



Debates

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Legislative Assembly for the ACT

TENTH ASSEMBLY

10 FEBRUARY 2022

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Thursday, 10 February 2022

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

Dhawura nguna, dhawura Ngunnawal.
Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.
Nginggada Dindi dhawura Ngunaawalbun 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:

Moncrieff—sludge pit—petition 49-21

By Mr Braddock, from 508 residents:

To the Speaker and Members of the Legislative Assembly

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

A storm water sludge pit/ drying pad (the pit) between Moncrieff and Amaroo adjacent to the Mirraabei Drive / Wanganeen Ave roundabout.

After the sludge and rubbish is dumped and it dries out, the rubbish is not contained within the pit. Instead, the rubbish is blown all over the reserve ending up in the local waterways, especially impacting the plant life nearby such as grass and reeds. There are cement bollards encasing the pit, but they are not sufficient in containing the rubbish. The pits odour is also unbearable for residents, and, in the long run, this could affect the livelihoods and health of the nearby residents.

The entrance of the pit is a hazard. There have been several reports of near misses with the trucks accessing the pit on the Moncrieff Residents Facebook page.

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

1. Temporarily effectively encase the pit so it contains the rubbish dumped into it.

2. Commission the removal of the pit to an area that is away from residential areas and closer to the landfill.

Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Planning, Transport and City Services.

Gungahlin—skate park—petition 51-21

By Mr Braddock, from 612 residents:

To the Speaker and Members of the Legislative Assembly

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

The state of the Gungahlin Skate Park that needs refurbishing and installation of lights.

The existing concrete dates from the 90s and is worn, cracked, with steel reinforcing bars poking through the surface.

Lights at Gungahlin skate park will allow the park to open up for more usage and also will have many benefits to it in both mental and physical health, and also to children education.

- It would allow people to come down to the skate park after work and school to enjoy what we think is the best park in Canberra so they don't have to skip school and get a full education they need.
- A lot of people use BMX, scooter, skateboard and even their roller blades as an escape from their thoughts so they can mentally better themselves while they are doing something they love.
- The business' in Gungahlin would thrive as the skatepark lights would be on until 10pm and more people would go use the shops for dinner, maybe even an energy drink and go ride that late night session that every rider loves to do in Canberra.

Your petitioners, therefore, request the Assembly to call upon the Government to refurbish Gungahlin Skate Park and install lights.

Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Education and Community Inclusion.

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.

Motion to take note of petitions

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

That the petitions so lodged be noted.

Gungahlin—skate park—petition 51-21

MR BRADDOCK (Yerrabi) (10.02): The Gungahlin Skate Park needs some love. The existing concrete dates from the '90s and is cracked and worn, with steel reinforcing bars poking through the surface. Lacking lights, activity draws prematurely to a close when the sun goes down, and the size and range of jumps and obstacles, which were suitable for Gungahlin's population during the '90s, is now lacking.

As Gungahlin's population booms, with an even more rapidly increasing young population, it is critical to develop public realm infrastructure that keeps our young people, and the young at heart, active. This is proven to provide physical, mental, academic and social health benefits.

Lights at Gungahlin Skate Park would allow the park to open up for more usage. It would allow skaters to come down after work or school and enjoy what the local skaters think is the best park in Canberra. A lot of people use BMX, scooters, skateboards and even their rollerblades to escape from their thoughts as they can do something to mentally and physically challenge themselves all the time whilst having fun.

Business could also thrive in Gungahlin to support those who are going to and from the skate park, as more people would use the shops to buy dinner, maybe even go for an energy drink and a ride, or for that late-night session that most of them love.

I would like to thank the principal petitioner, Mr Liam O'Connell, a passionate, articulate and visionary advocate who has opened my eyes to what is possible in the realm of skate parks, as well as to new words and language. Walk around the skate park with Liam and you will recognise a natural leader who connects with and looks out for younger skaters. I commend the petition to the Assembly.

Moncrieff—sludge pit—petition 49-21

MR BRADDOCK (Yerrabi) (10.04): I would like now to talk about the Moncrieff sludge pit. Moncrieff has been home to a sludge pit ever since it was an empty paddock more than two decades ago. As Gungahlin has developed, residences have drawn closer and closer to the pit. The problem is now literally under residents' noses and they have had enough.

Drying pads, or sludge pits, have an important role to play in our stormwater system. Pollutants traps catch sediment, leaf litter, rubbish and the odd shopping trolley, to prevent them from causing further pollution in our lakes and rivers. These traps need to be cleared and the resultant sludge must be dried before it can go into landfill.

This would all be fine if the impacts of the sludge pit did not spill over onto its neighbours. It affects the amenity of their suburb because rubbish is blown from the pit to a green reserve, and onto roads and neighbourhood properties. Sludge piles are eroded and can end up back in the stormwater system, and the smell of rotting rubbish

wafts across surrounding areas. Vermin are attracted to its contents and, consequently, also predators such as snakes.

The petition calls for the pit to be properly enclosed to contain rubbish and odour; but this is only an immediate and temporary solution. Ultimately, the petitioners want the pit removed, placed away from residential areas and closer to an existing landfill site. Once in landfill, the sludge or waste can be managed effectively without having an impact on nearby neighbours.

I would like to thank the ACT government, who have responded in recent days by emptying the pit and mowing around its edges. Now we need the ACT government to commit to permanent action and find a new site away from people's homes.

I would like to applaud the principal petitioner, Ms Natasa Sojic, who has been an outspoken, passionate and effective advocate for her local community on this issue—ideal qualities that show why she is running as a Greens candidate for Fenner. I am sure that, should she be successful, she will bring those qualities in spades to the Australian Parliament House.

Ms Sojic was assisted by another tireless community advocate, Mr Selwyn Jones from Moncrieff. He originally brought this issue to our attention and has worked tirelessly to document the community's desire to solve the problem of the Moncrieff sludge pit. Mr Jones is also well known for spending his own time cleaning around his suburb of Moncrieff and removing weeds. He has done a lot to improve the amenity of Moncrieff, and I applaud him for it. I commend this petition to the Assembly.

Question resolved in the affirmative.

Australia Day—honours Ministerial statement

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) (10.07): Canberrans are what make our city such a special place to live. We are generous, dedicated and innovative. We care about our community and want the best for it.

Many of us are lucky to know someone at work or in our community who goes above and beyond—the sort of person who is tireless, and sometimes single-minded, in making our community a better place; the sort of person who does it because they love it, they are passionate, and it is who they are. Often they are doing it with little fanfare or thanks, but they deserve both.

The Australian honours and awards system announced on Australia Day and the Queen's Birthday is one way that those very special people are recognised. I was pleased, but not at all surprised, to see Canberrans well represented in this year's Australia Day honours list. ACT residents received 48 of the 1,040 Australia Day honours announced. We are punching well above our weight in terms of our population size.

Several recipients are working in my portfolio spaces, across the arts and in multicultural affairs. I take this moment to pay tribute to some of those recipients and the outstanding service and contributions they have made to the ACT and to Australia. Many of these will be familiar names and faces to us here due to their tireless advocacy.

Our former colleague Deepak-Raj Gupta was awarded a Medal of the Order of Australia in recognition of his service to the Canberra community. Mr Gupta, the first Indian-born person elected to this place, is a well-respected and active leader of the territory's Indian community. He has dedicated his life to sharing the rich culture of India with the community through his involvement in many roles and events which shine a light on heritage and traditions. These include his roles as a founding president of the Canberra India Council, serving on the board of the Australia India Council and establishing the World Curry Festival. I am grateful for how Mr Gupta generously shares his time, expertise and knowledge with me in my role as Minister for Multicultural Affairs.

Dewani Bakkum was awarded a Medal of the Order of Australia in recognition of her service to the Canberra community. Ms Bakkum has served and assisted the migrant and refugee community throughout her career in Canberra, changing the lives of so many. As Chief Executive of MARSS, Ms Bakkum is responsible for a comprehensive range of settlement activities and services for migrants, refugees, asylum seekers and humanitarian entrants. These include general settlement support; English language and literacy training; vocational education and training; emergency relief and financial literacy training; and employment services. Ms Bakkum has done—and she continues to do—so much to make Canberra a truly inclusive city and a refugee welcome zone.

Five outstanding Canberra women have also been recognised for their contribution to the arts and the cultural sector. Meredith Hinchliffe is the backbone of many Canberra arts institutions. She is a patron of and a generous donor to the Canberra Museum and Gallery; donor to the National Gallery and National Museum; a former director of Crafts Council ACT; and a former president of Ausdance ACT. Ms Hinchliffe has become a Member of the Order of Australia for her significant service to the arts through these many organisations.

Ms Hinchliffe's contribution to the arts scene in Canberra is worthy of the highest recognition, given how she exemplifies what it means to support, promote, advocate for and celebrate local arts, artists and arts production. She has been instrumental in ensuring that the Canberra arts scene is viewed, known and understood on a national and an international scale. Thanks to her, several organisations have been able to acquire works that they would not have been otherwise able to do.

A Medal of the Order of Australia has been awarded to Lynn Fletcher for service to the arts through children's literature. In her role as secretary of the National Centre for Australian Children's Literature, and former president of the Children's Book Council of Australia, Canberra branch, Mrs Fletcher has a drive and passion to collect, document and preserve Australian children's books and literature.

Caroline Stacey is the Chief Executive Officer and Artistic Director of the Street Theatre. She has been awarded a Medal of the Order of Australia for service to the performing arts through administrative roles. Through 16 years at the Street Theatre, Ms Stacey has facilitated the emergence of a new and vibrant artistic community in the ACT, with many works and careers of artists being created and developed. Many of us will be familiar with Ms Stacey's work, whether it be in her capacity as a director, producer, set designer or dramaturg over many years. She was also named 2012 ACT Artist of the Year.

Justine Curnow was awarded a Public Service Medal for outstanding public service in leading the national assistance package to sustain and revive the arts and entertainment sectors through the COVID-19 pandemic. These sectors have been amongst the hardest hit over the past two years and they are still doing it tough. The initiatives that Ms Curnow developed were all the first of their kind in the commonwealth arts portfolio and have provided much needed support for the arts and entertainment sectors during 2020 and 2021.

I also acknowledge the Medal of the Order of Australia awarded to the late Kerry Allen for service to the arts through music education. Amongst many other contributions, I note Mrs Allen's many years as a conductor of the Canberra Boys Choir and Canberra Children's Choir, as well as president of Kodaly Music Association for 10 years. Mrs Allen's legacy is certain to live on in the many children that she taught.

Finally, touching on my role as Minister for Human Rights, Bonnie Carter was awarded a Medal of the Order of Australia—Bonnie is also in my electorate of Ginninderra—for her absolutely outstanding and tireless advocacy in the space of supporting parents who have suffered a miscarriage or a stillbirth. She has been a pleasure to work with and, as many members in this place know, together with her husband, Steve Carter, she has done incredible things at the Canberra Hospital to support parents who might be grieving. They have been fantastic to work with as we developed the commemorative certificate for those people who have had a miscarriage before 20 weeks. I offer very warm congratulations to her, too.

It is a pleasure to put on the record the ACT government's thanks to these incredible people that I have just mentioned and to all ACT recipients of an Australia Day honour. They do so much for our community and we are truly grateful. I present the following paper:

Australia Day awards—Canberran recipients—Ministerial statement,
10 February 2022.

I move:

That the Assembly take note of the paper.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.15): I rise also to congratulate all Canberrans

recognised in the Australia Day honours this year. It has been a challenging few years for Canberrans and the 48 Canberran recipients of the Australia Day honours reflect the spirit in which our community continues to look after and support each other. I will not name all of them in this short statement, but I would like to acknowledge a few people whose names and achievements deserve mention, given my ministerial portfolios.

Firstly, I acknowledge the late Sue Salthouse for being made a Member of the Order of Australia for her significant service as an advocate for people with disability and for the prevention of family violence. Sue was a former ACT Senior Australian of the Year, Canberra Citizen of the Year, and Senior Woman of the Year. I had the privilege of working with her in my time at Equality Rights Alliance and at the Women's Centre for Health Matters on issues like employment for women with disabilities and housing affordability. Her commitment to the development of leadership skills in women with disability means that there are many ACT women who will continue her fierce advocacy.

I also congratulate David Williams, founder of the ACT Down Syndrome Association's Confident Speakers Program and president of the Australian Society for Knowledge Management, for being made a Member of the Order of Australia for his significant service to people with disability and to education.

The following distinguished Canberrans have also been awarded a Medal of the Order of Australia: retired Colonel Ian Francis Ahearn, for service to veterans; Bonnie Jennifer Carter—and it was beautiful to hear what you said, Tara—community fundraiser and organiser, for service to community health; Martin Fisk, CEO of Menslink and founder of Fearless Women, for service to the community through social welfare organisations; Alan Frederick Jessop, for his incredible volunteer work with Salvation Army for over 20 years, for service to the community through charitable organisations; Julie Kulikowski, for service to community health; and Vanessa Low, gold medallist and Olympic champion, for service to sport as a gold medallist at the Tokyo Paralympic Games 2020.

Finally, I am delighted that our very own Val Dempsey has been named Senior Australian of the Year for 2022 for her tireless commitment to promote and deliver emergency first-aid training to save lives. Val has dedicated over half her life to volunteering for the St John Ambulance and is so deserving of being named our Senior Australian of the Year.

I also recognise the dedication and care shown by ACT Local Hero Luke Ferguson in his work engaging young people with disability at the Woden School, in creating music events that celebrate the students' ability to spark joy and build their independence.

I say to all Canberran recipients of the Australia Day honours: congratulations on your achievements and your service to our community.

Question resolved in the affirmative.

Government—data security

Ministerial statement

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (10.18): I rise to provide members with an update regarding the actions undertaken by the ACT government in response to the release of de-identified workers compensation claims data on the Tenders ACT website.

In 2018 de-identified information relating to historic workers compensation claims was published on the Tenders ACT website as part of the ACT government procurement process. This tender was part of the ACT government's transition to become a self-insurer and move away from Comcare as the assessor of workers compensation claims for ACT government employees.

For tenderers to estimate costs and provide accurate quotes, it was necessary to provide interested tenderers with information about the number, nature and duration of the claims that would require management. The spreadsheet included redacted, de-identified information about ACT government workers compensation claims. Importantly, it did not contain identifying information such as names, dates of birth or contact details. The spreadsheet was intended for release only to those tender respondents that had signed a deed of confidentiality to participate in the tender process, but it was inadvertently made accessible to all registered Tenders ACT users.

The spreadsheet was available to registered users on the Tenders ACT website for an initial period associated with the conduct of the tender in 2018, before being removed from public display. A system change in 2020 resulted in this material becoming accessible to registered users again.

Once it was brought to the government's attention on 24 November 2021 that this spreadsheet was available online and concerns had been raised about its contents, the government rapidly took a number of steps. The spreadsheet was immediately removed from the Tenders ACT website and is no longer accessible to users outside government. In addition, system changes were made to the Tenders ACT system to prevent previously closed tenders from remaining accessible.

Relevant unions were briefed on the matter, and a process was established for individual workers who believe their claims may have been included in this dataset to contact the ACT government for further information.

The matter was referred to the Office of the Australian Information Commissioner—the OAIC—for advice and assistance in determining an appropriate course of action. All Tenders ACT users who accessed or downloaded the spreadsheet in 2018 or from 2020 were contacted and asked to destroy all copies. These users were also reminded of the terms and conditions of use of Tenders ACT, which prohibit the distribution or re-transmission of request for tender material to any third party without the prior written permission of the ACT government.

On 24 December 2021, the OAIC responded to Procurement ACT's request for advice. The OAIC has indicated that a referral from an ACT government agency is not sufficient for it to initiate an investigation, and that it is not inclined to do so unless it receives a complaint by an affected individual in relation to the incident. I propose to table a copy of that correspondence from the OAIC for the Assembly's review.

The response from the OAIC provided advice regarding factors that should be taken into consideration when de-identifying information, along with a copy of processes outlined in the Notifiable Data Breach Scheme under part IIC of the Privacy Act 1988. While the ACT government is not subject to that scheme, except in cases where tax file number information has been disclosed, we have closely considered the steps required under the scheme in relation to this matter.

Under the Notifiable Data Breach Scheme, there are a number of factors which must be taken into account when considering whether a breach has occurred. These are: there is unauthorised access to or unauthorised disclosure of personal information, or a loss of personal information, that an organisation or agency holds; this is likely to result in serious harm to one or more individuals; and the organisation or agency has not been able to prevent the likely risk of serious harm with remedial action.

Where the workers compensation claims data can be linked back to the individual claimant, it should be considered personal information. Although it is unlikely in the vast majority of cases, due to both the de-identification undertaken and the span of age of matters included within the spreadsheet, we cannot categorically conclude that an individual would not be identifiable within the spreadsheet. Therefore, the ACT government is treating this release as an unauthorised disclosure of personal information.

However, the unauthorised disclosure of this information on the Tenders ACT platform is not likely to result in serious harm to one or more individuals. This is because of the de-identification undertaken on the data and the government's swift action to remediate its release by removing it from public access as soon as Procurement ACT was notified of its publication. This event, therefore, does not meet the further two criteria necessary to trigger the provisions of the data breach notification scheme set out in the commonwealth's Privacy Act 1988, if it applied in this case.

I note that the information contained in the spreadsheet related to tens of thousands of matters spanning some 30 years, back to the commencement of self-government in the ACT. The government has considered whether it would be possible to locate and contact all individuals whose matters were included in this spreadsheet and concluded that it would not be possible to do so with rigour or consistency.

Because it is not feasible to contact individuals, clear information has now been posted to the ACT government's employment portal about this issue. This statement includes the details of the OAIC and how to make a complaint if individuals have concerns. This site is externally facing and will allow previous ACT government employees whose information may be contained in the spreadsheet to access relevant advice and information.

In accordance with the guidance provided by the OAIC, current de-identification practices will be reviewed across government to ensure processes remove all direct identifiers; remove or alter any other information that could be used to re-identify an individual; and ensure that the use of controls and safeguards is sufficient for the data access environment.

Additionally, a separate independent review has been commissioned by Procurement ACT that will consider the process involved in the release of the original RFT and its associated documents. The review will consider processes and systems, and will identify any changes required to prevent future inadvertent disclosures of information of this nature from occurring again. This review was initiated following advice from the OAIC that it would not be pursuing its own investigation in response to the ACT government's self-reporting.

Information security and personal privacy are extremely important. The ACT government takes our obligation to protect them very seriously. To this end, we will engage fully with the independent review and seek to efficiently implement any recommendations for process or practice improvements which can help to prevent unauthorised disclosures of information from occurring in the future.

Finally, I would like to respond to the Assembly's motion of 30 November 2021, which called on members to declare whether they or their staff had accessed the spreadsheet in question prior to its availability online being drawn to the government's attention. On behalf of Labor members in this place, I can confirm that none of our offices or staff did so. I also note that Minister Rattenbury responded directly to this issue on behalf of the ACT Greens, during his speech on the motion when this was considered by the Assembly in November last year, to indicate that they had not done so.

I indicated that I would table a letter from OAIC. I do not have it with me now, but I will table it later, Madam Speaker. I present the following paper:

Release of de-identified workers compensation claims data—Update on the ACT Government's response—Ministerial statement, 10 February 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Disability services—National Disability Insurance Scheme Ministerial statement

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (10.27): I thank members for the opportunity to respond to the Assembly motion in relation to the National Disability Insurance Scheme. On

5 August 2021 the Legislative Assembly passed the resolution that this Assembly supports the core principle of person-centred support that gives choice and control to people with disability; calls on the ACT government to respect the wish of the ACT Legislative Assembly and continue to champion an NDIS where person-centred support, that gives choice and control to people with disability, is a core principle; and calls on the commonwealth to honour the commitment made by disability ministers in July 2021 to co-design any changes to the NDIS with people with disability and their supporters.

The ACT government continues to work with stakeholders and our commonwealth and state and territory counterparts on the ongoing improvement of the NDIS. Our goal is to ensure that the original principles of the scheme deliver on its promise of a person-centred, rights-based approach to disability supports that deliver “choice” and “control”.

The principles of co-design and the centrality of people with disability in the NDIS are not a new concept to the community or the commonwealth. The rights of a person with disability to exercise “choice” and “control” are intrinsic principles of the NDIS that the disability community upheld and advocated for in the scheme’s establishment. For example, the NDIS Act 2013 guiding principle (8) states:

People with disability have the same right as other members of Australian society to be able to determine their own best interests, including the right to exercise choice and control, and to engage as equal partners in decisions that will affect their lives, to the full extent of their capacity.

Since the signing of the full scheme bilateral agreement between the Commonwealth of Australia and the ACT in March 2019, the ACT government has continued to contribute to the scheme’s financial sustainability. The ACT will contribute \$716.8 million to the NDIS between 2019 and 2023. As a partner in the scheme, with joint governance responsibilities, the ACT expects to see that contribution continue to support choice and control for people with disability, and for any changes to the scheme to be co-designed with people with disability, just as their voices were central to the design of the original scheme.

The NDIS is now benefiting more eligible ACT participants than ever before. According to the December 2021 *Quarterly report to disability ministers*, in the ACT there are 9,101 ACT participants with an approved plan; 400 NDIS participants in the ACT who identify as being from an Aboriginal and Torres Strait Islander background; 959 NDIS participants in the ACT who identified as being from a culturally and linguistically diverse background; 1,103 active participants who identified that their primary support needs relate to a psychosocial disability; and 2,814 active participants who identified that their primary support needs relate to autism.

The ACT government is aware of significant challenges and community concerns in relation to the operation of the NDIS and proposed changes to the scheme. These concerns are further compounded by the lack of meaningful opportunities for co-design and engagement with people with disability by the commonwealth, despite the community readily offering knowledge and time. The previous commonwealth

proposal to introduce mandatory independent assessments and the associated legislative reform changes were developed and progressed in the absence of co-design and engagement with people with disability.

I note that despite the significant financial contribution that the ACT government makes as a partner in the scheme, I was better informed about progress on more than 100 drafts of the legislation by the media than I was by the former commonwealth minister for disability.

As the Minister for Disability, I am the ACT representative on the disability reform ministers forum. Along with many people with disability and the sector, I was overjoyed when the commonwealth announced, in the disability reform ministers communique from the 9 July 2021 meeting:

Ministers agreed Independent Assessments would not proceed. Ministers agreed to work in partnership with those with lived experience of disability through the Independent Advisory Council and disability representatives, on the co-design of a new person-centred model that delivers consistency and equity in access and planning outcomes, consistent with the legislative requirements for assessments as set out under the National Disability Insurance Scheme 2013 Act.

Fast forward two months from this announcement to 9 September 2021, when the commonwealth released further proposed legislative reform, this time targeting the way a person's plan—the fundamental structure that provides certainty for a person about what supports they receive—was to be reviewed, and further concentrating decision-making power in the commonwealth minister and the CEO of the NDIA.

The legislative reform consultation process of the commonwealth was not co-designed with people with disability, and it was open for consultation for only four weeks, during the height of the ACT's COVID-19 lockdown. I did ask the commonwealth minister to show a little kindness to the Canberra community during this difficult period by allowing more time for submissions, but Minister Reynolds was not willing. It is critical, moving forward, that the commonwealth, in the interest of transparency and providing genuine co-design opportunities for people with disability and the disability sector, will allow for reasonable time frames for engagement and consultation with people with disability so that their voices are heard, learned from, and consequently shape the future of this person-centric scheme.

I submitted to the Senate Standing Committee on Community Affairs inquiry into the Participant Service Guarantee Bill 2021 on behalf of the ACT government. I also appeared as a witness, along with the Deputy Chair of the Disability Reference Group, C Moore, to reinforce the view that the commonwealth has not kept its commitment to co-design, which it made only in July 2021. At that time all disability ministers agreed to work, in partnership with those with lived experience of disability through the Independent Advisory Council and disability representatives, on the co-design of a new person-centred model that delivers consistency and equity in access and planning outcomes.

The ACT did, however, acknowledge that the commonwealth incorporated co-design in the proposed legislative reform changes from October 2021, which will bring the

NDIS principles into closer alignment with the Convention on the Rights of Persons with Disabilities, where “people with disability are central to the National Disability Insurance Scheme and should be included in a co-design capacity”. This echoes the genuine desire of people with disability and the disability sector to work in partnership with the commonwealth in supporting and strengthening the NDIS to fulfil its original promise.

Here in the ACT we continue to champion an NDIS where person-centred support, that gives choice and control to people with disability, is a core principle. For example, the ACT government provided support to the Disability Reference Group to meaningfully engage with people with disability and their supporters and allies to inform a submission to the commonwealth. Through supporting and facilitating meetings and conversations with people with disability and their supporters, 70 people in the ACT were able to contribute to the new Australia’s Disability Strategy that was launched in December 2021.

People with disability; their families and carers; non-government organisations; support groups; and the Disability Reference Group also participated in consultations for the Canberra Health Services Disability Access and Inclusion Plan, which is being progressed by ACT Health.

The development of the ACT Disability Justice Strategy 2019-29 is another example of how the ACT government uses a person-centred and co-design approach, with extensive consultation with people with disability, disabled people organisations and disability advocacy organisations being undertaken during the developmental stages of the strategy, using a variety of accessible formats.

The ACT welcomed the commonwealth’s announcement in October 2021, outlining the outcomes from two workshops held in September, which acknowledged the need to improve relationships and rebuild trust between the NDIA and the disability community, as well as a shared commitment to work on priorities which would benefit from co-designed solutions, such as the new person-centric assessment model. Independent Advisory Council member Mr James Manders repeated a frequently quoted core principle when consulting with the ACT’s Disability Reference Group regarding the proposed legislative reform changes: “Nothing about us, without us.”

I am very pleased to say that we will have an excellent working example of how to build relationships with the disability community, and engage in genuine co-design, through the development of the ACT’s Disability Strategy. I look forward to providing more detail about this work in coming months, but one of the things I am most excited about is that the conversation will be led by people with disability, including members of our ACT Disability Reference Group, led by Chair Renee Heaton. The ACT’s Disability Strategy will confirm and consolidate our commitment over the next decade to upholding the rights of people with disability and facilitating opportunity for people with disability to live with dignity and to actively engage across every aspect of society.

I remain committed to working in partnership with my ministerial counterparts through the disability reform ministers forum, to ensure that people with disability are

included, listened to and learned from. I acknowledge the critical need for genuine consultation and co-design opportunities for people with disability, prior to a decision on the future model of the person-centric assessments model being made and agreed to multilaterally.

As Minister for Disability, I am constantly grateful to the people with disability whose continued tenacity and advocacy is essential to ensuring their voices are heard and their experiences included. Thank you for your commitment to inform, shape and contribute to scheme reforms, for the better. I thank each and every one of you who attended a commonwealth forum, participated in a consultation, contributed to submissions or participated at a Parliament House hearing.

The ACT government will continue to work with the commonwealth to ensure that the NDIS delivers on the original principles of the scheme of “choice” and “control”, and that the commonwealth honours their commitment to “co-design” the future “person-centric assessment model” with people with disability and their supporters.

The ACT government acknowledges that the NDIS is at an important juncture and there is a huge opportunity for best practice co-design, engagement, transparency, consultation and person-centric practices to be a key feature of how the NDIS is strengthened and sustained into the future.

This was noted by 2022 Australian of the Year Dylan Alcott in his acceptance speech. Dylan said:

We have got to fund the NDIS, first and foremost, and listen to people with lived experience and ask them what they need so they can get out and start living the lives they want to live and remind ourselves that it is an investment in people with disabilities.

In fact, I have taken Dylan Alcott’s acceptance speech as my to-do list for 2022. In addition to fixing the NDIS, he asked that we ensure that people with disability have access to vaccines and rapid antigen tests so that they are safe and can engage confidently in the community. I am proud to say that the ACT government is supplying rapid antigen tests to disability support workers who provide in-home services—enough for every worker to be tested every day they go to work, so that they do not have to search on the private market or people with disability do not have to pay for them out of their NDIS plans.

We also have a vaccination rate higher than the national average for people with disability, and disability support workers, thanks to the efforts of ACT Health to provide priority bookings, and the excellent work done by the access and sensory clinic in providing vaccinations to people with disability and their carers at the Weston Creek walk-in clinic. This is what good public health policy should do: prioritise the needs of those whose health is most at risk from the effects of COVID-19.

Dylan also asked that we continue to improve employment opportunities for people with disability. One of the last pieces of work that I did with Sue Salthouse a few

years back was to try and get more accurate data on the record about unemployment rates for women with disability in the ACT. I look forward to continuing to work on this issue.

He asked that we continue to work for greater representation of people with disability in leadership positions, in boardrooms, parliaments and everywhere in society. This connects up with how we see disability—that the diversity of ways in which our bodies and minds function is part of the normal range of human existence. If we can challenge the way that we see disability, we can become the inclusive and supportive community that we want to be, where everyone can thrive and fulfil their potential. That is a lot easier to achieve when we have a well-run, properly resourced NDIS so that people with disability can live an ordinary life, including the ability to study, work and engage with their community.

I will continue to promote the core principles of choice and control, to advocate for co-design with people with lived experience of disability, and to protect the ACT's interests, as a shareholder, in the National Disability Insurance Scheme.

I present the following paper:

National Disability Insurance Scheme—Response to the Assembly resolution of 5 August 2021—Ministerial statement, 10 February 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Mental health services—Safe Haven pilot 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) (10.40): I am very pleased to be here today to talk about the pilot of the community-based Safe Haven service—the very first one of its kind for the ACT. On 26 November I was pleased to be able to open this important new service in the ACT. The opening of the Safe Haven has been much anticipated by the community, and I am grateful for the contributions of clinicians, policymakers, carers, and people with lived experience.

I would like to take the opportunity to thank the steering group and the members of the design teams for their hard work, enthusiasm and engagement in the project. I would also like to thank Capital Health Network for collaborating with us on this pilot, the Head to Health centre and the pop-up mental health clinic, which are all important additions to the mental health service landscape.

I am pleased to acknowledge Stride Mental Health, our delivery partner for the Safe Haven pilot service in Belconnen. I am immensely proud of the work done by ACT

Health to ensure that this service was ready to open in November 2021—a time of year when many people experience great psychological distress. This increased level of distress was made all the more intense by more than two years of social and economic disruption as a result of bushfires, smoke, and the health, economic and social isolation impacts of COVID-19.

The Safe Haven has been so well supported and anticipated because it provides non-clinical care to members of our community seeking immediate after-hours support. Emergency departments are often the front door to the health system, playing a unique role in the provision of high-quality acute medical care to everyone in the community. Emergency departments are open 24 hours and they are busy clinical environments that can be overwhelming places for people seeking help for mental health issues.

However, we know that many people with emotional distress or with mental health concerns can benefit from accessing help in the community at an earlier stage rather than going to ED. The Safe Haven is just one investment to address the demand on the ED and improve treatment and recovery outcomes of people with mental health concerns.

Over recent years, innovative alternatives for people experiencing emotional or psychosocial distress, including safe havens, have emerged in several countries such as the United Kingdom, USA and in Europe, and in other jurisdictions here in Australia. These safe spaces have been designed to provide a welcoming, comfortable and supportive environment to seek help.

Having seen the Safe Haven in Belconnen, I can assure you, Madam Speaker, that it is indeed a warm, relaxed environment, with friendly and understanding peer mental health workers ready to listen and provide support in a space that feels more like a cafe or a friend's lounge room than a clinic.

Safe havens are consistent with the recommendations and themes in the Productivity Commission's final report and the Royal Commission into Victoria's Mental Health System, aiming to respond to people's concerns as early as possible and promote connection to services and supports. The growing evidence in support of this innovative approach and to address these recommendations confirmed the need for, and subsequent funding of, a pilot of the Safe Haven approach in the ACT.

As I have mentioned previously, initial funding for the pilot was obtained by then Minister for Mental Health Shane Rattenbury through the ACT government's COVID-19 mental health support package in May 2020, acknowledging the additional demands on mental health services created by the pandemic and an increasing need for mental health support for the ACT community.

Our original intention was to pilot two Safe Haven sites, each for a period of six months, and there was strong interest in establishing one of these in close proximity to the ED at Canberra Hospital. Due to Canberra Hospital's extensive construction program, the decision was made to focus on delivering a community Safe Haven for an extended period and incorporating an evaluation to inform future developments

and additional sites. We will continue to work towards finding the right location for a second Safe Haven on the Canberra Hospital campus in the future.

A steering group was established in July 2020 to provide leadership in the planning and implementation of the ACT Safe Haven pilot, and is made up of people with lived experience; peak mental health organisation representatives; carer and community representatives; government mental health services leadership; emergency department clinicians; an emergency services representative; and a research and evaluation representative.

The steering group supported a co-design approach for the development and implementation of the service model. Co-design has been a key principle for the development and success of safe haven type models elsewhere. Members will have heard me talk about the importance of co-design across all of my ministerial responsibilities.

This co-design process brought together contributions and insights from those with lived experience and health professionals. The resulting model is grounded in a human-centred and strengths-focused recovery framework, delivered by a well-supported peer workforce.

The Safe Haven offers peer-based support from 4.30 pm to 9 pm, Tuesday to Saturday, to complement what is available through community services, hospital emergency departments and mental health crisis services. I am very pleased that the service has been able to support people throughout this summer and continues to provide support. I encourage everyone to learn more about the Safe Haven and to increase awareness among the people they have contact with. There is a common saying: be kind; you never know what someone else is going through. You never know whether the person that you mention Safe Haven to may be going through a time of need in the future, and this may be the way that they are able to move through a moment of crisis and connect with community-based mental health services that can support them.

Again, I would like to sincerely thank and commend all of the members of the steering group; the design teams; Capital Health Network; Stride Mental Health; and ACT Health for their hard work on and commitment to this project. Their dedication and perseverance during a difficult few years has ensured that we stayed true to the vision and took the steps needed to achieve this important milestone, the beginning of the pilot. And what a journey it has been so far.

I now look forward to seeing the Safe Haven contribute to a better experience for people and, with the help of our research partners, see the ongoing development of the support of this model in the ACT.

I present the following paper:

Community Safe Haven pilot—Ministerial statement, 10 February 2022.

I move:

That the Assembly take note of the paper.

MS CASTLEY (Yerrabi) (10.47): As the shadow minister for health and mental health, I am pleased to welcome Canberra's first community Safe Haven cafe pilot, and join the minister in congratulating the steering group and everyone involved in bringing this to fruition. Any health initiatives to improve care for people with mental health concerns is welcome.

In her statement, the minister said that the government have been investing in a range of strategies to address the demand on the emergency department—and invest they must, because the situation is dire.

My first question in question time in my new portfolio of health and mental health was to Minister Davidson on Tuesday. I referred to the 2022 *Report on Government Services*, which reveals that only 41 per cent of mental health presentations at Canberra hospitals were seen within a clinically recommended time frame. To put it another way, that is three in five Canberrans turning up at Canberra hospitals for mental health care and not getting the treatment they need on time.

And there is worse. The ROGS also reveals that Canberra is by far the worst performing state or territory in the country for meeting clinically recommended wait times for psychiatric care. The national average is 68 per cent.

What is also of real concern is that the situation has been worsening over a number of years. Three years ago, 58 per cent of patients, almost three in five, were seen on time. Now, as the figures reveal, only two in five mental health patients are getting the timely care that they need.

While there was a 3.5 per cent improvement between 2018-19 and the 2019-20 time frame, the system is still woefully inadequate. What is going wrong? Why are people with mental health needs not getting the timely care that they need? And why are the figures getting worse each year?

The ACT has been the worst performing state or territory for the last three years, which shows the Labor-Greens government has done little to improve care for mental health patients. We know that the pandemic has had a big impact on people's mental health, and it is appalling that we are going backwards in the care that we provide. More Canberrans with mental health challenges will be seeking care, and I am concerned that this will put even more strain on a system that is already struggling to cope.

I am interested in the community Safe Haven cafe pilot, and note the delivery partner, Stride Mental Health, who run two safe spaces in New South Wales. I look forward to following the progress of the pilot. I am keen to know more information beyond what the minister has shared in her statement. For example, who will staff the Safe Haven pilot in Belconnen, open from 4.30 until nine, Tuesday to Saturday? The minister said Safe Haven cafe would offer peer-based support. Does this mean that there will be a counsellor or a psychologist to see people who need support? I am also curious to know what pathways are available for people who turn up at the cafe and need further support, and how that will be managed so that people needing care are guided through the system.

In conclusion, I am pleased to join the minister in acknowledging the hard work of those who have contributed to establishing this service and to acknowledge the commitment of everyone across our territory who cares for people with mental health concerns.

Question resolved in the affirmative.

Papers

Mr Steel presented the following papers:

ACT Public Sector workers compensation data incident—Copies of letters to—

The Australian Information Commissioner and Privacy Commissioner from the Executive Group Manager, Procurement ACT, dated 30 November 2021.

The Executive Group Manager, Procurement ACT from Mr David Stevens, Office of the Australian Information Commissioner, dated 24 December 2021.

Family Violence Legislation Amendment Bill 2022

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

Title read by Clerk.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.51): I move:

That this bill be agreed to in principle.

I am pleased to present the Family Violence Legislation Amendment Bill to the Assembly today. The bill makes a number of important changes to ACT legislation and continues the ACT government's work to strengthen our response to domestic and family violence. Some of the amendments in this bill implement recommendations of the Family Violence Act review which provided valuable insights, including from those with lived experience of family violence.

Domestic and family violence often happens behind closed doors. That is why it is so important to do our utmost to listen to victim-survivors, and act on their experience. Domestic and family violence claims the lives of more than 100 people in Australia every year and causes enduring damage to individuals and to society as a whole.

The vast majority of domestic and family violence victims are women. One in six women and one in 17 men have experienced physical violence by a partner. One in four women and one in six men have experienced emotional abuse by a partner. These statistics rightly spur the broad and continued action of the ACT government to prevent and respond to domestic and family violence.

While law reform is just one component of the coordinated response that is needed to help to prevent violence and better protect victims, it is a critical part of that approach. The reforms made by this bill will help to build a stronger legal framework to make our community safer.

The bill amends ACT laws to: create an aggravated offence scheme for offences involving family violence; provide an express legislative basis for the court to grant an adjournment for the preparation of a victim impact statement in sentence proceedings for serious offences; limit cross-examination on the contents of victim impact statements; introduce protections for counselling communications in family violence offence proceedings; clarify that the definition of family violence includes technology-facilitated abuse; change the name of the offence of “sexual relationship with child or young person under special care” to “persistent sexual abuse of child or young person under special care”; update the schedule of disqualifying offences under the Working with Vulnerable People (Background Checking) Act to include appropriate new aggravated family violence offences; and create a legislative requirement to review the Family Violence Act 2016 three years after the commencement of this bill.

The ACT government is committed to ensuring strong protection for all victims, and particularly those of domestic and family violence. The bill helps to ensure that perpetrators of domestic and family violence are held accountable for their behaviour. These reforms also improve protections for victims generally, by removing barriers to their engagement with the criminal justice system and with professional supports. The bill balances the human rights of a person affected by changes in the law and the public interest in protecting an individual’s right to safety within their home and in the community.

As I flagged, the bill introduces a new aggravated offence scheme that applies to select offences in the Crimes Act. This is the second tranche of legislation that I flagged would be coming forward last year, when I introduced legislation to ensure that family violence would be a consideration during sentencing. I am pleased to report that the government’s detailed work and consideration on the aggravated sentencing regime is now complete and ready to be progressed in legislation.

