been happening over the last 12 months.

The work of the disability justice strategy and the disability health strategy supports the enactment of the ACT's commitment to the new Australia's Disability Strategy, launched this week by the commonwealth government and agreed to unilaterally by all jurisdictions across the country. The vision is to build a society in which people with disability can participate as equal members, with equal opportunities to fulfil their potential.

Planning on our new whole-of-government commitment to people with disability has commenced, as have our conversations, to listen to and understand what steps government needs to take in Canberra to be fair, welcoming and inclusive. Government will listen, learn and understand what you need us to do, we will make our actions real and tangible and we will be responsive and accountable. The 10-year plan will be developed and take all learnings across different parts of government and community and build towards the direction you want to make a difference in your lives.

Finally, it is important also to remember that I-Day is a time to celebrate. I would like to suggest that you come along and get connected to some of the activities that are happening throughout Canberra on I-Day. These events have been supported through an I-Day grant.

Music for Canberra are holding an I-Day Celebration 2021, providing an opportunity to share in the joy of music through a series of activities, performances and installations by Canberra artists, including artists with disability. Table Tennis ACT will host a week of table tennis activities to celebrate and promote table tennis as a sport for all abilities.

Belco Arts will release Connect Collective, a platform where people with disability will share their exciting and diverse hobbies and passions through a series of podcast-style audio stories, transcripts, representative images and paste-up posters. Epilepsy ACT will facilitate a webinar, “Epilepsy in the Workplace: Supporting Successful Careers”. A live recording of the webinar will also be available to engage and educate more workplaces and individuals with epilepsy beyond I-Day, which is great news for those of us who cannot fit in all of the activities in one day—I am looking forward to trying, though.

Traditionally, the ACT Chief Minister’s Inclusion Awards are held close to 3 December, as part of Canberra’s I-Day celebrations. However, given the year that our community has had, the gala event will not be happening this year. However, the Inclusion Council have led us through a really interesting social media campaign leading up to today, highlighting how Canberrans have responded to and supported people with disability.

Government appreciates that some of these changes have created better opportunities for inclusion, and the voice of community is clearly telling us: let us not lose the flexibility gained; let us keep the innovation which has created better access and inclusion for so many.

Today will see the release of the first of six videos highlighting the positive and inclusive stories which have emerged in Canberra over the past two years. The videos will celebrate inclusion in our community and the efforts made through the health emergency to make reasonable adjustments and to support people with disability, rather than awarding individuals and organisations. I am looking forward to next year’s Chief Minister’s Inclusion Awards, as I hear it is one of the highlights of being Minister for Disability.

If you run a small business or a not-for-profit community group, you should know that the disability inclusion grants are still open and provide one-off grants to promote social inclusion for people with disability through the removal of barriers to participation. The grants fund an amount up to \$20,000 for activities and initiatives such as disability training, awareness raising and related materials, assistive technology and infrastructure modifications. These grants are a great way to make reasonable adjustments or to welcome new business or new members by enlarging your accessibility.

Every person has the opportunity to live a happy and fulfilling life, so let us all celebrate I-Day tomorrow and reaffirm this by celebrating the rights, talents and experience of Canberrans with disability, and the incredible contributions they make to the diversity and richness of our community.

The pandemic has thrown at us so many challenges, and many of us radically changed our ways of living. As we emerge into a post-COVID world, let us take what we have learned, add a bit of radical love, and ensure that we build back better and more inclusive than before. I commend everyone that is making progress towards a more inclusive world. Let us note: when diversity is welcomed and the voices of people with disability are at the table, as well as involved in our decision-making, kinder, fairer and more robust decisions are made.

On that note, I would particularly like to thank the members of the Disability Reference Group in the ACT, the disability community and disability sector providers who have provided such invaluable leadership in our community during the past two very difficult years. I would also like to thank the Office for Disability, within the Community Services Directorate, for their incredibly hard work and their ongoing commitment to supporting our disability community. Happy I-Day. I present the following paper:

International Day of People with Disability—Ministerial statement, Thursday,  
2 December 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) (10.42): As Minister Davidson has indicated, tomorrow, 3 December, is International Day of People with Disability, or I-Day. It aims to increase public awareness, understanding and acceptance of people with disability. It is an important day to recognise and to continue the work of making positive changes to improve the lives of Canberrans with disability. The theme for 2021 is “Leadership and participation of people with disability towards an inclusive, accessible and sustainable post-COVID-19 world”.

As I outlined in my previous statement, it was a focus during the COVID-19 response, and has been and continues to be a focus, to work with our Canberra community with disability in addressing and managing the challenges faced by people with disability in responding to the pandemic. Minister Davidson has also discussed the work currently underway in the ACT Health Directorate and Canberra Health Services to improve access and inclusion across the health system for people with disability. By ensuring that Canberrans with disability are taking the lead, we are creating a more inclusive, accessible and sustainable post-COVID-19 world with the community, and we look forward to continuing this work.

As we bring together the disability health strategy—as Minister Davidson has said, a commitment under the parliamentary and governing agreement, and an ACT Labor election commitment—in collaboration with the Office for Disability, co-designing this with the ACT disability community is crucial. Only together can we ensure that there are better health outcomes for people with disability, their families and carers. I was pleased recently to attend the first disability health services roundtable, on 16 November, and a listening report from the roundtable will be finalised soon.

The ACT Health Directorate is working closely with Canberra Health Services to ensure that the ACT disability health strategy and the CHS disability action and inclusion plan closely align. Canberra Health Services has already been working with the Australian Network on Disability to consult with CHS team members, the ACT community, including consumers and carers, and community groups and non-government organisations to collect data and advice to inform the draft disability action and inclusion plan.

A public consultation process recently invited people with disability to provide feedback through a survey, and I thank everyone who promoted engagement with this. The draft disability action and inclusion plan will shortly be shared with the community for further feedback and engagement, via the YourSay platform. The top five themes identified through consultation for inclusion in the CHS DAIP include CHS staff training and awareness of the needs of people with disability, including methods of communication and how to make reasonable adjustments. This, of course, aligns with the priority identified through the disability needs assessment that CHS conducted relating to staff, education and attitudes.

Other themes are the physical environment of the hospital, including access to buildings, accessible and suitable consultation spaces, parking and spaces in the hospital to meet sensory needs; effective services and resources, including specific programs for the coordination of complex care, and consultation with people with lived experience to inform programs and resources for staff; communication, including accessible alternative formats, how to respectfully communicate with people with disability and their significant others; and person-centred care, including how to make reasonable adjustments, the staffing levels required to provide exceptional care, involving carers, where appropriate, in decision-making and care, and working through the NDIS Canberra Health Services interface—an ongoing challenge, Madam Speaker.

I also briefly touch on one recent commitment that we have made to increase the opportunity for people with disability to access sexual health education and support. The 2021-22 budget included \$913,000 over four years for Sexual Health and Family Planning ACT to provide sex education directly to young people with disability. It is a service that is not covered under most NDIA agreements, which has caused many parents of teenagers with disability great distress that their young person has not been able to access appropriate sex education, because sometimes that communication requires very specialised skills.

With respect to providing assistance and support to teaching staff in their delivery of sexual health education to students with a disability, SHFPACT have significant expertise in providing sex education to people with disabilities, and their expertise augments the sexual health teaching delivered under the curriculum by the ACT Education Directorate. I refer also to providing sexual health information and assistance to parents, as the primary caregivers of young people with disability, and upskilling disability service providers to be able to adequately support the sexual health needs of people with disability for whom they care.

I join with Minister Davidson in wishing all a happy I-Day and thanking the Disability Reference Group and all of those with disability in our community who are engaging with us in co-design for their contribution to the ACT community.

Question resolved in the affirmative.

## **Public Health Amendment Bill 2021 (No 2)**

**Ms Stephen-Smith**, together with **Mr Barr**, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.48): I move:

That this bill be agreed to in principle.

I rise today to present the Public Health Amendment Bill 2021 (No 2). The bill has been developed in a period of ongoing uncertainty not experienced in a century. In my ministerial statement on the ACT government response to COVID-19 earlier today, I outlined the ongoing risks and challenges facing the ACT community. In the last week we have seen the emergence of a variant of concern that has led to renewed international border closures and quarantine arrangements, as health professionals the world over work quickly to understand the Omicron variant.

Of course, we would all prefer to not need the power to implement public health measures and for COVID to be over. But these recent events have reminded us that the global pandemic is not over, new risks may emerge, and rapid responses may still be required. The bill recognises that, for the foreseeable future, there will continue to be unknowns, and that government must have the tools to respond—to protect the community—without relying on public health emergency powers if they are no longer justified.

The bill sets out the government's proposed approach to managing the ongoing COVID-19 pandemic. Officials across the ACT Health Directorate and Justice and Community Safety have worked closely with the Human Rights Commission on the development of this bill, recognising that, as we move from an emergency footing into

a management approach, there needs to be continued engagement on the balance between measures to protect public health and an individual's human rights.

The bill proposes the establishment of new powers to implement public health and social measures, COVID-19 vaccination requirements for certain workers, and test, trace, isolate and quarantine arrangements to suppress or prevent the spread of COVID-19 within the community. The new powers are time limited and are intended to serve as a step down from powers available to the minister and the Chief Health Officer under a public health emergency declaration, and a step up, or at least across, from the Chief Health Officer's existing powers under the Public Health Act to manage notifiable diseases.

We have been operating in a once-in-a-century situation for more than 18 months. This bill outlines the government's proposed approach to managing the ongoing risks associated with COVID-19, while stepping down from the significant powers afforded to the Chief Health Officer when a public health emergency declaration is in place. Since 16 March 2020, the ACT has been under a declared public health emergency due to the risk that COVID-19 presents. Over this period the Chief Health Officer has made a number of public health directions that have sought to reduce the risk associated with COVID-19 and ultimately protect the lives of people living in the ACT.

Our community has experienced two lockdowns and a range of public health restrictions over the past 18 months and more. Thankfully, our high COVID-19 vaccination coverage has now placed us in a strong position to manage the disease. The Chief Health Officer's directions, guided by human rights provisions and principles, have helped to keep our community safe and allowed the ACT to progress through a phased reopening, consistent with the National Plan to transition Australia's National COVID-19 Response.

After surpassing 95 per cent vaccination coverage for Canberrans aged 12 years and over, the ACT is now moving towards phase D of the national plan. In this phase we will manage COVID-19 in a similar way to other infectious diseases, with the aim of minimising cases in the community without stringent restrictions or lockdowns. As a result, a more targeted and measured set of public health and social measures and test, trace, isolate and quarantine—TTIQ—measures will be necessary to sustain our public health response going forward.

As of 30 November 2021, the World Health Organisation has reported that there have been 261 million confirmed cases of COVID-19 worldwide and more than 5.2 million deaths as a result of COVID-19. As of 1 December 2021, the Australian government has reported over 211,000 confirmed cases of COVID-19 in Australia and over 2,000 deaths. Yesterday, the ACT reported a total of 2,010 confirmed cases of COVID-19 in the current outbreak, with 2,134 cases since March 2020 and, sadly, 14 deaths.

While these statistics and recent developments continue to be of concern, the government acknowledges that there may be less justification for a public health emergency declaration as we move into 2022, particularly in the context of the ACT's very high vaccination rates and the high rates in the surrounding region. This



legislation will enable the ACT government to continue managing the risk of COVID-19 without the need for an ongoing public health emergency declaration.

The bill provides for three types of public health directions to be made by the executive, the Minister for Health and the Chief Health Officer. Public health directions will continue to be made under the Public Health Act 1997. However, provisions in the bill will change the way this occurs, setting up a new regime under what will be known as a COVID-19 management declaration.

The new part 6C of the bill, to be inserted into the act, includes a set of public health measures related specifically to the management of COVID-19. This is not a general pandemic or infectious diseases bill. The objects clause of this part seeks to establish a regulatory framework for protecting the public from risks to public health presented by COVID-19, which may not present a public health emergency. The objects also seek to ensure that decisions made or actions taken under the new part recognise and respect the rights, inherent dignity and needs of people affected by the decisions or actions, and that they are consistent with human rights and subject only to reasonable limits that are demonstrably justified in accordance with section 28 of the Human Rights Act 2004.

To enliven powers to make public health directions under new part 6C of the act, if the executive has reasonable grounds for believing that COVID-19 presents a serious risk to public health, the executive may make a COVID-19 management declaration for up to six months. This declaration would allow for the government to respond to the ongoing risk of COVID-19 in our community through the implementation of targeted public health directions. Any making or extension of a COVID-19 management declaration will be a disallowable instrument to provide the highest level of scrutiny of the decision.

Section 118Q of the bill outlines the consultation and public notice requirements for a declaration to be made. Specifically, the executive must ask for advice from the Chief Health Officer about the proposed declaration or extension and take into account any advice given and, within seven days after notification of the COVID-19 management declaration, give public notice of any advice provided by the Chief Health Officer. These same requirements apply for a ministerial or executive direction made under a COVID-19 management declaration.

The executive would have the ability to extend the COVID-19 management declaration on one or more occasions for a period not longer than six months on each occasion. However, the bill contains a sunset clause of 18 months, meaning that these measures overall are time limited.

When a COVID-19 management declaration is in force, the Chief Health Officer would be required to advise the minister about the status of the risk presented by COVID-19 at least every 60 days. This advice will inform the need for the declaration to continue or to conclude, similar to the current reporting requirements for the Chief Health Officer under a public health emergency, and the revocation of the declaration will be a decision for the executive based on this advice.

If a COVID-19 management declaration is in force, the Chief Health Officer, minister or executive may make directions to reduce the public health risk of COVID-19, based on the Chief Health Officer's advice, for up to 90 days. The executive, minister or Chief Health Officer may extend the period for which a direction is in force on one or more occasions, for a period of no longer than 90 days on each occasion.

The bill proposes to realign direction-making powers outside a public health emergency declaration, providing some powers to the executive and the minister rather than the Chief Health Officer. This change recognises that the impact of public health and social measures or vaccination requirements can be broad and can significantly engage and limit human rights across society—although equally such measures may promote human rights.

Throughout the pandemic we have listened to the public health advice, and it is important to note that the Chief Health Officer's advice must be sought and considered in the making of any direction by the minister or executive. Under the bill, requirements relating to public health social measures and TTIQ would be implemented through ministerial and Chief Health Officer directions respectively as notifiable instruments.

It is the government's view that disallowance of a minister or Chief Health Officer direction could risk the effectiveness of public health measures while a COVID-19 management declaration is in place. However, the bill includes a range of safeguards to ensure that such directions are proportionate to address the risk of COVID-19 and that there is strong oversight and transparency.

Ministerial directions may be made by the Minister for Health in relation to one or more of the following matters: preventing or limiting entry to an area or into the ACT; regulating gatherings, whether public or private; requiring the use of personal protective equipment; regulating the carrying on of activities, businesses or undertakings; and requiring the provision of information, including information about the identity of a person, or the production or keeping of documents.

The extent of a direction made in relation to a business or gathering would not include prohibition, lockdown or curfew but may include targeted restrictions to capacity or density limits, particularly in higher risk settings, with the aim of reducing the risk of super-spreading events.

Chief Health Officer directions may be made in relation to one or more of the following matters: a requirement for the provision of information, including information about the identity of a person, or the production or keeping of documents; a requirement for the medical examination or testing of a person; and the segregation or isolation of people.

An example of a Chief Health Officer direction would be a direction for someone who is identified as a close contact of someone who has tested positive for COVID-19 to quarantine for a required period to reduce the risk of infecting others, but not for longer than 14 days, unless in exceptional circumstances.

In line with the way in which isolation and quarantine directions are currently drafted, the bill includes provisions stating that such a direction must allow a person to leave quarantine or isolation for emergency reasons, such as accessing emergency medical treatment or escaping domestic or family violence.

The executive may make a direction in relation to a requirement to be vaccinated against COVID-19 to do any of the following: engage in particular work; work at a particular workplace; engage in a particular activity; or access a particular place.

The intent of a vaccination direction would be to limit the spread of COVID-19 in high-risk settings, particularly to protect vulnerable people in settings such as hospitals, disability and aged-care settings. The implementation of a vaccination direction would be intended to be targeted only to certain higher risk work settings. Any such direction would be subject to disallowance by the Legislative Assembly, recognising the significant way in which such a direction engages human rights.

The bill requires that any direction include a statement about the nature of the risk presented by COVID-19 and the grounds on which the direction is necessary to prevent or alleviate the risk. The executive, minister or Chief Health Officer may only make a direction if they are satisfied that it is necessary to prevent or alleviate the risk presented by COVID-19, and they must present and publicly release the public health advice in a statement with evidence to support such measures. It will also be a requirement for the executive, minister or Chief Health Officer to consult with the Human Rights Commission before making any new direction, unless there is an urgent need to make a ministerial or Chief Health Officer direction, in which case the Human Rights Commission must be consulted about it as soon as practicable after the fact.

Any direction made by the Chief Health Officer in relation to a particular person must be made in writing and provided to that person. While any direction is in force, the Chief Health Officer must provide regular advice to the minister or executive about whether the Chief Health Officer believes that the direction is still justified, and any direction must be revoked if there is no longer a justification under the act.

The bill sets out robust internal and external review mechanisms and prescribes the ability to notify formal guidelines to ensure that individual circumstances and human rights considerations remain at the front and centre of our ongoing response to managing COVID-19 in the community.

Division 6C.6 of the bill details the process for an individual to seek an exemption in writing or an internal review of a decision made in assessing an exemption request. The relevant decision-maker will be required to notify the applicant seeking the exemption of the decision within 14 days after the application is made, or within seven days for a segregation or isolation direction. An internal review process has been included as a provision in the bill to provide a safeguard for affected persons to appeal an exemption decision. This codifies current practice, which enables a person whose exemption is not supported to apply for an internal review of the decision.

As an additional safeguard for decisions that have a significant impact on an individual's human rights and wellbeing, certain decisions may be further reviewed by an independent external reviewer. An externally reviewable decision can be escalated to a qualified and independent external adjudicator if an individual is not satisfied with the outcome of an internal review. Decisions eligible for external review include a request for an exemption from a segregation or isolation direction—that is, isolation or quarantine—or a request to enter the ACT for compassionate or medical reasons that has been denied.

This bill is a significant bill which promotes, engages and limits a range of human rights. The government has consulted with the Human Rights Commission in the drafting of this bill, and revisions have been made to ensure that robust safeguards of human rights and protections are embedded in the bill. I thank the Human Rights Commission, and in particular the President and Human Rights Commissioner, Dr Helen Watchirs, for their ongoing engagement through this process and throughout the pandemic to date.

Human rights protections in the bill include the requirement for all public health directions to be consistent with human rights protected through the ACT's Human Rights Act, and that any limitations on human rights must be reasonable and demonstrably justifiable in accordance with the act. The bill requires statements to be publicly released by the Minister for Health, the Chief Health Officer or the executive outlining how each direction is consistent with the Human Rights Act. Consultation must also occur with the Human Rights Commission prior to the making of any direction, or as soon as practicable if the direction is made urgently to respond to an immediate or imminent risk. I refer the Assembly to the bill's detailed explanatory statement, which discusses in significant detail how the bill engages and interacts with human rights and the proportionality of measures within the bill.

Under the bill, compensation would not be payable to a person in relation to any loss or damage suffered as a result of anything done in the exercise of a function under the proposed amendments while a public health direction under this part is in force. This section operates in the same way as the amended compensation clause for a COVID-19 emergency under part 7 of the Public Health Act. The government considers that this approach is justified on the basis that other mechanisms in the bill provide effective safeguards against disproportionate impacts on the community.

In addition, as was extensively canvassed when the previous amendment was debated in this place, the government has invested significantly in supporting individuals, businesses and other organisations whose incomes have been reduced as a result of the public health response to the pandemic.

The decision not to include a compensation provision in the bill does not impact the territory's ability to implement support arrangements for individuals and business that are significantly affected by public health directions. For example, access to the ACT government's COVID-19 hardship payment, which provides financial support for eligible workers who are unable to work due to a public health direction or directions from an authorised officer, will not be affected. The government has previously

indicated that the ACT COVID-19 hardship fund would be extended for a further 12 months, to 30 June 2022, in recognition of the ongoing public health emergency and the need for financial support as we continue to respond to COVID-19 in the new year.

In drafting this bill, the government has considered the approach taken by the New Zealand government in introducing special legislation to support the ongoing management of COVID-19 and looked closely at Victoria's Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021.

Key differences between this bill and the proposed Victorian bill relate to the scale and scope of orders. The Victorian bill replaces the emergency powers of the Chief Health Officer and enables a broader scope of powers, allowing the minister to make any order to respond to a pandemic, including a state-wide lockdown. This is in a context where the emergency declaration is expiring and cannot be extended. In contrast, this bill provides a "step down" from the measures available under a public health emergency declaration, enabling the ACT government to reduce the risk of COVID-19 in the medium term as we transition to living with COVID-19 and a more normal way of life.

In addition to a COVID-19 management declaration and any vaccination direction being disallowable, the bill includes a requirement that ministerial and Chief Health Officer directions are referred to the Assembly committee responsible for the consideration of legal issues to undertake a scrutiny role.

This bill reflects the central role of the Chief Health Officer in the provision of public health advice. Indeed, the Chief Health Officer retains the responsibility for making directions in relation to TTIQ and guiding the government's public health response, no doubt also continuing to consider advice from the Australian Health Protection Principal Committee and its advisory bodies.

It is important also to note that the bill does not alter the arrangements set out under section 119 of the Public Health Act 1997 in the event that circumstances call for the declaration of a public health emergency in response to COVID-19 or any other serious threat to the health and safety of Canberrans. While creating new offences relating to the new forms of public health direction, this bill retains a maximum penalty of up to 50 penalty units, consistent with the current maximum penalties for breaching public health emergency directions.

Our government's priority through the introduction of this legislation is to enable a proportionate public health response to COVID-19 which has the least restrictive impact on the lives of Canberrans and businesses necessary to adequately address the serious and ongoing public health risk of COVID-19.

The government acknowledges that this is a complex piece of legislation that is of significant interest and potential concern for the community. That is why I will be referring the bill to the health and community wellbeing committee for its consideration and report back to the Assembly. This will provide members and the community with the opportunity to review the bill as a whole and provide feedback to

the committee and the government on the range of proposed new measures for the management of COVID-19.

Overall, this bill is intended to enable government to effectively manage our response to COVID-19 outside a declared public health emergency as we continue on our pathway to living in a COVID-normal world. *(Extension of time granted.)*

In closing, I want to thank the officials who have worked extremely hard to enable this legislation to be introduced today. It has been a complex piece of work, and many people have been involved across the ACT Health Directorate and the Justice and Community Safety Directorate. However, I particularly want to acknowledge Victor Martin, who has led the work and demonstrated tremendous thoughtfulness, patience and flexibility as we have worked through many issues and considerations to get to this point. I look forward to engaging with members in this place, with the community and with the committee process and seeing this legislation debated in the new year. I commend the bill to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (11.09): I am pleased to co-sponsor the Public Health Amendment Bill 2021 (No 2). As we have heard from Minister Stephen-Smith, the bill sets a very high standard to ensure that the powers to deal with COVID-19 are proportionate and compatible with the territory's Human Rights Act 2004.

Under the bill, the executive may make a COVID-19 management direction where, after consultation with the Chief Health Officer, the executive is satisfied that COVID-19 presents a significant risk to public health. To ensure transparency and accountability, this bill makes it a requirement that any directions made under the temporary powers be published on the ACT legislation register as notifiable instruments.

There are also specific requirements under the bill for any directions to be consistent with human rights and subject only to reasonable limits that are justifiable under the Human Rights Act 2004. The bill requires that the Human Rights Commission is consulted in the making of directions, and the maker of the direction is required to prepare and publish a statement on how the direction is consistent with human rights. The bill also includes a mechanism to ensure that the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) assesses and reports to the Assembly on the human rights issues that arise under ministerial and Chief Health Officer directions.

In preparing this bill, the government was very cognisant of concerns being raised in other jurisdictions as they step down from emergency conditions. We are confident that those concerns are handled effectively in this ACT bill. I thank, in particular, the Human Rights Commission for its efforts in working with officials in the Health Directorate to understand and work through these very complex issues.

I would observe that, thanks to the government's safe and efficient vaccine rollout in the ACT and the willingness of Canberrans to get vaccinated, we will cross the

threshold where 98 per cent of the territory's eligible population will have received two doses of a COVID vaccine within the next 48 hours.

High vaccination rates are central to our health response. However, we know, and we are learning more, that vaccination alone is not enough to minimise the spread of COVID-19. It is therefore the government's job to ensure that appropriate legislative safeguards are in place to allow us to respond appropriately to any increased risks posed by COVID-19. As such, this bill proposes new temporary powers to continue certain arrangements to help manage the public health response to the pandemic. These powers represent a stepped-down and balanced approach to the management of the virus.

As members would be aware, the government has published all public health directions prior to their commencement, despite this not being a specific legislative requirement. But rightly so; these are documents of high community value, and we understand the importance of bringing the community with us in navigating the response to the pandemic. We would argue that that has been one of the hallmarks of the ACT response—as distinct, often, from how it has been handled elsewhere. The ACT government will continue to ensure that it is transparent, consultative and open to scrutiny as we move forward with this proposed stepped-down approach to the management of COVID-19-related measures.

I thank the Minister for Health for her dedication to the delivery of this legislation and for her advocacy throughout this process and her leadership in managing what has been an extraordinary period in our lives. The pandemic is not over. It is necessary and important for this place to consider this legislation over the summer period. The minister has outlined a very sensible and transparent approach to its consideration by this place. I commend the bill to the Assembly.

Debate (on motion by **Ms Lee**) adjourned to the next sitting.

## **Health and Community Wellbeing—Standing Committee Reference**

Motion (by **Ms Stephen-Smith**), by leave, agreed to:

That the Public Health Amendment Bill 2021 (No 2) be referred to the Standing Committee on Health and Community Wellbeing for inquiry and report by 28 February 2022.

## **Statement by chair**

**MR DAVIS** (Brindabella) (11.15): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health and Community Wellbeing for the Tenth Assembly relating to statutory appointments in accordance with continuing resolution 5A. This statement also covers its predecessor, the Standing Committee on Health, Ageing and Community Services, from July to October 2020, at the end of the Ninth Assembly.

Continuing resolution 5A requires standing committees which consider statutory appointments to report on a six-monthly basis and present a schedule listing appointments considered during the applicable period. The schedule is required to include the statutory appointments considered and, for each appointment, the date the request from the responsible minister for consultation was received and the date the committee's feedback was provided.

For 1 July 2020 to 31 December 2020, the committee and its predecessor in the Ninth Assembly did not consider any statutory appointments. I present the following papers:

Health, Ageing and Community Services—Standing Committee (9th Assembly) and Health and Community Wellbeing—Standing Committee (10th Assembly)—Schedule of Statutory Appointments—Period 1 July to 31 December 2020.

Health and Community Wellbeing—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 January to 30 June 2021.

## **Planning, Transport and City Services—Standing Committee Statement by chair**

**MS CLAY** (Ginninderra) (11.16): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to statutory appointments in accordance with continuing resolution 5A. I wish to inform the Assembly that during the period 1 January to 30 June 2021 the standing committee considered no statutory appointments.

## **Leave of absence**

Motion (by **Mr Gentleman**) agreed to:

That leave of absence be granted for all Members for the period 3 December 2021 to 7 February 2022.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Domestic and family violence—paid leave**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.18): Together with Mr Rattenbury, I move:

That this Assembly:

(1) recognises that:



- (a) there is zero tolerance for domestic and family violence and that everyone has the right to be safe in their homes, communities, workplaces and online;
  - (b) domestic and family violence is a national and workplace issue;
  - (c) more than one woman is being killed every week on average by a partner or former partner;
  - (d) women are nearly three times more likely to experience partner violence than men; and
  - (e) escaping violent relationships takes time and resources that are not equally available to everyone, especially if you cannot afford to take time off work;
- (2) notes:
- (a) the *We Won't Wait* campaign is an ongoing national campaign led by Australian unions to include a minimum 10 days paid domestic and family violence leave in the National Employment Standards;
  - (b) the ongoing work of unions to include family and domestic violence leave in both private and public sector enterprise agreements across the country;
  - (c) in 2013, the ACT Government introduced 20 days of paid leave for domestic and family violence purposes as a formal entitlement in ACT Government enterprise agreements; and
  - (d) the Fair Work Commission is currently undertaking a review of the family and domestic violence leave clause in modern awards;
- (3) calls on the Australian Government to:
- (a) include 10 days of paid domestic and family violence leave in the National Employment Standards;
  - (b) continue working with the community and all stakeholders to provide support for all Australian workers to live a life free from violence; and
  - (c) prioritise the actions that delegates of the National Summit on Women's Safety have outlined in their Summit Statement; and
- (4) invites leaders of ACT Labor, ACT Greens and the Canberra Liberals, responsible spokespersons and any other interested Member of the ACT Legislative Assembly to sign a letter to Senator the Hon Michaelia Cash, Australian Government Minister for Industrial Relations which attaches this motion.

Today I present the *We Won't Wait* executive motion on paid domestic and family violence leave. I would like to express my support, and ACT Labor's support, for the important work of Australian unions in leading the ongoing national *We Won't Wait* campaign to include a minimum of 10 days of paid domestic and family violence leave in the national employment standards.

It is an important matter that needs serious attention, particularly during this time. Last week, as we know, 25 November was the International Day for the Elimination of Violence Against Women. It marked the beginning of 16 days of activism to end gender-based violence. To mark my support, this year, during the 16 days of activism,

I wrote to Senator Michaelia Cash, Australian Minister for Industrial Relations, calling for 10 days of paid domestic and family violence leave to be included in the national employment standards. Twenty-nine local unions and local women's services and domestic violence support services sector representatives added their names in support of this letter.

Gendered violence remains a hidden pandemic. Support services are experiencing increasing numbers of individuals seeking support. Sadly, even during these 16 days, two women's lives have been stolen as a result of domestic and family violence. We must pay more serious attention to this important issue.

In response to Sex Discrimination Commissioner Kate Jenkins' review into commonwealth parliamentary workplaces, Prime Minister Scott Morrison said, "I wish I found it more surprising." I am surprised. It is shocking that the review found that 51 per cent of workers experienced at least one incident of bullying, sexual harassment or attempted sexual harassment. Contrary to the Prime Minister's view, everyone should be surprised. They should be outraged about the continued perpetration of violence and sexual harassment in our workplaces.

In Australia more than one woman is killed every week by a partner or former partner. As I said, two women's lives were stolen just in these 16 days. Women are nearly three times more likely to experience intimate partner violence than men.

The process of escaping a violent relationship is a time of highly increased risk for victim-survivors. It takes time and resources that are not equally available to everyone. This is especially the case if you are not supported by your workplace and cannot afford to take time off work.

Domestic and family violence is a workplace issue that needs to be publicly acknowledged and addressed rather than continuing to be hidden. People experiencing domestic and family violence must have access to support to escape to safety. Paid family and domestic violence leave for all workers should provide essential access to support for victim-survivors of violence.

In 2013 the ACT government recognised this. We introduced 20 days of paid leave for domestic and family violence purposes as a formal entitlement in ACT government enterprise agreements. The Australian Labor Party and the Australian Greens political party have both committed to introducing 10 days of paid domestic and family violence leave into the national employment standards.

I have continually called on the commonwealth to introduce 10 days of paid domestic and family violence leave in the national employment standards. I have invited the Canberra Liberals to take the chance to put politics aside to make this joint call with tripartisan support. This would be a really strong statement from all members of the ACT Assembly to victim-survivors, domestic violence crisis services, workers and unions. However, this invitation has not been accepted.

Just last week our Assembly engaged in a discussion led by the Canberra Liberals about ensuring that women have access to fair and secure rights and entitlements.

Today we are discussing again the rights of women workers to ensure that their safety is prioritised by their workplace. I encourage all members of the Assembly to sign the letter to Senator Michaelia Cash, the Australian government Minister for Industrial Relations, to make that call to immediately install 10 days of paid domestic and family violence leave. We also call on the Australian government to prioritise all of the actions recommended by delegates of the National Summit on Women's Safety in their summit statement.

The introduction of paid domestic and family violence leave at the national level will help to ensure that no matter where they are in Australia, victim-survivors have the resources and the time to speak out, seek support and build a happier and healthier life in safety. Workers will be safer both at and outside work if they have access to support to seek safety without risking losing their income. This will also advance the push to ensure that Australian workplaces are built on inclusivity, safety and respect, as they already should be. They should be places where people experiencing domestic and family violence, and sexual violence, can seek and expect to receive support.

This is a really important motion. It is a matter that needs to be taken seriously. I commend the motion to the Assembly.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (11.24): I am very pleased to rise today, as a co-sponsor of this motion, and join Minister Berry in supporting the need to provide paid domestic and family violence leave which, in the Greens' view, represents a basic moral responsibility of employers and government to offer. I will keep my remarks short, as I know that a number of my colleagues also want to speak to this motion. Domestic and family violence is a blight on our society. It is incumbent on all of us, especially we legislators, to do everything we can to effectively prevent family violence and support victim-survivors.

It is unequivocally clear that partner violence is a gendered issue, with women substantially more likely to experience it. That said, there is no one universal experience of family violence. It is clear that this is an issue that is significantly impacting our Aboriginal and Torres Strait Islander communities and requires a response acknowledging and collaborating in that light.

As my colleague Mr Davis will elaborate, it is also an issue of great concern in the LGBTIQ community. We must also recognise that our culturally and linguistically diverse communities experience domestic and family violence and require an approach that recognises and supports their diverse needs.

When it comes to the issue of paid leave, this is one very practical step that we can take to assist those impacted by family violence. Family violence often includes the manipulation and control of finances and making the victim feel like they are trapped in their home. As the Australian Association of Social Workers submitted to the Senate Standing Committee on Education and Employment, financial abuse is a significant feature of domestic violence. This often means that parties are in extremely unequal financial circumstances, which increases the vulnerability of family violence

victims. It is our belief that family violence leave needs to provide an appropriate level of financial support.

Providing paid leave for people experiencing family violence is a particularly practical measure. For anyone working, asking them to use their annual or personal leave for the time taken to recover or reorganise their life really does seem just to be adding to their burdens. You clearly cannot work while you build a new life for yourself; and it is far from certain that you can forgo your salary.

For someone experiencing family violence, the financial security of still being paid while undergoing this huge disruption in their life can make a really meaningful difference. It can help answer so many of those difficult questions, such as where to live, how to function and how to care for any children still needing support. Knowing the huge benefit that this can bring, it is wholly unacceptable that it would not be offered. The current status, where the Fair Work Act guarantees only five days of unpaid leave, is better than nothing but clearly fails to provide the immediate security of 10 days of paid leave.

This motion is not about a justice system response. However, before I conclude, it would be remiss of me not to mention the work that I am continuously mindful of, and engaged in, as the Attorney-General. This year we have introduced legislation to require that family violence be considered a factor when sentencing. Early next year I will be bringing forward legislation to address other legal issues to improve the experience of victim-survivors through court.

I would also like to express my sincere gratitude to the ACT's legal assistance sector. Community legal centres such as the Women's Legal Centre provide the wraparound supports that can help transform a woman's life. Legal Aid ACT continues to provide duty and longer term services to assist a great many parties in family violence matters. I would particularly like to commend Legal Aid's recent focus and work on how to provide the most appropriate support to LGBTIQ clients.

Providing paid leave is, first and foremost, an issue of health and wellbeing. Every person deserves a system that offers them support when they need it. If that is not enough, the economic evidence is also very clear. Domestic violence is highly costly for the economy. The costs of providing this leave are minimal in comparison. Really, a person experiencing family violence is not going to be doing their best work because they are so bound by the yoke of financial necessity that they are unable to take the brave steps to a better life.

This is a practical, a moral and a sensible policy. We cannot wait. We will not. And we should not. This is a policy that is necessary for the wellbeing, inclusion, safety and lives of many Australians, especially women. I commend the motion to the Assembly and I look forward to as rapid as possible progress on this policy reform. For the reasons that I have outlined, it can make a very real difference for so many Australians.

**MS LEE** (Kurrajong—Leader of the Opposition) (11.29): Domestic and family violence is a scourge on our society. Whilst of course no form of violence is

acceptable, the devastation of violence caused within the bounds of a trusting relationship is particularly heinous and causes enormous harm, not only to the victims of the violence but also to the families and friends.

Earlier this year I released an exposure draft for the Crimes (Family Violence) Legislation Amendment Bill. My bill sought to amend the Crimes Act to insert aggravating offences for offences involving domestic and family violence. It also sought to amend the Crimes (Sentencing) Act to ensure that the courts consider the factor of family violence during sentencing.

I released my bill because I believe, and I believed at the time, that our existing laws did not adequately recognise the evil and the cowardice that are family violence. Under existing laws at the time, a crime committed in a family violence context carried no additional sentencing or penalties. As such, there was a disconnect between what results from the court system and what our community expects in relation to how family violence offences are treated in the eyes of the law.

Whilst no form of violence should be tolerated in law, my bill highlighted the particularly abhorrent nature of domestic and family violence and sought to have that reflected in our laws. In doing so, my bill sought to bestow additional powers on the courts to protect the safety and wellbeing of those subjected to domestic and family violence. This, of course, prompted the Attorney-General to bring in laws to do that, which he just spoke about in his speech so very proudly.

Everyone has the right to be safe in their relationships, in their homes, in their communities, in their workplaces and online. This is why the Australian coalition government, the Liberal-National coalition government, announced on 19 October this year that those leaving a violent relationship will have access to a \$5,000 escaping violence payment to help them establish a life free of violence. This important initiative will provide financial assistance to some of our most vulnerable of up to \$1,500 in cash, with the remainder available for goods and services or direct payments of bonds, school fees or other support to establish a safe home.

The escaping violence payment is not considered taxable or reportable income, which means that the payment will provide more valuable financial assistance and greater financial assistance than what they would receive under the proposal of 10 days of paid leave. The escaping violence payment will ensure that Australians leaving a violent relationship are supported financially, in addition to the five days of family and domestic violence leave that the Australian Liberal-National coalition government passed in 2018.

This legislation to amend the Fair Work Act national employment standards followed the independent Fair Work Commission's decision to grant five days of unpaid family and domestic violence leave to employees covered by modern awards. The Fair Work Commission is currently reviewing the family and domestic violence leave clause in modern awards. This review should run its course and I look forward to the findings of this review. In contrast to the ACT's paid leave proposal, the escaping violence initiative will mean that it is the Australian government, not businesses who have been hit the hardest during the pandemic, that will foot the financial burden.

We must all work together as a legislature and as a society to make sure that domestic and family violence is stamped out. I have no doubt that we all have a commitment to a future free from violence for everyone. The Canberra Liberals have always demonstrated time and again our willingness to work with Labor and the Greens on issues of such importance that cross political lines like this.

Ms Berry and I have discussed this motion throughout the course of this week in an extremely cordial, very open and very frank way, which is why it was so disappointing to see Ms Berry's comments having a dig at the Canberra Liberals in the *Canberra Times* this morning and once again in her speech on this motion. In fact, they are actually my words that are still included in this motion at (1)(a):

there is zero tolerance for domestic and family violence and that everyone has the right to be safe in their homes, communities, workplaces and online;

In fact, they are my words that are included in this motion at (2)(d):

the Fair Work Commission is currently undertaking a review of the family and domestic violence leave clause in modern awards;

They are my words in this motion at (3)(b), calling on the ACT government:

to continue working with the community and all stakeholders to provide support for all Australian workers to live a life free from violence;

The Canberra Liberals acknowledge the current review that is being undertaken by the Fair Work Commission and that it should be able to complete that review. It is an extremely important review and it should run its course, allowing our community the opportunity to have it thoroughly, thoroughly considered. Despite this, in good faith and working with Ms Berry on this motion, I even suggested paragraph (3)(a) literally include:

include 10 days of paid domestic and family violence leave in the National Employment Standards;

This is an extraordinary measure of good faith on the part of the Canberra Liberals to make sure that this very important topic of this motion could have tripartisan support but accurately capture and provide a sensible way forward, given the current review being conducted by the Fair Work Commission. This was rejected by Ms Berry, as was my suggestion to include the purely factual paragraph that the Australian coalition announced a \$5,000 escaping violence payment.

It is extremely disappointing that, despite our very cordial, very open and very frank discussions, Ms Berry has chosen to slight the Canberra Liberals so publicly in seeking to play politics with a topic that touches so many Canberrans. This un-ministerial conduct is just a new low. The Canberra Liberals are committed to ensuring that victims of domestic and family violence get appropriate support to start a life free from violence, and we will not be playing politics with people's lives.

**MR DAVIS** (Brindabella) (11.37): Escaping a violent relationship takes time and it takes money. Everyone should be able to live their lives free from violence and the fear of violence. National data shows that women who report domestic violence are three times more likely to receive less than 40 per cent of the property value in settlements and that the average cost of family law proceedings is over \$6,000, or one month's wages for the average Australian woman.

Our workplaces play a fundamental role in our lives and should be set up in a way that means that everybody is provided with the protections necessary to allow for safety and security in the other parts of our lives. Domestic and family violence leave provides workers with the security of employment while navigating dangerous and extremely emotionally and financially difficult situations.

The We Won't Wait campaign run by the Australian Council of Trade Unions is advocating for a commitment from the federal government to instate 10 days of domestic and family violence leave to the national employment standards. The national employment standards set out the basic conditions that every worker in Australia must be employed under. They create a safety net for all workers.

