



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

TENTH ASSEMBLY

5 MAY 2022

www.hansard.act.gov.au

Thursday, 5 May 2022

| | |
|---|------|
| Justice—wrongful conviction reforms (Ministerial statement) | 1225 |
| Government—greenhouse gas emissions reduction (Ministerial statement)..... | 1227 |
| Canberra Hospital—expansion (Ministerial statement)..... | 1231 |
| Visitor | 1237 |
| Bimberi Youth Justice Centre—report (Ministerial statement)..... | 1237 |
| Terrorism (Extraordinary Temporary Powers) Amendment Bill 2022 | 1240 |
| Dhulwa Mental Health Unit—safety | 1243 |
| Housing—rental affordability | 1255 |
| Education and Community Inclusion—Standing Committee..... | 1263 |
| Questions without notice: | |
| Government—land release | 1265 |
| Housing—Winton report | 1265 |
| COVID-19 pandemic—school camps | 1267 |
| Health—air quality monitoring | 1267 |
| Gungahlin—swimming pool | 1268 |
| Public housing—Common Ground Dickson | 1269 |
| Transport Canberra—bus timetables | 1271 |
| Telecommunications—reception black spots | 1272 |
| Alexander Maconochie Centre—human rights | 1273 |
| Government—multicultural affairs | 1274 |
| Waste—Gungahlin recycling drop-off centre | 1275 |
| Parking—mobile phone application | 1275 |
| Schools—motor vehicles idling..... | 1277 |
| Alexander Maconochie Centre—female detainee programs..... | 1278 |
| Papers..... | 1280 |
| Coroner’s report—inquest into the death of Blake Andrew Corney— report and government response | 1281 |
| Papers..... | 1285 |
| Our Booris, Our Way review—update | 1285 |
| A Step Up for Our Kids—snapshot | 1285 |
| Planning, Transport and City Services—Standing Committee..... | 1290 |
| Planning and Development Act—variation No 369 to the Territory Plan..... | 1290 |
| Freedom of Information Act—statement 2022..... | 1293 |
| Planning and Development Act—leases granted..... | 1293 |
| Planning and Development Act—variation No 368 to the Territory Plan..... | 1293 |
| Inspector of Correctional Services—critical incident review— government response..... | 1293 |
| Justice and Community Safety Directorate annual reports 2020-2021— corrigendum | 1294 |
| ACT Aboriginal and Torres Strait Islander Agreement 2019-2028— ACT impact statement 2021 | 1294 |
| Crimes (Consent) Amendment Bill 2022 | 1294 |
| Government—land release program | 1311 |
| Health and Community Wellbeing—Standing Committee | 1339 |
| Education and Community Inclusion—Standing Committee..... | 1339 |
| Environment, Climate Change and Biodiversity—Standing Committee | 1340 |
| Executive business—precedence | 1341 |

| | |
|---|------|
| Fair Trading and Other Justice Legislation Amendment Bill 2022 | 1341 |
| Adjournment: | |
| YWCA Canberra—Great Ydeas Innovation Breakfast | 1348 |
| Icon Water—odour control units | 1349 |
| Moncrieff—sludge pit | 1350 |
| Arts—theatre | 1350 |
| Schedule of amendments: | |
| Schedule 1: Crimes (Consent) Amendment Bill 2022 | 1352 |
| Answers to questions: | |
| Government—grants programs (Question No 600) | 1355 |
| Government—grants programs (Question No 602) | 1357 |
| Canberra Health Services—COVID-19 leave (Question No 625) | 1359 |
| Schools—counsellors (Question No 666) | 1360 |
| Yerrabi Pond—water quality (Question No 668) | 1362 |
| ACT Gambling and Racing Commission—problem gambling incidents (Question No 669) | 1363 |
| Justice—Justice Health strategy (Question No 670) | 1366 |
| Housing ACT—residents survey (Question No 671) | 1368 |
| Taxation—commercial property rates (Question No 673) | 1369 |
| Yerrabi electorate—rates (Question No 674) | 1370 |
| ACT Health—policies and programs (Question No 676) | 1372 |
| Chief Minister—grants (Question No 677) | 1373 |
| Government—act of grace payments (Question No 678) | 1374 |
| Government—payment waivers (Question No 679) | 1375 |
| Roads—pedestrian safety (Question No 680) | 1376 |
| Umbagog District Park—bridges (Question No 682) | 1376 |
| Giralang Pond—roadworks (Question No 683) | 1377 |
| Consumer affairs—right to repair (Question No 684) | 1378 |
| Health—digital record systems (Question No 685) | 1379 |
| Alexander Maconochie Centre—mental health services (Question No 688) | 1379 |
| Parks and play spaces—federal funding (Question No 690) | 1380 |
| Domestic and family violence—Family Violence Safety Action Pilot (Question No 691) | 1381 |
| Environment—Healthy Waterways project (Question No 692) | 1383 |
| Planning—water sensitive urban design (Question No 693) | 1384 |
| Environment—Healthy Waterways project (Question No 694) | 1384 |
| Government—office of water (Question No 695) | 1385 |
| Environment—Lower Cotter Catchment project (Question No 696) | 1385 |
| Queanbeyan sewage treatment plant upgrade—Oaks Estate (Question No 697) | 1386 |
| Waste—landfill (Question No 698) | 1387 |
| Yerrabi Pond—water quality (Question No 702) | 1388 |
| Access Canberra—electrical safety inspections and audits (Question No 704) | 1389 |
| ACT Law Courts—costs (Question No 705) | 1393 |
| Environment—pest management (Question No 707) | 1395 |
| Drugs—roadside testing (Question No 708) | 1397 |
| Crime—infringement notices (Question No 709) | 1399 |
| Roads—traffic data (Question No 710) | 1400 |

| | |
|---|------|
| Government—procurement complaints (Question No 711) | 1401 |
| Access Canberra—customer feedback (Question No 714) | 1402 |
| Access Canberra—drivers licences (Question No 715) | 1404 |
| Access Canberra—services requests (Question No 716) | 1405 |
| Access Canberra—transactions (Question No 717) | 1410 |
| COVID-19 pandemic—government response (Question No 727)..... | 1410 |
| Water—household usage (Question No 729)..... | 1411 |
| Transport—active travel projects (Question No 731) | 1412 |
| Audrey Fagan programs—applicants data (Question No 732) | 1413 |
| Western edge—sales (Question No 733)..... | 1414 |
| Transport Canberra—bus drivers (Question No 734) | 1414 |
| Municipal services—Gwydir Square shops (Question No 735) | 1415 |
| Mental health services—ACT Recovery College (Question No 739) | 1417 |
| ACT Policing—spit hoods use (Question No 742) | 1420 |
| Mental health services—spit hoods use (Question No 744)..... | 1421 |
| Bimberi Youth Justice Centre—spit hoods use (Question No 745)..... | 1421 |
| Children and young people—wellbeing dashboard (Question No 747)..... | 1422 |
| Children and young people—Best Start for Canberra’s Children strategy (Question No 749)..... | 1422 |
| Children and young people—services connectivity (Question No 750) | 1423 |
| Children and young people—research studies and programs (Question No 751) | 1424 |
| Waste—green waste facility (Question No 752)..... | 1426 |
| Alexander Maconochie Centre—security (Question No 755) | 1426 |
| Alexander Maconochie Centre—security (Question No 756) | 1427 |
| Canberra Innovation Network—conflicts of interest (Question No 757) | 1427 |
| Housing ACT—eligibility (Question No 758) | 1428 |
| Housing ACT—renewal program (Question No 759)..... | 1430 |
| Environmental Protection Authority—environmental authorisations (Question No 760) | 1431 |
| Questions without notice taken on notice: | |
| COVID-19 pandemic—relief teachers | 1434 |

Thursday, 5 May 2022

MADAM SPEAKER (Ms Burch) (10.01): Members:

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

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

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

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

Justice—wrongful conviction reforms Ministerial statement

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.02): I rise today to advise the Assembly of progress on this government's commitment to consider reform to the right to appeal convictions in the ACT. The government committed to this work in the parliamentary agreements for the Ninth and Tenth Legislative Assemblies for the ACT.

On 6 April 2022 a discussion paper titled *Wrongful Conviction: Reform to the right to appeal and right to compensation* was released, seeking submissions from stakeholders and the community. The paper discusses the adoption of a new right to appeal a criminal conviction on the basis that new or fresh and compelling evidence has come to light which points to the convicted person's innocence. Currently, a convicted person can appeal their conviction in the ACT on a number of grounds, including where a jury verdict is unreasonable having regard to the evidence or where there was otherwise a miscarriage of justice.

If unsuccessful in an appeal, the final avenue of appeal is the High Court, which grants leave in only a small number of criminal cases and does not admit fresh evidence. Other options for a wrongfully convicted person include the prerogative of mercy and an inquiry into conviction. The prerogative of mercy is dependent on a decision of the executive and lacks transparency. An inquiry into conviction may be difficult for an applicant to access, as the criteria are not straightforward. The inquiry process itself is long and complex.

The new right of appeal proposed in the discussion paper would be more straightforward. The right would allow a court to grant leave to appeal against a conviction where the court is satisfied of clear criteria. There must be fresh and compelling evidence—for example, new DNA evidence—and granting leave to

appeal must be in the interests of justice. An appeal right of this kind already exists in three Australian jurisdictions: South Australia, Tasmania and Victoria. It has allowed a number of wrongful convictions in those jurisdictions to be identified and addressed, which would likely have otherwise gone unremedied. As stated by Justice Michael Kirby, with reference to measures taken by governments to address wrongful convictions:

There is no merit in the finality of the conviction of the innocent or legal indifference to their plight. Protecting the innocent is a badge of a civilised society that upholds universal human rights.

This government is committed to providing the ACT community with the fairest criminal justice system possible, a system in which we can have confidence that criminal convictions are just, and, where they are not—where they are wrongful—they can be readily identified and an appropriate remedy, such as a re-trial, provided to the convicted person. The consequences of a wrongful conviction for the convicted person and their family are so dire that every effort must be made by governments to put in place systems that will discover them as quickly and efficiently as possible in order to minimise the terrible harm that results from such a conviction.

The proposed new right to appeal on the basis of fresh and compelling evidence is one such system. The appeal right could be expected to be used rarely, as seen by the experience of South Australia, Tasmania and Victoria. The proposed criteria for granting leave to appeal provide a clear but high threshold that must be met before the Court of Appeal will consider the convicted person's case. Despite its likely rare use, the appeal right is important. It would provide a clearer, more accessible pathway to scrutinise convictions. It would promote even greater confidence in the criminal justice system and the fairness of any criminal convictions that it produces.

I want to acknowledge that appeals against conviction or sentence, while an important component of our justice system, do impact victims of crime. Victim Support ACT currently provides a range of supports to victims of crime engaging with the criminal justice system, including the provision of counselling and other therapeutic services; advocacy to help victims access their rights and address concerns in the criminal justice system; and the financial assistance scheme and a court support program. These supports would be available for victims of crime where a conviction is appealed under the proposed new right to appeal.

The discussion paper seeks the views of justice stakeholders and members of the public on a range of issues, including whether the right to appeal against conviction should apply to all criminal convictions or only to serious offences; the orders a court should be able to make following a successful appeal; and different legislative appeal models that already exist in South Australia, Tasmania and Victoria.

I look forward to receiving submissions from all interested parties to help develop best practice right to appeal legislation for the ACT. The discussion paper also seeks views on the right to compensation for a wrongful conviction. This right exists under the Human Rights Act. In accordance with that act, if anyone is punished because of a conviction and the conviction is reversed or the person is pardoned because new

information shows conclusively that there has been a miscarriage of justice, then the person has a right to be compensated.

The government is of the view that there should be clarity around how claims for compensation for wrongful convictions made under the Human Rights Act are assessed. Reform will provide greater certainty and consistency for wrongful conviction compensation claims. Two options are outlined in the discussion paper. The first is to adopt a statutory scheme for assessing liability and determining compensation payable, as currently exists in the United Kingdom; or, secondly, to create an administrative scheme under the Human Rights Act, including a guideline as to how such claims are assessed and calculation of compensation.

Stakeholder and community views are also sought on the question of which wrongful conviction compensation model should be adopted in the ACT. The discussion paper was released on 6 April this year and submissions can be made for a period of six weeks, up until 18 May 2022. These can be made through the ACT government YourSay website.

The fairness of convictions is at the heart of the integrity of our criminal justice system. In order to protect this integrity and ensure fair convictions, we must be able to identify and remedy any wrongful conviction. The reforms outlined in the discussion paper provide us with tools to do this. I commend the paper to the Assembly and to our community, and I hope that many will take the opportunity to provide their views to shape these important reforms.

I present the following paper:

Wrongful Conviction: Reforms to the Right to Appeal and Right to Compensation—Ministerial statement, 5 May 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Government—greenhouse gas emissions reduction Ministerial statement

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.10): I am pleased to present today a statement on the progress of the Home Energy Support program and the Business Fleet Advisory Service.

The ACT government has been a leader in climate action for many years now. We were the first jurisdiction outside of Europe to reach 100 per cent renewable electricity. We exceeded our 2020 emissions reduction target, reducing our emissions by more than 45 per cent from 1990 levels. We have also delivered a range of on-ground programs and events to support the community to be part of the solution to act on climate change.

While we have made some great achievements to date, our appetite to deliver progressive and bold climate action has not wavered. We are building on our achievements by taking the next steps necessary to reduce our city's greenhouse gas emissions and we are focussed on eliminating the use of fossil fuel gas and decarbonising our transport system. Although the ACT is a small jurisdiction in Australia, we can show other jurisdictions, and the world, what is possible to achieve in the transition to a zero emissions future, while supporting Canberra households and businesses with the transition.

We are continuing to work hard, and today it is my pleasure to talk to the Assembly about the Home Energy Support program and the Business Fleet Advisory Service—two new, innovative initiatives that further our progress on real climate action and provide tangible benefits to our community, our economy and our environment. In 2020, the ACT Greens took a bold and ambitious climate action plan to the election. We have worked hard to embed our election commitments into the Parliamentary and Governing Agreement, and now we are working hard to deliver these commitments for the benefit of our community. The government has heard loud and clear from Canberrans that climate action is important and that we need to continue to deliver progressive and world leading climate action.

The Home Energy Support program delivers on our election promise to establish a \$50 million fund to improve the efficiency and sustainability of buildings, targeting those who live in social and public housing, low-income homeowners, and the lowest performing rental properties. Lower-income households tend to spend a relatively higher proportion of their income on energy, and they feel energy price rises the most. Improving the thermal performance of dwellings and increasing access to energy efficient heating and cooling appliances are measures that reduce the likelihood that vulnerable groups will experience energy hardship. This program will help support those in our community who are most vulnerable to the impacts of climate change and least able to transition to a more comfortable, energy efficient home.

The Home Energy Support program aims to complement the development of the minimum energy efficiency standards for rental homes, which are currently being considered by government to address the poor thermal performance of rental homes. The ACT government has recently launched the first component of the Home Energy Support program, which provides rebates for low-income homeowners to invest in energy efficiency upgrades. The first product offered is rooftop solar, with rebates of up to \$2,500 available to homeowners who hold an Australian government pensioner concession card or a Department of Veterans' Affairs Gold Card, and who meet the program criteria.

Homeowners also have access to an optional interest-free loan through the existing Sustainable Household Scheme. Combined with the rebate, this will further address the financial barrier for households to benefit from rooftop solar. The rebate on offer for homeowners to install rooftop solar is a continuation of the successful Solar for Low Income program, which supported over 670 low-income homeowners from December 2017 to June 2021, each homeowner saving over \$1,000 per year, on average.

The 2021 ACT budget announced \$3.1 million over four years to continue the Solar for Low Income program and will enable the delivery of this part of the Home Energy Support program. By mid-2022, the Home Energy Support program will expand to include an additional rebate of up to \$2,500 for other energy efficient products, including heating and cooling, hot-water heat pumps, and ceiling insulation. Additional measures to support public and private renters under the Home Energy Support Program will be announced in this financial year.

I will now turn to the Business Fleet Advisory Service. The vehicles we drive each day are responsible for around 60 per cent of all ACT greenhouse gas emissions. For many businesses, a well serviced vehicle fleet is an essential part of their operation. Ensuring our local businesses and community organisations are able to operate efficiently and sustainably is an important aspect of our net zero emissions transition. When it comes to zero emissions vehicles, we know we are only at the start of the revolution. We know that people have a lot of questions and that there are a lot of myths out there about electric vehicles. We have a role to play in helping our community make the best decisions, and that is why the ACT government has recently launched an advisory service to help Canberra businesses and community organisations transition their vehicle fleets to zero emissions vehicles.

The Business Fleet Advisory Service is free, and it provides Canberra businesses and community organisations with independent and targeted information on, and experience with, zero emissions vehicles and associated technologies to guide, equip and support them to adopt greener vehicle options in their fleets. The service is assisting businesses and community organisations by providing information on current ACT government financial incentives available to businesses; access to forums and events such as webinars and zero emissions vehicle test drive days; fleet transition information reports specific to a business's fleet needs to help with business case development; detailed total cost of ownership comparisons; and information on zero-emissions vehicle charging requirements and charger options.

So far, 14 businesses have participated in the program and have received fleet transition information and advice tailored to their businesses. You might have seen some of the recent media coverage of local businesses who have used this service and are realising the savings benefits that transitioning to zero emissions vehicles can have for their business. This includes Nordic Blinds, who have found that their electric vehicles have been saving them around \$7,000 to \$9,000 per 50,000 km of travel. This shows the potential of this service and its benefit to our local businesses and community organisations. The Fleet Advisory Service builds on the support already available to Canberra businesses to become more sustainable and reduce emissions through the government's Everyday Climate Choices initiative.

Both programs complement a range of supports available for businesses and vulnerable households, as well as other parts of the community. The success of the programs is in their simple design and accessibility by the community seeking tailored advice, financial support and tools to make their lives more sustainable. I look forward to seeing these two important initiatives continue to create real change for our community and assist more people to make everyday climate choices as part of the transition towards a net zero emissions future.

I present the following paper:

Home Energy Support Program and Business Fleet Advisory Service—Update—
Ministerial statement, 5 May 2022.

I move:

That the Assembly take note of the paper.

MS CLAY (Ginninderra) (10.17): I am pleased to welcome the minister's programs today: the Home Energy Support program and the Business Fleet Advisory Service. We took real climate action to the election, and this is what it looks like; it looks like programs like these on the ground that are helping us cut our emissions.

The Home Energy Support program is a key part of our transition to a safer climate. It brings everyone along, especially those in social and public housing and our low-income earners. It is the best way to help everybody join in and help transition to a safer climate. It means that we are helping people reduce their energy while they are maintaining their lifestyle, and that is the best reduction we can get. They will use less electricity, less gas, less fossil fuel, they will have a more comfortable home and they will save money. And they will do all of that at the same time. I cannot wait to see the next raft of measures that are going to help renters out. They are coming soon.

The Business Fleet Advisory Service targets a really different group of people, but it is just as important, and the idea is exactly the same. That service is targeted at businesses to help them transition to EVs. I was really pleased to hear that we have already had 14 people take up that service. I reckon it will be 15 by the end of the day; I referred someone this morning.

I come from the recycling industry, and a lot of people get in touch with me all the time to ask how they can do it. It has been quite difficult to field those queries but right now I can say, 'Here is a service. There are so many changes happening in your industry. There are so many ways you can save on fuel costs. There are so many companies that are out there transitioning fleet vehicles in your industry right now, and this service can help you navigate that system.'

So I think it is really going to be important to help a lot of our businesses transition. It is also going to support our businesses, because a lot of them have been hit pretty hard with petrol and diesel prices. What we are finding is that, in most companies, there is somebody who already understands climate change and already understands EVs and zero emissions vehicles and maybe has been pitching these things to their boss for a while. They are suddenly finding that their boss is very receptive because they have just paid a really big fuel price. It is a great time to be talking about this, and the quicker we can swap people over, the better. We are also going to get some really massive health and environmental benefits unrelated to climate. There can be a huge respiratory impact from diesel and petrol fumes in our cities, and if we can switch over to EVs quicker, then we will drop that down.