An offence will be considered aggravated where it involves family violence. “Family violence” has the same broad definition as in the Family Violence Act, and includes behaviour such as abuse or threats in relation to a family member. These amendments recognise the wide-ranging and serious nature of family violence offending by introducing higher maximum penalties for these aggravated offences. These amendments are directed at addressing the issue flagged by the ACT Court of Appeal in *The Crown and UG* that, at the time, the ACT did not have a legislative basis for special sentencing treatment of family violence offences. This second tranche of amendments provides that basis.

The increased maximum penalties for these offences recognise the extreme seriousness of these offences. Historically, family violence has been regarded as a civil concern between private parties, but recognising the seriousness of family

violence in our sentencing is an important part of our legislative evolution to make it crystal clear that family violence is a concern for all of us.

I would note that this does not interfere with the important principle that the court, with all the information and circumstantial detail before it, is the decision-maker at sentencing. I should note that concerns have been raised by the ACT Law Society that this could result in unnecessary over-punishment, or could be applied too broadly, in circumstances that involve perhaps “atypical” family violence, such as violence from children against family members.

These are serious concerns, and I considered that it was appropriate to put on the public record that this is not a blunt instrument for automatically increasing incarceration. All the considerations going into sentencing still remain. This does not interfere with that important principle of individualised justice. What it does do is increase the maximum penalty, available when offending is so severe that no other option is appropriate. It provides another tool for the court to recognise serious harm. These amendments will protect victims of family violence, and the community as a whole, by ensuring that offenders are adequately punished for their behaviour.

These new maximum penalties will provide guidance to the sentencing courts, as well as to the ACT community, about how seriously the ACT government regards family violence offending. The penalties will also help to protect the community and victims from the risk of further physical, emotional and psychological harm from family violence when offenders need to be kept out of the community for longer periods of time.

The bill also introduces reforms to require a court to adjourn sentencing proceedings for a serious offence to allow for a victim impact statement to be prepared. A serious offence is one that carries a maximum penalty of imprisonment of five years or more. When a criminal matter unexpectedly progresses to sentencing, a victim may need some additional time to have their victim impact statement ready. The amendment will help to ensure that victims of any kind of serious offence are still able to give a victim impact statement in these circumstances and have the opportunity to express to the court how the offence has impacted them.

The bill introduces measures to limit the ability for the defence to cross-examine a person on the contents of their victim impact statement. The court must not allow cross-examination on a victim impact statement unless it is satisfied that the victim impact statement has substantial probative value or that the cross-examination would materially affect the likely sentence.

These measures also extend to limit the use of a victim impact statement in other proceedings. Victim impact statements are prepared by victims to assist the court in sentencing and are often a therapeutic process. These amendments will reduce the likelihood that a victim will be subject to cross-examination. Cross-examination can be a traumatic experience for victims and is not conducive to healing for those who are surviving family violence. As a result, these amendments will help to remove a potential barrier to victims preparing victim impact statements where they may otherwise be deterred by the prospect of cross-examination.

In addition, the bill extends protections of counselling communications that are already available to sexual offence victims, to family violence offence victims. These protections include that relevant counselling communications must not be disclosed for a criminal proceeding unless the court gives leave. In granting leave, the court must be satisfied that there is a legitimate forensic purpose and that the public interest in fairness outweighs the public interest in preserving the confidentiality of the communications. The amendments in the bill will help ensure that disclosures made by family violence offence victims during the counselling process remain confidential.

As a result, the amendments will help prevent victims from being deterred from seeking professional support or from talking freely and honestly with their counsellor. These protections may also improve the safety of family violence victims by preventing an accused person from using counselling information as a means of further intimidating or humiliating the victim.

The bill also clarifies that the definition of family violence includes the harmful use of, or interference with, technology—for example, using an electronic device or social media to publish intimate images of a family member without consent. The legislative definition of family violence is relevant to applications for family violence orders under the Family Violence Act, as well as for the new aggravated offence scheme that is also introduced by this bill. By clarifying that family violence can include technology-facilitated abuse, the amendment ensures that protections such as family violence orders are available to victims of behaviour such as another family member electronically tracking their whereabouts and that these perpetrators face higher maximum penalties for their behaviour.

In addition, this bill amends the name of the offence in section 56 of the Crimes Act from “sexual relationship with child or young person under special care” to “persistent sexual abuse of child or young person under special care”. In speaking to this amendment, I would first like to specifically thank Grace Tame, who came to speak to the meeting of Attorneys-General in November 2021 and advocated for this change.

This change is being made because the term “relationship” in the name of the offence fails to recognise that a child cannot give consent to the sexual acts which must be established to make out the offence, and the term “relationship” carries connotations of “consent”. While I am sure that we all realise this upon detailed consideration, it is clear that it is not everybody’s first thought. The offence is absolutely abhorrent and allowing offenders to be described in a way that could allow the very real harm of their abuse to be minimised through the word “relationship” should end.

Renaming the offence in ACT legislation is also a move towards national consistency in the language that is used to describe child sex offences. To be clear, the elements of the offence will not be changed by this amendment and “engaging in a relationship” will remain an element of the offence, as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. However, the offence will now accurately be named in a way that reflects its inherent abuse.

The bill also amends the Working with Vulnerable People (Background Checking) Act to insert some of the new aggravated family violence offences into the schedule of disqualifying offences for the workers background checking scheme. Disqualifying offences are relevant to the assessment of whether a person can be given registration to engage in a regulated activity that involves contact with a vulnerable person.

Early identification and the exclusion of those who pose a risk to vulnerable people will lead to a reduction in the incidence of abuse, violence and exploitation. Background checking has a preventative effect in deterring individuals who pose a high risk of harm from seeking work or preventing them from working in the sector. Aggravated family violence offences have been added to the scheme where appropriate, based on maintaining consistency with the existing list of disqualifying offences to ensure the ongoing protection of vulnerable people.

Finally, the bill includes a requirement that a review of the Family Violence Act 2016 be conducted three years after the commencement of this bill, and that a report of that review be tabled in the Legislative Assembly. While this bill contains significant improvements to the ACT's legislative framework for dealing with family violence, it is incumbent on us to remain vigilant to emerging issues and be open to new opportunities to better prevent and respond to family violence in our community. In particular, it will be important for this review to consider the impact of the aggravated sentencing regime, to ensure that no unintended consequences are arising. This review clause ensures that action will continue to be taken on this important issue.

As I mentioned earlier, the bill implements a number of recommendations from the Family Violence Act review, which brought together feedback from a range of stakeholders, including those with lived experience of family violence and those working in the front line. I would like to thank those contributors for their engagement with the review and for sharing their personal insights. The bill itself has been developed in close consultation with relevant stakeholders, and I wish to take this opportunity to also thank those stakeholders for their contributions to these important reforms.

The government is committed to building safer communities in Canberra and this bill contributes to that commitment. The bill recognises that those who use family violence must be held accountable for their actions and offers more effective protections to victims. I commend the bill to the Assembly.

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

Domestic Animals Legislation Amendment Bill 2022

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

Title read by Clerk.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.06): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Domestic Animals Legislation Amendment Bill 2022 to the Assembly today. This bill seeks to amend the Domestic Animals Act 2000 to bring forward some key reforms that will strengthen responsible cat ownership in the territory and deliver on the ACT cat plan 2021-31.

Cats are beloved pets and family members for many Canberra households. The 2019 Canberra pet census estimated that about 16 per cent of households own a cat. We know there are many benefits that come with pet ownership and cats are no exception. Cats can offer companionship and affection and help their humans to manage life's stresses and strains.

Because pet cats are such special friends, we want to make sure they are happy, healthy and safe. Cats which are allowed to roam experience more injuries and shorter life spans than those which live indoors. They also have more chance of being separated from their families if they get lost and do not have up-to-date microchip details. The bill that I am introducing today aims to address both these issues by introducing mandatory annual registration for cats, along with new cat containment rules across Canberra.

The new registration requirements for cats will closely reflect those introduced for pet dogs last year. All cats will be required to be registered from 1 July 2022. There will be a 12-month grace period for people who already own cats before this date to register them, to give people time to understand what is required and smooth out the timing of annual registration renewals. Cat owners will need to renew their registration annually but will pay only a one-off fee of \$57.55, or \$20.70 for concession cardholders, this year, when they register a new cat for the first time. Owners of existing cats who register for the first time will be exempt from this fee.

In the future, people who do not register their cats will be subject to strict liability offences with associated fines. However, the government will be taking an educative approach to compliance during the early years of the registration scheme. Compliance activity will be pursued in future only once registration activities are bedded down. Annual registration will ensure that we have up-to-date contact details for pet owners so that we can reunite cats with their families quickly if they are lost or roaming somewhere they should not be. We know how sad and stressful it can be when cats go missing, particularly for children and older people who look to them for companionship.

The bill also takes an important step forward for responsible pet ownership by requiring all cats born after 1 July 2022 to be confined to their owner's premises at all times. Importantly, cats born before 1 July 2022 will be allowed to continue to roam for the term of their natural life, unless they live in a declared cat containment suburb. We recognise that the adjustment to full containment for cats who have previously been allowed to roam would be stressful for cats and owners alike, so this grandfathering provision supports a more gradual introduction of city-wide cat containment over time.

We recognise that this is a big change from previous cat management practices, and it is one that we have considered carefully. The evidence is that roaming cats cause

harm to native wildlife, including preying on the diverse and colourful birdlife and also lizards, which are such a great feature of Canberra's natural environment. Roaming cats are also more likely to get injured or sick, whether from rumbles with other animals or road traffic or pests and diseases. International research suggests that the average life span of outdoor cats can be as little as five years, compared with 10 to 15 years for cats which exclusively live indoors. So we believe it is time for a new approach which better balances the wellbeing of our feline friends with that of native animals.

Under this bill, "premises" means a completely or partially enclosed space from which a cat cannot escape. This includes a building or part of a building, a backyard or courtyard, or a cat cage. There are lots of innovative cat containment solutions which still give pet cats an opportunity to experience the outdoors, like backyard cat runs and balcony netting that keeps cats and wildlife separate. The key point is that we want to reduce the number of cats roaming Canberra's streets without accompaniment or supervision, where they may do harm to themselves or other living creatures.

In parallel with requiring all cats born after 1 July 2022 to be fully contained, we will maintain the existing declared cat containment areas and continue to declare all new suburbs in Canberra cat containment areas, in line with the ACT cat plan. This means that cats are not allowed to roam in these areas, regardless of when they were born.

However, this bill clarifies that cats may be walked on a lead or in a harness in declared cat containment areas, as long as they are directly under their owner's control. Not all cats are happy to be walked on a lead, but some are, and so the amendments in this bill will ensure owners have that option to promote the health and wellbeing of their cats.

We know from the Canberra pet census that just over half of all cat owners already contain their cats to their home at all times. Many more do so much of the time because they recognise that it is better for their pet's health. We want to build on this great example of responsible pet ownership, so we will be encouraging Canberrans to voluntarily keep their cats contained even if they were born before 1 July 2022.

As with registration, we will be taking an educative approach to compliance to start with as Canberrans adjust to these new rules. But in the future, there will be fines for people who let their cats roam when they should be contained. Annual registration will make it easier to know who cats belong to and whether or not they are in the grandfathered category.

We recognise that there are some models of stray cat management currently used in the ACT which are not consistent with this city-wide containment approach. Local animal rescue groups do great work through trap, de-sex and adopt programs which seek to re-home stray cats. The ACT cat plan is clear that this is the government's preferred approach to managing semi-owned or unowned cats.

Since the publication of the cat plan, we have been having ongoing discussions with local animal welfare groups about how they may be able to adapt their operating

models to comply with this upcoming change, especially where they are releasing cats currently back into the community. We will continue to work through this in the coming months ahead of the 1 July commencement date.

Beyond the headline items of annual registration and cat containment, the bill makes a further series of consequential amendments. These include creating the ability for the registrar of animals to provide exemptions from the registration and containment requirements following direction of the minister, and amendments to bring the annual registration process and requirements more closely into alignment for both cats and dogs, given both schemes are addressed by this legislation.

There is no denying that cat policy can be polarising. In the course of developing and consulting on the ACT cat plan, we have heard a spectrum of views about the role that cats should play in our community and our environment. This bill reflects that plan in striking a balance between the health and wellbeing of pet cats and their owners, and the preservation of the biodiversity and natural wildlife that is such a unique feature of our city. Responsible pet ownership to manage the community impacts of cats is important, and so is acknowledging the very valued role that pet cats play in the lives of many Canberrans. I commend the bill to the Assembly as a valuable way for our community to put their best paws forward on both fronts.

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

Standing committees

Membership

MS LAWDER (Brindabella) (11.15): Pursuant to standing order 223, I move:

That:

Mr Cain be discharged from the Standing Committee on Education and Community Inclusion and Ms Lawder be appointed in his place; and

Mr Hanson be discharged from the Standing Committee on Justice and Community Safety (including the Legislative Scrutiny role) and Mr Cain be appointed in his place.

Question resolved in the affirmative.

Legislation (Legislative Assembly Committees) Amendment Bill 2022

Ms Burch, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MS BURCH (Brindabella) (11.16): I move:

That this bill be agreed to in principle.

The object of this bill and amendment is to bring consistency and clarity to the way in which Assembly committees are referred across the statute books, in respect to the statutory functions that they perform. In the Ninth Assembly, the Office of the Legislative Assembly and the Parliamentary Counsel's Office identified that the way in which the Assembly committees was described varies considerably across the ACT statutes. It was identified that in a number of cases the approach that has been adopted could potentially lead to confusion about which particular Assembly committee had been given a functional responsibility pursuant to any statutory provision.

As an example, there are a number of provisions that confer the statutory function on the relevant committee of the Legislative Assembly, or the appropriate committee of the Legislative Assembly, without any prescription in the enactment as to how the relevant or appropriate committee will be determined. In other cases, statutory provisions confer functions on Assembly standing committees by way of a reference to the committee's parliamentary role—for example, the committee responsible for the consideration of legal issues or the committee responsible for electoral matters. In these cases, while there is no explicit reference to the Assembly's resolution of the appointment to the relevant subject matter, an ambiguity may arise as to which of the Assembly's committees is considered to be given the statutory function under the enactment.

Early in the Tenth Assembly, I raised these matters with the Standing Committee on Administration and Procedure, which agreed that it was appropriate for me, in my role as Speaker, to develop an amendment bill to remedy these issues. To address these issues, the bill will amend statutory provisions referring to an Assembly committee in order that they are rendered as the relevant Assembly committee, and will also amend relevant statutory provisions in order that the term "relevant Assembly committee" for each provision is defined as a standing committee in the Legislative Assembly, nominated in writing by the Speaker for that provision.

Mr Assistant Speaker, this approach proceeds much along the same lines as provisions in section 228 of the Legislation Act 2001 relating to the consideration of statutory appointments by Assembly standing committees, whereby the Speaker nominates which particular committee is to undertake that role. Under the changes, the Speaker would prepare a schedule naming each of the Assembly standing committees responsible for each statutory function. The schedule would be tabled in the Assembly, published on the Assembly website, and would allow MLAs, members of the public sector and members of the community to access a single source of authority as to which statutory functions and responsibilities are performed by which committees in the Assembly.

This approach offers flexibility and can withstand changes to the committee structures that are provided for in each new Assembly's resolution appointing committees. The schedule will also be revised and tabled in the Assembly where new statutory functions relating to committees are passed. Importantly, the bill will not alter or otherwise affect the statutory functions that are performed by the Assembly committees.

The bill includes a number of important exceptions to the approach I have just outlined. Under the proposed amendments in the bill, the Speaker is not given a power to nominate a committee to perform functions pursuant to the Legislative Assembly (Office of the Legislative Assembly) Act, the Auditor-General Act, the Electoral Act, the Integrity Commission Act or the Ombudsman Act. These exceptions are included so that no conflict of interest with the Speaker's performance under the functions of these acts is seen to arise—for example, perceived conflicts in relation to the exercise of the Speaker's power to appoint these statutory offices and exercise the relevant committee's functions to approve appointments.

The bill is an important and useful exercise in tightening up the language used across the law books and will provide additional certainty and clarity around the interaction between the Assembly resolutions and the statute law in the territory. I commend the bill to the Assembly.

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

Legislative Assembly—amendment to resolution

MS BURCH (Brindabella) (11.22): I move:

That the resolution of the Assembly agreed to on 2 December 2020, as amended, be amended as follows—Paragraph (5), omit “14 days”, substitute “21 days”.

The motion seeks to increase the time allowed for consideration of bills referred to committees. This is a very simple change to the existing practice. I am seeking to change the resolution that was agreed on 2 December 2020, that it be amended from a 14-day period to a 21-day period. The reasons behind it were outlined in a 246A statement that I made in the Assembly on Tuesday. It has been supported across all parties through admin and procedure. I am looking for support today to confirm the change.

Question resolved in the affirmative.

Legislative Assembly—amendment to resolution

MS BURCH (Brindabella) (11.23): I move:

That Continuing Resolution 5AA be amended by inserting the following paragraph:

“(7)(c) If the Commissioner receives a complaint and the Commissioner believes on reasonable grounds that there is insufficient evidence to justify an investigation or that the complaint is frivolous, vexatious or only for political advantage, the Commissioner will inform the complainant that the matter will not be further investigated. The Commissioner will also inform (without revealing the complainant's identity or the nature of the complaint) both the committee and the Member the subject of the complaint that a complaint has been received but not further investigated.”.

This change, again, is a follow-on from a 246A statement that I made in the Assembly on Tuesday. It seeks to make a change to resolution to 5AA to insert (7)(c). This is a sensible change to 5AA. It has been worked through the admin and procedure committee. I am looking for confirmation and change today.

Question resolved in the affirmative.

Estimates 2022-2023—Select Committee Proposed establishment

MS LAWDER (Brindabella) (11.25): I move:

That:

- (1) a Select Committee on Estimates 2022-2023 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2022-2023, the Appropriation (Office of the Legislative Assembly) Bill 2022-2023 and any revenue estimates proposed by the Government in the 2022-2023 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
 - (a) two Members to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) one Member to be nominated by the Greens; andto be notified in writing to the Speaker within two hours of this motion passing;
- (3) an Opposition Member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee is to report by Friday, 29 July 2022;
- (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

This is a standard motion that has been brought forward in this place for many years, in the time that I have been here—except in more recent COVID times—to establish a select committee on estimates to examine the subsequent financial year's budget papers. We propose that the committee be made up of five members: two from the opposition, two from the government, and one member from the Greens. The motion follows on from a review of the committee process undertaken by admin and procedure last year.

It is the view of the Canberra Liberals that establishing a select committee on estimates is the best process to allow proper scrutiny of the Appropriation Bill. There are a number of items that we feel are better addressed through a select committee. We have seen, for example in the Laing report, the disquiet and the disjointed approach that a lot of members feel about the Community Day.

A select committee on estimates can undertake two specific roles. The first is scrutiny of the government, the standard role of our committees. The second is that having a select committee enables in-depth analysis of the budget, rather than individual standing committees having to add it to their schedules and risk missing things. We have all seen that in action, where you ask the specific minister a question and they say, “It belongs with a different minister or a different directorate.” In many instances, that minister and directorate have already appeared and the opportunity to ask those questions has been lost. There are many reasons why we think that this is the best approach. I commend the motion to the Assembly.

MS ORR (Yerrabi) (11.27): We will not be opposing Ms Lawder’s motion. We are fine with a select committee. However, we would just like a chance to go over the dates and the motion in the admin and procedure committee.

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

Administration and Procedure—Standing Committee Reference

Motion (by **Ms Orr**, by leave) agreed to:

That Ms Lawder’s motion, relating to the proposed establishment of a Select Committee on Estimates 2022-2023, be referred to the Standing Committee on Administration and Procedure and brought back in the March sittings.

Justice and Community Safety—Standing Committee Reference

MR MILLIGAN (Yerrabi) (11.29): I move:

That this Assembly:

(1) notes that:

- (a) storms are a regular occurrence in the ACT, with 26 severe storms recorded in the last 10 years, that have included significant rainfalls contributing to flooding events, hail causing major damage, and strong wind gusts leaving a trail of debris;
- (b) the storm season in the ACT runs from September to February each year;
- (c) storms cause high social, emotional and financial costs;
- (d) the 3 January supercell thunderstorm event caused significant damage to many homes and streetscapes;

- (e) during the storm and after, the community perceived a significant lack of communication by the Minister, with no local area contact made with those who suffered the worst damage;
 - (f) the State Emergency Service responded to and completed more than 1023 jobs; however, some areas of Belconnen were without power for six days and storm debris clean up has taken more than a month and is still ongoing;
 - (g) however, there was limited and only very localised support offered, such as food services, power generators, clean up services, to many of those suffering from excessive and prolonged storm damage, with some of the most vulnerable forced to rely on the goodwill of their neighbours; and
 - (h) the ACT does not appear to have a second tier of support for cleaning up storm debris, beyond advising people to lodge their problems through the Fix My Street site;
- (2) refers this matter to the Standing Committee on Justice and Community Safety for an inquiry to investigate the complete response to the recent storms, the appropriateness of the communication strategies used to reach out to those affected; and the service delivery options of various agencies throughout the storm period and in the weeks afterwards, to repair, redress and clean up the storm debris and support the community in these matters;
- (3) requests the Committee in conducting its inquiry to have regard to the:
- (a) social, emotional and financial costs of those who have experienced storm damage and lengthy delays in the redress of these;
 - (b) effectiveness of existing reporting mechanisms of storm damage, both for redress concerning individual incidents and for statistical monitoring of the prevalence of storm damage experienced by individuals and by the people in the ACT community generally;
 - (c) adequacy of the response by various agencies, Government and otherwise, to the storm damage shared by members of the community, the length of time it took to correct matters, and the lack of support to clean up storm debris afterwards;
 - (d) the adequacy and accessibility of communication both during and after the storm, when the clean up was occurring, as people struggled to maintain everyday lives deprived of adequate support, during a week without power;
 - (e) adequacy of services provided in the immediate and longer-term period after the storm, for electricity, livelihood support, and storm debris clean up;
 - (f) value of establishing, and possible roles of, a further tier of support to help with the clear up of storm damage, once the immediate emergency is over; and
 - (g) any other matter the Committee considers relevant; and
- (4) requests the Committee to:
- (a) encourage participation by affected individuals and groups by providing interpreter services, inviting confidential submissions, taking evidence in camera, holding documents in confidence where it considers it

appropriate to do so, and otherwise making the hearings family-friendly and held virtually where applicable;

- (b) consider whether to publish a discussion paper by 29 April 2022 and whether to provide an interim report before 9 June 2022; and
- (c) report back to the Assembly by 1 September 2022, before the next storm season.

I am certainly pleased to bring this motion to the Assembly today for debate. I do so on behalf of the many residents that have been affected by the recent storms in the Belconnen area. Storms are a regular occurrence in the ACT. The Bureau of Meteorology has recorded 26 severe storms and weather events in the last 10 years. These storms have included significant rainfall, causing flooding, and hail, causing major damage. Strong winds with gusts of up to 90 kilometres per hour are not uncommon, leaving a trail of debris, such as the recent storms that hit areas of Belconnen.

The ESA website tells me that the storm season in the ACT runs from September to February each year. So this summer, not unlike others that have gone before us, storms were to be expected, including the January thunderstorm which caused a significant amount of damage to many homes and streetscapes in the Belconnen area. What is important to note is that, when they happen and damage occurs, they cause social, emotional and financial cost to those that are most affected.

The storm on 3 January left many Canberrans without power, some for up to a week. There was significant damage, with trees down, debris scattered across the streets and damage reported to housing. The SES said that they responded to 1,023 jobs, with their initial responses not completed until 8 January. Let me clarify that this is not about the SES response. The SES volunteers, who form the majority of the workforce, do a fantastic job. Figures from the recent *Report on Government Services* showed that there are nine full-time equivalent operational staff and 388 volunteers. These dedicated men and women take on the amazing role of first responders to many of these emergencies.

We cannot ignore that being left without power, especially if you are a vulnerable person or a family with small children—and I have heard that many families were confined to their homes because of COVID restrictions—is an emotionally draining experience. The fact of not being able to go anywhere, having no power and not being able to communicate because you cannot charge your phone can be a very socially isolating experience; and imagine then to have to face the financial cost of a clean-up because your government has failed in its response and has done nothing to help.

The SES responded to and completed more than 1,000 jobs. However, some areas of Belconnen were without power for up to six days, waiting for Evoenergy, the government's own energy company, to fix the issues. On 9 January 45 homes were still without power, six days after the event. It has been more than a month and the storm debris clean-up is still ongoing. In most places it has been up to local community members to remove fallen trees and tree limbs, leaf litter and other debris from other people's gardens and, in some instances, rubbish left behind by the

government's own clean-up crews. In that time, the most that the government could offer was an extra green bin, which I have no doubt was actually very much welcomed by the community.

There has been such limited support offered—no food services, power generators, clean-up services—to many of those suffering from excessive and prolonged storm damage, with some of the most vulnerable forced to rely on the goodwill of their neighbours. Even the ACT ESA community hub at Higgins was not made available until the evening of 5 January, two days after the storm. Very few people actually knew about this service. In fact, during the storm and afterwards, the community perceived a significant lack of communication by this government, with no local contact made with those who suffered the worst damage. In a response to the media by the government, they stated that their communication was primarily through radio and social media. I would have to say that it would be difficult for most residents to jump on social media or listen to the radio, particularly if they do not have any power and they are unable to charge their phones.

Since late 2020, in acknowledging the annual storm phenomenon, the government has been working on a communications strategy to get Canberra storm ready. It appears to rely solely on people visiting their website or being on Facebook to see the sponsored posts. I have read some of the comments in response to those posts. They are not complimentary, as people express their frustration at the lack of government response, communication and support in fixing up the mess caused by this storm.

The ACT does not appear to have a second tier of support for cleaning up debris. The second tier support is standard in other states and territories, where councils, governments and SES work together to provide a whole-of-government response. Obviously, here we do not have local councils, so it is expected that the ACT government will fill that gap.

The government's recommendation in response to people's questions and comments on social media has been to advise people to lodge their complaints with Fix My Street. According to an answer that Minister Steel provided last year, there were over 47,000 claims lodged in 2021. People were quite frustrated because they were not getting any answers and it was taking months to get any sort of rectification of the issues that they lodged.

Three weeks after the event, on 25 January, the ACT government posted a message stating that, since Monday, 3 January, over 2,000 tasks had been identified through Fix My Street and completed. They made a third observation that the scale of damage, which included entire trees being uprooted, as well as the safety risks presented by the task at hand, meant that the recovery could take months to complete.

In this motion I am proposing to cover a number of different areas. Firstly, I would like the inquiry to look at the social, emotional and financial costs of those who experienced storm damage and the lengthy delays in the redress. Storms are distressing and the damage they cause can be overwhelming, especially for the vulnerable in our community. We have a fantastic community in the ACT and people

are incredibly resilient and generous with their time in helping their neighbours to clean up their areas, as we have seen repeatedly.

Secondly, I would like the inquiry to look at the effectiveness of existing reporting mechanisms on storm damage, both for redress concerning individual incidents and for statistical monitoring of the prevalence of storms and storm damage experienced by individuals and by people in the ACT community.

Thirdly, I would like the inquiry to review the adequacy of the response by various agencies of government and otherwise to the storm damage, the length of time it took to correct matters and the lack of support to clean up storm debris afterwards. A key question here is: how could the response be improved? We know that the SES has been overwhelmed. Evoenergy staff were out there working long hours to try and fix the issue. But in a risk-management approach it is not always about how we respond but about what we need to do to ensure that this does not happen again.

Fourthly, I would like the inquiry to assess the adequacy and accessibility of communication both during and after the storm, when ordinary Canberrans struggled to maintain their everyday lives. They were deprived of adequate support during a week without power, and in a COVID time this made the issues experienced worse for many. In previous years, SES volunteers would have doorknocked this area, but, obviously, due to the current situation with COVID, that was not possible. However, a letterbox drop could have been an alternative, or phone canvassing—calling the local area—or even attending the local shopping centre to hand out leaflets and talk to the local residents. There were other alternatives. I think that through this inquiry, with the support of Minister Davidson, these types of alternatives can come forward and be part of a plan for recovery after such emergency situations.

Finally, I would like the inquiry to consider the adequacy of services provided in the immediate and longer term period after the storm, including electricity, livelihood support and storm debris clean-up. A key question here is to review how other states and territories respond. We might learn from them and adopt what we have learnt into our own practices. I note that the inquiry will explore other matters that the committee considers relevant. I ask the committee to conduct the inquiry in a way that allows the greatest community engagement possible. I have suggested that a discussion paper be prepared by 29 April and to report back by 1 September, before the start of the next storm season.

I would like to acknowledge that Minister Davidson has been working with us on this motion to get it across the line, which we greatly appreciate. I think that the community would be willing to be involved with submissions to this inquiry. I certainly look forward to what comes out of it in September.

Finally, I would like to thank the SES for the amazing work that they have done in responding to this emergency that occurred in Belconnen, and also the amazing work of neighbours, family and friends in helping to clean up the storm debris. I encourage all people to participate in this critical inquiry. I hope that this inquiry supports and guides this territory on how it deals with this type of emergency event that might occur in future.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (11.41): I move:

Omit all text after “That this Assembly”, substitute:

(1) notes that:

- (a) storms are a regular occurrence in the ACT, with 26 severe storms recorded in the last 10 years, that have included significant rainfalls contributing to flooding events, hail causing major damage, and strong wind gusts leaving a trail of debris;
- (b) storm events will, due to climate change, become more frequent and damaging;
- (c) the storm season in the ACT runs from September to February each year;
- (d) storms cause high social, emotional and financial costs;
- (e) the 3 January supercell thunderstorm event caused significant damage to many homes and streetscapes;
- (f) the State Emergency Services responded to, and completed, more than 1023 jobs; however, some areas of Belconnen were without power for six days and storm debris clean up has taken more than a month and is still ongoing;
- (g) the effectiveness and adequacy of the ACT Government and wider community’s resilience and responsiveness is crucial in light of likely increased storm frequency and damage, due to climate change; and
- (h) in addition to responding to requests from the community, ACT Government crews prioritised assessment and clean up of roads and paths in the immediate aftermath of the storm, proactively assessed verges in every Belconnen suburb throughout the month of January and identified more than 1400 jobs in need of action, and have now commenced proactive auditing of open spaces;

(2) draws this motion to the attention of the Standing Committee on Health and Community Wellbeing and requests the Committee consider an inquiry relating to the recovery following the recent storms, the appropriateness of the communication strategies used to reach out to those affected, and the service delivery options of various agencies throughout the storm period and in the weeks afterwards, to repair, redress and clean up the storm debris and support the community in these matters;

(3) further requests the Committee have regard to the:

- (a) social, emotional and financial costs of those who have experienced storm damage;
- (b) lessons for the ACT Government, and other agencies, in:
 - (i) recovery and the necessary steps for subsequent clean ups;
 - (ii) considering the future community need for services provided in the immediate aftermath of a storm event; and
 - (iii) considering what should be in place to enable social recovery following such events;

- (c) value of establishing, and possible roles of, a further tier of support to help with the clear up of storm damage, once the immediate emergency is over; and
 - (d) any other matter the Committee considers relevant; and
- (4) requests the Committee to:
- (a) encourage participation by affected individuals and groups by providing interpreter services, inviting confidential submissions, taking evidence in camera, holding documents in confidence where it considers it appropriate to do so, and otherwise making the hearings family-friendly and held virtually where applicable;
 - (b) consider whether to publish a discussion paper by 29 April 2022 and whether to provide an interim report before 9 June 2022; and
 - (c) report back to the Assembly by 1 September 2022, before the next storm season.”

I thank Mr Milligan for bringing this matter to the Assembly. Before I address the substantive matter, I would like to acknowledge the hardship that the recent storms brought to our fellow Canberrans, and to thank all of the people who helped their neighbours through this really difficult time.

Whilst this region has always been susceptible to storms, we know that the impacts of climate change mean that storms will become more frequent and more severe. As a result, they will create more damage and our response to storms will become a more frequent consideration. How we prepare for that future is critical. So I am genuinely grateful for the opportunity to talk about it. As is clear from the amendment, I support the idea of an inquiry to learn any lessons and consider how we prepare for the future.

We are all aware of the impact of the recent storm in Belconnen and how it affected people’s homes and people’s lives. Following the storm, crews from across the ACT government proactively got to work immediately in the aftermath, clearing debris and removing fallen trees across roads and paths to make them safe and accessible as soon as possible. In many cases, this meant people returning to work early from their leave to help out. In addition to this proactive approach, crews responded quickly to hundreds of requests for assistance from the community.

Over the several weeks that followed, City Services staff then got to work proactively auditing verges in every Belconnen suburb and are now out there assessing the impact on parks and open spaces. If residents have raised a matter through Fix My Street, they can be assured it will be assessed, prioritised and responded to as part of the broader clean-up effort. We know that this work will take several months and we appreciate the community’s patience during this time.

In addition, I would like to pay tribute to members of the Canberra Relief Network who supported the affected community with access to food in the immediate aftermath of the storms. In addition to the physical impacts of the storms, we need to consider how we help our communities recover from the experience. Once the physical damage has been fixed, how do we help our communities get back on track?

I have spoken a number of times in this place about how we need to prioritise social recovery from the COVID-19 pandemic and how we need to work with all of our partners to help our communities get back to normal and how we prepare better for next time. The response to the recent storms will not have been perfect and we are open to learning what went well and what we need to do better next time.

Circumstances such as these storms are difficult to cope with for all of us, and people often have to make swift decisions, without all of the facts. I acknowledge the many people who have worked incredibly hard to help affected communities to get back on their feet. This is why I welcome the prospect of an inquiry that focuses on the lessons to learn about coping with the immediate impacts of storms and how we support our communities to recover. It is also crucial that we prepare for a future that will have more severe storms, and more frequently. I look forward to the inquiry and what it can tell us about future preparedness.

MS CLAY (Ginninderra) (11.45): I would like to speak to Mr Milligan's motion and to Minister Davidson's amendment. This is a good topic to have brought in here. Those storms in Belconnen were really severe. I live in Macquarie. We actually got off quite lightly—we just lost a few branches—but a lot of people did not get off so lightly. There were houses damaged, there were trees down and there were a lot of people who were frightened and upset. There were people without power for a week. It was a big deal.

The original version of this motion that Mr Milligan tabled was quite strange to me, however—not in describing the impact of the storm but in failing to name the cause of that storm. The motion does not mention climate change. I find that really odd. It would be like talking about the impact on our hospital system, about our hardworking doctors and nurses and about hospital beds filling up without actually mentioning the fact that COVID has put people in hospital. It does not help us to not name the problem. We need to name the problem if we are going to address the problem.

Climate change, unfortunately, is here and climate change means we are going to get a lot more of these storms. It is a really good idea for us to get much better prepared and much better at dealing with them and at supporting people through them. It is not some random natural event. This is caused by climate change. We also need to deal with the root causes of climate change if we are going to cope with this situation.

It is not a difficult link to make—climate change and severe storms. The effects of climate change are extremely well known. I was reminded of this last night when I was reading a book to my daughter as she was going to sleep. We read *The Giant and the Sea*. It is a lovely book. If you have not read it, you should. It is by Trent Jamieson. It is quite chilling. I had to read her a second book afterwards because it was a little upsetting for her.

In *The Giant and the Sea*, there is a giant who looks out to sea and watches. And one day the giant says, "The sea is rising." The giant says this to a little girl and tells the little girl, "You need to go into the city and tell them to turn off their machine because the sea is rising." The little girl does this and the people in the city do not believe her.

They start out by saying, “No, you’re wrong. The sea is not rising.” And then, as the sea starts to rise, the people build walls. They take all these slightly ridiculous steps to try and hold back the sea. It is quite epochal in the way it is done. It does not work. The sea rises. It sweeps over the walls. The machine and the people are swept away.

And that is the bedtime story of *The Giant and the Sea*. It is absolutely about climate change, but it is also about how we react to climate change. It would have been a much better story if the little girl went into the city and said, “The sea is rising and we need to turn off the machine,” and all of the people said, “Goodness, the sea is rising? We need to turn off the machine. And how do we cope with the sea that is already rising?” There are two things that need to happen here. We need to tackle climate change directly and we also need to cope with its impacts and help our people cope with its impacts. We are sort of halfway there, but I see a real gap here.

I note that yesterday we saw a letter tabled from the federal Liberal Party about climate change. It was still, sadly, struggling at the first gate. Scott Morrison agreed that climate change is a bit of a thing, but was still stuck in that magical thinking of, “We don’t really need to deal with that. Magical thinking and technology will sort that out. One day we might build a wall, but until then we don’t really need to cope with climate change. We don’t really need to do anything about the sea rising.” It is really time that we moved on from that.

I am pleased to see this motion. I welcome this inquiry. I think it is great that we get better at storm resilience and climate resilience. We have a lot to learn. Everybody on this planet right now has a lot to learn. No-one has been through this before and we all need to get better at it. I am glad that later today I will be bringing forward a motion about the right to a healthy environment, which is on the same topic. I would really like to see a bit more genuine engagement with the root cause of climate change of that rising sea, as well as simply tackling some of the issues at the edge that people notice day to day.

MRS KIKKERT (Ginninderra) (11.49): I thank Mr Milligan for bringing this very important motion before the Assembly. The thunderstorm that hit west Belconnen on Monday, 3 January was significant, with very strong winds and large quantities of medium-sized hail. The winds toppled trees across several suburbs and the hail smashed glass and filled rain gutters, leading to leaks and flooding. That night 7,518 customers were without power, and thousands of households remained without electricity for three or more days. Full restoration of service did not occur until Sunday afternoon.

I heard from dozens of affected residents in the immediate aftermath of the storm and I have continued to hear from them in the weeks since. Most have been disappointed—many deeply so—by the government’s response to this emergency. Concerns raised with me fall into three broad categories.

First is the poor communication. I have been repeatedly told that information from both the ACT and Evoenergy, which is majority owned by the government, was inadequate. Whilst updates were placed on social media and broadcast on radio, residents without power had difficulty accessing such information, especially as the

power outage dragged on and on and eventually mobile phones' batteries died. Online updates from Evoenergy were often wildly inaccurate, promising that power would be restored to certain suburbs later in the day, but then this did not happen.

This information left residents confused and unsure how to act when it came to executing their own emergency plans. People who signed up for SMS updates from Evoenergy report never receiving them or, worse, being notified that their power had been restored even when it had not.

The government finally opened an information hub in Higgins, 48 hours after the storm, but the existence of this hub was not well known, with many west Belconnen residents telling me that they never would have known if I had not told them. On the third day of a widespread power outage, relying on Facebook and Twitter to get the word out is a low effort and an inadequate approach. When the hub opened, 2,400 households remained without power. The location of these houses was known, making something like a letterbox drop feasible, but nothing like this ever happened.

Second, and related to the first concern, residents have raised serious issues about the lack of a coordinated response designed to prevent the most vulnerable falling through the cracks. To reiterate, on 5 January government-controlled Evoenergy knew the location of the 2,400 households that were still without power, but it appears that this government took the decision not to have its community recovery team knock on a single door or visit a single street. I wish to emphasise that the very real risks inherent in this decision were well known.

On the third day after the storm hit, the government posted the following on social media:

Please look out for your neighbours at this time, especially whilst many are without power. Let them know where to get help ... Not everyone will have access to this message, as they may not have power or a social media account. Please pass on this information.

Great advice, but simply not good enough.

One Canberran related to me that on the fourth day after the storm a terrified elderly woman ran out of her house seeking his assistance. Her husband was dependent on a life-saving device that was about to fail and she had no idea where to turn for help. We have no idea how many people like this couple felt completely abandoned by this government.