The ACT Greens stand with the ACTU in their call for domestic and family violence leave to be included in the standards. To quote ACTU President Michelle O'Neil:

Family and domestic violence is a national crisis. We know the tragic numbers: on average, a woman is killed each week by a partner, ex-partner or family member in Australia. Hundreds of thousands report facing violence at home—figures that have surged during the pandemic, as many women—and it nearly always is women—were trapped further into abusive relationships. Workplaces have a key role to play in supporting a woman facing family and domestic violence. Paid leave can help a woman leave. It gives her the time and financial security to take steps to secure her safety.

As the ACT Greens spokesperson for domestic and family violence, I am proud to support this jointly sponsored motion by Minister Berry. Through this motion, we are joining with our colleagues in government to call on the federal government to give every worker the protection of knowing that their job is secure, even if the rest of their life is extremely difficult.

Here in the ACT our progressive government has already brought in 20 days of paid domestic and family violence leave to all our employees. This was a recognition of the significant burden of violence on the lives of workers and the role of the workplace in supporting workers inside and outside the workplace. We have done our bit; now it is time for the federal government to do theirs.

We know that domestic violence is a highly gendered issue, with women being three times more likely to experience violence. As I have spoken about in this chamber before, we know that other marginalised people and other gender minorities are at an even greater risk of experiencing violence within their homes and their relationships. Those living with financial stress are more likely to experience violence and are less likely to be able to leave these situations.

According to the Australian Institute of Health and Welfare:

... mothers who experience multiple financial hardships are significantly more likely to have experienced violence than those with little to no experience of hardship. These mothers reported to AIHW that they had difficulty paying bills on time, were going without meals, or had needed to pawn or sell goods in the past year. One in 5 mothers who experienced hardship also reported violence, compared with just over 1 in 9 mothers who experienced little or no hardship. In 2010, nearly 1 in 10 mothers surveyed said they had been homeless at some point in the previous 5 years. Domestic violence was the most common cause of homelessness in this group.

Research led by the Women's Centre for Health Matters in 2019, undertaken by my colleague Minister Emma Davidson who was at that time the Deputy CEO of the centre, found that many women in this city, even those in technically middle-income households, are dependent on a partner's income to be in that bracket. Should the relationship end, those women would fall into the bottom 20 per cent of household incomes in the ACT.

What both these important pieces of research demonstrate is the compounding impact of financial hardship and gender in experiences of violence. Putting domestic and family violence leave in the national employment standards is a feminist action that reflects the whole-of-society impact that domestic violence has and ensures that everyone who experiences violence has some basic security around their employment.

During the pandemic there was an upsurge in instances of violence and people seeking support from domestic and family violence services. Across Australia these services saw a significant increase in people accessing their services for the first time.

Research undertaken by the Queensland University of Technology found that 87 per cent of domestic violence services reported that their clients were experiencing increased isolation and 64 per cent reported clients had an inability to seek outside help. Sixty-two per cent of agencies surveyed said that clients reported being forced to cohabitate during lockdown.

Coercion and control were rife throughout lockdown and we know that perpetrators used threats about health and family wellbeing to force people back into their violent homes. As we socially recover from COVID, we must deeply consider how we, as governments, can build systems and support structures to care for those who have experienced violence.

According to the Australian Services Union, it is estimated that moving to find a new, safe place for you and your family can cost up to \$20,000 and takes more than 140 hours. It takes finding somewhere safe to live for you and any children you may have. It takes contacting banks, postal services, removalists, courts, lawyers, friends and family. It takes telling your story again and again.

Many women talk about managing the additional full-time job of appointments for child protection support programs, counselling, legal appointments, court-ordered



mediation and sometimes years of court dates. Ten days of leave goes only part of the way to managing this significant burden, a structural issue which means that many women are forced to remain within violent relationships.

The discourse that dominates talks about women leaving these relationships focuses on personal, moral attributes such as courage and bravery, but frankly these experiences and emotions are fickle in all of us. What is far, far more likely to correlate with permanently leaving a violent partner is financial and logistical support.

Adding domestic and family violence leave to the national employment standards is a structural change which means that all Australian workplaces can support women to leave in a very practical way. This campaign is a beautiful demonstration of union power and the feminist base of solidarity within the union movement. May I encourage all workers to join their union and to support progressive action to care for workers.

Women have said that what they need is to be heard and understood and supported as they recreate safety in their lives and the lives of their children. Paid leave is something all employers can, and should, do to support people experiencing violence.

This jointly sponsored motion is asking all 25 members of this Assembly to write to the federal Minister for Industrial Relations, the Hon. Michaelia Cash, to seek her support for this important campaign. I will be doing so in support of Minister Berry and Minister Rattenbury's letter, and I strongly encourage everyone here to do so as well.

**DR PATERSON** (Murrumbidgee) (11.45): I am pleased to support the We Won't Wait executive motion on paid domestic and family violence leave. I would like to begin by acknowledging the work of the Australian of the Year in 2015, Rosie Batty, who led such a huge shift in Australia, lifting the profile of the issue of family and domestic violence. While so much has been achieved, we still have such a way to go. I would like to quote Rosie Batty who said, "We have to continue to remind ourselves that violence is a choice." Violence is a choice—a choice by the perpetrator. The victim-survivors, they have no choice. This is why we must support victim-survivors. I am proud to be part of a government that takes meaningful action on domestic and family violence.

As the motion notes, the ACT government is already providing a significant paid leave entitlement for people experiencing domestic and family violence. This should not be available only to people who work for the ACT government. A minimum of 10 days—or more—should be available to people across Australia.

Bringing domestic and family violence into the workplace policy context helps us see that this is a cross-sectoral and whole-of-community issue that we all have responsibility for. Australian unions recognise this. That is why the We Won't Wait campaign exists.

We also know that domestic and family violence costs our workplaces and our economy a huge amount each year, and it is something that we need to continue to address.

I believe this motion is an important one for us to adopt, particularly during the 16 days of activism to end gender-based violence. The 16 days are an important reminder of the pervasiveness of gender-based violence which is largely caused by gender inequality. It is important that we continue to challenge ideas that normalise violence against women.

The ACT may be a small jurisdiction but we continue to show leadership at the national level. Domestic and family violence is one area where this leadership is especially important, as this is a national issue and one that we are all responsible for helping to address. I support this motion and commend it to the Assembly.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (11.48): Everyone should be able to live their lives free from violence and fear of violence. Sadly, that is not currently the case. In the 2020-21 year DVCS supported 4,894 clients. The majority of those experiencing violence were women.

The 2014 DVCS report *Staying Home After Domestic Violence* confirmed that the overwhelming majority of ACT women in contact with DVCS stay home after an incident of violence and do not enter into a specialist homelessness service. This means that they are often paying high rent or mortgage costs on a single income, experiencing long delays in property settlements and are not eligible for social housing if they have joint home ownership with their ex-partner and may be repaying their ex-partner's debts, as well as legal and physical and mental health costs, often while also not receiving child support payments from their ex-partner.

National data shows that women who report domestic violence are three times more likely to receive less than 40 per cent of the property value in settlements. As mentioned by Mr Davis, the average cost of family law proceedings is \$6,500. These economic pressures are why 54.6 per cent of homeowners and 62.5 per cent of families in rental properties lost their homes within 12 months of separation.

For individuals who are dealing with domestic violence, keeping their paid employment is essential for covering the cost. Many women participating in research with the Women's Centre for Health Matters in 2016 talked about managing the additional full-time job of appointments for child protection support programs, counselling, legal appointments, court-ordered mediation and sometimes years of Family Court dates.

In the words of domestic violence crisis workers, the experience of poverty, particularly where there are children, can be enough to make women return to violent situations. PricewaterhouseCoopers calculated in 2015 that the cost of domestic violence in the ACT is \$355.2 million per year. This includes costs in the health system, productivity, social welfare and the personal cost to victim-survivors. In the ACT, \$206 million per year of this total cost is borne by victim-survivors and \$127.8 million by the ACT government.

Offering paid leave can support survivors in practical ways to keep their job, while dealing with the time it takes to deal with legal and child protection systems, reorganise finances and make sure they have a safe place to live. In the words of Rachel, a survivor of domestic and family violence, “Really hearing, as opposed to simply listening, means there is a direct show of action after having heard the story that demonstrates they have been heard.” Women have said that what they need is to be heard and understood and supported as they recreate safety in their lives and the lives of their children. This is one of a number of direct actions we can take in response to what we have heard from people experiencing domestic violence, of which the majority are women.

As Mr Davis said, paid leave is something that all employers can, and should, do to support people experiencing violence and to acknowledge that this is an issue for all our community to respond to.

**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) (11.51): I would really like to add my support for this motion. I am proud to be a part of a Labor government that, in 2013, introduced 20 days of paid leave for domestic and family violence. I know that many other state and territory governments have introduced similar measures, as have many employers in the private sector.

Domestic violence affects everyone from all walks of life. It is not a problem that is isolated to women, nor is it a problem that women must fix. Instead, we need real action and accountability at all levels of government and in all workplaces. We need the problem to be recognised by the federal government and included in the national employment standards.

The national employment standards make up the minimum employment entitlements for all workers in Australia. They include things like the minimum wage, flexible work requests and other leave entitlements. To not have paid domestic and family violence leave as a minimum entitlement is a disgrace and it seems like, as is the case with so many other things, that is simply too hard for Mr Morrison and his government. If it is not about protecting their own interests, then they simply do not care.

The motion notes—and this is a very important point to recognise—that dealing with, and leaving, violent relationships takes time. It also takes support and resources which are not available to everyone. We need to make sure that everyone—whoever and wherever they are in this country—is supported to leave a violent relationship. That is why we have these entitlements in the ACT government, and I urge the federal government to also recognise this as a problem and take every appropriate action.

I would be happy to add my support, as the Minister for Industrial Relations and Workplace Safety, to the letter, to my federal counterpart. I commend the motion to the Assembly.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.53), in reply: I thank my colleagues for talking to this important motion today. I just want to respond to a couple of comments that the Leader of the Opposition made, particularly her reference to the so-called grants that have been provided by the federal government for victim-survivors of domestic and family violence to access.

This voucher system, if I could describe it as such, is a poor substitute for paid leave. It further punishes victim-survivors in requiring them to fill out a lengthy and complicated application process, where they have to re-tell their story to enable them to access these vouchers. It disadvantages vulnerable people in our community that are already experiencing the trauma of trying to escape a violent or controlling relationship by having this process in place that requires them to tell their story again through this complex and complicated application process. It means that women from multicultural communities, women from Aboriginal and Torres Strait Islander communities, have unequal access to something that is re-traumatising for them—being required to tell their stories again.

It is not supported by the women's services sector, and I think it is a very poor, very poor substitute for having domestic and family violence leave as part of the national Fair Work Commission's requirements for every single worker across this country to be able to access leave when they are experiencing, or escaping, domestic and family violence. That is complicated, too, when you need to go and get health services, when you need to find housing support, when you need to find support for your children, when you need to take time off to move out of your home, when you need to get legal supports as well. That is what this domestic and family violence leave process will do and has done in the ACT for eight years now for people who are experiencing it and escaping. It has proven that it is worthy.

I understand Ms Lee's support for it, and I do not think that I am wrong in saying that the Canberra Liberals do not support and do not want to try and support victim-survivors. But considering having domestic and family violence leave as part of a national provision for workers across this country is just not good enough; it is not going to cut it. That is why the campaign by unions, supported by the women's services sector, the ACT Labor Party and now the Greens, is titled "We Won't Wait".

Our victim-survivors have been waiting for too long, for decades, and we really need to start action and we need to start action now. That is why this motion calls on members of this place to support the cause for 10 days of paid leave to be implemented for victim-survivors of domestic and family violence in every state and territory across this country.

I think it needs to be clear what these 10 days, which I have described in my earlier statement, is about. It is about recognising that this is a gender issue; it is about understanding that increased activism and awareness around the gender nature of violence needs to happen; that women are three times more likely to experience

violence than men; that two women have died in the last seven days, have had their lives stolen as a result of domestic and family violence.

This government will not wait. We do support the calls of the union movement in this country and of women's support services. We will write to the industrial relations minister, Michaelia Cash, and we will ask her to implement, as a matter of urgency, 10 days of domestic and family violence leave as a workplace requirement for every worker in this country.

I just want to reflect on a couple of other things that Ms Lee said about businesses not being able to afford to pay or should not have to bear the brunt of the burden of people who are experiencing domestic and family violence and trying to escape. This is up to all of us. Every single one of us in our community has a responsibility to end domestic and family violence, every single one of us, because we know it happens everywhere. It happens in our workplaces, it happens in businesses, it happens in the suburbs, it happens on our sports fields, in our sports clubs.

All of us here know that we spend time knocking on the doors of and talking to thousands and thousands of people in our community. It is three times more likely to be women. We have spoken to those women. There are women in this place who have experienced domestic and family violence. We need to do more. We will not wait. We cannot wait. I commend this motion to the Assembly.

Question resolved in the affirmative.

**Sitting suspended from 11.59 am to 2.00 pm.**

## **Questions without notice**

### **Chief Psychiatrist—reports and recommendations**

**MS LEE:** My question is to the Minister for Health. Minister, the Chief Psychiatrist has the power under subsection 197(b) of the Mental Health Act to make reports and recommendations. Given that, according to your answer to question on notice 456, the Chief Psychiatrist has not made any reports to government regarding people's treatment, care, support, accommodation, maintenance and protection, or recommendations on how to improve these matters since January 2020, is it your government's position that there are no problems in our acute mental health system in the ACT that could be improved upon?

**MS STEPHEN-SMITH:** I apologise to the Leader of the Opposition. I do not recall signing this question on notice. It does sound like a question for the Minister for Mental Health. I will take the question on notice.

**MS LEE:** Minister, what support has your government provided to the Chief Psychiatrist to do their job during this time?

**MS STEPHEN-SMITH:** I will take the question on notice.

**MR CAIN:** Minister, what do you see as the precise role of the Chief Psychiatrist in the ACT, and is it independent of the executive?

**MS STEPHEN-SMITH:** My understanding is that the Chief Psychiatrist reports to the Minister for Mental Health, so I will take that question on notice and consult with my colleague.

### **ACT Policing—resources**

**MR HANSON:** My question is to the minister for police. Minister, I refer to statements from the Australian Federal Police Association in relation to the new police online reporting system. I quote from the AFPA: “I believe that the ACT community may be concerned about this change in policy and question the decision. ACT Policing has been robbing Peter to pay Paul for far too long in relation to officer numbers. Of concern to the AFPA is that ultimately this is a resources issue.” Minister, how do you reassure the Canberra community who are concerned, as the AFPA have identified?

**Mr Parton:** Just answer the question online! That will be sufficient.

**MADAM SPEAKER:** Mr Hanson—Mr Parton. It is habit forming. I will admit that. I think all of you would agree with me.

**MR GENTLEMAN:** I look forward to Mr Parton being online into the future as well!

The ACT government does continue to resource police and increase those resources each and every year. I am very pleased with the work ACT Policing have been able to do with that resourcing. It is reflected in the drop in crime statistics that they recently published on their website. For members’ interest, you can go to ACT Policing and look at the website, see the interactive map and have a look at the difference between crime trends year after year.

We do, of course, intend to keep resourcing ACT police and increase those resources where needed. I am very pleased that police have been able to do the work they have been able to do. They will continue to do the best for the ACT community.

On resourcing, we have been providing \$11.4 million to improve accommodation for police and emergency services in Gungahlin, \$4.2 million to meet the growing and increasingly complex workload associated with forensic medical services, \$6.6 million to replace the ACT—

**Mr Hanson:** Madam Speaker, on a point of relevance—

**MADAM SPEAKER:** Minister, resume your seat.

**Mr Hanson:** Although the question’s preamble talks about resourcing, the specific question was about the quote from the AFPA that the Canberra community may be

concerned and question the decision. The question was about how the minister will reassure the community, who are concerned, as the AFPA identified. It was a question about the actual decision to go down this route, not necessarily about the specific resourcing.

**MADAM SPEAKER:** Time has expired.

**MR HANSON:** Minister, why have you been robbing Peter to pay Paul in relation to police numbers, as the AFPA assert?

**MR GENTLEMAN:** I just explained very clearly that that is not the case. In fact, we have been increasing resourcing for ACT Policing. They are using that resourcing to increase their numbers where they can due to the opportunities for recruiting across the ACT.

This is an operational matter. The CPO has been very clear on that. He has the clear guidance to be able to use operational resources in the best way that he sees fit for the Canberra community. I support him in those decisions. He has the capability and the expertise to be able to decide where those resources should go. It will not slow the work that they are doing on behalf of the Canberra community. It does show modernisation in how people can report to police, particularly on these trends. Police will still interact the way they have before, attending to the most important jobs where they occur.

**MR PARTON:** Minister, why do you continue to claim that this is not a resourcing issue when the Chief Police Officer and the AFPA both state categorically that it is a resourcing issue?

**MR GENTLEMAN:** I disagree with Mr Parton's statement, Madam Speaker. I do not think they have categorically said that this is a resourcing issue. We have increased resourcing every year. I started to read out those figures earlier. On top of those figures that I read, there is \$9.2 million to upgrade ACT Policing facilities; \$8.8 million for new initiatives, including funding for enhanced protective security measures; \$6.4 million for the expansion of the Taskforce Nemesis organised crime syndicate work; and \$2.6 million to equip.

You can see, Madam Speaker, that what I am talking about is the extra resourcing that we have put into ACT Policing. And of course, that is the money that the Canberra Liberals just voted against the other day.

### **Tuggeranong—SouthFest**

**MR DAVIS:** My question is to the Minister for Business and Better Regulation. In spite of the really difficult year that we have had, I met with the committee organising SouthFest for 2022 last week and was excited to hear that SouthFest reimagined will be taking place in February of 2022—a great opportunity to highlight how good it is to live in Tuggeranong. Can you outline what the government is doing to support SouthFest reimagined in February?

**MS CHEYNE:** I thank Mr Davis for the question, and I am pleased to talk about what the government is doing to support SouthFest. Members may recall that SouthFest, the inaugural event, was held in November 2018 to great success with more than 15,000 people in attendance. After that overwhelming response it returned again in November 2019 with over 200 stallholders and more than 20 sponsors, which I think is a real credit to the organisers.

SouthFest then applied for and was successful in receiving a grant through the ACT Event Fund for 2020 to the tune of \$15,000. It was not able to hold the event in November 2020 nor in November 2021, but it is now reimagining the event to be held as SouthFest in the Suburbs in February 2022. We have been able to rollover that \$15,000 of funding.

I am also pleased to share with the Assembly that SouthFest has been successful again in their approach to the ACT government through the ACT Event Fund and has received another \$15,000 to host SouthFest in November 2022 in a more traditional format. So the Tuggeranong community will be benefitting from not one but two SouthFests next year.

**MR DAVIS:** Minister, what additional government supports have you identified might need to be required to manage in ongoing pandemic situation as it relates to SouthFest?

**MS CHEYNE:** We always take the health advice, and I appreciate that the organisers have put together a reimagined festival as a result of where we currently are with the pandemic. The ACT government stands ready to work with the organisers of SouthFest, particularly around public land use and any events approvals that are required.

As members are well aware, we have also established an Outdoor Activation Taskforce, and I understand that SouthFest has a callout at the moment for different stalls and events that people might want to host throughout the suburbs. We would be prepared to work with anyone who is identified through that process to ensure that SouthFest in the Suburbs is a success.

**MS CLAY:** Minister, can you tell me what planning and support you have underway to support similar events in Belconnen and Gungahlin?

**MS CHEYNE:** There are plenty of events going on, and we look forward to the return of the Gungahlin festival. There are pop-up events and particularly in the suburbs we have been really impressed to see just how many suburban shops have been engaging with the Outdoor Activation Taskforce. One particular example has been in Scullin in the electorate of both Ms Clay and me. We have been working with the Scullin Community Group on how we can activate more of the outdoor space, particularly around the shops.

We encourage anyone who is interested to get in touch. We have an events team and, of course, the Outdoor Activation Taskforce, but if anyone is having any difficulty



navigating that they should get in touch with my office and we will support any and all event proposal that have merit in the coming years.

**ACT public service—work arrangements**

**MR MILLIGAN:** My question is to the Chief Minister. Canberra's small business sector is trying to resurrect after being smashed during lockdown. Working from home is not an option for most of them, who are desperate for customers walking through the door. With students now back at school, our hardworking small business owners need our 24,500 ACT public servants back in the offices to stimulate trade and are concerned about some reports that the directorates might not come back until next February. Chief Minister, when will Canberra's public servants return to the office?

**MR BARR:** They will not; they will adopt a hybrid working model from hereon in. If Mr Milligan followed the budget statements he would be aware that the government is investing in a number of ACT government workplaces, new hubs, in town centres. We are decentralising our employment, so it will no longer be the case that directorate X will be in location Y. People will be able to work across a number of different ACT government office buildings and they will undertake hybrid working arrangements that meet their needs and the needs of the business unit that they work for and ensure that they can deliver the services that are required.

Across the ACT public service this varies, given the nature of employment. Clearly, staff who work at the hospital, the largest single employment centre for ACT government staff, will need to work from the hospital. But as it relates to white-collar public servants who can work in a variety of different locations, they may well be working out of the Gungahlin ACT government office building if they live in Gungahlin and that suits them and they may well be working out of the Woden ACT government building if they live in the Woden area and that suits them; similarly, in Tuggeranong, in Belconnen, in the city and in Dickson. So there will no longer be an operating requirement of compulsory attendance, if you like, at an ACT government office building nine to five. The world has changed, Mr Milligan, and we are changing with it.

**MADAM SPEAKER:** A supplementary, Mr Milligan.

**MR MILLIGAN:** Chief Minister, how many of the ACT's 24,500 full-time public servants have already returned to the various sites?

**MR BARR:** Most work either in health or education, so their employment is distributed across the city, as I have mentioned: in health, the hospital, Calvary, walk-in centres and other community health facilities and, in the education system, across—what, 100 public schools, minister for education?—nearly every suburb in the ACT. In relation to white-collar directorate staff—

**Mr Steel:** The buses are still running.

**MR BARR:** Indeed, the buses are seen all over the city. Mr Milligan seems to think that there are 24½ thousand white-collar public servants who work in the building

next door. No. Most ACT government employment is regionalised and distributed through all of the suburbs of Canberra. It will vary from directorate to directorate, but most staff are working under a hybrid arrangement that is going to continue into the future—forever, I hope.

**MR CAIN:** A supplementary.

**MADAM SPEAKER:** Mr Cain.

**MR CAIN:** Minister, post-lockdown, how many days a week is the average public servant likely to be in their office compared to working from home?

**MR BARR:** At the moment it is likely to be one to two days a week in the office and the rest at home across most directorates. In some, as I have outlined in my previous responses, like Health and Education, it will be five days a week in their workplace rather than working from home. Think about it, Mr Cain, in terms of whether they are directly delivering a service to someone in a school or a health facility. Again, if the question is about office workers then it is a hybrid arrangement and it will continue to be.

This is a global trend. The way we will attract and retain the highest quality staff is to have flexibility in working arrangements. So we will never go back to nine to five, Monday to Friday, everyone in the same office all together. That world is over; it is done. That is the case for all major businesses in this country as well. In fact, I think even the commonwealth are allowing a degree of flexibility for their own public servants as well.

The world has changed. The future of work has changed and we must be flexible and allow for hybrid working arrangements. That will mean that staff will come back into the office in greater numbers than is the case today, but it will never ever return to what it was pre-pandemic. That era is over.

### **Sport—CBR Sport Awards**

**MS ORR:** My question is to the Minister for Sport and Recreation: can you update the Assembly on the preparation for this year's CBR Sports Awards?

**MS BERRY:** I thank Ms Orr for her question. I am really excited to be opening tonight the CBR Sport Awards. These annual awards honour our Canberra athletes, celebrate our sports teams and provide collective recognition of the people and organisations that make sport such a central part of the Canberra community.

This year's awards, of course, will look a little bit different, and despite the challenges it is important that we get the chance to celebrate the incredible achievements of individuals and organisations during what has been a very difficult year.

This will be my sixth year at the CBR Sport Awards as the Minister for Sport and Recreation, and every year I am astounded by the breadth and skill that we have in the ACT's sporting community. With the highest sports and recreation participant rates in

the country we definitely punch way above our weight, and when it comes to rising stars and elite athletes we have an amazing number of people who fall into those categories. We have amazing organisations, teams and volunteers who contribute to our communities and provide opportunities for everyone to have a go.

Tonight's event will be a bit of a road show, and it will mean that recipients will be watching from their own venues. I will be taking myself and my team across to those venues to celebrate with individuals as well with people coming together and celebrating achievements in their own ways. The 2021 CBR Sports Awards will be held as a virtual online event from 5.30, and I encourage everybody here in the Assembly to get online and cheer on the amazing groups and individuals who have supported Canberra's sporting community this year.

**MS ORR:** Minister, which athletes, teams and sporting organisations are recognised as this year's finalists?

**MS BERRY:** Without giving too much away before tonight's event, we will be celebrating some amazing and outstanding achievements of Canberra's sporting community. The category awards celebrate our men's, women's and para athletes, including our fantastic Olympic and Paralympic athletes who competed in Tokyo this year.

We will also be celebrating rising stars and amazing teams in our community, recognising individuals who have provided outstanding service to sports as well as inducting individuals into the ACT Sport Hall of Fame. The finalists include some of our awesome Paralympians—Nikki Ayres, Vanessa Lowe and James Turner—as well as our awesome Olympic athletes like Patty Mills, Kelsey-Lee Barber and the rowing men's quadruple scull team.

The CBR Sport Awards also recognise organisations and groups that have developed excellent programs and supported events and activities across three categories, including the minister's inclusion, innovation and event excellence awards. The sports groups and teams that have been nominated for these awards include a diverse range of sports and groups from Athletics ACT, squash, rowing and table tennis. I congratulate all of this year's finalists and wish them all the very best of luck for tonight's event.

**MR PETTERSSON:** Minister, why is it important to recognise the work of Canberra's sporting community following a challenging year?

**MS BERRY:** I thank Mr Pettersson and acknowledge his interest in all things sports across the ACT. This year has, indeed, brought many challenges, and so tonight is the opportunity to sit back and reflect on all of the success of our sporting communities and excellent athletes. I extend a big thank you to all levels of sport in Canberra who have had an extended period of time on the sidelines from August to October who were able to reactivate and re-initiate our sporting activities and meet some of the challenges even as we continue through the health pandemic under the health directions.

I know firsthand how difficult it has been for thousands of volunteers who already do so many things behind the scenes to step up and ensure that their sport continues to be COVID safe. The countless regular catch-ups amongst the sector kept everyone connected and informed on the next steps following the lockdown.

It has been evident during this last year how important sport is to our community, not only for physical activity but also for mental health and social and emotional wellbeing. During lockdown not being able to pull on your club colours and train and play with friends, to referee or volunteer or just lend your support from the sidelines has been really tough, and it has been for many isolating as well.

Sport is the lifeblood of our community, and so I am glad we have been able to see many of these activities progressively recommence and thrive. While many of our winter seasons were cut short, it is great to see that many sports have bounced back stronger than before. I am looking forward to tonight's awards to celebrate all the sporting achievements through the year and all of the wonderful people who have contributed to these outstanding outcomes.

### **Light rail stage 1—environmental impact**

**MR PARTON:** My question is to the Minister for Transport and City Services. Two years ago, Minister, on 29 November 2019, my good friend and former Greens MLA Caroline Le Couteur asked you several questions on notice about light rail stage 1. She asked whether the government had done or commissioned any studies about greenhouse gas emissions and the environmental impacts of the project as well as a comparison of tram emissions to bus emissions. The response to all three questions was a one-word answer, "No." Minister, why didn't your government do or commission any studies about the environmental impacts and emissions of light rail stage 1 in comparison to some other alternatives?

**MR STEEL:** I thank the member for his question. We have, of course, through that project, undertaken an assessment under the ISCA rating and received a leading rating in relation to the sustainability of that project. That has since been reported on in the benefits realisation plan for the stage 1 project. We have seen the other benefits of the project as well, in attracting people onto public transport who would not otherwise have used a bus. The benefit of light rail is that it attracts people to use public transport, and that is the goal of the government in wanting also to expand the service down to Woden, as part of stage 2.

We know from surveys that we have done that around 30 per cent of people who use light rail stage 1 never used a bus previously. So it has a pull effect that buses have never delivered in Canberra. Of course, buses will continue to be part of an integrated public transport service that includes both light rail, providing a mass transit spine from the north to the south of Canberra, and buses, providing those route services, those coverage services in the suburbs that also link with our rapid buses and our mass transit network in light rail. They all have a role to play.

Of course, as part of this, we are moving our buses, our dirty diesel buses, to a zero emissions future as well. We are in the process of procuring zero emissions battery electric buses, to make sure that we bring down the emissions profile of our bus fleet as well. Light rail runs at 100 per cent renewable electricity; it has from day one. It has meant that 20 per cent of trips in Canberra are powered by green electricity, which is absolutely fantastic. We want our dirty bus fleet to also be powered by that energy. *(Time expired.)*

**MR PARTON:** Minister, are you able to provide a summary of the environmental impacts and emissions of light rail stage 1 as compared to other alternatives?

**MR STEEL:** I refer the member to the benefits realisation plan for light rail stage 1, which is published on the website.

**MS CASTLEY:** Minister, will you do or commission any studies about the environmental impacts and emissions of light rail stage 2A? If not, why not?

**MR STEEL:** As part of the work that we are doing on major projects right around Canberra, we will make sure that we work to an ISCA rating or an equivalent green agency rating. Those are processes that we will go through to make sure that we can improve the sustainability of our projects going forward. At the heart of light rail is the will to try and get more people to use public transport, which is a much more efficient form of transport than the private car. It uses less energy to move more people around our city, and that is a great thing. That is why we want to expand the network.

With respect to the constant campaign that we have seen, there has been a pattern of behaviour in this place, with Mr Parton not being able to stand up and say that he actually supports light rail stage 2 to Woden. It is extraordinary; as the opposition spokesperson for public transport, it appears that he is against public transport.

**Ms Castley:** On a point of order, Madam Speaker, I was asking the minister about the environmental impacts of stage 2A—the building process as well, not just having the trams.

**MADAM SPEAKER:** Do you have anything to add, Minister?

**MR STEEL:** Madam Speaker, that is the purpose of the ISCA rating.

### **Municipal services—Charnwood shops**

**MRS KIKKERT:** My question is to the Minister for Transport and City Services. For more than six years, Charnwood residents have complained about the dangerous pavers at their local shops. People have fallen, have broken bones and have been hospitalised from buckled and cracked pavers. The local pharmacist regularly calls an ambulance. In 2016 your government said that it would fix the pavers, and Ms Berry did a photo-op, but the problems with dangerous pavers continue. The government

also promised a “listening report” by October which we are yet to see. Minister, has the report been released; and if not, why not?

**MR STEEL:** I thank the member for her question. We have undertaken a range of different improvements at Charnwood shops over the past few years. One of the issues that has arisen over a period is that the roots of the trees, which provide fantastic shade and amenity for local residents at the Charnwood shops, have been lifting pavement. That has raised some issues which we have been rectifying over a period as they have arisen.

It has become clear that this is going to be a systemic issue going forward at the shops. That is why I have been engaging with local members like the Deputy Chief Minister. We went out to Charnwood shops to talk about the issues. We then went out to the community to ask for the community’s views about what they would like to see in terms of future improvements, particularly around the paving issue; that retention of trees in the area; and how people would like to access the shops, in particular the supermarket adjacent to where the issues are occurring. We have been going through that community consultation process.

**Mrs Kikkert:** Point of order, Madam Speaker.

**MR STEEL:** We will release the report once we have considered it.

**MADAM SPEAKER:** Mr Steel, resume your seat. There is a point of order.

**Mrs Kikkert:** The question specifically asked the minister about when the listening report that was due in October would be released, not the previous failed attempts to fix the dangerous pavers at Charnwood shops.

**MADAM SPEAKER:** He is talking about the repairs in the Charnwood area.

**MR STEEL:** I have answered the question, Madam Speaker.

**MRS KIKKERT:** Minister, when will the dangerous pavers be repaired, given that you announced five years ago that you would fix the problem?

**MR STEEL:** I thank the member for her question. Once we have considered what the community would like us to do at Charnwood shops, we will look at the range of options to improve the paving.

We have been pretty proactive. We have put in place permeable solutions around the tree bases in parts of Charnwood shops to try and make sure that the paving is not lifting around the tree bases and provide opportunity for those trees to get water so that they can continue to thrive. There has been some vandalism on some of the trees at Charnwood shops that we have been working very hard to rectify to make sure that those trees continue to survive.

There has been a clear amount of work that the ACT government has undertaken at Charnwood shops. We will continue to work with the community on the solutions.

Now that we have their feedback, we will be looking at those options and what further systemic improvements we can make to the shops.

**MR CAIN:** Minister, how can Charnwood residents have confidence that the government will get the job done when you fail to release the listening report and fail to repair the pavers you promised in 2016 to fix?

**MR STEEL:** Because we are going through the process of consulting with them and getting their views before we actually take action. We have shown in the budget that we are taking action on local shops, investing in 11 upgrades at local shops around Canberra.

**Ms Lawder:** What about the pavers in Charnwood—

**MR STEEL:** You did not commit to upgrading Charnwood shops in the election. The community can have confidence that we will do something, because they know that you never promise and you cannot deliver.

### **Electric vehicles—charging stations**

**MS CLAY:** My question is to the Minister for Emissions Reduction and relates to zero emissions vehicles. Can the minister give an update on the zero emissions vehicles charging master plan and how that will help us get a more rapid uptake of EVs?

**MR RATTENBURY:** I thank the member for the question. The document is currently being finalised and we expect to release it in the coming weeks. The document has been renamed the ACT Electric Vehicle Charging Outlook, and we have done that because it aims to provide guidance to the industry as we go out to market for the 50 public charging stations as well as guiding any future charging stations.

The document includes information on things like electricity grid capability, current and projected EV ownership by suburb and existing charging stations and dwelling types. This will inform those who come forward to bid when the government releases the tender for the 50 charging stations but also if other suppliers are interested in providing charging stations this information will be publicly and freely available about where people live, where the EVs are, where charging demand is. It will enable people to invest more readily in EV charging stations in the ACT.

We know that most EV owners in the ACT who live in detached homes will charge at home because they roll up to their garage and plug in. A key focus of the rollout of the 50 charging stations based on the research that has been done is to meet the needs of people who live in apartments. We have committed to ensuring that all new apartment buildings are EV-charging ready. Of course, we already have a range of apartment buildings that do not have that capability, so we need to make sure we think about where to position the public charging stations to make sure they are of maximum benefit to the people who live in apartments and want to have EVs.

We know having a good network of charging stations is critical for people's confidence in taking up electric vehicles, particularly for those who do not have the ability to charge at home. The document will present that information. I think it will be very beneficial for the development of the public charging infrastructure sector in the ACT. *(Time expired.)*

**MS CLAY:** Minister, what feedback have you heard from those who live in apartments about the barriers for EV charging at home?

**MR RATTENBURY:** There is a range of barriers because it can be difficult to get agreement from the whole body corporate to put the charging infrastructure in. The government has, of course, made changes to the unit titles legislation to make it easier for owners to get approval from a body corporate for sustainability infrastructure, but that can be a challenge for people. There is an expense, obviously, particularly where you have to retrofit an apartment building that is not currently capable. That is one of the reasons under the EV action plan there is a commitment to ensure that all future apartment buildings are charging ready.

That does not mean putting a charging point at every parking spot in a building, but it does mean things like putting in the conduit and cabling so it is much easier to fit those things later. They are the primary areas of feedback. Of course, there are not many publicly available charging stations in the ACT at the moment. That is why we have a commitment from the government to install 50 as part of the release that we will go to market with in the near future.

**MR DAVIS:** Minister, are you aware of what better practice or even best practice look like for those who choose to live in apartments overseas but also own electronic vehicles to charge?

**MR RATTENBURY:** I thank Mr Davis for the question. We are looking overseas because Australia has been relatively slow on the uptake of EVs for a range of reasons. Norway are the recognised global leader on EV uptake and research shows that EV owners living in apartment buildings to a larger degree charge at public stations and use fast charging more frequently. We are looking at the way Norway has focused on rolling out charging stations and particularly meeting the needs of EV owners who live in apartments.

The data and the research from Norway particularly shows that people who have a detached dwelling do not use public charging stations nearly as much, certainly not in their home cities. They will use them much more when they are travelling, but when they are at home they will predominantly charge at their home because, of course, with a range of anywhere between 150 and 500 kilometres on a vehicle, most people do not drive that far in a day so they are quite capable of simply plugging in at home. Many only need to charge once a week.

Norway has faced the same questions we are now facing, and so we are looking at them as a leader as well as other European countries that have had to deal with some of these issues and try and make it easier for EV owners who live in apartments.



## **Transport—active travel**

**MR PETTERSSON:** My question is to the Minister for Transport and City Services. Minister, how is the ACT government investing in active travel infrastructure across Canberra?

**MR STEEL:** I thank Mr Pettersson for his question. Active travel is a key part of our transport plan to make Canberra a more liveable and sustainable city. I am very pleased to say that this year's budget includes a major new investment in active travel infrastructure across Canberra. We are investing more than \$45 million in new active travel initiatives and that builds our current pipeline of walking and cycling infrastructure over the forward estimates to more than \$77 million.

The investments in this year's budget include funding for brand new infrastructure like the Sulwood Drive path, as well as improvements to our existing network. We are investing \$4 million in path maintenance over the next four years following the completion of a territory-wide path audit undertaken by our hardworking Jobs for Canberrans staff over the last 12 months. We are also expanding the successful Age Friendly Suburbs Program to more suburbs to deliver accessibility improvements and safety upgrades to paths and crossings in suburbs like Chifley, Reid, Scullin and O'Connor.

The significant increase in active travel investment in this year's budget will ensure that Canberrans have more options to walk and cycle around our city, encouraging people to take up active travel. This will make it easier for people to take everyday action on climate change by leaving the car at home more often.

**MR PETTERSSON:** A supplementary.

**MADAM SPEAKER:** Mr Pettersson.

**MR PETTERSSON:** Minister, what investments are being made on Canberra's north side?

**MR STEEL:** I thank Mr Pettersson for his supplementary question. We have made significant investments in cycling infrastructure on Canberra's north side in recent years, with the completion of the first stage of the Belco bikeway last year and the detailed design for the second stage underway. This is in addition to investments in last year's budget handed down earlier in the year for a feasibility study to widen paths to busy areas around Lake Ginninderra to better separate cyclists and pedestrians. This year's budget also includes an allocation under the Australian government's road safety program to fund construction of the second stage of the bikeway. This will run along Haydon Drive to connect to the University of Canberra, CIT Bruce and the AIS.

The budget also includes funding for feasibility and early design of the garden city cycle route, a major new trunk route down the eastern side of the inner north that will connect the inner north from Braddon through to Watson. In the Gungahlin town

centre we are investing in route planning to identify missing links and issues of safety concern in the shared path network with a study. This will complement the travel modelling we are also undertaking in the town centre and will inform future infrastructure investments. These investments demonstrate that the government is committed to taking real action to make our city more connected and sustainable for generations to come.

**DR PATERSON:** A supplementary.

**MADAM SPEAKER:** Dr Paterson.

**DR PATERSON:** Minister, how can we encourage more Canberrans to take up active travel?

**MR STEEL:** I thank Dr Paterson for her question and note her interest in this with her recent *Her Way* report. We know that, when it comes to deciding whether people walk or cycle, two of the most important things that people consider are safety and convenience. We are making it safer to hop on a bike through our upgrades to cycle crossings across the city, like the new priority crossings at Loftus and Schlich streets in Yarralumla, in my electorate, and also along Theodore Street and Melrose Drive in Woden. We have also recently delivered a protected cycleway through the Woden town centre to separate cyclists from motorists and help them feel safer when moving through this very busy and growing precinct.

Madam Speaker, we also know that convenience is a big factor in deciding whether to cycle to work, to go shopping or to go to social commitments. That is why we have been investing in bike storage facilities, like bike and rides near the ANU. Our bike and rides help people to use active travel and public transport in the one journey easily and conveniently. We have also just announced that we are going to put three bike cages into the new Woden CIT and bus interchange precinct.

We recognise that not everyone wants to or is able to commute a long distance on a bike, but they might be able to use their bike in their local area. That is really important. To support that we are making sure that we invest in both new trunk paths that connect different regions of Canberra and also those local connections with our town centres. For example, recent upgrades in Tuggeranong, Woden and Belconnen are helping Canberrans to make these shorter trips. I am really looking forward to the Tuggeranong upgrades being completed in your electorate, Madam Speaker, down on Anketell Street and Soward Way.

### **Access Canberra—services**

**MS LAWDER:** My question is to the Minister for Business Better Regulation. We have been contacted by a constituent who moved to Canberra from Melbourne earlier this year. His Victorian drivers licence was due to expire in October, so he contacted Access Canberra ahead of time about transferring it to the ACT. Access Canberra advised that due to lockdown nothing could be done and he would have to go without a licence. The constituent then contacted VicRoads. Victoria was also in lockdown at this time. Within one week he had a new 10-year Victorian drivers licence with a

Canberra address. He has now been into an Access Canberra shopfront and has been told that his Victorian licence with his Canberra address is not allowed as proof of residency. Minister, how can this happen, and are you at all embarrassed about it?

**MS CHEYNE:** This is the first I have heard of this, so I will take advice. I do not comment publicly on individual matters due to privacy, but I am happy to have a further conversation with Ms Lawder to try to get to the bottom of this. It does sound highly unusual, and I am very happy to work with her and her constituent to sort out this matter.