One of the reasons I am so enthusiastic about EVs is because I ran a project before this job called the Carbon Diet. On that project I tracked my footprint and that of the average Australian. And then I set out to cut it by 75 per cent, one week at a time. I am a bit of an old-school greenie and I really thought most of that project would be about doing less, buying less and wasting less—doing less of everything, and simplifying it. That was really helpful and that worked in a lot of areas but, interestingly, in a few areas of life, quick switches are actually more effective and easier to make.

We have seen this in the ACT with swapping to 100 per cent renewable electricity. I think most people did not notice that it happened. It was just something that occurred. You still turned the lights on—everything worked just fine—and suddenly we had zero tailpipe emissions for all of that electricity. It was fantastic. We can get a similar impact from electric vehicles. We can still drive cars if we are driving a different type of car, and that is a much easier behaviour transition to make for a lot of people because it is not telling them to fundamentally change the way they do things; it is just asking them to use a slightly different product that, by the way, looks exactly the same as the product they are already using.

I was really excited when I looked at how much we can save when we swap over our transport. The average Canberran generates two tonnes a year of carbon emissions from their transport. That is a huge amount. That is why, in Canberra, 60 per cent of our tracked emissions are coming from the transport sector. And most of that is car use. So we can make a big difference very fast. We still need public transport, and we still need active transport—EVs are going to give us the same problems with congestion that any other car does—but we understand that we will always have some vehicles in this city. We just need to make sure that those vehicles are all zero-emissions vehicles as soon as we can get there.

The last two IPCC reports released earlier this year have really highlighted how important it is to make these transitions as fast as possible and to make sure that we understand all of our decisions about planning, building up our economy and assisting people really matter. They highlighted, not only that we are running out of time, but that these simple changes are so effective. The technology is here, and we need to use it.

There is a lot of material out there. I recently read *The Big Switch*. It gives the same message. It is great to see these simple, practical solutions rolling out and to see how effectively they work, and it is really good to see that at the same time they are supporting people's lifestyles and helping them save money.

Question resolved in the affirmative.

Canberra Hospital—expansion

Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for

Health) (10.23): I am pleased to update the Assembly today about the Canberra Hospital expansion project. Since my last ministerial statement to the Assembly on this project in February 2021, the \$624 million Canberra Hospital expansion project has dramatically transformed the Canberra Hospital campus.

The enabling works program to relocate services around the campus in preparation for the new critical services building has now been fully delivered. The enabling works alone have supported about 100 local jobs, with Canberrans joining teams that have delivered the construction phase of the enabling works that have provided some great new facilities for the immediate benefit of hospital users and staff.

By far the biggest project in the enabling works program was the completion of a new building 8 in June 2021. The opening of building 8 was an important milestone for the Canberra Hospital expansion project and has provided fantastic new facilities for the Canberra community and health service staff. Building 8 houses the Canberra Sexual Health Centre, which was relocated to the modern purpose-built clinic on level 4 of the new building. The relocation of the Canberra Sexual Health Centre has supported the work of providing sexual health services for priority populations, with a focus on prevention, screening, early diagnosis and treatment of sexually transmissible infections and HIV.

Building 8 also includes new teaching and training facilities for the hospital, including accommodation for the ANU Medical School and the University of Canberra. This provides an opportunity to house important research units with education together on the one floor, encouraging increased collaboration. The co-location of education and research means we can measure training effectiveness and provide the community with the assurance that Canberra Health Services staff are accessing the best evidence-based education to enable exceptional person-centred care.

The new Surgical Skills Centre was also a purposely designed and built facility within building 8. The area encompasses private study space, tutorial rooms and two clinical skills laboratories, one of which is equipped to handle wet specimens and tissue. During the enabling works phase, we also delivered a new Child at Risk Health Unit that is ensuring that this crucial work with some of Canberra's most vulnerable children can continue in new, fit-for-purpose facilities at the Canberra Hospital.

The Canberra Hospital expansion project also undertook refurbishments to building 4, including a new library, and teaching and training spaces; and refurbished building 9 to provide new accommodation facilities for patients and carers. The 12 apartments that were refurbished in building 9 make available short-term accommodation at the Canberra Hospital for interstate patients and carers.

In August 2021, a new temporary car park opened at the former CIT Woden site. The space provides parking for both hospital staff and Canberra Hospital expansion construction contractors. In total, it provides more than 1,100 spaces and has freed up parking on the hospital campus so that patients and visitors can more easily find a park in the multistorey car park.

Between August and December 2021, the focus shifted to the site of the new critical services building with the demolition of buildings 5 and 24. The critical services building will deliver a new intensive care unit; more state-of-the-art operating theatres; a new acute cardiac care unit; a bigger and better emergency department; and more medical imaging facilities, inpatient beds and ambulance bays. The new intensive care unit will continue to build on the increased capacity that has been provided in the current ICU at Canberra Hospital through the ICU expansion.

In the 2021-22 budget, we have taken a stepped approach to opening further intensive care beds in advance of the new ICU opening in 2024. The critical services building will deliver 22 new operating theatres that include state-of-the-art hybrid and interventional radiology theatres. We are incorporating the latest advances in medical technology to enable even more surgeries and procedures for the Canberra community. The new acute cardiac care unit will include 32 acute cardiac care beds, three cardiac catheterisation laboratories and a cardiac day unit to support the cardiac catheterisation labs. This will provide even more life-saving treatment spaces to the Canberra region and future-proof the care that Canberra Hospital provides to patients that present with serious heart conditions.

The new emergency department will have 147 spaces. This is 72 more than currently available at the Canberra Hospital and will also include a separate dedicated paediatric stream. The design of the critical services building and the new spaces for the delivery of health care will ensure that they are family-focused, with access to indoor and outdoor areas that promote relaxation, quiet reflection and the opportunity to gather with loved ones. Internal spaces and courtyards are being co-designed with consumer representatives because we want to make sure that the experiences of patients and families are centred on healing and wellbeing.

A smoking ceremony conducted by Ngunnawal Elder, Warren Daley, in August, marked the cleansing of the critical services building site before demolition commenced. In November 2021, a ground-breaking ceremony marked the official start of construction, with excavations commencing for the critical services building's basement and ambulance bays.

In the past two months, we saw one of the most striking signs of progress on site yet, with the assembly of two tower cranes, marking the start of very visible above-ground progress as the team begins to construct the slabs that will form the new building. The tower cranes are a true symbol of the work that lies ahead, and the monumental effort required to bring this hospital expansion to life. By the end of the year, we will see the critical services building dominate this site as it rises eight storeys into the air. As construction of the physical building continues, work is ongoing to finalise the detailed design of the new critical services building, both clinical and publicly accessible. Consultation with clinicians has continued during this key stage of the project, providing valuable input directly into the design development of the critical services building. To date, there have been more than 300 separate user group workshops with clinicians to ensure that we are progressing the needs of all users, with the clinical sign-off process for this design stage occurring progressively.

At the former CIT Woden site, the team have now completed the physical construction of the new prototype shed. Last week I was pleased to visit the prototype shed for a tour ahead of the formal opening. It has not formally opened yet. I was able to see what the team is bringing together for user groups to experience the new spaces in the critical services building. The shed is currently being fitted out with equipment, including operating theatres, imaging equipment, and simulated intensive care, emergency department and inpatient rooms. This will allow our clinicians to get a feel for the facilities they will be using in the new state-of-the-art critical services building.

Regular consumer workshops have also continued during the design process and are currently being used to provide valuable input into landscaping and courtyards; interior designs, including in the family lounge; and wayfinding, which is one of the most consistent areas of feedback from consumers generally. Major Projects Canberra and Multiplex will continue to hold workshops through to late 2022 as these design elements are finalised.

We are also continuing to talk to the residents surrounding the construction site so that they are aware of any disruptions that might affect them, can raise any issues or suggestions, and are kept up to date on the building's progress. Our local community reference group for the Canberra Hospital expansion project continues to meet, and regular updates are distributed to the local community through letterbox drops and online.

We also continue to engage with the Garran Primary School, where students have been learning all about the construction site's two tower cranes and the construction industry. I understand the students really enjoyed short listing names for the cranes that have been put to a public vote, with students engaged from across the school—preschool and all the way through to year 6. The students shortlisted 12 crane names, and it has been a great way to engage Garran Primary School in the work of the project as the cranes bring the building to life. The Name the Crane competition opened on the YourSay website on 28 March and closed on 15 April, and I hope all members took the opportunity to promote this competition to enable Canberrans of all ages to be part of naming the cranes at the Canberra Hospital expansion. The names of our cranes, hard at work on site, will soon be announced. If you have walked past the site recently, you may also have noticed the wonderful artwork that some of Garran Primary School's younger students have done, which is included on the fencing around the site.

Delivering big construction projects like this can be disruptive, and I sincerely thank all the local neighbours and hospital users for their patience as the work on site continues. It is always difficult to build infrastructure in areas with considerable operations already underway. That is why it was so important to relocate this project onto a part of the Canberra Hospital campus, where construction would not interrupt access to emergency treatment, surgery or inpatient care. We are minimising these disruptions as much as possible while we build this critical piece of health infrastructure that will benefit future generations.

Madam Speaker, I am pleased to report to the Assembly that the Canberra Hospital expansion project is leading the way in environmentally-friendly practice and

sustainable design. Even before the critical services building goes up, the team has removed and recycled more than 94 per cent of demolition materials collected from the building site, equating to more than 8,900 tonnes of material, including metals, concrete, brick and green waste. Our construction partners have also excavated over 15,300 cubic metres of clean soil which has been repurposed for other projects.

The critical services building itself is one of the first all-electric clinical buildings of its type in Australia. Through an extensive consultation and design process, we have refined the design to boost the building's green star rating and support a target of net zero emissions. This is being achieved through features such as green courtyards and design that maximises the use of natural light and ventilation.

As to what is still to come with this project, soon we will see Hospital Road reconfigured into separate north and south access roads to facilitate construction of the critical services building's new welcome hall and pedestrian linkages into existing buildings. This will ensure that the new building provides a more seamless experience for pedestrians and more privacy for patients using the new facility.

Later this year we are expecting the construction of the building's facade to commence, and by this time next year the floor plates of the physical building will be towering around eight storeys into the air. The mental health short stay unit proof of concept designer has also been engaged and the design for this new unit is progressing.

The fact that so much progress has been made and continues to be made onsite amid the challenges of disruptions posed by COVID-19 restrictions and labour and global supply chain shortages is a testament to the skills and hard work of everyone working to deliver this project—from our staff in Major Projects Canberra and Canberra Health Services to Multiplex, its subcontractors and all those working with them, including the unions that are proactively engaged in ensuring that workers' rights and safety are at the forefront while delivering this critical infrastructure.

In parallel with construction, the ACT government has invested more than \$18 million to undertake operational commissioning work to support the opening of the critical services building in 2024. Operational commissioning requires an equal commitment of time, effort and planning as the physical construction brings the critical services building out of the ground.

Operational commissioning focuses on detailed workforce planning and targeted recruitment activity for the critical services building; consultation on the clinical models of care; development of workforce orientation, education and training modules; selection, procurement and installation of equipment; testing equipment and training staff to operate it; and establishing inventories for consumable and pharmaceutical products.

The commissioning of the critical services building will concentrate on the operational aspects of preparing our current and future workforce, service providers and the community for the commencement and opening of this new health infrastructure for the Canberra region.

The Canberra Hospital is undergoing significant change, as it has been over the last decade and more. It is just over 10 years since the adult mental health unit opened, followed by the Centenary Hospital for Women and Children, the Canberra Region Cancer Centre and the expanded emergency department—to name just a few major projects delivered over this period.

In December 2021, the ACT government released the Canberra Hospital master plan, the blueprint for how we will continue the transformation of the Canberra Hospital campus over the next 20 years. The master plan builds on the ACT government's nearly \$1.3 billion investment in healthcare infrastructure over the past decade and the Canberra Hospital expansion project currently underway. It incorporates improvements that we are already making and outlines how this work will continue into the future to meet the community's needs. Implementation of the master plan will transform the campus in stages and ensure the best utilisation of existing critical buildings and buildings currently under construction such as the critical services building.

In summary, this government is investing in growing our healthcare capacity and ensuring that future generations of Canberrans and their families have access to the very best healthcare facilities. I am looking forward to seeing this building rise over the course of the year. This \$624 million project is a record investment in the future of our health system, the largest health infrastructure project since self-government. It is a key part of our plan to ensure that all Canberrans have access to the health services they need, when they need them. I present the following paper:

Canberra Hospital Expansion Project—Ministerial statement, 5 May 2022.

I move:

That the Assembly take note of the paper.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (10.37): I rise today just to say a few words in support of this statement. As a local resident in the area, the hospital is literally at the end of the street that I live on. Every now and then I hear the SouthCare helicopter fly overhead and I think to myself, “There’s another life being saved,” and that is a good feeling.

I also want to note the extensive consultations that have been undertaken as part of this work and how much the consultation by Canberra Health Services has improved in recent years. I participated in consultations on the Centenary hospital for women back in 2009-10 as a member of the community sector. I also participated in some of the early consultations for the Canberra Hospital expansion in 2018-19 as a community sector worker as well. It has been really pleasing to see the improvements in consultation with the community that have happened over the past decade. I note that local residents have raised a number of parking and traffic concerns that I see have been addressed in some of the changes to the plans over this period, reflecting that those consultations have been quite effective.

It is really important that we have the capacity to provide care long into the future, and these expansion works will help us to do that. I really appreciate being part of a caring and supportive local Canberra community and thank the residents of the Garran and Hughes area for their ongoing participation in consultation and for their patience with this work.

Question resolved in the affirmative.

Visitor

MADAM SPEAKER: Members, before we move to the next ministerial statement, I draw to your attention that we have Mr Corbell, a former MLA, in the chamber. Welcome back to the Assembly, and control your enthusiasm to want to jump onto the floor and make a comment.

Bimberi Youth Justice Centre—report Ministerial statement

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (10.40): I am pleased to present the ninth Bimberi headline indicators report. This report demonstrates the ACT government's ongoing commitment to both transparency for Bimberi Youth Justice Centre's operations and performance and the safety, health and wellbeing of the young people detained there.

The ninth report provides data for the first half of the 2021-22 financial year. It provides for continuing scrutiny of a range of indicators relating to the safety and care of the young people in Bimberi and provides trend data to monitor performance against operational indicators.

The number of young people detained in Bimberi on an average day has remained consistent with last financial year's average, dropping from nine young people in 2020-21 to eight young people in 2021-22. There has been a decrease in the total number of custody days served by young people compared to the same period in the previous financial year.

We continue to see great interest in working at Bimberi and have been able to maintain reliable workforce numbers. The first youth worker recruitment process for 2022 has been completed and nine new youth workers are currently undertaking their induction training.

I would also like to take this opportunity to congratulate the nine Bimberi staff who completed a certificate IV in youth work in 2021 through the Canberra Institute of Technology. Studying while undertaking shift work is challenging at the best of times. It is a credit to these staff that they added the challenges of COVID-19 to the mix and managed to successfully complete their studies.

Madam Speaker, the first half of 2021-22 has been largely reflective of the results we saw for operational indicators in the first half of 2020-21. There were no category one incidents in the first half of 2021-22 and there were 57 category two incidents. This is consistent with the same period in the previous year. The number of assaults by young people against staff and other young people decreased slightly over the same period, down from 10 assaults in the first half of 2020-21 to seven assaults in the first half of 2021-22. There was a small increase in the number of operational lockdowns at Bimberi compared to the same period in 2020-21, up from nine lockdowns to 14. This is still significantly lower than in previous years.

The team at Bimberi have been working hard over the past two years to keep young people in their care safe and minimise the impacts of COVID-19 on the centre and its operations. To protect the young people in custody from COVID-19, induction processes have been updated to keep new young people entering the centre away from existing residents. All young people entering Bimberi are being placed on health segregation while precautionary COVID-19 testing can be carried out by justice health services. This has led to a significant increase in health segregations compared to the same period in the previous year. The 28 segregation directions made to the end of December 2021 were all health segregations and were all in response to COVID-19 testing requirements.

As I have said previously, a key component of a young person's rehabilitation and reintegration back into the community is their engagement in education, training, recreation and rehabilitation programs. All young people at Bimberi, once past their health segregation, participate in programs delivered by the Murrumbidgee school, Bimberi staff or external agencies. During the first half of the 2021-22 financial year, 100 per cent of young people residing at Bimberi engaged in educational programs.

I had the pleasure of attending the Murrumbidgee school end-of-year assembly in December. It was wonderful to watch the joy in the young people as they accepted their certificates and awards for their educational achievements. From music, art and barista training to the attainment of year 10 modules and one young person successfully completing their year 12 certificate, the success of every young person was celebrated.

For any young person to have successfully completed their education course during everything we experienced in 2021 is an achievement that we all celebrate. For a young person to be able to do this while also working through the challenges that come with being in detention and other wellbeing challenges is something for each one of those young people to be proud of. This has been possible with the support of youth workers and educators who support young people to develop skills in areas where they have interests and talents. It is also a credit to each of those young people whose determination, creativity and curiosity has helped them progress their studies.

Unfortunately, COVID-19 has impacted Bimberi. For the young people this has meant a change in the way they interact with their families, friends and program and service providers. Restrictions have meant that fewer programs have been provided at Bimberi by external agencies and fewer families and professionals have been able to

visit in person. Bimberi has increased audiovisual link capacity at the centre and virtual visits are being widely used. Positively, the use of AVL technology has seen young people having more contact with their families, including family members interstate and overseas.

I recognise that having regular contact with family and friends is important for the wellbeing of young people, and it is also important for family and friends to ensure that their loved ones are well cared for and supported. I am pleased to advise that non-contact visits at Bimberi have since resumed, aligned with the easing of public health restrictions.

I would like to thank the staff at Bimberi for their ongoing commitment to protecting the health and wellbeing and supporting the development of the young people in their care. To every staff member who has been vaccinated for COVID-19, who works their shift wearing PPE that is not always comfortable and who supports young people through what can be emotionally challenging times, I thank you for your care and I acknowledge your skills.

Madam Speaker, thank you for the opportunity to update the Assembly today on the Bimberi Youth Justice Centre and the ninth Bimberi headline indicator report. I present the following paper:

Bimberi Headline Indicators Report—

Ministerial statement, 5 May 2022.

Report, May 2022.

I move:

That the Assembly take note of the ministerial statement.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.45): Very briefly, I just want to add to Minister Davidson's congratulations to the staff and young people at Bimberi. I thank the incredible staff at Bimberi who have worked so hard to ensure that, as much as possible, the lives of young people are normalised, in a Bimberi normal kind of way, throughout COVID-19. It is great to hear that the rolling recruitment strategy has been successful in ensuring that Bimberi are appropriately staffed and that they are continuing to find new people to work in what is a challenging but ultimately very rewarding job.

Congratulations also to the young people whose achievements were celebrated at the end-of-year assembly. I know what a wonderful event that was. It is great that that could be held in person again and that those young people's achievements could be acknowledged, recognised and supported by not only themselves and their peers but also the minister.

We often talk about the impact of COVID-19 on our frontline health staff. Obviously, for Policing there has been a significant impact and challenge. We talk a lot about schools and the impact of COVID-19, but the reality is that COVID has impacted

across a range of human services delivered by the ACT government and our community partners. The Bimberi staff have done an incredible job in responding to that. I add my thanks to Minister Davidson's for the incredible work of those staff.

Question resolved in the affirmative.

Terrorism (Extraordinary Temporary Powers) 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) (10.48): I move:

That this bill be agreed to in principle.

This bill extends the operation of the Terrorism (Extraordinary Temporary Powers) Act 2006 for another five years. This act was introduced in 2006, and every five years it has been extended. The bill was set to expire again last year. However, the Assembly agreed to extend its operation by one year, during which time the government undertook a more detailed review and analysis of the act and its provisions.

Following that analysis, I can inform the Assembly that the bill I am introducing today extends the operation of the act, but also, importantly, makes several amendments to improve the human rights protections in the act and ensure that it achieves a more appropriate balance of community safety, powers of police and individual rights.

The act forms part of Australia's national counterterrorism scheme, which is underpinned by Australia's national counterterrorism strategy, and is implemented in part by state and territory legislatures. It has come about from a COAG intergovernmental agreement on counterterrorism.

The act provides law enforcement agencies with extraordinary legal powers to respond where there is evidence that a terrorist act is imminent, or where an act has occurred. These powers have been considered and explained extensively in this Assembly before, and this bill seeks to extend their operation. Members can also see detailed explanations of these powers in the statutory review of the act that I tabled in the Assembly in 2021 and which is available publicly.