The third concern relates to the slowness of the emergency response. Residents had been without power for two full days before the government finally opened its information hub. In the beginning the services provided there were minimal, though eventually showers and laundry facilities were added.

As already noted, restoration of power took a very long time for a significant number of households. Residents have asked me whether the ACT government or Evoenergy sought help with this task from across the border. Others let me know that they had

personally experienced quicker emergency responses after far more serious tropical cyclones when they lived in other jurisdictions.

At the end of last week, fully one month after the storm hit Belconnen, we were told that 23 workers from the government's parks and conservation team had been assigned to help with storm clean-up. This week in question time Minister Steel clarified that this step had doubled the number of workers assigned to the clean-up. He also noted:

A dedicated storm response coordinator has also been appointed to strategically manage resources.

The obvious question is why it took this government nearly five weeks to appoint someone to coordinate its response to a storm that is still causing difficulties for west Belconnen residents and why did it take nearly five weeks to shift some workers around? One ACT public servant shared with me his surprise that he was not immediately assigned to help with the clean-up the day after the storm. That is a very good question, one that suggests a serious lack of government coordination or, even worse, government commitment.

At this point, it appears that Tonga, with a population roughly the same as Belconnen's, will have finished cleaning up from the largest volcanic eruption of the 21st century before Labor and the Greens have managed to clean up from a single thunderstorm!

In conclusion, I share two other bits of common feedback that I have received. First, people who live in dual-fuel households have expressed their gratitude for the reliability of the gas network. Having natural gas appliances during a week without electricity allowed at least cooking and water heating. Second, residents, overwhelmed with damage to trees and gardens, have made it very clear how grateful they are that the Canberra Liberals halted and then reversed Minister Steel's stubborn determination to close the green waste recycling in Belconnen.

We clearly need a committee inquiry to look carefully into these and other related issues. As residents have said to me, the response to January's storm has left them deeply worried what might happen if a bigger or more widespread event were to happen in Canberra. I commend this motion to the Assembly.

MR MILLIGAN (Yerrabi) (11.58): I want to start off by thanking all the parties for their support of this motion and also Minister Davidson for her support of this motion. The Canberra Liberals will be supporting the amendment to the motion.

I would also like to thank Mrs Kikkert and her office for the hard work that they have done over the last five weeks supporting the community, reaching out to the community and advocating on their behalf. Mrs Kikkert is a very strong advocate for her community. She has a passion for her community, and they recognise that and that is why she received so many inquiries in relation to gaining support after this storm event. It is obviously time for this territory to move on from ad hoc responses to storms that hit our community.

Each year we have several severe storms that occur, and they certainly bring distress, anxiety and social and financial burdens to individuals. It is good to see that this inquiry is being recognised.

As I have also said already, I encourage those who have been impacted by the recent events to put in a submission to this inquiry. I think it is good to hear their experiences and also their suggestions on what we could do going forward to support communities post such a storm event.

It is important too that we understand the full extent of the impact of these storms on our city and its environs and it is important that we fully review what the response to these emergency incidents should be beyond the fantastic work that our SES currently do.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Economy—climate change

Debate resumed from 22 June 2021, on motion by **Mr Barr**:

That the Assembly take note of the following paper:

ACT Government's work to create sustainable Canberra jobs—Update—
Ministerial statement, 22 June 2021

Question resolved in the affirmative.

Sitting suspended from 12.01 to 2.00 pm.

Questions without notice

ACT Policing—resourcing

MR HANSON: My question is to the Minister for Police and Emergency Services. Minister, yesterday you rejected our motion calling for more police and more police resources. The same day, the opposition received an email from a constituent in Coombs, showing his car jacked up in an open street in broad daylight. In his email he states:

Do we really want to be living in a society where this is expected or condoned by the government? If we are getting half-rate services, should we start paying half our levied rates?

Minister, when will ACT police receive the numbers and support to prevent such brazen crimes being committed in broad daylight on our streets?

MR GENTLEMAN: They have been receiving our support. In each budget I have delivered extra funding for ACT Policing and resources. Indeed, in regard to property crime and the property crime prevention strategy, ACT Policing has continued to roll out the successful Outsmart the Offender community campaign, a campaign focused

on multiple themes, including motor vehicle theft prevention, bicycle security and tradie tool security. I am pleased to see that the victimisation rate for motor vehicle theft has decreased in comparison to previous years. That goes to the resources that we have been providing for ACT police. On those resources, I will reflect again on the CPO's comments to the JACS committee that Mr Hanson was a member of. He says:

With the police service model in the budget we have received an extra 68.8 FTE and almost \$34 million; 28 positions have already been filled and another 23 police officers are graduating from college tomorrow. They will be operational in the ACT in three weeks. Things are well underway.

As you can hear from the CPO, he reflects on the resources that we are providing to ACT Policing. Certainly, if you look at the data on crime and the reduction rate most recently, you will see that coming into play.

MR HANSON: Minister, when will we see a police station for the citizens of Molonglo?

MR GENTLEMAN: I thank Mr Hanson for the question. Our accommodation plan is well underway. We are looking at options for police stations and the renewal of police infrastructure across the ACT. That is in the master plan accommodation model. You will see that we have already started that work in looking at accommodation right across the ACT, particularly the new traffic operations centre at Hume, and looking to renew, in the future, some of the older accommodation that police have at the moment.

Mr Hanson: Point of order, Madam Speaker.

MADAM SPEAKER: Minister, resume your seat.

Mr Hanson: The question was not about the renewal of existing facilities but about a police station in Molonglo. Can the minister be direct to that point.

MADAM SPEAKER: Minister, can you provide some reference to that?

MR GENTLEMAN: I was directly talking to that point when Mr Hanson called his point of order.

DR PATERSON: What should residents do if they experience property crime in the ACT?

MR GENTLEMAN: I thank the member for her question and her interest in policing across the ACT. You can call police to report your property crime, and you will be able to do it online in the not too distant future. We are looking at opportunities to make it easier for Canberrans to report crime across the ACT. That will free up police to attend to incidents as they occur across the ACT. I think the police are doing an amazing job. That is reflected in the decrease in crime rates across the territory.

Legislation—gendered violence and sexual assault

MR DAVIS: My question is to the Attorney-General. Last night, after the sitting, I watched Grace Tame's and Brittany Higgins' powerful addresses to the National

Press Club yesterday. This week the Assembly has seen two pieces of legislation tabled that seek to address significant legal barriers experienced by victim-survivors of gendered violence. Are these legal reforms enough to address the issues women experience when seeking justice?

MR RATTENBURY: Ms Higgins and Ms Tame have set forward and articulated a challenge for all Australians to reflect on how we approach gendered violence, and on how we make this a safer world for victims of sexual violence, sexual assault and the like. That is something that each of us has a part to play in. The legislation that we brought forward this week will go some way to addressing that. I do not think it is a full answer, because there is still work to be done. That has been identified in a range of places, but the legislation we have seen tabled this week will make a difference. As I talked about in this chamber just this morning, the reform put to us by Ms Tame—that we should change the name of the offence from maintaining a sexual relationship with a child to persistent sexual abuse of a child—is one that we have been able to act on quite quickly. Technically, that is a relatively simple reform. We have been able to move on that quite quickly.

Certainly, Dr Paterson's bill this week referring to consent is a very important step forward, both in a legal sense and, particularly, in a cultural sense of making clear what the expectations are and what the ground rules are. That is very important, and I am very pleased to see that legislation reform come back to this Assembly at time when my sense is that it will pass.

When Ms Le Couteur sought to bring that forward last term she was not able to get the support of either the Assembly or the committee, but now I think the world has changed. People understand things better, and we will see that progress. That is why it is in the Parliamentary and Governing Agreement. I am very pleased that Dr Paterson has brought that legislation forward.

I think the simple answer to Mr Davis's question is that we have more to do but the ACT is making great progress. The legislative reforms we are seeing are a good start. In December we received the Sexual Assault Prevention and Response report—(*Time expired.*)

MR DAVIS: Minister, how does the legal reform that you mentioned fit into the government's broader work on sexual assault prevention and response?

MR RATTENBURY: As I was just touching on, in December the government received that report. It sets out the ambitions of our community based on the input from a range of victim-survivors, workers, service delivery agencies in the field, experts, academics, the Victims of Crime Commissioner and various others. The government will respond to that formally later this year. Minister Berry is leading that process. It will go through cabinet consideration, and we will see a public response to that. Clearly, there is a vast program of work there. That report carefully and explicitly spells out that it is not just a legal response; a legal response is not enough in itself. The legal reform is important, but that report identifies very clearly that there are a range of responses that need to be made—be they service responses, cultural change, education or the shifting of community expectations and community mores.

These are the things that need to be tackled, so it is certainly a much broader agenda than just legal reform.

MS CLAY: Attorney, what more can be done to support the experience of victims in the criminal justice system?

MR RATTENBURY: That is work that is covered extensively in the report from the Sexual Assault Prevention and Response Working Group. The working group has addressed that particularly, and I think we have all heard feedback. The challenge for each of us in the Assembly is to think about how we make reform in this space, because too often we hear victims-survivors either talk about the fact that they did not have faith in the justice process—that they perhaps were not willing to report an alleged response because of their fear of the system or their lack of trust—or talk about and believe that the system is potentially retraumatising in cases. This sets forward for us the work that we need to do to continue to make improvements. Some of the reforms that I brought this morning in the Family Violence Legislation Amendment Bill go to that.

Clearly, we have had spelled out to us—we have all heard these reports—that we need to think more. The victims of crime charter that we put through last term begins to create better support systems for victims, but I think this will be an ongoing area of work for this entire Assembly as well as the government specifically.

City Renewal Authority—grants

MS CASTLEY: My question is to the minister responsible for the City Renewal Authority. I believe that is the Chief Minister. In July last year, the City Renewal Authority opened applications for place making grants of up to \$50,000 for projects to boost economic and community activity in Civic and Braddon, both of which are in your electorate. No place making grants are available for Gungahlin or other town centres. The only big announcement for Gungahlin since then has been your government's ongoing failure to reopen our pool. Why, yet again, do Civic and Braddon benefit from government grants but Gungahlin misses out?

MR BARR: The City Renewal Authority conducts activities within its precinct. It also collects a longstanding levy on behalf of business property owners within the precinct. That levy contributes to programs like the place making grants. If Ms Castley is in favour of a levy on property owners in Gungahlin, so that they have a similar scheme, the government would be willing to entertain such a proposal.

MS CASTLEY: Chief Minister, will your government consider such grants for Gungahlin, not just for the city?

MR BARR: I think I answered the supplementary question before, in my previous answer.

MR CAIN: Chief Minister, has Gungahlin been overlooked yet again because you decided that Yerrabi would be the only electorate not to have a minister?

MR BARR: No.

Roads—emissions reductions

MS CLAY: My question is to the Minister for Planning and Land Management. Minister, in September last year I sent you and other ministers a letter about the William Hovell Drive duplication. I raised several community concerns, including the climate impact this major road duplication has. More roads mean more cars, and that means more climate emissions. There are also scope 3 embedded emissions in roads. What work has been done through the planning process with the environmental impact statement and other tools to assess the full climate impact of the William Hovell Drive duplication?

MR GENTLEMAN: I thank Ms Clay for the question. It is an important one as we go forward looking at reducing emissions across the territory and moving to zero emissions at some point into the future. It is one that is considered by the planning authority whenever they look at an environmental impact study. In particular, they are looking at one at the moment for William Hovell Drive, so unfortunately I will not be able to comment any further on that piece of work. But I can tell the Assembly that generally the EPSDD directorate looks at emissions for future planning for Canberra and, indeed, so do we as a cabinet.

I brought to the cabinet in 2018 the minister's statement of planning intent looking at the future direction of planning for the ACT. Of course, this is where we have moved our direction from urban sprawl into a denser city along transport corridors and around town centres. This means, of course, that we can address transport emissions and those that are embedded in the construction of roads into the future and reduce those wherever possible.

MS CLAY: Will the new planning system consider our emissions reduction targets and ensure scope 1 and scope 3 emissions are factored into all of our decision-making on development?

MR GENTLEMAN: I am proud of the steps that we have taken to ensure we are building a sustainable city and the transition that is occurring towards zero net emissions, as I mentioned. We do this in a sensible way that protects and grows jobs as well. The new reform for the planning act will indeed look at this subject. For example, where an EIS is required for a project, information needs to be provided on how the proposal will reduce the risk from climate change impacts and include proposed adaptation measures to reduce vulnerability and increase resilience on the community in the territory, particularly in extreme events of heatwaves, droughts, storms, flash flooding and bushfires as well. We are embedding that in the planning system for future decisions.

On scope 3, the best efficient way to account for the impacts of climate change and to achieve zero net emissions is by pricing carbon nationally. Unfortunately, the federal Liberals are hopeless at this. In their absence, this Labor government has been acting. We have been leading the action at the sub-national level to ensure that we fight hard to tackle climate change into the future, and the planning system changes are playing that role.

MR DAVIS: Minister, does the environmental impact statement address the impact that the duplication will have on our greenhouse gas inventory and our legislated target for net zero emissions?

MR GENTLEMAN: If Mr Davis is talking about William Hovell Drive, as I said, that is being considered at the moment so I will not comment any further on that. Generally, though, in looking at an EIS and planning into the future, we take all of those into account.

Umbagong District Park—facilities

MR CAIN: My question is to the Minister for Transport and City Services. Minister, as you would be aware, the Umbagong Park bridge has been closed for close to a year, since early 2021. This is a noticeable community loss. This bridge was regularly used, and during COVID lockdowns the community were significantly hampered in their ability to use their local green space because of the closure. Minister, as you are aware, I have written two letters to you asking for this to be fixed, spoken in the Assembly on this topic and met with the community and the Belconnen Community Council, who are concerned about the Labor-Greens government's ongoing inability to deliver basic council services. I am aware, Minister, that recently it was announced that the bridge will need to be replaced. When will the Umbagong Park bridge be replaced?

MR STEEL: I thank the member for his question. We certainly recognise the importance of the Umbagong Park bridges and the values of that particular area, which has meant that we have had to undertake significant work, following the safety audits that were undertaken by our government that found that there were concerns in relation to the existing bridges. That has meant that we have had to go through a process of looking at how we replace those in a way that matches the ecological and cultural values of this very sensitive and well-loved area.

I can inform the Assembly that a design consultant was engaged in January to ensure a quick transition from the planning and assessment stage to the preliminary design stage of designing the new bridges in Umbagong Park. Community consultation has been occurring already with Belconnen Community Council around this process, and we will be engaging with the community again on a concept design in March and April.

In the first half of 2022, we expect that a development application will be submitted for the proposed replacement of the footbridges. As part of this process, there will again be a public notification stage where the community can have their input. We understand the importance of these bridges and we are going through the necessary process, given the sensitive area that they are in, to make sure that we do this properly and as soon as we can so that these much-loved bridges can be returned to community recreational use.

MR CAIN: Why has the temporary fencing that has been described as dangerous and unsightly by constituents still not been replaced with a safer solution since it was damaged in mid-2021?

MR STEEL: I thank the member for the question. The fencing has been vandalised. It will continue to be replaced as necessary to prevent access and to make sure that the community remain safe. We will continue to do that. The ultimate solution is to replace the bridges, and we are getting on with that work.

MS CASTLEY: Minister, by what dates will the ecological and heritage surveys and the concept design be complete?

MR STEEL: The ecological survey and heritage assessment to address these issues commenced in December and are expected to be completed by the end of summer 2022. We are already getting on with the work of getting a design consultant on board, even before those finish, so that we can start the process as soon as possible to get these bridges up and running.

Legislation—religious discrimination

MS ORR: My question is to the Minister for Human Rights. Minister, why did the ACT government consider it so important to make a submission to the inquiries into the religious discrimination bills?

MS CHEYNE: Everyone deserves to feel safe, supported, equal and valued for who they are. The ACT was the first human rights jurisdiction in Australia, and we continue to lead the nation with our Human Rights Act and our Discrimination Act. Our human rights framework has very successfully balanced the rights and freedoms of all Canberrans for many years. Our current laws protect against discrimination on the basis of a range of protected attributes including race, age, disability, sex, gender identity, sexuality and religion. The current package of religious discrimination bills presented by the commonwealth government takes away from this.

The bills privilege the protection of religious freedom and speech over other human rights. They will override the ACT's laws—laws that are efficient, function well, that we are proud of and that are a fundamental part of our city's character. These bills risk diminishing our Human Rights Act and Discrimination Act and undermining our existing rights and protections currently enjoyed by ACT residents. They risk our social cohesion and inclusivity. That is why the ACT government made submissions to the two parliamentary inquiries calling for significant changes to the bills so that they are consistent with ACT human rights and discrimination law.

Our laws protect the freedom of religion and of belief, as they should, but it is absolutely crucial that those freedoms are balanced with other rights. They should not be elevated above other rights. That is why it was so important for the government to make the submissions that we did. We made those submissions because we must be vigilant in ensuring that reform is good, that it does not weaken protections for others and that it does not elevate some rights over other rights.

MS ORR: I have a supplementary question. Minister, what key recommendations did the ACT government make, and how would they improve the bills?

MS CHEYNE: I thank Ms Orr for the supplementary question. Notwithstanding what has transpired in the past hour in the federal parliament, the legislation is still live and

we still have major concerns with it. Our submission went through the legislation in detail and made 14 recommendations. I will touch briefly on four key recommendations. In our submission we recommended changes so that the territory's laws would not be excluded nor limited, particularly when it came to the religious statement of belief. Other federal discrimination laws do not seek to override state or territory laws, and neither should religious discrimination laws. This would simply be unprecedented.

We recommended amendments to prohibit vilification under the guise of a religious statement of belief. For example, ACT's current laws can protect against a person with disability being told their disability is a punishment from God for their sins. If this statement meets the low threshold of a statement of belief, the new bill means that it could be harder for that person to bring a discrimination complaint in the ACT. We are also deeply concerned about the potentially chilling effect of the broad protections for religious bodies. In effect, they provide broad and unfettered protection to any kind of religious belief, even if extreme or unorthodox, so long as that belief is reasonably shared by one other member of that religion. There would be no requirement to show conformity with the general doctrines of a religion, unlike other sections contained in the bill. Instead, it defines a religious belief at an individual and subjective level. A religious body could simply claim that its conduct is in accordance with its teaching. This legal test is untested and unprecedented.

Finally, the proposed bills go much further than the ACT law, giving broader grounds and lower thresholds for permission to discrimination in employment in religious hospitals, aged care facilities and disability service providers. We provided several recommendations regarding this.

DR PATERSON: I have a supplementary question. Minister, what are the potential negative impacts of this legislation on the ACT's LGBTIQ+ community and children?

MS CHEYNE: This debate about the religious discrimination bills has been particularly tough for the LGBTIQ+ Canberrans and their loved ones. If these bills are enacted as they currently stand, it will be even worse because these laws will override the ACT's existing protections. It will mean that our laws will not protect everyone equally, and our LGBTIQ+ community will be particularly vulnerable. These laws will no doubt impact—and have already, no doubt, during the debate, impacted—the mental health of LGBTIQ+ Canberrans.

I was relieved to see the amendments to the Sex Discrimination Act passed in the House of Representatives early this morning. However, we still should not be openly debating whether schools should have the right to discriminate against gay and transgender students. We certainly should not leave teachers unprotected, either. The current bill could mean that LGBTIQ+ teachers are fired because their school does not believe that their identity can co-exist with the school's religious beliefs, or could mean that candidates with different or no religious beliefs are rejected, even when their religion had nothing to do with the subject they are teaching.

Our current laws can protect against a retail worker making homophobic comments about a same-sex couple's relationship in the eye of God, or a psychologist telling her

client that gay people are broken. If this statement meets the low threshold of a statement of belief, the new bill means that it could be harder for that couple or that client to bring a discrimination complaint in the ACT. These laws will also mean that not-for-profit religious healthcare providers can discriminate against patients. We worry that LGBTIQ+ and HIV-positive communities who may need to disclose their identities in order to receive appropriate services will self-select out of seeking services from religious bodies, and put their physical health at risk.

Municipal services—firewood deliveries

MR CAIN: My question is to the Minister for Transport and City Services. I refer to a regular firewood delivery service carried out by a TCCS vehicle that has been occurring in McConnel Crescent, Kambah. You wrote to a constituent about this service on 4 February, stating that the service is no longer available, but the constituent says that the service is still continuing. Minister, are there any ACT government trucks delivering firewood in Canberra? If so, can all Canberrans access this service?

MR STEEL: I thank the member for his question. I will come back on notice in answer to that.

MR CAIN: Perhaps on notice again: depending on your answer, of course, how can you justify a firewood delivery service be conducted by TCCS, given this government's stance on household wood fireplaces? Could you include that in your answer on notice?

MR STEEL: I refer the member to the answer to the last question.

MS CASTLEY: If this is not a service provided by TCCS, Minister, what other services are being provided by your directorate without your knowledge?

MR STEEL: TCCS provides a whole range of different services to the Canberra community. One of those, which we funded in the budget last time, was around what we can do with wood material that comes from our urban forests when trees have died. We have a lumberyard at Curtin which takes that material. It is often chipped down. We work closely with community groups regarding the use of that material. I am not sure about the circumstances in this particular case, but TCCS try to work to support the community where they can with the resources that they have.

We are looking at how we can expand the use of that material. This is really valuable material, and if we can make sure that it gets recycled and used by community groups, and through our government services as well, in terms of providing nutrients and mulch around our new trees, it makes a big difference. We have a range of services, and I will come back in relation to that specific issue on McConnel Crescent.

Education—funding

MR HANSON: My question is to the Minister for Education and Youth Affairs. Minister, in the latest Productivity Commission ROGS report, under “Real Australian

state and territory government recurrent expenditure per FTE student”, it shows that for ACT government school students the commonwealth government’s real recurrent expenditure per FTE student increased by 42.2 per cent from 2010-11 to 2019-20. In the same period, ACT government expenditure decreased by 3.3 per cent and New South Wales state expenditure increased by over \$3,000 per student. Minister, over the decade, why has commonwealth government expenditure increased by 42.2 per cent and ACT government expenditure decreased by 3.3 per cent per FTE student?

MS BERRY: ACT public schools are funded on a needs-based basis, as per the Gonski recommendations.

MR HANSON: Minister, how much has this decrease in funding from your government for ACT government school students contributed to the current teacher shortage?

MS BERRY: Can I provide the member of the opposition with some information? Yesterday he asked me how many teachers were absent from school at the start of the year or how many positions were not filled. There was one permanent full-time position that was not able to be filled before the start of the school year. One. The ACT government funds its schools on a needs-based application, as per the Gonski needs-based method, and that is what we will continue to do.

MR CAIN: Minister, why have we decreased real funding when New South Wales has increased it by \$3,000 per student?

MS BERRY: I am not sure what the comparison is that is being made here. I might have to go and have a look at these questions to understand where the opposition are going here; it is not clear to me. The ACT government provides the highest pay in the country for its teachers. We are the only state or territory that has set up a specific task force, working closely with the Education Union, on addressing issues around a teacher shortage here in the ACT—

Mr Hanson interjecting—

MS BERRY: but we are not immune to the Australian issue.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, that is enough!

MS BERRY: I do not quite understand the comparisons that are being made here, or even if they make any sense.

Child care—costs

MR HANSON: Madam Speaker, my question is to the Minister for Early Childhood Development and Minister for Education and Youth Affairs. Minister, according to the latest ROGS report, childcare costs in the ACT continue to be the highest in the country. The median cost is \$610 a week, or \$67 a week above the national average.

Minister, what is the impact on working families of having the most expensive child care in Australia?

MS BERRY: I am very happy to be able to talk about the ACT government's initiatives in providing preschool education for three-year-olds, expanding it from four-year-olds to three-year-olds. This is something that we have consistently asked the federal government to apply as a national program because we all know that early childhood education provides children and young people with the best possible start to their education and life. We are already making a difference to families here in the ACT. Primarily, we are making sure that our young people, particularly young children from families who need additional support, get the best possible start through our Set up for Success early childhood strategy and by providing preschool for three-year-olds.

MR HANSON: Minister, what are you doing to reduce the most expensive child care in Australia for those parents paying that \$610 per week?

MS BERRY: I have referred to one of the ways that the ACT government is supporting families in the ACT, by providing free, universal access to preschool education for four-year-olds and three-year-olds. We are the first state or territory in the country to deliver on that promise, that commitment, and we will continue to roll that out. Funding for early childhood education and care services is predominantly within the federal government's remit, but here in the ACT we are doing what we can to make sure that young people get that support in their early years, through providing free access to preschool for three-year-olds as well as four-year-olds.

MS CASTLEY: Minister, why is child care in the ACT the most expensive in Australia?

MS BERRY: There are a range of reasons why early childhood education is expensive in the ACT. Regarding the comparisons that are made with other states and territories, with the ACT being a bigger city area, comparing it to Sydney and regional areas makes the comparison a little skewed. Also, the number of early childhood services that are operated by for-profit, private, corporate services can often lift early childhood education costs.

Unfortunately, what you do not see in some of those services is the wages of early childhood education and care workers going up at the same rate as the cost to parents. That is something that really needs to be addressed in that sector, a sector that is predominantly female and definitely underpaid when the rates for those qualifications are compared to similar qualifications in a more male dominated area. If the opposition want to focus on the issues within early childhood education and care, they should definitely look at the wages of the workers in that sector who provide the best possible care and education for the best possible start in life. Funding for those services is predominantly a federal government issue. That is where the opposition should be going—to improve the wages of those workers or to get behind the United Workers Union, to make sure that those services are funded appropriately so that parents are not paying more out of their pockets for people to make money out of early childhood education.

Gungahlin—skate park

MR BRADDOCK: My question is to the Minister for Transport and City Services. Minister, today I launched a petition from a well-known Gungahlin skater for the upgrade of Gungahlin skate park. Does the ACT government have any plans to upgrade the facilities there?

MADAM SPEAKER: Can you reply without announcing anything, Mr Steel?

MR STEEL: We look forward to responding formally to the petition that has been tabled in the Assembly. Yes, we do. Mr Braddock is aware that feasibility is being undertaken on lighting upgrades around Yerrabi Pond. I am sure he has passed that feedback onto the principal petitioner. As part of that work, we are going to look at what the opportunities are to brighten up and lighten up some of the much-loved areas around Yerrabi Pond so that it can be used after hours. At the skate park we are looking at the opportunity to put in some solar lighting. It may not need to rely on major, expensive utility works being undertaken, where we can install more flexibly some lighting around that area as well as other parts of the lake.

This follows community consultation that the ACT government undertook last year on upgrades to Yerrabi Pond. Many of those pieces of work are already underway, and the larger pieces of work which have come from the feedback around upgrades to toilet facilities and the like, which are also used by those who use the skate park, as well as lighting and the toilets at the other side of the lake, are being progressed. We are looking forward to getting on with that work, and I look forward to updating the Assembly as we progress.

MR BRADDOCK: Will the government consider expanding the facilities in terms of jumps or obstacles at the skate park?

MR STEEL: Following the community consultation I outlined, we worked closely with the Friends of Yerrabi Pond on what the priorities were for the upgrades at Yerrabi Pond. Those have been identified and we have put out a place plan, identifying those areas that will be upgraded. As part of that, we will be looking at lighting in relation to the skate park. At this stage, no further expansion of the skate park is planned.

We are prioritising upgrades at the Belconnen skate park at the moment, with a large half pipe and infinity ramp—thank you for reminding me, Deputy Chief Minister—which we are looking forward to installing. That can be accessed by people on the north side of Canberra, as well. We are always interested in hearing feedback about our facilities, and we look forward to considering what has been proposed in the petition.

MS CLAY: Minister, are there any plans to include new street art projects at the Gungahlin skate park, and could those be incorporated into upgrades?

MR STEEL: I thank the member for her question. I was recently out at Yerrabi Pond—not that long ago—with Ms Orr to launch a street art project there that had been undertaken by one of our fantastic local Indigenous artists. This is part of a program, as part of our graffiti management, where we work with community groups who are interested in brightening up areas—often spaces that are subject to vandalism—where we can help prevent vandalism through the use of a mural or other street art installations. There are opportunities there and TCCS can assist groups who may be in need of paint, for example, to be able to undertake that and to get approval for those artworks to be installed. I definitely encourage community groups to come forward and talk to our graffiti coordinator.

COVID-19 pandemic—workplace safety

DR PATERSON: My question is to the Minister for Industrial Relations and Workplace Safety. Minister, what role do rapid antigen tests have in assessing and managing health and safety risk in the ACT?

MR GENTLEMAN: I thank Dr Paterson for her interest in the safety of workers. Across the ACT, rapid antigen tests play an important role in keeping our community safe. They have been vital in our response to the latest outbreak of the COVID-19 pandemic, especially when it comes to keeping people at work safely.

Canberrans and Australians have become familiar with the health orders and the public health framework that have been used to keep the community safe during the pandemic. Our work health and safety laws also exist to keep people safe, and they have been extremely important during the pandemic. The work health and safety framework operates separately to the health framework, but they frequently overlap and interact.

In the workplace, rapid antigen tests can be used as part of a risk management program to control and monitor COVID-19. They also make up part of a suite of control measures that can be used to mitigate risk in the workplace. Rapid antigen tests are being used in different ways across the ACT government workforce. Our frontline services in Health and Emergency Services are using them to maintain workforce capability and manage the heightened level of risk involved with public-facing work.

Our nation-leading program at the Alexander Maconochie Centre has meant that staff there are able to continue working in the isolated environment while staying safe. Of course, rapid antigen tests have been vital in ensuring that our children, teachers, support staff and cleaners can safely return to school. In all of these workplaces, and across the wider ACT public service, the risks of working through a global pandemic are being managed.

There has been a mammoth effort in the last few weeks by officials, volunteers, unions, industry and the wider community to keep these programs operational. I want to take this opportunity to thank everybody who has been involved in the process of keeping our community safe.

DR PATERSON: Minister, how have decisions made by the commonwealth government affected the safety of Canberrans at work during the latest COVID-19 outbreak?

MR GENTLEMAN: The commonwealth government have let down Canberrans and the wider Australian community by failing to source rapid antigen tests that can be used to manage risk in the workplace. They do not take the issue seriously. I know this because at the beginning of January the Prime Minister ordered an urgent meeting of work health and safety ministers to create guidance on the role of rapid antigen testing in the workplace. Ministers met and came very close to finalising the guidance. However, the Prime Minister removed it from the national cabinet agenda at the last minute, when he discovered it did not suit the narrative and promises that he had made to his big business mates. The guidance was put on hold by the commonwealth and it has still not been finalised.

Not content with stalling this important process, the Prime Minister decided to put young Australians and their workmates at risk by allowing children to drive forklifts. At the same time and in the same week, two Australians died in forklift-related accidents at work.

The Prime Minister wanted to lower the minimum age required for high-risk work licences. State and territory first ministers, including our Chief Minister, rightly squashed this plan at national cabinet, but the fact that it was even proposed in the first place tells us two very important things about the Prime Minister. It tells us that he is so desperate to fix the problem he created by yet again being unprepared that he is willing to try anything. It also shows us that he does not care about safety or who he hurts to get what he wants. The commonwealth government's approach to workplace safety during the COVID pandemic has been disgraceful.

MR PETTERSSON: Minister, how is the ACT government ensuring that Canberrans are safe at work during the pandemic?

MR GENTLEMAN: I thank Mr Pettersson for his interest, too, in workplace safety across the territory. Unlike the commonwealth government, the ACT government has been working extremely hard to keep Canberrans safe during the global pandemic. It has been an effort across government. My cabinet colleagues and I have worked together on numerous issues. Our workplace safety laws in the ACT are strong. We have also had an exemplary regulator in WorkSafe ACT, who have provided guidance and protection for the ACT community and who were instrumental in the safe reopening of the construction sector last year.

The ACT government has provided a series of guidance papers on COVID-19 risk in the community, in households and in the workplace. This includes how to manage the changes to TTIQ requirements and contact definitions. We also have guidance for specific sectors about managing risks in the workplace.

We also want to make sure that Canberrans have access to entitlements and opportunities to allow them to make the best decisions for themselves and their

families. That is why we have ensured that our ACT public service staff are able to access COVID leave to isolate and now also to recover from COVID-19.

We know that there are other people in the community who need to isolate but do not have access to paid leave. I have raised this problem with my federal counterpart several times, to no avail. We know that keeping sick and vulnerable people at home helps to control the spread of COVID and minimises risk in the workplace. We know it keeps the community safe. The commonwealth government has given up on safety, but I can assure you and the chamber, Madam Speaker, that this government will continue to take the initiative and act to make sure that the community and workers remain safe during the pandemic.

Fadden Hills Pond—water quality

MS CASTLEY: My question is to the Minister for Transport and City Services. I refer to the water quality issues at Fadden Pond and elsewhere in the ACT. Given that the overarching environmental authorisation states that water quality monitoring should have been undertaken, why was monitoring not conducted at Fadden Pond before it was drained into the stormwater system and eventually into Lake Tuggeranong?

MR STEEL: I will take the question on notice, Madam Speaker.

MS CASTLEY: This is possibly one to be taken on notice as well. Why was Fadden Pond drained into the downstream system, clogging it up with sediment, instead of first dosing the water to reduce turbidity and then filtering it before releasing the water into the stormwater system?

MR STEEL: I will also take that question on notice.

MR CAIN: Minister, when will this government start prioritising the real improvement of water quality in Canberra's waterways over photo opportunities in front of artificial wetlands?

MR STEEL: We have made a substantial investment in improving the quality of our waterways over previous terms of government and now during this term of government through the expansion of the Healthy Waterways program—\$5 million in the budget to expand the number of projects, including projects down at Kambah districting playing fields to ensure that we do not have as much nutrient run-off from the ovals into Lake Tuggeranong and the rest of our stormwater systems.

This has been a really substantial piece of work across all regions of Canberra: in the Yarralumla Creek catchment and in three catchments up north through the stormwater reticulation system that we have up at Lyneham oval and beyond into Sullivans Creek. There is a substantial amount of work that we have done that has demonstrated that we are serious about this, as well as the education campaigns that have sat alongside the infrastructure investments to educate the community about making sure that they clean up leaf litter so that it does not flow into our stormwater system and result in nutrient build-up in our waterways.

We have a very strong record around that and we are trialling new approaches to improve the quality of our waterways. That includes things like floating garden beds which can suck up nutrients out of the lake, trialling the use of those, and new methods and approaches that might help us to improve the quality in lakes like Lake Tuggeranong, for example, and Yerrabi Pond.

These projects are ongoing. You only have to look at the very significant investment that we have made over many budgets in these areas to know that we are serious about this. Of course, we continue the general maintenance of our waterways as well, including our lakes and ponds, and all of the work that we do to clean up our GPTs.

Housing—affordability

MR PETTERSSON: My question is to the Minister for Housing and Suburban Development. Minister, how is the government promoting affordable housing through the Ginninderry joint venture?

MS BERRY: I thank Mr Pettersson for his question. The Ginninderry joint venture is delivering some lovely homes for Canberrans. There are already more than 800 people living in Strathnairn, and across the territory the ACT government has committed to ensuring that there are diverse options and a range of housing for Canberrans. The Ginninderry joint venture contributes to that vision by offering a range of affordable housing options. Last year, Ginninderry released the flexi-living homes. Flexi-living homes offer a really great choice in sizes and configurations to suit different lifestyles, tastes and budgets. They are available to people who currently do not own a property and who meet the income eligibility requirements.

At the start of this year Ginninderry announced a really exciting new project to deliver even more options, the rent-to-buy program. The joint initiative involves Ginninderry, the National Housing Finance and Investment Corporation—NHFIC—and Community Housing Canberra. Through an MOU, Ginninderry is working with these organisations to make sure that ownership is a reality for more vulnerable Canberrans in Ginninderry.

MR PETTERSSON: Minister, how will the new build-to-rent-to-buy program work, and which groups in our community stand to benefit from this initiative?

MS BERRY: Thank you for the supplementary question. The rent-to-buy program is aimed at giving vulnerable women a path to home ownership. The housing initiative aims to provide women with low but secure employment incomes, often with little or no deposit, access to safe, secure and affordable homes with a built-in pathway to home ownership. The initiative targets vulnerable and elderly women's housing needs and explores affordable pathways to home ownership for at-risk women.

Women aged 55 and over are the fastest-growing cohort of those at risk of homelessness. A 2021 survey by Equity Economics found that there were 240,000 women aged 55 and over at risk of homelessness, and a further 165,000 women aged 45 to 54 at risk of homelessness. Of course, there is more work to be done to develop

this exciting new initiative. The next step will be identifying sites out at Ginninderry. NHFIC is currently working on and developing, as well as refining, the funding model, and I am really looking forward to seeing this program develop over the coming year.

MS ORR: Minister, how does this program support the government's broader efforts to provide more affordable housing?

MS BERRY: Thank you for the supplementary question. As part of the housing strategy, the ACT government has committed to releasing 15 per cent to the land release program for social, community and affordable housing. This target ensures that land is released for public housing growth and renewal, land is reserved for community housing, and homes are available for eligible first-home buyers at specific affordable price points. This target has been met or exceeded every year since the release of the housing strategy. In 2021 the SLA continued to release land to support the ACT government's housing targets for affordable public and community housing. Sites for a total of 345 dwellings were released, against a target of 302 dwellings.

Late last year the SLA began market-sounding exercises for bringing build-to-rent to Canberra, which will offer even more affordable housing options. This government will continue to work to deliver on its housing commitments and to create a more inclusive environment and neighbourhoods for people to live in.

Mr Barr: Madam Speaker, I ask that further questions be placed on the notice paper.

Papers

Mr Gentleman presented the following papers:

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

Community Services Directorate—Corrigendum, dated February 2022.

Transport Canberra and City Services Directorate—Corrigendum, dated February 2022.

Canberra Urban Lakes and Ponds—Land Management Plan, dated February 2022.

Climate targets and commitments—Resolution of the Assembly of 11 November 2021—Copies of letters to the—

Leader of the Australian Labor Party from the Chief Minister, dated 17 January 2022.

Federal Minister for Industry, Energy and Emissions from Mr Rattenbury (Minister for Water, Energy and Emissions Reduction), dated 6 January 2022.

Coroners Act—

Pursuant to subsection 57(4)—Report of Coroner—Inquest into the death of "Passenger H"—

Report, dated 2 August 2021.

Government response, dated February 2022.

Pursuant to subsection 102(8)—ACT Coroner's Court—Annual report 2020/2021, dated December 2021.

E-waste recycling—Government response, pursuant to the resolution of the Assembly of 23 June 2021, dated February 2022.

Financial Management Act—

Pursuant to section 26—Consolidated Financial Report—Financial quarter ending 31 December 2021, dated February 2022.

Pursuant to section 30E—Half-yearly directorate performance reports—December 2021, for the following:

ACT Health, dated February 2022.

ACT Local Hospital Network, dated February 2022.

Canberra Health Services, dated 10 February 2022.

Chief Minister, Treasury and Economic Development Directorate, dated February 2022.

Community Services Directorate, dated February 2022.

Education Directorate, dated February 2022.

Environment, Planning and Sustainable Development Directorate, dated February 2022.

Housing ACT, dated February 2022.

Justice and Community Safety Directorate, dated February 2022.

Major Projects Canberra, dated February 2022.

Transport Canberra and City Services Directorate, dated February 2022.

Transport Canberra Operations, dated February 2022.

Looking Forward: An ACT Government Position Statement on Child and Youth Mental Health and Wellbeing in the Context of COVID-19, dated November 2021, pursuant to the resolution of the Assembly of 8 October 2021 concerning youth mental health.