**MS LAWDER:** Minister, have you contacted Victorian government agency VicRoads to understand how they have been able to issue licences during this period?

**MS CHEYNE:** No, Madam Speaker.

**DR PATERSON:** Minister, are the Access Canberra shopfronts open and functioning as per usual now?

**MS CHEYNE:** Yes, Access Canberra shopfronts are open and functioning. I am pleased to say the wait times continue to decrease as the latent demand has been serviced. Shopfronts are open in Gungahlin, Belconnen, Tuggeranong and Woden. The Dickson one is only open for certain purposes at this stage, but it will reopen fully in February.

I remind Canberrans that almost all transactions with Access Canberra can be done online. It is really just licence plates and where photo ID is required that people need to be present at a shopfronts. But, of course, if people would like to go to a shopfront and need that face-to-face assistance Access Canberra stands ready to assist all Canberrans.

## **Land—valuations**

**MS CASTLEY:** My question is to the Treasurer. Are Canberrans' privately owned homes valued each year for rates purposes? If not, how are valuations adjusted in the years when no valuation is done?

**MR BARR:** People's homes are not valued; the land is subject to an annual valuation process. That process includes an assessment taken by expert valuers, and it is informed by market transactions across the territory.

**MS CASTLEY:** Chief Minister, what benchmarking or testing, if any, does ACT Revenue do on draft independent valuations to validate them before issuing new rates?

**MR BARR:** There is a process each year where valuations are adjusted, reflecting market conditions. There is a process where those valuations can be appealed by individual landowners. Of course, the overall land values in the territory simply reflect the proportion of the total rates base that is paid by each individual landowner. The government sets a revenue target; that revenue target is then divided by all of the

rateable properties according to their unimproved land value. Higher land values do not, in and of themselves, lead to an increase in total revenue. Simply, the relative amount of the total capped rates collected each year is redistributed based on the relative movement of unimproved land value between different properties.

**MS LEE:** Chief Minister, are there any years when land is not valued for rates purposes? If so, how are the rates set?

**MR BARR:** I perhaps pre-empted Ms Lee's supplementary question with the answer to the previous question. Land values are, of course, in the context of rates, set on a rolling five-year average. So if there is not a change to the land value, of course, that individual year would constitute one-fifth of the average unimproved land value that is the basis on which that property's relative share of the total rates collection would be determined.

There is a rolling average; where a land value is assessed to have changed, that would apply in the year in which that change is accredited. But it would only have a one-in-five rolling effect because the previous four years, as well as the current year, would be taken, and then divided by five to give an average unimproved value, which would be the basis of the current year and the previous four. As we move forward each year, one year drops off and the new, current fiscal year comes in, allowing for a rolling five-year average.

### **Alexander Maconochie Centre—programs**

**DR PATERSON:** My question is to the Minister for Corrections. Minister, can you please provide some information on the AMC indoor rowing program that has recently been nominated for an award?

**MR GENTLEMAN:** I thank Dr Paterson for the question and for her continued interest in the welfare of detainees at the AMC. In early 2021, Rowing ACT and ACT Corrective Services came together to introduce a rowing program for detainees at the Alexander Maconochie Centre. Due to the coronavirus pandemic, outdoor water rowing events in the community were moved to indoor rowing machines and online events. The change to indoor online rowing created a unique opportunity for detainees to participate in organised fitness-based competitions from inside the AMC.

Since February, members from Rowing ACT have offered their time to prepare and share their knowledge of rowing with the detainees at the AMC. Participants were given instruction by qualified rowing coaches at an introductory rowing class which started with familiarisation of the indoor rowing machines, safety techniques and the terms used to describe rowing movements.

Not only is the indoor rowing program a great opportunity for the detainees to learn a new skill and improve their physical and mental wellbeing; it provides the detainees with an opportunity to participate in community-based activities and work towards a measurable goal.

**DR PATERSON:** Minister, are you able to update the Assembly on any other new programs or trial programs that are improving the lives of detainees at the AMC?

**MR GENTLEMAN:** I thank Dr Paterson for the supplementary question. ACT Corrective Services has been working hard on modernising and improving programs available to detainees at the AMC. I am delighted that this work has commenced and look forward to watching it continue and develop.

Recently, an alcohol and other drug pilot program commenced with Karralika, previously run through Solaris. The program was developed by ACT Corrective Services staff and is based on current dialectical based therapy and mindfulness techniques which are evidence based for the specific cohort. I have been advised that the detainees who participated in the pilot provided feedback after the initial four sessions which has been very positive.

The pilot program is participant centred, focusing on the individual and their responses to specific situations, unlike traditional drug and alcohol education programs. The different approach seems to have made it more engaging for the participants and allows them to think about certain skills and how to focus on them. Detainees also felt that the program allows them to be more involved and provides an opportunity to self-reflect and better understand their emotions.

The program is in the pilot phase, but I am pleased to see a different, more individualised approach to programs being incorporated by ACT Corrective Services.

**MS ORR:** Minister, what programs are available specifically for Aboriginal and Torres Strait Islander detainees?

**MR GENTLEMAN:** I thank Ms Orr for the question. There are a number of culturally specific programs offered to Aboriginal and Torres Strait Islander people at the AMC. These include the elders visitation program, the elders healing program, the elders songlines program, the culture and land management program and the elders yarning circle program. I would like to thank everyone involved in running these programs and providing support and mentorship to detainees.

We also have a number of art programs on offer to Aboriginal and Torres Strait Islander detainees. The elders Aboriginal art program operates weekly with support from the AMC Aboriginal and Torres Strait Islander services unit, and external cultural services provide “Culture on the move”. ACT Corrective Services also facilitate the Dream Gallery public exhibition of Aboriginal and Torres Strait Islander detainee art within the foyer of 2 Constitution Avenue. The public display averages the sale of around three detainee art works per month. The annual NAIDOC community art exhibition ran from July to August this year. 2022 is the 10-year celebration of this important community partnership.

These programs are an opportunity for detainees to connect with their culture and with the broader community through their art. The feedback in relation to them is overwhelmingly positive.

**COVID-19—testing centre fees**

**MR CAIN:** My question is the Minister for Health: last week you said that people would not have to pay for the COVID-19 test but they would have to pay for a certificate if they needed one. Then you said people would get a refund of the whole \$112, including the cost of the certificate. I invite you to be crystal clear, minister: will people have to pay anything for either a COVID-19 test or a certificate if needed for interstate or international travel?

**MS STEPHEN-SMITH:** I thank Mr Cain for the question. In line with the announcement that was made by Minister Hunt on behalf of all state and territory health ministers—thank you very much—the announcement was that the national partnership agreement funding would cover the cost of COVID-19 testing if it was required under a public health order and did not require the provision of a certificate.

On that basis Queensland also clarified that they would not be requiring the provision of a certificate and would only require text message proof of testing to enter Queensland. I understand other jurisdictions were clarifying their requirements. But if it is that all people need for interstate travel and that is a result of a public health order in Australia, then they will be able to get their testing for free at ACT government-run sites. That information is all available on the COVID-19 website.

For international travel there is no change—certificates are clearly required for international travel. The requirement to have a test prior to international travel is not a requirement under any Australian jurisdictions' public health orders, and people will need to pay for that test and certificate in the way that they have been required to throughout the pandemic. Again, that information is very clearly outlined on the ACT's COVID-19 website.

**MR CAIN:** Minister, how will you be refunding all of the 314 people who have paid the fees given that some of these people will be from interstate and their addresses might be unknown?

**MS STEPHEN-SMITH:** Given ACT Pathology were invoicing people I imagine they would have the details required to send the invoice in the first place to bill people so they would, therefore, have the required details to contact those people to make the refunds.

**MR MILLIGAN:** Minister, how many of the refunds have been paid to date?

**MS STEPHEN-SMITH:** I will take that question on notice.

**Mr Barr:** The absence of Mr Braddock means there are no further questions, so I ask that any further questions be placed on notice paper.

**Supplementary answers to questions without notice  
Citizenship—ceremonies**

**MS CHEYNE:** In response to a question from Mr Braddock yesterday, when we were discussing citizenship ceremonies, I said that I was happy to talk about what else

Home Affairs might be able to do in hosting citizenship ceremonies at the upcoming meeting of multicultural affairs ministers. My office had been informed, while question time was ongoing, that that meeting has been cancelled. However, I am intending to engage with the minister on some other matters, and will raise the issue in that way.

### **Government—zero emissions vehicles**

**MR RATTENBURY:** Yesterday Mr Cain and Ms Castley asked me several questions on public reporting on zero emission vehicle policy in the ACT. I can now confirm that our commitment to transparency with the community is clear. This is a pillar of the functions of the minister under the Climate Change and Greenhouse Gas Reduction Act 2010.

With respect to delivering on this commitment, the government's actions on emissions reduction activities, including zero emission vehicles, are reported annually in the minister's annual report. The latest report is forthcoming today—shortly—and our previous reports are available on the EPSDD website.

The ACT's emissions inventory is published each year on the EPSDD website and provides transport emissions data and reporting about trends over time. The inventory is independently developed by emissions accounting specialist Point Advisory, and our latest report will be released in December.

This year we also began publishing ACT electric vehicle registration data through the ACT Data Lake. This data has already been used for a zero emissions vehicle research project by university students. We also began reporting our zero emission vehicle indicator in August 2021, actioning the recommendation of the Auditor-General to provide a regular indicator on zero emission vehicle uptake in the territory. This is available on the EPSDD website.

Finally, in addition to public reporting on progress, there has been internal six-monthly reporting on progress in delivering these climate change actions. The aim of this internal reporting is to ensure delivery remains on track and to identify any issues that need to be addressed. The internal reporting may have been the document that Mr Cain referred to, and it was referenced in the Auditor-General's report.

### **Chief Psychiatrist—reports and recommendations**

**MS STEPHEN-SMITH:** Madam Speaker, I seek your guidance on this one. I took a number of questions on notice from Ms Lee earlier. It is now apparent that the response to a question on notice that she was referring to in her original question was in fact signed by Minister Davidson. I am wondering whether it is possible somehow for Hansard to transfer the questions taken on notice from me to Minister Davidson.

**MADAM SPEAKER:** I am sure that, between you two colleagues, you can respond to Ms Lee's questions.

**MS STEPHEN-SMITH:** Okay; thank you.

## Leave of absence

Motion (by **Mr Hanson**) agreed to:

That leave of absence be granted to Mrs Jones for this sitting for personal reasons.

Motion (by **Ms Clay**) agreed to:

That leave of absence be granted to Mr Braddock for this sitting for personal reasons.

## Papers

**Madam Speaker** presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 15—Annual reports 2020-2021—

ACT Electoral Commission, dated 2 November 2021.

ACT Integrity Commission, dated 17 November 2021.

Office of the Legislative Assembly, dated December 2021.

**Mr Gentleman** presented the following papers:

ACT Carers Strategy 2018-2028—First Action Plan—Final Report, dated December 2021, together with a statement.

ACT Community Language Schools—Independent Review of the Investment—

Report, dated November 2020, prepared by Strategic Development Group [in response to the resolution of the Assembly of 4 August 2021].

Government response, dated December 2021.

ACT Multicultural Framework 2015-2020: Implementation and outcomes (Second Action Plan 2019-2020)—Second Report, dated December 2021, together with a statement.

ACT Road Safety Strategy 2020-25—Road Safety Report Card 2021, dated December 2021.

ACT Volunteering—Update, dated December 2021.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports—2020-2021—

ACT Building and Construction Industry Training Fund Authority, dated 10 November 2021.

ACT Gambling and Racing Commission, dated 3 November 2021.

ACT Health Directorate, dated 9 November 2021.

ACT Human Rights Commission, dated 25 November 2021.



ACT Inspector of Correctional Services, dated November 2021.

ACT Insurance Authority, dated 2 November 2021.

ACT Long Service Leave Authority, dated 12 October 2021.

ACT Policing, dated 21 September 2021, in accordance with the Policing Arrangement between the Commonwealth and Australian Capital Territory Governments.

ACT Policing Special Purposes, dated 21 September 2021.

ACT Public Service—State of the Service Report, dated 24 November 2021.

Canberra Health Services, dated 5 November 2021.

Chief Minister, Treasury and Economic Development Directorate (3 volumes), dated 11 November 2021.

City Renewal Authority, dated 15 October 2021.

Community Services Directorate, dated 11 November 2021.

Cultural Facilities Corporation, dated 26 November 2021.

Director of Public Prosecutions, dated 25 November 2021.

Education Directorate, dated 16 November 2021.

Environment, Planning and Sustainable Development Directorate, dated 9 November 2021.

Icon Water Limited, dated 22 September 2021.

Independent Competition and Regulatory Commission—Report 17 of 2021, dated 12 October 2021.

Justice and Community Safety Directorate.

Legal Aid Commission (ACT), dated 12 November 2021.

Major Projects Canberra, dated 20 November 2021.

Office of the Commissioner for Sustainability and the Environment, dated 6 October 2021.

Office of the Work Health and Safety Commissioner, dated 8 November 2021.

Public Trustee and Guardian, dated 3 November 2021.

Suburban Land Agency, dated 5 and 9 November 2021.

Transport Canberra and City Services Directorate, dated 19 November 2021.

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General’s Report No 8/2021—Canberra Light Rail Stage 2a: Economic Analysis—Government response, dated December 2021.

Australian Commission for Law Enforcement Integrity—Annual Report of the Integrity Commissioner—Summary of corruption issues relating to ACT Policing Appointees 2020-2021, dated 8 November 2021.

Australian Health Practitioner Regulation Agency and the National Boards, reporting on the National Registration and Accreditation Scheme—Annual Report 2020/21.

ChooseCBR Evaluation and Review Report, dated October 2021, prepared by David Butler Consulting.

## Climate Change and Greenhouse Gas Reduction Act—

Pursuant to subsection 15(3)—Minister's annual report 2020-21.

Pursuant to section 26—*Climate Change and Greenhouse Gas Reduction Act 2010* Review—2021—

Review, dated 30 September 2021, prepared by AITHER.

Government response, dated December 2021.

Disability Justice Strategy—Second Annual Progress Report, dated September 2021.

Domestic Violence Prevention Council—Progress Report—Delivering the recommendations made by the Council following their Extraordinary Meeting on Children and Young People, dated August 2021.

Financial Management Act, pursuant to section 25—Consolidated Annual Financial Statements, including audit opinion—2020-2021 financial year, dated October 2021.

Gene Technology Act, pursuant to subsection 136(2)—Office of the Gene Technology Regulator—Annual report 2020-21, dated 17 September 2021.

Health (National Health Funding Pool and Administration) Act, pursuant to subsection 25(4)—Administrator of the National Health Funding Pool—Annual report 2020-21, dated 23 September 2021.

Health and Community Wellbeing—Standing Committee—Report 2—*Report on Inquiry into the Carers Recognition Bill 2021*—Government response, dated December 2021.

Information Privacy Act, pursuant to subsection 54(3)—Australian Government—Office of the Australian Information Commissioner—Memorandum of Understanding with the Australian Capital Territory for the provision of privacy services—Annual report 2020 21, dated 27 July 2021.

Inspector of Correctional Services Act—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Use of force to conduct a strip search at the Alexander Maconochie Centre on 11 January 2021 (CIR 01/21)—Government response, dated December 2021.

Light rail vehicle fleet—Safety—Response to the resolution of the Assembly of 10 November 2021, dated December 2021.

## Molonglo Group Centre and Surrounds—

Draft Concept Plan, dated December 2021.

Response to the resolution of the Assembly of 8 October 2021 concerning land release, dated December 2021.

National Health Funding Body—Annual Report 2020-21, dated 23 September 2021.

National Health Practitioner Ombudsman and Privacy Commissioner—Annual report 2020-21.

Out-of-home care education—Response to the resolution of the Assembly of 3 June 2021, dated December 2021.

Planning, Transport and City Services—Standing Committee—Report 3—*Draft Land Management Plan: Canberra Urban Lakes and Ponds (Revised Report)*—Government response, dated 2 December 2021.

Waste Management and Resource Recovery Act, pursuant to subsection 64U(2)—ACT Container Deposit Scheme—Annual Statutory Report 20/21, dated December 2021.

### **Domestic Violence Prevention Council—progress report**

**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) (3.01): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Domestic Violence Prevention Council—Progress Report—Delivering the recommendations made by the Council following their Extraordinary Meeting on Children and Young People.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (3.01): Today I am giving an update on the work that the ACT government is doing to deliver new and improved domestic and family violence service responses for children and young people.

Children and young people can be profoundly impacted by violence in the home, even when this violence is not directed at them. Yet children and young people are often forgotten or do not have a voice. That is why the Domestic Violence Prevention Council, the DVPC, held an extraordinary meeting in 2018 focusing on the needs of children and young people affected by domestic and family violence, including sexual violence. The DVPC report shone a light on the unique needs of young people.

In 2019 the ACT government accepted, or accepted in principle, the five DVPC report recommendations to develop and improve the justice and service sector responses to children and young people. In responding to the DVPC report, the government noted the importance of hearing the voices of children and young people, and involving children and young people in the co-design of services and responses.

The Office of the Coordinator-General for Family Safety and the ACT Children and Young People Commissioner then partnered to listen to young people talk about their experiences of family violence. The result of the consultations is 13 insights that speak to the unique and complex experiences that young people have of family violence. The insights are a powerful reflection of just how difficult it is for young people to be heard, to be respected and to find a pathway to safety that suits their individual needs. What we heard has helped to identify what improvements could be made to services.

Despite the challenges of COVID, significant progress has been made on addressing four out of the five DVPC recommendations, including putting the voices of children and young people at the heart of service design and delivery, to influence the development of child-centred and child-safe services and responses to domestic and family violence; establishing an ACT intermediary scheme to improve children and young people's experiences of the justice system; enhancing domestic and family violence training to include information about child and adolescent development, insights from children's lived experience of domestic and family violence, and indicators and impacts of this violence on children and young people; and improving the ACT's use of data to inform strategies for children and young people.

The ACT government has led the following initiatives to address the DVPC recommendations: continuing to develop the safe and connected youth project to provide children and their families with targeted support to improve family functioning and reduce the risks of homelessness; developing and delivering culturally appropriate services to Aboriginal and Torres Strait Islander children and their families; developing a specialised intensive trauma service; extending youth mental health services; developing early support service responses in line with raising the minimum age of criminal responsibility; piloting the Got Your Back group therapy program with Relationships Australia for young people living with domestic and family violence; co-designing domestic and family violence supports with young people, community and government; and designing and implementing integrated responses to domestic and family violence across directorates and services, focusing on the needs of children and young people.

The ACT government recognises that there is more work to do. The government is prioritising efforts towards achieving the intent of the final outstanding recommendation, recommendation 2, to increase the number and availability of therapeutic services for children and have clearer referral pathways and visibility of what services exist.

The Coordinator-General for Family Safety will make the progress report publicly available, supporting the domestic and family violence sector to know what activity is underway. I encourage service providers and the community sector to read and use the insights from young people's lived experiences of domestic and family violence, highlighted in the now published booklet entitled *Now You Have Heard Us, What Will You Do?*

I also take this opportunity to thank members of the Assembly for their ongoing interest in, and support for, the work that the ACT government is doing to deliver new and improved domestic and family violence responses to meet the particular needs of children and young people in our community.

Question resolved in the affirmative.

### **Climate Change and Greenhouse Gas Reduction Act review—government response**

**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) (3.06): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Climate Change and Greenhouse Gas Reduction Act, pursuant to section 26—  
*Climate Change and Greenhouse Gas Reduction Act 2010 Review—2021—*

Review.

Government response.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (3.06): I am pleased to speak to the tabling of the review of the Climate Change and Greenhouse Gas Reduction Act 2010 and the government's response to the review. As Minister for Water, Energy and Emissions Reduction, under section 26 of the act I am required, as soon as practicable after every 10 years of the act's operation, to oversee a review of its operation and to present a report of the review to the Legislative Assembly.

Today, I ask that the Assembly notes the recommendations of the review and the government's response, which agrees to nine recommendations, agrees in principle to one, and notes two of the 12, in total, recommendations.

The review comes at an opportune time for the ACT. COVID-19 and the health response had significant impacts, but the ACT has remained unwavering in our commitment to deliver meaningful action on climate change. Last year the ACT achieved the emissions reduction target of a 40 per cent reduction from the 1989-90 baseline level. In 2020 the ACT also transitioned to a 100 per cent renewable electricity supply. We are now working towards a 50 to 60 per cent reduction by 2025 so that we can ultimately achieve net zero emissions by 2045.

In 2010 the act was established to promote the development of policies and practices to address climate change, to set targets to reduce greenhouse gas emissions, and to provide for monitoring and reporting in relation to the targets. The requirement for a regular review of the act ensures that it remains effective over time.

For the purposes of the review, a steering committee—hereafter referred to as “the committee”—was formed, and consisted of two ACT government senior officials, one senior official of the South Australian government and a former chair of the ACT Climate Change Council. All members are experts on matters concerning climate change and emissions reduction. The committee established the terms of reference for the review.

The government engaged an independent reviewer, Aither, to undertake the review. Aither were asked to assess two things: firstly, the effectiveness of the act in achieving its objects from 2010 to 2020; and, secondly, the appropriateness of the act to achieve the intended outcomes to 2030, which is the year of the next scheduled review.

There are four objects of the act: (1) to set greenhouse gas emissions and renewable energy targets; (2) provide for monitoring of and reporting on progress made to meet these targets; (3) facilitate government's development of policies and programs to meet these targets and to address and adapt to climate change; and (4) encourage private entities to take action to address climate change and recognise the entities that take action.

The review focused on the four parts of the act. They concern the ACT's emissions reduction and renewable energy targets, the functions of the minister, the Climate Change Council, and sector agreements. The committee provided input and feedback on the services provided by the independent reviewer and advised on how government should respond to the recommendations of the review.

I am pleased to advise the Assembly that the review found the act to be highly effective in allowing government to set the groundwork for action, to develop policy and successfully meet emissions reduction and renewable energy targets. To 2020, the act was effective in providing for significant and nation-leading action on climate change in the ACT. On this basis the review also deems the act broadly appropriate in allowing the ACT to continue to meet its climate objectives over the long term.

The resounding message from the reviewers is that the act has gained wide support and has successfully achieved its targets to date. The act remains appropriate to the next review in 2030 and the objects themselves also remain appropriate for the future.

The recommendations of the review are to strengthen the act for climate action and adaptation over the coming decade. The review produced 12 recommendations to further strengthen the effectiveness of the ACT's climate action into the future. The government has agreed to nine, agreed in principle to one, and noted two.

Two recommendations about the social cost of carbon have been noted in recognition of the strength of the recent commitments that the ACT has made. Through the 2021-22 budget and the ACT Climate Change Strategy 2019-25, the government is already committed to embedding and using a social cost of carbon in government decision-making. The ACT will progress meaningful action on understanding the true costs of greenhouse gas emissions, while still preserving the opportunity for the ACT to participate in other national or international carbon pricing options should these arise in the future.

In agreeing in principle to one recommendation about the Climate Change Council, the government is ensuring that it remains open to the council's advice should the council determine to bring issues to the minister. The suggested changes to the act's provisions regarding the ACT's emissions reduction and renewable energy targets are to ensure that they will be upheld and met while promoting government transparency.

Outcomes-focused legislation requires us to effectively monitor and report on the outcomes and understand their impact. The government has accepted the recommendations relating to these changes to uphold and increase our accountability to the community. The review found that the role of adaptation throughout the act needs to be made more prominent, as is consistent with the objects of the act.

The Climate Change Council's membership requires broader expertise than is currently required by legislation and the government has accepted this recommendation. As an example, the council has not fully harnessed the value of knowledge of the Ngunnawal people—the traditional custodians of this region and its first inhabitants.

The review found that provisions concerning sector agreements have not been used since the act's establishment in 2010. All recommendations help to encourage their use in the future, if needed.

The recommendations accepted by government will strengthen the effectiveness of the act and ensure that the ACT remains a global leader in addressing climate change. The objects of the act formed the foundations of climate action in 2010 and these objects remain appropriate and necessary for climate action to 2030.

I would like to thank the review leaders and participants. I have outlined the government's response to the recommendations of the review. It is important that the act remain as effective as possible in the years to come, and I invite the Assembly to view the detail of the review and the government's response in the attachments that have been tabled today.

Question resolved in the affirmative.

### **Light rail fleet—Assembly resolution—government response**

**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) (3.13): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Light rail vehicle fleet—Safety—Response to the resolution of the Assembly of 10 November 2021.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.13): I rise today to speak to the tabling of the ACT government's response to the resolution passed on 10 November about Canberra's light rail vehicle fleet. This motion was passed in the context of issues being identified within the New South Wales government vehicles servicing the inner west light rail line.

I am happy to inform the Assembly that there has been no cracking identified on our light rail vehicles in Canberra. Transport Canberra and the company that manufactures and maintains our vehicles—CAF—have undertaken detailed inspections and these have not identified any current issues with the Canberra fleet.

One of the reasons that we can have a degree of confidence that we will not see the same issues that Sydney is currently experiencing here in the ACT is that the vehicles used on Canberra's light rail system are not exactly the same as those used in Sydney.

The ACT LRV fleet design documentation identifies our vehicles as Urbos 100 models. These are similar models to those used in Sydney's fleet, but are a newer version with key differences in the design and construction. The Canberra light rail fleet has differences in the design of structural components specifically in the areas affected by cracking on the New South Wales LRVs. The details of these components and materials differences are all laid out in the government response document.

I will ask members to bear with me as I get technical for a moment. The area where the cracking has been identified on the Sydney fleet is called the "bogie box". A bogie box is the chassis or framework where the wheelset—the bogie—is attached to the light rail vehicle. The bogie has rotational brackets called "bump stops" which help in turning the LRV body and keeping it relative to the bogie, particularly around sharp corners. The bump stops have a stiffening web and brackets to keep them in place. These are the components where the problems with cracking have been observed in the Sydney fleet.

Since the identification of issues with the Sydney fleet, Transport Canberra and City Services, and Canberra Metro have proactively undertaken inspections of the Canberra light rail fleet. This has initially focused on examination of LRV11—the vehicle with the highest number of kilometres travelled in the Canberra fleet. Since coming into service, this LRV has clocked up an impressive 192,000 kilometres, so if there were issues associated with wear and tear we would expect to see them on this vehicle first.

On 9 November 2021 Canberra Metro conducted an inspection of the underside of the vehicle to observe if any cracking of the bogie bump stop could be seen, and confirm that the bump stop could be checked from this angle. From this visual inspection, no cracking was identified in the bump stop. This inspection was conducted with the bogie still in place, and I am advised that it provided good visibility of the bump stop cracking location on the Sydney vehicles.

On 11 November 2021 the seats in a car of LRV11 were then removed to allow visual inspection of the bogie box from above. This is not a regular inspection activity, as the seats are not usually removed for standard maintenance checks. No evidence of cracking was visible between the upper and lower bogie box, or the lower bogie box and the floor.

I want to be really clear about this. We have undertaken detailed inspections of the vehicle with the highest kilometres in the fleet, including disassembling parts of that vehicle to inspect areas which are not subject to regular maintenance checking. This has not identified any visible cracking on the components which have presented issues in Sydney.

CAF has advised that the bump stock and stiffening web components are also inspected monthly, during routine safety inspections, and through verification checks undertaken during component replacement. CAF has not identified any cracking in these locations on any of the other vehicles currently in the Canberra fleet.



To provide further confidence, Canberra Metro and CAF have now developed an enhanced inspection regime, which will continue until the root causes of the Sydney issues are known. This will involve a full check of the relevant components across the entire Canberra fleet, which will be completed within three months. Undertaking this rolling program of inspections will mean that we can keep our LRV fleet operating as normal, so that we can keep providing the great services that Canberrans have come to love as we head into the festive season. This is a sensible and measured approach in a context where no cracking has been identified to date either through the detailed inspection of our oldest LRV or regular maintenance checks on the rest of the fleet.

The National Rail Safety Regulator, Sue McCarrey, has advised the ACT government:

The ONRSR are investigating the issues in Sydney. ONRSR has confirmed that the light rail vehicles in Canberra are a different design to those in Sydney. We are not investigating Canberra LRVs further at this time.

The fact that CAF's advice to us aligns with the information they are required to provide to the national regulator is reassuring and provides a level of external oversight and verification. The regulator is continuing to monitor the situation in Sydney and will provide advice to other jurisdictions with an interest in these issues as they unfold, including Canberra and Newcastle, where CAF light rail vehicles are also in service.

I would like to take a moment to assure the Assembly that Canberra Metro already proactively manages its fleet to ensure that our light rail vehicles are safe, well maintained and not experiencing any serviceability issues. Under the current contract with Canberra Metro, the consortium is required to have safe and serviceable LRVs available to deliver services. Canberra Metro is responsible for the operation and maintenance of the LRVs, including maintaining compliance with all relevant standards and repairing damage, until the end of the PPP contract term in 2038.

That brings me to our contingency planning in the event that a similar issue to that experienced in Sydney were to emerge in Canberra in the future. If an issue were to be discovered, the first line of defence would be to remedy these issues during the normal LRV maintenance cycles. I note that the ACT maintains a fleet of 14 LRVs, with 12 vehicles required to run services on the standard timetable. This provides contingency to maintain services in the event that a vehicle needs to be taken out of service for maintenance. If multiple vehicles needed to be taken out of service for longer rectification works that could not be managed within normal maintenance scheduling, the frequency of operations may be reduced.

In the unlikely event that all vehicles had to be taken out of service concurrently for an extended period, services would be replaced with buses. This reflects the existing light rail replacement protocol, which has been activated several times this year during the construction of the Sandford Street light rail stop. In this event light rail services are replaced along the corridor with buses which mirror the light rail route and stops. While we recognise that Canberrans love light rail, the replacement bus services have been shown to be an appropriate and effective way to keep Canberrans

moving in the event that light rail services need to be temporarily suspended. I reiterate that we do not expect this to be a contingency plan that needs to be activated, because no issues have been identified with our LRVs at this time. But I have confidence in Transport Canberra to effectively manage this contingency if those issues were ever to occur.

Members of this place would be aware that the ACT government is currently in the process of gearing up to deliver stage 2 of light rail to Woden. That includes preparing to purchase more LRVs to service the initial expansion of stage 2A from Alinga Street through to Commonwealth Park. This is an active procurement process, so I will not overstep the bounds here, but I can assure members that the quality, safety and reliability of the LRVs will be a key consideration in this process. In coming months, the light rail board will review in detail the options that come forward through this procurement process and provide advice to government about the best way to proceed. Their advice will be considered by both the expenditure review committee of the cabinet and the full cabinet, so that we can make sound, considered decisions around sourcing our next tranche of light rail vehicles.

I would like to thank Mr Parton for raising this issue—even if he did so with the intent of making mischief as part of his long-running campaign against light rail in Canberra and particularly its extension to Woden, which he cannot commit to. Investigations into problems with the Sydney fleet are ongoing by national rail safety bodies. We will stay in close touch with these regulators about any findings or insights that are relevant to Canberra's fleet. Canberra Metro will continue their program of proactive maintenance inspections of the Canberra fleet, which I have outlined today. I make a commitment that the government will work transparently to inform Canberrans of the outcomes of this work.

Over the next few months, Canberrans will start returning to public transport as we move past the COVID-19 public health emergency, and, as they do, it is important that our community can have confidence in Canberra's public transport system, including the safety and reliability of the equipment that delivers it. The response that I have tabled today should provide that confidence.

In addition I want to say very quickly, in relation to the Newcastle issues that have emerged, that there is no evidence of failure in Canberra's light rail vehicles, as was found on the light rail vehicles on the Newcastle line. While the vehicles on the Newcastle line and Canberra's light rail are of the same CAF light rail vehicle model, the coupling that had the failure is a different design and part number in the Newcastle vehicles than on the Canberra light rail fleet. This is a mechanical problem and it is unrelated to the cracking issues identified in the inner west light rail fleet.

I can also confirm that the mechanical issue is caused by a faulty earthing adaptor, which is a component in the earthing assembly of the wheel coupling on the bogie wheelset. (*Time expired.*)

**MR PARTON** (Brindabella) (3.24): I want to thank the minister for amending the motion in the first place, from three weeks ago, and moving the reporting date forward, and for providing such a detailed report today.

I understand that the minister has confidence that the cracking issues will not appear here in the ACT, but I would note that, when reading his statement, it seems to indicate that he is still having a bit of a foot in both camps here. I can understand that because, like me, I am sure that he has spoken to those in the field who are adamant that the appearance of cracking issues here in the ACT is only a matter of time. I know that there are those who have advised him otherwise. Additionally, this outcome would likely materialise faster once we mount heavy batteries on our light rail vehicles to enable them to travel through the parliamentary triangle.

I am not surprised that officials from CAF have come up with a number of reasons why our vehicles will not be affected by cracking, because they are trying to sell more of them.

I am pleased to see in this report the enhanced inspection regime. I would ask the question as to whether the entire floor of any of the LRVs was removed to inspect for cracking. Based on non-answers to questions, I am sure that is not the case. I certainly hope that we never see cracking in our LRVs; but, if and when it happens, I would suggest that the minister's response will be most interesting.

The other thing that I want to make clear, in order to remove some material from the minister, is that, based on what we know today, I put on the record that I am in support of the light rail extension to Woden.

Question resolved in the affirmative.

### **ChooseCBR scheme—report**

**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) (3.26): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

ChooseCBR Evaluation and Review Report.

**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) (3.26): I am pleased to give a statement today on the report of the ChooseCBR evaluation and review conducted by David Butler Consulting.

As members are aware, the ChooseCBR program made \$2 million available to Canberrans through a digital discounts scheme. It aimed to stimulate local spending by attracting new customers to local small businesses and encouraging new and existing customers to spend more as they redeemed the vouchers. The program was preceded by a trial in December 2020, during which \$500,000 in vouchers was made available.

On 22 June this year, I advised the Assembly that the government would commission an independent review of the ChooseCBR program. The review was to look at design and implementation, analyse the spread of activity across businesses and consumers, and evaluate its impact as a stimulus to business activity. As a former second commissioner of taxation in the Australian Taxation Office, together with many other roles, David Butler was well placed to conduct the review. He has considerable expertise in the delivery of information technology change, and has been frequently engaged as a lead reviewer for performance improvement framework reviews of New Zealand government departments as well as several reviews for Australian government departments and agencies.

This report is public, as tabled today, so members can read the report in its entirety. However, I am pleased to provide the following summary comments.

The review found that ChooseCBR was efficient and effective at delivering the government's key objective of stimulating economic activity during a difficult period. More than 30,000 Canberrans redeemed more than 85,000 discounts at close to 800 small and medium businesses.

In accordance with the terms of reference, the consultant investigated the technical issues experienced in the full rollout of the scheme. The review notes that it is difficult to determine whether specific additional testing of the system prior to the rollout could have identified the root cause of the problems which materialised. As members will recall, we had anticipated that demand would be stronger in the full rollout than it was in the trial, and we did ensure that server capacity was increased to address the capacity issues experienced in the trial. A suite of functional testing, including account registration, voucher redemption and feedback submission, was also carried out on the site before the rollout.

The technical issues that occurred on 9 June were distinct from those in the trial. The review identifies that they related to the structure and design of the database. Given the high volume of transactions immediately experienced when the rollout commenced, they impacted on the efficiency of each transaction and slowed down performance.

The review concludes that while it was disappointing for businesses and participants that the rollout had to be paused, given the complexity of the technical issues faced, there was no other option than to stop, assess what was happening and fix the problem. The review identifies that once the technical issues were understood, and changes made and tested, the web-based application performed very well, with a significant number of transactions being processed in a very short period. That goes to the fact that the demand was maintained despite having to pause the program.

Importantly, particularly given discussion in the media and in this place, I can advise members that the review concludes that there is no evidence of systemic misuse of the scheme.

In relation to program administration, the review observed that there were several features implemented that strengthened the program's integrity. These included

placing limits on the number of vouchers available for each participant, enabling only one voucher per person to be used in a store per day, and ensuring the use of verified mobile phone numbers for participant registration. The review found that the basis of these decisions on selecting the vendor of the overall system was sound given the limited options available to deliver the economic stimulus objectives in the time frame that would make a difference to ACT small businesses.

The review supports that conducting the trial of the myDarwin product was a good idea. The review found that the risk management approach adopted during the trial was sound and that careful thought was given to the risks the program might face when being implemented in the ACT.

The review confirms that commissioning a major consulting firm during the trial to carry out a high-level threat and risk assessment across the technology was useful. And it identifies that there was a thorough follow-up of the key learnings and insights gained from the trial, with several enhancements and improvements made to the program before the June rollout.

Members will read that there are lessons identified in the review, and three recommendations are made to improve the likelihood of successfully delivering future programs where there is a key dependency on a purpose-built web-based application, particularly if a program was originally designed for a smaller number of users.

First, the review recommends that consideration be given to clarifying and strengthening the role and accountabilities of a project manager where there is a cross-ACT government initiative, particularly where there is an important information technology component. This would provide greater support to the chair of the project and the project owner.

Second, the review notes that better controlling scope is a lesson learned. It recommends that project boards are aware of the importance of ongoing control of what is and is not in scope in a project; and, related, that clear deadlines are set ahead of its delivery. This assists in ensuring that any changes to web design and functionality are timely.

Third, while the review acknowledges that the myDarwin program had operated successfully without known issues or incidents, that it represented good value for money, that decision-making around choosing it was sound, and that there had been the benefit of the threat and risk assessment undertaken during the trial on the technology side of the program, a high-level independent expert technical verification of the broad fitness for purpose of the web-based application would also have been useful.

While the review notes that it is difficult to determine whether additional testing would have identified the root causes of the issues which materialised, this verification of the program may have revealed some of the technical issues which were faced when the system was under considerable load. Importantly, it would have assisted in defining and controlling scope. As a result of these lessons learned, the

review recommends that project board members be skilled in understanding and identifying the importance of seeking this verification so that it is undertaken.

Overall, I am pleased to advise the Assembly that, as assessed by the independent evaluation and review conducted by David Butler Consulting, the ChooseCBR program was successful in achieving its aim as a business stimulus program. That some \$7 million was spent in redeemed vouchers in the trial and full rollout across some 800 Canberra businesses demonstrates that this scheme was effective in providing a significant boost to local businesses.

As I have said previously, this was a one-off scheme, the first of its kind in the ACT. It was a bold initiative. The rollout was not smooth; we recognise and accept that, and fully accept the recommendations in the review. But the scheme did achieve its aim in stimulating spending with local businesses and supporting them through a difficult time.

Again, I thank the many Canberra businesses and customers who took part in the scheme and especially the people who worked behind the scenes to deliver it.

Question resolved in the affirmative.

### **Community language schools review—government response**

**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) (3.34): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

ACT Community Language Schools—Independent Review of the Investment—

Report [in response to the resolution of the Assembly of 4 August 2021].

Government response.

**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) (3.34): The ACT government is committed to recognising, valuing and strengthening Canberra's cultural and linguistic diversity. The 2016 census data shows that more than one in five people living in Canberra speak a language other than English at home.

As we all know, language skills are incredibly important for preserving and celebrating cultural identity and heritage, and can be crucial for communicating with friends and family. Since 2012, the ACT government has provided annual funding to the ACT Community Language Schools Association to administer annual grants to over 40 community language schools across the ACT.

Many of the languages taught by community language schools are not taught in mainstream schools, highlighting the critical role these schools play in the delivery of

language education. Community language schools are not-for-profit organisations that provide out-of-hours language classes for students interested in learning languages. They connect people living in Canberra to the language, heritage and culture of a broad range of communities around the world. To be eligible for funding from the ACT government, schools must provide at least two hours of classes per week. Classes can include cultural activities, but these activities must have a strong language focus.

Under the second action plan of the ACT Multicultural Framework 2015-2020, the ACT government committed to undertake an independent review of investment in ACT community language schools. The review identified the critical work that community language schools do to contribute to a stronger and better connected Canberra. Importantly, it presents several recommendations to further improve and optimise the program.

The report of the review contains a total of 12 recommendations to improve the provision of community language learning in the ACT. As well as recommendations made to the government, the report makes recommendations to the ACT Community Language Schools Association and community language schools themselves. The recommendations aim to ensure that language skills are available to all Canberrans so that they can communicate and maintain connections with friends, family and community, preserving cultural identity and values in the process.

I am pleased to share that there is significant alignment between the recommendations of the review and the actions that the government and community language schools have already been progressing to promote and support the learning of community languages in the ACT.

Of the six recommendations directed to the ACT government, four are agreed and two are agreed in principle. Where they are agreed in principle, the government supports the intent of the recommendation, but recognises that further exploration and planning are needed. The government has also agreed to one recommendation and noted the remaining five recommendations directed to the ACT Community Language Schools Association and community language schools themselves. We will work collaboratively with key stakeholders to implement all recommendations identified by the review.

We are committed to this program and will continue working to improve the ACT's provision of language learning. This independent review will help us to focus our continued collective efforts to support and improve language learning outcomes for the Canberra community.

Question resolved in the affirmative.

### **Molonglo group centre and surrounds—government response**

**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) (3.38): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

Molonglo Group Centre and Surrounds—

Draft Concept Plan.

Response to the resolution of the Assembly of 8 October 2021.

I am pleased to speak on the Molonglo group centre and surrounds draft concept plan in response to the Assembly resolution on land release in the Molonglo group centre. The draft concept plan applies to land at Molonglo and parts of Denman Prospect in the Molonglo Valley stage 2 area. This draft concept plan demonstrates the breadth and complexity of planning that is needed to bring greenfield sites, and in particular a new group centre, to reality. The draft concept plan is the result of considerable investigation, analysis and planning work.