I will briefly recap. The first of the powers allows ACT Policing to apply to the Supreme Court for a preventative detention order. A preventative detention order allows a person to be taken into custody if the court is satisfied that a terrorist act is happening, or is expected to happen in the following 14 days, and the authorisation

will assist in preventing or reducing the impact of the terrorist act. A person may be detained for up to 14 days without charge under a preventative detention order.

The ACT act provides contact rights for a person who is detained under a preventative detention order. A person detained under an order is permitted to contact certain persons, such as a family member or employer.

As a comparison to comparable legislation in some jurisdictions, some of these, including Victoria and the commonwealth, allow interim preventative detention orders to be made by senior police officers instead of by a court. Another difference is that, in the New South Wales and commonwealth schemes, the detained person is only able to inform a family member that they are safe.

For the Assembly's information, I can confirm that, to date, no preventative detention orders have been applied for by ACT Policing or made under the act.

The act also allows for an investigation authorisation, which lasts for up to 28 days. This authorisation permits the police to exercise special powers that would assist in apprehending a terrorist suspect, investigating a terrorist act or reducing its impact. Special powers include searching a person, place or vehicle that is named, or related to someone or something named, in the authorisation. These orders must be made only by the Magistrates Court or the Supreme Court, to provide an additional layer or oversight and accountability.

When the act was first introduced in 2006, significant safeguards were included in the act. This distinguishes it from legislation in other jurisdictions, including the commonwealth, to ensure that the fundamental legal principles of justice and human rights could be preserved and protected. As I will explain in a moment, the amendments I am introducing today further expand these safeguards.

Since its introduction, the bill's operation and effectiveness has been reviewed three times. The most recent review concluded that there should be an opportunity given to enhance the human rights protections and safeguards contained in the act, noting the extraordinary nature of the powers.

In response to that review, this bill proposes a number of additional amendments to improve human rights protections in the act, ensuring that the ACT legislation continues to adhere to human rights standards and, I believe, offers a best practice standard that is superior to the approach taken in any other jurisdiction in Australia. I reiterate that already the existing ACT act contains significant safeguards which distinguish it from both the commonwealth legislation and the legislation in other states and territories.

The additional amendments I am introducing in this bill today include amendments to improve protections for some vulnerable cohorts in the community who may be subject to the powers of the act. The amendments strike a balance in acknowledging that these individuals are likely to be vulnerable when detained, while ensuring the safety of the community.

The first of these protections is for individuals who are not citizens or permanent residents of Australia. To improve their protections, the bill extends an entitlement to non-citizens and non-permanent residents to have access to diplomatic or consular contact. This amendment requires ACT Policing to inform a detained individual, who is not a citizen or permanent resident, of their right to have a diplomatic or consular representative of their state informed of their detention. If asked by a detainee, ACT Policing is required to inform the respective diplomatic or consular representative.

The second group the bill improves protections for is detained individuals who have impaired decision-making ability. This includes any person whose decision-making ability is impaired because of a physical, mental, psychological or intellectual condition or state. Currently, individuals with impaired decision-making ability are allowed to have contact with a parent, guardian or other support person for up to two hours each day. This bill will increase this special contact period to four hours each day.

The bill also includes amendments which will place an obligation on police officers detaining individuals with impaired decision-making ability to exercise their best efforts in locating a parent, guardian or support person. Police officers may refuse contact between a detained person with impaired decision-making ability and another support person on the grounds that this other person is unacceptable. To further improve protections and ensure police accountability for these decisions, the bill includes an amendment that requires police to provide reasons as to why this person has been found unacceptable, and allows a detained person with impaired decision-making ability to nominate another parent, guardian or other support person to have contact with.

The final amendment that the bill makes to improve human rights protections applies to all individuals who may be detained under the act. This amendment will allow identification material, mainly in the form of videos and photographs, to be taken of a detained individual for the purposes of recording an injury or illness they may have suffered while in detention.

A consequential amendment in the bill provides that any identification material taken for the purposes of recording an injury or illness can be used only in a complaint, an investigation or a proceeding that relates to the detained person's apprehension or detention.

The aim of these amendments is to ensure a person's wellbeing while detained and also to improve and ensure police accountability for any injury or illness that a detained person may suffer.

This amendment to take and use identification material is likely to limit the right to privacy contained in section 12 of the Human Rights Act. However, there are safeguards in place to protect the privacy of an individual and restrict the impact of this limitation. The amendment to specify that the identification material can be used only for a certain purpose operates as a safeguard and there are also important provisions in the act that dictate the time frames for which this identification material is required to be destroyed.

A detailed human rights analysis is contained in the explanatory statement to this bill and I encourage all members to consider it, along with the bill. I commend the bill to the Assembly.

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

Dhulwa Mental Health Unit—safety

MS CASTLEY (Yerrabi) (10.57): I move:

That this Assembly:

(1) notes:

- (a) on 5 April, the Australian Nursing and Midwifery Association (ANMF) launched a public campaign calling on the ACT Government to conduct an urgent inquiry into the operation of the Dhulwa Secure Mental Health Unit;
- (b) the union said nurses had reported more than 100 physical assaults by patients over a six-month period to February this year with one nurse likening working at Dhulwa to being “sent into the killing fields”;
- (c) nurses say they have pleaded with the Government to keep them safe and the Government has “failed” them over safety;
- (d) staff turnover is high and nurses fear the Government’s failure to respond to their serious concerns poses “an imminent risk of a catastrophic event”; and
- (e) violence has been an issue at Dhulwa since it opened. In 2018, several nurses reported being punched in the face and kicked in the head during multiple assaults by a patient and ACT Policing investigated;

(2) further notes that Minister Davidson:

- (a) has been slow to respond to the nurses’ pleas for an inquiry and dragged her feet on the issue;
- (b) told Question Time on 6 April she was “listening” to nurses and made a flippant remark, “He’s got my number. Call me, maybe?” referring to the ANMF branch secretary; and
- (c) announced on 2 May the Government would conduct an independent inquiry into legislative, clinical and governance policies at Dhulwa; and

(3) refers to the Standing Committee on Health and Community Wellbeing the following matters:

- (a) the adequacy of current security and staff safety arrangements to protect nurses at Dhulwa;
- (b) staff numbers and roles/positions to ensure staff are safe and protected at work; and
- (c) current protocols and procedures for staff responding to, and reporting on, incidents and violence.

Yesterday in this place the government acknowledged that 28 April was World Day for Safety and Health at Work and said that all employers have an obligation to protect their workers. How true. Today marks the start of nurses and midwives week. It is those two events that bring me to the purpose of my motion today, which is to protect nurses at Dhulwa Mental Health Unit who are being assaulted, bullied and harassed—not just nurses but other staff at the facility as well who, understandably, fear going to work.

Whose job is it to protect them? It is the government's, as their employer, and, more specifically, Minister Davidson, as Minister for Mental Health, who is responsible for the ACT's mental health system. Minister Davidson has failed to stand up for Dhulwa nurses and has been dismissive of serious safety issues. She has also repeatedly ignored the union's pleas for help.

Let there be no doubt that this is a serious workplace issue. The ACT secretary of the Australian Nursing and Midwifery Federation, Matthew Daniel, told the *Canberra Times* on Monday this week he was seriously concerned that a nurse could lose their life. Let us pause for one moment and consider that. Let us imagine that someone has made that statement and raised such a serious safety concern about our workplace here at the Assembly—a workplace for politicians and their staff, attendants, cleaners and secretariat support. I can guarantee that immediate action would be taken to prevent a worker from losing their life.

Remember that yesterday the minister for workplace safety told us that all employers have an obligation to protect their workers. Sadly, Minister Davidson has failed in her duties to protect Dhulwa nurses, and it is only because of a strong public campaign launched by the nurses union on 5 April and repeated calls from the Canberra Liberals that Minister Davidson has announced the inquiry that the nurses were calling for.

It is important to stress that this Dhulwa issue did not begin on 5 April, when the union issued its statement under the heading, "ACT government failing nurses over safety". What a damning headline from a union in the same month when we acknowledge World Day for Safety and Health at Work.

The only reason that the union went to the public with its campaign to protect the nurses at Dhulwa, the only reason that the union took on the government and Minister Davidson, is because the government had been ignoring the union's concerns—the union's and the nurses' pleas.

The union does not hold back in its frustration with this government for ignoring their serious safety concerns. Here are some of the union's remarks: "With no sign of the government intervening to provide a safe work environment;" "Nurses have had enough of giving everything they have and being taken for granted with unsafe workspaces;" "Nurses are fed up with the ACT government for not responding to their safety and workload concerns;" and "The situation at Dhulwa represents a particularly serious example of the government's failure to respond where there is an imminent risk of a catastrophic event." The union goes on to say:

... the Government appears to be blaming nurses for the level of occupational violence at Dhulwa ...

The government seems content to stand by while poor governance, confused patient management, inconsistent and opaque systems of work, appalling HR practices and toxic relationships have created an environment where ... violence has become business as usual at Dhulwa.

That is from the union. That is what they had to say. Finally, the union stated that nurses have pleaded with the government to keep them safe.

What a damning report card of this government, and of this minister's complete neglect of her responsibilities to provide a safe workplace for her staff, for our nurses at Dhulwa. The only reason that the union launched its public campaign on 5 April is because this government failed, time and again, to listen to the union's serious safety concerns, and act.

There have been hundreds of violent episodes at Dhulwa over the past few years. On Tuesday the minister revealed in question time that there had been a further nine attacks in April. Every attack is one too many, and I wonder how many more attacks will occur before the minister takes immediate action to address these serious safety concerns.

Despite repeated questions from the Canberra Liberals in question time this week, Minister Davidson could not point to one measure that the Labor-Greens government has implemented to keep Dhulwa nurses safe, except to say "things" and "having conversations". The minister had ample opportunity to detail what she was going to do to protect nurses but she failed. The minister had nothing to say because, as the nurses union has made crystal clear, the minister has done nothing.

We all know that an inquiry will not protect nurses today. The Canberra Liberals welcome the inquiry—it is what we asked for—and call on the minister to release the terms of reference, tell Canberrans how long the inquiry will run and commit to implementing all of its recommendations. But the inquiry, as I said, does not help to protect our Dhulwa nurses today.

The government's job is not done simply by announcing an inquiry. The minister cannot retreat and say, "My job is done," while attacks on our nurses continue. It is the government's job to keep our nurses safe today, tomorrow, next week and next month, to provide a safe workplace. And it cannot. If it cannot do these things, maybe it needs to shut the facility until it can guarantee that our nurses will be safe on the job.

That is why I have moved this motion calling on the Assembly to refer to the Standing Committee on Health and Community Wellbeing the following matters: the adequacy of current security and staff safety arrangements to protect nurses and staff at Dhulwa; staff numbers and roles/positions to ensure staff are safe and protected at work; and to review current protocols and procedures for staff responding to, and reporting on, incidents and violence.

I urge Minister Davidson to reflect on 28 April, being the World Day for Safety and Health at Work, and plead with her on behalf of Dhulwa nurses, to take action now—not hide behind an inquiry—to keep Dhulwa nurses safe.

MS DAVIDSON (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health and Minister for Veterans and Seniors) (11.06), by leave: I move:

(1) Omit paragraphs (1) (a) – (e) and substitute:

- “(a) on 5 April, the Australian Nursing and Midwifery Federation (ANMF) called for an inquiry into the Dhulwa Mental Health Unit;
- (b) on 2 May 2022, the ACT Government committed to an inquiry into the legislative, clinical and governance framework to ensure the Dhulwa Mental Health Unit operates under best practice standards;
- (c) that the ACT Government is working collaboratively with the ANMF to finalise the terms of reference for the inquiry and appoint a suitably qualified and independent Chair”;

(2) Omit paragraph (2) and substitute:

- “(d) the ACT Government is committed to providing exceptional healthcare for all Canberrans when they need it;
- (e) the ACT Government is equally committed to ensuring all health workers have a safe workplace and are supported through effective measures to prevent and respond to occupational violence;
- (f) Dhulwa is a secure mental health facility that may accommodate patients with very complex needs who may present a risk to public safety and cannot be cared for in any other setting in the Territory; and
- (g) the ACT Government has listened to the concerns of staff and the ANMF and demonstrated its commitment to exceptional health services, as well as the safety and wellbeing of staff, by establishing an inquiry;”

(3) Omit paragraph (3) and substitute:

- “(2) supports the inquiry into the operation of Dhulwa; and
- (3) defers a decision on the referral of the matter of Dhulwa’s operation to the Standing Committee on Health and Community Wellbeing, until such time that the final report of the inquiry is published.”

Mental health nursing is a highly rewarding, although sometimes challenging, profession. I am grateful every day for the dedication and commitment of our clinical staff, and I know that mental health nurses are committed to providing the best possible care to the people in their care. This includes taking a holistic approach and including the person and significant others in their treatment planning.

When a person becomes acutely unwell from mental illness, they may perceive their surroundings differently and may act out of character. Mental health professionals are trained in how to identify changes in people’s behaviour and use de-escalation skills to help manage the situation. But despite expertise in this area, not all behaviours are predictable and occupational violence incidents may occur in mental health settings.

I am incredibly grateful for the work that our clinical teams do every day to support Canberrans with some of the most complex needs. Mental health service delivery is complex, and facilities such as Dhulwa can be amongst the most challenging.

Since 1 July 2021 through to the end of April 2022 there were 82 occupational violence incidents at Dhulwa Mental Health Unit. It is worth noting that 40 of these incidents occurred in the month of February. This has been an incredibly challenging time for the Dhulwa team, the patients, their carers and families. As a result, a number of immediate actions have been taken.

I am aware that Canberra Health Services have taken extra measures to support staff and improve staff safety. These include implementing new safety huddles, reinvigorating safe wards, extra debriefing sessions, enhancing occupational violence training, offering staff redeployment to other areas, increases in activities for people in care, and appointing a senior nurse to focus on occupational violence prevention strategies.

In response to concerns raised at the Dhulwa Mental Health Unit, there are a number of reviews and investigations currently being conducted. The Health Services Commissioner commenced a commission-initiated consideration in February 2021. Canberra Health Services have provided a significant amount of information to the Human Rights Commission for this review and is awaiting the final report.

Members of New South Wales Forensic Mental Health have been asked to conduct an external review of three recent incidents. This is being supported by Canberra Health Services and is expected to commence within a week. This kind of peer collaboration from New South Wales colleagues with significant experience in similar facilities is absolutely key and provides an opportunity to reflect on what we do and how we do it.

As we know, on 14 April 2022 WorkSafe ACT issued a prohibition notice and an improvement notice on the Dhulwa Mental Health Unit. Canberra Health Services are currently working with WorkSafe ACT on a full review of all of the safe work procedures and occupational violence controls in place at Dhulwa.

To deal with the immediate issues, Canberra Health Services are currently working with the ANMF and our clinical workforce to put in place the necessary measures to respond to the WorkSafe notice. This includes ongoing communication with the Dhulwa workforce, as well as staff meetings to hear directly from the team about what further needs to happen. Canberra Health Services will continue to do this and continue to refine their practices to ensure that staff concerns are addressed and acted upon.

As we all know, on 2 May 2022 I committed to an inquiry into the legislative, clinical and governance framework to ensure that the Dhulwa Mental Health Unit operates under best practice standards. The ACT government is currently working collaboratively with the ANMF and ACT public service to finalise the terms of reference for the inquiry and appoint a suitably qualified and independent chair.

Whilst the inquiry is a critical body of work, I recognise that it will necessarily take some time to conduct properly and make a report on its work. I am grateful to the ANMF for the productive conversations that we have had over recent weeks, and I am very optimistic that the work will make long and lasting impacts on how we provide services in what can be a complex and challenging environment.

It is clearly important that the inquiry reflects on the recent history at Dhulwa and learns any lessons that need to be applied. However, it is also crucial that the inquiry and its subsequent report talk to us about the future. To be absolutely clear, I am committed to getting this work done as quickly as is safely possible. It is, however, important that the work is done properly and the expert team that we appoint has the space, time, freedom and flexibility to complete its work in a way that respects all opinions, hears all perspectives, deals with the complexity of providing services in a place like Dhulwa and helps to place us on a path to a brighter future for Dhulwa.

I do not agree that this matter should be referred to the standing committee right now, as Ms Castley outlines in her motion. There may be validity in the committee looking at the topic in the future, but I do not believe that concurrent inquiries would be helpful at this stage. We have initiated an independent and expert-led inquiry with a wide remit to look at clinical, legal and governance frameworks, and it is important that it is able to complete its work.

Mental health service delivery is hard work, and I value the work that our dedicated staff do every day. I am committed to supporting the inquiry and I am committed to ensuring that the inquiry's work places Dhulwa in a position to be a nation-leading mental health facility, a place where people aspire to work and a place which delivers consistently high quality outcomes for the people who use its services.

MR DAVIS (Brindabella) (11.13): I rise in support of the amendments circulated by Minister Davidson. In doing so I congratulate comrades in the ANMF on their hard work and advocacy on behalf of their members to secure an inquiry, as their members suggested, which is why I was surprised to see this motion on the notice paper this week.

To take members through it, or anyone listening, just one more time, the chronology of this is rather clear. On 5 April the Australian Nursing and Midwifery Federation asked the government to conduct an inquiry. On 2 May, less than one month later, the union succeeded in their representations to the government, and the government has committed to conducting such an inquiry. It is not a closed shop, behind closed doors inquiry; it is an inquiry in which the union have been engaging with the minister to establish the terms of reference that suit the union, an independent chair that suits the union, and it is advised by expert evidence.

This is, in fact, a perfect and timely demonstration of the power of working people collectively organising, joining their union and making representations to government. It is a reflection of how a progressive Labor-Greens government responds to working people when they make such representations, because within a month an inquiry has been launched.

I should stress to Ms Castley that, obviously, I have formed a bit of a habit, and will be continuing that habit today, of encouraging the Assembly to refer important areas of public policy to committees for inquiry. I certainly think that is a perfectly legitimate thing to do, and I would encourage Ms Castley and all members of the Canberra Liberals to do that in future, when there is an important issue worthy of debate. But it seems superfluous to do so when an inquiry has been launched and the union is working on it.

In fact, as the ACT Greens spokesperson for health, I called the ANMF this morning and I asked them about their thoughts on this being on the notice paper. It was made categorically clear to me that there was no enthusiasm for an inquiry into Dhulwa at this time through the Standing Committee on Health and Community Wellbeing, because the union is working with the government to establish an inquiry with terms of reference that they agree to, with an independent chair, and with an expedited time frame to report back to government with some clear recommendations. That is a good way to do business, particularly when we have seen a number of alarming instances at the Dhulwa mental health facility.

I do not try to paint over the issues that Ms Castley raised, and I appreciate that she is raising them. I just find it incredibly cheeky for the Canberra Liberals to come into this place and try to take the credit for the achievements of working people through their union. This is a union victory, and that is why the union is working with government.

I would, though, say to Ms Castley and any member of this Assembly that, in later months, if the result of the independent inquiry into Dhulwa is that it does not resolve and fix the problems that people have identified, of course, referral to the Standing Committee on Health and Community Wellbeing may very well be warranted, and I would be the first to encourage that. But at this time let us not double up on work, particularly if the motivation is for a headline. Let us allow the work that the union has been collaborating on, in good faith, with the government to take place, to report on recommendations and then reflect, with cooler heads and calmer minds at that time, on what work is required later.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.17): I rise to speak in support of Ms Davidson's amendments to Ms Castley's motion. This is, of course, a very important issue. The government takes the safety of all of our staff, but particularly our nurses in the health system, very seriously. It has a range of work underway to address the challenges associated with occupational violence in healthcare settings—challenges that beset healthcare facilities across the country and, indeed, around the world, and challenges that have become increasingly recognised as not being okay just because they occur in a healthcare setting.

That is why the ACT government has been working closely with the Australian Nursing and Midwifery Federation for some years on the Towards a Safer Culture

strategy, which I will talk about a bit more, and why Canberra Health Services in 2020 launched an occupational violence strategy to specifically address this issue.