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Report—1 July to 31 December 2021, dated February 2022.

Planning and Development Act, pursuant to subsection 242(2)—Statement of leases granted for the period 1 October to 31 December 2021, dated February 2022.

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with accompanying statements for:

ACT Civil and Administrative Tribunal—Determination 8 of 2021, dated December 2021.

ACT Magistrates Court Judicial Positions—Determination 7 of 2021, dated December 2021.

ACT Supreme Court Judicial Positions—Determination 6 of 2021, dated December 2021.

Director of Public Prosecutions—Determination 12 of 2021, dated December 2021.

Full-Time Statutory Office Holder: Chief Executive Officer, ACT Integrity Commission—Determination 10 of 2021, dated December 2021.

Members of the ACT Legislative Assembly—Determination 14 of 2021, dated December 2021.

Part-time Public Office Holders—Determination 13 of 2021, dated December 2021.

Part-time Statutory Office Holder: Integrity Commissioner—Determination 9 of 2021, dated December 2021.

Principal Registrar and Chief Executive Officer, ACT Courts and Tribunal—Determination 11 of 2021, dated December 2021.

Financial Management Act—consolidated financial 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) (2.53): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 31 December 2021.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.54): I am pleased, through the Manager of Government Business, to be able to present to the Assembly the December quarter consolidated financial report for the territory. The report is required under section 26 of the Financial Management Act. I am also very pleased to advise the Assembly that the December quarter headline net operating balance for the general government sector was a deficit of only \$218.8 million. This is \$245.5 million lower than the forecast year-to-date budget deficit of \$464.3 million.

It is indicative of the extraordinary times that we have found ourselves in over the past two years that this outcome, a deficit of only \$218.8 million halfway through this financial year, reflects a sign of an improving economic situation. That is exactly what this update represents, an improvement of almost \$250 million on our initial forecast. I can advise the Assembly that this outcome is not a result of lower than forecast expenditure, which has broadly been in line with our forecasts. The improvement of almost \$250 million on the initial forecast has been driven by an increase in consumption revenue lines linked with increased economic activity.

Total revenues are more than \$230 million better than forecast. This includes an increase of \$134 million in the projected GST revenue that is, amusingly, recorded as a commonwealth grant, but it is in fact the GST revenue. Additionally, our own-source taxation revenue has improved by \$86.2 million, and this has been driven by an improving labour market, higher payroll tax collections and significantly

increased commercial property market activity, reflecting strong business confidence to invest in the territory.

There is, of course, always more to do, but the signs continue to be positive at the macroeconomic level in the knowledge that some sectors are impacted more than others. And this is why we have already announced measures for increased, yet targeted, business support and extended applications for our Small Business Hardship Scheme.

In my speech at the commencement of this year's sittings I outlined that throughout the pandemic our priorities have remained the same: ensuring support for the most vulnerable in our community, investing in our public health response and protecting local jobs. It is that effective public health response to the pandemic that gives the community and business—employers and employees—confidence in our steps towards economic recovery.

The recent very strong retail trade figures and the weekly strong credit card spending data from the banks, as well as the data from APRA on the significant increase in the household savings rate, will support greater private consumption in the weeks and months ahead, all of which combine to give reason to be cautiously optimistic about our economic story and journey in the year ahead.

Unlike those opposite, who seem more than a little muddled in their economic philosophy, we have a clear plan that the community understands. I have said it before in this place: in the last few years we have all become Keynesians. I look across the Assembly and I think some opposite may struggle to make that particular outfit fit. We will continue to provide economic support when and where it is needed, but we will target it and it will be designed to protect local jobs.

We, of course, are not afraid to invest public finances to avoid the harsh realities of recessionary environments and the harsh realities that that can have on the long-term economic prospects of young people and women in particular. By investing today to support the economy, we are avoiding an even bigger loss of economic output and jobs that would damage the economy and our community for years to come, which would in turn, of course, place a larger strain on the territory budget in the future.

Whilst the Canberra Liberals flip between regurgitating their reflex conservative political lines against public spending and debt on some days of the week and on others calling for even more government intervention and assistance, we will get on with building solid economic foundations for the territory to reach our target of 250,000 jobs in our economy by 2025. And we will continue the strong and sustainable economic diversification of our economy.

It is the role of every government in Australia at this time to create an environment that drives up aggregate demand in the economy. It requires us to be bold and to take on more risk. Locally that means we will continue to create and shape markets that will encourage job creation in emerging industries in the territory.

I will leave it to those opposite to continue their narrative of talking down the ACT economy with claims that really fail to stand up to any form of analysis. We remain optimistic, cautiously optimistic, about the direction of economic activity over this calendar year. The economic updates that I will deliver this year will continue the government's plan for a more prosperous and progressive Canberra.

It is clear that there are risks still on the horizon, more so in a pandemic environment of course, but the signs are increasingly positive for 2022. So we retain that cautious optimism. It is pleasing to see the results in this December quarter update, and I commend it to the Assembly.

Question resolved in the affirmative.

Waste—recycling—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) (3.01): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

E-waste recycling—Government response, pursuant to the resolution of the Assembly of 23 June 2021.

MS CLAY (Ginninderra) (3.01): I would like to speak to the government response on this Assembly resolution about e-waste recycling. I was really, really happy when the Assembly passed my motion in June last year. The motion is about recycling solar panels, electrical appliances and the large batteries that power our EVs, buildings and our grids.

This is a tricky area for the ACT. The best approach on recycling would be national. We would get less consumption, less waste generated and more efficient recycling if the schemes, behaviour change programs and basic settings underpinning our economy were coordinated and led by federal government.

National product stewardship can give us cheap and efficient recycling schemes. The national right to repair movement can reduce our need to buy new goods in the first place. National regulation at the design stage could ensure that fewer junk items are made and the things that we need are built to last and built to recycle in easy-to-access facilities. This is all part of a truly circular economy. I have been thinking about how we build that circular economy at the moment because we talk about it a lot but we are really at the very early stage of truly creating one.

It is really hard to do this as an island, in the ACT. The problem is that we have been waiting for national leadership on these issues for too long. We need a federal government that shows real leadership and commitment to fighting climate change and protecting our environment, and we just do not have one. We have been waiting and waiting, and it is time to act locally.

My motion required government to investigate how the ACT can contribute to establishing national recycling arrangements. It required government to find out which commonwealth product stewardship schemes would be starting in the next 12 months. It required government to investigate the different options so that we can build the business models to recycle these items. And it said that we should look at all the different options: a user-pays system, product stewardship, producer responsibility, and a government-paid system. The motion required government to report back to the Assembly in this sitting with options and a time line for schemes to recycle solar panels, large batteries and electrical appliances.

I am delighted that Minister Gentleman, on behalf of Minister Steel, has tabled the government response today. Due to the procedural rules that operate here, I have not yet had a chance to read that response and I will not get to see it until later today. But I am confident that it will deliver on the Assembly commitments. I look forward to working with Minister Steel, with the community and with the recycling sector to get those good results right here in the ACT.

Question resolved in the affirmative.

Climate targets and commitments

Papers and statement by member

MR RATTENBURY (Kurrajong) (3.04): Pursuant to the resolution of the Assembly of 11 November 2021, I present the following papers:

Climate targets and commitments—Copies of letters to the—

Leader of the Australian Greens from the Leader of the ACT Greens, dated 21 December 2021.

Leader of the ACT Greens from the Leader of the Australian Greens, dated 3 February 2022.

I seek leave to make a statement.

Leave granted.

MR RATTENBURY: In November last year Ms Clay tabled a motion that, amongst other points, called for me as the Minister for Water, Energy and Emissions Reductions to write to my federal counterpart and, separately, for all parties represented in the Assembly to write to the federal leaders of their respective political parties to urge them to commit to stronger climate ambition and a more rapid phase-out of fossil fuel extraction and use.

Ms Clay's motion called for the leader of each party to table a copy of these letters and their responses in the Assembly by the first sittings of 2022. I have just tabled mine, and the letter I sent to Minister Taylor has also been tabled.

In addition, Ms Clay's motion called on all members to sign a petition supporting a global fossil fuel non-proliferation treaty. In January this year I wrote to all MLAs with information on how to sign up to this petition. I am pleased to see that the Chief Minister, Minister Cheyne, Minister Steel and Minister Berry have already signed this petition, as have all the Greens ministers and MLAs. I do encourage the remainder of our colleagues to consider signing also. This kind of global advocacy and leadership is important for shaping the future we want.

I am proud that the Australian Greens, as outlined in the letter from Adam Bandt, have the strongest and most ambitious climate policies. We recognise that we are in a state of climate emergency and support an emissions reduction target of 75 per cent below 2005 levels by 2030, and net zero by 2035. This is consistent with keeping warming to below 1.5 degrees.

The Greens have long called for no new coal-fired power stations, gas mines or oil wells, and no expansions to any existing coal or gas-fired power stations or mines. We support phasing out thermal coal exports by 2030 and ending all subsidies for the fossil fuel industry. As Adam Bandt's position has outlined, the Australian Greens support the rapid decarbonisation of our electricity sector, with a national target of 100 per cent renewable electricity by 2030 and increasing to 700 per cent renewables, positioning Australia as a renewable energy superpower.

For many years we have argued for a well-funded national strategy to urgently reduce transport emissions, including setting vehicle fuel efficiency and pollution standards. We support a target of 100 per cent of new light vehicle sales to be electric by 2030, alongside subsidies and the rapid development of a national fast-charging network. We recognise too that climate action is closely connected to issues of justice, equality and opportunity for all—locally, nationally and internationally—and that we must use the upheaval generated by the pandemic to make positive, long-term changes across the whole of society. The Greens understand the problem and are focused on lasting solutions that can deliver a smarter, cleaner and more just future for our nation. Together, these commitments would mean that Australia meets its obligation under the Glasgow climate pact.

The same cannot be said for the major parties. Federal Labor have committed to a target of 43 per cent below 2005 levels by 2030, which does not go far enough to keep warming to below 1.5 degrees and is not the leadership we need. They have refused to commit to phasing out the use of fossil fuels and continue to support new gas plants like Kurri Kurri in New South Wales and new gas extraction projects like the Beetaloo Basin shale gas project in the Northern Territory.

You cannot have it both ways. Either you accept the seriousness of our situation and commit to a net zero emissions future or you do not. We know what is needed and yet federal Labor remains, unhelpfully, sitting on the fence, too afraid of the backlash from the fossil fuel industry to do what is really needed.

As for the federal Liberal Party, they remain devoted to the interests of the fossil fuel lobby, at the expense of people and the planet. The Australian government's 26 to

28 per cent reduction target is a far cry from the decarbonisation that is needed. This weak target puts us on a trajectory for runaway climate change, with dangerous consequences for our communities, economy and ecosystems. Their misinformation and irrational attacks on emerging sectors such as electric vehicles in recent years are destructive and hard to fathom. There is no way to describe the Australian government's response to climate change other than reckless, irresponsible and unforgivable. Knowing that the federal government is, at best, disinterested in climate action, we have done all we can despite their absence.

At this point, I am tired of having to take this approach. The message from COP26 was unequivocal. The situation is dire and urgent, and the laws of planetary physics do not recognise political expediency or well-meaning compromise or upbeat announcements. Like viruses, as we have all learned over the past two years, they just do what they want to do.

The Greens are still, after all this time, after 26 years of international climate conferences, the only party with a strong policy platform on climate change that would deliver the extent of transformation that we all know is needed. And the longer we delay this action, the more damaging and costly the impacts of climate change will be. We cannot afford these delays.

Here in the ACT, thanks to voters embracing our vision, we have been able to put much of this Greens platform into practice. I do want to recognise ACT Labor's willingness to raise their own level of ambition as part of our partnership. But a few months from now, if the coalition manage to trick and bribe their way back into government or if Labor wins but continues to cave in to the influence of its biggest donors and just tinkers around the edges of meaningful climate action, we face an uncertain future.

How do we, as a government, plan to prepare our jurisdiction of 400,000-odd people to weather the collapse of human civilisation as we know it sometime in the next 40 or 50 years? That is what is at stake. This is not hyperbole. This is not doom-mongering only for political ends. This is the future that the scientists tell us we are looking at if we continue to burn fossil fuels and resist the fundamental changes we need to make.

In conclusion, I would like to thank my fellow members for their support for the ACT's bold climate action agenda. Our work here provides an important example of what can be achieved through commitment, leadership and collaboration. This work gives much-needed hope to many around the world as we face the climate emergency. I look forward to continuing this work over the coming year as we work together to shape a better future.

Human rights—environment

MS CLAY (Ginninderra) (3.12): I move:

That this Assembly:

(1) recognises that:

- (a) we have declared a climate emergency;
- (b) we are part of the environment and, as a consequence, the health of the environment impacts on us and our actions impact on the health of the environment. The environment we live in is a precondition to a healthy life. The air we breathe, the water we drink, the food we eat, and all our natural resources come from our environment, and we must keep it healthy;
- (c) COVID lockdowns and the COVID crisis have shown us how important access to nature and our local environment are to our mental and physical health;
- (d) in 2018, the then Special Rapporteur on human rights and the environment, John Knox, presented to the United Nations Human Rights Council, a non-exhaustive list of 16 framework principles on human rights to the environment, summarising the main human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment;
- (e) the United Nations Human Rights Council passed a resolution on 1 October 2021 on the human right to a safe clean, healthy and sustainable environment. It recognised “that sustainable development... and the protection of the environment, including ecosystems, contribute to and promote human well-being and the enjoyment of human rights, including the rights to life, to the enjoyment of the highest attainable standard of physical and mental health, to an adequate standard of living, to adequate food, to housing, to safe drinking water and sanitation and to participation in cultural life, for present and future generations”;
- (f) the Human Rights Council resolution further noted that “the impact of climate change, the unsustainable management and use of natural resources, the pollution of air, land and water, the unsound management of chemicals and waste, the resulting loss of biodiversity and the decline in services provided by ecosystems interfere with the enjoyment of a safe, clean, healthy and sustainable environment, and that environmental damage has negative implications, both direct and indirect, for the effective enjoyment of all human rights”; and
- (g) the right to a healthy environment is legally recognised by the overwhelming majority of United Nations Member States around the world;

(2) notes that:

- (a) the *Human Rights Act 2004* (ACT) was the first Human Rights Act introduced in a state or territory in Australia;
- (b) the Parliamentary and Governing Agreement for the 10th Assembly commits the ACT Government to consider introducing the right to a healthy environment into the *Human Rights Act 2004* (ACT); and
- (c) this commitment exists in the context of the ACT Government declaring a climate emergency in 2019, a commitment to rapid, science-based action to mitigate and adapt to climate change and a transition to net-zero emissions;

(3) further notes that:

- (a) human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing;
- (b) the right to a healthy environment includes substantive elements, procedural elements and rights of the most vulnerable;
- (c) internationally, substantive elements to a healthy environment include the right to clean air, a safe climate, healthy ecosystems and biodiversity which deliver healthy and sustainably produced food, clean water and sanitation, and a non-toxic environment;
- (d) internationally, procedural elements to a healthy environment include the rights to information, participation in decision-making, access to justice and effective remedy;
- (e) internationally, the right to a healthy environment protects the most vulnerable to environmental harm in our community and protects our environment for future generations;
- (f) the impact of an unhealthy environment on people is immense, and disproportionately impacts the most disadvantaged and marginalised people and communities;
- (g) our mental health and wellbeing is intricately linked to a healthy environment, including access to nature, spending time outdoors for exercise, recreation and leisure. Spending time in a healthy environment meets our inherent need for physical, mental, emotional, and spiritual wellbeing;
- (h) Canberrans are fortunate to benefit from local bushland, national parks, the Canberra Nature Park, pocket parks, grasslands, rivers, lakes and ponds; and
- (i) the ACT Government has committed to a wellbeing framework for the ACT to assist the ACT Government to measure living standards beyond the gross domestic product; and

(4) calls on the ACT Government to:

- (a) investigate the inclusion of a right to a healthy environment into the *Human Rights Act 2004* (ACT), conduct community consultation and meet with stakeholders, including but not limited to the Australian Human Rights Commission, the Conservation Council ACT Region, the Environmental Defenders Office (ACT office), GreenLaw, the ACT Council of Social Service, the ACT Children and Young People Commissioner, the Commissioner for Sustainability and the Environment, the Aboriginal and Torres Strait Islander Elected Body, Dhawura Ngunnawal Caring for Country Committee and any other Indigenous stakeholders, to actively explore the inclusion of a right to a healthy environment into the *Human Rights Act 2004* (ACT); and
- (b) report back to the Assembly by the first day of the last sitting week in 2022 with the substance of these consultations and a timeframe to introduce a right to a healthy environment.

I wish to speak to the motion circulated in my name on the right to a healthy environment in the ACT. There are times that I really love my job, and this is one of

them. The Greens campaigned on including the right to a healthy environment in our Human Rights Act. We have done so in acknowledgement and support of the tireless work of local academics and environmental experts in the past, and in anticipation of the work of local environmental organisations to come.

I was really pleased that we managed to get this into the parliamentary and governing agreement. No other state or territory in Australia has this right yet, but most UN member countries do. If this motion passes, the ACT will once again step onto the international stage and be a national leader.

I have spent a lot of time thinking about this commitment. I am proud to stand here today and introduce a motion that calls on the government to take the next steps. My motion calls on government to consult with stakeholders and set the time frame to introduce the right into our Human Rights Act. What is the right to a healthy environment? It is a simple question with a long answer. This is a human right to exist in a healthy environment. It is a right for you and me, and every Canberran, to live in a healthy environment.

Our natural environment is everything; it is our air, our water, our soils, our biodiversity, our ecosystems and our climate. If we are to live, and to live well, it needs to be healthy and free from pollutants. Our environment is precious, independently of people. We share this planet with plants and animals. This planet has a rich history stretching billions of years and a future of endless possibility if we people allow that. But today I will focus in on the human right and how we affect our environment and how that affects us.

Every decision we make impacts the natural environment. We need to understand that and to start making our choices on that basis, because an unhealthy environment means unhealthy Canberrans. At its worst, it means dead Canberrans. We have already seen that. Climate change induced heatwaves and the smokepocalypse we experience in summer are good examples. COVID is awful, but I note that it was only yesterday, after two years in the pandemic, that deaths in Canberra from COVID matched our deaths caused by a few months of smoke from the Black Summer fires. An unhealthy environment is a killer.

Now, all our human rights are interdependent. The right to a healthy environment is linked to a range of existing rights in the Human Rights Act. Those include the right to life, the right to culture and other rights of Aboriginal and Torres Strait Islanders, and the right to freely express yourself. The inclusion of a right to a healthy environment strengthens existing rights and recognises what we have long known—that people cannot live a healthy life unless our planet is healthy too.

My motion is a long one—we aim for the longest motions here in the Assembly; we Greens like a bit of detail—and it is an important one. We set out the context in that motion so that everybody can see why we think this is important and why it needs to happen now. We explain the right to a healthy environment in the context of our climate emergency. We are in a climate crisis. Our environment is under a lot of pressure from urban sprawl, overconsumption and pollution. And climate change is compounding all of it. We cannot look at the effects of climate change—we cannot

look at storms and heatwaves, hail and fires—without engaging with the cause of those things. A healthy climate means healthy people and a healthy planet.

We frame the right to a healthy environment in the context of COVID and COVID lockdowns. The past two years have shown us how important access to nature and a healthy local environment is to our mental health and our wellbeing. People in the community tell me all the time that reconnection with nature is one of the few really positive aspects they have experienced during the pandemic. I feel exactly the same way. Lockdown and border closures were hard, but they made us all realise how beautiful our surroundings are. I stopped planning trips to the beach and fell in love with the hyperlocal.

The families in my street in Macquarie turned our local walkway into a mini golf course. Our kids started roving about during their hour of exercise. I joined thousands of others in Belconnen to walk and ride around the beautiful Lake Ginninderra and to paddle on it. It was transformative and it was entirely different to what we experienced when we were shut inside our homes and apartments unable to breathe the air during Black Summer. Our outside world is everything.

My motion also looks at the right to a healthy environment in the international context. In 2018 the Special Rapporteur on human rights and the environment presented a list of framework principles. This is a really well-established body of work dealing with the need for a safe, clean, healthy and sustainable environment. The UN and international precedence show us that the public needs to be given information and education about their environment and what is impacting it. Governments need to assess the environmental impacts of all policies and projects and use this in decision-making. People need a democratic role in those government decisions so that they can contribute meaningfully. Those who are most vulnerable to environmental harm need particular protection. And everyone needs access to a remedy when their right to a healthy environment is violated.

In October last year the UN Human Rights Council formally recognised the right to a clean, healthy and sustainable environment as a human right that is important for the enjoyment of all human rights. The UN said that protecting our environment underpinned other human rights for current and future generations. This is not one more right that we need to recognise; it is actually the foundation for everything else. We cannot live healthy lives unless our environment is healthy.

I take great comfort in the fact that long after I am gone the Earth will still be here. I want to preserve it for my daughter and hers after that—I think we all do—but we need to make the right choices now if that is going to happen. This right is now legally recognised by the overwhelming majority of United Nations member states. It can be found in the constitutions of South Africa, Greece, Kenya and Peru; in national laws and at a provincial level in Italy, India and Guatemala; and in regional agreements in the American Convention on Human Rights and the African Charter on Human and People's Rights.

This international work shows us that a right to a healthy environment must be more than mere words in an act. Implementation is key. Once again, the ACT is leading

Australia, but Australia as a whole is lagging behind. Australia has no bill of rights, but the ACT does. We were the first, and I was really proud when Queensland and Victoria followed. I hope to see the same effect for our right to a healthy environment.

I have heard people ask what the right to a healthy environment will mean in the day-to-day lives of Canberrans. There are a lot of ways, already, that it will have an impact. All of the laws that we pass here go through a scrutiny process before we pass them, and one aspect of that is seeing if they are compatible with our Human Rights Act. Putting a right to a healthy environment in our Human Rights Act will mean that all new legislation is scrutinised to see whether it breaches this right. It is an environmental lens on legislation, and that is powerful.

A new right in our Human Rights Act will allow people to make a complaint in certain circumstances. This can go to the Human Rights Commissioner, to a government agency or to the Supreme Court. If we introduce a right to a remedy in future, it will allow people to complain directly to ACAT, which is a very accessible forum that can resolve complaints. That question is before an Assembly committee at the moment, so I will not weigh into the debate right now, but I look forward to hearing the outcomes of that inquiry.

Introducing a right to a healthy environment will mean that the ACT government bodies responsible for environmental protection, like the Environmental Protection Agency and the EPSD Directorate, will take care. They will look to this right when they assess the environmental impacts of a project and when they enforce environmental undertakings. And the public can rely on this right to ensure that things get done properly. I look forward to seeing, and ensuring, this right to a healthy environment and all the substantive and procedural rights that it enshrines. We need the right to public participation and the right to information. We also need to include these in the revised Planning Act, which is under review at the moment.

We are seeing, around Australia and the world, an increase in climate and environment litigation. This is often driven by young people who realise, sadly, that if they do not make their governments look after the environment, they will not have an environment that they can live in in the future. This movement of environmental and climate litigation is really powerful. I actually do not know how it will intersect with the new right, but I am look forward to finding out.

Today I call on the ACT Legislative Assembly to consult with community and stakeholders on what the right to a healthy environment should look like in the ACT. I ask that the ACT government have in-depth consultations with key stakeholders such as our First Nations, the Conservation Council, the Environmental Defenders Office, GreenLaw, ACTCOSS and a number of key commissioners, to make sure that we get this right in place in the ACT and to make sure that we do it properly. I also call on the government to release a time frame for including the right. I am really excited about this, and I cannot wait to see our government get to work on this.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Seniors, Veterans, Families and Community Services, Minister for Disability, Minister for Justice Health and Minister for Mental Health) (3.22): There is a relationship between a healthy

environment and good mental wellbeing. *Nature* journal published research in 2019 that two hours per week spent in nature is associated with less mental distress and better wellbeing.

We have seen a real increase in concern about climate change by young people in the ACT in recent years. The 2019 Mission Australia youth survey showed that the top two issues facing Australia for ACT young women were the environment, at 55.7 per cent, and mental health, at 40.8 per cent. For ACT young men, the top two issues were the environment, at 55.1 per cent, and mental health, at 24.8 per cent. In 2020 the Mission Australia youth survey, which was conducted after the onset of the COVID pandemic, found that ACT young women said the top three issues facing Australia were equity and discrimination, at 50.9 per cent; environment, at 38.2 per cent; and mental health, at 33.8 per cent. For young men, the top three issues were COVID-19, at 44.1 per cent; equity and discrimination, at 38.4 per cent; and environment was still there at 33.5 per cent.

On 1 December 2021 the most recent Mission Australia youth survey was released. Despite the COVID pandemic still going on, people are still worried about the environment. ACT young women said that the top three issues facing Australia were COVID-19, at 49.4 per cent; equity and discrimination, at 48.2 per cent; and the environment, at 45.8 per cent. For young men it was COVID-19, at 50.4 per cent; the environment, at 40.6 per cent; and equity and discrimination, at 33.5 per cent. This tells me a lot about why young people are having such a hard time with their mental wellbeing at the moment.

Worries about the pandemic have not replaced their worries about the environment; they have added to it, and what we are seeing is a layering-up of the worries for young people about their future. This is why they are out there physically demonstrating how important the environment and climate action are to their mental wellbeing, through things like climate strikes and our legal system, and in volunteering for things like Landcare and other environment groups.

Mission Australia's youth survey report from 2021 shows that 16.1 per cent of ACT young people reported participating in environmental groups and activities. The 2019 report also talks about the benefits for mental wellbeing of young people when they are able to participate in events that allow them to express their views, like going on a climate strike. Climate anxiety is a very real and growing issue. It taps into this existential crisis that a lot of young people are feeling about their future, and which the pandemic is now adding to. If we want to support young people who are experiencing issues with their mental wellbeing, we have a real responsibility to act on these global existential threats.

There are things that the ACT government is doing that will help young people who are experiencing mental wellbeing issues in relation to how they are feeling about a healthy environment. We have seen that through the introduction of things like the ACT's MindMap portal to help young people navigate their mental health and find support, if that is what they need. But as Ms Clay said earlier today when she was talking about our changing climate increasing the storm events in Canberra, we cannot look at how we respond to the effects of climate change only after it happens. We can

do the work to reduce the impacts of climate change and take care of our environment right now.

Recognising the right to a healthy environment requires that we change how we think about our relationship with the world around us and take a less transactional approach to our environment. I was thinking about this a lot last week. I went for a walk on my home country, and it was a really good, long walk. I got to about 10 kilometres out of Jerilderie and then I thought I had better turn around and go home before it got dark. But while I was out there I saw flocks of cranes, I saw wedge-tailed eagles and I saw the last of the summer wildflowers, and it was a time to refocus on what matters to me, with no mobile phone access, in a place where space and time work very differently to how they do in the city. Country needs to be remembered, listened to and understood so that it can be supported and protected. Without this, we cannot remember or understand who we are and what we are here for.

We are part of our environment, and our environment is part of us. We do not own it, but we are more than just custodians of it for future generations. The right to a healthy environment recognises the relationship between people and planet and reinforces our responsibilities to caring for country. Ms Clay is absolutely right: this is not just one more right. The right to healthy environment does underpin everything else. So I support this motion.

MS LAWDER (Brindabella) (3.27): I rise to speak on Ms Clay's motion today and thank her for bringing forth this important issue. As Ms Clay describes in her motion, having access to a healthy environment has immense benefits. Research has shown that spending time in nature is linked to an increase in happiness, fewer symptoms of depression in adulthood, a reduction in symptoms of attention deficit and hyperactivity disorder in children, and a reduction in stress and feelings of anger and fatigue.

We are blessed to have so much nature here in our territory, in easy reach of most Canberrans. As you know, Mr Assistant Speaker, we are the bush capital. We have an abundance of natural environments available to us and our families, whether it is our local park or pond, on bushwalks or hikes, or in our beautiful national parks and reserves such as, in my own electorate of Brindabella, Namadgi National Park, Tidbinbilla Nature Reserve and lots of other beautiful hills and mountains like Mount Taylor, Wanniassa Hills, Urambi Hills and Tuggeranong Hill. There are so many of them that we can enjoy.

Canberrans understand and appreciate the need for a healthy environment. My experience as a local member has shown me that Canberrans will fight for their natural environment if they feel that it is being threatened. Whether it is a neighbourhood reserve facing potential development or the real threat of climate change, Canberrans care. They care very deeply, with or without the inclusion of a right to a healthy environment in the Human Rights Act.

It is important that we have access, and seeking to include the right to a healthy environment in the Human Rights Act is a worthwhile option for us to pursue. In my portfolio as the shadow minister for the environment, I am really looking forward to

advocating for practical, sensible measures to help protect and conserve our natural Canberra environment. I would like to remind everyone in this place that the Canberra Liberals have always had a good position on the environment and protection for our natural environment. It was a Canberra Liberals government, in 1997, that became the first subnational government to sign up to the Kyoto protocol. We have had practical and tangible policies to reduce waste and protect our wetlands, woodlands and grasslands. In more recent years we have committed to 100 per cent renewable energy and net zero emissions by 2045.

Measures such as this motion today may contribute towards all Canberrans having a right to a healthy environment. I hope that future environmental motions will be clear and have pragmatic measures aimed at achieving rational outcomes. I wish to make just one point. I am a little perplexed that we have a motion on this today, because it is already in the parliamentary and governing agreement, which commits the ACT government to consider introducing the right to a healthy environment into the Human Rights Act. So we have a motion in this place today calling for the government—of which Ms Clay, of course, is a part—to do something it appears to have already agreed to do.

The motion asks the government to communicate and consult with community organisations. That is admirable. It is very important, and I am absolutely in favour of it. It is something that the government tell us over and over again that they do all the time. Nevertheless, I do not want to quibble about this motion because it is an important motion, which we support. I do not need to speak for a long time on it because Ms Clay has set out at some length the reasons it is important and what we need to do. Regardless of the motion's origin, we are very supportive of promoting access to a healthy environment, and for that reason we will be supporting this motion today. I thank Ms Clay for bringing it forward.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.32): I support this motion by Ms Clay on the right to a healthy environment. The opportunity to have a healthy life often depends on where someone lives, plays and works. Environmental justice is the fair treatment and meaningful involvement of all people, regardless of background or income, with respect to environmental laws and policies. In other words, environmental justice is simply making sure that everyone has a fair chance of living the happiest, healthiest life possible.

I would like to take the opportunity to acknowledge and draw attention to an important piece of work recently published by the Environment Defender's Office. This report provides recommendations about what environment protection agencies—EPAs—should look like to best protect the environment and human health, particularly for those who are most vulnerable to the adverse impacts of pollution, environmental degradation and climate change. This report recommends that the focus of our EPAs must shift to become more centred on protecting communities and the environment from environmental impacts, particularly ensuring that there is environmental justice for those who are disadvantaged by how society is structured.

In the environmental context, communities and individuals that may face structural disadvantage include, for example, people with disabilities, the elderly and young people, who may be facing higher risk from the impacts of heat and other extreme weather exacerbated by climate change. One concrete example—the pun is intended—of an environmental injustice is the issue of heat islands in western Sydney suburbs. They are caused by rising global temperatures and poor development choices—that is, too much concrete. These are in stark contrast to the more affluent, leafy and less diverse suburbs in Sydney’s east. This demonstrates how important the work of our government is in ensuring that Canberra reaches 30 per cent canopy of trees across the city, that residential blocks have trees and cooling green spaces, and that they are designed for our changing climate and deliver a healthy environment for all.

As Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction, I am in a privileged position to see how a right to a healthy environment includes fundamental requirements such as ensuring that the homes for the most vulnerable in our community are cool enough in summer and warm enough in winter. This is why we have introduced the vulnerable household scheme, to support everyone to have access to a healthy and comfortable indoor environment, and why we continue to strengthen renters’ rights to ensure that they are able to live in an insulated and comfortable rental home.

I thank the EDO for its thought leadership on how our governments can embed the right to a healthy environment into our systems and our practices. Their work has reinforced the importance of the action this government is already undertaking and shows us new directions that we can take to strengthen environmental justice for all Canberrans. Rightly, there will be a focus on the right to a healthy environment in terms of exposure to pollution or environmental harms as this work progresses. However, I would now like to think about some of the positives and the therapeutic benefits that access to nature can provide, as has been touched on already.

Overall, the evidence connecting our nature reserves and health is substantial, offering strong justification for the promotion of, and the investment in, parks and reserves and settings that enhance the health and the wellbeing of our community. And then there are the health and wellbeing benefits of environmental volunteering. A Victorian study, *Feel Blue, Touch Green*, found that participation in nature-based groups improved mental and physical health and the general wellbeing of people living with anxiety, depression, postnatal depression or mental health problems related to social isolation. Given the pandemic, this could not be more important.

In the bush capital we have an abundance of nature, with no Canberran living more than 3.5 kilometres from a nature reserve. While this is a great opportunity to tap into improved outcomes for the community and government, we need to keep coming back to equality and, through this, develop approaches that are welcoming and accessible to diverse audiences. This includes people from different backgrounds, ages, mobility and accessibility needs.

If any of my colleagues here in the Assembly wish to improve their health and wellbeing through increased contact with nature, I ask them to please get in touch. I can connect them with a facilitated nature-based activity led by one of Canberra's amazing expert nature guides. Then there are all of our incredible environmental volunteer groups. The Commissioner for Sustainability and the Environment has recently released a report on environmental volunteering in the ACT. This showcases the volunteer environment work that is conducted by our amazing volunteers throughout Canberra and acts as a resource for the ACT community to learn more about volunteering and how to get involved.

I thank Ms Clay for this motion, and I really look forward to collaborating with the Minister for Human Rights, Minister Cheyne, as we walk this journey and modernise our legal and policy settings to ensure that all Canberrans live in environments that give them a fair chance of living the healthiest, happiest lives that are possible.

MR BRADDOCK (Yerrabi) (3.39): I support Ms Clay's motion to introduce a right to a healthy environment here in the ACT. As spokesperson for multicultural affairs, I am going to speak briefly about how this right connects to the homelands of some of Canberra's most established and beloved migrant communities.

There are already 150 countries with similar provisions in their national laws recognising the right to a healthy environment. I want to take a moment to celebrate and pay homage to some of those countries that we can now turn to when looking for examples of how to enshrine and protect this right. Nations that have constitutionally protected environmental rights include the Philippines, Chile, Finland, India and Brazil. The Philippines was the first country to enshrine the right to a healthy environment, with article II, section 16, of the 1987 Philippines Constitution claiming:

The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Because this right is protected, many environmental harms are recognised in the eyes of the law, meaning that robust and enforceable mechanisms for restitution and repair are possible. Soon after the right to a healthy environment was enshrined in the Philippines Constitution, a group of activist lawyers took the Philippines Department of Natural Resources and Environment to court on behalf of their children. The group successfully claimed that the forestry licences granted by the department violated the right to a balanced and healthful ecology. The Supreme Court decided that the constitutional right to a sound environment was enforceable and granted legal standing to the children in the present generation to represent both their own interests and those of future generations.

This case demonstrates the power and the potential of a right to a healthy environment. No mere symbol, it offers a focus and a goal for governments and environmental advocates alike. Perhaps most importantly, it represents a rare inclusion of the consideration of the rights of young people in the legal system and in society more broadly, where they are often excluded and ignored. So to the residents of Canberra who hail from the Philippines, Chile, Finland, India, Brazil or any of those other 150

countries, I would like to congratulate your countries for having already enshrined those rights. I also turn to you for advice and guidance as to how it has worked.

Finally, it would be remiss of me not to acknowledge that both globally and locally the brunt of environmental harm, the burden of proof and the quest for justice has often been shouldered by marginalised communities. In agreeing to this motion, we are committing to working to eliminate that burden and to create a true and home-grown version of how the state shall protect and advance the right of people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. I commend this motion to the Assembly.

MR RATTENBURY (Kurrajong) (3.42): I would like to speak briefly in support of this motion on the inclusion of the right to a healthy environment in the ACT Human Rights Act. I am going to start with a point that bears repeating in the context of the motion we are talking about today, and it is this: the thing that we call the “economy”, something which is often used in political discourse as a proxy for the entirety of human activity, is completely contained within that other thing we call the “environment”. It is not the other way around. The environment is not a subset or adjunct. The environment is not the backyard, while the economy is the house; nor is the environment a disconnected entity, something we can consider or visit on weekends when we have finished with the important stuff.

Just as the environment cannot be separated from the economy, neither can it be separated from issues of human rights. Many people have made this point, including the UN High Commissioner for Human Rights, Michelle Bachelet, who said last year, in the context of the unprecedented number of environmental human rights defenders that have been killed over the past couple of years:

We must build on this momentum to move beyond the false separation of environmental action and protection of human rights. It is all too clear that neither goal can be achieved without the other ...

She is spot on. We must recognise that the right to a healthy environment is important for all of us. There are direct benefits of a healthy environment. A beautiful place to live is intimately connected with our mental wellbeing. A city we can happily exist in is vital for our physical wellbeing. But it is also vitally important for reasons other than just avoiding living our own lives in a wasteland. Human beings are a part of nature not simply in terms of our evolutionary origins but in our ongoing lives. So many of the things we take for granted are due to existing environmental protections, and we erode those at the peril of our own health.

Now, more than ever, we need to keep this sense of interconnectedness at the forefront of our awareness. When we do, it is easy to see that the right to a healthy environment is not a fringe issue or a nice-to-have accessory in a fashion wardrobe of a modern Human Rights Act in a modern judicial system; it is actually integral. For all of us, the right to a healthy environment is the right to a healthy life, a safe future, equality of opportunity and protection from harm. The harm can be pollution of water or air, or it can be health crises born from habitat destruction. Scientists are sending us a message loud and clear that COVID did not hit us out of the blue. Habitat

destruction and biodiversity loss very significantly increase the chances of creating more zoonotic disease outbreaks, and this was predicted before the current pandemic arose.

We already recognise the importance of a healthy environment in the bush capital. It is time that it play an explicit part in the human rights considerations that are relevant to all of our decisions. When we add this vital right to our Human Rights Act we will become the first jurisdiction in Australia to do so, the first Australian jurisdiction to do it in the company of other forward-looking governments around the world, including Costa Rica and Switzerland. It will not be a standalone right but will mesh in a variety of ways with other rights supported within the ACT Human Rights Act, such as the substantive rights to life, equality, non-discrimination, the protection of children and the rights of traditional owners.

We all now take for granted the theory that humans are just one type of primate, but when first proposed this idea was revolutionary. The understanding that humans and human activity cannot exist in isolation from our environment will soon, I hope, be understood in the same way. Establishing the right to a healthy environment is a vital part of building and acting on this understanding.

If the Assembly does pass this motion, I look forward to further discussion of how this will be incorporated into the act, and subsequently the effects this will have on the law and decision-making practices within the territory. I am confident that it will be an important addition to our efforts to create a more sustainable future for this city, and, in doing so, we will be playing our part in building a more sustainable future for the whole planet.

MR DAVIS (Brindabella) (3.47): I would like to thank very much my colleague Ms Clay for bringing this motion to this place. As you all no doubt know—my colleagues as well as my community of Brindabella—my activism in this place is motivated by a deep sense of social and economic justice. Perhaps in the spectrum of where the Greens sit, I am on that side of the pendulum, but it is always wonderful to reinforce that the protection and conservation of our environment and decisive action to tackle the climate crisis is absolutely the core of what motivates the ACT Greens, the Australian Greens and our global political movement.