The Molonglo group centre has a fantastic natural asset at its door with the Molonglo River corridor. The river corridor creates a place unlike any other centre in the territory. The draft concept plan puts people first and is created with our changing climate in mind, with a focus on sustainability and comfort for the community through living infrastructure, walkability, green corridors and easy access to public transport into the future.

Over time the Molonglo group centre will develop with commercial and retail space that will provide employment opportunities for residents, with the first land release planned for 2023-24. The draft concept plan considers how we can continue to meet the needs of the Molonglo community into the future as the population grows and shifts. The draft concept plan creates the foundation for homes, facilities and infrastructure that allow people to stay in the community through different life phases.

The draft concept plan for Molonglo group centre and surrounds creates the basis for an ongoing collaboration with the community to deliver a great place. We look forward to working closely with the community stakeholders, with conversations proposed over the summer with the Molonglo Valley community council and other key stakeholders. The community is an important partner in shaping the Molonglo group centre through the next steps towards delivery.

I am pleased to have tabled the draft concept plan for the Molonglo group centre and surrounds. This is a significant step in the ongoing delivery of Molonglo Valley.

Question resolved in the affirmative.

## **Electoral Amendment Bill 2021**

**Mr Davis** and **Mr Braddock**, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

**MR DAVIS** (Brindabella) (3.41): I move:

That this bill be agreed to in principle.



The decisions being made in parliament today affect the lives of young people in the present and into the future. It is the responsibility of governments to empower the next generation to be involved in these decisions that will impact them. In a healthy democracy, young people are supported to be engaged and active public citizens. This bill will bolster the democratic engagement of young people, by empowering 16- and 17-year-olds through the right to vote in ACT elections.

The views and interests of young people are paramount when it comes to the decisions about their future. Governments have a responsibility to support their communities to engage in our democratic systems. Research conducted by the Whitlam Institute found that young people are increasingly invested in the politics of their local communities. The institute also demonstrated that political participation by young people is taking place not just in person but on digital platforms.

Just last week, I was on an online panel hosted by Australian Greens Senator Jordon Steele-John, where we spoke about the engagement of young people in contemporary Australian politics. I was pleased to see that many young people from across the country attended and engaged thoughtfully through this platform.

The Greens are not the only party who have noticed young people's engagement online. I commend the efforts of my colleague Mr Parton for engagement on the social media platform TikTok. This demonstrates the Canberra Liberals' understanding that young people are increasingly engaged in political conversations.

Young people have a high degree of political awareness, and it is time they had the right to vote. A recent survey conducted by the Youth Coalition of the ACT found that a majority of young people supported being empowered to vote. In our consultation with the Youth Coalition on this issue, the CEO, Dr Justin Barker, commended this bill as an important move to ensure that 16- and 17-year-olds have a say in political decisions being made about them. He told us:

This Bill is a step in the right direction of ensuring 16 and 17 year olds have a say in political decisions being made about them in the ACT. I look forward to contributing to the community conversation that follows the tabling of this Bill to ensure that young people are engaged in our democratic system with adequate protections for those facing hardship.

This bill responds to the many community voices that have come to my office asking us to strengthen avenues for participation in our democracy. The 2020 ACT election saw the ACT Greens hit the polling booths with an ambitious policy platform that raised the voices and concerns of young people.

Not only did we go to the election with a commitment to empower 16- and 17-year-olds to vote, but by framing the election as one about climate change and the ongoing housing affordability crisis, the ACT Greens made this an election for young people. My expectation is that after this legislation comes into effect, all parties across the political spectrum will begin to genuinely engage on the needs of young people.

Earlier this year, the Assembly unanimously supported my motion calling on the government to increase civics and democracy education in ACT schools. This education is just one element of the diverse and creative options at our disposal for community engagement. I plan to continue to advocate for this education as a core component of encouraging young people to develop their political acumen even further.

The engagement of groups within our community and politics cannot have a one-size-fits-all approach, though. One of the things the ACT Greens are most proud to have accomplished in this place is to have built a more transparent and accountable government. This bill to empower young people to vote will bring about a sense of hope and excitement about civics education in schools that has not been seen before in this country. It will streamline the way the government responds to and promotes democratic engagement in the ACT and ensure that our young people are empowered to engage in ACT politics.

After all, the crux of this bill is about the human rights of young people. Research conducted by the Australian Human Rights Commission found that Australian teenagers held a “keen understanding” of areas for improvement within Australian government policy. The commission also found that young people held great concern over the stigma surrounding their cohort as “incapable of making informed decisions”.

Young people are capable of making informed decisions, and they are engaging in the critical issues that are facing our society. Jodie Griffiths-Cook, the ACT Children and Young People’s Commissioner, wisely told us in our consultations:

Part of my job is to make the ACT a better place for our children and young people. Hearing and understanding their views helps us to get this right. I look forward to considering this Bill in seeking to afford young people the opportunity to influence the direction for the ACT, while ensuring that appropriate protections exist for them in doing so.

In the context of the threat of climate change, growing intergenerational inequality and these COVID lockdowns, young people need us to get this right. It is vital that we hear and understand what they have to say.

In our engagement with the ACT Human Rights Commission over this legislation, the commission also argued that young people are more than capable of making informed decisions. They said:

Setting the minimum voting age at 16 years old would be consistent with contemporary understandings about the cognitive development and maturity of young people. Enabling young people to directly participate and be heard in the democratic processes would also be consistent with article 12 of the Convention on the Rights of the Child, which requires due weight and recognition to be given to the views of young people in accordance with their age and maturity.

There is no doubt that historically, when particular communities have been enfranchised, the issues they face have been given increased attention and concern in

the public arena. After all, diversity is a really good thing in politics. I am someone who grew up in public housing. I struggled with my education in my primary years. I am a person who helped raise their siblings, and I provided care to someone close to me with a drug dependency, all before I was able to vote.

I became involved in politics as a young person back in 2006 when the ACT government proposed the closure of 39 public schools, including mine. You have probably heard me tell this story before, Madam Speaker. You can imagine that when the government proposed to close my school, I was on track to lose the first place where I ever truly felt safe, seen and supported. It was then that politics chose me.

This is the case for many young people. Politics chooses them. They are aware of the issues they face in life. When no-one listens, they know they need to get loud. This bill would ensure that young people do not face the same situation I did. This bill ensures that young people will be able to present their support or opposition for decisions made in this place at the ballot box.

For young people facing great challenges—whether they be homelessness, drug dependency or discrimination—these negative events are compounded with their youth to amplify feelings of being unheard by those of us in here, those of us in power. Barriers to political participation are also multiplied for young people facing several sources of marginalisation.

Recent events have demonstrated once again that people from migrant and refugee backgrounds are often made to feel unwelcome in formal political environments. Despite this, a recent survey conducted at the University of Sydney showed that young people who grew up in a household with language other than English at home had the highest levels of civic engagement across Australian society.

Further, Tuesday's ground-breaking report into parliamentary culture is a reckoning on the relationship Australia politics has with gender inequity and the voices of young women in parliamentary democracy. Nonetheless, Plan International's *She can lead* report found that young women are engaging closely with the state of their democracy and have clear ideas about what needs to change to make politics a viable career for more women. Tireless advocates like the founder of Raise Our Voice, Ashleigh Streeter-Jones, have stood up for the democratic voice of young people since their early 20s. Voting rights are one concrete step that would enable young people to directly influence the culture and direction of their democracy and of our parliaments. Advocates like Ashleigh currently champion them.

With the serious existential crises and institutional discrimination that young people are facing, now is the time to ensure that they are allowed to engage in our democracy. Young people are leading conversations about the big issues that we face as a society. These young people are the first generation that will feel the impacts of climate change. And they will be the last generation able to truly mitigate some of its worst effects. This has not gone unnoticed by this cohort, as they lead protests, launch petitions and adapt the way they live in the hope that they can be part of the solution to these socio-political problems.

Young people make up over half the world's population. They deserve a say in how the world will look in 20 years. The policies that will impact the world in 20 years time are being crafted and legislated for right here, right now, by all of us. Young people should be a part of this.

Imagine the benefit it could have for the development of public policy more broadly if there was a new growing constituency that politicians had to make a conscious effort to appeal to—a constituency basing their vote on what the policy implications would be not just within this electoral cycle but 30, 40 or 50 years into the future. Perhaps we would see a cultural shift in political conversations. Perhaps we would encourage politicians and political parties of all stripes to stop being so transactional and immediate in their policy responses, instead framing a more deliberative, long term vision for this country.

Young people deserve this reality. After all, young people powered our society through this pandemic. While we were comfortable at home, occasionally ducking out for a drive-through meal, it was a young person that served us. On the rare trip we would take out of our house during lockdown to go to Coles and Woolies to do our grocery shop, it was a young person packing our bags. When we headed down to grab our COVID-19 shot at the local pharmacy, we would have been greeted by a number of young people. They propped up our community while we were staying home.

Young people did their part to protect our community. They faced both the best and worst realities of our society every day. Young people are smart and they are more than capable of deciding who should represent us in this place.

In fact, I will make a controversial point. I would bet that every single member in this Assembly owes their seat to the unpaid labour of somebody under the age of 18 who wore shirts branded with our names, handed out how-to-vote cards with our faces on them, and maybe even voted for us in preselection in our respective political parties. Young people are engaged in our society, and they should be engaged in our democracy. They clearly are. So why do they not yet have the right to vote?

I joined the ACT Greens in 2008. I was 16 years old. Within our party I saw many other young people around me and thought that the ACT Greens must hold a youth membership unparalleled by any other political party in Australia. But if the 2020 election showed us anything, it was that young people have a diverse range of political views. Young people are progressive. Young people are conservative. Young people are anarchists or Christian fundamentalists. Heck, some young people are even Marxist Communists. Young people have agency. That goes for the many young people that I saw in polling booths during the 2012, 2016 and 2020 elections in their respective green, red and blue shirts.

At the time the idea of empowering 16- and 17-year-olds to vote was first proposed in this Assembly, it was former Chief Minister Gary Humphries who asserted that the motion was purely a ploy to gain Greens votes. I heard a bit of conjecture today, Madam Speaker. However, young people are not a homogeneous group but a cohort that represents the diversity of our society as a whole. Just imagine how inappropriate

it would be if we started to describe all people over the age of 55, or all mothers, as some monolithic voting cohort. We should not risk doing the same thing with young people.

Research conducted by Monash University found that 18-year-olds do not vote for progressive parties en masse but weigh up a range of social, economic and political factors. I have mentioned this in this place before, but I will mention it again: it was a former Young Liberals president, Josh Manuatu, who appeared before the inquiry into the 2020 ACT election and the Electoral Act, who proudly claimed that the Canberra Young Liberals were the largest youth political movement in the country. This is something to be proud of. I trust the Canberra Liberals are. To me, it represents a clear case for young people being politically engaged in the ACT.

If this bill were to pass, it would be far from a world first. Yes, we have occasionally heard about the social engine room that is the ACT parliament. But we would not be going this alone, Madam Speaker. Similar reforms have been achieved in Austria, Brazil and Scotland. Research has found that they have a positive impact on the confidence of young people, feeling that they can effect change.

The case of Scotland gives us a fascinating insight into the positive effect franchising young people 16 and 17 years old can have on the quality of our democracy. In Scotland's 2014 independence referendum, and later during the 2016 Scottish elections, 16- and 17-year-olds were given the right to vote. Research conducted at that time found that the interest in politics by 16- and 17-year-olds was consistent with the rates in the already voting adult population. Seventeen-year-old Emma from Scotland described her feelings around the vote by saying:

... I think there this sort of strength that's come with the voting age being lowered in the Scottish referendum ... they lowered the voting age and then suddenly there was this feeling of "Our voices do matter. And we can be engaged."

Further research found that for those voting for the first time in the Scottish elections, younger voters had a higher chance of turnout than their slightly older counterparts. Fifteen-year-old Ben from Scotland said:

I think that sixteen is the point where we're transitioning ... we're in senior school, where we really have to start thinking about college and Uni and all those other ... responsibilities, I think, in a sense makes you want to invest in your future. And I think having the lower voting age allows us to be able to voice our opinions.

A couple of hundred kilometres away, on the European mainland in Austria, research on the effect of empowering young people to vote found that they saw a great responsibility in ensuring that they were informed about major issues in Austrian elections. This responsibility extended to their social lives at school, with research finding that young people began to use education settings as a platform to discuss and debate politics with their peers. This is distinct engagement that is the consequence of stimulating the political interests of young people by giving them a seat at the table.

Edward Krutsch, the national director of Run For It, a youth organisation working to get more young people engaged in politics, told us this adamantly:

So many 16-18 year olds are already actively engaged in our democracy, they are attending rallies, agitating on social media or organising for better conditions in their workplaces. It's only fair that we allow these young people to have a say on who best represents them in parliament.

Extending the legal voting age in the ACT to allow 16 year olds to vote would be an instrumental step in assuring that more young people become politically engaged, and our democracy becomes more accessible for all of us.

This does not discount the responsibility of government, and elected members for that matter, to ensure that young people are woven into conversations within our democracy. Politicians need to do better at speaking to the hopes and aspirations of young people. As elected members, we need to adapt to the ways young people are politically engaging. We have a responsibility to represent people within our respective electorates. It is not enough to expect young people to adapt to the same institutional structures that they are criticising, no matter what side of this chamber you sit on. If young people are using social media to engage, if they are using schools to discuss big issues and if they are protesting on the streets of our city, we need to adapt, and we need to listen.

The politics of lowering the voting age were first introduced to this Assembly by the ACT Greens in 1996. We have been talking about young people voting in the ACT for 25 years now. Enough blah, blah, blah. We need to change. In 1996, when this idea was first proposed, my ACT Greens predecessor and former member for Molonglo, Kerrie Tucker, spoke to the likeness of empowering young people to vote with the history of the suffragettes and First Nations activists. She said:

We would all see it as unjust to deny women or indigenous people the right to vote now; yet the response of our colleagues is similar to the response of the establishment when votes for indigenous people or women were flagged in the past.

Ms Tucker spoke to the substance of why the ACT Greens support this policy. We believe that politicians have a responsibility to empower not just the next generation but every member of our society to be an active part of their democracy. In a healthy democracy, young people should be supported to be engaged public citizens. It is not a joke or a pipe dream; it is the reality of the implementation of public policy in this place. We as elected parliamentarians owe it to young people to take their concerns seriously. I think it is time we started listening to young people and stopped talking over them. I commend the bill to the Assembly.

**MS CLAY** (Ginninderra) (4.01): I seek leave to give Mr Braddock's tabling speech on his behalf.

Leave granted.

**MS CLAY:** My colleague Andrew Braddock is co-sponsoring this bill. Unfortunately, he is not able to be here today, so he has asked me to make some comments on his behalf. I am really happy to do so. We are both passionate about this subject. Mr Braddock is the ACT Greens spokesperson for democracy, and he wants to expand voting rights to create a more vibrant and democratic future. I would like to see young people get a say in whether or not we save their future and their planet.

I will start, as I so often do, with the school strikers. My colleague Mr Davis has already outlined this extremely well. The school strikers are amazing. They are led by a legion of articulate, passionate 16-year-old girls, and they are political. They are already political; it is obvious. One of our staffers often speaks about walking out of school at 16 to protest the Iraq War. Other staff of ours talk about attending rallies on racism, sexual harassment, First Nations justice, climate change—all while they were at school. Young people are already political.

With pandemics, climate change, housing affordability and intergenerational inequality, young people do not actually have a choice about whether to be political or not. They live in this world and they live with the political decisions that we are taking, and these decisions have never been more important. This world is inherently political and they are stuck with those decisions.

We make key decisions about issues affecting young people every day. We ask them to comply with our rules and we ask them to take on so many responsibilities; yet we are not formally accountable to those 16- and 17-year-olds. This is despite them already being capable and engaged, and already being political participants in our society. Many of them have finished school and joined the workforce. Some of them are paying taxes. Some of them are supporting themselves. We have heard what some of them were doing before the age of 16; yet they cannot vote.

This bill to expand voting rights will empower young people to have more say over their future. It will concentrate the minds of all of us in here on considering what issues are important to young people, and to represent young people better than we have been.

We looked at this issue recently on one of the committees on which I sit, the justice and community safety committee. I am speaking here in my capacity as an MLA; I am not speaking for that committee. That committee decided that the current voting age of 18 should remain the same. I was pretty disappointed, actually. I lodged a dissenting report. We received three submissions in favour of looking at changing the age and three submissions against.

The submissions in favour of investigating this all engaged directly with the heart of the matter. They all looked at what young people are capable of doing, they looked at the future that we are making for them, and they looked at the ethics and the politics of the issue. The three submissions against were disappointing. They merely looked at operational and legislative barriers to making a change. That is literally our job here—to decide what we should do and work our way through the operational and legislative

barriers to doing that. That is not a reason not to look at an issue; that is a reason to look at an issue properly and to make sure we get it right.

All of these social and political issues continue to compound and continue to impact on the future of young people. That means we do not have any more time to spare on this. We need to make sure that we do this right. We can be the first Australian jurisdiction to do it, but we are, of course, not the first in the world. We can create a model that other Australian jurisdictions can be inspired by. We can demonstrate what it means to be a progressive jurisdiction. I know we are used to that here; we love doing that here. It is time to do it again.

We do not want to create a buzz then be forgotten about and have some future assembly come back to this again, maybe in another 25 years, and still not have resolved this. We want to empower young people now. We want to strengthen our democracy and combat the feeling of helplessness that so many young people have; we want to combat that feeling that they have about a bunch of out-of-touch politicians who are making the wrong choices on their behalf!

Young people are the future and they are our future leaders. We are the leaders now. It is up to us to give them a voice now. They cannot do it unless we do that for them. Whilst we want to empower young people to vote and to share with us their ideas and solutions, we have the responsibility to represent them. We need to do outreach and consultation with them; we need to cultivate their civic engagement.

We are acutely aware of all of the pressures that 16- and 17-year-olds are experiencing. We need to listen and implement solutions for them so that they do not feel the world's weight on their shoulders and so that we can prepare the path for them.

As well as all of the trail-blazing youth activists, like the school strikers and those who attend rallies, we know there are many young people who are not that interested in politics. There are some who want to learn more. There are some who maybe do not want to learn more; they are simply disengaged. That is a really good reason to engage them and give them a voice. They might be busy finishing school, they might be worried about getting a meal—they might be worried about a whole lot of issues. They are not going to engage in politics if they do not have any voice in it. That is exactly why we need to expand voting rights and give them that voice.

We want young people to vote. We believe in the inherent value of youth political participation. More people voting makes for a stronger democracy. The more experiences, views and diversity that we have, the more we have a representative democracy, and the more we are accountable to every sector of the community that we represent.

We envision that this will drive innovation in our political system. It will motivate every one of us here to consider all of the forms of political participation, not just the ballot box. It will make sure that we adapt to consider the emerging ways that young people express themselves, and it will make sure that we take it upon ourselves to meet them where they are. We want young people to know that their views—whether



it is in a protest, in a community group, on TikTok or in a conversation with friends—are legitimate, valuable and on an equal footing with those of their fellow citizens.

We look forward to seeing this bill pass and to seeing how it will strengthen our civic education. It will encourage teachers and young people to put learnings about civics into practice. It will establish a habit of voting and political engagement during the formative years, and it will cement civic responsibility as a central part of becoming an adult. I look forward to the innovative ways that voting might be incorporated into the curriculum. I can imagine classrooms practicing voting, classes going to voting booths together, and robust conversations amongst students about who they will vote for.

In saying that, we remind the Assembly once again that political education is not a prerequisite to voting; I think we all know that. Everybody here must have seen some existing adult voters who lack political understanding. But that is not a reason to not let them vote. Under our system of democracy, everybody has the right to vote. Voting is fundamentally about values. A 16-year-old is mature enough to hold values and is well and truly able to express them.

Many other countries have led the way on this. There is plenty of evidence from academics and young people about why this will be a great move for young people and for our democracy. We look forward to seeing a robust political conversation and to continuing our conversations with stakeholders, young people and the community following the tabling of this bill.

We encourage the community, the media and the Assembly to be respectful in those conversations. We encourage everyone to remember that young people are not a homogenous group and that they have a diversity of views. We must avoid generalisation and assumptions, and we must centre our conversations around empowering and amplifying other people's voices and empathy.

Young people are rising up. They are forging their own path and they are making their voices heard, whether people here like it or not. It is time to formalise that. We really look forward to seeing our 16- and 17-year-olds voting at the next Assembly election. By then, we hope that every party will have rethought their policies and platforms in light of this extension of voting rights. We encourage everyone to think about a world where 16- and 17-year-olds can vote and to think about how different that world will look. Think about how it will change the way our future generations engage with democracy. Think about how it will change the way we create the decisions and the world that they are entering. Think about how it will change the way young people see their own place in our world and in our democracy. Think about how it will change the way we politicians engage with young people.

There is so much to gain here. When we think about this, we see a stronger, vibrant, more diverse democracy in the ACT. I join with my colleagues in the Greens to commend this bill to the Assembly.

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

## **Mental health services—mental health, alcohol and other drug use disorders**

**MS LEE** (Kurrajong—Leader of the Opposition) (4.11), by leave: On behalf of Mrs Jones, I move:

That this Assembly:

(1) notes:

- (a) the current mental health system in the ACT is comprised of the following facilities and teams:
  - (i) mental health teams including Adult Community Mental Health teams, and the Older Persons Mental Health Community team;
  - (ii) accommodation and inpatient services, including the Dhulwa Secure Mental Health Unit, Gawanggal Mental Health Unit at Calvary, the Mental Health Short Stay Unit, Adult Mental Health Unit, Adult Mental Health Rehabilitation Unit, the Adult Mental Health Day Service, the Older Persons Mental Health Inpatient Unit, and Ward 2N; and
  - (iii) community-based services, including the Forensic Mental Health Service, the Perinatal Mental Health Consultation Service, the Adult Step Up Step Down Program and the Alcohol and Drug Service Medical Services unit at the Canberra Hospital;
- (b) mental health disorders are prevalent amongst people in the custody of the ACT at the Alexander Maconochie Centre;
- (c) drug and alcohol rehabilitation services are provided by the community sector and are not co-located with, or delivered in conjunction with, mental health services in the ACT;
- (d) in 2018, the NHMRC Centre of Research Excellence in Mental Health and Substance Use found that:
  - (i) more than one-third of individuals with an alcohol and other drug use disorder had at least one comorbid mental health disorder, but the rate was even higher among those in alcohol and other drug treatment programs; and
  - (ii) there are a large number of people who present to alcohol and other drug treatment who display symptoms of disorders but do not meet the criteria for a diagnosis of a mental health disorder;
- (e) the Productivity Commission Inquiry Report on Mental Health of 30 June 2020 found that “[m]any people with mental illness and comorbid physical health problems or substance use disorders do not receive integrated care, leading to poor outcomes, including premature death,” and recommended that “[m]ental health services should be required to ensure treatment is provided for both mental illness and substance use disorder for people with both conditions”; and
- (f) the Territory has a responsibility to treat people with both mental health disorders and alcohol and other drug use disorders in a holistic and integrated way;

- (2) calls on the Minister for Mental Health to report to this Assembly:
- (a) about how treatment services for people in the ACT with both mental health disorders and alcohol and other drug use disorders will be integrated, including by implementing effective cross-referral and coordination, and when; and
  - (b) on how many:
    - (i) accommodation and inpatient beds and places; and
    - (ii) community-based services;will provide integrated treatment for people in the ACT with both mental health disorders and alcohol and other drug use disorders; and
- (3) resolves that the Drugs of Dependence (Personal Use) Amendment Bill 2021, standing in the name of Mr Pettersson, not be brought on for debate until five (5) sitting days after the Minister for Mental Health has reported back to this Assembly.

Lived experiences: this motion is the result of real and tragic lived experiences. We hear too many of them, and I am certain that others in this place will have heard them, too. Usually, they are from parents, but sometimes they are from siblings, partners, grandparents or friends—how they spent years trying to get their loved ones the mental health care and drug rehabilitation that they need.

Overwhelmingly, these are the lived experiences of people who are in desperate need of both mental health and drug and alcohol treatment, but who are effectively bounced from one service to another, with limited integration or coordination.

In the gallery today, Mr Deputy Speaker, is Janine Haskins. Her daughter, Brontë Haskins, took her own life in February 2020, after a long battle with drugs and mental health issues. Her death is now the subject of a coronial inquiry, so I will not be speaking at length today about the circumstances of Brontë's death. Janine, however, has conveyed to us that Brontë was just like you and me—full of hopes, dreams and aspirations. Brontë was 23. She should have had her whole life ahead of her.

What we do know is that Brontë interacted with the ACT mental health system, hospital, the justice and corrections systems, and police and paramedics in the final days and weeks of her life. Janine feels—and knows—that this system let Brontë down. Janine, we are incredibly sorry for your loss of Brontë, and I know that all members of this Assembly are, too. Fixing the system does not bring Brontë back, but we can start something here today that will help other Canberrans like Brontë.

I acknowledge the shadow minister for health, Giulia Jones, who has reached out to so many Canberra families. One of the experiences is that of the mother of a young man who tried and tried to obtain both mental health and drug rehabilitation services for her son, which he was in desperate need of. She will be listening today, but I will not state her name.

Her son bounced between different mental health services. When in mental health treatment, he was ineligible for drug and alcohol services, but upon release from that

treatment he was not referred or transitioned to any drug or addiction treatment. She had to care for her son at home because he could not access an appropriate service. Sadly, her son is no longer with us. She has said:

I will spend the rest of my life being a voice so that people who are in power understand what's going on with these people.

Today this Assembly hears you.

Anyone can be affected by mental health issues; likewise, with drug and alcohol issues, addiction can affect everyone and anyone. There has been—although it is decreasing—a stigma associated with mental illness, for which there should be no stigma; likewise for addiction.

In 2018 the NHMRC Centre of Research Excellence in Mental Health and Substance Use found that more than one-third of individuals with an alcohol and other drug use disorder had at least one comorbid mental health disorder, but the rate was even higher among those in alcohol and other drug treatment programs. And there are a large number of people who present to alcohol and other drug treatment facilities who display symptoms of disorders but who did not meet the criteria for a diagnosis of a mental health disorder. The Productivity Commission, in its inquiry report on mental health, found:

Many people with mental illness and comorbid physical health problems or substance use disorders do not receive integrated care, leading to poor outcomes, including premature death.

It recommended:

Mental health services should be required to ensure treatment is provided for both mental illness and substance use disorder for people with both conditions.

Clearly, there is a critical need to ensure that mental health treatment services and drug and alcohol rehabilitation services in the ACT are properly integrated.

Janine has told us of her experience with the mental health and drug rehabilitation systems in the ACT whilst trying to get proper treatment for Brontë. The first word she used to describe this system was “siloe”—services that do not talk with one another. And there are so many fragmented services.

This motion attempts to set out all of the various treatment facilities, inpatient services and community services that make up the ACT mental health system. The fact that the Minister for Mental Health has indicated that she will be amending this motion to omit that list of services because they cannot all be simply listed demonstrates how complex the system really is.

There are lived experiences of Canberrans discharged from one service but not referred to another. In one instance, a patient was released from mandatory mental health treatment with nowhere to go or live, left homeless, and with a six-week wait for a place in drug rehabilitation. People are being discharged from mental health

treatment with no discharge plans that connect them to necessary and appropriate services and support.

This motion calls for the proper integration of drug and alcohol treatment in the ACT with the mental health system in the ACT. Specifically, this motion calls on the ACT government to ensure that there are dedicated treatment services and facilities for people with the comorbidity of a mental health disorder and a drug or alcohol abuse disorder. Currently, you are in one system or the other.

By bringing this motion, we want the government to commit to creating an integrated service, and identify specific beds and specific places in specific services that will deal with both mental health disorders and drug and alcohol abuse disorders. The transition should be seamless and no-one should be allowed to fall through the cracks.

This should not be news to this ACT government. In its report on youth mental health in the ACT tabled during the last Assembly, the Standing Committee on Education, Employment and Youth Affairs said:

The Committee highlights the prevalence of co-existing mental health and substance abuse disorders and the need for diagnosis and treatment of both conditions in order to achieve improved outcomes for young people in Canberra.

That report was tabled in August 2020. It is now the end of 2021, and we still have a Minister for Mental Health responsible for mental health, and a Minister for Health administering drug and alcohol services, with no integration of these services.

This must be done before this Assembly debates Mr Pettersson's Drugs of Dependence (Personal Use) Amendment Bill. That bill would effectively decriminalise the personal use of drugs in the ACT. Drug addiction is a medical issue, but it does heighten the chances that a person may interact with the criminal justice system. Before this Assembly debates that bill, we need to be certain that we have the necessary services in place to effectively deal with the issues contained in Mr Pettersson's bill. I commend this motion to the Assembly.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (4.21), by leave: I move:

1. In paragraph (1)(a), omit paragraphs (i) to (iii), substitute:

- “(i) mental health teams;
- (ii) accommodation and inpatient services;
- (iii) community-based services; and
- (iv) many community service mental health services funded by the ACT Government;”.

2. Omit paragraphs (1)(b) and (c), substitute:

- “(b) mental health issues are prevalent amongst people in the custody of the ACT at the Alexander Maconochie Centre and, in response, the ACT offers:

- (i) mental health services provided by Winnunga Nimmityjah, Canberra Health Services Justice Health team, and the ACT Corrective Services Custodial Mental Health team; and
  - (ii) the Detention Exit Community Outreach program, which provides intensive case management and psychosocial support for up to 18 months to support people with mental health issues leaving detention, and access to SMART recovery and alcohol and other drug counselling;
  - (c) a range of alcohol and other drug treatment services are provided in partnership by Canberra Health Service's Alcohol and Drug Service and the community sector, including withdrawal and rehabilitation, opioid maintenance therapy, counselling and education and awareness services;"
3. Omit paragraph (1)(f), substitute:
- "(f) the Territory and Commonwealth Governments have a joint responsibility to treat people with both mental health issues and alcohol and other drug use issues in a holistic and integrated way; and
  - (g) the ACT Government is committed to addressing the co-occurrence of mental health and alcohol and other drug issues and continues to make investments in this space;"
4. Omit paragraph (2)(b), substitute:
- "(b) report back to the Assembly no later than 3 May 2022;"

Mrs Jones has brought an important issue to the Assembly today, and I am glad to be able to discuss the treatment and services available for co-occurring mental health and alcohol and other drug issues. I also note my appreciation for the collaborative way in which the Minister for Health works with me on these combined issues.

This is an issue that the ACT government is committed to addressing. While it is a challenging issue, I am glad to update the Assembly on the work that is being done within ACT government across mental health and alcohol and other drug services and across mental health and alcohol and other drug sectors.

The national drug strategy and the ACT government's drug strategy action plan 2018-21 include people with co-occurring mental health conditions as a priority group. Establishing more integrated service responses and a holistic approach to people with co-occurring issues is also a priority of the ACT mental health and suicide prevention plan.

The ACT government has supported the recommendations from the Productivity Commission inquiry on mental health, in particular, the need to do more to address the social determinants of mental health, which has a significant overlap with issues of alcohol and other drug misuse, and ensuring that people have easy access to services as early as possible to achieve the best outcomes.

This motion reflects the need to support people in our community who have multiple and complex needs. While mental health and alcohol and other drug issues are often

co-occurring, they also require different clinical expertise in order to be integrated for a person-centred response.

The commitment to working more effectively with people with multiple and complex needs is reflected in the ACT government's recent investment in services for young people. This includes building capacity in community programs, such as CatholicCare's youth and wellbeing, and the scoping work that is being done to develop more effective and integrated responses to young people who have experienced trauma, mental health concerns and issues of alcohol and other drug use.

We know that dealing with multiple issues requires a cross-sectoral response that can bring together the range of expertise required. While integrated care is the goal, in practice this will look different for each person. Engaging the person and their families in planning for recovery and agreeing on the treatments and supports needed, with the expert guidance of health professionals, are integral to a person-centred approach.

As mental health minister and as the minister responsible for carers, I often hear from mental health carers who discuss with me the need to concurrently respond to mental health and alcohol and other drug issues. I thank all the people with lived experience of these issues who relay to me the importance of this dual response work.

Our mental health and alcohol and other drug sector staff are also integral to the success of this work. It is critical that mental health and alcohol and other drug staff are adequately skilled in identifying co-occurring issues and negotiating the appropriate treatment and referral pathways that will ensure that people get the help they need at the right time.

Mental health workforce strategies being developed at the national and ACT levels will take into account the capabilities required of staff in this increasingly complex area of service delivery. These workforce issues do not apply only to our ACT Health and Canberra Health Services staff. Our community sector mental health and alcohol and other drug staff are also integral to the success of this integrated approach. I know that our sector colleagues are acutely aware of this issue and see the need in the community and their clients. We are committed to continuing to listen to their expertise as we address this area of work.

The ACT Health Directorate is currently carrying out a process of recommissioning community-based, non-government health services that it funds. This process will consider the strategic drivers outlined in the ACT mental health and suicide prevention plan and the national drug strategy. It will also offer opportunities to promote integration and partnerships and address community need more effectively.

Mr Deputy Speaker, the issue at the heart of this motion is an important one for discussion in the Assembly. As I have noted today, the co-occurrence of mental health and alcohol and other drug issues is an important issue for the ACT government, and work continues to address the need for better treatment and services for people in need of concurrent support.

The ACT government also recognises that the current system of addressing both issues is not complete. It is a challenging issue that is being addressed, and we continue to welcome advice and feedback from our colleagues, clinicians and consumers, and carers, in the community.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (4.25): I rise to speak in support of Ms Davidson's amendments, which Labor members will be supporting. I thank Mrs Jones and Ms Lee for bringing this very important matter to the Assembly. We place enormous importance on delivering the right care, at the right time, in the right place, for all Canberrans. But we know that does not always occur and we continually strive for better and more integrated services.

I note that this motion continues the discussion that was raised as part of Mr Pettersson's harm minimisation motion agreed by the previous Legislative Assembly on 20 August 2020, to which I responded on 9 November 2021. Mr Pettersson's motion included a focus on the importance of better integrating mental health and alcohol and other drug services to ensure that, where appropriate, individuals with co-occurring or comorbid disorders are supported and their engagement is as seamless as possible.

The ACT government is committed to addressing the comorbidity and co-occurrence of mental health issues and alcohol and other drug disorders and, indeed, other factors that can influence people's engagement with mental health and alcohol and other drug sectors, such as underlying trauma and post-traumatic stress. We recognise that supporting and investing in our mental health and alcohol and other drug sectors is critical. This, of course, was noted by the select committee on Mr Pettersson's private member's bill in their report tabled earlier this week.

In this year's budget there is an additional \$11 million being provided to our community-based alcohol and other drug service partners. Much of this is in response to the service needs associated with the Drug and Alcohol Court, which is specifically intended to ensure that we can address alcohol and drug issues as a health issue for those people who are already engaged with the justice system and have been for some time. This complements the significant investments made to support both the acute and community-based mental health sectors.

As I have said, however, we recognise that there is always more to do. Better integration of services is one of my key priorities as Minister for Health. When people use the ACT health system, their contact with services should be as seamless as possible and delivered in a manner and a place that best meets their needs.

The national drug strategy 2016-26 and the ACT government's drug strategy action plan 2018-21 include people living with co-occurring mental health conditions as a priority. We have worked to deliver for this group and we will continue to do so. The drug strategy action plan includes a commitment, led by Canberra Health Services, to undertake co-design processes to agree on principles for the prevention and treatment



of co-occurring alcohol and other drug and mental health conditions, and then develop an implementation plan for responding to co-occurring mental health and AOD conditions, which includes the development of guidelines.

The alcohol and drug services sit within the integrated mental health, justice health, alcohol and drug services division of Canberra Health Services. A key priority of MHJHADS is improving the treatment of co-occurring conditions. Canberra Health Services' dedicated alcohol and drug services provide holistic health care, screening assessment, treatment planning, intervention and care coordination. The team at CHS are currently developing "responding to people with co-occurring mental health and drug and alcohol conditions" to further progress improvements across our service system. The plan will focus on enhancing staff members' responsiveness to identifying co-occurring conditions and taking a holistic approach to their clinical engagement.

The ACT government has long partnered with a broad range of dedicated and nation-leading community alcohol and other drug and mental health services. The screening and assessment of mental health disorders is routine practice for community alcohol and other drug treatment providers and reflects a person-centred approach to working with people on co-occurring issues. These services also provide support to access specialist mental health services where needed.

A key example of a community partner service delivering integrated care is Ted Noffs, which includes a comprehensive mental health history and suicide assessment as part of the specialist alcohol and drug admission assessment. Ted Noffs has a psychologist on staff who can assist young people attending the alcohol and other drug program with mental health issues as part of their treatment plan, with clinical treatment planning each week and consultation with a clinical psychologist. They also maintain joint management, consultation and liaison with Mental Health ACT and partnerships with other mental health services.

It is important to acknowledge that there are different mental health disorders of differing severity and multiple drug disorders of differing severity, and there are potentially a very large number of combinations of alcohol and drug disorders that would be very challenging for a single service to deal with appropriately. However, the government recognises that better integration of existing services, collaboration and engagement in the service system will help stop people falling through the cracks when they present with both mental health challenges and addiction.

I particularly want to acknowledge the work in the community sector in relation to the annual comorbidity showcase that brings together community-based mental health and alcohol and other drug services, recognising this challenge, offering them the opportunity to engage and speak to one another, to meet one another, and to better establish those cross-referral processes within the community sector.

As I said earlier, a key aim for me as Minister for Health is better integrating our health system and ensuring that people are able to access the care they need when they need it. It is a key reason why ACT Labor committed, before the last election, to establish a service for young people experiencing mental illness with comorbidities,

including disability, trauma and alcohol and drug use. I am pleased that this received initial funding in the 2020-21 budget. This investment will contribute to the development of a future service that breaks down the silos that are so challenging for so many young people who experience co-occurring challenges in our community.

I would also like to quickly point to the Alcohol Tobacco and Other Drug Association ACT, ATODA, funded by ACT Health, which has developed and is delivering alcohol and other drug training for community services from other sectors. As noted by Minister Davidson in her amendments, the territory shares responsibility with the commonwealth in these areas. I am also looking forward to the finalisation of the new national agreement on mental health and suicide prevention, which will reflect the principle of governments working together to improve mental health and wellbeing outcomes for a range of vulnerable cohorts, including people impacted by problematic substance use.

The combination of our existing services working better together, sharing knowledge and improving processes to support individuals in their care, along with additional services that can manage specific instances of comorbid presentation, is key to the government's vision of a better health system and better outcomes for those in the community that need care the most.

Mr Deputy Speaker, I acknowledge the presence in the gallery of Janine Haskins. I had the privilege of attending online the annual remembrance ceremony for drug-related deaths organised by Family and Friends for Drug Law Reform earlier this year, not very long ago, at which Ms Haskins spoke. In part of her speech, Ms Haskins noted that Brontë Haskins felt incredibly ashamed of her dependence on substances and its effect on herself, her family and her friends. She said:

It appears that many members of our community often lose sight of the fact that substance users are people first and foremost. This judgmental approach merely amplifies many substance users' sense of worthlessness and effectively not feeling like a member of our general community.

I want to assure Ms Haskins that we see Brontë in her full glory and we sympathise deeply with her terrible loss. We will continue to work to ensure that our service system improves and that no-one else has to go through the experience that she has been through.

I acknowledge the ongoing interest in this space, and I look forward to hearing from Minister Davidson next year on the work underway as we continue to progress our nation-leading harm minimisation approach to alcohol and other drug policy. I thank all of those present for their continued interest in this space, and Minister Davidson for her measured amendments to the motion that will allow enough time to provide a thorough response and update, as this topic deserves, without impacting on the timely consideration of Mr Pettersson's private member's bill, which is indeed aimed at reducing the stigma and shame that too many drug users now feel in our community. Again, I thank Ms Lee and Mrs Jones for bringing this motion to the Assembly. It has been an honour to speak on it.

**MS LAWDER (Brindabella) (4.36):** I am not going to make a comment in my role as an MLA here. I am going to read out a very personal account, an anonymous account, from one of my constituents:

Mine and my family's experience with my husband's issue with mental health and substance use disorders have resulted in years of frustration, helplessness, and isolation. After being diagnosed with severe generalised anxiety and moderate depression in 2016, despite displaying symptoms for a number of years, we have been navigating the rollercoaster of services, or lack of services, for many years.

Despite regularly seeing his GP and a psychologist fortnightly and seeing a psychiatrist, costing thousands of dollars, my husband unfortunately turned to alcohol to self-medicate. This self-medication increased over the years, resulting in a severe addiction which has now caused a number of issues.

Firstly, physically: a number of physical issues, such as pancreatitis; cirrhosis of the liver; insulin-dependent diabetes; epilepsy; and a number of falls, including one in Canberra Hospital, resulting in a stay in ICU and multiple surgeries.

Secondly, financially: dealing with multiple ambulance bills; medications for issues that could be prevented with appropriate support and care; and lack of income from inability to work.

And thirdly, emotionally: as a family who is having to navigate the system alone and only encountering roadblocks in getting assistance, with no hope of actually accessing anything. It has been frustrating and demoralising and makes us feel utterly unsupported and alone.

On average, over the past three years, he has been hospitalised eight times a year. Each time he has been hospitalised, we have been frustrated by the lack of support and assistance; the lack of communication with family members, particularly during COVID when no visitors were permitted; as well as lack of communication provided between departments in ACT Health and Canberra Hospital, which has meant that his comorbid issues have not been even looked at, let alone addressed or treated.