As Ms Davidson's amendments indicate, Dhulwa is a particularly challenging environment. It is a secure mental health facility that sometimes accommodates patients who have very complex needs and behaviours, and who are there in part because they present a risk to public safety and cannot be cared for in other settings across the territory. It does require a specific response. That specific response needs to be supported by expertise, and that is why the range of inquiries that Ms Davidson has listed are so important—to bring in the expertise of WorkSafe ACT; to bring in the expertise of the Human Rights Commission through the Health Services Commissioner; to bring in the expertise of the New South Wales experts that Ms Davidson talked about; and to bring in the expertise, as agreed with the ANMF and its members, through this independent inquiry.

With all due respect to the three members of the health and community wellbeing standing committee of this place, I do not think any of them would claim to have expertise in the management of a secure mental health facility. Indeed, I do not think any of them would claim to have specific expertise in the management of occupational violence within a facility. Even if it were an appropriate time, which I do not believe it is, for the standing committee to be considering these matters, having regard to the detail in Ms Castley's motion about the referral that she is proposing to the health and community wellbeing standing committee, it is very hard to see how the standing committee would be the appropriate mechanism to engage in this level of operational detail about a secure mental health facility.

The range of expertise that is being brought to bear on this matter is far more appropriate. Indeed, the independent inquiry that Minister Davidson has commissioned is exactly what the Australian Nursing and Midwifery Federation, its members at Dhulwa and the opposition themselves have been calling for. This motion is nothing more than an opportunity for Ms Castley to criticise Minister Davidson, despite the fact that Minister Davidson has done exactly what Ms Castley had been calling for previously.

I do note that in Ms Castley's motion she has repeated a term that is a quote from one of the ANMF's members likening working at Dhulwa to being sent into the killing fields. I am really disappointed, and I want to record my disappointment, in Ms Castley for including this in the motion. We were advised by Canberra Health Services, while I was Acting Minister for Mental Health and I was keeping a very close eye on this matter, that the use of that term had been highly distressing to some members of Canberra Health Services staff.

Canberra Health Services has a proudly multicultural staff, including a number of Cambodian staff members. I immediately advised Ms Castley that continued use of this term was causing distress to some members of Canberra Health Services staff, yet she chose to include that in the motion. Despite that advice, despite thanking me for that advice, she chose to continue to use this term that has caused distress to Canberra Health Services staff, in a motion about occupational violence.

Going to the subject matter of occupational violence in our health services, as I indicated, the Nurses and Midwives Towards a Safer Culture—the First Step Strategy, was developed with the Australian Nursing and Midwifery Federation and was launched in December 2018 by the former Minister for Health and Wellbeing and the former Minister for Mental Health. It is a strategy led by the ACT Health Directorate to improve workplace health and safety for nurses and midwives.

This strategy was launched because occupational violence towards nurses and midwives in the workplace is, as I said, a significant and growing concern for public healthcare systems across the world. The strategy outlines the Health Directorate's vision and the vision of the ACT public health system of an ACT public healthcare system where staff, patients and visitors are protected from harm and feel safe at all times.

The strategy has been led by the Health Directorate but includes Canberra Health Services, the University of Canberra Hospital in particular and all of the mental health facilities there—Dhulwa, the University of Canberra Hospital and the Calvary Public Hospital Bruce.

The strategy sought to address issues related to workplace safety on multiple fronts under 22 priority actions, with the assumption being that these actions cumulatively work towards the desired impact of reducing occupational violence as well as bullying and/or harassment.

Priority action 7 of the strategy identifies the need to conduct an evaluation of the strategy with an endorsed evaluation framework as the key deliverable. This evaluation was conducted in 2021 with the following key findings: 15 of the 22 priority actions were fully achieved; seven out of the 22 priority actions were partially achieved; and none were not achieved. The strategy evaluation report found that the task strategy made an important contribution to maintaining a focus on occupational violence, in particular through its coordination efforts, by raising awareness among staff and in the community, by delivering tools for our staff and, of course, via the safe wards trial.

There are positive signs that the range of interventions are raising the awareness of occupational violence issues, are improving incident reporting, are increasing the number of conversations about occupational violence—it is important that we discuss this, and it is valuable that this is a conversation in the Assembly today, despite the way Ms Castley has put it forward—and that the strategy is meeting the expectations of staff and that staff are feeling heard. Many respondents were aware of the actions being undertaken and 40 per cent of respondents acknowledged that actions were making a difference.

Obviously, you can say it is disappointing that it was only 40 per cent, but many strategies do not have that level of engagement and that level of awareness. For 40 per cent of staff to acknowledge that the strategy itself and the actions under it are making a difference is good. Obviously, we need to do better, and we are continuing to work closely with the Australian Nursing and Midwifery Federation to develop the next

stage of the Towards a Safer Culture strategy, because we always recognised that this was a first step strategy and that we were not going to change the culture overnight.

Priority action 14 of the strategy was a community, consumer and carer information campaign with the objective of increasing community awareness of standards of behaviour and the rights of ACT Health employees. The “be kind and respectful to our nurses and midwives” community awareness campaign is primarily an external-facing action of the strategy, and many members will have seen the materials around. While specifically not targeting staff, the campaign is designed to assist staff to feel supported and encourage them to speak up when they experience or witness unacceptable behaviour.

In the evaluation, Canberra community respondents revealed a direct awareness of occupational violence towards nurses and midwives and strong support of initiatives to address occupational violence, with about 70 per cent believing that the campaign could reduce occupational violence.

The reach and impact of the communication strategy has been summarised in the occupational violence campaign performance report. The outcomes align with the findings of the task strategy evaluation, which found strong support of the initiatives to address occupational violence against nurses and midwives.

As I mentioned earlier, the task strategy is one system-wide approach, but it sits alongside the Canberra Health Services occupational violence prevention program, which was launched in April 2020, and has resulted in numerous improvements in the way that Canberra Health Services identifies and manages occupational violence risk to keep staff and patients safe.

The strategy includes eight strategic domains for the prevention and management of occupational violence: improved governance, prevention, training, response, reporting, support, investigation and staff/consumer awareness. Some of these things that directly relate to the issues that Minister Davidson has indicated will be considered in the inquiry into Dhulwa. As we both talked about, it is quite a specific environment with specific challenges.

Seventy per cent of the occupational violence strategy had been completed by April 2022. Investment in the CHS occupational violence program has included dedicated staff to the prevention program, the purchase of equipment to improve individual safety across Canberra Health Services, and consumer and visitor awareness materials. Anyone who has been in the hospital would have seen those materials.

There has been specific work in relation to high-risk areas, including the implementation of a behaviours of concern screening tool in higher risk areas to identify indicators of occupational violence early so that they can be addressed, and use of the newly developed behaviours of concern safety management plan for individual patients who are at higher risk of being involved in occupational violence incidents. This safety plan details patient triggers, communication preferences and strategies specific to the patient to allow staff to better prevent and manage occupational violence incidents.

Minister Davidson talked about these strategies that have been put in place and the fact that, in this complex environment of Dhulwa and some of the consumers there, sometimes there are also unpredictable behaviours and responses. So more needs to be done to ensure that staff have the support that they need.

A key element of the CHS occupational violence strategy is to conduct a formal occupational violence risk assessment of all patient-facing work areas, with priority given to higher risk areas. The risk assessment identifies occupational violence risks and the controls that need to be put in place to mitigate these risks.

As I have mentioned, “respect our staff” posters have been distributed to higher risk areas as part of a comprehensive and sustained approach to communicating to staff, patients and visitors that occupational violence is unacceptable at Canberra Health Services facilities. Further resources in a range of areas to support all teams in the prevention and management of occupational violence, including guiding documents, the implementation of duress devices and extensive training programs, have been put in place.

There are also protocols and procedures for staff responding to and reporting incidents of violence when these occur. Staff are provided with training in occupational violence de-escalation techniques, for example. There are clearly defined escalation pathways to ensure that staff receive immediate and appropriate support and response following occupational violence incidents, which may involve security personnel and police. Areas of higher occupational violence risk, as per the occupational violence risk assessment, have been prioritised for the rollout of occupational violence training.

Affected staff are provided with appropriate psychological support following an occupational violence incident, which may include access to services such as critical incident debriefing and employee assistance programs, which Minister Davidson also touched on. CHS staff are provided with fact sheets which emphasise the need for reporting of all occupational violence incidents and provide guidance on how to complete those reports through the CHS incident reporting system. Separately, through the culture review and the HR matters working group, there is some work on ensuring that that RiskMan system is easier to use.

I could talk about the work that is happening in culture and work health and safety at Canberra Health Services; suffice to say that Minister Davidson’s amendments say what they need to say and do what they need to do, and we support the amendments.

MS CASTLEY (Yerrabi) (11.32): Again, we have heard a lot of talk—many minutes of it. We have heard about safety huddles, debriefs, enhanced training and redeployment. “If you speak up, we’ll move you.” There has been nothing about the physical security of our nurses today. Have more security guards been put on shift? Are those security guards allowed to step in and protect people if they are called for help? Why did it take so long for this large inquiry to go ahead? Why did it take over a month for this inquiry finally to be agreed to? Yet, as we have only heard words, there are still no terms of reference. Mr Daniel himself said, “Why can’t we have a meeting today to sort it out?” I think that was on Monday, when I spoke to him.

Minister Davidson said that such an inquiry may have validity in the future, but not now. My question to the minister is: if not now, when? Is it going to take more black eyes? Is it going to take more fractured wrists, more psychologists being thrown across desks, more fingers being squashed? My motion is about safety and security now, not the large inquiry. When?

Nurses are being belted every day—not every day, but they may be today. Have the health and safety reps actually been consulted? The last time I had a briefing, they had not. I believe that they put recommendations in. I could be wrong. My information could be out of date, I suppose. When will it be time to address the physical security measures, Minister? When will it be time?

Let us talk for a moment about what Mr Davis said about me being cheeky. What did he say? “Cooler heads and calmer minds.” Do you know what? There are no cooler heads and calmer minds at the moment because I spoke not just to the union but to nurses, and a grandma whose family say, “Please don’t go to work, when you come home with black eyes.”

It is not about the large inquiry. My motion today is not about that. And it is not about asking the committee, who have no expertise. We have no expertise. It is about asking the nurses what they need today. We have all been out there—those of us who are in the portfolio. They are weighed down with their pens and pencils; they have their button in case they get in trouble, and nothing is helping them. They are still getting belted. It is just not enough.

These are dangerous work conditions today, and they will be the same in 18 months time or whenever this inquiry is done. As I say, there was no, “We’ll do it in 18 months,” “We’ll do it in six months,” or “We’ll meet with the nurses today.” Because of that, I feel the need to ask the Assembly to shoot this off to the health committee so that they can consider it and get nurses in—and get in other people who are afraid to speak up—and ask what it is they need today until the inquiry has been completed. It is not unreasonable. It is not a headline, Mr Davis. It is not a second bite at the cherry.

We have people going to work. As I say, it is not like us here. We have a great work environment. It is lovely. We do not have emergency buzzers zipping along all day long so that your adrenalin is up for 100 per cent of the time. That is not what we live with today. But the nurses do.

As for the quote that I have been warned not to use, that was not mine, and it is distressing. It is the reality of the nurse that used that term. I am very sad today that these amendments have come forward and that there has not been interest from this Labor-Greens government in doing a little more than talking to protect the nurses that are on shift out there at Symonston right now. It could be your mum, or your brother and sister. I am not supporting the amendment. That is all I have to say.

Question put:

That the amendments be agreed to.

The Assembly voted—

Ayes 15

Noes 8

Ms Berry
Mr Braddock
Ms Burch
Ms Cheyne
Ms Clay
Ms Davidson
Mr Davis
Mr Gentleman

Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

Mr Cain
Ms Castley
Mr Hanson
Mrs Kikkert
Ms Lawder
Ms Lee
Mr Milligan
Mr Parton

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77. Ordered that the time allotted to Assembly business be extended by 30 minutes.

Housing—rental affordability

MR DAVIS (Brindabella) (11.42): I move:

That this Assembly:

(1) notes that:

- (a) the ACT is experiencing a shortage of long-term rental accommodation which is increasing rent;
- (b) platform-based short-term accommodation is an increasingly common way for landlords to earn an income on their properties without entering into tenancy agreements;
- (c) an entire residential dwelling which is used for platform-based short-term accommodation, is a habitable dwelling that is removed from the rental market;
- (d) bringing platform-based short-term accommodation back into the long-term rental accommodation market would create an immediate increase in housing supply without urban sprawl and carbon emissions from construction;
- (e) there are currently no regulations or restrictions on platform-based short-term accommodation in the ACT;
- (f) many cities around the world, and within Australia, have implemented regulations on platform-based short-term accommodation with the aim of increasing rental affordability; and
- (g) several Australian state parliaments have undertaken inquiries and tabled legislation to address this issue including South Australia, Tasmania, Western Australia, New South Wales, and Victoria;

- (2) further notes that:
- (a) the local hotel industry has been disproportionately impacted by the economic impacts of COVID-19; and
 - (b) over the last 10 years, platform-based short-term accommodation providers have competed with the local hotel industry creating excess capacity within licensed hotels;
- (3) requests that the Standing Committee on Planning, Transport and City Services consider investigating the impact of platform-based short-term accommodation providers on rental affordability in the ACT;
- (4) requests the Committee, should it decide to inquire into this matter, to investigate:
- (a) the current regulatory and planning settings for managing platform-based short-term accommodation in other states in Australia;
 - (b) the current regulatory and planning settings for managing platform-based short-term accommodation in the ACT;
 - (c) whether these settings may contribute to the number of long-term rental properties available in the ACT;
 - (d) whether additional regulatory and planning settings are required to manage the ACT's platform-based short-term accommodation industry; and
 - (e) any other related matters; and
- (5) requests the Committee, should it decide to inquire into this matter, determine a reporting date based on the Committee's capacity.

We are in a nationwide rental affordability crisis. This motion requests the Standing Committee on Planning, Transport and City Services to undertake an inquiry into the impact of platform-based, short-term rentals, such as Airbnb, on rental affordability in our city.

Every year Anglicare Australia survey rental listings across Australia to see what it is like for people on low incomes to rent a home. They do this by taking a snapshot of the thousands of properties listed for rent on realestate.com.au. They then test whether each rental listing is affordable and suitable for people on low incomes. This year they have found the situation is worse than ever before. According to Anglicare's rental affordability snapshot for 2022, across this country, if you are living on a minimum wage or are on income support, it is impossible to find an affordable place to rent.

Rental affordability is defined as rent being at, or less than, 30 per cent of your household income. For a single person living on JobSeeker, which we know is being kept under the Henderson poverty line, if you are lucky enough to pay only 30 per cent of your payment on rent, that means you found accommodation for \$97 per week. Across Australia—that is, the whole of our country—for every rental listed at the time that this data was collected for Anglicare's report, there were just seven properties that met this criteria. After rent, if you are one of the seven in one million, you would have \$450 to spend on groceries, bus tickets, heating, electricity and clothes. Given that there are about a million people living on JobSeeker in our country, this is an

outrageous indictment of our federal government and their refusal to provide for those in need.

Unlike both the ALP and the coalition, the Australian Greens are taking to the electorate a commitment to raise the rate of JobSeeker to \$88 a day so that everyone in this country has enough to live on. This is one part of the solution to this affordability crisis.

Our federal counterparts are also going to the election with a policy to build one million new publicly owned, affordable, high quality and sustainable homes. Building one million new homes will ensure that there is a home for all. These homes will be sustainable, they will be accessible and affordable. The Greens new innovative shared equity ownership scheme will make it easier for people to own their first home where they want to live for \$300,000. We will fund it by making billionaires pay their fair share of tax and scrapping handouts to property developers and speculators.

Mr Hanson interjecting—

MR DAVIS: Thank you, Mr Hanson. Building over 20 years, we will clear the public housing waiting list, make housing more affordable, end homelessness and ensure that everybody in this country has a roof over their head. This policy recognises that we are most certainly in a housing affordability crisis. Regretfully, this is ever so true here in our city.

This is something that this Assembly has agreed on many times since we first sat at the end of 2020. This issue has been building for some time and has been exacerbated by the pandemic. An Anglicare NSW ACT snapshot found that there are now no affordable rentals for people living on income support in our city—literally none. A recent study by Domain reports that Canberra is the most expensive capital city to rent a unit or a house in this country.

The severity of this situation and the impact on our communities is particularly felt by those caring for young children; those far from their families and networks, having fled domestic violence or war; and those living with a disability. The options for people with disability who require modified housing are even more restricted. In the ACT, with Greens in government, we have successfully advocated for the adoption of universal standards in the National Construction Code, meaning that new houses built across Australia will better meet the needs of people with disability and mobility needs.

When you are in a crisis, you do everything you can and you do it all at once. It was former ACT Greens MLA and champion of the crossbench, Caroline Le Couteur, who understood this. Her work led to the adoption of land tax exemptions for landlords participating in a rental affordability scheme. In my years in real estate, prior to my election, I heard regularly from landlords, who do not like land tax.

It needs repeating and underlining in this place that every landlord in this city could get out of land tax tomorrow, were they to take advantage of a scheme established by the Greens to rent their properties at an affordable price. I strongly encourage

landlords in this city to utilise that option. For any landlord interested in finding out more information, please contact my office. We would be happy to connect you with the appropriate providers.

The Canberra Liberals labour on the release of greenfield land as the singular solution to all our problems—an issue we will once again debate this afternoon—only further demonstrating this Canberra Liberals opposition to be environmental vandals and ignoring the real pressures causing this crisis.

The Greens know that solutions to this crisis can meet our obligations to the climate and the right of all Canberrans to a healthy environment. With Greens in government, we have committed to building 400 new social housing dwellings in this term of government alone. We have made the single biggest investment in homelessness services this city has ever had. We are committed to increasing the supply of affordable rentals and we are building Common Ground in Dickson.

While rental affordability is impacting people and families right across Australia, it is our responsibility as a local government to do what can be done in our city to reduce rents and support people on low and no incomes to obtain secure housing. As a crossbencher, one of my roles in this Assembly is to advocate for solutions to the problems that my constituents face and put forward new ideas to be debated and discussed by all decision-makers in this place. While I am not able to implement policies directly, I take my role as an advocate on this side of the chamber very seriously.

In March I put forward a motion calling on the Standing Committee on Economy and Gender and Economic Equality to conduct an inquiry into vacancy taxes. As I said at the time, such an inquiry would allow us to work out exactly how many residential properties are vacant in Canberra and why. This work is so important while Australia grapples with a housing affordability crisis. We cannot afford to have a single home in Canberra vacant while we have so many who need a home. This week the committee took up that request. Committee chair Leanne Castley has announced an inquiry into this issue, and I look forward to participating in that inquiry.

The reported rental vacancy rate in Canberra has reached an all-time low, decreasing to 0.5 per cent. This indicates that there is a heavy undersupply of available housing driving up the rental price. We need to take a look at what is limiting the supply of rentals.

Since the arrival of Airbnb in the Australian market in 2012, property investors have enjoyed the option of removing their properties from the long-term rental market and shifting them into the platform-based, short-term accommodation industry. While originally pitched as a spare room rental scheme, over the past five years or so we have seen enormous growth in the number of whole properties being listed on Airbnb. A search on Airbnb in Canberra this week for a place to stay for two adults indicates that 80 per cent of the over 300 listings in Canberra are entire homes.

As my motion notes, an entire residential dwelling which is used for platform-based, short-term accommodation is a habitable dwelling removed from the long-term rental

market. According to lobby group Better Renting, the locally based national tenants advocacy group, many of their members have been moved out of their long-term rentals by landlords and have subsequently found their old homes now advertised on Airbnb.

The ability to move their properties, which once provided more secure housing through tenancy agreements, into the short-term, insecure, platform-based market is highly problematic and should alarm this Assembly. This is an industry which is not required to meet the obligations of residential tenancies to provide basic levels of security and affordability to the residents of these homes.

These providers are also not obligated to meet the same regulations as other accommodation providers, placing uneven obligations upon different accommodation providers. The impact of platform-based, short-term accommodation providers on our hotel industry is something that the Australian Hotels Association have been quick to point out in their submissions to similar inquiries to the one I am proposing that have occurred around the country in recent years.