I would like to begin by quoting Tully Bowtell-Young, a 15-year-old Australian climate activist, who says:

I dream that for another child, summer has always been one of downpours, one of soggy shoes and wet day play. One filled with the music of frogs and the buzz of mosquitoes. One where the rain will always be a summer companion, not a destructive evil villain or a far away dream. This child lives in a future where drastic action was taken on climate change. Taken way back ... when their mother was only 15.

For the east coast, this summer has been a brief reprieve from the droughts, fires and extreme temperatures of the preceding decade. I can still remember being 11 years old, in 2003, when mum packed up the car and took us down the coast when fires engulfed my Tuggeranong community. At that time my old man was the head of security at the

Hyperdome, and he tells vivid stories of the scenes of panic-stricken Tuggeranite families buying hoses and food supplies. Nobody knew what they needed, but everyone felt as if they needed something. This has been a familiar scene over the last two years. We have seen that in times of crisis people will do everything—and all at once—to protect themselves, their families and their homes. What will it take to get government to do everything, and all at once, to prevent and mitigate the worst of environmental disaster?

The pandemic has brought to the forefront of our minds the precarity of our futures and the relationship between consumption, the environment and inequality. The collective exhaustion of the present moment is evidence of the depth of fear we have about our future and the need we have to fight for it. Conceptualising the health of the environment as a human right is centred in the deep interconnection between people and this world we inhabit. I would like to take this opportunity to acknowledge the custodianship of Aboriginal and Torres Strait Islander people, who have lived sustainably on these lands for time immemorial. Their enduring sovereignty is central to this discussion, as are the issues of treaty and justice. As the Uluru Statement From the Heart explains:

This sovereignty is a spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished ...

As the ACT Greens spokesperson for young people, and just narrowly inching out Mr Pettersson as the youngest member of this place, I strongly support this motion put forward by my Greens colleague Jo Clay. You see, climate change presents policymakers like us with a deep moral duty to future generations—our children, our nieces, nephews and niblings. Enshrining the right to a healthy environment is an act of intergenerational justice.

Early last year, eight young Australians successfully brought a courageous and ambitious case against the federal Minister for the Environment, arguing that the minister had a responsibility to protect future generations from harm caused by environmental degradation and climate change. In bringing their case, these young people demonstrated the role of young people in leading action on climate change. They were successful in proving to the court that policymakers have a duty of care to young people and to those not yet even born.

In October the UN Human Rights Council agreed with this principle too, passing the resolution that led to this motion, stating:

... the protection of the environment, including ecosystems, contribute to and promote human well-being and the enjoyment of human rights, including the rights to life, to the enjoyment of the highest attainable standard of physical and mental health, to an adequate standard of living, to adequate food, to housing, to safe drinking water and sanitation and to participation in cultural life, for present and future generations ...

The young people who took this case against Sussan Ley represent thousands of young Australians politicised by the self-interested and short-sighted decisions made by people in positions of power over the last 200 years. I am proud, through my representation of the Greens, that I am part of a global political movement for change that supports the rights of young people and of future generations. This includes the bill that I have tabled with my colleague Andrew Braddock to expand voting rights. This work and the motion Ms Clay is tabling today neatly demonstrate how the four pillars of the Greens—ecological sustainability, grassroots participatory democracy, social justice, and peace and non-violence—are inherently interconnected and interwoven.

As someone whose motivation to join and support this party rests in the interconnection between social and environmental justice, I also see the right to a healthy environment as a class issue. We know that the poorest people are the most affected by environmental damage. Even in affluent cities such as ours, people on low or no incomes and those experiencing homelessness are the most exposed to air pollution, severe weather events and heat. Understanding that a healthy environment is a human right centres the whole community's interest in the protection of the city in which we live. It undermines the trend towards the privatisation and commercialisation of public spaces by reaffirming that the space we live in belongs to all of us.

This motion demonstrates the power of the Greens in government and the role of a robust human rights system. Reinforcing the importance of a robust human rights system and the ACT's renowned human rights framework feels particularly pertinent to underline today, while we see human rights potentially degraded and demolished in the federal parliament. I look forward to following the government's work in this space, and I once again commend Ms Clay for her motion.

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) (3.55): On behalf of the government, I am pleased to speak in support of this motion, which affirms the commitment in the parliamentary and governing agreement, as Ms Lawder pointed out, and helps us outline the work that is already underway.

As has been noted, the ACT is a leading human rights jurisdiction. Ours was the first jurisdiction in Australia to introduce a Human Rights Act, and since then we have continued to strengthen that act, amending it to include cultural rights of Aboriginal and Torres Strait Islander peoples, the right to education and the right to work. As we have added to our Human Rights Act we have backed this up with action, because these rights are not just words on a page; they guide the government in everything we do so that we can promote equality, dignity and justice for all Canberrans.

One of the legislative reform commitments in the parliamentary agreement for the Tenth Legislative Assembly is to consider introducing the right to a healthy environment into the Human Rights Act 2004 and to look at rights of nature. This commitment follows strong action that the ACT government has already taken to

respond to climate change. We declared a climate emergency in 2019. We have transitioned to 100 per cent renewable energy. We are rolling out the Sustainable Household Scheme and we are doing much more.

Given the devastating storms we have already had this year and the Black Summer bushfires, both of which have been canvassed extensively in these speeches, it is clear we all need to work to limit the impacts of climate change. There is currently no standalone right to a healthy environment in the international human rights treaties to which Australia is a party. However, in October last year the United Nations Human Rights Council made a declaration that the right to a healthy environment is a human right. The council called upon states to implement this newly recognised right and acknowledged the human rights impacts of climate change. The council also acknowledged that the most vulnerable people in the community are those who are most acutely impacted by climate change and environmental destruction.

While the Human Rights Council's declaration is not binding, it nevertheless is an important statement. The ACT government's commitment to considering the adoption of a right to a healthy environment is in line with the call for states to make explicit commitments to human rights based approaches. As a leading human rights jurisdiction, it is no surprise that the ACT will be pursuing cutting-edge human rights law.

I am pleased to update the chamber that the government has already taken steps to explore the implications of codifying the right to a healthy environment into our Human Rights Act. Last year Minister Vassarotti, as the Minister for Environment, and I worked closely to set the direction for how the government would consider this reform. Recognising that this has implications right across government, an inter-directorate committee has been convened. It will meet for the first time this month and on a monthly basis thereafter. The Justice and Community Safety Directorate has also commenced considering potential models and engaging with community stakeholders, and we will work with those that have been identified in the motion.

Following these discussions, the government intends to conduct a full public consultation on the right to a healthy environment later this year. I look forward to engaging with the Canberra community over the coming months on the right to a healthy environment and to sharing the outcomes with the Assembly at the end of the year. I commend the motion to the chamber.

MS CLAY (Ginninderra) (3.59), in reply: Colleagues, thank you so much for your support for this motion today. It is really fantastic to see everybody coming together and supporting something that simply just needs to be done. We heard from Minister Davidson about how interconnected mental health and climate change are, and how big a problem climate anxiety is, particularly for our young people. We all know that one of the best antidotes to anxiety is action, so I think it is really good that we can take this action here but that we can also empower other people to see the steps that are coming and the role that they will directly have in the education and information, and accessing this right to a healthy environment.

We heard from Minister Vassarotti about how important it is that we properly resource our Environment Protection Authority so that we can take firm steps to protect our environment and look after our climate. We must put the right people and the right amounts of funding into that authority to make sure that those things are happening. We also heard from Minister Vassarotti about her other portfolio, sustainable buildings. It is a really key portfolio as we move ahead into a much hotter and less predictable world. Unfortunately, we are going to have more heatwaves and we will have more extremes. We need to make sure that we are building sustainably so that people who cannot necessarily afford to pay thousands on their bills can still live in relative comfort. There are so many opportunities in that sustainable building portfolio, and I am delighted to see Minister Vassarotti holding it.

We heard from Mr Braddock about the 150 countries who have already enshrined this right. And we heard about some of the particular people who are suffering from the lack of a healthy environment and also what they have done about that. We have heard about some amazing litigation that recognises parents, children and future generations and how all of those people have a right to a healthy environment. These are not people in powerful positions in society. They do not have a lot of money. They do not have a lot of status. Yet the right to a healthy environment has allowed them to speak up for their own rights, for the rights of their children and for the children who are not yet born. It was fantastic to hear that.

We heard from Minister Rattenbury about how interlinked our economy and our environment is. It is really good that, in here, we have different conversations about climate and environment. We often hear this really false dichotomy—that is, environment or economy. It is simply false. I will quote something else Minister Rattenbury said earlier today. He said, “Physics beats politics.” Our natural system does not care what politicians say or think. It does not care what our economists say or think. It is changing and it has certain natural limits. We need to look after the climate and the environment, and we need to do that with the economy. We need to do it by recognising that, actually, there are no losers here if we do it the right way. We will save more money the earlier we act. Early action is much simpler and easier and cheaper to take, and we will create so many green jobs as we do it. There are so many more jobs in genuinely sustainable industries like recycling and renewables than there are in some of our old industries like fossil fuels.

We heard from Mr Davis, who is always very connected to young people, about some particular tales from young people. We heard about young people who are looking ahead to a better world, imagining when they are adults and imagining when the world is different because of the decisions that are taken now. Let us look ahead to a better world in 30 years. I think that is a fantastic way for young people to think about their future, and I really want to empower young people to do that as much as possible. They can make a difference and we can actually shape things. It is better to look ahead to what we have done right and to see how the world will be better if we get it right now.

We heard quite a lot today about the impacts of climate change. There is no point going on about that. We have had a motion already today—a direct climate change

motion about storms. We know about fires and floods. This is so well known. We understand that if we do not act now we will get more and more severe disasters like that.

I was really happy to hear Minister Cheyne's support. She is so passionate about the Human Rights Act and about undertaking the role to make sure that we update that act as we need to and that we implement it in a really firm way. And it was so good to hear about the background and the jurisprudence in that, and the consultation that she is obviously already really looking forward to doing.

I thank the Canberra Liberals and Ms Lawder for their support for this motion today, and I also thank them for their attention. We do have a clause in our parliamentary and governing agreement about this, and we are fulfilling that commitment. This motion actually goes quite a lot further than that original clause, and I am really pleased to explain why that is. When we negotiated that agreement a year and a half ago, the world was a very different place. We have, since then, had the UN Council pass a resolution recognising the right to a healthy environment. We have experienced so many more climate disasters. We have had IPCC reports. We have had code reds.

The entire conversation has shifted so far along that when I looked at that clause we negotiated, which was to consider the introduction of a right to a healthy environment, I realised that actually we have moved on. We need to skip to the next step. So this motion does not talk about considering introducing a right; this motion talks about a time frame to introduce the right. We will do it. We have thought about the consultation that we need to do. There are a lot of bodies who need to be involved in that, and we need to do it properly. There are so many people who have expertise in this and there are so many members of the community who want to be involved. We will bring back a time frame and we will introduce the right to a healthy environment into our Human Rights Act. I am really, really excited about that. I commend the motion to the Assembly.

Question resolved in the affirmative.

Political parties—funding

MR HANSON (Murrumbidgee) (4.06): I move:

That this Assembly:

(1) notes:

- (a) that, according to published reports, the ACT Greens made a profit of \$188 771 on the 2020 ACT election, at the expense of ACT taxpayers from public election funding;
- (b) following the 2020 ACT election, the ACT Greens have opened a new office in Braddon, claiming that "After our huge success in 2020, we took stock, identified our priorities and began looking for a new home";
- (c) the ACT Greens have stated with regard to the new office that "We'll be fitting out the space over the coming weeks to ensure it's ready for our work, meetings, [and] the 2022 Federal Election ...";

- (d) in its submission to the Standing Committee on Justice and Community Safety (JACS) inquiry into the 2020 ACT election, the ACT Electoral Commission recommended (Recommendation 22) amending the Electoral Act to include provisions to limit the amount of public funding that can be received by a political party or candidate to ensure that the amount received does not exceed the amount of electoral expenditure incurred;
 - (e) the ACT Labor submission to the JACS inquiry supported the Elections ACT recommendation, stating “The move towards a best practice public funding model by the ACT Labor government was never intended as a means for parties or candidates to make a profit. This appears to have provided a situation in which some parties run with the intent of making a profit, so that they can then funnel this money to other campaigns such as the federal election or to campaigns in other states. This practice does not meet community expectations”;
 - (f) in their evidence to the committee the Liberal Party representative stated that “... to happily take an additional \$200 000 or thereabouts from ratepayers, I think, is completely inappropriate and something that should be seriously considered, moving forward. I would have thought and hoped that the political party that was in that position would not accept an amount that would get to a point where they were turning a profit”;
 - (g) the JACS Committee in its report into the 2020 ACT election commented that “The committee supports the policy intention of public funding for candidates and parties, in reducing risk of corruption in the political system. The committee considers it is reasonable to limit public funding to not exceed a candidate’s electoral expenditure”;
 - (h) the JACS Committee recommended that the Electoral Act be amended to limit the amount of public funding received by a party or candidate to not exceed the amount of electoral expenditure incurred; and
 - (i) the ACT government response agreed that public funding “should not necessarily provide individuals with an opportunity to gain profit”;
- (2) agrees that:
- (a) profiteering out of public election funding and channelling the money into Federal campaigns does not meet community expectations and is not the intent of ACT public funding; and
 - (b) legislation should be amended prior to the 2024 ACT election to ensure political parties do not profiteer at the expense of ACT taxpayers; and
- (3) calls on the ACT Greens MLAs to write to their party and request that they pay back the \$188 771 profit they made at taxpayers’ expense at the 2020 election.

This is, at its essence, a pretty straightforward motion. I would describe it as simple and common sense, but yesterday Mr Braddock opposed the Liberal motion by describing it as simple and common sense. At the end of the day, a political party has been overpaid ACT taxpayers’ money. They have used a loophole in the existing legislation, and we think that it is the right thing to do for that party to pay the money back.

That party is the ACT Greens, and it turns out that the party that is always asserting moral superiority is actually the party that has profiteered at ACT taxpayers' expense. This is a party which got an unjustifiable windfall from taxpayers' money and is refusing to pay it back yet spends all its time complaining about the ethical standards of others and the problem with capitalism and capitalists. It looks very much to me like the Greens have become the very capitalists that they complain about.

This is very much the party of "Do as I say, not as I do." These are the real estate moguls who complained about landlords while counting the money from their tenants. They are the same party that complain about political donations and where they come from but this party, at a federal election, pocketed a \$50,000 donation from the CFMEU. That is an organisation, a union, that is about construction, forestry and mining, and it gets a lot of money from poker machines, but the Greens were happy to take their money.

Let me come to what has happened in this shabby affair of the Greens pocketing taxpayers' money. In the ACT, as in all jurisdictions in Australia, public funding is provided at elections for candidates and parties, to reduce the risk of corruption in the political system. We all agree with that. The funding is meant to cover some of the expenses of elections so that parties and candidates are not so reliant on donations. It is a good thing. We all agree with that.

I note that the Greens have come into this place and said that they would rather that amount be less, but then they take every single cent that they get. They are quite happy to argue against it but then take every single cent. They are profiteers at ACT taxpayers' expense. They pretend to be purists while they are putting their hands in the pockets of ACT taxpayers. It is not meant to be a windfall for candidates to make a profit from an election. In fact, the JACs committee did an inquiry into the ACT election and in their report they made this point:

The Committee considers it is reasonable to limit public funding to not exceed a candidate's electoral expenditure.

A tri-party committee agreed with that. But what became apparent from the ACT Electoral Commission report is that the ACT Greens—along with Belco Bill; that is the sort of category we are now putting the Greens in—made a profit of \$188,771 at the 2020 election, at the expense of ACT taxpayers.

My understanding is that they have since found some receipts in the top drawer that they had not declared, and they have adjusted that amount so that they are only in profit for about \$176,000. Mr Braddock may clarify how much money they actually made. I think it is slightly less than the \$188,000; the profit might be slightly less. But since then the Greens have been out there boasting about this. They are pretty cock-a-hoop about it, and they have opened up a new office in Braddon in celebration.

Let me quote from some of the social media reports. There are lots of life's little emojis that go with them. One says:

BIG NEWS: We've moved right into the heart of Braddon! After our huge success in 2020—

No-one can dispute that; they cleaned up. They made a lot of money out of it; it was a huge financial success for them—

we took stock, identified our priorities and began looking for a new home.

That is what you do when you win the lotto, isn't it? You go out and buy a new home, don't you? The post continues:

Getting there has been a journey ...

But I am sure they were helped out by the former real estate agent. They do understand property. Let's face it: the Greens, amongst the six of them, own nearly a dozen properties. They understand property, so they have a lot of expert advice to lean on. They found their dream home, according to the media, right across from the rainbow roundabout, and they say:

We now have more people than ever walking by (and through) our door.

What is clear is that the windfall that they made at the ACT taxpayers' expense at the territory election they are now going to use to campaign for federal seats. They have said it. What they say in the media is:

We can't wait for you to see our buzzing new hub, but there remains a lot of work to be done. We'll be fitting out the space—

No doubt it will be a lovely fit-out, with all that money—

over the coming weeks to ensure it's ready for our work, meetings, the 2022 Federal Election, and the next four years of grassroots democracy.

It is grassroots, but they will be in their new office in Braddon, sipping champagne, with multimillions of dollars and talking about their property portfolios. They claim to be the grassroots. Yes; bizarre, is it not?

Other than the Greens, who are in their new office in Braddon, sipping their champagne and talking about their property portfolios, everyone else who has commented on this thinks it is pretty rank. In its submission to the JACS committee inquiry into the 2020 election, the ACT Electoral Commission recommended, in recommendation 22, amending the Electoral Act to include provisions to limit the amount of public funding that can be received by a political party or candidate, to ensure that the amount received does not exceed the amount of electoral expenditure incurred. Hear, hear! You are not meant to profiteer out of this act.

The ACT Labor submission—the submission from that party—supported what the ACT Electoral Commission said. The Labor submission said:

The move towards a best practice public funding model by the ACT Labor government was never intended as a means for parties or candidates to make a profit.

It was never intended as that. The Greens have found a loophole. That was never the intent.

This appears to provide a situation in which some parties run with the intent of making a profit so that they can then funnel this money into other campaigns, such as the federal election or to other campaigns in other states.

And the secretary of the Labor Party says:

This practice does not meet community expectations.

I agree with that. I agree that this does not meet community expectations. I think pretty much every taxpayer that is not currently celebrating in the new office in Braddon would agree that profiteering out of this loophole in the law does not meet community expectations.

That is what the secretary of the Labor Party wrote. That is what the grassroots of the Labor Party think. Is it what the members in here think? We know that the Labor Party have come into the inquiry at grassroots level and said, “This does not meet community expectations.” So it is a bit of an ethical test, one would say, for the Labor Party members in here. Are they going to say, “Yes; we stand by our secretary of the Labor Party. Solidarity, Comrade! We agree with you that it doesn’t meet community expectations. We’ll support this”? Or are they going to say, “Don’t worry. We’ve got your back. We’ll cover for you. We’ll let this all go away because we have a sweetheart deal going on in this place between the Greens and the Labor Party”?

It is an ethical test, and we will see how they come up. In the evidence to the committee, the Liberal Party representative stated:

... to happily take an additional \$200,000 or thereabouts from ratepayers, I think, is completely inappropriate and something that should be seriously considered, moving forward. I would have thought and hoped that the political party that was in that position would not accept an amount that would get to a point where they were turning a profit.

Hear, hear! The JACS committee recommended that the Electoral Act be amended to limit the amount of public funding received by a party or a candidate not to exceed the amount of electoral expenditure incurred. The ACT government response agreed that the public funding “should not necessarily provide individuals with an opportunity to gain profit”. The government says this is not about allowing people to make a profit—exactly what the Greens did. The intent of the law, the intent of the Electoral Act, is not for parties to make a profit, just like the Greens did.

Let us see how the Greens go with what is an ethical test. They are always talking about ethics in this place. Let us see if they are on the side of ACT taxpayers or not.

And this is a test for the Labor Party. Are the Labor Party on the side of taxpayers—ratepayers—or are they on the side of the Greens, keeping the harmony going with the parliamentary agreement in this place?

As I said, at its nub this is a simple, common-sense motion. What it says is that profiteering out of public election funding and channelling the money into federal campaigns does not meet community expectations and is not the intent of ACT public funding. One would hope that you agree with that, because that is what I think everybody is saying.

Certainly, the secretary of the Labor Party is saying that. This is paraphrasing what he said. So one would assume that that is what the Labor Party members in here would agree to, unless deals have been done behind the scenes, which, obviously, we would not be aware of. The submission then says that legislation should be amended prior to the 2024 election to ensure that political parties do not profiteer at the expense of ACT taxpayers. I take it from the government response to the JACS committee report that they agree that it is not there for parties to profiteer.

It is not actually for the members here to pay back that money, obviously; it is for the party. So what we are asking the Greens MLAs to do is to write to their party and request that they pay back the profit that was made at the ACT election. It is disappointing that we have reached the point where it requires a motion in the Assembly.

The ethical Greens, as they call themselves all the time, are the party that have found the new way, are always talking about grassroots democracy and have been publicly calling out organisations that got overpaid JobKeeper. They said that if you get overpaid money you should repay it. If their standard is that if you get overpaid via a loophole in law or get paid some money and then turn a profit you should pay that money back—that is their call; I have heard them make that call—one would think that they would hold themselves to the same standard. Otherwise it would be a double standard; it would be saying one thing and doing another. It would be behaving unethically, one could argue.

I commend this motion to the Assembly. I look forward to the money being paid back. I look forward to a loophole in the law being closed by this government in due course.

MR BRADDOCK (Yerrabi) (4.19): Let me be very clear: the ACT Greens did not profit from the election. During the 2020 election campaign we spent more than the income we received from the Electoral Commission. The election report covers a limited time and does not include all expenses incurred. To be clear, this funding was spent on genuine election costs.

This was a system of public moneys set up by the Liberal and Labor parties in 2015. Mr Hanson, then Leader of the Opposition, supported the system and voted for it. The Greens were the only party that voted against that bill because it lifted the cap on donations and removed the limit on gifts. The Greens did not support unlimited donations or gifts because it reduces the transparency and increases the level of grubby influence over politics. Mr Hanson and the Canberra Liberals supported those

changes. And now it seems that Mr Hanson no longer likes the system that he strongly supported because it no longer suits his wishes.

Under the Electoral Act, the disclosures only cover the material costs of political campaigns. These are things such as advertising products, postage and other collateral. The disclosure section of the Electoral Act does not intend to create an exhaustive list of legitimate campaign expenses. What it does not include is people, which is a key shortfall in Mr Hanson's arguments because it appears that he does not get people.

The Canberra Liberals pay for gimmicks like balloons, putting their faces on cars and roadside corflutes. It is not enough for Mr Hanson to put his face up once or twice on Hindmarsh Drive. He has to go and do it over and over—20 times over. Then, as if that is not good enough, he goes and parks a truck on the roadside as a further visual blight on our landscape. This is the way that Mr Hanson campaigns and why he can only conceive of advertising as electoral expenditure.

But there is another way of campaigning that the Greens use, which Mr Hanson cannot seem to wrap his mind around, and it is all about people. The Greens employ local Canberrans to help coordinate our grassroots campaigns. The salaries of these staff are not included in the disclosure requirements under the act but are a very real cost of campaigning. I would rather be investing in people, training them, having them work for a purpose that they are passionate about. These paid Greens staff then support our volunteers by doing the work of coordination and back office whilst we get our volunteers out doing what they love, which is talking to Canberrans. This appears to be in stark contrast to the Liberals' approach to campaigning, which is to put their enlarged faces on cars, distribute balloons with three-word slogans and push our public advertising laws to the limit.

It appears that our recent success, based on low-cost, grassroots campaigning, is a threat to the Liberals. I am not sure why. Perhaps they prefer simply giving out balloons, banging in the roadside corflutes or putting some slogans on some boxing gloves—all of which are destined to end up in landfill quicker than a Liberal candidate's dreams.

The next shortcoming in Mr Hanson's argument is time. The funding provided under the Electoral Act is to support the legitimate activities of political parties throughout the electoral cycle. It is not meant to be time limited. The electoral expenditure report that Mr Hanson loves to refer to, conversely, is limited from 1 January to the date of the election that year. The act does not say that this funding is only for activity that occurred for the period 1 January 2020 to 17 October 2020. Does this mean that parties are not allowed to start campaigning before 1 January? There is no implication or intent for the act to limit campaign activities or expenses to the reporting period.

My campaign is an example of this. I was announced as a candidate on 6 December 2019. By 1 January 2020 we had already had our photoshoots, designed and printed some initial materials, done some promotions on social media, recruited staff, and started training volunteers and ensuring that our neighbourhood teams were ready. I note that the Canberra Liberals declared their candidates even earlier, on 30 November 2019. Is Mr Hanson guaranteeing that the Canberra Liberals undertook

no campaigning prior to 1 January 2020 and incurred no campaign expenses prior to 1 January 2020? Mr Hanson knows it is not counted and therefore does not count. Very real expenditure was incurred by the Greens in support of the Greens' campaign, but it does not fit Mr Hanson's blinkered definition of the system he co-designed and voted for.

Perhaps Mr Hanson would prefer that the Greens accept more private money and be like the Liberals. With private money, which, strangely, Mr Hanson's motion makes no mention of, there is always the question of: "What are these donors getting from their politicians? What special access will they demand and receive? Did the individuals and companies that made these donations do so out of the generosity and kindness of their hearts or did they expect something in return?"

I thought I should go through where the Canberra Liberals' money came from for the last election. The Canberra Liberals raked in \$1,613,522 in the 2020-21 financial year, plus \$912,546 for the year before. \$2.5 million is a sizeable sum of money. The Canberra Liberals, the party for private enterprise and having a go, is a large beneficiary of the public funds that Mr Hanson refers to. The Canberra Liberals received more than \$1 million in public funding in the 2020-21 financial year. This was made up of \$784,921 in election funding and \$220,333.92 in administrative funding.

I will give Mr Hanson his due. One advantage of the system that he co-designed and voted in support of is that public moneys do not create an obligation on a political party. It is meant to get the private moneys and influences out of politics, but for the Canberra Liberals, they say, "Wa-hey! Why not both?" Some notable corporate gifts and donations provided to the Liberal Party included: LJ Hooker Commercial, \$197,861.73; and Sun & Sea Australia, \$18,888. Other contributors included Citriene & Co, ClubsACT, Elvin Group, Canberra Deakin Football Club, Gungahlin Lakes Club, Laundry Hotel, Kaycraft, Licensed Clubs Association of the ACT, Moraschi Roofing, Rivoland Tiles and Premier National.

Do the Canberra Liberals propose to return all those moneys that they received or do they proudly take these funds and the purchasing of influence? Did the Canberra Liberals profit from the donations above and beyond the public moneys that you have mentioned before, Mr Hanson?

You have also made mention of our new office. We have moved to where the people are so that they can walk past our front door and be able to walk in. I would much prefer to be there than in the backblocks of Deakin. When was the last time someone walked in through the Canberra Liberals' door and decided that they wished to join?

I must stress that one part of the fit-out of that office is actually a sofa that my wife bought in 2003. We tried to donate that sofa to the Salvation Army in 2011 but they declined, stating that it was not acceptable. That sofa has sat on my back patio for the last 10 years. Finally, I was able to replace that sofa, and that is what I donated to the office. So that is what we are talking about in terms of an office fit-out.

I think the final argument that this motion provides is some insight into Mr Hanson's own motives. In Mr Hanson's mind, there always has to be a profit, and here is Mr Hanson trying to argue that a not-for-profit organisation like the ACT Greens is somehow making a profit. It is nonsensical. Unlike the Canberra Liberals, the ACT Greens are proud to be a party that is committed to enhancing Australia's democratic process and ensuring transparency over funding arrangements, rather than accepting donations from corporations trying to buy influence.

I move:

Omit all text after "That this Assembly", substitute:

"(1) notes that:

- (a) prior to the 2012 ACT election, the electoral funding system was overhauled to shift political party income away from corporate donations and, in 2015, a majority of the Assembly agreed to increase public funding to \$8 per vote for all elected representatives and parties;
- (b) public funding to support different groups to participate in elections enhances democratic engagement; and
- (c) a review of the ACT's Electoral Act and the related funding system is currently underway that has included submissions from a range of stakeholders; and

(2) calls on the Assembly to consider the outcomes of the review of the Electoral Act."

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (4.29): I rise today to speak to Mr Hanson's motion and indicate that the Labor Party will be supporting Mr Braddock's amendment to Mr Hanson's motion. In many respects, the ACT does have a best practice electoral funding system. Our system combines reasonable rates of public funding with strict caps on campaign expenditure, and these measures work together to limit the influence of outside donors and corporate money in the territory's politics, ensuring that parties do not end up in the kind of fundraising and spending arms race that we see in other jurisdictions.

Public funding of elections and the parties who contest them ensures that there are opportunities for genuine debate and a spectrum of views to be put to the community during campaigns, and that is a good thing which we should seek to preserve as part of a healthy ACT democracy. To the point of Mr Hanson's original motion, I do think that there are some questions, some genuine issues that have been raised around whether the current system meets community expectations in relation to public funding, where it exceeds expenditure.

I want to particularly highlight something that Mr Hanson did not touch on. Apart from the issue of parties that may receive more public funding than they in fact expend, there is also the issue of independents. I have a particular concern about them because it is quite possible for them to make a personal profit out of running for an election, and I am not sure that that is in line with the objectives of the public funding system.

These issues were, of course, canvassed in the regular four-yearly review undertaken by the JACS committee into the most recent election. The committee looked at whether our laws should keep pace with the changing campaign and electoral landscape that we are in. The government thanks members of the JACS committee for their report on the election and recommendations for further electoral reform and for touching on this issue.

I tabled our response to this, following the out-of-session circulation last year. The government has agreed or agreed in principle to 28 of the committee's recommendations and noted 18 as being matters for the ACT Electoral Commission or requiring further policy work or analysis. We are now in the process of doing that work, with the intention of bringing a comprehensive electoral law reform deal to the Assembly before the end of this year. So we are considering this issue amongst many others, including those matters which were not considered by either the committee or the Electoral Commission.

Indeed, the recommendation that Mr Hanson has referred to in his motion is going to be amongst those the government have noted in our response. We will give further consideration to that matter, alongside the various issues that have been dealt with by the committee and turned into recommendations.

As a priority, the government is committed to taking action on key areas of electoral reform that have been outlined in the parliamentary and governing agreement as well, and that includes banning donations from foreign sources, further embedding accurate and up-to-date reporting of political donations and looking at restricting roadside advertising, in line with community expectations. We recognise the importance of fair, transparent and robust electoral laws in ensuring that the voters of the ACT can make their choice and then see it reflected accurately in the make-up of this place. There is a lot of work to do, and discussion between parties is required to scope and to design the next set of electoral reforms for this Assembly to consider.

I thank Mr Hanson for bringing this matter up. It has been raised before, through the inquiry. It is worth raising the issues again, but these are issues that are already under consideration and will be considered ahead of the reforms that we bring into the Assembly. I am looking forward to discussing those matters with Mr Hanson and Mr Braddock to make sure that we have an electoral system that continues to deliver for the people of the ACT in participating in our democracy.

MR HANSON (Murrumbidgee) (4.33): To the amendment, and in closing, we will not be supporting the amendment, of course, as it gets away from the whole point of the motion, which is to call on the Greens members to acknowledge the issue and write to their party and ask the party to pay the windfall back. That being removed by the amendment, we will not be supporting it.

I am disappointed, I must say, that the Labor Party have not supported this motion. I would have thought this would have been an opportunity for them to show that they are going to put the people of the ACT ahead of their agreement with the ACT Greens. But it is evident that they do not want to rock the boat. They are not going to continue with the concerns that were raised by the grassroots members of the Labor Party.

Certainly, this is a theme that we see—and you probably get it as well, Mr Deputy Speaker—where there are issues of concern out there in the community from Labor Party members who think, “Wow, it is the tail wagging the dog here. It is the Greens running this government.” You see that this is a Labor Party that is not prepared to call the Greens out, ever, even on an issue like this. Even on an issue like this they are not prepared to call them out. I think there will be people watching this who will be pretty disappointed—and I am talking particularly about members of the Labor Party—and who will think that they are squibbing this. They are not meeting the right ethical standard.

I did agree with Mr Steel, though, when he referred to individual candidates that might do this and he described this as personal profit. It is profit. As much as Mr Braddock is trying to decry that and say it is not, as the minister said, it is profit. The minister used those words. Indeed, the ACT government response agreed that public funding “should not necessarily provide individuals with an opportunity to gain profit”.

Everybody knows what is going on here, and Mr Braddock’s spin that this was not profit is ludicrous. Indeed, he seems to think that—again, this is the Greens double standard—if they spend money during an election it is for the greater good. They were helping people. They employed people. They were doing it for the greater good, helping out people with their employment.

But if the Liberal Party or, no doubt, the Labor Party spend money, it is just grubby and evil. I think they believe it—the double standard that they apply. I think that, when they do something, they think they are doing it for the greater good, that it has a moral virtue to it. But when someone else does it, they must have evil intent. This is how the Greens, between the six of them, can own nearly a dozen properties. Fifty per cent of the Greens own either an investment property or a holiday home. Then they come into this place and decry that. They argue against it. They say that people should not be doing that.

It is extraordinary, the moralising you get, the double standard you get from a party that are able to conduct themselves in a certain way—take a swift \$170,000 or own a whole bunch of homes or whatever it is—but then attack other people who do that. An organisation that gets JobKeeper, if they had a profit that they might have put on their books, have got to pay it back, according to the Greens. But if the Greens make a profit, they do not have to pay it back—an extraordinary double standard, consistent with their ongoing behaviour.

What was interesting was that Mr Braddock did suggest that the way the ACT Greens got around having to declare electoral expenditure was to front-load all their expenditure. I do not know if the ACT Electoral Commission is watching this, but it is pretty clear that under the Electoral Act the definition of electoral expenditure is clearly defined. Front-loading all that expenditure and what is used during the election campaign is not necessarily just one expense.

If the Greens were actually buying up big in December before the campaign period started—if that was Mr Braddock's strategy, so that they could get away without having to report that—if you did that and then used that product during the campaign, you may well be in breach of the act. I do not know if Mr Braddock has kicked another own goal in this place by declaring the way the Greens do their business.

Mr Deputy Speaker, imagine if the Liberals did this. I want you to imagine that the Liberals went to the last election and came out with a profit of \$170,000 or \$180,000 of taxpayers' money and then we opened a shiny new office, went in there sipping champagne, congratulating ourselves, saying how wonderful we were and saying that we were going to use this profit, this windfall, this great success, to fund the federal campaign. Can you imagine the outrage? Can you imagine the hyperventilating you would get from the Greens?

This would be front-page news. Twitter would go into meltdown. TikTok—Mr Deputy Speaker, you will be on TikTok—would be going into meltdown. But the Greens do it and then they come into this place and say, "No, no, no, we are doing it for the greater good, to help people with training and for their jobs. We are ethical."

Mr Braddock decided in his speech, as well, to smear hardworking Labor businesses in the clubs sector. He read out a bit of a list that some say is some sort of hit list for him—no doubt, a Greens hit list—of people because they donated. Some of them donate to the Liberal Party, some to the Labor Party, some to the Greens.

Somehow, for the Greens, who took a \$50,000 donation from the CFMEU that runs pokie clubs all over town and is engaged in forestry and mining, that is okay. That is ethical somehow for the Greens. But if a local community club was to donate the use of one of their rooms for a Liberal Party meeting, that is outrageous. Again, it is this double standard that is extraordinary. It is disappointing that he chose this opportunity to smear some of those hardworking local businesses.

I am disappointed, I must say. I am not surprised that the Greens did not want to pay the money back, not surprised at all. Maybe they could sell one of their investment properties to cover some of these costs, or one of their holiday homes could be sold. But, no, no; I guess that is too much. It is much better to take it from the poor old people of the ACT, the taxpayers. I am not surprised that they rail against the top end of town, but it seems that the Greens have become the top end of town. They have become the top end of town, the privileged elites that they decry. They are the people with all the property portfolios. They are the people that clean up at elections. They are the people that open shiny new office buildings. It is extraordinary, their ability to criticise what they themselves are.

I must say that I am disappointed by the Labor Party. I thought, given some of the statements, the strong statements that were made in the committee hearings, that the Labor Party might have the courage of their convictions to actually hold the Greens to account for once. Just for once, Mr Deputy Speaker, you would think that the Labor Party would be on the side of the ACT taxpayer, rather than on the side of their shabby little parliamentary agreement with the Greens.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 4

Mr Braddock	Mr Pettersson	Mr Cain
Ms Burch	Mr Rattenbury	Ms Castley
Ms Clay	Mr Steel	Mr Hanson
Ms Davidson	Ms Vassarotti	Mr Parton
Mr Davis		
Dr Paterson		

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Adjournment

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

That the Assembly do now adjourn.

Sport—facilities

MS DAVIDSON (Murrumbidgee) (4.46): I would like to close our first sitting week of the year by discussing a subject dear to my heart: community sports facilities in Murrumbidgee. I was thinking about this recently while watching the Australia v England women's cricket test at Manuka Oval on a Sunday afternoon, after I had already ensured that the ACT government would supply rapid antigen tests for in-home disability support and aged-care workers, and funding for community groups such as COTA ACT to ensure that older Canberrans can access information about how to stay safe from COVID and services that can support them in isolation.

I was sitting in the Bradman stand thinking about what deadset legends Darcie Brown and Annabel Sutherland are and that Alana King deserves to be our Queen—even though I support Australia becoming a republic—and how good it would be if we could have a five-day women's test instead of four days. And I was thinking about how love for the game at an elite level starts with community sports.

Our growing city means more pressure on existing facilities. School gyms do not always meet the needs of particular sports and recreation activities, and it can be very hard to get a booking, in competition with every other community group trying to access the same school hall.

Climate change also means more need for indoor facilities for the growth in indoor sports, where fewer games are called off due to weather, and for outdoor sports to have a safe space to train when the outside environment is too hot or smoky or is impacted by storms. The increase in extreme weather events with climate change also means we need more spaces that can be used for emergency evacuation, and sports facilities with amenity blocks and large halls are ideal.

Community sports also play an important role in community recovery and rebuilding social connections. Right now, Canberrans are looking for places in their local neighbourhood to reconnect through shared love of sports or dance or yoga or other activities. COVID has meant two years of missing out on favourite activities for many Canberrans, especially seniors, people with disability and people who are immunocompromised. As people regain their confidence to be out in shared spaces, it is important that we have facilities for those informal, volunteer-run community sports.

I look forward to discussion in this place in the coming months about how the ACT government can support social connection and community recovery through better access to community sports facilities across our city, including indoor multi-use sports courts, community meeting rooms in Woden and the public pool in Phillip. I also look forward to the ACT government's response to Mr Davis's motion last April calling for a sports facilities management plan and support for a community sports peak body.

Crimes against women—proposed reform

DR PATERSON (Murrumbidgee) (4.49): What a start to the year. It has been a big week for substantial reform regarding sexual assault and sexual violence in the ACT. There has been a groundswell of coincidental and fortuitous timing on a range of activity in this space.

The importance of these things happening in the first sitting week for this Legislative Assembly and for the federal parliament cannot be overstated. Both levels of government have chosen to start the year with legislative reform and cultural and workplace changes regarding sexual assault, which highlights that we are at a pivotal and critical moment. However, there is a long road ahead. I am pleased to play my part in the journey that we, as a community and as a nation, have commenced.