Each time he has been hospitalised, only his physical issues were treated, leaving him discharged more vulnerable and in a worse state with his mental health and addiction. The most recent example was when he was hospitalised only one month ago. He was taken to hospital by ambulance on the night of 31 October. The next morning, he begged for the alcohol and drug team to visit and to be admitted to the detox ward. He was visited in the emergency department and told there was no availability, and was discharged with no support or information. He did not make it off the hospital grounds before he collapsed, and a member of the public found him and called an ambulance, which transported him back to emergency less than eight hours after he was discharged.

The next morning at 5 am, he called because they wanted to discharge him again. Concerned for his welfare, I spoke to the nurse on duty and asked them to do a mental health assessment due to what had happened the previous night, worried he would again try to hurt himself. The nurse agreed. However, less than an hour

later, he was discharged without this assessment, and again without any information or support.

We have been trying for months to access residential rehabilitation to deal with the immediate issue of alcohol addiction, knowing this may not deal with the underlying mental health issues that caused the addiction, but desperate for any type of help. As a family, we have had to navigate this system alone and scared without any supports, requiring months of waiting and jumping through numerous hoops.

We have tried to access drug and alcohol support, both while he has been admitted in hospital and from home, but have been frustrated with long wait times and availability or lack of availability. Each time he has been hospitalised, we have been seen by a member of the drug of alcohol team, who we have pleaded with for help only to be told, 'Keep drinking and try and get into rehab because there is no point going through detox if you do not have a residential bed.'

We have now resorted to facilities interstate to get assistance as the system in the ACT has not been able to help us for years. This means further disruption and financial impacts to our family as he is hours away from home. We are a family with stable jobs. We own our own home. We do not have any history of mental health or addiction issues. But we have the education and the means and the will to access support, but have still found nowhere to help us.

If we had more help and support in the early stages of this process, we may have been able to prevent it, but instead, we have been forced to navigate a system that supposedly exists to help and is not able to. I wish the hospital system had better integrated supports so that they can help people get better instead of putting a bandaid on it until the next hospital admission.

If it only helped one family to avoid going through what we have had to go through, it would be worth it. Mine and my family's experience with my husband's issues with mental health and substance use disorders have resulted in years of frustration, helplessness, and isolation.

Thank you, Mr Deputy Speaker.

**MRS KIKKERT** (Ginninderra) (4.42): I thank Ms Lee and Mrs Jones for bringing this very important motion before the Assembly today. I rise today to speak in strong support of the integration of services for people with both mental health disorders and drug use disorders. Ten months ago, I presented a petition to this Assembly signed by 699 Canberra residents calling for a thorough inquiry into the territory's alcohol, tobacco and other drug sector.

When I spoke to that petition, I mentioned a family whose son had been referred to a specialist drug treatment service by the court. At that time, he and his family had already been waiting many months to access that service. I am glad that now the young man has finally been able to access the service he needed and is beginning to thrive again, but his situation deteriorated dramatically throughout the long waiting period, impacting both him and his family.

Long waits are not the only problem. I note that Lisa, who made a submission to the inquiry into the Drugs of Dependence (Personal Use) Amendment Bill, described watching a young adult seeking and receiving services in the ACT for the dual diagnosis of a debilitating alcohol addiction and a mental illness. On two separate occasions, she wrote:

I observed totally inadequate coordination and referral pathways between residential ... drug ... rehabilitation services and ACT mental health services. This lack of coordination contributed a serious risk to the client's life, major problems for the client's family and a set-back of many months for the client's rehabilitation.

It is one thing to wish to divert people with drug and alcohol struggles away from the criminal justice system; it is another thing altogether to ensure that alternative services are in place to allow for that diversion. Not doing so will simply result in worse outcomes for people and their families.

On a personal note, my dear brother has schizophrenia. He was diagnosed some 20 years ago and has been looked after so well by the mental health system in Sydney. I have seen how the mental health system works here and, let me tell you, Mr Deputy Speaker, I am so grateful that he is receiving the effective and compassionate treatment that Sydney is providing him and my family. As I heard of the ordeal and trauma that Ms Lawder's constituent is having to go through in the ACT mental health system, it breaks my heart. I genuinely wish that all Canberrans going through mental health issues would have the same care, affection, compassion and effective service that my dear brother has received and is currently receiving in Sydney.

It is essential that treatment for drug and alcohol disorders and mental health disorders and the capacity for treatment be integrated and coordinated in the ACT. I commend this motion to the Assembly.

**MS LEE** (Kurrajong—Leader of the Opposition) (4.46): I thank all members for their contributions to this debate. It is an extremely important one. I know that Mrs Jones would dearly have loved to have been here to deliver this motion and the speech as well. It is important to note, just in addressing the amendments that were put forward by Ms Davidson, that there are some amendments that we have noticed and that I alluded to in my opening speech about removing some of the existing services.

It just goes to show how complex this system is. When you are talking about a family who is desperately in need of support and desperately searching for support, it is vitally important that services are accessible, not only that they are there but also that they are accessible to everybody who needs them. I think that just demonstrates how complex this is.

It is disappointing that the amendments try to sort of scrub out the fact that the system we have at the moment is not working. But what I do acknowledge and thank the minister for is that she has agreed to come back to the Assembly. She has also agreed in the amendment that Mr Pettersson's bill will not be up for debate until this very important issue is debated, discussed and considered by this chamber. I thank her for that amendment.

I also acknowledge Janine Haskins again. I started the opening speech, Mr Deputy Speaker, by saying that this motion was driven by lived experiences, many of whom were collected by Mrs Jones when she reached out to so many Canberra families that were really doing it tough. That is what it comes down to at the end of the day. It is about the people. It is about people like Janine and her daughter Brontë and everyone else who engaged with the Canberra Liberals and told us about their experiences and the heartache that they have gone through in navigating the mental health and drug and alcohol services here in the ACT. Janine, we are sorry that you have to be here today and you are fighting for people who, sadly, now cannot fight for themselves.

I will conclude by quoting the words of a family member of a person in the ACT who has been affected by both mental illness and addiction. I quote:

“Looking after a mentally ill, suicidal, addicted loved one is never-ending chaos for the partner and/or family. Yet through the provision of an integrated service with a focus on patient-centred care, I consider that it should be possible to provide appropriate treatment and support to achieve an outcome of wellbeing for all.”

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

## **Carers Recognition Bill 2021**

Debate resumed from 23 June 2021, on motion by **Ms Orr**:

That this bill be agreed to in principle.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (4.50): I rise to support the Carers Recognition Bill 2021 and amendments that will be, I expect, moved by Ms Orr. Carers are some of the most selfless people in our community. They work hard to support and care for those who need it. Carers play such an important role in our community and contribute to fostering a kinder and more accessible Canberra for people in need of support. Their role often goes unrecognised and forgotten, and they often do not receive the support and recognition they deserve.

The government is pleased to support this bill. Establishing legislation to recognise and promote the role of carers in our community is an important step for the territory, and I note almost every other Australian jurisdiction has enacted similar legislation.

This bill outlines care relationship principles which affirm the significance of the relationship between a carer and the person receiving care. Importantly, to put this into effect, this bill establishes obligations around awareness-raising, reporting and consultation, requiring organisations to consider and adapt their practices to support the care relationship that exists between carers and the people they care for.

This bill demonstrates the government's ongoing commitment to support carers, as we are currently doing so through initiatives such as the carers strategy. By introducing this legislation, the ACT is formally recognising the vital role of carers and embedding this recognition across our community. This bill is about inclusion. The principles set out in this bill will ensure that care and carer support organisations, both government and non-government, actively consult with, consider and act on the needs of carers when developing and reviewing their services, programs and policies.

We are fortunate to have such a diverse community in Canberra, including many people who need support in different areas of their day-to-day lives. Across our city, approximately 50,000 carers provide unpaid care to family members, friends or neighbours who live with disability, experience mobility issues, a physical or mental health condition or are frail aged. Some of these carers are young people who juggle their caring responsibilities with school or training. Other carers look after children and young people who cannot live with their families so that they can grow up safe, happy and loved.

Carers are often forgotten members of our community, and their needs and aspirations often come secondary to those they care for. Some carers do not even recognise themselves as carers and simply see themselves as someone helping and supporting loved ones or a person close to them. This carer recognition legislation affirms and acknowledges our collective reliance on what carers do every single day to support our community and make it the kind and connected place that it is.

The ACT government has worked in partnership with Carers ACT and carers themselves to co-design the ACT carers strategy, based on the understanding that carers policy must be developed in consultation with and based on carers' expertise and lived experience. I am humbled to learn about the complexity of the caring role and to identify ways we can better support the wellbeing needs of our carers.

Throughout the COVID-19 public health emergency, carers have continued to provide support, despite unpredictable and challenging changes to services, to ensure the safety and wellbeing of people in need. Their care will remain instrumental in our shared journey throughout the pandemic and beyond.

The Community Services Directorate will promote and communicate the bill to care and carer support organisations, to ensure organisations understand the bill's specific reporting requirements and, more importantly, to support organisations to be more inclusive of carers, based on the principles and purpose of the bill. This bill illustrates the ACT government's ongoing commitment to building a city that is supportive of and inclusive for all, including our carers.

In closing, I would like to acknowledge the carers who tirelessly help so many people in our community. You each play a vital role in supporting the people you care for to have more positive wellbeing outcomes, inclusion and participation across this vibrant city that we share. I would particularly like to acknowledge Lisa Kelly, the CEO of Carers ACT, for her advocacy for carers.

As a community, we see the enormous impact this can have on your own health, wellbeing and financial situation. We all benefit from your dedication, and this new legislation is a key step in formally recognising and promoting all that you do. On behalf of the ACT government, I am pleased to support this bill.

**MR MILLIGAN** (Yerrabi) (4.55): The Canberra Liberals also welcome the Carers Recognition Bill and agree broadly that this bill has some merit and will be supported. However, we note that, whilst this bill goes some way towards achieving the recognition of carers included in the ACT carers strategy, it falls short on achieving this.

The bill appears to be primarily aspirational by enshrining into legislation several principles on the treatment of carers through bureaucratic processes. Unfortunately, the focus of this bill appears to be primarily on the reporting obligations relating to the care relationships principles. It adds considerable further compliance and reporting requirements on already-busy support agencies.

Whilst requiring these agencies to do additional tasks and ensure everyone is aware of the principles, the process of defining what the recognition of carers looks like in practice is missing to a large degree. In fact, it would have been useful, for the purpose of supporting those implementing the bill, to have identified what was meant by the word “recognition”. This was mentioned by Carers ACT in their submission to the health and community wellbeing committee. They pointed out that considerable ambiguity is left by the lack of a clear definition.

The ACT government in 2018 launched its ACT carers strategy, and it might have been expected that some of the principles identified in the strategy would find their way into this bill.

It should be noted that the ACT carers strategy has never been separately funded through appropriations since its launch, which is probably why the 2020 review noted that only three of the 25 identified priorities have been completed, with a number of these still at the early planning stage.

One of these recommendations in the carers strategy was to include carers in the development of healthcare plans with their care person. Whilst the bill gives recognition to the carer in the principles it establishes and calls on in having carers’ views considered, it does not require support services to involve carers in the making of decisions for or with those they are caring for. Nor does it include carers in the co-design of health plans.

The sharing of information and co-design of services and programs for those requiring care as partners has been shown to significantly improve the wellbeing for both those receiving care and their carers. This was again something that was highlighted by many submissions to the review by the committee; yet it has not been adequately recognised in the amendments to this bill.

The notion of a co-design of care is already in place in the education system. Here individual learning plans are developed for all students with additional education



needs and is done in collaboration with families and other support staff as well as the students and teachers. This model of co-design could have been adopted here as part of the legislation, making sure that all parties in the caring relationships are heard and their voices are listened to.

How good would it have been if this bill, rather than simply encouraging support agencies to seek advice, had included options requiring acknowledgement of carers on health plans, including their role and support needs. It should have recognised the fundamental nature of that care relationship for both carer and the person cared for. How good would it have been if this bill had enshrined into legislation a legal recognition of carers for purposes of accessing carers leave, especially for those not directly related to the person they are caring for. How good would it have been if it had legally required recognition, properly defined and prescribed support carers, rather than including them as matters of principle.

I do believe that this bill focuses too much on institutional carers and it fails to fully define and thus recognise all caring relationships, particularly family members and volunteers. As I said, the bill appears to be primarily aspirational, with some onerous additional compliance and reporting placed on support agencies. But it falls short of providing any support or funding for support agencies to meet the obligations of this bill. It is incumbent on the government that clear guidance should be provided to care and care support agencies on the definitions and implementations once the bill is enacted.

I want to end by thanking the many people who act as carers in the ACT for the wonderful work that they do, and I want to acknowledge the significant contribution that they make to our community.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.00): I rise to support the Carers Recognition Bill 2021. By supporting this legislation, the government resolves to formally recognise the critical importance of carers to our community. This delivers on an ACT Labor election commitment to formally recognise in legislation the essential role carers play in our community.

I would like to thank Ms Orr for bringing this important bill before the Assembly, and I acknowledge her commitment throughout her time in this place to promoting the rights of carers and advocating for greater support and recognition. I acknowledge the strong engagement between Ms Orr and the carer community, which has led to and informed the development of this bill.

Carers ACT's submission to the Standing Committee on Health and Wellbeing inquiry into the bill recommended that it should be passed with their strong endorsement, and I am sure it will be. As their submission states:

The introduction of a carer recognition bill in the ACT Legislative Assembly in June 2021 was the culmination of a journey we started in 1991 and we cemented in 2018.

The bill sets out care relationship principles that illustrate the importance of the connection between people receiving care and the people who provide it. The bill provides for carers to be recognised, respected, valued and heard by relevant government and non-government organisations. It establishes obligations on organisations to raise awareness of the principles, to report annually on work done for carers, and to consult with carers on matters that impact their care relationships.

Carers provide unpaid support to tens of thousands of people in our region, doing valuable work that mostly goes unnoticed beyond their closest families and friends. The contribution that carers make to the wellbeing of the individuals they support and to the community as a whole is immeasurable, although I am sure that Lisa Kelly would be able to tell you exactly what the estimated value of that care is.

It is important that we bring this contribution to light and recognise the part carers play in improving the quality of life of so many Canberrans. It is also vital that carers are supported to deliver care to the most vulnerable members of our community and for their own wellbeing.

I acknowledge that carers face hardship and challenges as a result of their caring responsibilities. Caring has an impact on physical and mental health, while carers often put their own needs last as they manage their busy lives. Young carers in particular often have multiple layers of disadvantage.

It was interesting that the deliberative process we undertook to develop the carers strategy, bringing together carers and those who receive care from a range of backgrounds, concluded that the needs of young carers particularly should be prioritised.

In the health sphere, carers play a crucial role in supporting healthcare consumers in the ACT. In addition to solidifying the way carers are valued in our community, this bill importantly promotes the health, wellbeing and needs of carers themselves. The principles outlined in the bill align with Canberra Health Services' vision of creating exceptional health care together for consumers, their families and carers.

We know that navigating a healthcare system is hard enough. As a carer, there are additional barriers across the system that Ms Orr touched on in her presentation speech. We also know that carers' own health can suffer as they prioritise the needs of their family member or loved one. The bill and the steps it takes, along with the government's Carer Strategy 2018-28, investment in a patient navigation service and improvements across the system will all help to lighten this load.

This bill also acknowledges the incredible work of kinship and foster carers in supporting children and young people in out-of-home care. Becoming a foster or kinship carer is a life-changing decision that brings rewards and challenges. It requires commitment and patience to provide a loving home for children and young people who cannot live at home with their birth parents. With more than 800 children and young people living in out-of-home care in the ACT, the work of carers is essential to the wellbeing of these young community members and to the fabric of our wider community.

Our out-of-home care system is built on the commitment of carers to provide safety, care, support and love to children and young people who need it. As we plan for the future of the out-of-home care system in the ACT through the next iteration, A Step Up For Our Kids, the out-of-home care strategy, improving the way we support carers in the system is a critical area of focus. The voices of carers, along with the children and young people they care for, are fundamental to this work.

In developing the next strategy, we have heard from carers about their experiences, thoughts and ideas on the child protection system and out-of-home care. Carers are truly the backbone of the out-of-home care system and make a massive difference in the lives of the most vulnerable children and young people in our community.

I also want to acknowledge the work of Carers ACT in advocating for carers involved in the out-of-home care system in addition to all the work that they do with those who are more traditionally thought of as carers in our system. I look forward to continuing to work with Carers ACT and, in particular, CEO Lisa Kelly, who is here today and whose presence I acknowledge, as we finalise the next phase of the Step Up for Our Kids strategy.

Before I summarise, Madam Speaker, I would like to respond to Mr Milligan's comments. I note he has managed to come up with a long list of things that this bill should have done, could have done and would have done, if he could have done it differently. Mr Milligan, you are a member of this Legislative Assembly. You have the opportunity to bring forward amendments if you want to. If you think this bill should have been different, you could have done that. Standing there and criticising this bill, which has the support of the carer community and which Ms Orr has brought forward to recognise the hard work of carers and the value that they offer to our community, was a pretty churlish response.

This bill enshrines the need for governments and organisations, now and into the future, to listen to carers, to take their concerns on board and to actively respond. This is a good thing for those who need care and, of course, for carers themselves.

In her presentation speech on this bill Ms Orr stated that people come into this place in the hope of making a positive change. With this bill, Ms Orr is certainly achieving that goal. I commend the bill, and I thank Ms Orr for her strong advocacy and the support she continues to provide for carers in the ACT.

Finally, I acknowledge and pay tribute to the many carers across our community—the children and young people, adults and families who, through their quiet strength and enduring commitment, make Canberra a more inclusive place for us all. I commend the bill to the Assembly.

**MS ORR** (Yerrabi) (5.08), in reply: I rise in closing, and to foreshadow that I will be moving some amendments to the bill in the detail stage. I would like to thank my colleagues who added constructively to the debate. I also acknowledge Mr Milligan's comments. They were not quite as constructive as one would have hoped. I would also note Mr Milligan could have had a briefing from us on the bill, and we have been

talking to him all the way through its development, along with his colleague Mrs Kikkert, from whom he took over the portfolio. I was a little disappointed when we heard all of these issues raised, given that we had been told by Mr Milligan that he would be supporting the bill and was fine with it.

As I said, I would like to acknowledge my other colleagues today who have provided quite constructive comments. It has been very clear, throughout the development of this bill, that there is a large caring community within our community who feel that they are—it is a word that has been used time and again with me—invisible. They exist, they do this great work and it gets spoken about, but when it comes to the day-to-day needs that they have, they do not feel that they are getting there.

This bill goes to addressing that line in the sand. We no longer need to debate whether carers do or do not exist, nor what it is they need to be supported in the work they do. It is there in the law; it is clear. Carers exist. We appreciate them. We recognise them and we value them. That is the purpose of this bill.

There are a lot of measures which will continue to complement that. There is no silver bullet that will suddenly change the world and make everything as perfect as we want to see it. But in talking to carers—and I have spoken to many carers in the development of this bill—the one thing I have heard back from all of them is that they are so grateful that this is coming, so that they will be recognised and so that, in our law, they are acknowledged.

They want to see this bill go forward. They want to see the change it can drive. It will not be the end point. I have never said it will be the end point—that, suddenly, we have sorted out all of the problems for carers. We will not have. But this is a huge step forward.

In my presentation speech I spoke about my parents. I asked them what they felt. They said, “We’ve been trying for decades to get something like this—to get this acknowledgement, this extra standing, that will help with the work we do to support our community.”

I was talking with Lisa Kelly, and I acknowledge that she is in the public gallery today. She is the CEO of Carers ACT, as many people have noted. I was having a chat to her about the bill; there have been a few chats in the lead-up. She said, “I can’t believe we’re here. We’ve been trying for decades to get this done.”

This goes to the point about recognition. If you want to recognise people, then do it. This is that statement. We recognise you; we hear you and we value you. We will take it to the next step and no longer have this discussion about whether to get to the start line.

I would like to thank everyone who has contributed to the bill. There has been a wide-ranging group of people. I thank Lisa Kelly for all of the work she has done over the years and for the advocacy that she and her colleagues at Carers ACT have done. My own parents have many views—my mum’s are somewhat longer than my dad’s.

I note all of the other carers who have joined us today; some of them are in the public gallery. Many carers shared their personal experiences during the development of this bill so that we could make sure that it reflected the needs and wants of carers, so that, when they get their recognition, it hits the right mark.

I commend the bill to the Assembly, and I look forward to the next step, when it is passed.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MS ORR** (Yerrabi) (5.12), by leave: I move amendments Nos 1 to 5 circulated in my name together, which have not been considered by the scrutiny committee. I table a supplementary explanatory statement to the amendments [*see schedule 1 at page 4138*].

The amendments that I have just moved are very minor and technical in nature. They respond to one of the issues raised in the scrutiny report, regarding making the reporting requirements, which are on an annual basis, a little bit stronger by making sure that they are incorporated into government reporting obligations for any contracts that organisations may have with government, as well as a few tidy-ups of some drafting errors and some definition clean-ups. I commend the amendments to the Assembly.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

### **Adjournment**

Motion (by **Ms Stephen-Smith**) proposed:

That the Assembly do now adjourn.

### **Valedictory**

**MS CLAY** (Ginninderra) (5.14): It has been a tough year for everyone. Mine has certainly been eventful, but many people have had it much harder than me. I would like to take a moment and thank some of those people who helped me through.

First of all, I have really amazing staff. Mav, Steph and Aileen are so skilled and so kind and so dedicated. To give you a taste of the daily miracle that happens in my

office, in the last 48 hours I have received a gold-plated campaign pitch, a deep dive into policy analysis, a graph showing sector employment rates during COVID, a 7 am text to remind me to wear orange, and my own body weight in chocolate! They are marvellous.

I would also like to thank Katt Millner and Tim Liersch, who are my support candidates. They helped me get here. Tim is doing some amazing policy work for the Greens. I particularly admired his work supporting First Nations peoples. People like Tim are the reason we Greens punch above our weight when it comes to good ideas. Katt is unfortunately leaving us and heading to Melbourne, which is our loss but Victoria's gain. Katt was 24 years old when she ran here. She is about five foot nothing, she was fairly new to Canberra, and I am really pleased to say that she outpolled several established political figures.

Hugh and Ebony set up and ran the UC Greens from scratch. All year long, they have been running fantastic events, right through lockdown. They have kept everyone connected with the world and with each other, and they have cheered us all up.

I met Dr Bosibori Bett this year. I am off to watch Bosi's TED talk this weekend and attend about a thousand award ceremonies for all the awards she has been nominated for. Bosi is a powerhouse of ideas. She helped me start a new series called *My Culture, My Canberra* to hear some of the different voices in our city. I cannot wait to see what she is going to come up with next year.

Bosi, Dr Jane Chimungeni-Brassington, Natasa Sojic, Skye Predavec and Dr Tjanara Goreng Goreng were my first speakers in *My Culture, My Canberra*. Thank you so much for sharing your stories with us. We are so full of talent here in Canberra, and we have so many people who really want to make the world a better place.

There are a lot of good people at the Belconnen Community Council, but I want to make special mention of Glen and Maree. They are amazingly dedicated volunteers and they are working so hard for their communities and are involved in so many different projects.

I was really sad to see Harriet Elvin step down from the CFC. Harriet mentored me and she mentored countless other women. It has clearly worked, because we are all doing pretty well. When Harriet finished, she tasked me with helping other women, so I am now mentoring two women as well. I am nowhere near as professional about it as Harriet was. I cannot imagine I have much to impart. But I think that sometimes all the help a talented woman needs is to be told that she belongs, and I am able to do that. To any woman who is listening, I say: you belong here and you belong in here.

There are a lot of ecowarriors in Canberra, but I would especially like to honour Helen, Kat, Ian and Kate, who do an amazing job campaigning for the environment and wrangling volunteers. I particularly enjoyed the fundraising trivia night Helen ran during lockdown. I do not want to suggest that there was any misconduct involved—I certainly do not want to overburden our already busy Integrity Commissioner!—but on the night of the trivia contest the Minister for the Environment and the minister for water and emissions reduction stacked their teams with a lot of professional advisers

and still failed to win, despite the fact that they themselves were some of the answers to the questions!

I want to mention Annie, a grandmother who knits and sits and makes art for the climate. Annie has this amazing ability to support women across generations. There is a lot of pain in the climate movement, and it is mostly borne and led by 16-year-old girls. Annie just swoops in and picks them up whenever they need it. I also want to mention Nick, another climate warrior. He is a grandfather. He recently got locked up for his beliefs. He entertained us all with tales of prison life. Apparently the food is quite good. I want to mention John, who is one of my favourite guerrilla gardeners and rewilders. He is slightly reformed now. He has finally set up a proper Landcare group, but he is still wild at heart.

Thank you to all the volunteers and the staff for advocacy groups who speak up for others, speak up for their cause and make Canberra a better place. They do so tirelessly with no prospect of success and with no pay. I was going to list the groups and the people I have met and volunteered with this year, but the list was too long, so I will just say thank you. You know who you are.

One of the privileges of this job is meeting regular people who have fantastic stories to tell. Most of those people would rather stay anonymous, but I will mention one who was a speaker at a weekend event. Mary was out at Ginninderry, and she told us all about how she rides her e-bike. She rides out and back along the Federal Highway. She made friends with all the cops during COVID because they all got to recognise her. She rides to the shops. She rides on holidays. It is a fairly new purchase and she has clocked up over 10,000 kilometres. Mary is 81 years old. She told us her top downhill speed. As the road safety spokesperson, it would be highly irresponsible for me to read it into *Hansard*, but it was pretty close to her age. I really want to be Mary when I grow up.

I also meet a lot of young people in this job. Kids and young adults have had a really tough year, but they are so enterprising. I spoke to a lot of students during lockdown, because some bright spark worked out that you can get credit on assignments if you Zoom your local MLA! I want to give particular congratulations to one group, the year 4 animal rights group at Radford. They gave me a grilling unlike anything I have ever seen in here in question time, and it was all before little lunch. I am pretty sure that the quality of our crossbench is going to improve in about 10 years.

My deepest thanks go to my partner, Rob, and our daughter. I used to run companies from home, which meant that I was pretty much always there. I did drop off; I cooked; I was there for every mealtime; I was always there for a chat. I am pretty much never there now, and they have just adapted. They have gone through this massive lifestyle shift. There are some benefits. My daughter told me earlier that she has built a stronger relationship with her daddy. I cannot really think of a better thing to come out of 2021. I would love to sing Rob's praises, but our party room was under strict instructions that there would be no singing in here. Instead, I will quote the song that sums him up: "What a man. What a man. What a man. What a mighty good man." Yes, he is.

We are taking a break over Christmas. I hope everyone in Canberra gets a break soon, too. I personally am looking forward to recharging and coming back next year and getting stuck into some of the problems, big and small. But I think we all need to rest and refresh before we do that.

### **Valedictory**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (5.21): It has been a challenging year by any measure. COVID has challenged everyone. It has been incredibly tough.

As we come into the final month of the year, I think the signs are encouraging for our community recovery and our economic recovery. The ACT is on track to be the most vaccinated jurisdiction in the world. This is an achievement all Canberrans should be proud of. It is for this reason that we have been able to safely emerge from lockdown, ease public health restrictions and have a much better summer, as we foreshadowed.

I want to take this opportunity to recognise the efforts of the ACT public service throughout this year. I cannot name every single public servant—we would be here until 2022 if I did!—but I particularly want to acknowledge our Chief Health Officer, Dr Kerry Coleman, the Deputy Chief Health Officer, Dr Vanessa Johnston, and their offices; our frontline healthcare workers and staff; the public health contact tracing and operations teams; the quarantine and exemptions team; the vaccination program communication teams; the Health Protection Service; the public information coordination centre; the digital solutions and strategic infrastructure divisions; the health emergency coordination centre; and the many staff right across the public service who stepped up to provide support as we needed to surge in our response to the pandemic, including the finance, policy, planning and commissioning teams, who worked so closely with non-government organisation partners to deliver services through this year.

I also wish to thank the clinical health emergency coordination centre, which was initially led by Bernadette McDonald and is now being led by Dave Pepper; ACT Pathology, with all those hundreds of thousands of tests; and the Check In CBR team, who, obviously, have been very busy throughout the year.

I thank the Chief Minister, Treasury and Economic Development Directorate, in particular the Head of Service, Kathy Leigh, and her office; and our coordinator-general for non-health-related COVID response matters, Leesa Croke. I thank the intergovernmental relations team. This may seem a little odd, Madam Speaker, but there have been, I think, 60 national cabinet meetings; that is a lot of intergovernmental support required, and I thank the team. I thank the economic development directorate's business support team and everyone in ACT Treasury who has been involved in developing multiple economic recovery packages and two budgets in calendar year 2022.



I thank our COVID-19 Small Business Commissioner, Brendan Smyth. The Chief Digital Officer and the Shared Services teams have had to move a whole lot of things online over the last 12 months. I thank the ACT Property Group and our workforce capability and governance and HR teams for supporting all of these public servants to completely change the way they have had to work. I thank The Work Health and Safety Commissioner and her team for keeping everyone safe at work during a challenging period.

I particularly want to thank the Access Canberra staff, who have literally taken tens of thousands of calls and kept our community informed. They have developed innovative ways to deliver shopfront services and undertaken important compliance activities.

I could go on for a very long time, but I have been told that it would be best that I table a list of people and teams I would like to acknowledge to be incorporated into *Hansard*.

As we go into the summer period and the holiday period, I acknowledge the many Canberrans who will be working over this time to provide continued access to essential services. On behalf of the government and the people of Canberra, I thank all of those people for their service over this period and hope that they find some time to relax with family and friends.

Madam Speaker, I would like to acknowledge all my government and Assembly colleagues in this place for their hard work and dedication. To all members, let me say, through you, Madam Speaker, that it has been a tough year for everyone. It has been emotional at times. I know that everyone in this place is committed to representing and supporting their communities. We have different ways of going about that, and we often have very different views on how that is best done, but I am never in any doubt that everyone who is elected to this place—and, indeed, their staff—is committed to representing and supporting their respective communities.

Speaking of staff, I would like to thank my staff. They have worked incredibly hard—incredibly hard—over this year to support me and the government, and to respond to every issue that has come up. Let me tell you, Madam Speaker, that there have been many things you would expect and things you would not. They have gone above and beyond. I have made the observation before in this place that you might be the public face, the elected member, but you are only ever as good as the people who work with you and support you. So to my office, let me say this: we will get the opportunity to decompress after today is done, and I look forward to sharing some time away from work with you all, but thank you; you make it possible for me to do this job.

I want to thank the Office of the Legislative Assembly staff for their dedication to keeping the Assembly running so effectively in very challenging circumstances.

It has been challenging. Challenging times bring out the best and sometimes the worst in the community. But I feel it is appropriate to finish today by thanking Ken Behrens for doing the right thing and continuing to support each other. I wish everyone a safe,

enjoyable and relaxing holiday period. I feel that we have all earned it, Madam Speaker.

I present the following paper:

List of individuals and teams who assisted Government—Expression of thanks from the Chief Minister for their contributions during 2021.

### **Valedictory**

**MR CAIN** (Ginninderra) (5.28): Madam Speaker and fellow members, I will not keep you for too long. I would like to broadly traverse the communities that have helped me get to where I am right now.

As I said in my inaugural speech last year, I joined the Canberra Liberals in late 2016. Given my suburb, Evatt, was in the Yerrabi electorate, I want to thank the Yerrabi Canberra Liberals community for taking me close to their heart, and allowing me to eventually be the chair of that electorate branch committee. I still think fondly of that community and hope to keep joining them at their usual meetings. Of course, Evatt was moved into the Ginninderra electorate, so I do have a special commitment to the Ginninderra electorate branch, and thank their members for their support.

A special shout-out goes to the Young Liberals cohort in various groupings in Canberra—the ANU and UC Liberal clubs, the Young Liberals. You all do a great job overall, and I am still here for you to support you and to help you in any way possible.

With respect to my campaign, I was elected basically because of what we call the brains trust. A big shout-out goes to my campaign manager, Dan; my volunteer coordinator, Bree; my media coordinator, Hamish; and Craig, who built all of my corflutes. I asked him what he would like to be called. He said “corflute engineer”, and he will remain that for life.

As I entered this place, I was impressed, and remain impressed, by the quality of the staff of the Office of the Legislative Assembly. It took me a while to get used to being called “Mr Cain”, and it still does. I want to thank the Assembly staff, both on the floor here and in the back offices, in the secretariat, for your professional and comprehensive support.

There are many organisations that I have the privilege to be in contact with as a member for Ginninderra and also as a shadow minister in Canberra. I started to write out who I would want to give a special mention to, but it would have taken too long.

A special shout-out goes to the community councils for all the work that they do. I say to the multicultural and multi-faith community: I am with you; I feel part of you. There is a story with that, too.

Particular groups in Ginninderra that I have been really thrilled to be in contact with are Friends of Hawker Village, Florey Neighbourhood Watch, MacGregor Neighbourhood Watch, and Roundabout Canberra at Holt. I will continue to reach out

and find more friends, I hope, within the community to whom I can provide some assistance.

Of course, the Ginninderra electorate is who I work for. Being a local member is actually my job description. I say to all of those members of the Ginninderra electorate: I am here to serve you. I hope you know how to find me. If you see a car with my face and name on it, it can be guaranteed that I am probably driving it. It has my office number and email on it. I want to be found. Please find me and see if I can help you.

In my office I have been fortunate and blessed to have quality people come and work for me. I want to start with a shout-out to the interns from both ANU and Newcastle university, who came in and, hopefully, got some benefit themselves, not just by way of a credit for their course but through the experience of working in my office. I say to Oscar, Sarah, Claire and Tim that I wish you well and I still remain able to assist if I can.

I say to the two outstanding young men, Hamish and Isaac, who commenced with me pretty early on in a part-time capacity: I wish you well in your careers. One is a lawyer and the other is a policy expert. I look forward to continuing our journey together.

My advisers today are Unity and Amy. Amy was with me from the get-go. She even took time off from her work at KPMG to come to induction sessions for the new members. They have all happily taken on, as a group title, the “Cain train”. I keep testing this. I say, “Are you still happy for me to refer to you as part of the Cain train?” Apparently, that is still okay. Amy and Unity are really the brains of the Cain train, and continue to provide me with fantastic assistance. We have a fairly flat structure in the office. They are certainly used to my dad jokes. I get a few laughs, but mostly groans. I would like to say that they are the brains of the Cain train, and my appreciation of them is very high indeed.

I will mention the other Cain train. Sometimes I use that in a different sense. Last year I bought a RAV4, which I had wrapped with the usual “Vote 1 Cain” message. After I was elected, I had my phone number and email placed on it. Sometimes I call the RAV4 the “Cain train” as well, so I do confuse people on occasions. Alternatively, it is the “wrapped RAV” or the “painted wagon”.

I also want to acknowledge my friends and church community. I have tried to continue as much as I can my connection that I had with them prior to being a candidate and prior to being a member of the Liberal Party. I am not always able to meet those previous commitments, but you are still close to me and influencing my journey today.

Most importantly—and this would be the case for all of us here—there is my family. I am indebted to my wife of 41 years, Claire. Without my family, I would not be here. I know that after this political phase of my life they are the ones who will be my enduring community.

## Valedictory

**DR PATERSON** (Murrumbidgee) (5.34): What a year it has been. I have to say, first and foremost, thank you and merry Christmas to my constituents in Murrumbidgee. Thank you for putting your trust in me.

I would like to acknowledge what a challenging time it has been over the second half of this year in particular. I have never been more proud to be a Canberran. We have such a caring and resilient community, and this has been on show on the global stage over the past six months of this year.

I also believe we have had outstanding leadership through this COVID outbreak. I want to acknowledge for the record and pass on the thanks and appreciation that I have received from the Murrumbidgee community for the leadership shown by the Chief Minister, the health minister, the Deputy Chief Minister, the police minister and, of course, the Chief Health Officer. Your leadership and teamwork in fronting the community daily during the COVID outbreak was professional, informative and compassionate during what was such a challenging time.

I would like to thank my other Labor colleagues—Madam Speaker, Minister Cheyne and my fellow Murrumbidgee member Minister Steel—and special thanks go to my fellow backbenchers, Ms Orr and Mr Pettersson, for always having an open door for me as I have navigated this past year.

I would like to acknowledge my Greens colleagues. Although we are different colours, we have a joined agenda, and I am proud to be collaboratively working towards achieving our goals and promises to our community.

I would like to thank all of the office staff of all of my colleagues, who spend time answering emails and providing information to my office and, ultimately, the constituents of Murrumbidgee. It is a pleasure to work in such a collaborative team environment. I greatly appreciate the role you play in supporting us all in the chamber.

I would especially like to thank my office staff, Anna Gurnhill and Rhys Thompson. You always go above and beyond. Not only are you both incredibly smart, capable people, but I love the fact that you are as committed to the issues that we work on and are as committed to serving the people of Murrumbidgee as I am. I would also like to acknowledge Bentan Honeywood, who has just left my office. Thank you for your contribution, and I wish you very well in your future endeavours.

I would like to thank all of the ACT government officials who give their time and expertise to serve our community. I particularly acknowledge the senior officials who answer our often curly and sometimes disjointed questions during hearings.

I would like to thank the community councils and the community organisations for all of the tireless work that they do.

I would like to thank the Clerk and the most capable staff of the OLA, who support us on a daily basis. Thank you also to the dedicated committee staff who diligently and carefully navigate and facilitate our committees.

I would like to thank the ACT Labor Party office and, in particular, the Weston Creek and Woden sub-branch members. It is a pleasure working with you and I look forward to what 2022 brings.

I say to the Canberra Liberals: you are a fascinating bunch and I have enjoyed the conversations and debates over the last year. One thing I do ask—and he is not here now, so it is okay—is that you work with your colleague Mr Cain to improve his jokes. I really have no words but just shake my head.

I share Minister Gentleman's Christmas wish for a federal Labor government next year. It feels like if we keep saying it more and more, there is a chance of it coming true. I thought my kids' Christmas elf on a shelf was a shifty mover and shaker, but I will tell you that our PM, Scott Morrison, gives him a run for his money! Enough is enough.

Finally, I would like to thank my partner, Darrin, and my kids, Bill, Estelle and Josie, for being so accepting and supportive of me in doing this job.

I wish everyone a lovely, safe and healthy break over the summer. And bring on 2022.

### **Valedictory**

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (5.39): There is so much to say about 2021. Even with an extension of the speaking time to 10 minutes this year, I will have to limit myself to a few topics.

First, of course, there is the pandemic. There have been many difficult aspects of the pandemic: the loss of lives, the health impacts for those infected, the economic impacts, the disruption to people's lives, the inability to see loved ones and the simple unfairness of it in the way that some are far more heavily impacted than others. I acknowledge those who have missed funerals, weddings, births, first steps, first words, graduations, formals and all those other important life milestones. As a former expat, Australians overseas are in my thoughts—those who have struggled to return to live at home, those who have not been able to visit family for years now and those for whom the uncertainty has been so draining.

The pandemic has also shown us the very best of our community. I am deeply grateful to Canberrans for the way they have responded to the health advice and the directives of government. I am grateful to and proud of our public servants, health advisers and community partners for the way they have performed their roles and pulled together to protect this city to the very best of their ability. At the end of 2021, I think it is fair to reflect that Canberra has got through this in far better shape than could have been the case. That is due to the efforts of everyone in our community, doing their part as well as they can.

While the pandemic has dominated the headlines this year, the existential threat of climate change has never been far behind. This year the Intergovernmental Panel on Climate Change delivered the sixth assessment report, providing unequivocal evidence and advice to humanity on the urgent need for action. To finish the year, the Glasgow summit brought the world together to consider how to respond to that evidence. On the positive, we saw mainstream discussion of the need to phase out fossil fuel use, commitments to cut methane emissions and develop green shipping, and a range of other partnerships and commitments. On the negative side, for all the fine words spoken in Glasgow and in the lead-up to it, the level of ambition is still not enough and does not match the urgency conveyed by the Intergovernmental Panel on Climate Change.

And then, on the negative side, there was Australia: promoting a continued reliance on fossil fuels, a regular recipient of the Fossil of the Day Award, led by a federal coalition government doing its very best to position us on the wrong side of history. I have been to a few of the conferences of the parties over the years in my roles both in politics and before. I have seen Australia employing delaying tactics and stymieing progress and ambition, but this year they really took it to a new level. It was truly appalling to watch from a distance.

In that context, I thank the Canberra community for supporting this government to be ambitious on climate action. Thank you for backing us in, and we commit to continuing to do our very best to deliver on your hopes and aspirations.

On the subject of thanks, I do have a few others to thank. I would like to take this opportunity to again thank the residents of Kurrajong for allowing me to represent them in this place and for keeping in touch on the vast range of issues that arise in a year. I have now been in the Assembly for a little while and still there are new things that come across my desk that people from the community raise with us.

I would like to thank my fellow Greens MLAs. Having five colleagues in this place simply never gets old. A year on, I am so impressed by how each of them has taken to this place and by their passion for representing their community and the issues that matter both to their communities and to them personally. It is a real pleasure to work with each of them, and I look forward to 2022, because we have great plans.

I would like to thank all of the Greens staff across our offices. They are a talented and committed bunch, and I am grateful for their dedication and professionalism. I particularly thank those in my office—Carol, Matt, Anna, Lewis, Fiona, John, Jen, Lachlan and Melissa—as well as Jess and Steph for their cameos this year. I thank the DLOs who work with me and my team and keep us on track and organised—Chris, Karley and Gez.