Should the committee agree to my request today, as the ACT Greens tourism spokesperson I warmly welcome the hotel and tourism industry participating in such an inquiry as well. After conducting inquiries, several other states and local jurisdictions around the country have moved to regulate platform-based, short-term accommodation providers. In March the Hobart city council moved to limit the number of whole home short-stay rentals in Hobart to try to bring some balance to the provision of diverse short-term accommodation options and the need to provide secure and affordable housing to their community. The Gold Coast, Noosa and Brisbane city councils have all moved to regulate short-term accommodation providers in different but complementary ways.

Other jurisdictions have focused on the impact of Airbnbs on surrounding residents in terms of noise pollution and other un-neighbourly disturbances. While this is not the focus of this motion directly, I was this week contacted by a constituent concerned about the impact of an Airbnb that had been set up in her suburban street. I encourage the public transport and city services committee and the planning committee to also consider these concerns, should they choose to investigate this matter.

While some national governments are doing what we can to impact housing affordability in our communities, we can only really tinker around the edges, so long as federal tax incentives encourage people who cannot afford to become landlords to become landlords. Perverse tax incentives such as negative gearing rob from working-class people and give back to the landlord class, while working-class people continue to struggle under the weight of ever-increasing rents and other cost of living pressures.

There are some that have suggested that this burden on landlords is too great and that further regulation designed to reduce the cost of living and increase renter comfort will reduce the number of properties on the rental market. To those concerned, I would say: is that a bad thing? If a landlord decides that being a landlord is no longer a profitable investment, they will choose to put that property on the market for

sale. Were that to happen en masse, as some of the most pessimistic of those in this place might argue, simple economics would dictate that that would increase the supply of properties on the sales market, putting downward pressure on prices for first home buyers and others seeking to downsize.

Surely, when we have acknowledged repeatedly in this place—we are on a union ticket, Mr Assistant Speaker—that housing and rental prices are at crisis point, a stabilising or reduction in prices at either end would benefit any Canberran currently struggling to find somewhere to live. I believe that the Australian dream of home ownership can and must be maintained. While I and others in the Greens are committed to improving the situation for tenants, I truly believe that the greatest form of housing security is owning your own home.

I am not prepared to prioritise the economic advantage of the landlord class over the protection of the great Australian dream. Until we change the government at the federal level and see the Greens with the balance of power and the capacity to influence the unfair policy settings that benefit investors over the right to secure affordable housing, I am accepting what I can influence and what this Assembly can control. We do not get to decide who the next federal government is and what policies they will implement. We do not get to end negative gearing. But when we all agree in this place that this is a crisis point, it is up to us to focus our attention on what we can do to end the crisis here at home.

The community discussions suggested by this motion are just one part of the solution to this crisis. As someone who grew up in public housing, someone who grew up in poverty and who now feels blessed to share my part in the great Australian dream, I am pleased to be a part of the solution to this crisis.

MS CLAY (Ginninderra) (11.55): In my capacity as chair of the planning, transport and city services committee, I would like to speak briefly on this motion. This motion asks our committee to consider a matter for potential inquiry. It is a matter that falls within our areas of responsibility. I would like to note, on behalf of my committee, that this particular topic is one we have previously discussed. My colleague and deputy chair Ms Orr flagged it as an issue we should look at soon after our committee first formed. We were very interested in looking at it then, but our large volume of statutory and Assembly referrals prohibited us at the time.

I note that last year we commenced nine inquiries. To put that in context, in the previous three years the planning committee commenced one inquiry, five inquiries and four inquiries. Our workload has increased dramatically this term.

Speaking in my personal capacity and not as the chair, I note that referring issues to a committee from an executive motion has been done a few times in the Assembly since I have been here. I have seen one from Mr Milligan and two from Mr Davis. I gather from conversations with colleagues that there are different views about whether this is the right use of committees. I do not have a personal view on that in general terms, but I will happily support Mr Davis's motion today.

MR PARTON (Brindabella) (11.56): I stand to speak both as a member of the planning committee and as an MLA. I would like to start by saying that I am fully supportive of the statement from the chair of the committee, Ms Clay. Additionally, I would like to say that the crafting of that statement was the result of intense email discussion between the three members of the committee, and I think that that process is a genuine testament to the way that the planning committee functions.

I think it is an extremely collaborative committee. We are three MLAs from three different parties who have had to deal with dozens and dozens of issues and an extremely high workload, certainly in comparison to other terms, since we came together in the early part of 2021. I am really satisfied with the way that the planning committee is functioning. I wish that there were more hours in every day and more weeks in every month so that we could wade through more inquiries, because God knows there are a stack of things that we could look into. There are a stack of things that have been discussed that we would really like to get our teeth into, which brings me to the crux of this motion.

Mr Davis, of course, is not part of this committee. It is understandable that he could not possibly know the level of interest that this committee has already shown in the issue of Airbnb and its effect on housing affordability. Mr Davis has made some really good points about the housing crisis in the ACT, but they are not things that were not known to us and not things that were not known to most members in this chamber. The reality is that, if we had not been overloaded with so many other inquiries in the early part of this term, I think it is safe to say that we could probably have already launched an inquiry like the one that he is suggesting.

The motion calls upon us to do what we are already doing. That is what it does. It calls upon us to do what we are already doing, in that we have already considered this issue and we will continue to consider it. Ms Orr, in particular, has done the preparatory work which could lead us to, potentially, should the committee decide to, launch an inquiry into this matter.

I understand that Mr Davis wants to get his headshot in the paper—and great headshot the other day; I liked it. He wants to get his headshot in the paper and he wants headlines other than his referral to the Standards Commissioner. I would say that you are in good company there, my friend. I guess what I am saying is that we need to question what this motion is actually attempting to achieve. I find it remarkable that Mr Davis, in responding to Ms Castley’s motion, suggested that the motivation for Ms Castley’s motion was for a headline—a pot calling kettle black statement.

I used to think that I was a media tart. Before Mr Davis came along, I used to believe that I was a media tart, but it turns out that I am just a shy wallflower and Mr Davis is participating in every dance on that dance floor. To come in here and suggest that Ms Castley’s motion is about getting a headline—I mean, if anyone knows about that motivation it would be Mr Davis.

I also note that in Mr Davis’s speech he said, “Here in the ACT, with the Greens in government,” so Mr Davis acknowledges that he is in government. I am not sure that the referral of matters like this to a committee is necessary. I mean, if you are in

government then get some policy action happening. We might save ourselves a lot of time if Mr Davis came in here and just presented a motion that he become the fourth member of every committee that he is not currently on. We could save a hell of a lot of time in here.

Additionally, in Mr Davis's speech he talked about the landlord class. I just wonder if Mr Davis is in the landlord class or if he is not? I do not know what actually qualifies you to be in the landlord class. The chair of the committee has politely welcomed this motion. I do not think I need to say any more.

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) (12.01): Speaking very briefly on behalf of the government, I wish to acknowledge that we do recognise, as I think Mr Davis covered comprehensively in his speech, that Airbnb has disrupted several sectors and markets, including the rental market but also the hotel and the tourism markets. I acknowledge that there have been different effects, depending on the sector. It has not been all the same. I also think it is important to acknowledge the recent research that Airbnb itself has been disrupted by the pandemic.

We are in the hands of the committee regarding the inquiry, which I think has been underlined in several speeches already. Given the myriad of issues presented, the government believe that this is an issue that does lend itself to an inquiry and we stand ready to engage if it proceeds. We do, though, note that the motion requests, at paragraph (4), that any other related matter be considered. I appreciate that Mr Davis flagged this in his own speech, but in that context I really would like to draw to the committee's attention that, while the motion focuses quite significantly on the rental market, there are those other markets at play here. We would suggest that the scope of the inquiry be sufficiently broad to capture those markets too.

MR DAVIS (Brindabella) (12.03), in reply: It is encouraging to have a debate in the Assembly where we all fundamentally agree with one another, so we have to find something to say. I appreciate it, particularly the contributions from Mr Parton. I will pick up on some of the contributions from Mr Parton, though. Can I just say, as a fellow member for Brindabella, Mr Parton, perhaps it is great that we are both not shy about getting our mug in the paper. It elevates the voices of our 70-odd thousand constituents that we both share. And may that be a model of representation to all members of Brindabella in this place. I do not mind being accused of wanting to talk about important things in the media all the time.

I am delighted to hear that the members of the planning committee seem enthusiastic about this body of work. Certainly, the order in which it comes or when it happens or the exact terms of reference, I am rather agnostic over. As long as the good thing happens, the good thing happens. I would encourage those in the community with a view on this area of public policy to start getting their submissions ready. At the risk of speaking too soon over the chair, Ms Clay, it would appear that we are going to have this very important conversation.

To underline the point raised earlier, in all seriousness, there will continue to be conjecture in this place over the policy positions of our respective federal parties and their influences on the housing and rental affordability crisis more broadly. But I think it does actually reflect very well on this Assembly that all three parties have agreed on regular occasions that our city is facing a housing and rental affordability crisis, and that there will now be two committee inquiries looking at different aspects of that crisis as it relates to what is happening in the ACT.

Mr Parton: If this committee so chooses.

MR DAVIS: Thank you, Mr Parton. I will take that interjection. I have got to get my language right. Should the committee so choose. We continue to see regular announcements from the executive around investments, particularly at the social and affordable housing and homelessness end of our responsibility. I am usually want for a joke or a bit of a gag, as Mr Parton would know, but this is a very serious issue and I am delighted that there seems to be universal agreement across the Assembly that it is worthy of an inquiry.

Question resolved in the affirmative.

Education and Community Inclusion—Standing Committee Report 3

MR PETTERSSON (Yerrabi) (12.06): I present the following report, which was circulated to members pursuant to standing order 254C:

Education and Community Inclusion—Standing Committee—Report 3—*Managing ACT School Infrastructure*, dated 4 May 2022, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I rise to speak to the education and community inclusions committee's report of the inquiry into the management of ACT school infrastructure. This is the committee's third report in the current Assembly. The committee considered a wide range of issues relating to school infrastructure management during its inquiry. These included the evaluation and management of school capacity; the design of classrooms and other infrastructure, including from a sustainability and climate control perspective; flexibility for students and for teachers with a disability; and the management of hazardous materials.

The committee took evidence from stakeholders during 2021 and 2022. We received 24 written submissions and conducted nine public hearings. In addition, the committee conducted site visits at 10 schools throughout the ACT, including touring the premises and meeting with key personnel.

The key things which emerged from the evidence included improving school enrolment projection methodologies and capacity planning to ensure that sufficient,

appropriate, infrastructure is available for the use of students, teachers and other members of the school community; ensuring universal accessibility for all students and ensuring that students with a disability are fully included in mainstream schools; ensuring that school infrastructure decisions promote sustainability and support effective climate management; ensuring that school infrastructure decisions are informed by expert advice and by meaningful consultations with community; and promoting equity and transparency in resourcing decisions.

The report makes 35 recommendations to improve the management of infrastructure in ACT schools. It is supported by all the committee members. The committee intends to conduct a subsequent inquiry into the future of school infrastructure in the coming months, with a view to exploring options to improve amenity and access for ACT school students as the ACT population continues to grow.

On behalf of the committee, I thank everyone who contributed to this important inquiry. I also wish to thank the other members of the committee, Mr Davis and Ms Lawder. I commend the committee's report to the Assembly.

MR DAVIS (Brindabella) (12.08): I will not speak for too long, but I wanted to take a moment to thank the committee members for their collaborative work on this committee—all 35 recommendations. It is, in my short time in this Assembly, the biggest and most comprehensive committee report to government that I have worked on. I think that speaks to the value of school infrastructure and maintenance and the importance held in the community. That was noted by the 24 submissions. As the chair noted, there was certainly a lot of interest in this area.

While there are 35 recommendations, and I do not intend to go through them all in detail, there is one that I want to highlight, as I am particularly pleased to see it in here. Recommendation 29 is:

The Committee recommends that the ACT Government ensures that all indoor spaces in ACT public schools are climate controlled by the end of 2024.

This is particularly important while we are in the midst of a climate crisis. We have seen in recent months the effect that climate catastrophes can have on our school students and on our school communities. We understand that the threat posed by climate change makes it critical to provide temperature controlled, ventilated and smoke-free indoor learning spaces for students and educators alike.

The ACT Greens are committed to healthy and safe school environments for all students, teachers and other staff. We will continue to advocate strongly for essential upgrades and maintenance as required. Of all the recommendations, as good as they are—and I hope that they are all taken on by government—I will certainly be advocating strongly and keeping a keen eye on recommendation 29, because all students, teachers and school staff deserve comfortable, healthy places to work and learn in.

Question resolved in the affirmative.

Sitting suspended from 12.10 to 2.00 pm.

Questions without notice

Government—land release

MS LEE: My question is to the Minister for Planning and Land Management. Over the past 18 months, tens of thousands of people have entered land ballots in Canberra, for only 379 blocks of land. Over the same period of time, we have seen the median house price in Canberra climb to over \$1 million. We also have the highest median rents in Australia. Minister, why does your government refuse to release enough land to meet demand in Canberra to help alleviate the housing affordability crisis?

MR GENTLEMAN: I reject the premise of Ms Lee's question. Of course the government is releasing land, and it is printed in the indicative land release program. Private sector development is expected to contribute to an average annual supply of an additional 1,500 new homes annually across Canberra in the coming years, so up to 24,000 residential dwellings are estimated to be supplied over the next five years, made up of both government and private releases.

MS LEE: Minister, is your government deliberately restricting land supply to increase government revenue?

MR GENTLEMAN: No, we are not.

MR CAIN: Minister, what do you say to the thousands of Canberrans who have been unable to secure a block of land in recent ballots?

MR GENTLEMAN: The government is working very hard to supply land where it is needed. Of course, the ILRP shows that—

Mr Cain: That is not what is happening.

MADAM SPEAKER: A member asked a question; members should have the decency to be quiet and listen.

MR GENTLEMAN: As I was saying, the ILRP shows our planned release over the next five years details those figures against population grown. We want to make sure that there is enough housing for Canberrans into the future, both released by the ACT government and by the private sector.

Housing—Winton report

MR HANSON: My question is to the Minister for Planning and Land Management. Minister, the Winton report of 2015 showed that over 90 per cent of Canberrans would prefer to live in low and medium-density housing. However, in complete contrast, your government's policy is 70 per cent infill and 30 per cent greenfield for new housing development. In practice, this means that 70 per cent of new housing is high-density housing. Minister, is your 70-30 policy meeting Canberrans' housing wants and needs?

MR GENTLEMAN: I thank Mr Hanson for the question. We did quite a lot of research with the Canberra community in developing the planning strategy of 2018. A number of research applications took place post the Winton survey to allocate land to meet the desires of the Canberra community. Many people told us how they want to live in the future, not just in the way that we have been living in the past. Some people would like to live around town centres and around the city.

Opposition members interjecting—

MADAM SPEAKER: Mr Hanson, I am calling on you to not continue your interjections, please. You must have a supplementary question.

MR HANSON: I do. Minister, why won't you commission an updated version of the Winton report?

Ms Lee: You don't want to hear the truth.

MADAM SPEAKER: Ms Lee, welcome back, but please—

MR GENTLEMAN: Thank you, Madam Speaker. As I just said in my previous answer, we have done a lot of studies and a lot of surveys across Canberrans since that very dated Winton survey, and they have told us how they want to live into the future. We are responding not only to that—

Opposition members interjecting—

Dr Paterson: A point of order.

MADAM SPEAKER: Dr Paterson.

Dr Paterson: Madam Speaker, I can't hear what the minister is saying.

MADAM SPEAKER: I am not surprised. Members, please, come to order.

MS LEE: Minister, what do you say to the tens of thousands of Canberrans unable to purchase low or medium-density housing as a direct result of your 70-30 policy?

MR GENTLEMAN: That is not the case. Our policies—

Ms Lee: Twelve thousand people and 101 blocks.

MADAM SPEAKER: Members!

Mr Hanson: It is an Albanese press conference.

MADAM SPEAKER: Mr Hanson, you are about to be warned. We are only on the second question. I have asked for the interjections to stop on multiple occasions. My patience is wearing thin.

COVID-19 pandemic—school camps

MS LAWDER: My question is to the minister for education. Minister, why haven't you responded to Outward Bound's request from 22 February seeking desperate financial support?

MS BERRY: Requests for funding from the ACT government go through a budget process. Ms Lawder would understand that that is the process. Those kinds of things are considered in the context of the budget every year. I understand that Outward Bound has written to the ACT government and to my office, and we will respond in due course.

MS LAWDER: Minister, why is the ACT government the only government in Australia that has specifically banned school camps without providing any compensation to school camp providers?

MS BERRY: I am trying to understand the context of the question. I think it is with regard to COVID and the impacts of COVID in our community, and the ACT government's decisions through the Chief Health Officer to—

MADAM SPEAKER: If you need the question to be repeated—

MS BERRY: I was trying to understand the context, because it was different to the first question, which was about Outward Bound; then there was a question about camps. I think it is to do with COVID. In the ACT our schools made a decision to ensure the safety of our school staff and students, and provided restrictions around operations of schools and school camps et cetera. Those restrictions are being discussed within our school communities at the moment, and I will be able to advise the Canberra community about any changes that will be made within our schools after those consultations are completed tomorrow morning.

MR HANSON: Minister, when can Outward Bound expect to find out if they have received a grant from the government, given that they were due to be announced on 14 April?

MS BERRY: I will take that question on notice.

Health—air quality monitoring

MR DAVIS: My question is to the Minister for Health. Minister, the pollution caused by wood smoke is an issue that has been raised with me regularly by my constituents in Tuggeranong. I note with interest the ACT government is undertaking a trial of four different models of low-cost air quality sensors to check the accuracy of data. Could you please update the Assembly on what this new dataset is telling us so far?

MS STEPHEN-SMITH: I thank Mr Davis for the question. He is, of course, correct; ACT Health is conducting a trial of four different models of low-cost sensors and has been since early 2021. The sensors have been located at existing air quality

monitoring stations at Florey and Monash to compare the quality of the sensor data against the reference instruments that are already operated by ACT Health. Preliminary analysis of the data from the sensors has been carried out, with further analysis to assess the performance of the sensors—for example, seasonal variation. That is ongoing.

The trial is scheduled to be completed in the second half of 2022. The current trial aims to evaluate the reliability and the accuracy of the sensors, and it does not evaluate deployment or placement of the sensors. A pilot of sensor deployment would follow after the completion of the current trial, dependent on the assessment of the initial pilot findings and available funding.

ACT Health is also working with other jurisdictions to consider the potential role that low-cost sensors could play into the future. I do not have the specific information that Mr Davis was after in terms of the outcomes, but we will be able to report that back when the trial is completed in the second half of 2022.

MR DAVIS: Minister, when do we expect the trial to be completed and will all findings be publicly published?

MS DAVIDSON: As I have said, the trial is scheduled to be completed in the second half of this year, 2022. Of course we will be very happy to make that information publicly available when it is finalised.

MR BRADDOCK: Minister, has the government received any advice as to the placement of air quality monitors in my electorate of Yerrabi?

MS DAVIDSON: I thank Mr Braddock for the supplementary question. As I indicated earlier, this current trial is looking at the reliability and the accuracy of the low-cost sensors. There will be a separate process once we understand what that accuracy and reliability is, following the conversations with other jurisdictions around how they are deploying low-cost sensors, to consider where it would be most appropriate to deploy those sensors in the ACT.

Gungahlin—swimming pool

MS CASTLEY: My question is to the Minister for Sport. Minister, this week you provided an update on Gungahlin's closed 50-metre pool, saying the government will be shutting the swimming program pool for routine maintenance, and work to fix the 50-metre pool would be put on hold until the program pool maintenance is done. The 50-metre pool has been closed for more than two years since March 2020. In your letter you say you appreciate the community's 'understanding and support'. Minister, will Gungahlin's 50-metre pool open this year?

MS BERRY: I thank Ms Castley for her question. I know that she has regularly posted on her Facebook page. I hear that she has posted on her Facebook page about her concerns for the Gungahlin pool and the community's frustration at the repairs that are occurring at the pool and the ongoing maintenance that occurs there. It is our aim to have the pool opened in August this year, assuming everything goes well with the maintenance of the program pool and the continuing repairs of the 50-metre pool.

MS CASTLEY: Minister, do you realise the Gungahlin community is not ‘understanding and supportive’ but irate and, as one local put it, ‘My blood is boiling.’