I want to summarise the activities of this week through a very brief curation of what has taken place. On Tuesday I tabled in the Assembly the long-awaited Crimes (Consent) Amendment Bill 2022 to introduce an affirmative model of sexual consent in the ACT. Since tabling the bill I have received an overwhelming amount of support—from stakeholders, from colleagues and from victim/survivors—for which I am grateful and incredibly thankful.

Also on Tuesday, the Prime Minister, as well as Labor leader Anthony Albanese, issued a formal apology in federal parliament to Brittany Higgins and other former political staffers who have experienced sexual assault, harassment and bullying in their parliamentary workplace. The apology was the first action taken by the federal

government in response to the 28 recommendations of the Jenkins review, a comprehensive review undertaken by Sex Discrimination Commissioner Kate Jenkins into commonwealth parliamentary workplace culture.

As Grace Tame observed of the apology and the formal acknowledgement of sexual offences, we need to work more than just with words. We need action. I am pleased that this Assembly has a robust code of conduct in place and that important changes were made last year to strengthen our workplace culture and ensure a zero tolerance approach to workplace bullying, harassment and abuse.

Yesterday I had the honour of attending the National Press Club address by Grace Tame and Brittany Higgins, our leading national advocates on issues of sexual assault and sexual abuse, and both with very powerful stories to tell from their own lived experience as victim/survivors. The address focused on the radical shift that is needed across our workplace culture and our community more broadly, for which we are all responsible. We must all take a stand that sexual assault and sexual abuse are not tolerated and ensure that our institutions, workplaces and homes do not perpetuate protections for perpetrators.

I have been humbled to have received great support from both Grace Tame and Brittany Higgins for the introduction of law reform through the bill I introduced on Tuesday. I would also like to thank Saxon Mullins, another nation-leading voice and advocate for sexual assault victim/survivors, who has been incredibly supportive.

Continuing this strong theme across the week, today Minister Rattenbury, as Attorney-General, introduced in the Assembly important changes to the Crimes Act which clearly articulate that the grooming of a young person is not a relationship but is sexual abuse; in fact, it is persistent sexual abuse of a child. This change has arisen as a direct result of recommendations late last year by Grace Tame to all Australian attorneys-general, noting that the wording of relationship in the context of child sexual abuse implies consent and diminishes the real nature of the offence. The ACT, Queensland, South Australia and the Northern Territory all have the word “relationship” in legislation regarding this offence. I commend Minister Rattenbury for acting quickly to rectify this in the ACT.

In closing, it is time for change. Enough is enough. In fact, it is beyond time for change. A Chinese proverb says that the best time to plant a tree was 20 years ago; the second-best time is now. I look forward to the day that sexual assault and child abuse are of much less concern and of much less headline newsworthiness than they have been this week, not because it is a neglected issue but because it simply does not happen very much anymore.

Unfortunately, sexual assault is an issue that is very real today, and it is an issue that has a much-needed spotlight and continuing discourse—in our homes and our workplaces, with our family, friends and colleagues; in government policy and legislation; and in our schools and education systems. We need to keep having these conversations. We need to continue to hold each other to account.

Environment—climate action

MS CLAY (Ginninderra) (4.54): Earlier today Minister Rattenbury tabled federal Greens leader Adam Bandt's response to our call for updated climate action commitments from Australia's three major political parties. This was following a motion that we passed in this Assembly during COP26 which painted a really dire picture of our future. I want to add to what Minister Rattenbury said about this.

Adam Bandt, of the three leaders so far, is the only one who has actually committed to all the climate actions that we know are really necessary right now to avoid catastrophic climate change. It is a real shame that that is the response that we have had, but that is the response we have had.

There has been a lot of commentary on climate action in recent times. Angus Taylor last year said that it was a fantasy to try and limit warming to 1½ degrees because, he said, it would be hard to do. He is right; it is going to be extremely hard to do. It is going to be a lot harder if we do not do it. Climate change is incremental. Every fraction of a degree and every single action we take matters because every positive action is actually going to make things a bit better, quite a lot better in the future, and every single action we take is going to make a much safer climate for our children.

Given the upcoming federal election, we desperately need major parties in federal government that recognise this and act on this. We need a new federal government that will declare a climate emergency and commit to a rapid and just transition to net zero emissions. We need a federal government that would legislate interim targets that align with the goals of the Paris agreement and that match up to the science.

We need a federal government that will immediately stop new fossil fuel exploration and rapidly phase out the extraction, the export and the use of coal and fossil fuel gas. We need to phase out coal and fossil fuel gas right now. There is not a moment to waste. We need a federal government that will end public subsidies to the fossil fuel industry. We need a federal government that will set a national target of 100 per cent renewable electricity by 2030, or even higher, which is what the Australian Greens have committed to, and we need a federal government that would develop a national zero-emissions transport policy.

We have seen some of the responses from our federal leaders. Today we saw tabled Adam Bandt's response. We have also seen Scott Morrison's response. We have not actually seen the response from Anthony Albanese, and we have looked. In my office we have been looking all day for this response. It has not been tabled. It looks an awful lot like Anthony Albanese has not bothered to respond to this. That is actually a real shame. If Anthony Albanese did not bother to respond to Andrew Barr's letter, which was sent on 17 January—he has had quite a lot of time to do so—that really tells you what you need to know about federal Labor's policy here.

In the past, federal Labor have refused to end public subsidies to the fossil fuel coal and gas industry. Their policy platform only commits to cut emissions by 43 per cent by 2030, not the 100 per cent renewable electricity, not the full net zero emissions

future that we know we need. That target is so weak that if the rest of the world followed us we would lock in catastrophic climate change.

We do not know if federal Labor will commit to any of the other real climate actions that we have already taken here in the ACT, that we have already committed to, that we have already shown are genuinely realistic and possible. We just do not know that because he has not responded. That is how seriously federal Labor are taking climate action. They do not answer the letter. We do know that federal Labor still take huge donations from the fossil fuel industry, and that is clearly what is driving their decisions. We cannot expect good climate policy from a party funded by fossil fuels.

Scott Morrison did respond to the letter, on behalf of the Liberal Party. It is great that he has responded, but the response is not great at all. He has refused to commit to any of the specific actions on climate that we know are needed, that we know match up directly with the science, that we know are urgent and need to happen right now. He has dug in on the fantasy target of net zero by 2050, with no interim targets, through technology yet to be invented, which is magical thinking. He will continue to fund and promote fossil fuel coal and gas.

I am really, really happy about what we are doing here in the ACT. I think that the very best answer we have to climate despair right now is: “Here is how we do it. Here is one we prepared earlier. Here is how we give you 100 per cent renewable electricity. These things are possible and we have the technology and we can do them now.” I am so, so sad that we do not have federal leaders in either of the old major parties who are prepared to do the same.

Justice—coronial reform

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.59): I rise today to express my sincere thanks to Relationships Australia Canberra and Region for the tremendous assistance they have offered to the government in progressing our coronial reform agenda. As members would know, progressing reform to the coronial system has been a very high priority for me as Attorney-General. We have listened to the advocacy from passionate groups with lived experience—the Coronial Reform Group and, more recently, the Alliance for Coronial Reform—and we have accepted that there is a need for improvement to more compassionately provide closure to loved ones of people who have died and to make space to do the slow thinking that is required to develop systems that will prevent deaths wherever possible.

The government is continuing to engage in coronial reform, but the reason I want to thank Relationships Australia today is for the outstanding work they have performed in bringing together families and workers to begin to draw out their experiences and build understanding of the journey we will take together. In particular, Kerrie Gallagher and Niamh O’Connor from Relationships Australia lent their experience as coronial counsellors and restorative practitioners to facilitate a series of three discussions where families and workers were able to speak directly to each other, and

to me and directorate officials, about what they needed throughout the coronial experience.

These sessions were genuinely very difficult—to hear about people’s trauma—but they also gave us something very precious. They told us their stories and shared what, for many of them, is the most difficult time of their lives: losing a loved one, especially when it is unexpected. I am very grateful for having had the benefit of this understanding from families who have lost loved ones and from workers such as first responders, healthcare workers and coronial staff. It is very difficult to experience loss, both directly and indirectly. Going forward, our task is to honour those experiences that were shared with us. None of this beautiful experience could have been possible without the sensitivity and care afforded by Kerrie and Niamh, ably assisted by their colleagues in Relationships Australia.

It was clear to me, as soon as I attended the first of these three sessions, the great care that had been put into them. Kerrie and Niamh had artfully arranged the room in a circle, had a private debriefing room set aside in the back, and in the centre there were stones and each of us was asked to write on a stone a word that summarised what we were hoping to get out of the day. We also made sure to put the lost loved ones at the centre of our thoughts by having their names and pictures, and perhaps mementos, at the centrepiece as well. This really helped cement for all of us the solemn duty we owed to their memories. Kerrie and Niamh provided the safety and security for each person, one by one, to be vulnerable and tell us what was so hard but even more important to hear.

Being able to hear from and respond to the people with lived experience that we heard from that day has set a very promising foundation for the reform process that we will embarking upon over the course of this year. Being able to draw on the stories I heard on those days is a great gift to ensure that we have clarity of purpose, moving forward. So I am extremely grateful to Kerrie and Niamh, to Relationships Australia and to the families and workers who attended on those days. We will work hard here to honour the effort that has already been made, the contributions that have been made, so that we can deliver a much-improved coronial system here in the ACT.

Umbagog District Park—bridges

MR CAIN (Ginninderra) (5.02): I rise to speak about the saga of the poorly maintained Umbagog District Park bridges, which were closed in early 2021 for repair. After almost a year, the community is frustrated that a time line for the bridges’ replacement is still not set in stone. I asked the minister earlier today if there was a confirmed time line for replacement. Sadly, we do not yet know when the bridges will be replaced. Many constituents have spoken to me about their concerns, and the matter was considered by the Belconnen Community Council in mid-December last year. Unfortunately, this is another example of this government’s poor service delivery, even basic council level services for specific projects such as this one.

I have written to the minister and asked for the bridges to be repaired by June 2022. I have spoken about this issue many times in this place, and I do sincerely hope it is

the last time I speak about this situation with the bridges unreplaced. I do hope to see the Umbagog District Park bridges replaced by June 2022, and I hope that a concrete time line can be provided to the community as soon as possible.

Question resolved in the affirmative.

The Assembly adjourned at 5.04 pm until Tuesday, 22 March 2022 at 10 am.

Answers to questions

Municipal services—Fix My Street (Question No 284)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 4 June 2021:

- (1) Can the Minister advise how many “Fix my Street” requests were received for the financial years of (a) 2019-2020 and (b) 2018-2019.
- (2) What are the different categories of “Fix my Street” requests.
- (3) How many requests were received, for each of the categories referred to in part (2), in the financial years of (a) 2019-2020 and (b) 2018-2019.

Mr Steel: The answer to the member’s question is as follows:

- (1) (a) 34,707; and (b) 35,682.
- (2) The categories used between financial years are different due to refinements and general improvements to how the categories are grouped.

The 2019-20 categories include:

Category
Abandoned Vehicles
Air Pollution and Noise
Bus Stops
City Rangers
Consumer Affairs - Fair Trading
Covid 19
Cycle and footpaths
Defective Vehicle
Domestic Garbage Bins and Collections
Domestic Garbage Collection
Driveways
Environment
General Leasing
Graffiti
Grass, tree & shrubs
Hazardous/Dangerous Materials
Illegal Camping
Illegal Parking
Litter & Illegal Dumping
MyWay

Naturestrips
Parking Areas
Parks and public spaces
Potholes
Public Bins
Recycling
Roads
Roads, parking & vehicles
Shared Paths (walk/bike)
Sharps (Needles)
Shopping Trolley
Stormwater
Streetlights
Street sweeping
Suburban Parks & Playgrounds
Traffic
Traffic Lights
Trees & Shrubs
Water
Working with Vulnerable People
Other

(3)

(a) 2019-20

Category	Total
Abandoned Vehicles	1,266
Air Pollution and Noise	8
Bus Stops	3
City Rangers	1
Consumer Affairs - Fair Trading	3
COVID 19	2
Cycle and footpaths	4,504
Defective Vehicle	1
Domestic Garbage Bins & Collections	9
Domestic Garbage Collection	2
Driveways	7
Environment	1
General Leasing	1
Graffiti	8
Grass, tree and shrubs	8,177
Hazardous/Dangerous Materials	1

Illegal Camping	1
Illegal parking	23
Litter & Illegal Dumping	26
MyWay	1
Naturestrips	16
Parking Areas	1
Parks & public spaces	3,111
Potholes	5
Public Bins	1
Recycling	1
Roads	203
Roads, parking & vehicles	10,892
Shared Paths (walk/bike)	38
Sharps (Needles)	3
Shopping Trolley	37
Stormwater	325
Streetlights	4,509
Street Sweeping	72
Suburban Parks and playgrounds	4
Traffic	3
Traffic Lights	2
Trees and shrubs	63
Water	1,361
Working with Vulnerable People	1
Other	14
Grand Total	34,707

(b) 2018-19

Category	Total
Abandoned Vehicles	2,036
Accidents	3
ACT Government Housing Matters	1
ACTION Buses	2
Air Pollution & Noise	1,059
Boundaries	1
Building Approval	2
Bus Stops	178
Construction/Licensing Complaints	2
Consumer Affairs - Fair Trading	1
Cycle & footpaths	195
Cycle Lanes (on-road)	54
Dangerous Dogs	2
Defective Vehicle	8
Dog Problems	1

Domestic Bins & Collections	1
Domestic Garbage Bins & Collections	368
Domestic Tips & Landfill	1
Driveways	229
Election Signs	56
Email	3
Footpaths	2,063
Graffiti	1,015
Grass, tree & shrubs	1,222
Illegal Dumping	1
Illegal parking	2,680
Infringements/Fines	1
Lakes/Ponds	1
Light Rail	1
Litter & Illegal Dumping	2,233
Mobile speed camera suggestions	150
Mountain Bike Trails (Nature Parks only)	24
Naturestrips	992
Notice of Disposal	1
Outdoor Fitness Equipment	33
Parks & public spaces	85
Pets	1
Potholes	921
Public Toilets	10
Public Vehicles	1
Road Safety	1,213
Roads	922
Roads, parking & vehicles	41
Shared Paths (walk/bike)	104
Shopping Trolley	409
Stormwater	760
Streetlights	5,687
Street Sweeping	599
Suburban Parks and playgrounds	821
Suggest mobile speed camera location	1
Telephone	16
Traffic	224
Traffic and Road Signs	1,347
Traffic Lights	495
Trees & Shrubs	5,479
Unit Titles	1
Water	3
Other	1,922
Grand Total	35,682

ACT Policing—bicycle thefts and cycling accidents (Question No 290)

Mr Parton asked the Minister for Police and Emergency Services, upon notice, on 4 June 2021:

- (1) How many bicycle thefts were there in Canberra in (a) 2019, (b) 2020 and (c) 2021 to date.
- (2) How many of the thefts referred to in part (1) were in (a) Canberra City, (b) Gungahlin Town Centre, (c) Belconnen Town Centre, (d) Woden Town Centre and (e) Tuggeranong Town Centre.
- (3) How many bicycle accidents have there been across Canberra in (a) 2019, (b) 2020 and (c) 2021 to date.
- (4) How many bicycle accidents have resulted in serious injuries for the cyclist in (a) 2019, (b) 2020 and (c) 2021 to date.

Mr Gentleman: The answer to the member's question is as follows:

(1)

	2019	2020	2021 (to 31 May 2021)
Bike Theft	787	570	316

ACT Policing and ACT Region Crime Stoppers launched *Bikelinc* in late 2020. *Bikelinc* enables cyclists to store images and details of their bike in a secure and easily searchable database. More than 1000 local bicycles were registered on the *Bikelinc* database in February 2021. ACT Policing is hopeful this will act as a deterrent to bicycle thieves, as prospective buyers of a bike can use *Bikelinc* to determine if a bike has been reported lost or stolen.

- (2) ACT Policing can only provide the number of bicycle thefts reported to ACT Policing by the suburbs where each of the requested town centres are located:

	2019	2020	2021
Belconnen	49	35	15
City	111	62	51
Greenway	25	17	1
Gungahlin	22	14	5
Phillip	26	9	4
Total	233	137	76

- (3) ACT Policing is unable to provide the number of accidents involving bicycle accidents as it would require the diversion of police resources to manually interrogate all

accident reports made to ACT Policing. This would be an arduous process, unable to be completed within the required timeframes.

- (4) ACT Policing is unable to provide the number of bicycle accidents that have resulted in serious injuries due to the above reason. No cyclists have been involved in a fatal road accident in 2019, 2020 or 2021.

Transport Canberra—costs and revenue (Question No 352)

Mr Parton asked the Minister for Transport and City Services, upon notice, on 25 June 2021:

- (1) How much was spent or is expected to be spent on ACTION bus driver's salaries, wages and allowances in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (2) How much was spent or is expected to be spent on ACTION bus maintenance staff salaries and wages in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (3) How much was spent or is expected to be spent on ACTION bus services administrative, management, and other staff salaries, wages and allowances in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (4) How much was spent or is expected to be spent on ACTION bus services other staff related overheads of in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (5) How much was spent or is expected to be spent on bus fleet operating costs, including, but not limited to repairs and maintenance, fuel, vehicle hire, spare parts, and all other operating costs including contract services in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (6) How much revenue was received for the provision of bus services for the Canberra community (including school bus services) in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (7) How much revenue was received for the provision of transport services to private sector or other public sector customers in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (8) How much revenue was received for other revenue arising from or association with the ACTION bus service in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2020-21.
- (9) What was the operating loss for each year between 2016 to 2021 (a) in cash terms and (b) accrual expense terms.
- (10) How much capital expenditure was incurred on maintaining or expanding the ACTION bus fleet in the years in question.

Mr Steel: The answer to the member's question is as follows:

- (1) It is important to note that services have increased over time and that this undermines comparisons between years. For example, in July 2020 692 additional daily services were added to the weekday timetable. In October 2020, 236 services were added to the Saturday timetable.

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 (May YTD)
57,803,823.75	64,273,355.69	68,337,022.24	74,764,006.47	75,974,548.92

(2)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 May YTD)
12,313,241.84	12,823,268.36	13,832,839.71	15,261,031.80	14,714,149.62

(3)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 May YTD)
27,548,587.89	27,391,088.15	27,494,143.81	32,441,116.42	29,833,400.14

(4)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 May YTD)
661,469.51	1,103,881.23	1,025,656.41	1,017,837.39	661,477.41

(5)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 (May YTD)
45,240,215.16	43,463,642.12	43,595,324.04	38,303,455.08	42,035,408.85

(6)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 May YTD)
31,935,333.84	33,062,708.42	33,540,717.43	29,189,327.49	21,007,353.36

*Note that fare revenue is a consolidated revenue for both Bus & Light Rail Services.

(7)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 (May YTD)
909,967.55	590,407.51	494,787.30	215,953.15	126,951.38

*This revenue is recognised through the Transport Canberra Charter Services.

(8)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021 (May YTD)
3,296,201.92	3,240,440.28	3,635,304.68	3,369,052.92	4,334,105.18

(9)

	2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY**	2020-2021 (May YTD)**
Operating Loss (Cash)*	97,186,773.09	106,768,885.33	110,505,554.98	176,239,171.48	175,214,084.03
Operating Loss (Non-Cash)*	114,417,266.66	107,472,963.18	125,892,695.28	203,162,834.10	208,777,010.70

*Figures are for Transport Canberra Operations.

** Includes Light Rail Operations.

(10)

2016-2017 FY	2017-2018 FY	2018-2019 FY	2019-2020 FY	2020-2021
6,917,000.00	13,413,000.00	15,356,000.00	20,190,000.00	Not available*

*The figure is unavailable at time of request. Capital expenditure is reported at calendar year.

Light rail—costs and revenue (Question No 353)

Mr Parton asked the Minister for Transport and City Services, upon notice, on 25 June 2021:

- (1) In 2019-20 and 2020-21, (a) how much was paid by the ACT Government to Canberra Metro Operations to deliver light rail services, and (b) what other expenses were incurred and paid in relation to maintaining and providing the existing light rail service.
- (2) Does the ACT Government receive any revenue from the light rail service; if so, how much was received in each year.

Mr Steel: The answer to the member's question is as follows:

- (1)
 - (a) The annual payments to Canberra Metro comprise two components: a construction repayment component associated with the capital value of light rail as an asset, and an operations and maintenance component for direct delivery of services to the Canberra community. This model is a useful form of financing for major infrastructure because it spreads the cost of purchasing long-term community assets over many years, along with the benefits.

Combined payments to Canberra Metro Operations for light rail were:

- i. \$53,854,902.33 in 2019-2020 (GST exclusive); and
- ii. \$49,703,750.52 in 2020-2021 (May YTD) (GST exclusive).

This comprised of the following split between capital and operating components:

	2019-20 FY	2020-21 May YTD
Construction Repayment (including Interest)	27,707,236.00	25,247,632.00
Operation & Maintenance	26,147,666.33	24,456,118.52
Total	53,854,902.33	49,703,750.52

- (b) For total other expenses to maintain and provide the existing light rail services, the ACT Government paid:
- i. \$1,301,740.33 in the 2019 2020 (GST exclusive); and
 - ii. \$2,680,092.92 in 2020-2021 (May YTD) (GST exclusive).
- (2) The ACT Government receives revenue from light rail advertising, see figures below. Transport Canberra does not report fare revenue separately for light rail as it is part of integrated services. Revenue is received from light rail tickets and forms around 20% of total public transport fare revenue.
- i. \$221,995.78 in 2019 2020; and
 - ii. \$79,892.51 in 2020 2021 (May YTD).

Transport Canberra—contractors (Question No 354)

Mr Parton asked the Minister for Transport and City Services, upon notice, on 25 June 2021:

- (1) How much was spent on the provision of public transport by privately contracted bus services (including coaches as applicable) in the ACT in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20 and (e) 2021-21.
- (2) Who were the providers for the service referred in part 1.
- (3) What amounts of revenue (if any) did these providers remit to the ACT government.

Mr Steel: The answer to the member's question is as follows:

- (1) The following table outlines the amount spent on provision of public transport by privately contracted bus services (including coaches) in the ACT.

The figures below largely reflects expenditure on Special Needs Transport. The 2020-2021 financial year figure includes some private buses that were used to replace light rail services while the Sandford Street stop was being constructed.

	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021 (May YTD)
Provision of Public transport by Privately contracted bus services	3,697,742.74	3,499,742.85	3,795,973.34	3,651,780.29	4,059,672.34

- (2) Transport Canberra uses private providers for these purposes.
- (3) No revenue is remitted by these providers.

**Health—home births
(Question No 377)**

Mr Davis asked the Minister for Health, upon notice, on 6 August 2021:

- (1) Can the Minister provide, noting the evaluation of the publicly-funded homebirth trial in the ACT published in March 2020, an update on (a) how many midwives currently attend homebirths in the ACT, (b) in total, how many midwives that currently attend homebirths in the ACT have been trained in neonatal resuscitation and (c) are primiparous women who meet low risk criteria, have a health pregnancy, would like a planned homebirth and are full aware of the benefits and risks, now eligible for a homebirth.
- (2) Has the ACT Government consulted with the ACT Ambulance Service and ACT Insurance Authority on the geographical boundaries associated with publicly funded homebirth at the Centenary Hospital for Women and children (CHWC); if so, what advice has the (a) ACT Ambulance Service and (b) ACT Insurance Authority, provided on this issue during consultation.
- (3) Has the ACT Government consulted with Calvary Hospital on the provision of publicly funded homebirth services for those living in the northern geographical area; if so, is there appetite Calvary Hospital to provide this service.
- (4) Do midwives from the CHWC have visiting rights to transfer people from the northern geographical area should that be required.
- (5) Are people participating in the homebirth trial able to choose a water birth with informed consent; if not, why not.
- (6) Have the midwives, that currently attend publicly funded homebirths in the ACT, been provided with the opportunity by the ACT Government to undertake credentialing on water births.
- (7) Are midwifery students able to attend a homebirth as an observer if a woman who chooses homebirth is one whom they have engaged in a continuity of care experience.
- (8) Are midwives, working in the CHWC maternity unit, given the opportunity to rotate into the homebirth program to enhance understanding of the experience and processes of homebirth.
- (9) What plans are there to expand access to the continuity of care model so that every pregnant person who would like continuity of care has access to it.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) (a) Canberra Health Services (CHS) has 12 primary homebirth midwives and another five who are working towards being a primary homebirth midwife.
- (b) All midwives who attend a homebirth are trained in neonatal resuscitation in the homebirth setting.

- (c) CHS continue to work through Recommendation 3 – The homebirth option should be offered to primiparous women who meet low risk criteria, have a health pregnancy, would like a planned homebirth and are fully aware of the benefits and risks, including a literature review, data analysis and consultation with key stakeholders. Insurance implications are also being explored. CHS anticipate completion of this work in November 2021 for implementation as part of the Homebirth Service at CHS.
- (2) Recommendations 4,5 and 6 discuss expansion of the geographical boundaries of publicly funded homebirth including the possible establishment of a Publicly Funded Homebirth Service at Calvary Public Hospital Bruce (Calvary). Initial conversations have occurred with ACT Ambulance Services (ACTAS) and the Insurance and Legal Liaison Unit for CHS about the possible expansion of the boundaries, ambulance response times and policies.
 - (a) ACTAS have advised they undertake all necessary hospital transfers associated with childbirth as required and are not limited by current homebirth boundaries.
 - (b) The initial discussion identified that ACT Insurance Agency (ACTIA) would require evidence for extending the boundary line. Future discussions are planned with ACTIA once further work has been undertaken to determine potential expansion details, including reviewing the larger catchment areas of long-standing publicly funded homebirth programs in the other Australian States and Territories.
- (3) ACT Health Directorate (ACTHD) and CHS are leading a Joint Maternity Project to develop an action and implementation plan for reforms to the maternity system. ACTHD and CHS have been working with Calvary to understand current demands and opportunities to help inform the implementation plan.
- (4) Currently the midwives at CHWC do not have visiting rights at Calvary.
- (5) Women participating in the publicly funded homebirth service will be able to choose a water birth at home with informed consent, however due to the current COVID-19 response endorsement of this option has been delayed.
- (6) All midwives attending homebirths in the ACT as part of the Publicly Funded Homebirth Service have been credentialled to provide care for women during a waterbirth at home.

This credentialling includes updated procedure "Water immersion during labour/birth", participation in waterbirth under the supervision of an experienced midwife, completion of e learning module – water emersion for labour/birth and practical education on bath evacuation. This education/credentialing is recorded on the education database within CHS.
- (7) As of 16 August 2021, student midwives will be able to attend a homebirth in an observation role, if a woman who chooses homebirth is one whom they have engaged in a continuity of care experience and the woman consents to having the student within her home for labour/birth.
- (8) Due to the current staffing profiles within Maternity at CHWC, this recommendation has been excluded at this time.

- (9) Through development of the Joint Maternity Project, opportunities to expand access to continuity of care are being considered. This work takes into consideration workforce implications and the implementation timeframe for such a proposal.
-

**Parks and conservation—fire trails management
(Question No 390)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

- (1) Which government agency is responsible for maintaining the two drainage ditches that exist to divert run-off from the fire trail located immediately behind Marrakai Street, Hawker.
- (2) When was the secondary drainage ditch (located approximately five metres behind the houses) last cleaned of vegetation and soil.
- (3) When was the primary drainage ditch (located approximately 10 metres south up the hill from the fire trail) last cleaned of vegetation and soil.

Mr Steel: The answer to the member's question is as follows:

- (1) Transport Canberra and City Services.
 - (2) No record is available of previous clearing in these facilities. Both cut-off drains were inspected in August 2021. Based on inspection, it is considered that the removal of vegetation could destabilise or scour the cut-off drain. Some limited cleaning and desilting activity will be undertaken. Overall, the cut-off drains were assessed to be functioning effectively.
 - (3) See response above.
-

**Lawson—parking
(Question No 393)**

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 6 August 2021:

- (1) In relation to the response to question on notice No 99 from the inquiry into referred 2019-20 annual and financial reports and budget estimates 2020-21 concerning on-street parking spaces in Lawson, can the Minister provide the preliminary design report for indented parking and costing, expected to be available in June 2021, as noted in the written answer to question (2)(c).
- (2) To date, what consideration has been given to how these parking spaces can be funded.
- (3) When does the directorate expect that these parking spaces will be implemented, and what steps will be involved between now and then.

Mr Steel: The answer to the member's question is as follows:

- (1) The ACT Government has engaged a consultant to undertake a study of parking supply and demand in Lawson given current conditions. The study has recently been finalised and Transport Canberra and City Services (TCCS) are currently considering the results. The findings of this study will determine if additional parking facilities could be provided in Lawson.
 - (2) TCCS are still considering the results of the study.
 - (3) TCCS are still considering the results of the study.
-

**Molonglo River—sewerage
(Question No 423)**

Ms Castley asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 17 September 2021 (*redirected to the Treasurer*):

- (1) How much partially treated sewerage, broken down by megalitres, was spilled into the Molonglo River.
- (2) How long will the partially treated sewerage remain toxic in the river.
- (3) How did partially treated sewerage leak from the Lower Molonglo Quality Control Centre Sewerage System into the Molonglo and Murrumbidgee River.
- (4) Why are there no safeguards against overflow at the Lower Molonglo Quality Control Centre Sewerage System.
- (5) What impact will the spill have on (a) wildlife, (b) Canberrans living near, (c) freshwater native species spawning in and (d) native fauna in and next to, the affected rivers.
- (6) What is the Government doing to prevent another spill.
- (7) What is the cost of the clean-up.
- (8) What is the budget for preventative actions and can the Minister provide details and cost breakdown.
- (9) What impact will this spill have on the Healthy Waterways initiative.

Mr Barr: The answer to the member's question is as follows:

- (1) 20ML of partially treated effluent was released from the bypass storage dam across 19 hours of a 72 hour wet weather event. The spill entailed 3.3 per cent of the total volume of raw sewage (615ML) entering the Plant over the 3 day event. This was a controlled discharge, managed and operated in accordance with a licence held by Icon Water under the *Environment Protection Act 1997* and an Environmental Management Plan which outlines the activities relating to Environmental Authorisation.

- (2) Toxicity is assessed by concentration. The partially treated volume discharged equated to approximately 0.3 percent of the flows in the Molonglo River, and 0.1 percent of the flows in the Murrumbidgee River at that point in time. This proportion of total river flow is an insufficient concentration to have a toxic effect.

However, Icon Water provided advice to downstream residents to avoid drawing water from the river for drinking, food preparation, caring for animals, swimming in or having other bodily contact water sports in the Murrumbidgee River for the days following.

For context, the three progressive stages of the treatment process remove solids, nutrients then microbes. All of the 20ML released had all coarse solid materials larger than 3mm removed by screening before entering the dam. Of the 20ML volume, 16ML had received full primary treatment removing the majority of particulate sewage components from the effluent.

- (3) Icon Water's Lower Molonglo Water Quality Control Centre (LMWQCC) is designed in such a way that it can accommodate surplus flows during a prolonged or intense wet weather event.

A key control is a bypass storage dam which is typically kept empty in case of a need to store excess flow, which can then be progressively recirculated within the treatment process. This storage facility operated as designed during the event and resulted in a controlled discharge once its capacity was exceeded and consistent with operating licence requirements. As such, partially treated sewage did not leak from LMWQCC.

In advance of the event, Icon Water planned and prepared in such a way as to maximise the treatment capacity of the Plant. All activities were managed and operated in accordance with the Icon Water Environmental Management Plan, a requirement of its licence. Additional management controls were applied through diversion and storage of some flows through the sewerage network (essentially delaying portions of the peak inflow to the Plant) in combination with using the onsite storage capacity of the bypass dam mentioned above.

- (4) There are many safeguards and degrees of redundancy that are deployed both within Icon Water's management of upstream network activities, and available treatment pathways within the plant itself (as described in the response to Question 3).

Icon Water successfully used existing controls to effectively minimise the release of partially treated effluent into the environment. The incident was exacerbated by the limited capacity of the catchment to absorb excess rainfall. Due to the sustained above average rainfall experienced during Autumn and Winter and increased soil moisture content, a greater than normal amount of stormwater entered the sewer network. This stormwater infiltration into the network exceeded the plant's capacity.

- (5)
a) Wildlife (terrestrial)

Only individual animals caught in the direct flow from the overflow pond are likely to have been impacted by the overflow event. However, it is likely that terrestrial animals would have already moved out of the spillway during the significant rain event occurring at that time.

b) Nearby Canberrans

A significant river flooding event was occurring at that time, and it is unlikely that people were in the downstream river (Molonglo or Murrumbidgee) during or soon after the spill. Downstream offtake of water is unlikely to have been affected due to the flooding significantly diluting the sewage overflow.

c) Freshwater native species spawning in (the affected rivers)

The additional impact on native fish due to partially treated sewage entering the river systems in the overflow event would have been negligible. Water temperature at the time of the overflow was less than 13°C and no native fish species of the ACT region would have commenced spawning under these conditions. The current sewage treatment process used by the Lower Molonglo Water Quality Control Centre (LMWQCC) does not remove potentially harmful chemicals such as pesticides and endocrine-disruptors, so risks from these to aquatic life would not have increased beyond background levels by the overflow event. While discharge of partially treated sewage with very high bacteria and nutrient levels (in addition to the higher salt and endocrine-disrupting chemicals of treated sewage) can reduce oxygen and result in algal spikes potentially causing fish kills, river flooding at the time of the event diluted the overflow to approximately 0.0002% of the flow. This would have almost immediately reduced any additional impact (beyond background levels) on native fish to negligible. Native fish already avoid the Molonglo River directly below the treated sewage outfall. Water quality monitoring stations downstream of the outfall gave no indication of a major water quality impact in the period.

d) Native fauna in and next to, the affected rivers

Some frogs are highly sensitive to endocrine-disrupting chemicals and other contaminants in sewerage which can affect growth and development rates, sexual development and physiology. As these are present in the ongoing normal discharge of treated sewage into the Molonglo River and not removed by the treatment processes used by LMWQCC, no additional risk would have been posed by release of partially treated sewage.

- (6) Icon Water manages the sewerage services in the ACT and continues to renew and upgrade processes at LMWQCC to ensure reliability and capacity are maintained as Canberra grows and high-intensity and volatile wet-weather events become more common with climate change. These investment activities are supported by the Icon Water Climate Change Adaption Plan and Sewage System Strategy. Icon Water also has a routine program of preventative maintenance and asset replacement across the network and at its plants. Consideration of peak flow management is also supported through Icon Water's modelling and planning of the network.

- (7) Icon Water advises that there was no requirement for clean-up or cost following this event.

The partially treated effluent was 100 percent screened of coarse particles and solids resulting in only the liquid fraction being discharged from the dam. This liquid fraction mixed and was diluted by the elevated storm water flows within the river.

- (8) Optimising the LMWQCC treatment process is part of the normal operation of the plant and is included and distributed across operations and maintenance budgets.

Every five years Icon Water's operating and capital budgets are reviewed by the Independent Competition and Regulatory Commission (ICRC) as part of the price regulation and review process. Several projects to upgrade and improve LMWQCC feature in the budget and are progressing as planned. LMWQCC accounts for 35 percent of the capital investment budget for 2018–23.

Icon Water proposed approximately \$50 million per year of capital investment in the sewer network in their 2018-23 price submission to the ICRC. This supports renewal and upgrades of both the sewage pipes and the treatment plants.

Icon Water invests in LMWQCC and its sewer network on an ongoing basis based on asset and service projections, and expects to continue doing so into the future.

- (9) The Healthy Waterways assets situated along the Molonglo River should not be adversely affected by the sewage release. Flows in the river will dilute the effluent and it will be treated in wetlands in the same manner as is organic and inorganic pollution from other sources.

Taxation—land tax liabilities (Question No 426)

Mr Cain asked the Treasurer, upon notice, on 17 September 2021:

- (1) For residential properties identified prior to transfer to have land tax liabilities identified in the financial years (a) 2018-19, (b) 2019-20 and (c) 2020-21, what was the volume of transactions and the dollar value of land tax liabilities collected for these transfers.
- (2) For how many (volume and percentage of total transfers with land tax liabilities) of these individual liabilities (a) were penalties levied, (b) was interest charged, (c) was interest and penalties charged and (d) was no interest or penalties charged.
- (3) What are the most common reasons for not charging interest or penalties, when no penalties or interest are charged.
- (4) Have there been any examples where ACT Revenue has been notified by a real estate agent or an owner via any means including lodging of a rental bond where as a result land tax bills were not sent to owner; if so, what was the total dollar value of tax liabilities collected for these transactions and what are the top three reasons why notification bills were not sent to the owners.

Mr Barr: The answer to the member's question is as follows:

Question 1.

The following table outlines the volume and value of land tax assessments for the respective periods where land tax was assessed within 30 days before a lease transfer date (normal settlement period).

Criteria:	2018-2019	2019-2020	2020-2021
Number of Assessments	140	87	190
Total Liability Amount (incl penalty and Interest)	\$495,317	\$452,805	\$1,322,504

Question 2.

The following table outlines the volume and percentage amounts of land tax assessments in the requested categories for the respective periods where land tax was assessed within 30 days before a lease transfer date (normal settlement period).

	2018-19		2019-20		2021-21	
Criteria	Number of Assessments	% of Total Assessments of 140	Number of Assessments	% of Total Assessments of 87	Number of Assessments	% of Total Assessments of 190
2(a) Penalties levied ¹	34	24%	27	31%	82	43%
2(b) Interest charged ²	46	32%	32	37%	88	46%
2(c) Penalties and Interest ³	31	22%	27	31%	77	41%
2(d) No penalties and no interest	91	65%	55	63%	97	51%

¹ Reflects all assessments that contain penalties

² Reflects all assessments that contain interest

³ This is a sub-set of the assessment figures for penalties levied and interest charged

Question 3

Taxpayers who are liable for land tax are required to inform the ACT Revenue Office using the online notification form available on the ACT Revenue Office website. Taxpayers can then receive land tax notices as they fall due and plan appropriately for this liability.

In cases where a land tax liable taxpayer does not complete the online notification form, land tax assessments are likely to occur after the Revenue Office has detected a liability using other data sources, including rental bond lodgements.

The Revenue Office does not generally charge interest or penalty tax on backdated land tax assessments in cases where a rental bond has been lodged with the Revenue Office (the Revenue Office took over this function in July 2018) as this lodgement is taken as notification of a land tax liability.

Question 4

Land tax assessments are issued once the information received is matched to a property in the Revenue Office's system. The Revenue Office does not separate land tax assessments according to how the Revenue Office was informed of the liability. It is therefore not possible to provide a value of land tax assessments that were raised based on the source of the information being received by the Revenue Office, such as a rental bond lodgement.

**Development—Hawker tennis centre
(Question No 440)**

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 17 September 2021:

- (1) When did the Hawker Tennis Courts cease being used.
- (2) Are there any current development applications for the block that Hawker Tennis courts is built on; if so, when was the application lodged.
- (3) Who are the current owners of this block.
- (4) Who is the current developer of this block.
- (5) Does the ACT Government have any plans to buy this land; if so, for what purpose.
- (6) If the ACT Government already owns the land, when did they come into ownership of the land.
- (7) Does the ACT Government have any plans to develop this block in any way; if so, for what purpose.
- (8) If there are no formal plans, have there been discussions about what to do with this land; if so, what was the nature of these discussions.
- (9) Has the ACT Government issued any kind of order or request to those responsible for the land to clean the place and properly secure it; if so, when were these orders issued; if not, why not.
- (10) Did ACT Labor, during the 2020 ACT election, commit to upgrading the Hawker District Playing Fields; if so, will this upgrade include any kind of development of the Hawker Tennis Courts.