I thank the many public servants across the agencies for which I am responsible. One of the great privileges of being a minister is that you get to work with a whole crowd of people who have a wealth of knowledge and experience and who are committed to public service. I enjoy talking policy with them and working out how to solve the many challenges that get thrown our way.

I thank the staff of OLA, who continue to steadily be there and make this place run effectively, this year including having to do things like order Perspex screens and probably plenty of other things they had never thought about before.

I acknowledge our partners in government, the Labor Party, and reflect on the leadership and commitment that have been shown during this ever-so-challenging period. I particularly acknowledge the Chief Minister and the other ministers. As we have made our way through the uncharted waters of recent times—having to work things out that we had never had to think about before and find solutions where there perhaps was not a pre-prepared plan or a written set of rules on how to go about it—the cabinet has had a unity of focus that has served our community extremely well. It is a credit to all of my colleagues in that space.

My distinct impression is that the entire community is looking forward to the summer break this year just a bit more than usual. That is no surprise. I for one share that sentiment. Having spent a significant milestone birthday in lockdown, I am looking forward to catching up with family and friends over the festive season, kicking back a little and letting the batteries really recharge. It will be nice to see people. It will be nice to sit and talk to them face to face. A birthday party on Zoom is just not the same.

No matter how you plan to spend this season, I offer everyone in this place, and right across the Canberra community, good wishes and good relaxation. I look forward to 2022.

### **International Day of People with Disability**

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (5.46): I rise to correct the record from this morning when I made my ministerial statement in celebration of I-Day, the International Day of People with Disability. I mentioned two events, the Epilepsy ACT event and this weekend's Music for Canberra event, which everyone was very much looking forward to. Unfortunately, both of those events have had to be cancelled.

I can understand that the cancellation of events is an incredibly difficult thing. We have all experienced far too much of it this year. But I-Day remains a day where we can think about the ways we can incorporate more flexibility and adaptability into every aspect of our lives in support of people who have disability that might affect their ability to get out in the community and engage with us in person, whether that be through work, education or engaging in community events.

It is also a wonderful day to take pride in the diversity of different ways in which our human bodies and minds work and the richness that it brings to our community, and to think about how we can incorporate that pride in diversity into our thinking as we prepare for the ACT disability strategy and the consultations with community that I am very much looking forward to throughout 2022.

I apologise for the cancellation of those events and to anyone who was very much looking forward to them. I am still very proud that we will have I-Day tomorrow and there will still be many online engagements to participate in. I encourage everyone to find out what is happening in your area and online and look forward to participating in those events.

### **Valedictory**

**MR HANSON** (Murrumbidgee) (5.47): Mr Rattenbury asked me to speak because we are waiting for Ms Stephen-Smith to come down. I was not going to make a speech. Be careful what you wish for, Mr Rattenbury, because this is my 14th one of these. I must say, after hearing quite a few self-congratulatory speeches from the socialists opposite, the Labor Party and the Greens, about how wonderful they are and what a fantastic job they have been doing, I found it pretty nauseating, to be honest. I found it difficult to raise too much Christmas cheer. I am probably a little bit like the police out there who are—

**Mr Davis:** You are the Grinch!

**MR HANSON:** Yes, no doubt I am the Grinch, because out there, spread way too thin on the ground are our police. I wonder what they think about us knocking off for Christmas on 2 December, members, whilst they are out there spread thin. Their association is saying that they are hundreds of members short, to the extent that if you report a crime now you are going to be told, “Do it online and it may or may never be investigated.”

When you hear all of the self-congratulatory “Aren’t we a wonderful government” comments that we have just heard this evening and that we heard last night, to be frank, it is difficult for me to stomach it. That is why I was not going to say anything. So, as I said, Madam Speaker, be careful what you wish for.

We debated teachers this year—teachers who are still out there in the classrooms working hard towards the end of the year, They do not break up for a few weeks, while we all knock off before the end of the year. They are in split classrooms, being exploited, as the union says, not only in terms of the \$75 million of unpaid overtime that the union has calculated but also in terms of their health and wellbeing by being in a position where they are doing so much overtime and are in split classrooms.

I look across just about every area of government and service delivery—it could be health and the absolute fiasco, the disaster, that is the rebuilding of the Canberra Hospital that this government first promised back in 2011. I heard all the self-congratulatory Christmas celebrations then as well: “Aren’t we all doing a wonderful job? We all care about the nurses. We are building a new hospital.” We are still waiting for it. There is no new hospital, which this government promised to build well over a decade ago. It has not eventuated, because this government promises to do things and does not do them. Mr Rattenbury is nodding his head. I do not know; is it my speech or is he just nodding at something else? But he should agree, because where is the hospital that we were promised? That is why, when someone turns up to



our hospital—and they are all laughing over the other side; they think it is all a bit of a laugh!—they wait longer than anyone else in Australia. Well, Merry Christmas, and congratulations to this government on the longest waiting times across Australia and the longest waiting times that we have seen in the ACT's history and.

For all those people out there paying their electricity bills—and we will see those bills go up while the rest of the country sees them go down—for people in the jail system, for people across every sector, it is difficult for me to get up here following the self-congratulatory speeches of the Labor Party and the Greens and to not put on the record the shameful treatment that we have of our front-line staff and the result that that plays out with our children finding themselves in split classes with NAPLAN. While we build shiny new offices for ourselves over the road, our teachers are in demountables and kids are in ancient schools which, as we have seen, have had manifest problems with hazardous materials. In some cases, schools are just bursting at the seams. They are overcrowded and do not have adequate facilities.

We should be working harder. This is a mob that voted against having extra sittings in this place, which we could have had next year, which is disappointing. I and my colleagues will continue to work hard to hold this government to account and to advocate for our front-line workers, be they the police or the hardworking staff at the AMC, whom Mrs Kikkert has represented tirelessly on their behalf.

It is a tough job in opposition; there is no doubt about it. I think Elizabeth Lee is doing a tremendous job across the board in leading the Canberra Liberals team. I and my colleagues will work tirelessly to see her in that position.

Merry Christmas, Madam Speaker. Merry Christmas, Minister Stephen-Smith. You are the cause of the highlights of a number of issues that I think this government should reflect on, and I hope that you do. I hope that when you put aside your self-congratulations you will reflect on those over the Christmas period. You have got a long break, a long holiday, to think about these things. Do you think about the police; do you think about the workers in the jail; do you think about the health workers; do you think about the people queuing up at ED; do you think about the people paying their rates, which, if they have not tripled, are well on the way to tripling; do you think about the people who turn on their lights and their electricity bills and what they are going to have to pay?

I say thanks to Elizabeth Lee and thanks to my colleagues in the Canberra Liberals. We will not be as self-congratulatory. We will continue to realise that people out there in our community are doing it tough.

I would like to put on the record my thanks to my office, to Ian and to Jess, who I am sure would love to work longer and harder with me. I have no doubt about that. I would say, in a little moment of Christmas cheer, that they have decorated my office door beautifully. They have cut up little bits of the blue and the notice paper and have formed it into a Christmas tree. It is worth looking at. I think it is a little piece of Christmas art.

I would also like to put on record my thanks to Brianna McGill, who is the secretary of the JACS committee. I see Dr Paterson nodding. I think that is somewhere in the tri-partisan agreement and that we can agree. I am sure Ms Clay agrees as well that she is a fantastic committee secretary. And, of course, I thank the staff—Julia and others who work on behalf of the scrutiny committee as well. I see Ms Stephen-Smith is here to resume the festivities. Merry Christmas to you all.

### **Valedictory**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.55), in reply: It is a real pleasure to be the last person to speak in the Assembly for 2021. I would like to take this opportunity to reflect on a year that has been marked, if nothing else, by resilience.

I thank Mr Hanson for his filibustering effort on my behalf while I was on radio. It was an opportunity for him to put forward his leadership credentials, by being able to stand there and criticise the government off the cuff. I am glad it provided an opportunity for Mr Hanson!

As with everyone else, I want to take this opportunity to thank many people at the end of this busy and difficult year. I want to start by thanking the Community Services Directorate, particularly the Children, Youth and Families Division, the teams supporting strategic policy and community sector partnerships, and the Office for Aboriginal and Torres Strait Islander Affairs.

This year, I particularly want to call out the incredibly hardworking organisational governance team, who not only support multiple ministers who supported the Community Services Directorate but also manage a large and extremely complex portfolio of freedom of information requests and responses. They do all of their work with great professionalism and commitment.

The directorate was ably led for most of the year by Acting Director-General Jo Wood. I want to thank her for her leadership. I also want to welcome the new Director-General, Catherine Rule.

In addition to their vital business-as-usual work, the Community Services Directorate has supported some of the most vulnerable members of our community through Canberra's lockdowns. Despite the impact of COVID, it has made significant progress towards delivering key election commitments and government priorities. I thank everyone in the Community Services Directorate, particularly those parts that report to me, for their incredible work through the year.

What can I say about Canberra Health Services? It is the largest directorate in the government, led, again ably, by former CEO Bernadette McDonald, and now by new CEO Dave Pepper. The incredible vaccination rates that the ACT has achieved is due in no small part to the organisation and the efforts of Canberra Health Services, alongside the ACT Health Directorate team that has coordinated the vaccination response.

Canberra Health Services work to deliver exceptional health care to the ACT community and the surrounding region every single day of the year. I particularly want to acknowledge those people who will be working over the Christmas and new year period, at the end of this very busy and difficult year. Similarly, I acknowledge those people at Calvary Public Hospital, and at all of our community partners, such as QEII, and other organisations that are providing health services throughout the year and during this period.

I acknowledge the team at Major Projects Canberra, led by Director-General Duncan Edghill. This year, of course, we broke ground on the critical services building, the centrepiece of the Canberra Hospital expansion and the largest health infrastructure investment since self-government. We are making great progress on that really complex project.

This week, of course, thanks to the ACT Health Directorate and the team there, led by Liz Lopa, we announced and launched the Canberra Hospital master plan. That is a really exciting development for Canberra, and Liz's team also continues to work on the north side hospital.

Across the rest of the ACT Health Directorate, I want to acknowledge the former Director-General, Kylie Jonasson, who led through so much of the pandemic, current Director-General Rebecca Cross, the Chief Health Officer, Dr Kerryn Coleman, her deputy, Vanessa Johnston, and all of the team who have overshadowed the rest of the work of the Health Directorate in the response to COVID-19. The rest of the directorate does incredible work as well, which should not be forgotten.

This year, the ACT had our most significant outbreak of COVID-19 since the pandemic began, and the team really swung into action and was central to the whole government effort that kept Canberrans safe.

I particularly want to acknowledge Vanessa Dal Molin, the Executive Branch Manager in the Office of the Chief Health Officer. As many people would know, she has managed the exemptions process, the directions process and so many other key things to keep our community going during this lockdown and throughout the pandemic. I hope that Vanessa will get a break over Christmas, as I hope is the case for the rest of the team as well.

To all of the staff across all of the directorates that report to me, thank you for your work. I know it is ongoing and I know how important it is, and I am sure everyone else here does as well.

I want to thank the Office of the Legislative Assembly staff, who kept this place ticking over, as the Chief Minister and others have acknowledged, during, again, very difficult times.

I join the Chief Minister in thanking the Canberra community for staying home, for staying safe, for getting vaccinated and for helping us to get to a point where we are working towards COVID-normal.

I am proud of the achievements that we have delivered across our portfolio, but I will take Mr Hanson's advice and I will not dwell on all of the amazing things that we have delivered this year; I will simply continue my thankyou's and my reflections on the year.

As a member for Kurrajong, I am sorry that lockdowns have meant that I have not been able to get out into the community as much this year—or at least in the second half of this year—as I would have liked. But I am really pleased that, as well as the usual questions, comments, calls for support and detailed information across a range of portfolios and areas of ACT government responsibility that we all receive in this place as MLAs, so many Kurrajong residents have reached out to me with messages of support for me and my team and, of course, particularly for the government's hardworking frontline staff. I look forward to getting back out to the local shops next year to talk to people in the community face to face once again.

I want to thank my staff and the directorate liaison officers who worked in my office this year. Madam Speaker, as you would be aware, there was a mini baby boom in my office this year, so the list is a bit longer than usual due to all of the staff that came in to cover maternity and paternity leave, and also some changes in staff.

I want to thank Ash and Tim, who were in my office at the beginning of the year, but have now gone on to bigger and better things. I want to thank my current staff: Cath, Martin, Jonny, Ben, Meg, Caitlin—who is on maternity leave at the moment—and Amy, who has just started and has lasted this far, so we have not scared her off yet! Thank you, Amy, for your faith in us to date. I want to thank Ella and John, who supported us through the parental leave period this year. I want to thank James, who stepped into the media role in the middle of the outbreak, and who has worked incredibly hard. He will be leaving ACT Labor's staff ranks shortly. I want to acknowledge James's incredibly hard work through this outbreak and thank him very much for his service to the government.

I say to our DLOs—Jenna, Andrew, Angie, Kerrin, Jess, Jen, Morgan, Kathy, Isabella, Lauren, Dee, and the fabulous Chadia—thank you all for the varying times that you have spent in my office and supporting us. A special mention goes to Chris, who I forgot to mention last year, but who has stayed with us in spirit, despite not being a directorate liaison officer with us this year.

With respect to all of the ACT Labor staff across the Chief Minister's office and other ministers' offices, we really are a team right across the ministry, so I extend that to the Greens' staff as well. Everyone works really hard to ensure that we not only respond to the pandemic but we get all of the other incredible work of government done.

To the unions, our community partners, consumer representatives and other stakeholders that I have worked with throughout the year, thank you very much. Government is a collaborative effort. As the Chief Minister said, individual MLAs and ministers cannot do it by ourselves, but government cannot do it by ourselves, either, and we need to work right across the community.

I want to acknowledge the horses who have kept me grounded and offered me a much-needed distraction, even when this distraction involved cleaning a stable at 10 at night on the way home from Bowe Street.

Finally, I want to thank my family for the support that they have provided to me this year. It has never been more important than through the pandemic to know that I have always got somewhere to go and someone to talk to. I have probably talked to my family more than I normally would, and I thank them very much for their support and the home-cooked meals that I get once a week from my dad and stepmother. Thanks to everybody and, again, thanks to the Canberra community. Here is to a better 2022.

Question resolved in the affirmative.

**The Assembly adjourned at 6.06 pm until Tuesday, 8 February 2022, at 10 am.**

## Schedule of amendments

### Schedule 1

#### Carers Recognition Bill 2021

##### Amendments moved by Ms Orr

1

##### Clause 11 (2) (b)

Page 11, line 8—

*omit clause 11 (2) (b), substitute*

- (b) if the agency is a funded support agency—
  - (i) include the report in any reporting document required under the agency's arrangement with the public sector support agency that funds the agency; and
  - (ii) make the report publicly available; or

2

##### Dictionary, note 2, proposed new dot points

Page 18, line 11—

*insert the following dot points in alphabetical order*

- public sector member
- public service
- the Territory

3

##### Dictionary, note 2, dot points

Page 18, line 12—

*omit the following dot points*

- statutory office-holder
- territory authority

4

##### Dictionary, proposed new definition of *public sector entity*

Page 19, line 12—

*insert*

***public sector entity*** means the following:

- (a) the public service;
- (b) an entity that employs public sector members that is—
  - (i) owned or operated by the Territory; or
  - (ii) a territory instrumentality;
- (c) an entity prescribed by regulation.

##### **Examples**

- 1 Canberra Health Services
- 2 Transport Canberra

**5**

**Dictionary, definition of *public sector entity***

**Page 19, line 17—**

*omit*

## Answers to questions

### Business—ChooseCBR scheme costs (Question No 418)

**Ms Castley** asked the Minister for Business and Better Regulation, upon notice, on 17 September 2021:

- (1) How much did the Government spend, in total, for the ChooseCBR trial and full rollout.
- (2) Can the Minister provide a detailed cost breakdown for the ChooseCBR trial and full rollout including, but not limited to, (a) administrative costs, (b) ICT support, (c) staffing costs, (d) communications and (e) design.
- (3) How many staff across the entire ACT government worked at any time on the ChooseCBR trial and full rollout since its inception and can the Minister provide numbers of staff and which agencies/directorate they came from.
- (4) How much did the Government pay Darwin company Brainium for the “MyDarwin” package, ICT support and all other services during the ChooseCBR trial and full rollout.
- (5) Can the Minister provide a breakdown of the payments to Brainium.
- (6) Are the costs for ChooseCBR ongoing; if so, can the Minister provide details.
- (7) Is the Government aware of additional businesses, since the trial, exploiting the ChooseCBR scheme; if so, how many.
- (8) Will the Government seek to recover funds that businesses exploited from the ChooseCBR scheme; if so, (a) how many businesses and (b) how much money.
- (9) Can the Minister provide details including how the money will be retrieved and when.

**Ms Cheyne:** The answer to the member’s question is as follows:

1. The total amount spent through the ChooseCBR program was \$2.54 million (refer question 2).
2. A breakdown of the costs is as follows:

ChooseCBR Expense Breakdown	
Redeemed vouchers	\$2,338,448
ICT - including system modifications, server hosting, SMS one-time-pin service and risk report	\$103,824
Communications & Marketing (including advertising and promotion, translated materials, business toolkits, SMS notifications to businesses and consumers)	\$ 97,883
Licence fees	\$5,000
<b>Total</b>	<b>\$2,545,155</b>



3. Delivery of ChooseCBR was supported by officers from Economic Development, Shared Services ICT, Treasury (Finance Services), Access Canberra, Digital, Data, and Technology Solutions, and CMTEDD Communications. It is difficult to provide the precise headcount of the number of officers that supported ChooseCBR at any time during trial and rollout as it fluctuated considerably depending on the phase the program was in or the issue being managed.
4. Refer to the cost breakdown in Question 2. This breakdown includes \$83,823.60 paid to Brainium Labs Pty Ltd (Brainium) for the delivery of ChooseCBR.
5. Brainium provided a number of services to support ChooseCBR. In addition to system modifications and support, Brainium also arranged server hosting and delivery of a SMS one-time-pin function for user verification. These third-party costs were on-billed directly by Brainium and represented nearly half of the total invoice value.
6. There are some ongoing costs involved with maintenance of the ChooseCBR website. This website is scheduled to be decommissioned in the coming months, with relevant data retained in accordance with CMTEDD's records management requirements.
- 7-9. A spot-checking process commenced during ChooseCBR's implementation and continued after the program concluded.

This process was paused on 13 August 2021 as a result of the ACT's lockdown. To date, the ACT Government has not identified any businesses as appearing to take unfair advantage of the ChooseCBR program in its full rollout.

An independent review, undertaken by David Butler Consulting and presented in the Legislative Assembly in December 2021, found that there is no evidence of any systemic misuse of the scheme. It also noted that there were several good design aspects of ChooseCBR which added to the robustness of the program.

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### **Business—COVID-19 (Question No 421)**

**Ms Castley** asked the Minister for Business and Better Regulation, upon notice, on 17 September 2021:

- (1) Does the Government know, or can the Government estimate, how many Canberra businesses that are unable to work due to lockdowns in other states.
- (2) Is the Government considering financial support for businesses unable to trade due to lockdowns in other states, beyond what the Government has already announced.
- (3) What government support can struggling businesses seek.
- (4) How many businesses have declared bankruptcy because of lockdowns in other states.

**Ms Cheyne:** The answer to the member's question is as follows:

- 1) A significant number of businesses in the tourism sector were impacted by the lockdowns in Greater Sydney and other jurisdictions in June 2021. As far as we are

aware, there are none that were unable to operate during that time, however many would have experienced a downturn in trade.

- 2) The ACT Government delivered the COVID-19 Small Tourism Operator Recovery payment which provided up to \$15,000 in assistance to eligible businesses for expenses incurred in June and July 2021. Thirty businesses have been approved and paid, worth \$401,477. The ACT Government also provided relief through the Accommodation Provider and Tourism Venue Operator Support Program that provided rebates for fixed water and sewage charges. Forty-seven businesses were approved, worth over \$1.46 million.
  - 3) Businesses across all sectors who were subsequently impacted by the ACT lockdown have been able to access the COVID-19 Business Support Grants, jointly funded by the ACT and Commonwealth Governments and also have access to the Small Business Hardship Scheme which opened on 15 November and closes on 31 January 2022. Emergency measures have been put in place to help commercial tenants and landlords impacted by the COVID-19 public health emergency the Commercial Tenancies Declaration and there has been waivers of a range of fees and charges.
  - 4) The ACT Government does not capture this data.
- 

**Alexander Maconochie Centre—staff health and safety  
(Question No 428)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

- (1) What progress has been made, so far, in response to the resolution passed by the Assembly on 5 August 2021 relating to the mental health of ACT Corrective Services staff.
- (2) If no progress has been made, why not, and when does the Government plan to act on this motion.

**Mr Gentleman:** The answer to the member's question is as follows:

- Six peer support officers completed a mental health first aid course.
  - ACT Corrective Services (ACTCS) has engaged Bruce Perham from Let's Talk Differently Pty Ltd. Mr Perham specialises in working with Correctional Officers (COs) on the psychological impact of their constant exposure to traumatic incidents due to their occupation.
  - Discussions with Mr Perham continue with regards to further development of the Peer Support Program, and the delivery of a training program that deals with "correctional fatigue".
  - A Senior and experienced corrections officer has commenced in a new dedicated role designed to improve health, safety and wellbeing services for CS staff. The role will be a focal point for leading the continuous improvement of health and wellbeing across CS.
-

**Alexander Maconochie Centre—hospitalisation of detainees  
(Question No 429)**

**Mrs Kikkert** asked the Minister for Health, upon notice, on 17 September 2021  
(*redirected to the Minister for Corrections*):

- (1) When a detainee from the Alexander Maconochie Centre is admitted into or discharged from the hospital, who is informed (among people who have personal connections to the detainee such as family and partners).
- (2) Does ACT Health take charge of contacting these people; if not, which organisation does.
- (3) When are these people contacted.
- (4) Are long term partners of the detainee typically informed when the detainee is admitted into or discharged from the hospital.

**Mr Gentleman:** The answer to the member's question is as follows:

ACT Corrective Services (ACTCS) notify the detainees Next of Kin (NoK) when a detainee has been admitted to a health facility. This is done as soon as practicable or in accordance with a directions from the Duty Manager, in accordance with the policy and operating procedure.

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**Alexander Maconochie Centre—detainee education and training  
programs  
(Question No 431)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

- (1) On what date did the former Peace Education Program (PEP) at the Alexander Maconochie Centre (AMC), (a) commence and (b) end.
- (2) Why did the PEP at the AMC end.
- (3) Was there any cost to the ACT Government for running the PEP.
- (4) How many detainees attended the PEP during the time it was running.

**Mr Gentleman:** The answer to the member's question is as follows:

The Peace Education Program (PEP) was facilitated on two occasions by two volunteers from the Prem Rawat Foundation (PRF) for the Alexander Maconochie Centre's (AMC) Women's Area (10 sessions per group). The sessions occurred between May to July 2017 and February to April 2018. Approximately 21 detainees engaged. The program ceased due to the burden of the travel distance for volunteers delivering the PEP.

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**ACT Corrective Services—detainee transfers  
(Question No 433)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

- (1) In relation to a positive COVID-19 case recorded between 11 12 September that was transferred to the Alexander Maconochie Centre (AMC), where was the detainee being transferred from and why were they being transferred.
- (2) Was this detainee a resident of the ACT or a resident of another state or territory.
- (3) Was the detainee administered a COVID-19 test before being admitted into the AMC; if not, why not and when was the test that revealed the COVID-19 infection administered; if so, when were they administered the test and where was the detainee when the positive test was discovered.
- (4) How many of the correctional officers (COs) or other AMC staff who directly interacted with the detainee were trained in wearing personal protective equipment.
- (5) How many of the COs or other AMC staff were identified as contacts of this detainee and how many went into quarantine.
- (6) How many other detainees were transferred with the detainee who tested positive and were they transferred in a Court Transport Unit (CTU) vehicle.
- (7) If detainees were transferred in a CTU vehicle, which vehicle were they transferred in and how many ACTCS staff were in that vehicle.

**Mr Gentleman:** The answer to the member's question is as follows:

The detainee, an ACT resident, who tested positive to COVID-19 was remanded to custody by the ACT Magistrates Court to the Alexander Maconochie Centre (AMC) on new charges and was not a transfer from another correctional facility or jurisdiction.

On admission to the AMC on 10 September 2021, Justice Health conducted a routine health check on the detainee which included a COVID-19 swab test. This test identified a positive result for COVID-19 on 11 September 2021. The detainee had been isolating in the Management Unit for the duration of this period.

All Correctional Officers (COs) have been provided information on donning and doffing personal protective equipment, including videos of the process and face-to-face demonstrations as needed. No COs were identified as close contacts of the COVID-19 positive detainee due to wearing appropriate personal protective equipment. One other AMC staff member was deemed a casual contact and required to isolate and get tested as per ACT Health protocols. That staff member was tested on day five of isolation, returned a negative test result and has now returned to the workplace.

Four other detainees were transferred in a Hyundai iLoad by two CTU COs to the AMC with the COVID-19 positive detainee. ACT Health identified all four detainees as close contacts. In accordance with ACT Health protocols, these detainees were quarantined for 14 days and tested as per ACT Health protocols. All four have since returned negative results and are now out of quarantine

**Alexander Maconochie Centre—COVID-19 quarantine facilities  
(Question No 436)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

- (1) How many individual cells and other spaces would be feasible for the quarantine of detainees who test positive for COVID-19 in the Alexander Maconochie Centre
- (2) How many of these spaces would be for (a) women and (b) male detainees.

**Mr Gentleman:** The answer to the member's question is as follows:

The Management Unit is the accommodation being used for isolation of new admissions and quarantine of positive COVID-19 cases. As needs dictate, and subject to total detainee numbers, it would be feasible to use other units within the AMC (with varying bed capacity) for the purposes of quarantine of positive cases.

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**ACT Corrective Services—review  
(Question No 437)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

What are the details of the 12 policies being prioritised by ACT Corrective Services following input from the Alexander Maconochie Centre.

**Mr Gentleman:** The answer to the member's question is as follows:

The 12 policies referred to as being prioritised for development or review by ACT Corrective Services (ACTCS), in consultation with staff and stakeholders, are listed below:

1. Use of Chemical Agents Policy (new policy)
  2. Searching Policy
  3. Detainee Discipline Policy
  4. Detainee Property Policy
  5. Drug and Alcohol Testing Policy
  6. Relocation of Detainees to NSW Corrective Services Policy (new policy)
  7. Incentives and Earned Privileges Policy (new policy)
  8. Detainee Classification Policy
  9. Management of At-Risk Detainees Policy
  10. Admissions Policy
  11. Incident Reporting, Notifications and Debriefs Policy
  12. Regime Planning Policy.
-

**Alexander Maconochie Centre—incidents  
(Question No 438)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

In an answer to a question taken on notice on the 3 August 2021, did the Minister state that the cost of damages and reports related to the riot on 12 May 2021 at the Alexander Maconochie Centre, not offset by the Territory's insurer was \$5,000; if so, how much was offset by insurance.

**Mr Gentleman:** The answer to the member's question is as follows:

The remainder was offset by insurance and I refer to the answer provided by the Commissioner for Corrections at the Estimates Hearings before the Standing Committee on Justice and Community Safety on 27 October 2021.

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**Court Transport Unit—vehicle fleet costs  
(Question No 439)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 17 September 2021:

In relation to the cost of leasing the Toyota Camry used by the Court Transport Unit, does the Government still lease a Toyota Camry from SG Fleet; if so, how much was the Government paying to lease this vehicle.

**Mr Gentleman:** The answer to the member's question is as follows:

The Toyota Camry leased by ACT Corrective Services costs \$753.20 (GST inclusive) monthly. The Toyota Camry is no longer being used by the Court Transport Unit for the transport of detainees.

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**Crime—Hawker  
(Question No 441)**

**Mrs Kikkert** asked the Minister for Police and Emergency Services, upon notice, on 17 September 2021:

- (1) How many times has ACT Policing been called to respond to incidents in the immediate vicinity of the Hawker Tennis Courts and Hawker District Playing fields between the 23 April 2021 going back to six months before the Hawker Tennis Courts building was burnt down.
- (2) How many of these incidents, referred to in part (1), were (a) drug-related, (b) hooning-related and (c) vandalism-related matters.
- (3) How many times has the ACT Ambulance Service responded to drug related incidents in the area of the Hawker Tennis Courts and Hawker District Playing fields between 1 January 2020 and 23 April 2021.

- (4) Did any of these incidents, referred to in part (3) end in the death of the patient; if so, what was the cause of the death.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) The Hawker Tennis Court burnt down on 25 October 2018. ACT Policing recorded 27 incidents between 24 April 2018 (6 months prior to it burning down) and 23 April 2021 in the immediate vicinity of 'Hawker Tennis Club' and 'Hawker Oval'.
- (2) ACT Policing has reviewed the incidents and of the 27, four related to hooning and three related to vandalism. None of the 27 incidents were drug-related.

	24 April 2018– 25 Oct 2018	26 Oct 2018 – 25 Oct 2019	26 Oct 2019 – 25 Oct 2020	26 Oct 2020 – 23 April 2021
Hooning	0	0	2	2
Vandalism	1	0	2	0

- (3) The ACT Ambulance Service (ACTAS) has reviewed its records and there is no evidence to indicate that ACTAS attended any 'drug related incidents' in the area of Hawker Tennis Courts and Hawker District Playing Fields between 1 January 2020 and 23 April 2021.
- (4) Refer to the response to question 3.

### **ACT public service—workers compensation premiums (Question No 449)**

**Mrs Jones** asked the Treasurer, upon notice, on 17 September 2021 (*redirected to the Minister for Industrial Relations and Workplace Safety*):

- (1) For the period 1 March 2019 to 30 June 2019, what (a) was the total workers compensation premium charged to each ACT directorate and agency, (b) was the workers compensation premium charged to each ACT directorate and agency as a percentage of total salaries and wages expense incurred by each ACT directorate and (c) were the total number of claims opened by the Public Sector Workers Compensation Fund in relation to each ACT directorate or agency.
- (2) For the period 1 July 2019 to 30 June 2020, what (a) was the total workers compensation premium charged to each ACT directorate and agency, (b) was the workers compensation premium charged to each ACT directorate and agency as a percentage of total salaries and wages expense incurred by each ACT directorate and (c) were the total number of claims opened by the Public Sector Workers Compensation Fund in relation to each ACT directorate or agency.
- (3) For the period 1 July 2020 to 30 June 2021, what (a) was the total workers compensation premium charged to each ACT directorate and agency, (b) was the workers compensation premium charged to each ACT directorate and agency as a percentage of total salaries and wages expense incurred by each ACT Directorate and (c) were the total number of claims opened by the Public Sector Workers Compensation Fund in relation to each ACT directorate or agency.

- (4) For the period 1 July 2021 to 30 June 2022, what (a) is the total workers compensation premium budgeted to be charged to each ACT directorate and agency, (b) is the workers compensation premium budgeted to be charged to each ACT directorate and agency as a percentage of the budgeted total salaries and wages expense of each ACT Directorate and agency and (c) is the total number of claims estimated or budgeted to be opened by the Public Sector Workers Compensation Fund in relation to each ACT Directorate or agency.

**Mr Gentleman:** The answer to the member's question is as follows:

The information requested is in the tables below.

When comparing results across years, the following should be taken into consideration:

- the 2021-22 year is incomplete year and consequently the number of workers' compensation claims recorded for that year to date are much lower than the numbers recorded in previous complete years; and
- machinery of government changes have resulted in the movement of staff between directorates, impacting the relative size and risk profile of the directorates across the reporting period.

Workers Compensation Premium Charges (\$)

	2018-19	2019-20	2020-21	2021-22
ACT Auditor General's Office	44,285	39,414	53,507	75,502
ACT Health	1,519,512	1,177,454	1,171,229	1,077,108
ACT Long Service Leave Authority	7,752	6,899	16,943	29,352
Calvary Health Care	2,600,810	2,314,721	1,943,309	2,874,022
Canberra Health Services	16,523,825	14,881,116	14,218,917	12,915,427
Canberra Institute of Technology	1,134,579	1,009,775	1,338,315	1,599,678
Chief Minister, Treasury and Economic Development	4,315,734	3,841,005	3,457,751	3,799,704
Community Services	3,294,470	2,932,079	2,563,039	2,825,617
Cultural Facilities Corporation	265,136	235,971	201,752	303,698
Education	11,384,488	10,132,193	14,335,685	15,517,179
Environment, Planning and Sustainable Development	1,077,536	959,007	1,099,801	1,038,577
Independent Competition and Regulatory Commission	8,583	7,639	9,870	11,000
Integrity Commission	N/A	N/A	13,703	21,000
Justice and Community Safety	8,529,682	9,139,337	6,951,875	7,695,771
Legal Aid ACT	46,647	41,516	54,285	93,000
Legislative Assembly	60,520	53,861	70,240	84,077
Major Projects Canberra	N/A	N/A	494,842	385,180
Suburban Land Agency	78,067	69,481	164,526	177,511
Transport Canberra and City Services	8,299,676	8,286,402	6,829,698	7,064,495
University of Canberra	1,009,151	898,145	1,086,733	1,162,200
WorkSafe ACT	N/A	N/A	80,407	125,212



Workers Compensation Premium Charges as a percentage of declared wages

	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>
ACT Auditor General's Office	1.11%	0.80%	1.28%	1.38%
ACT Health	2.47%	1.85%	2.00%	1.66%
ACT Long Service Leave Authority	0.64%	0.35%	1.32%	1.39%
Calvary Health Care	2.12%	1.78%	1.51%	2.29%
Canberra Health Services	2.47%	1.85%	2.00%	1.66%
Canberra Institute of Technology	1.96%	1.57%	2.20%	2.50%
Chief Minister, Treasury and Economic Development	1.86%	1.44%	1.41%	1.54%
Community Services	3.92%	2.94%	2.71%	2.33%
Cultural Facilities Corporation	3.58%	2.72%	2.60%	3.58%
Education	2.21%	1.72%	2.92%	3.01%
Environment, Planning and Sustainable Development	1.71%	1.32%	1.66%	1.53%
Independent Competition and Regulatory Commission	0.64%	0.55%	1.22%	1.35%
Integrity Commission	N/A	N/A	0.70%	1.18%
Justice and Community Safety	4.13%	3.90%	3.24%	3.39%
Legal Aid ACT	0.64%	0.51%	1.25%	1.23%
Legislative Assembly	0.64%	0.57%	1.47%	1.37%
Major Projects Canberra	N/A	N/A	2.25%	1.95%
Suburban Land Agency	0.64%	0.52%	1.28%	1.38%
Transport Canberra and City Services	4.98%	4.85%	2.75%	2.88%
University of Canberra	0.84%	0.73%	0.86%	0.96%
WorkSafe ACT	N/A	N/A	1.78%	2.31%

Workers Compensation Claims Incurred

	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>
ACT Auditor General's Office	0	0	0	X
ACT Health	9	8	9	0
ACT Long Service Leave Authority	X	0	X	0
Calvary Health Care	13	25	21	X
Canberra Health Services	133	105	151	22
Canberra Institute of Technology	14	12	9	0
Chief Minister, Treasury and Economic Development	18	31	18	X
Community Services	18	19	22	X
Cultural Facilities Corporation	X	X	7	0
Education	172	153	255	36
Environment, Planning and Sustainable Development	X	7	15	X
Independent Competition and Regulatory Commission	0	0	0	0

Integrity Commission	0	0	0	0
Justice and Community Safety	81	95	96	18
Legal Aid ACT	X	0	0	0
Legislative Assembly	0	X	0	0
Major Projects Canberra	0	X	X	0
Suburban Land Agency	0	0	0	X
Transport Canberra and City Services	68	60	84	8
University of Canberra	X	7	6	X
WorkSafe ACT	X	X	X	0

Note – the letter X in the table above indicates that there have been more than one but less than six workers' compensation claims received in the relevant period. This approach is adopted for privacy purposes.

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### **Skilled Capital program—funding (Question No 473)**

**Mr Milligan** asked the Minister for Skills, upon notice, on 8 October 2021:

- (1) In relation to the signed agreement between the ACT Government and the Commonwealth Government, in July 2020, to establish a JobTrainer Fund, given that on 19 February 2021, the JobTrainer Skilled Capital funding was closed, with only 500 enrolments accessed through this source, where did these places go.
- (2) What number went to each of the three groups of providers.
- (3) Why were only 500 (less than 15 percent of the total) places made available through Skilled Capital.
- (4) How was the information about the JobTrainer Skilled Capital fund made available, particularly to private RTOs in the ACT?
- (5) How many of these organisations applied for the funding.
- (6) How many were successful in gaining the funding.
- (7) How much of the fund amount of \$16.75 million has been disbursed.
- (8) How much of that has gone to (a) CIT and (b) Ginninderry SPARKS
- (9) How much of that was accessed by private RTOs.
- (10) How much remains and where will this be allocated.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Under the JobTrainer Skilled Capital release, 25 independent registered training organisations (RTOs) enrolled 554 students in 42 courses. Of these 42 courses, 38 were full qualifications and four were short courses.

- (2) The ACT's initial JobTrainer program included three streams:
- Canberra Institute of Technology (CIT) was allocated funding to deliver 800 places in full qualifications and 1,700 places in a range of short courses (a total 2,500 places).
  - 554 places were delivered through the Skilled Capital Program for delivery by independent RTOs.
  - The Ginninderry SPARK program was contracted to deliver 160 places.
- (3) The 554 places delivered through Skilled Capital reached the financial cap for that stream of the JobTrainer program.
- (4) RTOs were provided information about the Skilled Capital stream of the JobTrainer program through a variety of mechanisms.
- In October 2020, Skills Canberra wrote to RTOs with an ACT Government Training Initiative Funding Agreement to provide information on the ACT's JobTrainer Program, the JobTrainer Compliance Guide for RTOs and an upcoming RTO Forum.
  - In November 2020, an RTO Forum provided further detail on JobTrainer courses, places and funding arrangements.
  - Detailed information about the ACT's JobTrainer Program was published for prospective learners and RTOs on the Skills Canberra website.
  - A comprehensive public communications campaign, including, radio, TV and other media, was delivered to promote JobTrainer to the wider community.
- (5) A total of 25 private RTOs nominated to enrol students in JobTrainer places.
- (6) All 25 private RTOs who nominated to enrol students in JobTrainer places secured these enrolments.
- (7) JobTrainer funding disbursed to date is \$10,551,691.
- (8) To date, CIT has been paid \$9,223,058. Ginninderry SPARK has been paid \$615,450.
- (9) As at 9 November 2021, private RTOs have received \$713,182.
- (10) As at November 2021, based on current enrolments, the remaining payable funds to private RTOs is \$3,173,242. This will be paid as RTOs report students' completion of units of competency.
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### **ACT Ambulance Service—statistics (Question No 474)**

**Mr Milligan** asked the Minister for Police and Emergency Services, upon notice, on 8 October 2021:

- (1) How many ambulances are currently deployed by the Ambulance Service.
- (2) How many of them are deployed each shift.
- (3) How are they assigned to attend a call out.

- (4) What happens when the available ambulances are out on a call.
- (5) How long, on average, do patients have to wait for an ambulance.
- (6) What is the longest time that patients have had to wait.
- (7) How long does it take to turn around an ambulance once they have been on a call.
- (8) Has this time increased since the pandemic; if so, how much extra time is required to turn around an ambulance.
- (9) What has been done to alleviate this problem.
- (10) Are there situations where an ambulance does not attend a call; if so, how often does this happen and what are patients advised to do in that circumstance.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) The ACT Ambulance Service (ACTAS) has 33 emergency ambulance vehicles, two single response vehicles, two operational supervisor response vehicles, one 4x4 vehicle, one bariatric vehicle and five Non-Emergency Patient Transport (NEPT) vehicles.
- (2) A minimum of 11 emergency ambulances and one operational supervisor response vehicle are deployed 24/7. An additional two ambulances are deployed between 0700 – 1900 and an additional two are deployed between 1100 – 2300. The additional vehicles are known as the “demand roster”.

For NEPT vehicles, between four and five vehicles are deployed on weekdays, two vehicles are deployed on Saturdays and one vehicle is deployed on Sundays.

- (3) Emergency ambulance vehicles are assigned using a computer aided dispatch system within the ESA Communication Centre. This system creates a message which alerts a Mobile Data Terminal located in each vehicle. Alternatively there is a direct turnout system for a crew located on a station via a visual and audible alert. Crews not in a vehicle or on a station (i.e. at the hospital) are dispatched via radio.
- (4) ACTAS has a comprehensive priority and deployment strategy which is designed to hold two vehicles and paramedic resources at any given time. This allows ACTAS to keep available emergency paramedic resources for those members of the community who present with life-threatening injuries or illnesses. Policies and procedures support the early and on-going recognition of presenting patient acuity in the pre-hospital environment. These enable informed decisions in the allocation of emergency and non-emergency ambulance resources on a daily basis.

In the rare event that demand on paramedic resources is stretched to the limit, for potentially life-threatening conditions ACTAS has a robust mechanism to deploy other resources. This includes Non-Emergency Patient transport crews, ACT Fire & Rescue, members of ACTAS management teams and a reciprocal cross-border understanding with local and surrounding NSW Ambulance Services.

- (5) All incidents are triaged and prioritised according to the acuity of the patient's presenting condition. In 2020-21, an ambulance arrived on scene to a Priority 1 (P1)

incident within 14.70 minutes on 90% of occasions and within 8.95 minutes on 50% of occasions.