MS BERRY: Yes, I can understand the frustration of the Gungahlin community about the closure of their pool. The government is committed to ensuring that the pool is repaired and that the 50-metre pool will be repaired by August this year. I understand the frustration of the community; however, I know that they will understand that the repairs and maintenance of that pool is important to the longevity of that pool and that it continues to provide a sport and recreation environment for the Gungahlin and Canberra community more broadly.

MR MILLIGAN: Minister, when will the children’s programs recommence at this pool?

MS BERRY: It is intended that the program pool will close in two weeks’ time for the repairs and maintenance of that pool to occur. The maintenance in that pool needs to occur prior to the completion of the repairs to the 50-metre pool because of the potential issue around moisture affecting the repairs and the tiling of the 50-metre pool. It is expected that the program pool will remain closed for eight to 10 weeks.

Public housing—Common Ground Dickson

MS ORR: My question is to the Minister for Housing and Suburban Development. Minister, can you please update the Assembly on the Common Ground Dickson development?

MS BERRY: I am very happy to provide an update on Common Ground in Dickson. The delivery of Common Ground Dickson was a 2016 ACT Labor election commitment. That was reconfirmed during the last election. I am really proud to say that this model of housing support has been implemented across states and territories, across the country, and this is our second in the ACT. It provides a mix of social and affordable long-term secure housing with onsite support and community services.

The development includes residential units with a mix of one, two and three-bedroom dwellings, as well as communal areas, community spaces, onsite support services and, once finalised, a social enterprise business. Common Ground Dickson is designed to provide long-term, high-quality housing options and support for people experiencing or at risk of homelessness. This project supports the ACT government’s commitment to provide secure housing options for households of all incomes and to grow the supply of affordable rental housing in the ACT through investment in community housing.

Common Ground Dickson is almost finished. It is due for completion in the middle of 2022, with the allocation of properties and moving in of new tenants to follow. If you drive past the site now, you will see the significant progress that has happened since we broke ground at the end of 2020. None of us can wait for the next step, when residents will start moving into Common Ground and call it their home.

MS ORR: Minister, what kinds of services and support will be provided to residents at Common Ground?

MS BERRY: I was very happy to announce that Community Housing Canberra has been selected to deliver a holistic service model for Common Ground, including tenancy support and property management services for 40 properties in the new Common Ground multi-unit development at Dickson. Community Housing Canberra is a home-grown provider in the ACT, providing property and tenancy management.

As part of this arrangement, CHC will also partner with YWCA Canberra to deliver a range of onsite services to support individual tenant needs. This will include education, employment and financial support, as well as mental and physical health. YWCA Canberra is a trusted organisation and has a longstanding record of delivering high-quality, person-centred, gender and trauma-informed support services to the ACT community. This includes for older women and families experiencing or at risk of homelessness, and women and children experiencing domestic and family violence.

The services that both CHC and the YWCA will provide will be integral to the community that will develop at Common Ground Dickson. CHC will provide tenancy and property services to tenants related to day-to-day activities such as rent and maintenance. The YWCA will provide those critical support services that will enable residents living in Common Ground to stay connected with work, education and health, as well as other supports. With both organisations working together, this will give the residents at Common Ground Dickson a really fair crack at happiness in their new homes.

MR PETTERSSON: Minister, how does the Common Ground development contribute to the ACT government's priority of delivering more social housing?

MS BERRY: The ACT government is the ACT's largest social landlord, with nearly 12,000 dwelling homes and more than 20,000 Canberrans. It is no surprise, with a Chief Minister who grew up in public housing and a Deputy Chief Minister in public housing, that our commitment to providing public housing in the ACT continues.

In addition to the Common Ground Dickson development, the ACT government is in the middle of the largest investment in the history of self-government to increase and improve the amount of public housing and to provide essential housing for low-income Canberrans at risk of homelessness.

In the 2022-23 ACT budget, \$100 million was committed to increase social and affordable housing in the ACT, including an additional \$80 million for public housing maintenance over the next three years, and \$19 million in additional funding for the Growing and Renewing Public Housing Program to support the delivery of the government's commitment to provide 400 additional public housing dwellings and renew another 1,000.

This funding is a strong statement that the ACT government is making to commit to growing, renewing and maintaining public housing. In particular, the maintenance

funding injection reflects our commitment to continuously improving maintenance services, to provide great homes that suit the diverse needs of tenants.

Transport Canberra—bus timetables

MR PARTON: My question is to the Minister for Transport and City Services. Minister, despite Canberra no longer being in lockdown and people getting on with their lives, we are still running an interim bus timetable. You have repeatedly said that this is due to bus drivers being required to isolate due to COVID. Minister, in response to a question on notice during annual reports, it was revealed that for the three weeks from 7 February, only 129 days of COVID leave were taken. This equates to only about 26 drivers isolating or taking COVID leave during this time. Minister, why is our bus network so poorly organised that the unexpected absence of less than 30 drivers in a three-week period means it cannot operate to its maximum capacity?

MR STEEL: No, we have had around 30 bus drivers away, on average, over the last few weeks. That means we are not in a position at this point to be able to move back from an interim timetable. Like many industries, workers have been furloughed not just because they have COVID-19 themselves but because they are also caring for others in their family who have COVID-19, and may be required to take leave.

Our focus—and I have been very clear about this to the opposition spokesperson and the broader Canberra community throughout this time—is that we want to deliver a reliable public transport system that people can depend on, based on the timetable that is currently in place, while we do have a period, unfortunately, when there are large numbers of bus drivers who are needing to take leave. Of course, we will continue to monitor this, and bring back the full timetable as it was prior to the pandemic as soon as we can. But we are not in a position at this point to be able to do that. Of course, we will monitor things as the pandemic, which is not over, progresses.

MR PARTON: Minister, can you tell Canberrans when you will restore the full bus timetable, or are there no actual plans to do this?

MR STEEL: When we can deliver the reliable services that the community expects, with the number of bus drivers that we have. Based on the latest health advice and on where the pandemic is up to—noting that we are heading into a winter period, when there may be a level of disease in the community, combined with flu—that may impact on drivers taking leave. We have been very clear that our focus is on reliability. That is why we have in place the interim bus timetable which has delivered that reliability, unlike other bus services around Australia, where we have seen driver leave impacting on the reliability of bus services.

MS CASTLEY: Minister, how do you expect people to get on buses, as you have asked them to do, as a solution to the congestion problem that you have caused, when there will not be enough buses for everyone to get on?

MR STEEL: We have a very frequent, reliable bus service that people can use right now, through the interim timetable. It does provide a good level of frequency,

particularly on rapid services, as well as on route services. It is at a slightly lower level than what was in place prior to the pandemic, but we are looking forward to stepping that up when we can, once we have the certainty that we have the driver workforce to be able to deliver those reliable services for people to use. I certainly have not been out there spruiking, and welcoming people back at this point. We have taken a very cautious approach, based on the health advice. But the service is there for people who want to use it, and it is frequent and reliable.

Telecommunications—reception black spots

MRS KIKKERT: My question is to the Chief Minister. Chief Minister, in 2020 I informed you of the poor mobile reception in west Macgregor and parts of Dunlop. I also asked you what could be done by the ACT government to improve the situation. In your response you said that the ACT government had facilitated talks between Icon Water and Telstra, which resulted in the installation of a mobile reception tower near the Molonglo water treatment plant. You also said that ACT government representatives would discuss the issue with the mobile carriers. Chief Minister, what was the result of the ACT government's discussion with the mobile carriers about this issue?

MR BARR: I obviously did not undertake that discussion myself. I will seek advice from officials and provide some information for Mrs Kikkert.

MRS KIKKERT: Chief Minister, why are there still areas at west Macgregor that periodically have no bars of reception more than 10 years after blocks were sold to residents?

MR BARR: I do not necessarily feel I need to give Mrs Kikkert a lesson in constitutional responsibilities around telecommunications. Mrs Kikkert, that is a federal government responsibility. Your party has been in power for the last decade and has failed to address this specific issue. Communications are a federal government responsibility. If you have not worked that out yet, Mrs Kikkert, and you have been in this place for this long, that is a problem. You might be aware, Mrs Kikkert, that there is not a minister for communications at a state and territory level in any parliament because it is a federal responsibility.

Opposition members interjecting—

MADAM SPEAKER: Members!

Mrs Kikkert interjecting—

MADAM SPEAKER: Mrs Kikkert, your colleague is on the floor trying to get a sup in.

MR CAIN: Minister, what is stopping the ACT government from lobbying for such a sensible change?

MR BARR: We all have the opportunity to lobby. I do take the opportunity to meet with the telcos and we do raise issues of coverage, but I do not have a legal or legislative or constitutional power to require them to deliver mobile phone towers in particular areas. I undertook, in response to Mrs Kikkert's representations, to have the issue raised. But seriously, to suggest that this is a territory government responsibility and it has taken 10 years for anything to happen when your party has been in office for a decade and failed to address the issue. Why do you not raise the question with your Senate colleague Zed Seselja, who is supposed to represent ACT residents on this very issue?

Alexander Maconochie Centre—human rights

MR BRADDOCK: My question is directed to the Minister for Corrections. Minister, in protecting the human rights of detainees, could you please give us an update about the progress of utilising body scanners to replace strip searches in the AMC?

MR GENTLEMAN: I thank Mr Braddock for the question. It is quite important that we do whatever we can to provide the best human rights compatibility that we can in our prison. Through that, as Mr Braddock suggested, we are purchasing some scanners that will alleviate the situation. There may still be a need to do some searches, depending on the particular situation, but I am pleased to say that the purchases are occurring, and we are moving to install those as soon as we can.

MR BRADDOCK: Minister, can you please explain in which situations a strip search will need to be undertaken.

MR GENTLEMAN: ACT Corrective Services has recently finalised a new searching policy. This new policy makes it clear that there are no grounds for mandatory or regular strip searching of detainees, including on entry to the crisis support unit. The policy also reiterates that strip searching may only occur where there is no option for a suitable less intrusive search—in other words, at the last resort. The policy has a specific focus on appropriate decision making on a case-by-case basis for searches of persons, with the consideration of the detainees' human rights embedded within the decision making.

MS CLAY: I have a supplementary question. How does ACT Corrective Services ensure that detainees' human rights are respected?

MR GENTLEMAN: We do respect the human rights of all detainees, and we are committed to upholding our responsibilities in relation to the living conditions, as outlined in the Corrections Management Act 2007. As minister, I continue to work with the corrections commissioner to ensure the welfare of detainees. Together we will continue to review past practices, which, on occasion, did not meet standards, including human rights. These were before my time as minister, and before the current commissioner's tenure. But it is also important that we respect the human rights of our workforce and ensure that they have a safe workplace. The Blueprint for Change process has been an important part of this.

Government—multicultural affairs

MR PETTERSSON: My question is to the Minister for Multicultural Affairs. Minister, given the ACT government's intention to support multicultural communities in light of this year's National Multicultural Festival postponement, can you please provide an update on some of the actions and activities undertaken so far this year?

MS CHEYNE: I thank Mr Pettersson for the question. Following on from the positive engagement with our local multicultural communities at Australia Day and Canberra Day events this year, the ACT government is continuing to support our culturally and linguistically diverse city through a host of recent and ongoing initiatives.

I recently announced the provision of \$180,000 in funding, through the 2021-22 Participation (Multicultural) Grants Program, to over 50 community organisations. Projects funded through these grants range from refugee scholarship initiatives to multicultural sports tournaments. They will support local groups to promote community inclusion and to build social connections.

This is in addition to almost \$180,000 from this year's National Multicultural Festival grants, which have supported over 60 community organisations to deliver events and activities like the upcoming European Festival, later this month, and many other national, cultural and faith-based celebrations throughout 2022. Most recently, several Ramadan celebrations have been held across the territory, including an ACT government Iftar dinner.

I am pleased to also share that applications are currently open for the Multicultural Ambassadors program and this year's Multicultural Awards.

MR PETTERSSON: Minister, can you please provide details about the ACT government's Iftar dinner and other activities related to Ramadan?

MS CHEYNE: We proudly host the ACT government Ramadan Iftar dinner each year to celebrate and acknowledge the importance of Ramadan as the holiest month in the Islamic calendar. This event also recognises the more than 5,000 members of the Islamic faith who call Canberra home.

The 2022 ACT government Ramadan Iftar dinner was held on 14 April at the Theo Notaras Multicultural Centre and was attended by over 100 representatives from the local community, business and government organisations. I extend my thanks to Minister Stephen-Smith, who was able to fill in for me when I had to attend to a family matter. The Community Services Directorate will continue to work closely with leaders from the Canberra Muslim community to plan, deliver and co-host this key event in future.

Several Ramadan celebrations were supported by multicultural participation grants and National Multicultural Festival grants. I would like to acknowledge the participation of members from right across the chamber at Iftar dinners organised across Canberra over the last month.

DR PATERSON: Minister, what is the difference between the Multicultural Ambassadors and Multicultural Awards programs, and how can the community get involved?

MS CHEYNE: I thank Dr Paterson for the question. Multicultural Ambassadors are those who support Canberra's international engagement strategy, using their links and their networks to promote the business and investment opportunities available across Canberra and the ACT region to current and emerging international markets. The ACT government is currently looking for people to fill two ambassador roles, for a term of up to three years. People with strong knowledge of and links to Indonesia, Malaysia, Thailand or South Korea are encouraged to apply. Applications close on Tuesday, 17 May.

Our annual Multicultural Awards recognise and celebrate the significant achievements and contributions of local individuals and organisations who have helped to create a thriving, welcoming and inclusive multicultural community. The four award categories are: Multicultural Individual Champion, Community Organisation (Multicultural Champion), Outstanding Excellence Award for Diversity and Inclusion and the Multicultural Art, Media or Culture Award. Applications for those awards close on 31 May. I am pleased that the winners will be announced at the ACT Multicultural Awards on Tuesday, 19 July, including the appointees to the Multicultural Ambassadors program. Thank you.

Waste—Gungahlin recycling drop-off centre

MR MILLIGAN: Madam Speaker, my question is to the minister for city services. Minister Steel, your government wants us to be savvy recyclers, but have you seen the state of the Gungahlin recycling depot? Rubbish was left outside the main gate as it was too full, and access to the facility was blocked and broken. Minister, how often does this facility get emptied?

MR STEEL: I will take that question on notice.

MR MILLIGAN: Minister, how often is maintenance carried out in these facilities?

MR STEEL: I thank the member for his question. We do have a contract to manage those facilities. I will come back to the member on the detail of that question when I can.

MS CASTLEY: Minister, how do you expect people to recycle and do the right thing when these facilities are overflowing and are not properly maintained?

MR STEEL: I thank the member for her question. I will be responding to the previous questions, which will answer her supplementary.

Parking—mobile phone application

MR CAIN: My question is to the Minister for Business and Better Regulation. Minister, why does it cost Canberrans more to pay digitally for their parking via the easy pay app than to pay at a pay parking machine and for the same amount of time?

MS CHEYNE: I thank Mr Cain for the question. The EasyPark app is one option that drivers can use when paying for parking in the ACT. It is important to note that drivers can still pay using a credit or a debit card, or indeed with cash, at a parking meter.

We have had a transition to this new parking app. Previously we were with Park Mobile and we are now with EasyPark. That is part of the arrangement that we have with Duncan Solutions, who hold the contract for the supply, installation and maintenance of pay parking ticket machines for the ACT government-operated pay parking areas.

As part of the contract requirements, Duncan are required to provide a pay by phone option. Earlier this year we were informed that Park Mobile had been acquired by the EasyPark group. Park Mobile was discontinued and now there has been a change to EasyPark. This is one option that community members can use to pay for parking, as I mentioned, and it is used in all states or territories.

MR CAIN: Minister, why would you impose a barrier in this extra charge to the use of a digital pay parking option?

MS CHEYNE: This is not a charge that is imposed by the ACT government. EasyPark is its own business. EasyPark operates in a pay-after system, which means that customers do not pay in advance for their parking. They only pay for the time they have used. Being a user-pay system, this means that there are additional costs incurred by users through transaction and commission fees that are applied by EasyPark, which is a matter for EasyPark. There are different pricing models that people can engage with.

What I am very pleased to say is that we have had a very strong take-up of EasyPark. In fact, Mr Cain will be interested to know that the average spend with EasyPark since its inception has been \$4.93. That compares to Park Mobile where the average spend was \$7.37. So what that tells us is that, with the transition to EasyPark and being a pay-after system, people are taking advantage of that and paying less for their parking than having to pay for it in increments. So even with the extra charges that EasyPark applies, people are saving money.

MS LAWDER: Minister, when does the government's contract with EasyPark expire and will a local Canberra business be considered to provide this service in future?

MS CHEYNE: As I said in my previous answer, this is a contract that we have with Duncan. Duncan works with EasyPark as its provider. EasyPark is the option for pay parking, the digital solution. That is applied right across Australia and, indeed, by our colleagues from the National Capital Authority. One of the benefits of having EasyPark within ACT government-owned facilities is that there is now just the one mobile app for all parking. So you only need to have the one app rather than two. Again, that has been received very favourably.

Schools—motor vehicles idling

MS CLAY: My question is the Minister for Education and Youth Affairs. Minister, I often speak to parents about traffic congestion around schools. A constituent recently asked me what we are doing to stop cars from idling at schools at drop-off and pick-up. Idling cars really drive up our climate emissions and they are a real barrier to encouraging more children and parents to walk and ride to school. I lodged this constituent question with you, and you told me about Ride and Walk to School program and the Active Streets for Schools program, and that is great, but I was really after information about idling cars. Do we have yet any education that we are delivering through our schools or to our school communities to discourage cars idling around schools?

MR STEEL: I will take the question because the Active Streets for Schools program with Transport Canberra and City Services does work with the Education Directorate to get information out to families to encourage children to walk and ride to school, but also, to encourage better behaviours around the use of vehicles, particularly around parking and safe access to school grounds for pick up and drop offs.

So that work is happening. We work with all schools on that and, where particular issues are raised at particular schools where the community has raised specific problems that are occurring, we work with them as a priority to make sure that we put in place new safe arrangements that also mean, hopefully, people who are taking their children to school in a vehicle are not idling.

There is also a range of different options that we are promoting such as ‘Kiss and Drop,’ where we are encouraging people to drop their off a little bit further away from the school, around a kilometre, so that they children can then walk the rest of the way to school safely and that, of course, reduces congestion around the school but also helps to reduce the need to idle in front of a school.

MS CLAY: Minister, are you using signage, letters to parents and notes in the school newsletters?

MS BERRY: Thank you, I will take that question. Yes, of course, schools communicate with their school community in a range of different ways about these other options that can be used by parents who are able to make those options. As Minister Steel said or implied, our school communities are very busy environments during pick up and drop.

However, there are these options in place for those families who can make the change to do ride or walk to school programs, as well as the Active Streets for Schools programs as well and the Kiss and Drop. So of course, we encourage schools to provide that information to families. Of course, schools manage their drop off and pick up differently, depending on their physical layout and their community needs. But for those families that can make the options, we provide that information about what those options might be, so that they can reduce that idling and that busyness in car parks.

MR DAVIS: Minister of the active transport options you mention in those programs, how many schools are actively taking up those programs?

MS BERRY: Well I would suggest that it is available for every school to take up those options and there are options around Active Streets for Schools and ways for students and families to walk to school. Of course, during COVID and the changes to work environments in the ACT, parents and families were able to take that option more often, while working from home.

As people are returning to the workplace, it has meant that there has been a busier environment around our school parking and drop offs. So we would continue to encourage families to make those options where they can, at different school environments, it is not always the case that a family can do that.

Mr Davis: Point of order.

MADAM SPEAKER: Resume your seat please. Point of order.

MR DAVIS: I am more than happy if the minister needs to take it on notice, but I would like the specific number, how many schools are these programs currently running in?

MADAM SPEAKER: The minister has a minute. She is in order though; she is talking about the availability of the options within schools. Do you have more to add?

Alexander Maconochie Centre—female detainee programs

DR PATERSON: Minister, can you please update the Assembly on what programs and supports are available for women at the AMC?

MR GENTLEMAN: I thank Dr Paterson for the question and for continued interest in welfare of women at the AMC. There are a range of programs available at the AMC that are specifically designed for women focusing in a range of areas, those include wellness, education and return to work, Indigenous initiatives and harm minimisation interventions relating to drug and alcohol misuse as well.