Mr Gentleman: The answer to the member's question is as follows:

- (1) A non-government entity operated the tennis facility from 1977 to 2010. As this was a privately operated venture the ACT Government does not have any records of when it ceased operation.
- (2) DA 201834626 was lodged 19 December 2018 and was approved subject to conditions on 4 August 2019. The development application proposed demolition of existing buildings and tennis courts, construction of a new single storey childcare centre, landscaping and associated works, and variation to the Crown lease purpose clause to permit "community use" limited to "childcare".
- (3) The lessees of Block 9 Section 3 Hawker are:
 - a. Pelle Projects Pty Ltd (Director Dominic Pelle); and
 - b. Regional Investment Pty Ltd (Director John Krnc).

- (4) The current lessees.
- (5) The ACT Government is not seeking to acquire the land.
- (6) The ACT Government is not the current custodian for the land.
- (7) The ACT Government has no plans to develop the site.
- (8) See response to question 2.
- (9) No orders have been issued. Access Canberra has conducted an inspection of the block on 17 September 2021. There was insufficient evidence to meet the criteria for an unclean leasehold under the *Planning and Development Act 2007*.

Transport Canberra and City Services has recently mown the adjacent nature strip and coordinated the removal of an abandoned car.
- (10) ACT Labor committed to the following: “Major improvements to lighting, facilities and parking at Hawker District Playing Fields”. This commitment did not include the privately owned tennis courts.

Government—boards of inquiry (Question No 467)

Mrs Kikkert asked the Chief Minister, upon notice, on 17 September 2021:

In relation to boards of inquiry appointed under the *Inquiries Act 1991*, for each of the past 10 boards of inquiry, can the Chief Minister provide the (a) name/title of inquiry and date board was appointed, (b) matter of the inquiry, (c) total cost of the inquiry and (d) itemised cost of the inquiry broken down in general categories (for example, reimburses of expenses of witnesses, use of the services of a public servant, cost of appointing lawyer to assist board).

Mr Barr: The answer to the member’s question is as follows:

Parts (a) and (b):

There have been seven inquiries held under the *Inquiries Act 1991*.

TITLE OF INQUIRY	DATE OF APPOINTMENT	MATTER OF THE INQUIRY
Board of Inquiry - Ainslie Village – (KELLY INQUIRY)	12 August 1992	To investigate whether Ainslie Village has operated in an efficient and effective manner, provided an appropriate level and type of service to the potential and existing residents, given staff and residents opportunity to be involved in decision making processes, and safe-guarded user rights.
Board of Inquiry - Administration of ACT Leasehold – (STEIN INQUIRY)	3 June 1995	An inquiry under the <i>Inquiries Act 1991</i> into the administration of ACT leasehold with particular reference to the assessment and collection of the appropriate charges arising from betterment.

Board of Inquiry - ACT Totalisator Board (ACTTAB) / Vanuatu International Totalisator (VITAB) Contractual agreements – (BURBIDGE INQUIRY)	26 June 1997	A Board of Inquiry, pursuant to the <i>Inquiries Act 1991</i> into the activities of the ACT Racing Club (the Club) and the Board of ACTTAB (the Board - either the current or a previous board).
Board of Inquiry - Acton Peninsula - Demolition of Buildings – (TANZER/ SMETHURST INQUIRY)	14 July 1997 (Tanzer) 29 July 1997 (Smethurst)	A Board of Inquiry to inquire into the following matters: (i) the circumstances including all considerations by the Assembly, the Executive, Ministers, officials and Agencies relating to the demolition of Royal Canberra Hospital, since the Acton-Kingston Land Swap; (ii) the circumstances relating to the process followed in reaching a conclusion as how to demolish the Royal Canberra Hospital; (iii) the circumstances surrounding and the processes followed to determine the successful contractor to undertake take the contract; (iv) the circumstances surrounding and the process followed in the development of the implosion contract; and (v) the circumstances relating to, and the appropriateness of, the decision to invite spectators to view the implosion and publicity and media promotion of the implosion.
Board Of Inquiry into Disability Services – (GALLOP INQUIRY)	5 December 2000	A Board of Inquiry, to inquire into the services for people with a disability in residential care in the ACT.
Board of Inquiry into System Level Responses to Family Violence in the ACT – (GLANFIELD INQUIRY)	22 February 2016	Review the current legislative framework, policy, practices and operations of ACT Government directorates and service providers who respond to family violence with a focus on systemic issues. Review the effectiveness of interactions and responses of government directorates/agencies and service providers in relation to mandatory reporting, family violence (particularly where children are involved) and the sharing of information on at risk families.

Part (c) and (d):

Providing a full answer to these parts would represent an unreasonable diversion of resources given the length of time since these inquiries were undertaken, and that much of the information requested may be unlikely to be available or incomplete.

However, information on major costs incurred by the Glanfield Inquiry, which is the only Board of Inquiry to be appointed in the past two decades, is provided as follows:

TITLE OF INQUIRY	DETAILS OF COSTS
Board of Inquiry into System Level Responses to Family Violence in the ACT – (GLANFIELD INQUIRY)	Approximately \$55,500 was allocated towards this Inquiry, which included payment to Mr Glanfield for his services in providing 20 days of review work, and associated travel. Significant additional resources including ACT Government staff costs for those assisting with the inquiry were also directed towards the conduct of the Inquiry and response to the recommendations. These other costs from the Inquiry were absorbed by the relevant Directorates.

Development—leases (Question No 469)

Mr Cain asked the Minister for Planning and Land Management, upon notice, on 8 October 2021:

How many development leases were classified as (a) residential, (b) commercial and (c) rural, during the financial years of (i) 2016-17, (ii) 2017 18, (iii) 2018-19, (iv) 2019-20 and (v) 2020-21.

Mr Gentleman: The answer to the member's question is as follows:

'Development leases' are not a category of lease issued under the *Planning and Development Act 2007*.

In relation to Crown leases, however, these are not classified into residential, commercial, and rural. Each Crown lease has a purpose clause that specifies the uses permitted on the land. Some leases permit both commercial and residential as a use.

Retrieving the data would require a manual review of each individual Crown lease for the periods specified to determine the permitted uses and represent a significant diversion of resources.

Housing—affordability (Question No 470)

Ms Castley asked the Minister for Housing and Suburban Development, upon notice, on 8 October 2021:

- (1) What financial support does the Government give Canberrans to buy a property.
- (2) How does the Government respond to spiralling house prices in the ACT particularly as more and more people are priced out of the market and struggling to buy their first home.
- (3) Does the Government have any policies targeted at reducing ACT property prices; if so, (a) what are they and (b) what success have they had in reducing prices and how is that measured.

- (4) How many Canberrans are currently priced out of the market and unable to afford a home.
- (5) How does the Government support homeless Canberrans wanting to buy a home.
- (6) How does the Suburban Land Agency (SLA) manage land release ballots.
- (7) Does the SLA give preference to Canberrans who do not currently own a home; if not, why not.
- (8) Further to part (7), does the Government prioritise/give preference to other groups; if so, can the Minister provide details.

Ms Berry: The answer to the member's question is as follows:

- (1) The ACT Government offers a range of financial support to help people buy a property. Information is available on the following websites:

<https://www.revenue.act.gov.au/im-buying-a-new-home>

<https://www.act.gov.au/assistance/housing-and-rates>

<https://www.act.gov.au/homes-housing/home>

In addition to these financial support programs, the ACT Housing Strategy establishes the policy framework to guide decisions about policy, planning and delivery of housing assistance, with a particular focus on low to moderate households and those most vulnerable to homelessness. The strategy is structured around five goals and 74 priority actions, supported by an implementation plan which identifies delivery responsibilities and timeframes. Further information is available on the ACT Government's Homes and Housing website: <https://www.act.gov.au/homes-housing/act-housing-strategy>

- (2) In addition to the support mentioned in the response to question one, one of the initiatives under the ACT Housing Strategy that supports people to buy a home is the Affordable Home Purchase Scheme. This scheme gives eligible buyers the opportunity to purchase a property at a fixed price threshold, based on affordable repayments for a household in income quintile two.

There are a range of properties available including apartments, townhouses and house and land packages, with different numbers of bedrooms and in a range of locations across the ACT. Further information is available here:

<https://suburbanland.act.gov.au/affordable-housing>

A further initiative to support homebuyers is the Land Rent Scheme. This scheme reduces the entry costs and mortgage payments for homeowners, as lessees rent the land from the government instead of buying it. Further information is available here: <https://suburbanland.act.gov.au/en/land-rent-scheme>

- (3) The ACT Government does not directly intervene in the property market to regulate property prices. Property prices are influenced by a range of factors including market forces and land and housing supply and demand.

The Government's Indicative Land Release Program aims to make sure the amount of land for new housing that is supplied to the market remains ahead of the forecast

demand for new housing. Increasing the supply of land for new homes and increasing the total housing stock is an effective way to impact price pressures and housing affordability for home buyers and renters.

Demand for new housing is generally driven by population growth and household formation. Record low interest rates, coupled with record levels of household savings in the past 15 months, are currently influencing the level of activity in the property market, which in turn has an impact on property prices. Government economic and industry stimulus measures associated with COVID-19, and actions to reduce the overall cost of buying a home with the reduction of stamp duty, are also generating activity in the property market and impacting property prices.

The ACT Government provides targeted assistance to home buyers, as outlined in the responses to questions one and two.

The ACT Government is the first jurisdictional government in Australia to act to remove the burden of stamp duty for the home buyers through its tax reform program. The Government has successfully implemented numerous stamp duty concessions and a 50 per cent rebate on Lease Variation Charge as part of COVID-19 stimulus.

Following the expiry of these stimulus measures on 30 June 2021, the ACT Government has announced the abolition of stamp duty for off-the-plan apartment and townhouse purchases up to \$500,000, effective from 1 July 2021. This is part of the government's continued tax reform program of phasing out stamp duty and replacing it with more efficient land-based taxes. Improving housing affordability for all Canberrans has been an objective of the ACT Government for many years.

- (4) The ACT does well on many measures of housing affordability and continues to experience comparatively low levels of housing stress (generally defined as paying more than 30 per cent of household income on rent or mortgage costs). This is due to Canberra's low unemployment and comparatively high incomes, though the overall prosperity of the ACT can conceal disadvantage at the individual level. The ACT's full time adult average weekly ordinary time earnings was \$1,910 in May 2021, compared with the national average of \$1,737.

Housing affordability, used here with reference to being able to afford to buy a home, is a relative measure that comes down to individual or household circumstances. The ACT Government provides targeted assistance to home buyers, as outlined in the responses to questions one and two.

The ACT has almost 170,000 households which are divided into income quintiles, and analysis in September 2021 showed that for an average household in the ACT (earning an average gross household income of around \$144,939), 'affordable' rent is up to \$836 per week and an 'affordable' mortgage enables the purchase of a home for up to \$798,500.

This is above the median rent of \$580 a week for a three-bedroom house and \$510 a week for two-bedroom unit in Canberra (REIA data as at June Quarter 2021) and the median dwelling price of \$649,950 recorded in July 2021 (Based on Access Canberra Property Sales Data). At these levels, there are many homes available on the private market.

- (5) The ACT Government provides targeted assistance to home buyers, as outlined in the responses to questions one and two.

Goal two of the ACT Housing Strategy is "Reducing Homelessness." The ACT Government provides a range of accommodation and support programs for people

experiencing homelessness, but also focuses on preventing people from becoming homeless in the first place. These strategies, programs and initiatives are outlined in the strategy, implementation plan and annual report cards, available on the ACT Government's Homes and Housing website: <https://www.act.gov.au/homes-housing/act-housing-strategy>

- (6) Details of the land release ballot process are published on the Suburban Land Agency's website <https://suburbanland.act.gov.au/en/buying-methods>. All potential registrants are required to comply with the published terms and conditions.
- (7) The eligibility criteria for the Affordable Home Purchase Scheme specifies that participants cannot have previously owned property, either as an individual or as tenants in common, or as part of a business operation (this includes previous property ownership in Australia or overseas). Further details on the Affordable Home Purchase Scheme, including the full eligibility criteria, is available on the Suburban Land Agency's website: <https://suburbanland.act.gov.au/affordable-housing>
- (8) Further to question 7, the Suburban Land Agency implements affordable housing programs such as the Affordable Home Purchase Scheme and the Land Rent Scheme which have eligibility criteria to make sure that these schemes are effectively targeted. Information on these schemes is available on the Suburban Land Agency's website: <https://suburbanland.act.gov.au/en/>

In addition, the ACT Housing Strategy has a number of actions that target specific groups, such as:

- Action 2B.1 - Prioritise young people, including young mothers, and women and children escaping domestic and family violence to provide assistance early to minimise the intergenerational impacts of experiencing homelessness.
- Action 2C.1 - Support culturally appropriate public and community housing accommodation options and support programs for Aboriginal and Torres Strait Islander people.
- Action 3B.2 - Design and deliver purpose-built housing that adapts to the needs of older people and people living with disability.

A copy of the strategy is available on the ACT Government's Homes and Housing website: <https://www.act.gov.au/homes-housing/act-housing-strategy>

Child and Youth Protection Services—family group conferencing (Question No 472)

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 8 October 2021:

- (1) In relation to the Child and Youth Protection Services procedure 'Family Group Conferencing (FGC) for Aboriginal and Torres Strait Islander Children and Young People', how many cases of emergency action involved an Aboriginal and/or Torres Strait Islander child or young person in 2020–21.
- (2) In how many of these cases did case managers attend a consultation with a FGC facilitator.

- (3) In how many of these cases did the FGC facilitator determine that a FGC was a suitable action.
- (4) In how many of these cases did a FGC actually occur.
- (5) What were the reasons, by number, why any FGCs did not occur after being recommended by a FGC facilitator.
- (6) What guidelines does a FGC facilitator use to determine if a FGC is a suitable option following emergency action
- (7) How many planned applications involving Aboriginal and/or Torres Strait Islander children or young people were lodged with the Childrens Court in 2020–21.
- (8) How many of these planned applications were preceded by a FGC.
- (9) What guidelines does a case manager use when considering holding a FGC before a planned application.
- (10) How many other FGCs were conducted during 2020–21 in matters involving Aboriginal and/or Torres Strait Islander Children, apart from cases captured in parts (1) and (7).
- (11) How many FGCs were conducted during 2020-21 in matters involving children or young people who are not Aboriginal and/or Torres Strait Islander.

Ms Stephen-Smith: The answer to the member's question is as follows:

1. During the period 1 July 2020 to 30 June 2021, Emergency Action was taken for 24 Aboriginal and/or Torres Strait Islander children or young people.
2. Of the 24 children, which consist of 13 families, seven (7) family consultations occurred with CYPS case managers.
3. The FGC facilitator does not determine suitability for the program as this is a family led process.
4. Two (2) Family Group Conferences were held.
5. Five (5) Family Group Conferences did not occur as the family made the decision to not proceed.
6. A Family Group Conference is a facilitated meeting which supports family-led decision making during critical phases of Child and Youth Protection Services involvement. Facilitators do not determine the suitability for a family to engage in the service. Once a family agrees to engage, the facilitator is guided by practice guides and procedures that inform the Family Group Conference planning process.

As a Family Group Conference is voluntary, it will not proceed if:

- i. the child does not want to participate (if age appropriate); and
- ii. key family members do not want to participate.

7. After careful consideration of the question, and based on advice provided by my Directorate, I have determined that the information sought is not in an easily retrievable form, and that to collect and assemble the information sought solely for the purpose of answering the question would be a major task, requiring a considerable diversion of resources. In this instance, I do not believe that it would be appropriate to divert resources from the provision of direct services, for the purposes of answering the Member's question.
8. Refer to the response at 7 above.
9. A Family Group Conference is only conducted by a Family Group Conference facilitator who is also Aboriginal or Torres Strait Islander. A CYPS case manager can make a referral to the program at any stage however the decision to engage rests with the family.

Case manager training on Family Group Conferencing is mandatory training for all CYPS staff to understand the process to seek agreement from the family for participation in a Family Group Conference. CYPS case managers follow the *Family Group Conferencing for Aboriginal and Torres Strait Islander Children and Young People* procedure.
10. A total of seven (7) Family Group Conferences were conducted from 1 July 2020 to 30 June 2021 that did not involve Emergency Action.
11. CYPS presently only offers Family Group Conferencing to Aboriginal and/or Torres Strait Islander families.

Environment—Healthy Waterways project (Question No 477)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 8 October 2021:

- (1) In relation to the installation of autosamplers to conduct strategic water quality monitoring and then analysis within the ACT Healthy Waterways catchments, has this monitoring begun; if so, where can the data from the monitoring be found.
- (2) If the data, referred to in part (1), is not already publicly available, when will it be.
- (3) Can the Minister provide the latest monitoring data for Lake Tuggeranong.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) The autosamplers are currently deployed in a pond at Casey, a wetland in Ngunnawal, a pond in Bonner, and a wetland in Harrison. There are plans to relocate these to four Healthy Waterways sites, which have been fitted with infrastructure to allow the autosamplers to be deployed. The sites are: the raingarden in Isabella Plains, a wetland in Melba, a raingarden in Curtin, and a wetland in Kingston. A meeting with TCCS to discuss the funding for this activity is imminent.
- (2) The data is currently not in a form for public accessibility but can be provided on request.

- (3) The monitoring of Lake Tuggeranong is done by ALS on contract to the ACT Government 6-8 times year, mainly in warmer months of the year when use of the lakes is greatest. The Environment, Planning and Sustainable Development Directorate has already provided the data for the 5 years to 2020, and the latest data for 2021 are attached (Attachment A).

(A copy of the attachment is available at the Chamber Support Office).

Lake Tuggeranong—water quality (Question No 479)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 8 October 2021:

Can the Minister outline the progress the Government has made on each recommendation from the UC Lake Tuggeranong Research Project report completed in 2020.

Mr Rattenbury: The answer to the member's question is as follows:

The research findings from the UC Lake Tuggeranong Research Project have assisted in identifying improvements for water quality in Lake Tuggeranong.

The report made five recommendations:

1. Improve the water mass balance model for Lake Tuggeranong
2. Remote sensing of catchment to increase understanding of the run-off from sub-catchments
3. Sampling of storm events in the Lake Tuggeranong sub-catchments
4. Characterisation of nutrient export from specific surfaces, and
5. Systematic evaluation of short-term in-lake solutions

Recommendation 1

eWater has been contracted to work on the water balance of Lake Tuggeranong, linking the newly developed MUSIC X model to the ACT Source model. Completion is anticipated by June 2022.

Recommendation 2

The ACT Government recently acquired a high resolution pervious/impervious layer of the urban extent of the ACT, based on the 2020 LIDAR data acquisition. This information is being incorporated into the MUSIC X model to further refine our understanding of runoff processes in the Tuggeranong catchment.

Recommendations 3 and 4

The Government has prioritised another season of the UC research program so we can understand the ultimate source of pollutants.

Recommendation 5

This recommendation will be acted on in due course as new solutions arise.

**Water—catchment management
(Question No 481)**

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 8 October 2021:

Why aren't the ACT and Region Catchment Management and Coordination Group reports published online by the ACT Government.

Mr Rattenbury: The answer to the member's question is as follows:

- (1) All ACT and Region Catchment Management and Coordination Group annual reports are published at:

<https://www.environment.act.gov.au/water/water-strategies-and-plans/act-and-region-catchment-strategy#>.

**Budget—publication
(Question No 482)**

Mrs Kikkert asked the Treasurer, upon notice, on 8 October 2021:

- (1) When were the hard copies of the 2021-2022 Budget papers printed.
- (2) How many copies of the 2021-2022 Budget papers were printed.
- (3) How many copies of each 2021-2022 Budget paper were delivered to the ACT Greens.

Mr Barr: The answer to the member's question is as follows:

1. The 2021-22 ACT Budget papers were printed between 2 and 5 October 2021.
2. There were 1,956 2021-22 ACT Budget papers printed, consisting of 320 Budget Outlook Statements and 1,636 Portfolio Budget Statements/Statements of Intent.
3. Budget papers are not distributed on the basis of political party. The ACT Legislative Assembly was provided 25 sets of Budget papers for tabling with the 2021-22 Budget Bill. An additional nine sets were provided to the following office holders: Andrew Barr MLA; Yvette Berry MLA; Tara Cheyne MLA; Emma Davidson MLA; Mick Gentleman MLA; Shane Rattenbury MLA; Chris Steel MLA; Rachel Stephen-Smith MLA; and Rebecca Vassarotti MLA.

A set contains 10 books consisting of the Budget Outlook and 9 Portfolio Budget Statements.

**Alexander Maconochie Centre—fires
(Question No 491)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 8 October 2021:

- (1) Was there a fire in a cell at the Alexander Maconochie Centre (AMC) on 4 October 2021; if so, (a) what caused the fire/how was the fire lit, (b) what was damaged by the fire and (c) in what area of the prison was the fire.
- (2) How many correctional officers (COs) responded to the fire and assisted with putting the fire out.
- (3) Was this fire in the cell of a COVID positive detainee; if so, what measures were taken by the AMC after the incident was resolved to protect the prison from potential spread of the virus.
- (4) Were any COs sent to quarantine after the incident; if so, how many.

Mr Gentleman: The answer to the member's question is as follows:

ACT Corrective Services records indicate that there were no cell fire incidents responded to by staff on 4 October 2021.

**Domestic and family violence—Room4Change program
(Question No 496)**

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 8 October 2021:

In relation to the Safer Families Initiative, Extending the Room4Change Program, what funding can be expected to provide support for the Room4Change program for the years 2023-24 and 2024-25, given the Budget adjustment removing funding previously allocated for these years.

Ms Berry: The answer to the member's question is as follows:

The 2021-22 Budget includes funding for Room4Change up to 2022-23. The ACT Government remains committed to effective perpetrator responses, and future Safer Families Levy funding may be used to support the extension of the Room4Change program and other perpetrator programs to improve safety for people experiencing domestic and family violence. Recurrent investment in Room4Change is contingent on the findings of an independent evaluation.

**Domestic and family violence—Safer Families initiative
(Question No 497)**

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 8 October 2021:

Given the 'Critical domestic and family violence support in health and community settings' is a Safer Families initiative in the 2021-22 Budget, can the Minister provide a list of all government and non-government organisations that will be involved in this initiative and a breakdown of the allocated budget for each service and organisation.

Ms Berry: The answer to the member's question is as follows:

This initiative refers to the health justice partnerships, which co-locate lawyers from Legal Aid at Centenary Hospital, and lawyers from Women's Legal Centre at Calvary Hospital and the Gungahlin Child and Family Centre. The bulk of the budget for the 2021-22 financial year will go directly to Women's Legal Centre and Legal Aid, with some funds set aside to support ongoing evaluation of the service. Contracts are still being negotiated.

The ACT Government, through the Office of the Coordinator-General for Family Safety, supports these legal services to deliver the partnerships. Canberra Health Services and the Gungahlin Child and Family Centre work with the legal services to operationalise the partnerships in healthcare and community settings. Government services support the partnerships through business-as-usual activities and core funding.

Domestic and family violence—Safer Families initiative (Question No 498)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 8 October 2021:

Can the Minister please provide a complete breakdown of funding for each service provider in relation to the Safer Families Initiative, 'Funding for frontline domestic violence and rape crisis services' for (a) 2021-22, (b) 2022-23, (c) 2023-24 and (d) 2024-25.

Ms Berry: The answer to the member's question is as follows:

- a) a) In 2021-22, the Safer Families Initiative 'Funding for frontline domestic violence and rape crisis services' allocates \$433,000 to the Canberra Rape Crisis Centre and \$326,000 to the Domestic Violence Crisis Service. This includes a one-off allocation of \$155,000 to each organisation to support additional demand and complexity as a result of Covid-19.
- b) b - d) The funding allocation to each organisation for the three years from 2022/23 - 2024/25 is yet to be determined and will be subject to contract negotiations with organisations. Funding allocations will reflect demand and pressure points for domestic, family, and sexual violence crisis services.

Woden town centre—bus interchange relocation (Question No 503)

Mrs Jones asked the Minister for Transport and City Services, upon notice, on 8 October 2021:

- (1) In relation to the MPC DA 202138229 and MPC DA 202138251, which relate to the construction of bus layovers on Easty Street and the relocation of the Woden bus interchange to Callam Street, can the Minister provide (a) the legal definition of “road reserve” from whichever ACT (or Commonwealth) legislative instruments are applicable for land use zones CFZ, CZ1, CZ2, PRZ1, RZ4, and TSZ1, (b) the official name(s) of the legislative instrument(s) providing the relevant definition of “road reserve” in 1(a) and (c) an electronic copy of the legislative instrument(s) providing the relevant definition of “road reserve” in 1(a).
- (2) Can the Minister provide an electronic copy of a scalable map of the Woden Town Centre vicinity, including (but not necessarily limited to) the full length of Callam, Easty, Launceston, and Wilbow Streets, which (a) accurately and clearly shows the landscape footprint of the entire road reserve along all these streets and (b) accurately and clearly overlays the borders of all relevant land use zones, eg, PRZ1 and RZ4, for all blocks of land bordering both sides of each street.
- (3) Can the Minister confirm that the definition of “road infrastructure” excludes “public transport facilities”, as per the page of the City Services website at <https://www.cityservices.act.gov.au/roads-and-paths/road-infrastructure-and-maintenance>.
- (4) Can the Minister confirm that bus layovers are public transport facilities.
- (5) Can the Minister explain where in the Phillip Precinct Code priority is accorded to the road reserve over the criteria for PRZ1, in particular regarding classification of public transport facilities (ie, bus layovers) as prohibited development.
- (6) Can the Minister affirm that, post construction of the Easty Street bus layovers, a detailed operational noise assessment will be carried out to investigate noise mitigation measures to reduce “on road” noise impacts in PRZ1 and RZ4 along the entire length of Easty and Wilbow Streets.
- (7) Further to part (6), will the Government be releasing any assessment.
- (8) Can the Minister advise what noise mitigation measures will be required by the Environmental Protection Authority (EPA) at and/or nearby the Easty/Wilbow roundabout before operation of the Easty Street bus layovers can commence.
- (9) Can the Minister explain what action will be taken to address the non-compliant noise levels predicted for 121 Easty Street (RZ4) in the noise report for MPC DA 202138229.
- (10) Can the Minister explain why, when the noise report for MPC DA 202138229 stated an assumption of nil bus layovers on Easty Street after 10 pm and before 7 am (8 am on Sunday and public holidays), subsequent advice to residents is that bus movements around the Easty/Wilbow roundabout will start at 5 am and end at 11 pm daily (ie commence two hours earlier and finish one hour later).
- (11) Can the Minister provide (a) the legal definition of “unleased Territory Land” from whichever ACT (or Commonwealth) legislative instruments are applicable, (b) the official name(s) of the legislative instrument(s) providing the relevant definition of “unleased Territory Land” in 4(a) and (c) an electronic copy of the legislative instrument(s) providing the relevant definition of “unleased Territory Land” in 4(a).

- (12) Can the Minister specify what all the responsibilities are of Transport Canberra and City Services, Roads ACT, regarding its role as Land Custodian of all works located within the road reserve.
- (13) Can the Minister confirm that (a) for developments having a major impact on the environment of the ACT, the appropriate assessment track is the impact track, (b) the public works of Major Projects Canberra for MPC DA 202138229 and MPC DA 202138251 will, by definition, be developments having a major impact on the environment of the Woden Town Centre and vicinity, (c) public transport facilities are ordinarily prohibited development in PRZ1 (Urban Open Space Zone), (d) in PRZ1 the definition of “ancillary use” is “[supporting] the care, management and enjoyment of these open spaces including park maintenance depots [and] small-scale community activity centres”, (e) RZ4 is one of the land use classifications that applies for the Easty/Wilbow roundabout, the other classifications being CZ2 and PRZ1 and (f) when the Easty Street bus layovers are operating, buses will be passing through portions of the Easty/Wilbow roundabout that are classified as PRZ1 and RZ4, and that these land use areas have identical noise criteria that is more stringent than for CZ2?
- (14) Can the Minister explain why the RZ4 classification was omitted from MPC DA 202138229 when it is applicable to the Easty/Wilbow roundabout that buses will need to use.
- (15) Can the Minister explain, with respect to the significant negative noise, visual, and air quality impacts of the anticipated operation of Easty Street bus layovers on people frequenting the adjoining PRZ1 recreational spaces and living in or visiting the residences of the nearby RZ4 areas, why (a) MPC DA 202138229 was not submitted in the impact track and (b) an environmental impact statement, as per item 1 in Part 4.2 of Schedule 4 of the Planning and Development Act 2007 was not required.

Mr Steel: The answer to the member’s question is as follows:

- (1) Road reserve is not defined in the Territory Plan. However, ‘road’ is defined and means:
any way or street (so called), whether in existence or under reserve, open to the public which is provided and maintained for the passage of vehicles, persons and animals and which may include footpaths, community paths, bus lay-bys, light rail tracks, turning areas, or traffic controls.

The road reserve is typically the area between front boundaries on both sides of the road and is made up of the road carriageway and a verge area either side of the road.

The term ‘road reserve’ has been replaced by a term ‘road related area’. The definition of the ‘road related area’ is used in the ACT Legislation register and other legislative instruments regardless of the land use zones.

a) **road related area**, for the road transport legislation or a provision of the road transport legislation (the **relevant legislation**) means:

1. an area that divides a road; or
2. a footpath or nature strip adjacent to a road; or

3. an area that is open to the public and is designated for use by cyclists or animals; or
 4. an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles; or
 5. a shoulder of a road; or
 6. any other area that is open to or used by the public so far as a declaration under section 12 (Power to include or exclude areas in road transport legislation) declares that the relevant legislation applies to the area; but
 7. does not include an area that would otherwise be a road related area so far as a declaration under that section declares that the relevant legislation does not apply to the area.
- b) The official name(s) of the legislative instrument(s) providing the relevant definition of “road reserve” in 1(a) is the is *Road Transport (General) Act 1999*.
- c) An electronic copy of the legislative instruments(s) providing the relevant definition of “road reserve” in 1(a)
<https://www.legislation.act.gov.au/a/1999-77/>.
- (2) Refer: Attachment A.
- (3) The term ‘road infrastructure’, as used on the Transport Canberra and City Services (TCCS) website, includes public transport infrastructure.
- (4) Yes.
- (5) The planning and land authority consider that the bus layover spaces meet the Territory Plan definition of ‘ancillary use’. Ancillary use is a permitted use as listed in the PRZ1 zone development table.
- (6) In accordance with condition 5(b) in the Notice of Decision for DA 202138229 dated 22 May 2021, operation of the bus layover spaces must not commence until the proponent has completed a detailed operational noise assessment and introduced (if required) any noise mitigation measures, to the satisfaction of the planning and land authority or the Environment Protection Authority.
- (7) This information will be available on the public register in accordance with Part 3.6 of the *Planning and Development Act 2007*.
- (8) See (6).
- (9) See (6), noting that works associated with DA 202138229 are not within an RZ4 zone.
- (10) The Easty street layover is intended to be an overflow for the primary layover located on Launceston Street, as such, there will likely be no need to use the Easty Street layover at times outside of the peak operating hours (between the hours of 7:00 am and 10:00 pm) for bus movements in the area. Noting this, it is an operational decision as to when and where buses operate from (rather than an enforceable road

rule), it is theoretically possible (however unlikely) for buses to use this route during any of the operational hours of the bus network (between the hours of 5:00 am and 11:00 pm).

(11)

- a) 'Unleased territory land' is used in the definition of 'Public unleased land' within Section 8 of the *Public Unleased Land Act 2013*. The definition is shown below.

Public unleased land means unleased territory land that –

- (a) The public is entitled to use; or
- (b) Is open to, or used by, the public.

- b) *Public Unleased Land Act 2013*.

- c) An electronic copy of the legislative instruments(s) providing the relevant definition of "*Public unleased land*" in 11.a.
<https://www.legislation.act.gov.au/a/2013-3/default.asp>

- (12) Roads ACT, as part of TCCS, is the custodian of the 'road related area'. Any works on a road reserve must be endorsed/approved by TCCS under Section 19 of Public Unleased Land Act 2013. Roads ACT is a statutory consultee for all work on built infrastructure assets, under the territory control, within the road reserve. Please note that not all assets in the road reserve are exclusively managed by TCCS. For example, there are a variety of other assets in the road reserve that are managed by others with the most significant being telecommunications and utility services.

(13)

- a) A development application is considered an impact track development proposal if:
- it meets the criteria in the relevant impact track development table of the Territory Plan;
 - it is of a kind mentioned in Schedule 4 of the Planning and Development Act 2007;
 - the Minister makes a declaration under section 124 of the *Planning and Development Act 2007* in relation to the proposal; or
 - it is considered one under relevant legislation, such as the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.
- b) DA 202138229 and DA 202138251 do not meet the above listed items for either DA to be considered in the impact track.
- c) Yes, public transport facilities are prohibited development in the development table for PRZ1 – Urban Open Space Zoned land. However, as noted in the PRZ1 Development Table, some development that would otherwise be prohibited may be assessed under the merit track if they are *ancillary, minor or temporary use*. For example, a car park alone is prohibited, but could be considered if it is ancillary to a playing field which is an assessable development under the merit track. The planning and land authority consider that the bus layovers meet the Territory Plan definition of ancillary use noting that works approved under DA 202138229 are wholly located within the road reserve. Ancillary use is a permitted use in the PRZ1 zone.

- d) The Territory Plan defines ‘ancillary use’ as *the use of land for a purpose that is ancillary to the primary use of the land*. The definition of ancillary use that has been used in question 13(d) is a zone objective listed in the development table for PRZ1 zoned land, not a definition.
- e) The roundabout referred to in question 13(e) is zoned CZ2, PRZ1 and RZ4.
- f) The Easy/Wilbow Street roundabout is included in the Woden Town Centre. Noise levels for zones located within the Woden Town Centre are higher than those in other locations.

	Territory Plan Zone	Noise Level Day	Noise Level Night
(a)	RZ4	45 dB(A) Monday-Saturday 7am-10pm, Sunday and Public Holidays 8am-10pm	35 dB(A) Monday-Saturday 10pm-7am, Sunday and Public Holidays 10pm-8am
(b)	PRZ1	45 dB(A) Monday-Saturday 7am-10pm, Sunday and Public Holidays 8am-10pm	35 dB(A) Monday-Saturday 10pm-7am, Sunday and Public Holidays 10pm-8am
(c)	CZ2	55 dB(A) Monday-Thursday 7am-10pm, and Friday-Saturday 7am-11pm, and Sunday and Public Holidays 8am-10pm	45 dB(A) All other times
(d)	Woden Town Centre	60 dB(A) Monday-Thursday 7am-10pm, and Friday-Saturday 7am-12am, and Sunday and Public Holidays 8am-10pm	B(A) All other time.

- (14) No alteration works are proposed within a RZ4 zone. Nor are there any proposed alterations to the roundabout as part of the works approved under DA 202138229, noting the roundabout road will be resurfaced.

(15)

- a) See 13 b).
- b) Item 1 in Part 4.2 of Schedule 4 of the *Planning and Development Act 2007* applies to developments for the construction of a transport corridor on any land, other than on land designated under the territory plan as a future urban area or in a transport and services zone. DA 202138229 does not propose the construction of a transport corridor, nor has a transport corridor been approved under DA 202138229. DA 202138229 is limited to the construction of bus layover spaces and associated works only.

(Copies of the attachments are available at the Chamber Support Office).

**Roads—traffic management
(Question No 511)**

Ms Castley asked the Minister for Transport and City Services, upon notice, on 12 November 2021:

- (1) When will the consultant's report be submitted regarding the intersection of Efkarpidis Street and Gungahlin Place.
- (2) Will the Minister publicly release the report.
- (3) When will the Government respond to the report's recommendations.
- (4) Will the Government's response be publicly available.
- (5) When will work start to improve the intersection.
- (6) What is the cost to hire a consultant to conduct the report into this intersection.
- (7) In relation to the answer to question on notice No 420, in which the Minister stated that "the rate of crashes is low compared to other similar locations", what other similar locations have a high rate of crashes and what are the rates since 2016.
- (8) What is the Government doing to reduce the rate of crashes at other intersections.
- (9) Are consultants being hired for those intersections; if so, at what cost.

Mr Steel: The answer to the member's question is as follows:

- (1) The report is expected to be provided by the end of February 2022.
- (2) Reports of this nature are not routinely released publicly.
- (3) Government will review the recommendations in the report once received.
- (4) Reports of this nature and the Government's response are not routinely released publicly.
- (5) An interim solution to relocate the existing STOP line forward by 2m will be implemented by January 2022. The timing of any further improvements arising from the Consultant's report will be dependent upon the type and scale of recommended improvements.
- (6) The cost this request is expected to be approximately \$9,000.00
- (7) The ACT Government produces an annual crash ranking report which provides crash rates of all high priority intersections. Intersections rank can be found using the online search tool located <https://www.cityservices.act.gov.au/roads-and-paths/traffic/road-safety-improvement-program/rsip-search/intersection-rankings>.
- (8) The ACT Government is investing in a range of road and intersection upgrades across the ACT to improve road safety and traffic performance.

In addition, the ACT Government undertakes a range of road safety initiatives based on managing the risk of crashes and improving driver behaviours. These include initiatives such as driver education, speed management, speed enforcement and road safety campaigns.

(9) Consultants are engaged as required for intersection improvements and costs vary.

Emergencies—evacuation plans (Question No 518)

Mr Milligan asked the Minister for Police and Emergency Services, upon notice, on 12 November 2021:

- (1) Does the Emergency Services Agency have comprehensive evacuation plans for each of the areas in the ACT; if so, how frequently are these plans updated.
- (2) How detailed are the plans referred to in part (1), by government area, or by suburb.
- (3) What are the specific provisions for the border suburbs in the western and northern fringes of the ACT.
- (4) Do the plans consider the housing density of areas and narrow roads in many newer suburbs in the ACT; if so, can the Minister provide details.
- (5) Do the plans take into account access by emergency vehicles and egress of residents; if so, can the Minister provide details.
- (6) What assembly points have been identified for residents of each of the suburban areas in the event of a fire and can the Minister provide details.
- (7) Where are the plans available for the public to view and can the Minister provide the relevant ? Please provide the uniform resource locator (URL).
- (8) What plans are there to run an education campaign on what to do in the event of an evacuation.
- (9) How quickly will these plans kick in.
- (10) How will this information be disseminated.

Mr Gentleman: The answer to the member's question is as follows:

The overarching framework for responding to emergencies in the ACT is set out in the ACT Emergency Plan. The ACT Emergency Plan is a Notifiable Instrument and is located on the ACT Legislation Register at <https://legislation.act.gov.au/ni/2014-442/>.

The Security and Emergency Management Division of the Justice and Community Safety Directorate holds a register of subplans under the ACT Emergency Plan.

The ACT Evacuations Policy details high level principles to be considered when an evacuation is required. The policy does not detail specifics of each hazard, and does not

break down measures by government area or suburb. This is because an evacuation plan needs to be fluid to take into consideration the type and nature of the emergency incident.

The Evacuations Policy sets out responsibilities across the three key stakeholders:

- The response agencies – ACT Emergency Services Agency (ESA) and ACT Policing (ACTP) – are responsible for identifying the hazards which may result in an evacuation, usually in the context of a Planning Cell within an Incident Management Team, and planning for an evacuation.
- ACTP is responsible for coordinating access/egress for the evacuation and emergency support.
- The Community Services Directorate (CSD) is responsible for the care and oversight of community members who have been displaced by an emergency, including the setup and management of evacuation/respite centres. CSD is also responsible for the safe return of community members to their homes once given the all-clear by the response agency.