Priority 2 (P2) incidents require an emergency ambulance response at normal road speed where the incident has been deemed as a lower acuity. ACTAS aims to provide an emergency resource to these incidents within 30 minutes of time of call.

- (6) Providing an accurate response to this question would require manual handling of a number of data sets. This would take a considerable amount of staff time and resources to answer, and unreasonably redirect ESA personnel away from important functions.
- (7) The time it takes to turn around an ambulance varies depending on the circumstances of each individual case and whether transport of a patient to a hospital emergency department has occurred. ACTAS aims to turn around an ambulance within 40 minutes of arrival at hospital.
- (8) The time to turn around an ambulance has not increased since the pandemic except when an ambulance has transported a known COVID-19 positive patient which requires the ambulance to be thoroughly cleaned after the patient has been offloaded to the hospital.
- (9) To alleviate potential increases in turn around time, an ambulance vehicle that requires deep cleaning has been swapped with another ambulance vehicle and cleaning is actioned as soon as possible.
- (10) There are times when a presenting condition, through a 000 call, does not require an ACTAS response. This is called an ANR (Ambulance Not Required). Reasons for an ambulance not required include hoax call, caller cancels the ambulance enroute, other Services arrive on scene, such as ACT Police, and determine there is no requirement for ACTAS attendance.

In other instances the Intensive Care Paramedic Clinician can provide advice over the phone which resolves the presenting condition. These types of calls are often referred to alternative care pathways such as General Practitioners or walk-in centres. Callers are always asked to call back should their condition continue or worsen.

During 2020-21 there were 5,344 incidents that resulted in an ANR. This represents 6.7% of all incidents in 2020-21.

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### **Lake Tuggeranong—water quality (Question No 478)**

**Ms Lawder** asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 8 October 2021:

- (1) How many tests for water quality, as outlined in the response to question on notice No 175, have been undertaken in the past five years.
- (2) Can the Minister provide copies of results for each test over the past five years for all Lake Tuggeranong tests.

**Mr Rattenbury:** The answer to the member's question is as follows:

- (1) Lake Tuggeranong is sampled in two places 6-8 times per year.
  - (2) Data on blue-green algae and faecal coliforms in Lake Tuggeranong were provided for the period 2015-2020 in response to Question on Notice 175 (1 April 2020).
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**Alexander Maconochie Centre—guidelines for responding to riots and serious fires  
(Question No 483)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 8 October 2021:

- (1) Are the guidelines referred to in recommendation 12 of the Government response to Riot and Serious Fires at the Alexander Maconochie Centre on 10 November 2020 due to be finished on schedule on 30 November 2021; if not, why not.
- (2) Will these guidelines be publicly accessible; if so, where will they be found; if not, why not.
- (3) In the case where a detainee has already been transferred to a NSW correctional centre prior to the creation of these guidelines, will they be retroactively applied to that detainee.
- (4) If the detainee is found to have been transferred against the advice of the guidelines will they be transferred back into the Alexander Maconochie Centre.

**Mr Gentleman:** The answer to the member's question is as follows:

ACT Corrective Services (ACTCS) is currently developing a '*Relocating a Detainee to a NSW Correctional Centre Policy*' and operating procedure, which provides a framework and process guidance for conducting assessments and making decisions in regards to transferring detainees to be accommodated in a NSW correctional centre in accordance with the *Crimes (Sentence Administration) Act 2005*. Due to service interruptions stemming from COVID restrictions there has been a short delay. Applying policy retrospectively is not considered good practice and it is not ACTCS intention to conduct a retroactive review of past transfers to NSW correctional centres.

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**Alexander Maconochie Centre—staffing  
(Question No 484)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 8 October 2021:

In relation to rule 78 of the Nelson Mandela Rules, does the Alexander Maconochie Centre (AMC) employ within its rank's, (a) psychiatrists, (b) social workers, (c) teachers and (d) trade instructors; if so, how many of each.

**Mr Gentleman:** The answer to the member's question is as follows:

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) are non-binding; they provide interpretive context for provisions in the

*Corrections Management Act 2007* and the *Human Rights Act 2004*. ACT Corrective Services (ACTCS) practices, as appropriate, respond to the spirit and purposes of the Nelson Mandela Rules with reference to *Human Rights Principles for ACT Correctional Centres* and overarching consideration of human rights. In this regard, ACTCS employs six Health Professionals (HP) of varying levels – two HP4, three HP3 and one HP1. These positions require the occupants to have qualifications in psychology, social work and/or occupational therapy, and are currently occupied by four social workers, one occupational therapist and one psychologist. There is also one other psychologist available if called upon, but no psychiatrists employed directly by ACTCS. Education and training opportunities are also provided through contractors. ACTCS also employs two bakers, seven chefs, one horticulturalist, and one laundry services instructor. Detainee health services are also delivered by Justice Health Services, who (in addition to the above) employ one Consultant Psychiatrist, one Psychiatry Registrar, and three social workers to provide their services at the AMC.

### **Alexander Maconochie Centre—detainee earnings (Question No 485)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 8 October 2021:

In relation to rule 103 of the Nelson Mandela Rules, does the Alexander Maconochie Centre set aside a portion of earnings earned by detainees from their work within the prison that is then handed over to the detainee on their release; if not, why not.

**Mr Gentleman:** The answer to the member's question is as follows:

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) are non-binding; they provide interpretive context for provisions in the *Corrections Management Act 2007* and the *Human Rights Act 2004*. ACT Corrective Services (ACTCS) practices, as appropriate, respond to the spirit and purposes of the Nelson Mandela Rules with reference to *Human Rights Principles for ACT Correctional Centres* and overarching consideration of human rights. ACTCS remunerates detainees for their work as outlined in the *Detainee Work Policy* and the *Detainee Trust Fund Management Policy*. While detainees are able to save their earnings for when they are discharged, it is the detainees' right to choose whether or not to do so. There is currently no requirement to set aside a portion of earnings to be handed over on release and any change to this position would need to be made in consultation with detainees and stakeholders, with a careful assessment of the impact on human rights, and will not be considered.

### **ACT Corrective Services—COVID-19 (Question No 487)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 8 October 2021:

Is there any kind of special COVID related leave available for a correctional officer (CO) if they contract COVID-19; if not, what kind of leave does a CO have to take if they are ill with COVID-19; if so, what is the name of that type of leave and how many days/hours are they entitled to.

**Mr Gentleman:** The answer to the member's question is as follows:

Chief Minister, Treasury and Economic Development Directorate provides guidance material for the whole of Government on the ACT Public Sector employee entitlements and access to leave during the COVID-19 pandemic.

ACTPS Enterprise Agreements provide leave to 'take leave where leave cannot be granted under any other provision', which has been utilised to provide what has been termed 'COVID-19 leave' for ACTPS employees. The entitlement is limited to a maximum period of twelve months under the Agreements. The granting of COVID-19 leave is in accordance with that policy and on a case-by-case basis depending on the circumstances of the situation.

Generally, if an employee is ill due to COVID-19 and they have contracted the virus outside of the workplace, personal leave under the relevant Enterprise Agreement for the period of the employee's illness is appropriate.

If an employee is exposed to COVID-19 in connection with their employment, the employee may submit a workers compensation claim and if the claim is accepted, any personal leave taken during their illness will be reccredited to them.

Employees who have contracted COVID-19, are asymptomatic and who are required to undertake isolation have COVID-19 leave available to them if they are unable to work from home during this period.

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### **Alexander Maconochie Centre—drugs (Question No 488)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 8 October 2021:

- (1) According to corrections intelligence, what are the different methods that illicit drugs enter the Alexander Maconochie Centre (AMC).
- (2) Does corrections intelligence have any estimates for what percentage of drugs enter the AMC by each different method.
- (3) How many proven instances of illicit drug smuggling into the AMC have occurred, since 2016, and by what method were these drugs smuggled.
- (4) How many of these instances were perpetrated by (a) detainees, (b) staff and (c) outside sources.

**Mr Gentleman:** The answer to the member's question is as follows:

For the purposes of this answer, an 'illicit drug' is defined as any drug which is illegal to possess or use or any legal drug used in an illegal manner (such as prescription medication). ACT Corrective Services (ACTCS) holdings indicate the following methods are used to introduce illicit drugs into the AMC:

- a. on person (e.g. upon admission, when returning from an escort, when returning from day bail, and through trusted employment positions);



- b. thrown over the fence;
- c. via visitors, contractors, or staff via the Gatehouse and sally port;
- d. through external mail; or
- e. through clothing deliveries made by family/friends.

Table 1 which presents the percentage of confirmed illicit drug introductions by method per year for 2018 to 2021 to date.

**Table 1. Breakdown of confirmed illicit drug introductions 2018-2021 (to date)**

**Key:**

	Detainee
	Staff
	Outside source

2021	
On person (Admissions/escort return)	4
Over the fence	16
Visitors	2
Staff/Contractors	0
Mail	1
Trusted Employment	1
Day bail	0
Clothing	0
TRP Day leave	0
2020	
On person (Admissions/escort return)	2
Over the fence	8
Visitors	9
Staff/Contractors	0
Mail	0
Trusted Employment	2
Day bail	1
Clothing	1
TRP Day leave	0
2019	
On person (Admissions/escort return)	7
Over the fence	9
Visitors	12

Staff/Contractors	0
Mail	0
Trusted Employment	0
Day bail	0
Clothing	0
TRP Day leave	0
<b>2018</b>	
On person (Admissions/escort return)	12
Over the fence	1
Visitors	13
Staff/Contractors	0
Mail	1
Trusted Employment	1
Day bail	1
Clothing	0
TRP Day leave	1

### **Aboriginals and Torres Strait Islanders—legal services (Question No 500)**

**Mrs Kikkert** asked the Minister for Police and Emergency Services, upon notice, on 8 October 2021:

- (1) In relation to the minister's supplementary answer to a question without notice, dated 13 May 2021, about ACT Policing and the use of interview friends where the subject of an interview identifies as Aboriginal or Torres Strait Islanders and is suspected of committing a crime, what is the exact procedure followed by ACT Policing when they pause an interview and arrange for an interview friend to be present.
- (2) Does ACT Policing maintain a list of Aboriginal and Torres Strait Islander interview friends to be contacted; if so, (a) what is the process for a person being included on this list, (b) how many interview friends are currently on this list and (c) are these interview friends available 24 hours per day; if not, which organisation or person does ACT Policing contact to arrange for an interview friend to be present.
- (3) On how many occasions were Aboriginal or Torres Strait Islander people who were interviewed by ACT Policing offered an interview friend, for each of the past five financial years.
- (4) Of those who were offered an interview friend, how many accepted the offer.
- (5) When an interview is paused to arrange for an interview friend to be present for an Aboriginal or Torres Strait Islander person, how long on average does it take for an interview friend to arrive and the interview to recommence.

**Mr Gentleman:** The answer to the member's question is as follows:

- 1) ACT Policing's 'Suspect Interview Plan' outlines the scripting and procedural requirements that must be followed by ACT Policing officers, to ensure that interviews with suspects satisfy legal requirements under Part 1C of the *Crimes Act 1914* (Cth).

The Interview Plan prompts officers to ask the person to be interviewed if they identify as Aboriginal or Torres Strait Islander. Should the answer to this question be yes, 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 their right to an Interview Friend. The Interview Plan also requires ACT Policing officers to contact an Aboriginal Legal Assistance Organisation to notify them that an Aboriginal or Torres Strait Islander person is the subject of an interview, unless the person has arranged separate legal representation to attend the interview.

After the person to be questioned is identified as Aboriginal or Torres Strait Islander, ACT Policing will:

- Notify an Aboriginal Legal Assistance Organisation of the intent to question the person. This is done by a phone call, and a message may be left with a follow up email.
- Inform the person that a member of an Aboriginal Legal Assistance Organisation has been notified.
- The person must then not be questioned until the earlier of either:
  - a. the Aboriginal Legal Assistance Organisation representative has communicated with the person; or
  - b. Two hours have elapsed since the notification.
- Inform the person that police are required to contact an Interview Friend to be present. The person will be advised that they can nominate a friend, relative or legal practitioner themselves, or police can contact an Interview Friend on their behalf.
- Then ensure reasonable attempts are made to contact an Interview Friend, and have them attend.

When arranging for an Interview Friend, police will suspend the interview and contact the ACT Policing Communications centre, who make contact with the on-call Interview Friend and request their attendance.

- 2) Anglicare Youth and Family Services provide a list of Interview Friends to ACT Policing on a monthly basis. ACT Policing do not control the process for inclusion on the list.

The list is provided as a roster for the month, for both the Northside and Southside of the ACT. There are 11 individuals providing coverage for the month of October 2021. ACT Policing utilises this list as required, 24 hours a day, 7 days a week.

- 3) Due to the limitations of its current Police Records Online Management Information System (PROMIS), ACT Policing is unable to provide the number of times an interview friend or legal representative has been offered, accepted or expressly waived. As advised in response to Question 1, Part 1C of the *Crimes Act 1914* (Cth) outlines the engagement of Interview Friends by police.

- 4) Due to the limitations of its current PROMIS system, ACT Policing is unable to provide the number of times an interview friend or legal representative has been offered, accepted or expressly waived.
- 5) ACT Policing does not maintain records of response times of Interview Friends noting that the process of inclusion on the Interview Friends list is done independently of ACT Policing. The timeframe for attendance is a matter for the Interview friend, and might be dictated by the time of day or night, the activities they may have to suspend or end at the time of the request, and their transport arrangements.

### **ACT public service—leave (Question No 513)**

**Mr Cain** asked the Chief Minister, upon notice, on 12 November 2021:

- (1) How many members of the ACT Public Service (ACTPS) took (a) parental leave and (b) long service leave, for the financial years 2016-17 to 2020-21.
- (2) Of those members referred to in part (1)(a) and (1)(b), how many were (a) women, (b) men or (c) other, broken down by ACTPS employment level for each category.
- (3) What was the average duration of (a) parental leave and (b) long service leave taken.
- (4) What was the average cost of (a) parental leave and (b) long service leave to the ACTPS for each financial year.

**Mr Barr:** The answer to the member's question is as follows:

(1)

Leave Type	2016-17	2017-18	2018-19	2019-20	2020-21
Long Service Leave	1970	2213	2530	2481	2060
Birthing Leave	585	643	602	767	956

(2) Due to the size of the table this information is at Attachment A1 and A2.

(3) What was the average duration of (a) parental leave and (b) long service leave taken.

	Average Length (Calendar Days)				
Leave Type	2016-17	2017-18	2018-19	2019-20	2020-21
Long Service Leave	22.7	26.7	27.2	27.3	28.5
Birthing Leave	179.5	168.0	174.1	162.6	141.7

(4)

Leave Type	2016-17	2017-18	2018-19	2019-20	2020-21
Long Service Leave	\$ 22,137,299.77	\$ 31,728,869.17	\$ 40,378,860.68	\$ 42,769,127.68	\$ 39,070,370.24
Birthing Leave	\$ 24,358,108.14	\$ 23,983,854.98	\$ 24,604,804.74	\$ 31,213,370.37	\$ 32,719,881.04

Notes:

‘Parental Leave’ is assumed to be Birthing Leave (formerly known as Maternity Leave).

‘ACTPS employment level for each category’ is assumed to be ACTPS Classification Group.

For the Birthing Leave results, the results represent both paid and unpaid birthing leave periods.

For question 4, the value only represents the paid leave components (i.e.-no value is attributed to unpaid leave).

*(Copies of the attachments are available at the Chamber Support Office).*

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### **ACT Heritage Council—fencing (Question No 514)**

**Ms Castley** asked the Minister for Heritage, upon notice, on 12 November 2021:

- (1) Can the Minister provide the results of a review referred to in response provided by ACT Heritage to correspondence concerning the construction of a security fence around the Chabad Hebrew School which stated “It is understood that the security fence has been in place for some time, and in response to your email, a review of Heritage Act 2004 requirements for the place will be undertaken.”
- (2) What submissions were required from the school when they contacted the ACT Heritage team to erect their fence.
- (3) Were all the required submissions provided by the school.
- (4) What is the legislation surrounding fences on ACT Heritage sites.
- (5) Who makes the decision that a modification of a heritage site, such as adding a fence, is deemed to be justifiable and what criteria do they use to make this decision.
- (6) Further to part (5), can the Minister provide details for the case of the Chabad Hebrew School.
- (7) Has a fence around an ACT heritage site ever been rejected by ACT Heritage; if so, can the Minister provide details.

**Ms Vassarotti:** The answer to the member’s question is as follows:

- (1) ACT Heritage undertook a review in 2020 of the fence installed at the Chabad Hebrew School, which is registered on the ACT Heritage Register as part of the ‘Giralang Primary School Complex’ (the Complex). This review considered: the location and nature of the fence; the effect of the fence on the heritage significance of the place; the 2017 *Giralang Primary School Conservation Management Plan*; and the context for fence installation, being recent vandalism and graffiti.

As a result, ACT Heritage concluded that the fence was justifiable, and that it reflected Conservation Management Plan (CMP) advice to use a dark coloured fence in line with the boundary trees, and that it had not diminished the heritage significance of the Complex. On this basis, ACT Heritage concluded that the installation of the fence was not an offence under Section 74 of the *Heritage Act 2004* (the Heritage Act), and no further compliance action was undertaken.

- (2) Heritage Act approvals are only required where an activity may diminish the heritage significance of a registered heritage place. In this instance, works did not diminish the heritage significance of the Complex; and therefore, no Heritage Act applications or approvals were required.
- (3) As above, Heritage Act applications and approvals were not required in this instance.
- (4) Heritage Act requirements for the conservation of heritage places vary by place, in response to the specific heritage values and features of each place. For the Complex, there is no Heritage Act requirement that prohibits the installation of fences, where those fences do not diminish the heritage significance of the place.
- (5) Heritage Act provisions afford protection to registered heritage places, as under Section 74 of the Act, it is an offence to undertake an activity which diminishes heritage significance values without prior approval. These provisions apply to all parties who own, manage or propose works at registered heritage places; who are responsible for complying with legal requirements. Additionally, where Heritage Act applications are made for works that may diminish heritage values, decisions on those applications are made by the ACT Heritage Council (the Council) as the independent, statutory body responsible for a range of provisions under the Heritage Act. Decisions are based on information and guidelines contained in the Heritage Register entry and, where applicable, an endorsed CMP.
- (6) As above, Heritage Act applications and approvals were not required in this instance.
- (7) In the ACT, over 600 heritage places and objects are nominated to or registered on the ACT Heritage Register. While ACT Heritage maintains records of all Council advice and decisions, a review of whether the Council has ever refused a fence around a heritage place in the ACT would require significant resources, which are not available at this time. However, in relation to public schools in the ACT, I understand that similar fencing has been installed around most schools, including other schools on the ACT Heritage Register such as Telopea Park School.

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### **Libraries ACT—COVID-19 safety measures (Question No 515)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 12 November 2021:

In relation to the answer to question on notice No 28, in which the Minister stated that Libraries ACT is continuing to look for suitable hands-free alternatives for hand-sanitising, has the Government made progress on this matter; if so, what are the details of that progress.

**Mr Steel:** The answer to the member's question is as follows:

A hands-free sanitiser option was trialled at all Libraries ACT sites, with the implementation of stands in November 2020. Due to high demand at the time, the stands available for trial were limited. The trial included automated sanitiser stands dispensing liquid sanitising solution. During the trial the stands were frequently run into and knocked over. Repairs and maintenance were ongoing, and the stands were gradually removed from each site, with the last stand being collected from Woden Library in July 2021. Hand pump sanitisers have been utilised since their removal, with the resumption of services after 2021 lockdown, an alternative hands-free dispenser is being sourced. Currently a hands-free tabletop option is being explored to ensure accessible and safe dispensing across all Libraries ACT sites.

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### **Bushfires—controlled burns (Question No 517)**

**Mr Milligan** asked the Minister for Police and Emergency Services, upon notice, on 12 November 2021 (*redirected to the Minister for Planning and Land Management*):

- (1) In relation to fuel reduction through prescribed burns to maintain the safety of Canberrans during bushfire seasons, what season and months are typical for prescribed burns to occur.
- (2) What are the targets for prescribed burns in the ACT.
- (3) What percentage of the environment of the ACT is subject to prescribed burns each year.
- (4) Which areas of the ACT are targeted for prescribed burns.
- (5) With the wetter season, and the inability for prescribed burns to occur, will there be a catch-up time.
- (6) Does Parks and Conservation engage in cultural burning practices; if so, who do they work with to complete this practice.
- (7) When are these burns conducted.
- (8) What is the process for cultural burning.
- (9) Has a comparison of cultural burning and prescribed burning been conducted in the ACT and its effect on fuel reduction, bush fire prevention, and health outcomes.

**Mr Gentleman:** The answer to the member's question is as follows:

The ACT Parks and Conservation Service (PCS) is responsible for bushfire fuel management across 80% of the ACT and continually monitors fuel and weather conditions and identifies opportunities to undertake prescribed burns. Climatic drivers such as El Niño, Southern Oscillation, Indian Ocean Dipole, Southern Annular Mode and La Niña play a major role in the timing of burns. However, the majority of prescribed burns, and particularly the large-scale forest burns, are undertaken in late Summer and Autumn, when weather conditions are typically more stable for extended periods.

Each year, EPSDD publishes its Bushfire Operations Plan (BOP) online. These guides the range of activities to be undertaken to manage the bushfire risk. Prescribed burning is just one form of fuel management that is utilised in the ACT. Other activities include grazing, slashing, physical removal and chemical works.

In addition to the yearly BOP, the EPSDD Regional Fire Management Plan (RFMP) is a 10 year strategic plan that identifies sites to be fuel managed across the PCS estate. Using the nationally recognised Residual Risk approach, burns are identified and planned to meet the standards for the fuel management zones mandated in the ACT Strategic Bushfire Management Plan to aid in the protection of Canberra and the natural and cultural estate.

EPSDD understands the cultural importance of fire to the Traditional Custodians of the ACT and other Indigenous Australians. EPSDD acknowledges the important role a government land manager plays in supporting and promoting cultural burning in the ACT. EPSDD actively works with Traditional Custodians to assist in reviving connections to country and supporting cultural burning practices.

The PCS Fire Management Unit employs an Aboriginal Fire Management Officer (FMO) who works closely with other staff, ACT Government staff from other directorates and Traditional Custodians to identify potential cultural burns.

Cultural burns are subject to the same regulatory regime as other prescribed burns and require the same prescriptions. They are undertaken when conditions are suitable and consistent with the desired outcomes. Cultural burns take many forms and may be undertaken for a range of outcomes including spiritual or cultural connection to country, protection of sacred sites, knowledge building and reviving traditional practices.

All PCS prescribed burns undertaken on the conservation estate, including cultural burns, are carefully planned and prescriptions put in place to achieve desired low intensity fire behaviour to meet the delicate balance of fuel management, ecological constraints and cultural outcomes.

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### **Mental health—staffing (Question No 522)**

**Mrs Jones** asked the Minister for Mental Health, upon notice, on 12 November 2021:

- (1) On average, how many full-time equivalent (FTE) (a) clinical and (b) administrative staff worked at the Dhulwa Secure Mental Health Unit in the year ending 30 June 2021.
- (2) On average, how many FTE staff, other than clinical staff and administrative staff, worked at the Dhulwa Secure Mental Health Unit in the year ending 30 June 2021.
- (3) On average, how many FTE (a) clinical and (b) administrative staff worked at the Adult Mental Health Rehabilitation Unit in the year ending 30 June 2021.
- (4) On average, how many FTE staff, other than clinical staff and administrative staff, worked at the Adult Mental Health Rehabilitation Unit in the year ending 30 June 2021.



**Ms Davidson:** The answer to the member's question is as follows:

- (1) (a) 64.6  
(b) 5
  - (2) 20.69
  - (3) (a) 26  
(b) 1
  - (4) 2.8
- 

**COVID-19 pandemic—public health directions  
(Question No 526)**

**Mrs Jones** asked the Minister for Health, upon notice, on 12 November 2021:

- (1) Who drafted the Public Health (COVID-19 Affected Areas) Emergency Direction 2021 (No 12) (the Direction).
- (2) On what day and at what time was the person who drafted the Direction instructed to draft the Direction.
- (3) Who provided the drafting instructions to the person who drafted the Direction.
- (4) What differences are there between the Direction and the Public Health (COVID 19 Affected Areas) Emergency Direction 2021 (No 11).
- (5) Did the Chief Health Officer receive any direction or instruction about the content of the Direction; if so, from whom were the directions or instructions received and on what day and at what time were they received.
- (6) How many people were required to stay at home because of the Direction but would not have been required to stay at home if the Direction had not been made and the Public Health (COVID 19 Affected Areas) Emergency Direction 2021 (No 11) not been revoked.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) The relevant Executive Branch Manager within the Office of the Chief Health Officer (OCHO) prepared the draft Public Health (COVID-19 Affected Areas) Emergency Direction 2021 (No. 12), after they identified minor drafting errors in the previous version, including an error in the definition of 'fully vaccinated'.
- (2) Following identification of errors in the previous Direction on 2 November 2021, the relevant Executive Branch Manager within the OCHO commenced drafting the required amendments to the Public Health (COVID-19 Affected Areas) Emergency Direction 2021 (No 11) on the morning of 3 November 2021. Amendments were provided to the Legal Policy Advisor within OCHO for review at 11:22am on 3 November 2021.

- (3) The relevant Executive Branch Manager within the OCHO who identified the error prepared the amended Direction, which was subsequently reviewed by the Legal Policy Advisor within OCHO.
- (4) The changes made to the Direction included:
- Minor changes to correct typographical errors, paragraph references and minor omissions of words;
  - amendment to the definition of a COVID-19 Place of Concern for clarity;
  - amendment to the definition of fully vaccinated from ‘seven days’ to ‘fourteen days’;
  - amendment to the definition of a medical contraindication certificate; and
  - Amendment to the wording requiring a fully vaccinated close contact to be tested on day 6 in order to be released on day 7 on return of a negative result.

All Public Health Directions can be found on the ACT Legislation Register.

- (5) The Chief Health Officer was briefed by the relevant Executive Branch Manager within the OCHO on the proposed amendments to the Direction prior to the CHO endorsing and signing the Direction. The signed Direction commenced at 2pm on 3 November 2021.
- (6) 12 travellers were identified as having received stay at home conditions when 7 days (or more) post their second dose vaccination. Of these travellers:
- i. One traveller had their stay at home conditions revoked, following an earlier request for review, as they had travelled on day 14 post their second dose.
  - ii. Five travellers had entered the ACT for a single day entry only and had already left the ACT after the error was identified.
  - iii. Six travellers were contacted by phone on 4 November 2021 and the error in the definition of fully vaccinated was explained to them. The majority of these six travellers were aware of the stay at home requirements, having read the correct definition of ‘fully vaccinated’ that had been included on the online exemption form. These travellers did not express any concerns when contacted. The option for travellers to seek a review of conditions was provided to them, however no review requests were received by the exemptions team.

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### **Parks and reserves—Umbagog District Park (Question No 528)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 12 November 2021:

- (1) Has the Government announced the replacement of three footbridges in Umbagog District Park; if so, will there be a period of public consultation so residents can voice their opinions on the replacement bridges.
- (2) How does the Government intend to inform residents who likely use Umbagog District Park about this consultation.

- (3) As part of this bridge replacement project, is the Government considering the construction of a new bridge nearby the Umbagong stepping stones; if not, will the Government consider the construction of this bridge.
- (4) Is there an initial timeline for the replacement of these bridges; if so, what is that timeline.
- (5) Is there an intention to upgrade other park amenities and facilities as part of this bridge replacement project.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The Government has had ongoing communication with the local community about the closure of the pedestrian bridges in Umbagong District Park and their necessary repair.

In October 2021 an 'Umbagong Bridges' project page was set up on the City Services website coinciding with the rollout of 18 corflute signs throughout Umbagong District Park. These signs had a QR code linking back to the project page which provided an update on the permanent closure and planned replacement of the three footbridges as well as offering an opportunity for the community to join a mailing list to remain updated on the project.

Umbagong District Park contains significant ecological values including matters of National Environmental Significance (protected under the *Environment Protection and Biodiversity Conservation Act 1999*) as well as under the *Nature Conservation Act 2014*. Umbagong Park also has heritage values protected under the *Heritage Act 2004*.

Community consultation on the look and feel of the new pedestrian infrastructure will take place in early 2022, after the specialist ecological and heritage surveys are complete.

- (2) The community will be advised about consultation on the look and feel of the proposed replacement footbridges via social media, stakeholder emails, and a letterbox drop.
- (3) The project does not include an additional bridge near the stepping-stones.
- (4) The timeline for replacement of the bridges is dependent on the outcomes of ecological and heritage surveys currently underway.
- (5) The scope of the project does not include upgrading of other park facilities and amenities. The Government's priority is to provide safe pedestrian crossing points which are consistent with the heritage and ecological values of Umbagong Park.

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### **Municipal services—mowing contractors (Question No 529)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 12 November 2021:

- (1) Further to the response to question on notice No 171, in which the Minister advised that the ACT Government engaged private contractors to supplement in-house mowing capacity during peak grass growing periods from November 2020 to March 2021, which business was engaged by the ACT Government for this purpose.
- (2) Is this business a local Canberra based business; if not, why wasn't a local Canberra based business engaged for this contract.
- (3) How much was this business paid for their services for the time they were contracted.
- (4) Has the Government again contracted more private contractors to supplement in-house mowing for this year's grass growing period; if not, does the Government intend to; if so, what are the details of this engagement such as cost, business engaged, full-time equivalent hired and duration of the contract.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Transport Canberra and City Services engages external mowing contractors to supplement in-house mowing teams during the peak growing season when a high level of seasonal servicing is required to meet community expectations. Contractors were engaged through a competitive quotation process for specific packages of work. Between November 2020 and March 2021 contracted firms were:
  - Ecoway (Aust) Pty Ltd.
  - L Jenal & C Luckman.
  - Trim Lawns Pty Ltd ATF Nicholls Family Trust T/as Trim Lawns & Garden Landscaping.
  - Sommer Landscapes & Gardens Pty Ltd.
  - Glascott Landscape and Civil Pty Ltd.
  - Summit Commercial Contractors Pty Ltd.
  - G.B Burgess Pty Ltd ATF The Trustee for the Gary Burgess Family Trust & M.B. Burgess Pty Ltd ATF The Trustee for the Mark Burgess Family Trust trading as BurHor.
  - Aus-Scan Pty Limited.
  - Canberra Mowing Pty Ltd.
  - Lead Disability Services Limited.
  - Andrew's Lawnmowing & Ground Maintenance Pty Ltd.
- (2) All businesses engaged were based in the Canberra Region or have a local presence in the Canberra Region.
- (3) Collectively, the businesses were paid \$456,812.64 for the contracted period.
- (4) Yes.

Contractors have been employed via the Panel for *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210) and *the Canberra Wide Dryland Grass Mowing along Arterial and Connecting Roads Canberra North* contract (Contract Number 27781.210).

The contractors are G.B Burgess Pty Ltd ATF The Trustee for the Gary Burgess Family Trust & M.B. Burgess Pty Ltd ATF The Trustee for the Mark Burgess Family Trust trading as BurHor, *Canberra Mowing Pty Ltd* and *Skyline Landscape Services Group Pty Ltd*.

The contractors are engaged for the period September 2021 – January 2022, at a total estimated cost of \$838,768.

These services are equivalent to 16 full-time hired staff plus relevant resources and equipment. The hiring of equipment is an essential component of these contracts as without additional mowing machinery, it would not be possible to deliver the required services.

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### **Alexander Maconochie Centre—drone activity (Question No 532)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 12 November 2021:

- (1) Did a drone deliver a coke bottle filled with drugs and a mobile phone into the Alexander Maconochie Centre (AMC); if so, when.
- (2) Was the drone intercepted; if so, where is that drone now.
- (3) Was the controller of the drone apprehended or is there an open case attempting to find the controller.
- (4) How was the drone located.
- (5) Was the drone's payload intercepted before it fell into the hands of detainees.
- (6) Whereabouts on the grounds of the AMC did the drone drop the payload.
- (7) Was there any sign a detainee tried to obtain the payload.

**Mr Gentleman:** The answer to the member's question is as follows:

ACT Corrective Services (ACTCS) has no record of a drone delivering contraband in a coke bottle into the AMC.

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### **ACT Corrective Services—review implementation (Question No 533)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 12 November 2021:

- (1) Further to the ministerial statement given by the Minister on 9 November 2021 in which he stated that “significant progress has been made in implementing a number of outstanding recommendations”, what recommendations was the Minister referring to, and what progress has been made toward implementation for each of these recommendations.

- (2) How many recommendations from the various oversight bodies have been fully implemented since the Minister took on the Corrections portfolio and what were those recommendations.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) The statement was in reference to the closure of several recommendations from the following reports:
- *Review of the care and management of remandees at the Alexander Maconochie Centre* (Inspector of Correctional Services')
  - *Healthy Prison Review of the Alexander Maconochie Centre* (Inspector of Correctional Services)
  - *Review of ACT Corrective Services Court Transport Unit* (Inspector of Correctional Services'), and
  - *Parole processes at the Alexander Maconochie Centre* (ACT Ombudsman).
- (2) Since November 2020, ACT Corrective Services has completed actions to address 49 recommendations made by oversight bodies. These recommendations are:
- Recommendations 1, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 18, 19, 20, 21, 22 — *Review of ACT Corrective Services Court Transport Unit*.
  - Recommendations 4, 8, 10, 13, 14, 17, 18, 20, 21, 24, 26, 27, 30, 35, 41, 48, 63, 64, 67, 71 — *Healthy Prison Review of the Alexander Maconochie Centre*.
  - Recommendations 3, 4, 5, 7, 8, 9, 10, 11, 12, 15 — *Parole processes at the Alexander Maconochie Centre*.
  - Recommendations 36 and 37 — *The care and management of remandees at the Alexander Maconochie Centre*.

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### **Alexander Maconochie Centre—weapons (Question No 534)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 12 November 2021:

- (1) How many shivs have been seized at the Alexander Maconochie Centre in the last four years.
- (2) Does ACT Corrective Services keep a log of seized shivs with details such as location seized and what they were made of; if so, can the Minister provide a list of these shivs accompanied by details of location seized and what the shivs were made of.

**Mr Gentleman:** The answer to the member's question is as follows:

For the period November 2017 to 15 November 2021, ACT Corrective Services (ACTCS) located and seized 134 makeshift cutting weapons. ACTCS keeps a log of contraband seized to identify trends in contraband seizures over time, not to specify descriptors of items seized. The information held by ACTCS would not provide the level of detail requested. These details would also be operationally sensitive.

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## **ACT Civil and Administrative Tribunal—performance (Question No 535)**

**Mrs Kikkert** asked the Attorney-General, upon notice, on 12 November 2021:

- (1) How many judgments determined by the ACT Civil and Administrative Tribunal (ACAT) have consequently been enforced by the Magistrates Court, for each of the past four years.
- (2) Are there any other mechanisms to enforcing a judgment determined by ACAT, aside from seeking an enforcement of a judgment by the Magistrates Court; if so, what are they.
- (3) How many civil disputes have been heard by ACAT that have exceeded the usual threshold of monetary claim of \$25,000, for each of the past four years.
- (4) How many of the disputes referred to in part (3), for each year the past four years, were due to agreement of all parties involved for ACAT to hear a claim above the usual monetary threshold and for the remaining disputes, what were the reasons for ACAT to hear a claim above the usual monetary threshold.
- (5) In relation to an ACAT Client Satisfaction Survey that is currently being conducted, have there been any client satisfaction surveys conducted on ACAT in previous years; if so, what years and what was the feedback received, including positive comments, issues and suggestions for improvement.
- (6) Can the Attorney-General provide a copy of the current survey and also each of any previous surveys conducted as attachments to the answer of this question.

**Mr Rattenbury:** The answer to the member's question is as follows:

- (1) An enforcement creditor may apply to the Magistrates Court for orders for enforcement of an ACAT decision if the debt remains unpaid after the registered decision is served on the enforcement debtor.

The Magistrates Court makes orders to enable the enforcement creditor to enforce payment of the debt.

The number of ACAT decisions registered with the Magistrates Court and the number of orders for enforcement which the Magistrates Court made in the past four years are set out in the following table.

<b>Financial year</b>	2017-18	2018-19	2019-20	2020-21
<b>ACAT decisions registered</b>	560	665	525	423
<b>Orders for enforcement made</b>	196	227	149	156

In the context of figures provided, please note that:

1. on application by the enforcement creditor, the Magistrates Court may make more than one type of enforcement order on a single ACAT decision;
2. from April to July 2020, there was a temporary pause on enforcement hearings due to the COVID-19 pandemic; and

3. the figures provided are for orders for enforcement made on application by the enforcement creditor. These orders may be issued by the court without a hearing. The figures do not include orders which may have been made following a hearing. It is too resource intensive to manually extract this data.
- (2) Enforcement of an ACAT order is conducted through the Magistrates Court, or other relevant interstate Court where the debtor lives outside of the ACT. Enforcement of a residential tenancy termination and possession order (involving warrants for the eviction of a tenant or occupant) is carried out by the Australian Federal Police.
- (3) Over the past four completed financial years (2017-18 to 2020-21) ACAT had 131 cases in which \$25,000 or more was claimed in the civil and residential tenancy jurisdictions. The ICT case management system does not collect data on the figure claimed over \$25,000. A significant manual data retrieval and analysis exercise would need to be undertaken to determine how many of these claims exceeded \$25,000.
- (4) In cases where a claim is over \$25,000 a claimant may elect to abandon any amount over the cap. That is, the most that could be awarded if successful is \$25,000. As the ICT case management system does not collect this information, a significant manual data retrieval and analysis exercise would need to be undertaken to formulate a response.
- (5) An ACAT Client Satisfaction Survey was last conducted in 2014, and the results are attached.
- (6) The survey instruments for ACAT Client Satisfaction Surveys conducted in 2014 and 2021 are attached.

*(Copies of the attachments are available at the Chamber Support Office).*

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### **Suburban Land Agency—Belconnen development (Question No 536)**

**Mrs Kikkert** asked the Minister for Housing and Suburban Development, upon notice, on 12 November 2021:

- (1) Further to the answer to question on notice No 471 in which the Minister advised that the Request for Proposal released to the market that contained three blocks comprising the Circus Site Precinct and the former Water Police Site were to be considered as one package and given the Place Design Brief document and the A Connected Waterfront Precinct document published by the Suburban Land Agency (SLA) do not make clear in any way that they were being sold as one package, why, when the SLA documents do not suggest in any way that the Circus Site Precinct and the former Water Police Site were considered as one package, were they being considered as one package.
- (2) Did the Government receive any feedback from submissions that the consideration of both these sites as one package made the land purchase less desirable.
- (3) Did all submissions address both sites; if not, how many only addressed either the Circus Site Precinct or the former Water Police Site.



- (4) Given the SLA documents did not make clear that the sites would be considered one package, when were interested parties informed of this and how were they informed.
- (5) Did any of the submissions include consultation with the Ginninderra Sea Scouts.

**Ms Berry:** The answer to the member's question is as follows:

1. The purpose of the Place Design Brief is to capture community expectations for the development of a number of future land release sites in the Belconnen Town Centre. For example, the Place Design Brief also includes Lathlain Street Precinct which does not form part of the current land sale package named Belconnen Lakeshore. The Place Design Brief therefore does not define the extent of the Belconnen Lakeshore land release.

The land release documents such as the Request for Proposal (RFP) and Sales/Marketing Brochure (*A Connected Waterfront Precinct*) identified all four sites that are the subject of the land release.

2. No concerns were received during or post the three and a half month marketing campaign for the Belconnen Lakeshore land release.
3. The RFP contained a number of requirements for proposals to be compliant. Among those was that a compliant proposal includes a design proposal and an offer to purchase and develop both the Circus Site and the Former Water Police Site. The SLA is currently assessing compliant proposals.
4. During the RFP preparation period (17 June to 7 October) SLA held an industry briefing for interested participants to hear about the project and raise any questions. In addition, participants were able to raise any questions or clarifications during the RFP preparation period and up to seven days before RFP submissions were due.
5. The SLA is unable to provide any information on any of the submissions while the RFP process is ongoing. However, SLA can confirm that Ginninderra Sea Scouts actively participated during SLA's community engagement period and contributed during preparation of the Place Design Brief.

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### **Domestic and family violence—screening tools (Question No 539)**

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 12 November 2021:

- (1) Does the ACT currently have a dedicated screening tool for domestic violence that is specific to pregnancy; if so, can the Minister provide further details; if not, are there any other mechanisms used to identify domestic violence during pregnancy.
- (2) Does the ACT have a dedicated screening tool for domestic violence in other health-care settings, such as early childhood health services, mental health, alcohol and other drugs services; if so, can the Minister provide further details for each setting; if not, are there any other mechanisms used to identify domestic violence in these settings.