To improve on case planning, the through care team has recently installed a women's pre-release coordinator in the women's area who works specifically with female detainees for six months prior to their release. A reintegration needs assessment tool has also been developed. This enables staff to develop a reintegration case plan for each detainee, focused on supporting them as they transition back into the community.

Another great initiative that Minister Berry has provided support for in her role as minister for women is the ACT women's return to work grants program. For women who have been out of the workforce for an extended period, it supports them onto pathways to meaningful and stable employment. Detainees have access to a new work ready program that provides skills to complete their CV and set some goals for employment and pathways to employment. There is also a dedicated service provider that provides tailored recreational activities to women detainees.

Following disruptions caused by COVID, ACT Corrective Service is now rebuilding the program schedule. The aim is to run the program each day, which includes content from Toora's Coming Home program, the Elders Healing Program, Shine for Kids and Pathways From prison group.

DR PATERSON: Minister, how will the Integrated Offender Management framework support women at the AMC?

MR GENTLEMAN: Thank you, Madam Speaker. Well following extensive consultation in the integrated offender management framework was finalised in December 2021 and the IOM framework ensures a cooperative and coordinated approach in working with a detainee from entry into custody to transition back into community is achieved.

The development of the women's focused implementation plan has been completed with a number of existing and new initiatives who are well into development implementation as well. Its focused implementation has been working through the IOM for women in the first instance, and has ensured a focus on the specific factors and needs of women right through the stages of consultation, design, development and now implementation.

So I am pleased to say that Corrections has done some excellent work in designing and delivering new psycho-educational and criminogenic programs to the women in the AMC. Since December 2021, 32 female detainees have been enrolled in the brief intervention programs designed to improve knowledge and coping skills.

The Explore, Question, Understand, Investigate, Practice, Succeed suite of offence specific programs targeting addiction, aggression, family violence and general offending also commenced in March 2022. A total of nine sentenced female detainees are currently participating in that program.

Corrections has also been working to expand its offering of drug and alcohol services for women. A pilot of the dialectical behavioural therapy was conducted during late 2021 and is currently being tailored for women. This program provides alcohol and drug program intervention at the earliest point in a detainee's sentence. So enhancing the detainee's commitment and readiness for more high intensity therapeutic community programs, with support post release. The reintegration needs assessment tool—*(time expired)*.

MS ORR: Minister, how is the Yeddung Mura alternative reporting site supporting Aboriginal and Torres Strait Islander people who have been released from the AMC on parole?

MR GENTLEMAN: I thank Ms Orr for the question. We have met, of course, with Yeddung Mura and really encourage the work they are doing. The government is committed to reducing overrepresentation of Aboriginal and Torres Strait Islander people in the criminal justice system, and post release support is a critical component of that goal.

An alternative off-site parole reporting option for Indigenous clients was recently introduced in partnership with Yeddung Mura. This means that Aboriginal and Torres Strait Islander people on bail, parole or community corrections order may now report to ACT CS at a particular community site as an alternative to traditional reporting arrangements.

So Yeddung Mura external reporting site operates every Tuesday in the suburb of Fadden, and also available on site are other relevant cultural services and the valuable opportunity to yarn with Aboriginal elders. Prior to this alternative reporting site at Fadden, Aboriginal and Torres Strait Islander clients could only report to ACT Corrective Services at the London Circuit site in Civic.

The Yeddung Mura site provides a safe and culturally appropriate point of contact with ACT Corrective Service, without compromising the client's feelings of safety and their emotional wellbeing. Since the site reopened last November, after the COVID-19 lockdown, more referrals have been coming in and the growth has been credited to word of mouth, through the community and the staff who have discussed it with their clients.

I am advised that the feedback from people who attend each week has been quite positive and that clients have stated they feel a lot more comfortable and have less anxiety with attending their supervision.

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

Papers

Mr Gentleman presented the following papers:

A Step Up for Our Kids—Snapshot Report—A presentation of data covering—1 July 2017 to 31 December 2021.

ACT Aboriginal and Torres Strait Islander Agreement 2019-2028—ACT Impact Statement 2021—Revised.

Annual Reports (Government Agencies) Act—Pursuant to section 13—Annual Reports—2020-2021—Justice and Community Safety Directorate—Corrigendum.

Coroners Act—Report of Coroner—Pursuant to subsection 57(4)—Inquest into the death of Blake Andrew Corney—

Report, dated 16 November 2021.

Government response, dated 5 May 2022.

Freedom of Information Act—Freedom of Information (Accessibility of Government Information) Statement 2022 (No 1)—Notifiable Instrument NI2022-205, dated 11 May 2022.

Inspector of Correctional Services Act—Pursuant to subsection 30(2)—Review of a Critical Incident by the ACT Inspector of Correctional Services—Hostage taking incident at the Alexander Maconochie Centre on 27 March 2021—Government response.

Our Booris, Our Way—Review, Six Monthly Update (July 2021 - December 2021), dated May 2022.

Planning and Development Act—

Pursuant to subsection 79(1)—Variations to the Territory Plan together with associated documents—

No 368—City and Gateway South Northbourne Avenue Corridor.

No 369—Living Infrastructure in Residential Zones.

Pursuant to subsection 242(2)—Statement of Leases granted for the period 1 January to 31 March 2022.

Planning, Transport and City Services—Standing Committee—Reports presented—2021—Report 9—Inquiry into the Impact of Revised Speed Limits in Civic—Petitions 31-21 and 38-21—Government Response.

Coroner's report—inquest into the death of Blake Andrew Corney—report and 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) (2.49): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

Coroners Act—Report of Coroner—Pursuant to subsection 57(4)—Inquest into the death of Blake Andrew Corney—

Report, dated 16 November 2021.

Government response, dated 5 May 2022.

MR STEEL (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (2.49): As the Minister for Transport and City Services, I rise today to respond on behalf of the ACT government to the findings of the Coroner's Court of the ACT following the inquest into the death of Blake Andrew Corney.

Let me begin by first acknowledging Blake's father, Mr Andrew Corney, who has joined us today. I want to extend my sincere and heartfelt condolences to him, to Blake's mother, Camille Jago, and to Blake's brother, Aiden, on the loss of their son and brother. I know that the reality of his passing will be carried by them forever. Blake Corney was the innocent victim of an event that should never have happened. We will do everything that we can to prevent a recurrence of this type of tragic accident and to realise the goal of Vision Zero and ensure that everyone in our community is safe using our roads.

I want to thank Her Honour Chief Coroner Walker and all of those who have participated in the inquest into Blake's death. This difficult work assists us in making changes to prevent tragedies like this from occurring again. In making her findings, the Chief Coroner identified two areas of public safety that might have prevented this

tragedy: heavy vehicle licence regulations and heavy vehicle technologies. I want to address both of those today.

Human factors are by far the biggest element in road crashes. We need to make sure that people are in a safe condition to drive at all times. The driver of the truck that caused the incident had sleep issues that likely affected his driving. It is estimated that sleep apnoea can affect up to 40 per cent of heavy vehicle drivers. There is a need for stronger heavy vehicle fitness-to-drive guidelines, particularly for sleep apnoea, diabetes and developing cardiovascular disease. In the ACT, our government has been implementing immediate changes for local drivers. Since February this year applicants for medium rigid, heavy rigid, heavy combination and multi-combination licence classes need to complete a commercial medical assessment before they can get a licence in the ACT.

The government has also taken steps to require a person applying to upgrade to a heavy vehicle licence to make a self-declaration of medical fitness, including in relation to sleep disorders. Further to those measures, explicit questions on sleep disorders have been included in the commercial health assessment form provided by Access Canberra for heavy vehicle and public vehicle drivers, as well the driver licence medical form for light vehicle drivers, to prompt and draw the attention of health professionals to this key issue when making assessments.

These measures are an important first step, but we are also pursuing further action. The ACT government is considering proposing legislation to require health practitioners to report medical issues that could affect a patient's ability to drive safely. In doing this, we will work to balance keeping people safe with the human right of respecting people's privacy. We are considering how we can protect those required to make a report and preserve the trust that is an important part of the therapeutic relationship between a health practitioner and their patient. We also know how important it is for us to consider carefully what happens with these reports. The government is strengthening clarified communication between agencies that are involved in the health of drivers to make sure that information flows to where it is needed and that health issues are addressed across government.

Another important element in driver health and road safety in the ACT is the Fitness to Drive Medical Clinic. The ACT is unique in Australia in having a dedicated team to manage independent health assessments of drivers, separate to primary health providers.

Safety on our roads and meeting our goal of Vision Zero requires effort from all of us. All of us who are road users have a responsibility to each other to be safe. The government began reaching out to the community in March with education about the need to report medical issues that may affect their driving. This campaign will continue through this month.

We have also been engaging with others that are passionate about the health and safety of ACT road users. I have met with the Australian Trucking Association to present them with the Coroner's report from the inquest. I have written to the Royal Australasian College of Physicians and the Royal Australian College of General

Practitioners asking them what they might be able to do to increase their members' awareness of driver health issues. All of these organisations have responded positively and both of the royal colleges have undertaken to develop additional education content for their members on medical assessments of drivers. Again, I thank these organisations for partnering with us and implementing change for the better.

To drive national reforms in this area, I have been advocating to the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development in his role as Chair of the Infrastructure and Transport Ministers' Meetings. At the February meeting of ministers I asked my counterparts for nationwide change for heavy vehicle driver screening. I am pleased to say that, as a result, the National Transport Commission has been tasked with considering the role of screening checks for illnesses we see affecting heavy vehicle drivers: sleep disorders, diabetes and cardiovascular disease.

The Australian Trucking Association has identified that a screening test for train drivers is a model that could apply to heavy vehicle drivers. I put this forward as a model that should be considered by the NTC, and I look forward to seeing the outcomes of their work.

Safe vehicles and safe vehicle technology are also an important part of improving safety on our roads, particularly for heavy vehicles. The government has been examining the technologies that now exist that can make a big difference in safety. We want these technologies on our roads and protecting people.

Two of these technologies that the Chief Coroner focused on in her findings are autonomous emergency braking, or AEB, and fatigue and distraction detection technology, known as FDDT. I was pleased to see that the federal government, since the inquest, has recently announced that AEB will be mandated for new heavy vehicles, starting in 2023. This sets a minimum standard, and our government continues to be interested in what else is possible.

The ACT government is looking at avenues to encourage lifesaving technologies in heavy vehicles in the ACT. Procurement ACT is currently working to include fitment of AEB and FDDT in heavy vehicle as an element of the ACT government's procurement decisions. The initial focus will be on heavy vehicles purchased or leased by the ACT government. FDDT represents a new opportunity. Although this technology is less mature than AEB, it holds enormous potential. There are trials of this technology happening in Australia and abroad, with promising results, and we cannot afford to miss out on this potential technology and the impact that it will have to save lives.

This government, in addition to considering AEB and FDDT in procurement decisions, has also begun investigating options to further incentivise the fitting of FDDT in heavy vehicles. There are bodies, such as the National Heavy Vehicle Regulator, that have significant expertise with this technology and its use and are well placed to work with heavy vehicle operators to get the most benefit out of it. These technologies have the power to benefit all road users, including heavy vehicle drivers themselves.

There is a broader problem that in Australia we have not aligned our vehicle standards with the latest standards and technologies in vehicle safety. The ACT government has been advocating nationally for improved emissions standards for new vehicles for several years at the Infrastructure and Transport Ministers' Meetings and other national forums, including the recent joint parliamentary committee in the Australian parliament, in their inquiry on road safety.

We know that vehicles which comply with the latest emissions standards are also those that incorporate a range of modern safety features, and we are concerned that the federal government's refusal to implement improved emissions standards for new vehicles, including heavy vehicles, means that we are not getting the newest and safest vehicle technology sold into the Australian market. New vehicles are safe vehicles but we are not getting the newest vehicle technology.

Currently, in Australia we only have a requirement for Euro 5 standards, including for heavy vehicles. We have no carbon dioxide emissions standards, despite these standards covering 80 per cent of the car market across the world. The commonwealth government had undertaken a regulatory impact statement on the adoption of Euro 6 standards and made the point that not adopting the Euro 6 standards may see vehicle makers withdrawing vehicle models and variants from the Australian market rather than adding new safety connected or autonomous systems onto older technology platforms like Euro 5 platforms. *(Extension of time granted.)*

There are real implications for safety when we do not implement standards, and that goes to emissions standards, not just specific safety requirements in vehicles. We will continue to advocate that the commonwealth must align Australia with the latest standards and technologies in vehicle safety and emissions standards. The commonwealth should work towards adopting the latest UNECE safety and emissions regulations into the Australian design rules as quickly as possible and align implementation dates with those of Europe wherever possible. This will prevent Australia from becoming a dumping ground for older, less safe and more polluting vehicles, including heavy vehicles.

In addition to Coroner Walker's specific recommendations regarding vehicle and driver safety, there is a third element that was not a focus of the coronial inquest but which is a critical part of the safe systems approach, and that is the road environment itself. The government has begun work to upgrade the Monaro Highway at key points right through Hume, including the intersection at Mugga Lane where this tragic accident occurred.

Planning is well underway to grade separate intersections along this section of the Monaro Highway to remove conflict points between vehicles. As part of this work, dangerous at-grade signalised intersections and free right turns across the Monaro Highway will be removed at Lanyon Drive, Tralee Street, and Mugga Lane. These will be replaced with flyovers at Lanyon Drive, Mugga Lane to Tralee Street and at Isabella Drive, with new grade-separated interchanges. These enhancements will completely change how traffic moves through this area, making travel far safer for light and heavy vehicles.

I will conclude by emphasising that the government continues to be committed to Vision Zero: zero deaths and zero serious injuries on our roads. Young Blake Corney's life should never have been lost. Our work does not finish here. We will continue to relentlessly pursue road safety into the future. I now table the ACT government's response as part of this motion. I look forward to continuing to work on these recommendations, including our national advocacy.

Question resolved in the affirmative.

Papers

Mr Gentleman presented the following papers:

Subordinate legislation (including explanatory statements unless otherwise stated)

Gaming Machine Act—Gaming Machine (Authorisation Surrender - Fee Waiver) Determination 2022 (No 1)—Disallowable Instrument DI2022-34 (LR, 28 March 2022).

Legal Aid Act—Legal Aid (Commissioner Law Society Nominee) Appointment 2022—Disallowable Instrument DI2022-30 (LR, 25 March 2022).

Liquor Regulation 2010—Liquor (COVID-19 Emergency Response—Licence Fee Waiver) Declaration 2022 (No 1)—Disallowable Instrument DI2022-36 (LR, 31 March 2022).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2022 (No 1)—Disallowable Instrument DI2022-29 (LR, 24 March 2022).

Public Health Act—Public Health (Fees) Determination 2022 (No 1)—Disallowable Instrument DI2022-35 (LR, 27 March 2022).

Road Transport (General) Act—

Road Transport (General) (COVID-19 Emergency Response) Application Order 2022 (No 2)—Disallowable Instrument DI2022-37 (LR, 31 March 2022).

Road Transport (General) Application of Road Transport Legislation Declaration 2022 (No 4)—Disallowable Instrument DI2022-33 (LR, 28 March 2022).

Taxation Administration Act—Taxation Administration (Amounts Payable—Utilities (Network Facilities Tax)) Determination 2022—Disallowable Instrument DI2022-32 (LR, 24 March 2022).

Workers Compensation Act—Workers Compensation Amendment Regulation 2022 (No 1)—Subordinate Law SL2022-4 (LR, 31 March 2022).

Our Booris, Our Way review—update A Step Up for Our Kids—snapshot

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) (3.02): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

A Step Up for Our Kids—Snapshot Report—A presentation of data covering—
1 July 2017 to 31 December 2021.

Our Booris, Our Way—Review—Six Monthly Update (July 2021 - December
2021), dated May 2022.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.03): I am pleased to present the third combined six-monthly progress reports for the government response to the recommendations from the Our Booris, Our Way review six-monthly update, and A Step Up for Our Kids out of home care strategy 2015-20 snapshot report.

Over the last six months the government has been working closely with the Our Booris, Our Way Implementation Oversight Committee to progress key recommendations of the Our Booris, Our Way review. The committee has continued to provide valuable insights into how we can improve the way in which government engages with Aboriginal and Torres Strait Islander families in the child protection system and, most importantly, how government can provide early support for vulnerable families at risk of entering the child protection system.

It is only by listening to the voices of Aboriginal and Torres Strait Islander people that we can break the cycle of intergenerational disadvantage. We must continue to focus on ensuring that children and young people can stay safe at home wherever possible and remain connected to culture and community throughout their life.

In the 2020-21 budget the government invested almost \$4.9 million to implement Our Booris, Our Way, bringing the total investment from 2018-19 to 2023-24 to \$15.7 million. This funding will help to drive systemic change to ensure at-risk Aboriginal and Torres Strait Islander children and young people in the ACT are safe and able to thrive.

Today's report provides an update to the ACT community on the progress being made against each recommendation. The report is the third six-monthly update and outlines activities and achievements from 1 July to 31 December 2021. Some of the key activities during the period include consultation undertaken by the Jumbunna Institute on the design of the Aboriginal and Torres Strait Islander children's commissioner, including community dialogue sessions and individual interviews with Aboriginal and Torres Strait Islander community organisations and individuals in the ACT and Wreck Bay. Additional to this consultation, in December 2021 the Justice and Community Safety Directorate began recruitment for an interim Aboriginal and Torres Strait Islander children and families advocate role, which will operate while co-design for the commissioner is finalised and the process of establishing this position is completed.

The government has directed SNAICC, the national peak body, to consult with the Aboriginal and Torres Strait Islander community on how best to enact the Aboriginal and Torres Strait Islander child placement principle in the Children and Young People

Act. I look forward to providing the Assembly with an update on this consultation process in the next six-monthly report.

We have been working closely with the implementation oversight committee on the expansion of the Aboriginal community-controlled organisation sector in the ACT, with a particular focus on services that can be delivered to children and families involved—or at risk of involvement—with the child protection system. Existing community-controlled organisations are also engaged in this work.

Senior executives from Child and Youth Protection Services continue to meet monthly with the implementation oversight committee to provide updates on the review of policies and practices to better support Aboriginal and Torres Strait Islander families.

Over the last six months this has included a strong focus on ensuring fathers whose children are in care are respectfully engaged and involved in decisions around their children, better family finding and recording of family and community ties to ensure that children in care remain connected to family, culture and community, improving the quality of cultural plans through the new cultural panel that meets regularly to review and provide recommendations about cultural plans, and a continued focus on ensuring that the Aboriginal and Torres Strait Islander child placement principle is embedded, applied and implemented across all CYPs policies and practices.

A cross-directorate committee has been working to identify gaps in service delivery and develop options to enhance early support capacity for Aboriginal and Torres Strait Islander families in the areas of drug and alcohol misuse, family violence, mental health, trauma counselling and cultural healing.

I acknowledge that some recommendations are taking longer than others to progress and the data continues to tell a story of over-representation of Aboriginal and Torres Strait Islander children in care. That is fundamentally unacceptable. However, I am encouraged by the good results we are seeing from functional family therapy and family group conferencing, and the greater proportion of Aboriginal and Torres Strait Islander children who are placed with kinship carers.

I would like to thank the members of the Our Booris, Our Way Implementation Oversight Committee, who have continued to share their knowledge, experience and wisdom to inform this ongoing work, while holding us to account on our progress. I know that it is tough, and we genuinely appreciate that they are sticking with this. We will continue to work closely with the committee to strive for positive long-term changes for the Aboriginal and Torres Strait Islander community in the ACT.

The six-monthly progress report on A Step Up for Our Kids, the snapshot report, has also been tabled today. As members would be aware, the six-monthly progress report on A Step Up for Our Kids has been presented to the Legislative Assembly since April 2018, with the most recent snapshot report tabled in November 2021.

In considering the snapshot report, it is important to note that the data is internal operational data that can be updated and changed between reporting periods, and

caution should be exercised when using and interpreting data in the report and comparing between reporting periods.

This snapshot report continues to provide insights into the ongoing positive impacts of the A Step Up for Our Kids reforms, as well as the continued challenges in out of home care.

In the first half of 2021-22, 73 children and young people entered out of home care and 68 exited out of home care. While the number entering out of home care has increased compared to 2018-19, 2019-20 and 2020-21, the number of children and young people exiting care has also increased from 2018-19 and 2019-20, and is one fewer than those leaving care in 2020-21, resulting in the total number of children and young people living in out of home care remaining steady.