In addition to the Evacuations Policy document, the ESA, ACTP, and CSD, have lower-level Standard Operating Procedures or Guidelines within their respective areas.

The planning for an evacuation in relation to a specific emergency would be undertaken by the response agency (ESA or ACTP) and, depending on the nature and scale of the emergency, would include the Emergency Coordination Centre whole-of-government arrangements.

The execution of an evacuation plan, including assembly points, depends on the type and nature of the emergency incident and takes into account things such as access by emergency vehicles and egress of residents. For example, in relation to bushfires a number of factors need to be taken into consideration including the direction the fire is heading and weather conditions. What may be a good evacuation strategy for one particular bushfire may not necessarily be adequate or safe for another bushfire in exactly the same area.

Once the need for an evacuation is determined by an Incident Management Team, evacuation plans are enacted immediately. If the potential need for an evacuation is identified in advance, planning teams are formed to specifically plan for the identified potential evacuation in advance of that immediate need.

As part of educating the community, the ESA makes it clear that residents need to be aware of how they can access information in an emergency situation, so that they can undertake any recommended actions in a timely manner. The ESA has worked hard to increase community awareness through the ‘Are You Emergency Ready?’ campaign which uses radio, digital, TV and printed media. The campaign promotes the shared responsibility between the Government, emergency services, and the community, to be prepared in the event of several different types of emergencies. It encourages the community to be prepared for weather emergencies such as bushfire, grass fire, storm, flood, and extreme heat by:

- Completing an Emergency Survival Plan.
- Preparing their homes and families for weather emergencies.
- Connecting with their neighbours for a safer community.
- Understanding the potential consequences of not being emergency ready.

- Understanding the ESA is the single point of truth for emergency information in the ACT.

During an emergency incident the ESA maintains several public information strategies to keep the community informed. These include, but are not limited to, Memorandums of Understanding with media outlets (television and radio) for transmission of public information, posts to social media outlets including Twitter and Facebook, and publication of messages on websites. The ESA also maintains an Emergency Alert capability which can be used to broadcast warning messages directly to mobile telephones and land lines in any area of the ACT. In extreme emergency situations and dependent on the Covid19 pandemic situation, ESA personnel will door knock residents at risk, noting that the decision to evacuate rests with the resident.

Government—payment waivers (Question No 519)

Mrs Jones asked the Treasurer, upon notice, on 12 November 2021:

- (1) Was any person, at 30 June 2021, delegated by the Treasurer to decide applications for waivers under section 131 of the Financial Management Act 1996; if so, who held a delegation, and what limits were attached their delegations.
- (2) How is money owed to the Territory that is waived appropriated.
- (3) What is the monetary value of the legal limit on the total amount of money that may be waived in any one year.
- (4) What was the total value of waivers under paragraph 131(1)(a) of the Financial Management Act 1996 provided by the Territory in 2020-21.

Mr Barr: The answer to the member's question is as follows:

(1)

Position Number	Position Title / Classification	Monetary Limit	Other Limitations
E900	Director-General Chief Minister, Treasury and Economic Development Directorate (CMTEDD)	Unlimited	Nil
E916	Under Treasurer CMTEDD	Unlimited	Excludes debts in relation to employment salary overpayments across the public sector
E1014	Deputy Under Treasurer Economic, Budget and Industrial Relations CMTEDD	Unlimited	Excludes debts in relation to employment salary overpayments across the public sector
E391	Executive Group Manager Finance and Budget Group CMTEDD	Unlimited	Excludes debts in relation to employment salary overpayments across the public sector
E1003	Executive Group Manager Revenue Management Group CMTEDD	\$100,000 per waiver under section 131(1)(a) Unlimited to postpone the right to be paid a debt under section 131(b) to (d)	Excludes debts in relation to employment salary overpayments across the public sector

E908	Director-General ACT Health Directorate	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E1067	Chief Executive Officer Canberra Health Services	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E902	Director-General Justice and Community Safety Directorate	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E911	Director-General Community Services Directorate	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E1105	Chief Projects Officer Major Projects Canberra	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
100	Clerk Legislative Assembly	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
42026	Senior Officer Grade A Operations, Revenue Management Group CMTEDD	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
37592	Senior Officer Grade B Operations, Revenue Management Group CMTEDD	\$250,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
42939 36312 2159 55546	Senior Officer Grade C Operations, Revenue Management Group CMTEDD	\$100,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
11 11147 12320 3421 55153 33416 17664 23050	Administrative Service Officer Class 6 Operations, Revenue Management Group CMTEDD	\$25,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector

98 55131 16980 2749 2110 2935 2182 33414 804 33910	Administrative Service Officer Class 5 Operations, Revenue Management Group CMTEDD	\$10,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
55058	Senior Officer Grade A Compliance, Revenue Management Group CMTEDD	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
37658 39263	Senior Officer Grade B Compliance, Revenue Management Group CMTEDD	\$250,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
3822 24 4769 33386 11463 10576	Senior Officer Grade C Compliance, Revenue Management Group CMTEDD	\$100,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
95 1372 2904 343 55060	Administrative Service Officer Class 6 Compliance, Revenue Management Group CMTEDD	\$25,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
97 1108 3422 31514 36773 55540 55507 11467 3515	Administrative Service Officer Class 5 Compliance, Revenue Management Group CMTEDD	\$10,000 to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E909	Director-General Education Directorate	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E918	Director-General Transport Canberra and City Services Directorate (TCCS)	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E270	Executive Group Manager Housing ACT	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector

E349	Chief Officer ACT Ambulance Service Emergency Services Agency	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E907	Director-General Environment, Planning and Sustainable Development Directorate	Unlimited to allow payment by instalments or defer payment under section 131(c) to (d)	Excludes debts in relation to employment salary overpayments across the public sector
E270	Executive Group Manager Housing ACT	\$100,000 per waiver under section 131(1)(a)	Excludes debts in relation to employment salary overpayments across the public sector
E902	Director-General Justice and Community Safety Directorate	\$3,000 per waiver under section 131(1)(a)	Excludes debts in relation to employment salary overpayments across the public sector
E812	Deputy Director-General Workforce Capability and Governance CMTEDD	\$19,999 under section 131(1)(a)	For debts in relation to employment salary overpayments across the public sector
E812 E916	Deputy Director-General jointly with Under Treasurer Workforce Capability and Governance CMTEDD	\$20,000 up to \$49,999 under section 131(1)(a)	For debts in relation to employment salary overpayments across the public sector. Authorisation must be co-signed by both delegates.
E518	Executive Branch Manager Libraries ACT TCCS	\$2,000 per waiver under section 131(1)(a)	Excludes debts in relation to employment salary overpayments across the public sector
P34360	Assistant Director – Operations Manager Libraries ACT TCCS	\$1,000 per waiver under section 131(1)(a)	Excludes debts in relation to employment salary overpayments across the public sector

(2) Appropriation is not provided for waivers.

(3) There is no legal limit on the total that may be waived in any one year.

(4) \$16.209 million.

Government—act of grace payments (Question No 520)

Mrs Jones asked the Treasurer, upon notice, on 12 November 2021:

- (1) Was any person delegated by the Treasurer, at 30 June 2021, to decide applications for act of grace payments under section 130 of the Financial Management Act 1996; if so, who was delegated, and what limits were attached their delegations.
- (2) How is money paid by the Territory as an act of grace payment appropriated.
- (3) What is the monetary value of the legal limit on the total amount of money that may be paid as an act of grace payment in any one year.
- (4) What was the total value of act of grace payments made by the Territory in 2020-21.

Mr Barr: The answer to the member's question is as follows:

Position Number	Position Title / Classification	Monetary Limit	Other Limitations
E900	Director-General Chief Minister, Treasury and Economic Development Directorate (CMTEDD)	\$5,000,000 per authorisation to authorise and direct payment of amount with or without conditions under section 130, and where a condition applied under 130(3) is contravened, to notify the payee in writing to make payment in accordance with 130(4)	Nil
E916	Under Treasurer CMTEDD	\$5,000,000 per authorisation to authorise and direct payment of amount with or without conditions under section 130, and where a condition applied under 130(3) is contravened, to notify the payee in writing to make payment in accordance with 130(4)	Nil
E1014	Deputy Under Treasurer Economic, Budget and Industrial Relations CMTEDD	\$50,000 per authorisation to authorise and direct payment of amount with or without conditions under section 130, and where a condition applied under 130(3) is contravened, to notify the payee in writing to make payment in accordance with 130(4)	Nil
E391	Executive Group Manager Finance and Budget Group CMTEDD	\$50,000 per authorisation to authorise and direct payment of amount with or without conditions under section 130, and where a condition applied under 130(3) is contravened, to notify the payee in writing to make payment in accordance with 130(4)	Nil
E529	Executive Group Manager Revenue Management Group CMTEDD	\$10,000 per authorisation to authorise and direct payment of amount with or without conditions under section 130, and where a condition applied under 130(3) is contravened, to notify the payee in writing to make payment in accordance with 130(4)	Nil

(2) Act of grace payments may be made from existing appropriation under section 130(6)(a), through a Treasurer's Advance under section 130(6)(b) or through new appropriation under section 130(6)(c).

(3) There is no legal limit on the total in any one year.

(4) \$455,000.

Canberra Hospital—buildings (Question No 521)

Mrs Jones asked the Minister for Health, upon notice, on 12 November 2021:

- (1) What separate buildings at the Canberra Hospital site are owned by the ACT Government.
- (2) For each building identified in part (1), (a) what is the value of the building for accounting purposes, (b) what accounting method is used to value the building, (c) what is the value of all fixtures and fittings attached to the building, (d) what accounting method is used to value the fixtures and fittings and (e) how much

depreciation or amortisation has been recorded against the value of the fixtures and fittings.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) The buildings and structures recorded in the Canberra Health Services asset register as of 30 June 2021 are detailed in the Table 1 below.
- (2) (a) Table 1 also details the value of the assets as of 30 June 2021.

Table 1:

Description	Book Value (\$)
Building 1 - Tower Block	141,275,023
Building 2 - Receptions / Administration	16,505,963
Building 3 - Oncology / Aged Care / Rehabilitation	96,344,860
Building 4 - ANU Medical School	33,448,515
Building 6 - Offices	3,656,312
Building 7 - Alcohol and Drug	2,829,080
Building 8 - Administration / Staff Training	26,707,785
Building 9 - Accommodation	1,621,176
Building 10 - Pathology	42,521,976
Building 11 - Centenary Hospital for Women and Children	127,605,810
Building 12 - Diagnostic and Treatment	95,728,315
Building 13 - Helipad and Northern Carpark	5,143,942
Building 15 - Outpatient Services and administration	17,007,149
Building 19 - Canberra Region Cancer Centre	47,700,000
Building 20 - Radiation Oncology*	-
Building 23 - Redevelopment Unit Offices	4,350,000
Building 25 Adult Mental Health Unit	35,643,593
Building 26 - Southern Carpark	41,130,337
Building 28 - Executive Office	6,670,956
Woden Valley Childcare Centre	2,660,757
Total	\$752,789,793

* The value for Building 20 – Radiation Oncology is a component of the Building 3 – Oncology / Aged Care / Rehabilitation.

- (b) Canberra Health Services measures the value of buildings using the fair value approach.
- (c) Fixtures and fittings (fixtures) related to buildings are included as part of the building asset value.
- (d) As fixtures are capitalised as part of the building asset value they are measured using the fair value approach.
- (e) As fixtures are capitalised as part of the building asset value it is not possible to provide a breakdown of depreciation that is linked solely to the value of fixtures and fitting.

**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

**Health services—fetal alcohol spectrum disorder
(Question No 530)**

Mrs Kikkert asked the Minister for Health, upon notice, on 12 November 2021:

- (1) What diagnostic and support services are currently available for people living with fetal alcohol spectrum disorders (FASD) in the ACT.
- (2) Are there screening pathways for FASD in the ACT that are currently available in (a) Child and Youth Protection Services, (b) Bimberi Youth Justice Centre, (c) education, (d) social services, (e) hospitals, (f) general practitioners and (g) paediatricians; if so, can the Minister provide the details for each setting.
- (3) Can the Minister provide an update on improving FASD screening, assessment and support in (a) pregnancy, (b) paediatric, (c) youth justice, (d) adult criminal justice and (e) population-wide settings in the ACT.

Ms Stephen-Smith: The answer to the member's question is as follows:

The ACT Legislative Assembly Standing Committee on Health and Wellbeing is undertaking an ongoing Review of ACT health programs for children and young people

that has a focus on services related to screening, diagnostic testing and support services for children in the ACT, including for fetal alcohol spectrum disorder. The ACT Government made a substantial submission to this inquiry and I refer the Member to this submission and the evidence provided in the hearing on 2 November 2021. The Government looks forward to the Committee's report being tabled in March 2022.

**Government—land purchase
(Question Nos 537 and 538)**

Mrs Kikkert asked the Minister for Housing and Suburban Development and the Minister for Planning and Land Management, upon notice, on 12 November 2021 (*redirect to the Minister for Housing and Suburban Development*):

- (1) What steps, either informal or formal, have been taken so far in investigating the possibility of purchasing land from NSW adjacent to the Ginninderry development as part of the Ginninderry development.
- (2) Has Corkhill Bros already been approached about a potential sale of their NSW land adjacent to Ginninderry as part of the Ginninderry development.
- (3) Have there been any discussions within the ACT Government, either formal or informal, about purchasing land from NSW adjacent to the Ginninderry development and then subsequently annexing the land as part of the Ginninderry development.

Ms Berry: The answer to the member's question is as follows:

- 1) The Suburban Land Agency has purchased two blocks of land in NSW. The two blocks of land are near the ACT border at West Belconnen, and adjacent to the development footprint of the Ginninderry project. The land was acquired by the Suburban Land Agency and will be developed as part of the Ginninderry Project.
 - 2) The Ginninderry development is a Joint Venture between the Territory and Riverview Developments (a subsidiary of Corkhill Bros.). The NSW land adjacent to Ginninderry is owned by another subsidiary of Corkhill Bros. and by agreement is committed to the Ginninderry development.
 - 3) See response to Question 1.
-

**Sustainable Household Scheme—debt collection
(Question No 542)**

Ms Castley asked the Treasurer, upon notice, on 26 November 2021 (*redirected to the Minister for Climate Action*):

- (1) In relation to the Sustainable Household Loan Scheme and evidence provided during Estimates that debt collectors would be sent in if debts incurred through the scheme were not paid, how late will repayments have to be for debt collectors to be sent in.
- (2) Will the debt collectors be contracted by the scheme administrator or the Government.

- (3) What level of credit assessment will occur on applicants to minimise the need for debt collectors.

Mr Barr: The answer to the member's question is as follows:

1. The schedule and practice for accounts in arrears is as follows:

Late / missed payment	1 Day	15 Days	30 Days	45 Days	60 Days	90 Days
Definition	The business day immediately following the missed instalment due date	The business day immediately following the second missed instalment due date	Thirty days in arrears (following the third missed instalment due date)	Forty-five days in arrears (following the fourth missed instalment due date)	Sixty days in arrears (following the fifth missed instalment due date)	Ninety days in arrears (following the seventh missed instalment due date)
Method	<ul style="list-style-type: none"> • Outbound Phone Call • Email • SMS By Scheme administrator	<ul style="list-style-type: none"> • Outbound Phone Call • Email • SMS and First Letter of Demand from Scheme administrator 	<ul style="list-style-type: none"> • Communications include a referral to ACT Government ASHA hotline for customer support • Outbound Phone Call • Email • SMS • Second Letter of Demand from Scheme administrator 	<ul style="list-style-type: none"> • Communications include a referral to ACT Government ASHA hotline for customer support • Outbound Phone Call • Email • SMS and • Letter of Demand (6Q notice) from Scheme administrator 	<ul style="list-style-type: none"> • Communications include a referral to ACT Government ASHA hotline for customer support • Outbound Phone Call • Email • SMS and • Letter of Demand (21D notice) from debt collection agency 	<ul style="list-style-type: none"> • Communications include a referral to ACT Government ASHA hotline for customer support • Outbound Phone Call • Email • SMS and • Review File and escalate recovery activity from debt collection agency

2. Debt collection is the responsibility of the Scheme administrator. The Scheme administrator will contract the debt collection agency.
3. With regard to the credit assessment process. The ACT SHS 0% interest loan is offered by Scheme administrator Brighte and is a regulated credit product and follows the National Consumer Credit Protection ACT 2009, with Brighte holding an Australian Credit License to offer this product. Further information regarding the process is detailed in Brighte's ACT SHS Loan target market determination document available [here](#) and is also listed on Brighte's website.

ACT Revenue Office—stamp duty concessions (Question No 545)

Mr Cain asked the Treasurer, upon notice, on 26 November 2021:

- (1) Has the ACT Revenue Office been tracking the number of stamp duty concessions provided for purchases of off-the-plan units up to \$500,000 since 1 July 2021; if so, can the Treasurer advise how many there have been in the financial year to date.
- (2) Did the ACT Revenue Office track the number of stamp duty concessions provided for contracts exchanged between 4 June 2020 and 30 June 2021 for (a) single residential dwelling blocks, (b) off-the-plan units up to \$500,000 and (c) off-the-plan units

between \$500,000 and \$750,000; if so, can the Treasurer provide the number and estimated total foregone revenue amount for each category.

Mr Barr: The answer to the member's question is as follows:

- (1) Stamp duty is levied after a property settles, and this can be many months or years after the exchange of contracts. Concessions are applied at that time.
- (2) The number of conveyance duty concessions identified for contracts exchanged between 4 June 2020 and 30 June 2021 and estimated revenue foregone (as at 30 November 2021) are:

Categories	Number	Estimated revenue foregone
(a) Single residential dwelling blocks	1,103	\$10,257,111
(b) Off-the-plan units up to \$500,000	119	\$1,062,826
(c) Off-the-plan units between \$500,000 and \$750,000	223	\$2,542,200

These numbers will increase more as off-the-plan properties settle.

Land—tax exemptions (Question No 546)

Mr Cain asked the Treasurer, upon notice, on 26 November 2021:

- (1) For how many properties was a land tax exemption allowed in the (a) 2018-19, (b) 2019-20 and (c) 2020-21 financial years.
- (2) What was the value of the exemptions referred to in part (1), based on foregone land tax revenue, in the (a) 2018-19, (b) 2019-20 and (c) 2020-21 financial years.
- (3) What checks are done to establish the legitimacy of exemptions at the time of application.
- (4) What was the dollar value of resources committed to establishing the legitimacy of exemptions at the time of application.
- (5) What checks are done to confirm the ongoing legitimacy of existing exemptions.
- (6) What was the dollar value of resources committed to confirming the ongoing legitimacy of existing exemptions.
- (7) Are there penalties for exemptions found to be incorrectly claimed; if so, can the Treasurer outline what the penalties are.
- (8) Further to part (7), if there is a financial penalty, can the Treasurer advise the total amount for the (a) 2018-19, (b) 2019-20 and (c) 2020-21 financial years.

Mr Barr: The answer to the member's question is as follows:

- (1) Under the *Land Tax Act 2004*, all residential properties are liable for land tax unless an exemption applies. The most common exemption is when the property is the principal place of residence of the owner (or at least one of the owners). Exemptions are self-assessed and the Revenue Office is only usually advised when circumstances of the taxpayer change. The Revenue Office does not record the total number of properties with an exemption.

The number of land tax exemption forms, advising of a change in circumstances, received by the Revenue Office for the past three financial years is shown in the table below:

2018-19	2019-20	2020-21
2,110	2,915	3,170

In addition to exemption forms, alternative ways for a property to become land tax exempt include: property transfers, written correspondence and allowed objection and appeal decisions.

- (2) The Revenue Office does not calculate the value of land tax on properties which are exempt from land tax.
- (3) to (6): As a self-assessed tax, applications for land tax exemptions are accepted and the property account is adjusted accordingly. The ACT Revenue Office runs an active data driven compliance program for several taxes and concession programs, including land tax. Taxpayers incorrectly claiming a land tax exemption may be subject to a future compliance audit which may lead to an assessment. All ACT Revenue Office compliance staff, including staff working on land tax assessments, work on several different tasks. It is not possible to separately identify resources dedicated to land tax compliance in total or dedicated to land tax compliance because of incorrectly claimed exemptions.
- (7) Decisions on penalties for non-compliance are made on a case-by-case basis. General information on penalties for non-compliance can be found in Revenue Office circulars GEN006.3 Penalty Tax – *Taxation Administration Act 1999* and GEN009.4 Interest – *Taxation Administration Act 1999* and tax laws, which are available on the Revenue Office website at: www.revenue.act.gov.au.
- (8) Assessed amounts for land tax compliance by primary tax, penalty tax and interest, for 2018 19, 2019-20 and 2020-21, are in the table below.

	2018-19	2019-20	2020-21
Primary tax	\$3,032,473	\$2,278,403	\$994,138
Penalty tax	\$993,571	\$419,024	\$204,357
Interest	\$1,235,350	\$558,295	\$166,038

Roads—accidents (Question No 551)

Mrs Jones asked the Minister for Transport and City Services, upon notice, on 3 December 2021:

- (1) How many reported accidents have there been at the intersection of McMillen Crescent and Sturt Avenue in Griffith/Narrabundah during (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.
- (2) What is the number of emergency services that have attended accidents at this intersection for each year referred to in part (1).
- (3) What is the number of hospitalisations as a result of accidents at this intersection for each year referred to in part (1).

Mr Steel: The answer to the member's question is as follows:

(1)

(a)	2016	8 reported crashes (7 property and 1 minor injury)
(b)	2017	1 property damage crash
(c)	2018	2 property damage crashes
(d)	2019	1 minor injury crash
(e)	2020	2 property damage crashes
(f)	2021	3 reported crashes (2 property damage and 1 minor injury)

Note – 2021 data is preliminary only and subject to revision

- (2) The ACT Emergency Services Agency (which includes ACT Fire & Rescue, ACT Ambulance Service, ACT Rural Fire Service, and ACT State Emergency Service) has attended the following number of incidents at the intersection of McMillen Crescent and Sturt Avenue in Griffith/Narrabundah:

(a)	2016	3
(b)	2017	1
(c)	2018	1
(d)	2019	2
(e)	2020	3
(f)	2021	4

Note – 2021 data is preliminary only and subject to revision

- (3) No major injuries (hospitalisations) have been reported during this period.

Superannuation—ethical investments (Question No 554)

Ms Clay asked the Treasurer, upon notice, on 3 December 2021:

Can the Treasurer indicate a timeline for the Superannuation Provision Account to divest from the investments with large exposures to oil fuels of (a) BASF, (b) First Energy Corp, (c) Hess Corp, (d) Lundin Energy, (e) Marathon Petroleum Corp, (f) OMV AG, (g) Pioneer Natural Resources, (h) Repsol SA, (i) Rio Tinto Ltd, (j) Wesfarmers Ltd and (k) Woodside Petroleum.

Mr Barr: The answer to the member's question is as follows:

The Responsible Investment Policy is implemented and managed through the Territory Banking Account investment platform. The Territory Banking Account undertakes the external investment activities in the name of the Australian Capital Territory.

The Superannuation Provision Account invests via the Territory Banking Account investment platform and does not hold any direct investments. The Superannuation Provision Account owns units in the Territory Banking Account investment platform where a unit represents a beneficial interest in the assets held by the Territory Banking Account investment platform.

Through its Responsible Investment policy framework, the Government supports the limited use of business activity or industry exclusion-based investment criteria. Recent changes to the investment criteria were implemented in December 2021.

I can confirm that as of 1 December 2021 the Territory ceased to have any investment exposure to the following listed companies:

- (a) BASF SE
- (c) Hess Corporation
- (d) Lundin Energy
- (e) Marathon Petroleum Corporation
- (f) OMV AG
- (g) Pioneer Natural Resources
- (h) Repsol SA
- (k) Woodside Petroleum Ltd

We continue to have investment exposure to the following companies which have not been identified for investment exclusion under our Responsible Investment policy framework as they continue to meet the investment criteria:

- (b) First Energy Corporation
 - FirstEnergy Corporation operates as a public utility holding company. The company generates and delivers power through scrubbed coal and hydro facilities and controls power distribution line infrastructure.
 - It is not currently identified with the exploration and production of fossil fuels or with owning proven or probable fossil fuel reserves.
- (i) Rio Tinto
 - Rio Tinto operates as a mining company and currently produces iron ore, aluminium and copper.
 - It is not currently identified with the exploration and production of fossil fuels or with owning proven or probable fossil fuel reserves.
- (j) Wesfarmers
 - Wesfarmers operates as a holding company with diverse business interests including retail (Kmart, Target, Bunnings), chemical (fertilizers, gas processing and distribution including medical and industrial gases) and financial services.

- It is not currently identified with the exploration and production of fossil fuels or with owning proven or probable fossil fuel reserves.

Major Projects Canberra—staffing and qualifications (Question No 555)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 3 December 2021 (*redirected to the Treasurer*):

- (1) How many positions within Major Projects Canberra are ongoing permanent positions.
- (2) How many positions are on temporary contracts and, if they are on temporary contracts, how long are these contracts and are they often renewed.
- (3) How many positions within Major Projects Canberra are filled by staff whose primary qualification or expertise is in project management and how many in other technical qualifications such as engineering.

Mr Barr: The answer to the member's question is as follows:

- (1) As at 24 November 2021, Major Projects Canberra (MPC) has 159 ongoing permanent positions.
- (2) As of 24 November 2021, MPC has 55 employees on temporary contracts ranging from 12 months to five years. MPC's temporary employee contracts are in line with the project funding or the phase of the project that requires the specific skillset for the successful completion of the work.
 - 16 Executive contracts;
 - nine temporary contracts for up to 12 months;
 - 13 temporary contracts up to three years;
 - 17 temporary contracts up to five years; and
 - To date two contracts have been extended.
- (3) As at 24 November 2021, MPC had:
 - 26 employees whose classification was an Infrastructure Manager/Specialist 1 – 3;
 - 78 employees whose classification was an Infrastructure Officer 1 – 5; and
 - 3 Graduates.

All 107 employees have professional qualifications and/or relevant years' experience in engineering, architecture or project management.

Audrey Fagan Board Directorship Program—staffing and costs (Question No 556)

Ms Clay asked the Minister for Women, upon notice, on 3 December 2021:

- (1) What is the annual cost of the Audrey Fagan Board Directorship Program.
- (2) How many full-time equivalent staff are assigned to the rollout of this program.
- (3) Are there any other costs associated with the running of this program; if so, what are they.

Ms Berry: The answer to the member's question is as follows:

- (1) The annual budget for the Audrey Fagan Directorship Program is \$40,000. The program was not run in FY 2021-22 due to COVID-19.
 - (2) The program is one of several programs administered by the ACT Office for Women and staff effort towards this is minimal, estimated 0.05 FTE per year.
 - (3) There are no other costs associated with the running of this program.
-

Icon Water—odour control units (Question No 563)

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 3 December 2021 (*redirected to the Treasurer*):

- (1) Given that residents have protested the installation of odour control units (OCUs) in Umbagong citing odour, aesthetic reduction in Umbagong and greenspace clearance, what has the Government done to address their concerns and feedback.
- (2) How were these residents contacted about the OCUs.
- (3) Did the Government target any specific streets to inform residents about the OCUs.
- (4) What is the construction and installation cost for both OCUs in the Umbagong District Park and when will construction of these OCUs begin and end.
- (5) What is the construction and installation cost for both OCUs in Florey and when will construction of these OCUs begin and end.
- (6) Will residents on Krefft Street, Ennor Crescent, Wadham Place, Bagster Place and Laidley Place be given advance notice of the construction and an opportunity to offer comment before construction begins; if so, through what methods will the Government contact these residents; if not, why will they not be consulted closer to the construction date.
- (7) What is the construction and installation cost for the OCU in Evatt and when will construction of these OCUs begin and end.
- (8) Will residents on Carlile Street, Calahan Place and Hayball Street be given advance notice of the construction closer to the construction date and an opportunity to offer comment before construction begins; if so, through what methods will the Government contact these residents; if not, why will they not be consulted closer to the construction date.

Mr Barr: The following answer to the member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:

- (1) Icon Water advises that Odour Control Units (OCU's) are a vital part of the sewer network as they allow ventilation and air filtration to protect the sewer pipes from corrosion. OCU ventilation extends the life of a sewer by reducing the amount of maintenance the pipeline needs, making management of the network much more efficient. Ventilation provided by the OCU's also manages hydrogen sulphide levels within the network to ensure entry to the sewer is safer for the Icon Water maintenance crews.

Potential locations for these OCU's are quite restricted as they must be located adjacent to the existing Belconnen trunk sewer infrastructure with frequent spacing to manage air pressure in the sewer.

Project planning has been informed by community and stakeholders. The location of the proposed Latham OCU (within Umbagog District Park) has been refined as a direct result of consultation with the Ginninderra Catchment Group. The proposed location was moved so that it is adjacent to existing stormwater infrastructure to minimise the impact on the existing blue devil natural temperate grassland and to be closer to Florey Drive so that maintenance vehicles do not need to traverse too far inside the park. A further refinement was made to the location of the building that was rotated by 90 degrees with a retaining wall included to minimise impacts on a patch of natural temperate grassland located immediately north of the site.

The filters used in the OCU and ventilation stacks adsorb gases such as hydrogen sulphide, which is a common source of odours from sewerage systems. Hydrogen sulphide also reacts with moisture to produce sulphuric acid which corrodes concrete sewer pipes. Inside the unit there is ductwork to extract gas from the sewer. The gas is fed through an activated carbon filter to remove odour, and a ventilation stack releases and disperses the filtered air back out again. The OCU's are designed to treat odours so they do not smell.

Icon Water is aware that the OCU's will change the amenity of the areas where they are installed.

Icon Water has been working closely with the community to obtain feedback on how the OCU's may be finished to minimise this impact. To date community support for mural art work has been expressed similar to that used on the Hindmarsh Drive and One Tree Hill Reservoirs which have received very positive community feedback. Icon Water is still seeking feedback from the community of their preference for finishing the OCU's.

Icon Water may also be able to reduce visual impacts with plantings. The number of plantings must be consistent with the Development Approval (DA) and Environmental Impact Statement (EIS) although feedback on species selection may be considered, provided it is consistent with parameters of the approvals (i.e. must be native species). Icon Water has been working closely with local environmental groups regarding replanting.

Feedback on OCU finishes and plantings can be provided via the Icon Water website (<http://www.iconwater.com.au/bts>), or by calling the project dedicated community relations number (1300 131 338).

- (2) During Icon Water's consultation phase of the project between November 2018 and June 2019, Icon Water notified local residents of the project and opportunities to provide feedback through the following means:
- **November 2018.** Community mailbox drop to ~8500 households (all homes within 1km of project sites, including the pipeline corridor and OCU sites).
 - **January 2019.** Community mailbox drop to ~5000 households (all homes within 750m of project sites).
 - **March 2019.** Community mailbox drop to ~3200 households (all homes within 500m of each project site).
 - **June 2019.** Community mailbox drop to ~3200 households (all homes within 500m of each project site).

All community notices relating to the project are available on the Icon Water website (<http://www.iconwater.com.au/bts>).

In addition to notices direct to local residents, Icon Water presented at two Belconnen Community Council meetings, held five community drop-in sessions at Melba Copland College, hosted a site walk and open day that included all OCU sites, site signage was installed at several sites including the OCU locations and regular email updates were provided to members of the public and stakeholders who registered an interest in the projects. Icon Water has also engaged with a number of local community led environmental groups such as the Ginninderra Catchment Group, Umbagog Landcare Group and Friends of the Grasslands in relation to the project.

- (3) See response to Question 2.
- (4) Icon Water advises that the construction and installation costs of both Latham and North Latham OCU's are approximately \$2.8 million each. These amounts also allow for costs associated with design, statutory approvals and management over all phases of the project. The anticipated start date for construction is February 2022 with completion of all OCU's scheduled by the end of 2022.
- (5) The construction and installation costs of the Florey OCU are comparable to the costs provided in Question 4. The anticipated start date for construction at this site is February 2022 with works scheduled for completion by the end of 2022.
- (6) Advance notice in relation to commencement of construction and impacts had previously been given to residents within a 500 metre radius of this particular site. This occurred prior to the COVID lockdown period between August and November 2021. Notice will again be provided to these residents in relation to revised construction commencement scheduled for February 2022. This is expected to occur by 31 December 2021. The form of these notices are letters delivered to the resident's household.

Consultation to inform design and the DA for the trunk sewer and OCU's was conducted during the planning phase of the project and promoted by means outlined in response to Question 1. Opportunity to comment on finishes for the OCU and species selection for replanting consistent with the DA and EIS parameters can be made prior to construction via the Icon Water website (<http://www.iconwater.com.au/bts>), or by calling the project dedicated community relations number (1300 131 338).

(7) The construction and installation costs of the Evatt OCU are comparable to the costs provided in Question 4. The anticipated start date for construction at this site is February 2022 with works scheduled for completion by the end of 2022.

(8) See response to Question 6.

**Domestic and family violence—Circuit Breaker program
(Question No 566)**

Mrs Kikkert asked the Treasurer, upon notice, on 3 December 2021 (*redirected to the Attorney-General*):

- (1) Given that in 2013 a funding submission was put to the Commonwealth Government for the purpose of funding an indigenous justice program called Circuit Breaker in the ACT and noting that the submission was not successful, has a similar funding submission been put to the ACT Government; if so, (a) when and (b) how much funding was the submission asking for.
- (2) Has this program, or one similar to the program proposed by Lorana Bartels, Wayne Applebee and Paul Collis, referred to in part (1), ever been funded by the ACT Government; if so, was there an evaluation of the program; if not, why was funding refused.

Mr Rattenbury: The answer to the member's question is as follows:

No formal funding submission was put to the ACT Government for the Circuit Breaker program and the ACT Government has not funded this program or any similar programs.

**Children and young people—counselling services
(Question No 568)**

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:

Given that the Government has been made aware of the need for counselling services for crisis support organisations by multiple sources on multiple occasions, including trauma counselling for children who have been impacted by family and domestic violence and counselling for individuals and families in crisis and noting that Recommendation 12 of the Assembly's recent inquiry into the Drugs of Dependence (Personal Use) Amendment Bill 2021 proposed that the ACT Government fund the alcohol and other drug sector to provide counselling support to children of their clients, what measures will the ACT Government take to address this increasing and critical need.

Ms Berry: The answer to the member's question is as follows:

The ACT Government recognises the need for a range of supports and service responses for children and young people who have been impacted by domestic and family violence.

The Family Safety Hub is designing a new response specifically for children under the age of 12 who are impacted by domestic and family violence. Work to design the response will happen this financial year, with a pilot service to be delivered in late 2022.

The Family Safety Hub is also working with the Youth Coalition to design and pilot ways to improve the knowledge and capability of our youth workers to appropriately respond to young people experiencing domestic and family violence. Training will be tested and evaluated in the first half of 2022.

Through a Commonwealth National Partnership on domestic and family violence responses, the ACT has allocated funding to Relationships Australia for Got Your Back, a peer group support program for young people aged 12 to 18. This funding will support the service from November 2020 to December 2022. The Family Safety Hub will fund an evaluation of the program in 2022.

Funding from the National Partnership has also been allocated to Doris Women's Refuge to provide a children's support worker.

We have made significant progress against four of five recommendations from the 2018 Domestic Violence Prevention Council Extraordinary Meeting addressing the needs of children and young people impacted by family violence. We are now taking steps to address the outstanding need for therapeutic supports through projects including Safe and Connected Youth, expansion of youth mental health services, and funding to Yerrabi Yurwang Child and Family Aboriginal Corporation.

Children and young people—Got Your Back program (Question No 569)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:

- (1) How many young people have participated in the Got Your Back peer group program each year since the year of the program's establishment.
- (2) How many people successfully completed the program on each occasion.
- (3) What demographic information is collected from participants to this program and can the Minister detail the statistics.

Ms Berry: The answer to the member's question is as follows:

- (1) Since Got Your Back was established in November 2020, 32 young people have participated in the program. An additional 31 have been supported individually by the Got Your Back coordinator with safety planning, one-on-one support or have begun the intake process to join a group.
- (2) The program does not have a defined length, although it is structured around school terms. Young people can attend Got Your Back for as long as they want to until they turn 19.

- (3) Approximately 65% of Got Your Back participants are female, 30% are male and 5% are non-binary. Participants range from 12 to 18 years of age, with an average age of 15.

Justice—health justice partnerships (Question No 570)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:

What is the total number of clients received by the legal partners of (a) Women's Legal Centre and (b) Legal Aid ACT for each year since the establishment of the Health Justice Partnership.

Ms Berry: The answer to the member's question is as follows:

	Women's Legal Centre	Legal Aid ACT
1 January – 30 June 2019	51	45
1 July 2019 – 30 June 2020	164	133
1 July 2020 – 30 June 2021	112	263

The above represents the total number of clients seen during the reporting periods. It does not represent the number of individuals seen by the service because some clients seek support from the partnership on more than one occasion. A partnership lawyer's caseload is usually a mixture of new clients, ongoing case work and repeat clients returning after weeks or months to act on the initial advice provided by the lawyer.

Domestic and family violence—male victims (Question No 572)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:

- (1) How many men have contacted (a) Domestic Violence Crisis Support (DVCS) and (b) OneLink for support as victims of domestic violence, for each of the past five years.
- (2) How many men have been provided crisis accommodation by DVCS for each of the past three years.
- (3) How many men contacted DVCS for support, but were unable to be supported by DVCS due to conflict of interest in already supporting their counterpart, for each of the past three years.
- (4) In such cases as referred to in part (3), what service providers does DVCS refer them to receive support.

Ms Berry: The answer to the member's question is as follows:

Domestic Violence Crisis Service (DVCS) and OneLink regularly report to the ACT Government. However, it is not possible for the ACT Government to disaggregate the data in a format that allows the questions to be answered.

Both DVCS and OneLink publish annual reports, which include data on service demand and trends.

DVCS annual reports are available at: <https://dvcs.org.au/about/annual-reports-and-auditor-reports/>.

OneLink is operated by Woden Community Services. It's annual reports are available at: <https://www.wcs.org.au/about/annual-reports>.

OneLink quarterly reports are available at: <https://www.onelink.org.au/how-we-work>.

Domestic and family violence—safer families levy (Question No 573)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 3 December 2021:

Can the Minister please provide a list of all groups consulted by the ACT Government on the raising of the Safer Families Levy Fee.

Ms Berry: The answer to the member's question is as follows:

Consistent and ongoing feedback from the domestic and family violence service sector via multiple meetings and ongoing consultation mechanisms in relation to the need for increased resourcing for the sector informed the ACT Government's decision to increase the Safer Families Levy.

The crisis sector is seeing increasing demand and complexity, and has consistently advised the Government of the need for more and enhanced responses to prevent violence from occurring and to support people after crisis.

The increase will enable a growth in investment in a range of existing and new initiatives to meet the identified community need and demand for services.

Questions without notice taken on notice

Gungahlin—swimming pool

Ms Berry (*in reply to a supplementary question by Mr Milligan on Wednesday, 1 December 2021*):

A Services Agreement has been entered into with YMCA NSW and at this point in time the information remains commercial in confidence. This is due to the active tender process for the future management of the aquatic centre, the release of such information could prejudice the vendor or tender process. It is envisaged that the information could be released after the tender process has closed.