**Ms Berry:** The answer to the member's question is as follows:

1. There is no screening tool specific to pregnancy. There is a screening tool in the draft ACT Risk Assessment and Management Framework that was trialled successfully at Calvary Maternity Unit and supported staff to understand and identify domestic and family violence. The screening questions in the framework were also included in the Strengthening Hospital Responses to Family Violence program that has been rolled out across The Canberra Hospital.
  2. The screening tool and questions in the draft ACT Risk Assessment and Management Framework are applicable across all settings and the Office of the Coordinator-General for Family Safety encourages its use in as many settings as possible.
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**Alexander Maconochie Centre—toothbrushes  
(Question No 540)**

**Mrs Kikkert** asked the Minister for Justice Health, upon notice, on 12 November 2021 (*redirected to the Minister for Corrections*):

- (1) What is the make and model of the toothbrushes that are distributed to the detainees at the Alexander Maconochie Centre (AMC) and if there are multiple makes and models, could the Minister list them.
- (2) Why has this particular toothbrush been chosen and if there are multiple toothbrushes, can the Minister list the reasons for each toothbrush.
- (3) Are these toothbrushes less able to be turned into improvised weapons than regular commercial toothbrushes.
- (4) Is there a set interval of time between distribution of toothbrushes, such as every three months; if so, how long is that interval.
- (5) If a detainee needs or requests a new toothbrush before that interval, are they provided with a new toothbrush.
- (6) Does the detainee need to provide a satisfactory reason for needing a new toothbrush.
- (7) In response to a stabbing at the AMC in January 2020, it was suggested by an MLA that silicon toothbrushes be distributed to detainees instead of plastic toothbrushes which have been used to make improvised weapons and a Minister stated that the Government would have a look at the toothbrush suggestion, what was the result of the Government's review of this idea.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) Colgate Medium Bristle toothbrush – Model # T4
- (2) This toothbrush used is based on supplier stock. It is currently the only toothbrush distributed.
- (3) These are 'regular' toothbrushes as available in the community.

- (4) Toothbrushes are issued on an as needed basis. The old toothbrush is swapped for a new one. There is no set time interval, detainees may swap a toothbrush as required/desired.
  - (5) As above.
  - (6) Detainees may swap their toothbrush for a new one as required without providing a reason.
  - (7) In 2020, ACT Corrective Services (ACTCS) attempted to source silicon (or similar) toothbrushes. Several lines of inquiry were made; however a supplier could not be located. ACTCS are continuously seeking to improve processes to enhance safety, security and good order at the AMC. Improvised weapons have been seized that were created from a range of products available to detainees, including everyday household items. A reasonable and appropriate balance must be maintained between affording detainees the decency to utilise basic goods such as regular toothbrushes and addressing safety and security risks where items have been misused.
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### **Parking—revenue (Question No 541)**

**Mrs Kikkert** asked the Minister for Business and Better Regulation, upon notice, on 12 November 2021:

- (1) What was the total government revenue from all parking fines, for each of the past two financial years.
- (2) What was the revenue from parking fines, for each of the past two financial years, according to (a) fines issued to vehicles parked in government-owned car parks, (b) fines issued to vehicles parked in the street and (c) any others, including details.
- (3) What was the revenue from parking fines issued, for each of the past two financial years, to vehicles parked in the street according (a) pay parking, expired time, (b) pay parking, no permit, (c) time-limited free parking, further broken down by the length of time allowed (such as three hours, two hours, five minutes, 15 minutes, etc), (d) loading zone, expired time, (e) loading zone, no permit, (f) disability parking, (g) all other parking that requires a permit (such as medical practitioner) and (h) parking in an area where parking is not allowed (illegal parking).
- (4) What percentage of revenue from parking fines, for each of the past two financial years, issued to vehicles parked in the street has been generated (a) between 6am and 6pm, (b) between 6pm and 6am, (c) on weekdays (Monday through Friday) and (d) on weekends (Saturday and Sunday).

**Ms Cheyne:** The answer to the member's question is as follows:

- (1) Total revenue from parking fines was \$13,534,625.87 in 2019-20; and \$12,322,476.86 in 2020-21.
- (2) Access Canberra has advised that the information sought for Questions 2 and 3 is not in an easily retrievable form. The effort to collect and assemble the information sought solely for the purpose of answering these questions would require a considerable diversion of resources.

(3) Refer to response to Question 2.

(4)

	BY TIME OF DAY				
(a)	6am to 6pm 2019-20	94.40%		2019-20	100.00%
	6am to 6pm 2020-21	94.51%			
(b)	6pm to 6am 2019-20	5.60%		2020-21	100.00%
	6pm to 6am 2020-21	5.49%			
	BY WEEKDAY/WEEKEND				
(c)	Weekdays 2019-20	86.58%		2019-20	100.00%
	Weekdays 2020-21	89.10%			
(d)	Weekends 2019-20	13.42%		2020-21	100.00%
	Weekends 2020-21	10.90%			

### Environment—Healthy Waterways project (Question No 543)

**Ms Lawder** asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 26 November 2021:

Can the Minister provide the full results and details for all water quality samples collected by the autosamplers and manual (grab) samples for the Healthy Waterways project, provided in Microsoft Excel (\*.xls or \*.xlsx format) exported from the database.

**Mr Rattenbury:** The answer to the member's question is as follows:

By the end of January, we can provide you with the water quality results and selected details (sample code, date, time, parameter, value, units) and a table that links sample codes to the site name and location where they were obtained. This data will require careful interpretation.

I wish to offer an opportunity to meet with staff from the Environment, Planning and Sustainable Development Directorate to discuss the data of interest to you, once you have examined the full suite of data provided.

### Trees—planting (Question No 544)

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 26 November 2021:

How many trees (a) were planned to have been planted in 2021 and (b) have been planted in 2021.

**Mr Steel:** The answer to the member's question is as follows:

(a) A total of 9,100 trees were planned for planting in 2021, with the aim to plant 3,750 trees in autumn the remaining 5,350 trees in spring.

- (b) As of 8 December 2021, a total of 7,012 trees have been planted. 3,796 trees were planted in Autumn and 3,216 trees have been planted to date in spring. The spring planting has been impacted by high rainfall, service issues and movements in availability of tree stock. However, the mild conditions expected in summer 2021/22 is expected to enable the balance of approximately 2,080 trees to be planted in the coming months.

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**Parks and reserves—Fadden Hills Pond  
(Question No 547)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 26 November 2021:

In relation to the answer to question on notice No 33, how many requests were made to keep the tower in Fadden Pond Playground prior to the last upgrade in 2005.

**Mr Steel:** The answer to the member's question is as follows:

City Services does not have records from the 2005 engagement to provide an answer to this question.

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**Community corrections orders—detainees and offenders  
(Question No 548)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 26 November 2021:

- (1) Do detainees incarcerated in the Alexander Maconochie Centre (AMC) ever do community service such as cleaning graffiti outside the AMC walls; if so, can the Minister provide some examples of some of the acts of community service they have been engaging in over the last two years; if not, why not.
- (2) Do offenders on community corrections orders ever do community service such as cleaning graffiti as part of their community corrections orders; if so, can the Minister provide some examples of some of the acts of community service they have been engaging in over the last two years; if not, why not.

**Mr Gentleman:** The answer to the member's question is as follows:

There is no requirement for detainees to undertake community service work. However, detainees contribute through work in various prison industries such as the kitchen, laundry, grounds maintenance, cleaning services, bulk stores, metal industries, bakery, peer support and delegates roles, horticulture, hairdressing, painting, textiles, and general maintenance. Detainees are remunerated for their work in prison industries in line with the Detainee Work Policy 2019, recognising that employment develops skills that supports employment outcomes on return to the community. This differs from Community Service Work, which is generally unpaid and performed under a Court order (see also below).

Offenders subject to a Community Service Order are required to participate in unpaid work for the number of hours specified by the Court and this may include activities such

as cleaning graffiti, and gardening and grounds maintenance at various not for profit organisations/locations deemed to be of benefit to the community.

During the ACT COVID-19 lockdown, offenders were able to receive credited hours to count towards their sentenced community service hours by completing self-paced booklets designed by the Corrections Programs Unit (CPU). These booklets address self-improvement topics and making healthy, pro-social decisions.

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**ACT Corrective Services—management of community sector groups  
(Question No 549)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 26 November 2021:

- (1) Does ACT Corrective Services (ACTCS) employ an individual or individuals whose duties include the coordination of the involvement of community groups with the Alexander Maconochie Centre (AMC); if so, what is the title of their position.
- (2) Does the ACTCS employ an individual or individuals whose duties include the recruitment of community groups to work with detainees in the AMC and provide programs for detainees in the AMC; if so, what is the title of their position.

**Mr Gentleman:** The answer to the member's question is as follows:

The Senior Director, Detainee Services oversees a range of diverse services for detainees at the AMC that include involvement from community groups. This position identifies the need for services and programs provided by community groups and manages the engagement and coordination of these service providers.

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**Alexander Maconochie Centre—dogs  
(Question No 550)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 26 November 2021:

- (1) How many dogs are employed at the Alexander Maconochie Centre (AMC).
- (2) What roles do these dogs perform.
- (3) Are there any dog related programs for the rehabilitation of detainees that are being considered for introduction into the AMC; if so, what is the nature of these programs.

**Mr Gentleman:** The answer to the member's question is as follows:

ACT Corrective Services (ACTCS) has four dogs in the K9 unit. Two dogs are drug detection dogs, trained to detect prohibited substances such as MDMA, methamphetamines, cocaine, heroin, cannabis and buprenorphine. The other two dogs are trained to detect electronic devices such as mobile phones, sim cards, smart watches and electronic storage devices. ACTCS continues to explore options for partnering with organisations to provide programs related to animal care, training and support in the AMC.

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**Roads—wildlife  
(Question No 553)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 3 December 2021:

- (1) When will the Government's new policy on wildlife signage be ready.
- (2) What is the Government's policy on removing animal carcasses from the road and/or roadside.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The policy is expected to be completed by the end of this financial year by TCCS in consultation with EPSDD.
- (2) The ACT Parks and Conservation Service undertake regular checks of major roads and also attends to carcasses that are a nuisance, or traffic hazard, as soon as possible after they are reported.

The Urban Wildlife Manual is available online and describes the policy for the collection of dead animals, including health issues associated with dead animals:  
[https://www.environment.act.gov.au/\\_\\_data/assets/word\\_doc/0007/1182661/Urban-Wildlife-Manual-2016-Revision.doc](https://www.environment.act.gov.au/__data/assets/word_doc/0007/1182661/Urban-Wildlife-Manual-2016-Revision.doc)

Under part 4.1 – the Policy for the collection of dead animals states:

- All marsupials are to be attended to as soon as possible, so as pouches can be checked for young and dealt with accordingly.
- Where animals are in suburban areas they should be removed to the nearest reserve land and placed well away from public areas.
- The marking of animals with dye or paint and leaving them on roadsides is not an accepted practice.
- Lime should not be used on carcasses except in situations where other removal methods are not practical.
- PCS is responsible for the collection of all dead native animals, feral animals and stock (e.g. cows, sheep, horses etc) on public land and roadsides. This does not include dogs or cats which are collected by Domestic Animal Services.

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**Environment—water quality  
(Question No 557)**

**Ms Lawder** asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 3 December 2021 (*redirected to the Minister for Transport and City Services*):

- (1) Why isn't testing before and after sediment removal performed as well as downstream testing, for all ponds when cleaned.

- (2) Has Fadden Pond been subsequently tested to determine what type of algal bloom it was and what may have caused it.
- (3) How can the pollutant load and composition of the pollutant be properly understood without testing them.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The ACT Health Protection Service, Environment Protection Authority and Transport Canberra and City Services monitor the environmental status of lakes, ponds and rivers and advise changes in water quality conditions in relation to cyanobacteria such as blue-green algae and other potentially hazardous conditions. General water quality parameters are also monitored in the lakes, rivers and ponds to pick up long term trends. Cyanobacteria testing prior to and after sediment removal will occur where visual inspections detect changes in colour of water, obvious algal blooms, appearance of surface scums and odours.
- (2) Low numbers of cyanobacteria such as blue-green algae are a normal in most waterways, including lakes, rivers, creeks and ponds. Water quality sampling and testing of the pond is scheduled to take place in January 2022, and the testing will include assays to determine cyanotoxins.
- (3) Water quality, pollutant load and composition can only be properly understood through sampling, testing and analysis. For example, where primary recreational activities are permitted, monitoring of water quality commences just before the main swimming season. Sampling frequency during the water recreational season is normally once per week and generally finish when seasonal conditions restrict the public from engaging in primary contact recreational activities.

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### **Fadden Hills Pond—water quality (Question No 558)**

**Ms Lawder** asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 3 December 2021 (*redirected to the Minister for Transport and City Services*):

- (1) Given that in the recent clearing of sediment from Fadden Pond, no water testing was carried out before or after the cleaning and since cleaning the pond has had the worst algal outbreak in 30 years, can the Minister explain why most of the edge vegetation was removed during the maintenance.
- (2) Given that under the Environmental Authorisation, turbidity at least should have been tested daily during the Fadden Pond works, why was no testing completed.
- (3) Did removal of the edge vegetation exacerbate the algal problem.
- (4) When will Fadden Pond be tested to determine the pollutants and to get a measure of water quality.

**Mr Steel:** The answer to the member's question is as follows:



- (1) Controlled native vegetation around the perimeter of the pond binds the bank, reduces erosion at the water's edge and provides habitat for local wildlife. During maintenance of the pond, some of the vegetation was removed to allow access for machinery, to improve the visual and recreational amenity of the pond and to reduce vegetation density and prevent spreading into deeper water zones. A portion of the vegetation was not removed to ensure habitat remained for local fauna. The vegetation is growing back on the pond edge. Regular inspections are occurring to ensure that unwanted weeds are not growing in place of the native vegetation.
  - (2) The pond was mostly drained of all its water for the desilting process and therefore measurement of water turbidity was not an applicable test to undertake.
  - (3) No single factor is responsible for triggering and maintaining algal blooms, which makes it very difficult to reduce the frequency and severity of algal blooms. It is unlikely that the partial removal of the edge vegetation alone was the cause of the algal bloom. Algal blooms occur when the temperature, nutrient and light conditions are right. A more likely possibility is that after the long period of dry climate, recent stormwater run-off has washed more nutrients and pollutants from the catchments into the stormwater system and into the waterway which encouraged the growth of the algal bloom.
  - (4) Water quality sampling and testing has been planned to occur in January 2022.
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### **Municipal services—mowing (Question No 559)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 3 December 2021:

- (1) What were the total costs associated with urban mowing services in the financial years of (a) 2018-19, (b) 2019-20, (c) 2020-21 and (d) 2021-22 to date.
- (2) What proportion of urban mowing was undertaken by (a) public servants and (b) external contractors in the financial years of (i) 2018-19, (ii) 2019 20, (iii) 2020-21 and (iv) 2021-22 to date.
- (3) What is the total number of complaints or queries received regarding overgrown grass and/or mowing in (a) 2018-19, (b) 2019-20, (c) 2020-21 and (d) 2021-22 to date.
- (4) Who currently holds the contract for urban mowing in Canberra.
- (5) What is the end date for this contract.
- (6) What oversight does the ACT Government have for how well the mowing is conducted.
- (7) What, if any, key performance indicators (KPIs) are in the contract.
- (8) How is the contract progressing against the KPIs.

**Mr Steel:** The answer to the member's question is as follows:

- (1) The table below shows the total costs associated with urban mowing services per financial year. The ACT Government provided additional top-up funding for mowing in 2020-21 to address high seasonal demand following periods of significant rainfall.

Year	Total \$m	Basis of Figure
2018-19	8.9	Estimated Actual
2019-20	8.9	Estimated Actual
2020-21	10.2	Estimated Actual
2021-22	9.9	Budget
2021-22	2.5	YTD Actual

- (2) Approximate proportion of mowing undertaken by public servants and external contractors.

Year	(a) Internal Mowing %	(b) Contractor Mowing %
2018-19	76%	24%
2019-20	89%	11%
2020-21	93%	7%
2021-22	65%	35%

- (3) Number of complaints or queries received regarding overgrown grass and/or mowing.

Year	Enquiries Received
2018-19	541
2019-20	1,019
2020-21	3,154
2021-22	1,865 YTD

- (4) In addition to TCCS in-house mowing crews, there are currently four contracted mowing service providers.

- i. Canberra Mowing Pty Ltd - *The Canberra Wide Dryland Grass Mowing along Arterial and Connecting Roads - Canberra North* (Contract Number 27781.210).
- ii. G.B Burgess Pty Ltd ATF The Trustee for the Gary Burgess Family Trust & M.B. Burgess Pty Ltd ATF The Trustee for the Mark Burgess Family Trust trading as BurHor - *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210.1)
- iii. Skyline Landscape Services Group Pty Ltd - *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210.3)
- iv. Canberra Mowing Pty Ltd - *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210.2)

(5) The current contracts expire as follows:

- i. *The Canberra Wide Dryland Grass Mowing along Arterial and Connecting Roads- Canberra North* (Contract Number 27781.210) expires 29 August 2023.
- ii. *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210.1) expires 31 March 2023.
- iii. *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210.3) expires 31 March 2023.
- iv. *The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210.2) expires 31 March 2023.

(6) The ACT Government has close oversight of all aspects of mowing. It employs a dedicated Mowing Coordinator position to manage the mowing program. The Mowing Coordinator assists the Operations Managers and the operational teams on the design and implementation of the Canberra-wide mowing program, including external contractor mowing, sportsground mowing, urban open space mowing and amenity weed control in urban areas.

In collaboration with on-ground teams, the Mowing Coordinator monitors performance against the mowing program goals and redeploys resources to areas where the mowing program may be challenged. This role manages the external contractors, provides advice to teams on the suitability of the mowing fleet and investigates alternative mowing equipment when machines are due for replacement. The role is also responsible for leading a continuous improvement approach to mowing efficiency including alternate practices to increase productivity in order to meet service delivery outcomes.

(7) *The Canberra Wide Dryland Grass Mowing along Arterial and Connecting Roads- Canberra North* (Contract Number 27781.210) outlines the following Key Performance Indicators (KPIs):

- Mowing response within seven days of the request by the Territory Contract Officer;
- Specified mowing height achieved 95% of sample selected;
- No more than two instances of non-compliance with reporting requirements; and
- No more than two spot inspections by the Territory Contract Officer resulting in non-compliances.

*The Provision of Arterial Road Dryland Grass Mowing Services for Central and South Canberra* (Contract Number GS001005.210) outlines the following KPIs:

			Calculation		
KPI	Minimum Standard	Target	Frequency	Formula	Source Data
Quality of cut	95%	100%	Each mowing pass	Percentage of mowing deliverables under 4.1 met	Onsite inspections

<b>Timeliness of mowing</b>	90%	100%	Each mowing pass	Date of notified commencement date - Date mowing undertaken (within 28-day range)	Written notifications of commencement
<b>Operators, vehicles and mowing equipment meet operational requirements</b>	98%	100%	Each mowing pass	Percentage of deliverables under clauses 5,6 and 7 met	Contract Onsite Inspection
<b>Compliance with Safety and Traffic Management requirements</b>	95%	100%	Each mowing pass	Percentage of deliverables under Clause 8, Safe Work Method Statement	Temporary Traffic Management (TTM) and Safe Work Method Statements and (SWMS), Audit
<b>Damage repaired in required timeframes as per clause 10</b>	98%	100%	Per incident	Time of incident – Time of notification – Time of repair completion	Notification of incidents Receipts
<b>Timeliness of response to communications</b>	95%	100%	Per notification	Time of notification - Time of response (within 1 hour)	Notification messages and Contractor phone records

(8) The contractors are meeting KPIs based on contract management actions including:

- Daily written updates provided on progress of mowing cycle/work order.
- Visual inspection of areas by contractors and Mowing Coordinator prior to issuing and accepting work orders.
- Damage when identified is repaired within 48hrs of notification.
- Daily to weekly visual inspections by Mowing Coordinator show:
  - i. Quality and height of cut requirements met
  - ii. Traffic Control measure adequate for road speed and type of works, contractor able to provide approved plans when requested on site
  - iii. Machines and equipment meet operational mowing requirements
- Contractors are responsive when contacted.

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### **Planning—lease terminations (Question No 560)**

**Ms Clay** asked the Minister for Planning and Land Management, upon notice, on 3 December 2021:

- (1) Further to question taken on notice No 6 on attempts to terminate leases dated 30 June 2021, as part of the Giralang inquiry conducted by the Standing Committee on Planning, Transport and City Services Committee, and the included examples where the ACT Government have used termination clauses to terminate a lease under the Planning and Development Act 2007, can the Minister provide some contextual details for each of those examples, including the (a) nature of the lease (for example, commercial or residential, (b) reason for termination in each instance and (c) steps leading to the notice of intention to terminate.
- (2) Given that the Dunlop 2012 lease termination involved a termination, an appeal and ultimately resulted in the land being developed by a different party, is this considered a successful lease termination.
- (3) Given the McKellar 2013 lease termination involved a negotiated Controlled Activity Order and the site has not yet been developed, is this considered successful; if not, why not.
- (4) Given that the Waramanga lease termination resulted in ACT Civil and Administrative Tribunal (ACAT) finding that the lease could not be terminated on the grounds determined by the ACT Planning and Land Authority and this particular matter was a complicated one and the Tribunal ultimately found that the lease could not be terminated on the lease provisions provided for in the notice of intention to terminate and noting that the Waramanga lease was entered into in 1971 and the current lease for the Giralang site was entered into in 2014 and they are very different types of document, (a) is the Giralang lease considered in similar in terms, or different, to the Waramanga lease and (b) would a similar ACAT finding against Government be expected if it terminated the Giralang lease.
- (5) Given that in the Minister's response to question taken on notice No 10, dated 30 June 2021, as part of the Giralang inquiry conducted by the Standing Committee on Planning, Transport and City Services, in response to general complaints Access Canberra inspectors inspected the Giralang site on 4 May 2021 and 14 July 2020, can the Minister provide a summary of this correspondence including (a) date of correspondence, nature of correspondence, for example, was it a complaint/concerns articulated; if so, what was the complaint/concern and (d) how Access Canberra dealt with these complaints/concerns.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1)
  - a) The Crown lease for the referenced blocks of land in question taken on notice No 6 (located at Dunlop, McKellar and Waramanga) contains the purpose clause that the land is to be utilised for residential purposes only.
  - b) The reason for the proposed termination was failure to comply with the purpose of the Crown lease being the land is used for residential purposes.
  - c) The steps undertaken were consistent with the provisions of sections 382 and 384 of the *Planning and Development Act 2007* (the Act) in force at the time, including the Notification requirements.
- (2) The outcome is consistent with the provisions of the *Planning and Development Act 2007* and the block was developed.

- (3) The regulatory process relating to the Controlled Activity Order under the *Planning and Development Act 2007* is not yet complete. Accordingly, this is considered an active matter that Access Canberra cannot comment on further.
- (4)
- a) The leases are considered to be different as one lease is for residential purposes and one is for commercial purposes, however the regulatory framework under the *Planning and Development Act 2007* applies to both, noting that each lease must be interpreted on its own merits.
  - b) It would be inappropriate for Government to comment about a possible outcome by an independent legal body such as the ACT Civil and Administrative Tribunal.
- (5)
- a) A complaint letter received on 18 March 2021 was in relation to the time allowed for the developer to develop the site, the appearance of the site and concerns about safety at the site.
  - b) The inspection dated 14 July 2020 was in relation to a pro-active audit undertaken by Access Canberra and not as a result of a complaint received by Access Canberra. In response to the complaint of 18 March 2021, Access Canberra inspected the site on 4 May 2021. A response was provided to the complainant on 11 June 2021.
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### **Government—lease arrangements (Question No 561)**

**Ms Clay** asked the Minister for Planning and Land Management, upon notice, on 3 December 2021:

Given that Phillip pools have been granted temporary relief from the requirements of their crown lease for the summer period due to the impacts of the COVID-19 public health emergency and for maintenance, can the Minister advise how many other crown leases have been granted temporary relief from the requirements of their crown lease due to the impacts of COVID-19.

**Mr Gentleman:** The answer to the member's question is as follows:

The independent planning and land authority approved the following applications for relief due to COVID-19:

2020 - 43 applications

2021 - 9 applications

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### **Waste—green waste services (Question No 562)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 3 December 2021:

- (1) How many multi-unit developments have opted-in to the Belconnen FOGO trial and how many of these are (a) townhouse complexes and (b) apartment complexes.
- (2) How many multi-unit developments have not opted-in to the Belconnen FOGO trial and how many of these are (a) townhouse complexes and (b) apartment complexes.

**Mr Steel:** The answer to the member's question is as follows:

- (1) There are 11 multi-unit developments (MUDs) comprising 569 dwellings which are participating into the FOGO pilot as of 8 December 2021.
    - a. Six are townhouse complexes.
    - b. Five are apartment complexes.
  - (2) The FOGO pilot aims to have approximately 5,000 households participating. Discussions and site inspections are underway with several more MUDs which have indicated interest to determine their suitability for the pilot. The aim is to have a sufficiently diverse cross section of MUDs to maximise the learnings from the pilot.
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**Alexander Maconochie Centre—Worldview program  
(Question No 564)**

**Mrs Kikkert** asked the Minister for Health, upon notice, on 3 December 2021:

- (1) How many former detainees have been assisted by Worldview since it began receiving funding from the ACT Government.
- (2) How many have been directly employed by Worldview.
- (3) Has there been either a government or independent evaluation on the program being conducted by Worldview; if so, is this in the process of being done, or has it already been completed.
- (4) If an evaluation already exists, can the Minister attach the evaluation to the response to this question
- (5) When is funding from the ACT Government for the Worldview program intended to cease.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

These questions appear to relate to a particular Worldview program. As identified in the response to QON 408, Worldview has been a successful grant recipient in a number of grants rounds to deliver health, skills and employment preparedness outcomes. The responses below relate to the two ACT Health Promotion Grants that are managed by the ACT Health Directorate.

1. The Worldview Foundation has advised that to date 39 Aboriginal and Torres Strait Islander participants have been assisted since it began receiving funding under the Smoke, Booze and Drug Free Prison Post Release initiative. Program participants comprise:

- six clients at the Alexander Maconochie Centre (AMC) (three categorised as at-risk youth due to being under 21 years old); and
- 33 at risk youth (many of whom are in contact with the criminal justice system but have not been incarcerated).

COVID-19 has delayed implementation of the second grant, which will expand the program to non-Aboriginal and Torres Strait Islander people. It also required the mode of delivery to be modified due to new measures and rules around contact with AMC clients, which has necessitated a shift to an online approach. This has delayed delivery of both programs. The online program modules are currently undergoing stringent security and user testing. It is anticipated that the program modules will 'go live' in early 2022, ensuring access for all AMC clients.

2. Specific funding to employ staff is not a component of either of the Worldview Foundation grants.
3. Evaluation of both Worldview Foundation's programs delivered through the ACT Health Promotion Grants are not due until late 2022.
4. See response to question 3.
5. Worldview Foundation's two ACT Health Promotion Grants cease on 30 June and 30 August 2022.

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### **Domestic Violence Prevention Council—Aboriginal and Torres Strait Islander representation (Question No 565)**

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:

Can the Minister provide a list of all groups who were consulted by the Aboriginal and Torres Strait Islander reference group as part of the Domestic Violence Prevention Council to provide updates to the recommendations of the *We Don't Shoot Our Wounded* report.

**Ms Berry:** The answer to the member's question is as follows:

The Aboriginal and Torres Strait Islander Reference Group of the Domestic Violence Prevention Council is an independent group, to identify and develop community led responses to domestic and family violence.

Reference Group members consult with members of their community as needed and are not obligated to report these consultations to government.

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### **Women—safety (Question No 567)**

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:



- (1) How many women in the ACT participated in the Community Satisfaction With Policing National Survey in (a) 2020–21, (b) 2019–20, (c) 2018–19 and (d) 2017–18.
- (2) What were the results of women's perception of safety during the day and at night in the ACT in (a) 2020–21, (b) 2019–20, (c) 2018–19 and (d) 2017–18.

**Ms Berry:** The answer to the member's question is as follows:

- (1) The Australia New Zealand Policing Advisory Agency (ANZPAA) *National Survey of Community Satisfaction with Policing* is conducted from a sample of the general population and is designed to be representative of the broader community. The data reports participants' perceptions of their safety during the night at home alone and during the day and at night when walking alone in their neighbourhood and on public transport.

The survey size for 2017–2021 was as follows:

	Female respondents - ACT	Female respondents - Australia
2020/21	1,321	15,743
2019/20	1,350	15,878
2018/19	1,320	15,903
2017/18	1,330	16,203

- (2) The results of women's perception of safety during the day and at night in the ACT for 2018–2021 are as follows:

Percentage of women that feel safe in their neighbourhood during the day		
	% Female Respondents - ACT	% Female Respondents - Australia
2020-21	91.6	89.7
2019-20	90.6	87.5
2018-19	92.3	87.4
2017-18	90.4	87.6

Percentage of women that feel safe in their neighbourhood during the night		
	% Female Respondents - ACT	% Female Respondents - Australia
2020-21	36.2	36.6
2019-20	39.5	35.6
2018-19	40.2	36.4
2017-18	42.6	36.5

## Sport—Higgins Oval (Question No 571)

**Mrs Kikkert** asked the Minister for Sport and Recreation, upon notice, on 3 December 2021:

- (1) When was Higgins oval first opened for public use following its rehabilitation last year.
- (2) When was Higgins oval closed to the public for repairs following its rehabilitation.
- (3) What reasons have been identified for its most recent closure (ie, what are the main causes of damage to the oval that have necessitated its closure).

- (4) When does the Government expect Higgins oval to reopen for organised sporting events.

**Ms Berry:** The answer to the member's question is as follows:

- (1) November 2020.
  - (2) Sporting use ceased on 30 July 2021 due to safety concerns with the soft and muddy surface conditions.
  - (3) The damage (loss of significant areas of grass cover) was due to waterlogged soil which was unable to withstand the impacts of sporting use.
  - (4) The oval is anticipated to reopen in February 2022, following restoration works that include the addition of subsoil drainage across the oval.
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### **Alexander Maconochie Centre—COVID-19 screening (Question No 574)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 3 December 2021:

What is the nature of the support NSW Corrective Services is offering to ACT Corrective Services in rolling out rapid antigen screening at the Alexander Maconochie Centre.

**Mr Gentleman:** The answer to the member's question is as follows:

NSW Corrective Services (NSWCS) provided ACT Corrective Services (ACTCS) with their operational processes and communications developed by them for staff and visitors regarding their Rapid Antigen Screening (RAS) program to assist ACTCS in developing and implementing its own RAS roll out. NSWCS and NSW Justice Health also participated in discussions with ACTCS and Canberra Health Services to provide insight into their experience with their RAS rollout.

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## **Questions without notice taken on notice**

### **ACT Health—emergency department**

**Ms Stephen-Smith** (*in reply to a question by Mr Milligan on Tuesday, 9 November 2021*):

According to the Australian Institute of Health and Welfare's *Australian hospital statistics: Emergency department care* (2011-12 to 2019-20), on which the AMA report is based, it is not the case that the ACT recorded the lowest jurisdictional performance on this measure in every year except 2016 17.

### **ACT Health—elective surgery**

**Ms Stephen-Smith** (*in reply to a supplementary question by Mr Hanson on Tuesday, 9 November 2021*):

- The Australian Medical Association (AMA) prepares their report based on publicly available information provided by organisations including but not limited to the Australian Institute of Health and Welfare (AIHW).
- At the time when the submission of 2015-16 data was due, there were issues around the quality of data that was able to be reported to the AIHW. As a result, this data was not submitted and may not have been publicly available at the time AMA prepared their report.
- ACT Health Directorate has since submitted revised 2015-16 data and worked with the AIHW to include the ACT 2015-16 data in summary tables for use in their publications.

### **ACT Health—elective surgery**

**Ms Stephen-Smith** *(in reply to a question and a supplementary question by Ms Castley on Tuesday, 9 November 2021):*

Since 2012-13, the ACT's performance has increased and is closer to the national average.

Both emergency and elective surgery activity continues to grow and demand for emergency surgery at Canberra Hospital is resulting in the postponement of some less urgent elective surgery categories due to the critical nature of the emergency procedures.

The cessation of elective surgery due to COVID-19 in March 2020 impacted the Territory's ability to deliver some elective surgery, resulting in category 2 patients waiting longer.

A record number of surgeries were delivered in the 2020-21 financial year. As of 30 June 2021, there were 15,324 surgeries completed - the largest number ever done in the ACT.

The ACT Government has invested \$4.9 million in 2021-22 to increase elective surgery capacity across the Territory and is committed to the delivery of 60,000 elective procedures to 2024-25.

Territory Wide Surgical Services (TWSS) are working closely with private providers, Canberra Health Services (CHS) and Calvary Public Hospital Bruce (CPHB) in implementing the four-year elective surgery delivery plan - optimising the allocation of elective surgery across both the public and private sectors.

### **Planning—housing affordability**

**Ms Berry** *(in reply to a question and a supplementary question by Ms Lawder on Wednesday, 10 November 2021):*

In June 2019, the Suburban Land Agency commenced an Expression of Interest process, seeking innovative and creative proposals to deliver single residential

affordable housing in the estate of Taylor. The offering of 159 blocks comprised of 23 packaged lots, with a combination of 78 affordable blocks and 81 standard blocks. Submissions were due by September 2019 and the evaluation of the first stage of the process was completed in December 2019.

During 2020, work progressed on preparing the second stage of the sales process for release. Due to the broad nature of the first stage of the process, it took some time to develop an approach for the second stage that was able to be effectively implemented. Some delays were also experienced as workloads were impacted due to COVID-19. A Request for Tender was issued to successful proponents from the first stage of the process in March 2021. Submissions closed in April 2021.

The evaluation of responses has been completed and successful tenderers are currently finalising contract documentation.

This will add to the opportunities already available through the Affordable Home Purchase Scheme, with eligible buyers to be offered the chance to purchase a house and land package in Taylor at fixed prices. The purchasers of the standard blocks may also be able to access the Land Rent Scheme if they meet the eligibility criteria.

In addition to this process, sites with requirements for more than 100 affordable housing dwellings have been released in Taylor, and there have also been more than 140 blocks released as part of the Land Rent Scheme in Taylor since 2017-18.

### **ACT Policing—Crime Stoppers**

**Mr Gentleman** (*in reply to a supplementary question by Ms Lawder on Thursday, 11 November 2021*):

Crime Stoppers provides an opportunity for people wanting to keep their community safe to report criminal or suspicious activity, without the need to engage with police. Underpinning the framework of Crime Stoppers is the assurance of reporting suspicious behaviour without the requirement of self-identifying.

As reports made to Crime Stoppers are made on the provision of assured anonymity, Crime Stoppers does not provide responses or feedback to the source of these reports as this would contradict the platform's intentions. The Crime Stoppers ACT website reiterates this, stating: *Crime Stoppers does not provide feedback about individual investigations.*

Reports remain anonymous, even once passed on to ACT Policing. With no contact details, ACT Policing is also unable to follow up directly with the source or provide a response or feedback to any report or information received via Crime Stoppers.

Once received by Crime Stoppers, each report is passed on for assessment by a member of ACT Policing Communications and a decision is then made as to the most appropriate action. This action could include:

- generating or strengthening police intelligence on a location, vehicle or person of interest which can assist police investigations and potentially lead to charges and arrests.

- an incident being created for patrol dispatch; or
- referral to another agency or service specialising in the subject matter.

A report, while on its own merit may not entail enough information to affect a police response, when added to an existing report, could lead to the execution of search warrants and/ or arrests.

### Crime Stoppers reports

- There are two ways members of the ACT community can report to Crime Stoppers:
  - Via phone: 1800 333 000; and
  - Via its website: [www.crimestoppersact.com.au/make-report/](http://www.crimestoppersact.com.au/make-report/).
- Between 1 January and 31 October 2021, 14,021 reports were made to Crime Stoppers ACT.
  - 6920 calls.
  - 7101 online reports.
- The surge in the volume of Crime Stoppers reports received via the phone and online during August can be attributed to COVID related matters, largely to report compliance breaches.

Crime Stoppers	Jan 21	Feb 21	Mar 21	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sep 21	Oct 21
Calls	515	577	482	434	482	599	775	1381	933	742
Online reports	598	594	599	531	683	551	565	1262	1023	695

### ACT Corrective Services—detainee transfers

**Mr Gentleman** (*in reply to a question by Mrs Kikkert on Wednesday, 24 November 2021*):

Since November 2020, there have been 15 recorded incidents with hospital escorts, including the incident referenced in the Member's question. These incidents have involved detainees becoming aggressive towards hospital staff and ACTCS escort staff, refusing medical treatment and attempts to self-harm.

### Building—licensing of trades

**Ms Vassarotti** (*in reply to a question and a supplementary question by Mr Milligan on Tuesday, 30 November 2021*):

Carpenters do not need to be licensed in the ACT as they do in NSW. NSW has taken a broad approach to licensing trades and does requiring licensing for some trades that are not licensed in the ACT. Construction occupations that do require licensing in the ACT include builder, building assessor, building surveyor, drainer, electrician, gasfitter, plumber, plumbing plan certifier, and works assessor. Each licensed

construction occupation is required to adhere to meet their obligations as set out in the *Construction Occupation Licensing Act 2004* and the various relevant operational Acts including the *Building Act 2004*, *Electrical Safety Act 1971* and the *Gas Safety Act 2000*. Builders must be licensed to complete work that requires a building approval. Builders who employ or sub-contract other people to carry out building work, and other work such as electrical, plumbing and gasfitting, must make sure these people are appropriately qualified and, if required, licensed.

The ACT Government has already undertaken reforms to improve the ACT's building regulatory system and there has been work at the national level to progress the recommendations arising from the Building Confidence Report (BCR). The BCR recommended that each jurisdiction requires the registration of the following categories of building practitioners involved in the design construction and maintenance of buildings:

- Builder
- Site or Project Manager
- Building Surveyor
- Building Inspector
- Architect
- Engineer
- Designer/Draftsperson
- Plumber
- Fire Safety Practitioner

The ACT already requires the licensing or registration of the many of this group of building practitioners and the ACT Government has already committed to implement an Engineer Registration Scheme for the ACT, of which work is underway on developing the scheme. The ACT Government has also already committed to undertaking further work as part of a second stage of building reforms looking at licensing and accountability of practitioners in the building industry. This work is informed by areas where issues are identified and the cost and regulatory burden of licensing will have a benefit.

It is important to note that licensing and registration is only one regulatory mechanism available to governments and regulators and the ACT reforms to date, and the recommendations of the BCR, have been much broader than just licensing and registration. Reforms in the ACT to date have included the development of improved tools for auditing, minimum documentation requirements, increased protections for consumers and greater accountability for building certifiers. Different jurisdictions have taken different approaches with respect to trade licensing, with some choosing to license a greater range of practitioners and others focusing on those with direct responsibility for ensuring the requirements of the National Construction Code are met.

Due to differing jurisdictional policies and practices, licences issued for the same occupational area by individual jurisdictions often have different parameters and different eligibility requirements and scopes of work allowed. Different licence nomenclature, duration, licence structures and fee structures generally apply.

Regardless of the licensing requirements under the building regulatory consumer protection is provided via the guarantees, warranties and refunds as set out by *Australian Consumer Law*.

NSW trade licensing covers the following practitioners:

1. Air conditioning and refrigeration
2. Bricklaying
3. Building
4. Carpentry
5. Decorating
6. Disconnection and reconnection of fixed electrical equipment
7. Dry plastering
8. Electrical
9. Erection of pre-fabricated metal framed homes
10. Excavating
11. Fencing
12. General concreting
13. Glazing
14. Installation of security grilles and equipment
15. Joinery
16. Kitchen, bathroom and laundry renovation
17. Medical gas systems
18. Metal fabrication
19. Minor maintenance and cleaning
20. Minor trade work
21. Painting
22. Plumbing, draining and gasfitting
23. Professional Engineers
24. Roof plumbing
25. Roof slating
26. Roof tiling
27. Stonemasonry
28. Structural landscaping
29. Swimming pool building
30. Swimming pool repairs and servicing
31. Underpinning and piling
32. Wall and floor tiling
33. Waterproofing
34. Wet plastering

**COVID-19—testing centre fees**

**Ms Stephen-Smith** (*in reply to a supplementary question by Mr Milligan on Thursday, 2 December 2021*):

- As of 16 December 2021, 43 refunds have been processed and forwarded to Shared Services. ACT Pathology is awaiting information from a further 4 individuals.

## **Chief Psychiatrist—reports and recommendations**

**Ms Davidson** (*in reply to a question and supplementary questions by Ms Lee and Mr Cain on Thursday, 2 December 2021*):

While a formal Section 197 (b) report has not been made, over the last 12 months, the Chief Psychiatrist has routinely provided advice to the Minister for Mental Health concerning the operation of the *Mental Health Act 2015*. This has included advice in relation to:

- approval of mental health facilities
- licencing of a private mental health facility
- mental health impacts in a pandemic, and
- preparation of letters of response to constituents.

The Chief Psychiatrist's report is included in the ACT Health Annual Report 2020-2021.

Discussions are occurring with the Chief Psychiatrist about the nature and frequency of section 197 (b) reports.

The Chief Psychiatrist is a statutory position appointed under section 196 of the *Mental Health Act 2015*. The Chief Psychiatrist is a member of the ACT Health Directorate Executive, however, also undertakes statutory functions independent of the Executive.

The current ACT Chief Medical Officer Dr Dinesh Arya, whom is a public servant and Psychiatrist has been appointed as ACT Chief Psychiatrist.

The Chief Psychiatrist's function is to provide treatment, care or support, rehabilitation and protection for persons who have a mental illness. The Chief Psychiatrist delegates most of the Chief Psychiatrist's functions under the Act to other Psychiatrists in the ACT.

The Chief Psychiatrist also:

- appoints Mental Health Officers, who are either a nurse, nurse practitioner, psychologist, occupational therapist or social worker, to undertake specific functions under the Act, and
- issues guidelines on the implementation of various sections of the Act.

In undertaking the role, the Chief Psychiatrist liaises directly with mental health service providers and facilities, consumers and carers and makes reports and recommendations to the Minister.