The total number of new entries into care for the first two quarters of the 2021-22 financial year is 46, which is lower than at the same point in the last two financial years. However, the number of children and young people returning to care has increased. It is still too early to identify if any of these outcomes may be attributable to the impact of the COVID-19 public health emergency or other factors.

In the first half of 2021-22, 16 Aboriginal and Torres Strait Islander children and young people exited out of home care, constituting 24 per cent of all children and young people exiting out of home care during that period. Concerningly, however, 33 per cent of children and young people entering care were Aboriginal and Torres Strait Islander—the highest proportion at this year-to-date point since 2017-18—driven by a significant increase and high proportion of children entering care in the first quarter of the financial year. This represents 24 Aboriginal and Torres Strait Islander children and young people who entered care in the first half of 2021-22 and compares to 20 in the same period in 2020-21, 11 in 2019-20, only eight in 2018-19 and 30 in 2017-18. This remains, as I said, an unacceptable level of over-representation and highlights the need for continued work.

At the end of December 2021, 31 per cent of children and young people living in out of home care on long-term orders were Aboriginal and Torres Strait Islander. This is lower than the same time in the 2019-20 and 2020-21 financial years, and the same rate as the two previous years at the same point in time. However, it is higher than at the end of the 2020-21 financial year, when 30 per cent of children and young people living in out of home care subject to long-term orders were Aboriginal and Torres Strait Islander. As at 30 December 2021, 12 per cent of carer households with a current placement have at least one carer who identifies as Aboriginal or Torres Strait Islander.

The report indicates that the number of Aboriginal and Torres Strait Islander children in the care of the director-general with a cultural care plan in place has again declined. As at 30 December 2021, 168 Aboriginal and Torres Strait Islander children had a cultural plan in place—78 per cent—compared to 191 at the same time the previous year, which was 86 per cent. There have been changes in the way in which plans are reviewed and recorded, and this may account for some of the data variations across

the year. Throughout 2020-21, Children, Youth and Families has undertaken significant detailed analysis of the processes surrounding cultural plans and the way in which these processes impact the quality of cultural planning for young people in out of home care, with a focus on improving quality. This was a significant area of feedback from the Our Booris, Our Way review, which highlighted that the existence of a plan is not particularly helpful if the plan itself is not of high quality and meaningful for the child or young person.

In August 2021, the Children, Youth and Families Cultural Panel commenced operation, with all cultural plans being reviewed by the panel. The time line for commencement of this panel was impacted by COVID-19 service impacts and the availability of suitably qualified individuals. (*Extension of time granted.*)

The focus of the panel is the quality of cultural plans, ensuring that the plans tell the family's story of their Aboriginality, and that all sources of the plan are documented and ensure connection, participation, partnership and placement. This has delayed some finalisation processes but has improved the quality of the outcome. In parallel, there has been a review of how staff record cultural plans on the child and young people record information system, otherwise known as CYRIS, resulting in a changed process and plans for further improvements.

Data from the snapshot report shows that placement types within out of home care continue to remain relatively stable, with most children and young people in kinship placements as of 30 December 2021. We continue to support children, young people and their families through prevention services with a renewed focus on supporting families with complex needs to prevent entry and/or re-entry to care.

In the first half of 2020-21, 50 children and young people received a service from Uniting preservation services. In 2021-22 this has increased to 62 over the same period and, of these, 19 were Aboriginal or Torres Strait Islander. For Aboriginal and Torres Strait Islander children and young people who have received Uniting preservation services since 2015-16, 89 per cent had not entered out of home care three months after commencement of service, and 64 per cent had not entered out of home care 24 months after commencement of service.

In the first half of 2021-22, 16 children and young people who were in out of home care became subject to a finalised enduring parental responsibility or adoption order, a significant increase compared with the year-to-date figure for the last two years. As of 30 December 2021, there are 124 children and young people with a permanency order.

As shown by the figures reported in the snapshot report, over-representation of Aboriginal and Torres Strait Islander children and young people in out of home care continues to require a focused effort to reduce entry into care.

Equally important is the need to ensure that Aboriginal and Torres Strait Islander children and young people remain connected to their family, kin and country. The Community Services Directorate Cultural Review Panel continues to meet fortnightly to review cultural plans, with any outstanding plans referred to the panel to ensure that cultural needs can be incorporated into individual case plans.

Work is being undertaken by the directorate to enhance reporting capabilities and improve automated data-counting rules in CYRIS. This continual refinement of data is pivotal to the provision of a responsive service system and working to eliminate the over-representation of Aboriginal and Torres Strait Islander children and young people in care. I thank the Assembly for its indulgence in the extension of time.

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

Planning, Transport and City Services—Standing Committee Report 9—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) (3.16): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning, Transport and City Services—Standing Committee—Reports presented—2021—Report 9—Inquiry into the Impact of Revised Speed Limits in Civic—Petitions 31-21 and 38-21—Government Response.

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

Planning and Development Act—variation No 369 to the Territory Plan

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) (3.17): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Development Act—Pursuant to subsection 79(1)—Variations to the Territory Plan together with associated documents—No 369—Living Infrastructure in Residential Zones.

The ACT government is committed to making our city resilient to a changing climate. Part of this commitment to achieving resilience is to increase our urban tree canopy and permeable surfaces to 30 per cent in urban areas.

The ACT government prepared Territory Plan variation 369 as a first step to encourage the planting of more trees on residential blocks in our urban areas. The variation also increases the proportion of permeable surfaces and open spaces for residential blocks. This is a significant change, away from houses taking up most of the block with little space for plantings, to making sure that there is more room for vegetation and trees on residential properties. The changes are important to prepare our residential areas for the impacts of climate change already being faced and for the impacts that will become more evident in the future.

According to the CommSec annual home size report, Australia continues to have some of the largest houses in the world, and the ACT has the largest house sizes in Australia. By introducing this change we are asking for a culture shift in the ACT housing market, particularly for single residential dwellings. This culture shift is part of the changes that all of society will need to make to mitigate the effects of our changing climate.

Because we are asking for such a big change, we will need to ensure that we can have a transition to this new system. I have listened to the feedback on the impact these changes will have, particularly on people who have purchased blocks in new estates in the last couple of years, and who have bought with the expectation that they will be able to get a particular dwelling on their block at the time of buying the land, such as through buying a house and land package.

In response, I have directed the planning and land authority to make changes to the variation so that the proposed provisions do not apply to blocks approved under the estate development plan after 1 January 2020. This will give certainty to those people who have bought land but not yet completed their home build that they will still be able to get the dwelling they envisaged when they bought the land.

I want to reiterate that the ACT government is committed to taking strong and effective climate action, and the new requirements proposed in variation 369 to increase tree canopy cover and permeability will apply to redevelopment in established suburbs when the variation commences. The variation also applies to multi-unit development, meaning that people in apartments, townhouses and retirement villages will have more trees and more planting area in their developments, too. The variation is set to commence on 1 September 2022, which will give builders, designers, architects and home owners a chance to adapt their products to meet the new requirements.

The ACT government will be looking at broader tree planting requirements at the street and suburb level when we review the estate development code as part of the ACT planning system review and reform project. When we have had a chance to amend the estate development code, this will give us the opportunity to extend the tree planting requirements to houses in new estates as well as residential developments in commercial zones. This will happen through the new Territory Plan.

Under section 73 of the Planning and Development Act, I referred the draft variation to the Standing Committee on Planning, Transport and City Services. I thank the committee for its consideration of this variation and for its decision not to conduct an inquiry.

I approved variation 369 as it will contribute to increasing living infrastructure on private residential land in the ACT. I have tabled the variation to the Territory Plan 369.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.21): I rise today to make a few remarks

regarding variation 369, known as the living infrastructure variation. I would like to sincerely thank Minister Gentleman and the directorate for all of the work that they have done to get the variation finalised. I know it has been a lot of hard work to pull together a variation that is significant in the changes that it makes, is technical in its detail and has generated significant interest from the community and the building and development industry.

As I said this is a significant variation. It is world leading and it has not been done in many other jurisdictions before. It is something that we have been working on for a number of years. I would like to recognise the work of Caroline Le Couteur and others in previous assemblies that has preceded this version of the variation. It will not solve all of the issues we have identified in relation to supporting living infrastructure in our city, but it is a huge step forward.

This variation aims to give life to the community's strong desire to ensure that the homes we have on blocks are complemented by green infrastructure, including private open space, deep planting areas, permeable surfaces and trees. This is important now, and we know that it will be even more important as we experience the climate changing more, and the drier and warmer conditions that will impact on residents inside homes, as well as those moving through our neighbourhoods.

As Minister Gentleman notes, this will require culture change in thinking about how we design our homes, what we need both inside these homes and around them, and how we value the range of things on our suburban blocks beyond the bricks and mortar of the structures that shelter and nurture us.

We recognise that change can be challenging, and thank the industry for working with us to implement these changes. It is a significant change and we did make commitments to address transitional issues. The agreed approach will particularly address the issues for families who have purchased homes that have not yet completed building their homes.

As Minister Gentleman notes, there will be more work to be done through the review of the Territory Plan, particularly through the revision of the estate development code. This is a vital piece of work, as we ensure that all parts of our city are protected from the heat island effect and that we are able to live in homes and suburbs that are designed to keep us safe and support the wildlife that shares our city with us.

I look forward to active engagement on this issue, and I also look forward to the work of the planning, transport and city services standing committee as they review the implementation of the variation in the coming year.

As previously noted, this variation is only one of the tools that we are working to introduce to protect our living infrastructure and build our tree canopy. I am excited to be working to finalise the mature native trees action plans and warmly welcome the urban forest bill that will provide significantly more protection for our city's trees. I encourage members of the public to provide their views on these pieces of work as well as the planning review that is currently out for community consultation.

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

Freedom of Information Act—statement 2022

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) (3.25): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Freedom of Information Act—Freedom of Information (Accessibility of Government Information) Statement 2022 (No 1)—Notifiable Instrument NI2022-205, dated 11 May 2022.

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

Planning and Development Act—leases granted

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.26): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Development Act—Statement of Leases granted for direct sales—1 January to 31 March 2022.

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

Planning and Development Act—variation No 368 to the Territory Plan

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.26): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Development Act—Pursuant to subsection 79(1)—Variations to the Territory Plan together with associated documents—No 368—City and Gateway South Northbourne Avenue Corridor.

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

Inspector of Correctional Services—critical incident review—government response

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.27): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Inspector of Correctional Services Act—Pursuant to subsection 30(2)—Review of a Critical Incident by the ACT Inspector of Correctional Services—Hostage taking incident at the Alexander Maconochie Centre on 27 March 2021—Government response.

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

Justice and Community Safety Directorate annual reports 2020-2021—corrigendum

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) (3.27): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Annual Reports (Government Agencies Act)—Pursuant to section 13—Annual Reports—2020-2021—Justice and Community Safety Directorate—Corrigendum.

Question resolved in the affirmative.

ACT Aboriginal and Torres Strait Islander Agreement 2019-2028—ACT impact statement 2021

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) (3.28): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

ACT Aboriginal and Torres Strait Islander Agreement 2019-2028—ACT Impact Statement 2021—Revised.

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

Crimes (Consent) Amendment Bill 2022

Debate resumed from 8 February 2022, on motion by **Dr Paterson**:

That this bill be agreed to in principle.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (3.28): I am very pleased to have this opportunity to talk today about the Crimes (Consent) Amendment Bill, which was brought forward by Dr Paterson. First I want to acknowledge the significant amount of work that Dr Paterson has put in to

developing this bill. It is a complex area of law, as evidenced by the large body of work that has been done on this issue over many years, including by the New South Wales Law Reform Commission and several parliamentary committees. It is also an area of law that is in need of reform. It has needed reform for many years.

My Greens colleague Caroline Le Couteur undertook this challenge in the last Assembly, developing a bill, taking it to a committee and, unfortunately, running into enough obstacles so that her bill was not passed before the Assembly ended. Reforming consent law then became a part of the parliamentary agreement formed between the Greens and Labor after the 2020 election. It is excellent to see that Dr Paterson has continued this important work and brought this reform to the Assembly again, and to a point where we are ready to pass this bill today.

I will turn to the detail of the bill. Under ACT law, it is a crime for a person to have sexual intercourse with a person without consent. It is also a crime to commit an act of indecency on or in the presence of another person without consent. For one of these offences to be made out, there must be, first, an absence of consent and, secondly, the accused person must have actual knowledge or be reckless as to that absence of consent.

This bill makes reforms to strengthen the ACT's laws in relation to consent. It introduces what is called a positive definition of consent. This is defined as informed agreement that is freely and voluntarily given and communicated by doing or saying something. The bill also introduces a provision which sets out overarching principles of consent to reinforce what should in fact be common sense; that is, consent is not to be presumed and involves ongoing and mutual communication and decision-making by the people participating.

The provisions introduce a communicative consent model into ACT law to reinforce the importance of an ongoing dialogue between consenting parties. The bill also amends section 67 of the Crimes Act 1900 which currently sets out the grounds on which it may be established that a person does not consent.

Where an accused person knows that consent has not been given, by virtue of any of these listed grounds, they are deemed to have known that there was an absence of consent. The bill adds to the list of new grounds, such as where a person says or does something to communicate without withdrawing agreement. It also clarifies that a person does not consent only because they do not say or do something to resist the act or because on that or on an earlier occasion they had consented to engage in a sexual act with the accused person or someone else.

While this is already the law in the ACT, the bill clearly sets out these standards for consensual sexual activity in the Crimes Act 1900. In addition the bill provides that an accused person is deemed to know that another person does not consent if any belief that the accused person has or may have that the other person's consent is not reasonable in the circumstances. This amendment will mean that, as an alternative to relying on actual knowledge or recklessness as to the absence of consent, the prosecution will also be able to rely on an accused person's lack of a reasonable belief

to establish the fault element for the offence of sexual intercourse without consent and act of indecency without consent.

Further, the bill introduces an affirmative model of consent by introducing section 67(5), which provides that it will not be considered a reasonable belief in the circumstances if the accused person did not say or do anything to ascertain whether the other person consented. This requirement for a person to take active steps to find out whether there is consent is an important move towards changing cultural views on what is required as part of consensual sexual activity.

The New South Wales parliament recently passed a similar bill to introduce an affirmative consent model and the Victorian government has announced that, in accordance with the recommendations of the Victorian Law Reform Commission, it will also introduce legislation this year to move towards a stronger model of affirmative consent.

The ACT government is committed to doing more to prevent sexual violence and improve responses for victim survivors. More reform like this bill, while critical, is just one part of the work that is needed to prevent and better respond to sexual violence.

The Sexual Assault Prevention and Response Steering Committee was established last year following a tripartisan commitment to take action to prevent and respond to sexual assault in Canberra. The steering committee delivered its final report in December last year and made recommendations that seek to ensure that the needs of all parts of our community are taken into account to reform the ACT's response to sexual violence. The ACT government is closely considering all of the findings from the final report and is listening to the victim survivors who bravely shared their personal insights and lived experiences with the steering committee, as well as the victim survivors who have been tirelessly advocating for change.

This bill takes an important step towards improving the ACT's response framework for sexual assault victims by implementing recommendation 22 of the steering committee's final report, which calls upon the ACT government to amend the law in relation to consent by establishing an affirmative communicative model of consent, accompanied by community education measures.

The steering committee considered an exposure draft of this bill and made 10 recommendations, which Dr Paterson has addressed in the final bill. The ACT government also requested that Dr Paterson consider making a number of minor changes to the bill and explanatory statement following consultation by the government with key stakeholders. I thank Dr Paterson for her consideration of these matters and her agreement to making the changes. I also want to thank all of the stakeholders for their engagement with the government in relation to this bill and for their contributions.

It is critical that we as a government take action where we can to improve attitudes towards sex, gender and violence. In the 2017 national community attitudes towards violence against women survey, 16 per cent of participants indicated that they

believed that many allegations of sexual assault made by women are false. Thirty-one per cent of participants believed that often women who say they were raped have led the man on and then had regrets.

The evidence actually shows the opposite. False reports of sexual assaults are very rare. In fact, we have a very serious problem of under-reporting by victims of sexual assault. Fears about false claims of sexual assault may be partly shaped by misguided understandings about consent, and this bill may go some way to address these attitudes by making it clear that consent involves ongoing and mutual communication between parties.

While legislative reform alone will not change attitudes, it does play an essential role in clearly defining our standards as a community as to the behaviour we accept. As the Sexual Assault Prevention and Response Steering Committee's listening report makes clear, if we are to eliminate sexual violence, there is still an enormous amount of work to do in the community to address the underlying attitudes that normalise abuse of power in the form of sexual violence.

These are attitudes that entrench gender stereotypes and perpetuate disrespect for women and girls, and cultural values that promote male entitlement and power over both women and children. In passing this bill, this Assembly plays a part in helping to change those cultural attitudes.

This bill modernises the law of consent to ensure that it reflects today's community standards and expectations of consensual sexual activity. It is not that long ago that sexual offences could only be committed by a male accused against a female victim or that it was not a crime to have sexual intercourse without consent within a marriage. These are now outdated notions and this bill takes further steps to ensure that our laws continue to keep up with current social norms.

Once again I thank Dr Paterson and her staff for their work on this bill. I look forward to working collaboratively with my Assembly colleagues in all parties and key community stakeholders in our ongoing work to prevent and respond to sexual violence in the ACT community. The ACT government is pleased to support this bill today.

MS LEE (Kurrajong—Leader of the Opposition) (3.38): I thank Dr Paterson for her work in this important area. The Canberra Liberals support this bill. This is an area of law reform that was brought by Caroline Le Couteur and discussed at length in the last term. Whilst the intent of the bill was in no doubt, it was clear from the committee inquiry into Ms Le Couteur's bill that there were significant flaws which prevented both the Liberals and Labor from supporting it in that form.

I understand that a significant amount of work has been done to update and improve this bill. One of the recommendations in the committee report into Ms Le Couteur's bill in the last term was to await the outcome of the inquiry of the New South Wales Law Reform Commission into a positive definition of consent. I am pleased to see that the New South Wales government's leadership in this area has driven and informed a large part of the debate that we are currently having in the ACT.

I thank all stakeholders who have contributed to this bill, from victim survivors to community advocates and members of the legal profession. I also acknowledge the work of the sexual assault and prevention working group—the enormous amount of work that they have done to make sure that this bill is in its current form.

I do note the concerns that have been raised by some stakeholders from the legal profession about the possible unintended consequences of affecting the right to a fair trial and the presumption of innocence. In our drive to improve consent laws, we must not take these concerns lightly, and that is why I am pleased to see that Dr Paterson has included a review provision in this bill. Our criminal justice system is not perfect, and perhaps some would say that it is far from perfect. But it does include some fundamental presumptions and protections that we fiercely protect, and the right to a fair trial and the presumption of innocence are a huge part of what makes our legal system what it is today.

Law reform is important, and it is incumbent on us, as leaders of our community and as elected members who have the privilege of making laws that impact everyone in our community, to ensure that our laws reflect, as much as possible, what we as a society have deemed acceptable and unacceptable.

There is no place in our society for sexual assault, no place for sexual activity without consent and in no case for there to be any doubt about consent when it comes to sexual interactions. But there is also no doubt that the legal framework surrounding consent is a complex one, as acknowledged by the Attorney-General. I acknowledge the work that has been done on this bill in a very careful and respectful manner to get it to where we are today.

Of course, law reform alone is not enough. It is an important aspect of change in this area, but it requires public education. It requires a shift in our culture and attitudes. So much of this responsibility lies with everyone in our society.

I thank Dr Paterson for bringing forward this bill. The Canberra Liberals support this bill, but let us not forget that this cannot be the end of the discussion on consent and the work that we must continue to do to end sexual violence and assault in our society. This bill is a good step forward, and we must all continue to not get complacent and to do what is in our control in creating a safer environment for everyone.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (3.42): I would first like to commend and thank Dr Paterson for her continued work on this important issue that impacts on the entire community. Dr Paterson's approach to the introduction of this bill to the Assembly and the way that she consulted with the community was incredibly thorough, and it made sure that the bill was in a really good place to be considered in the Assembly as it was presented. I want to acknowledge all of the work that Dr Paterson has done in making sure that that work occurred before it was brought into the Assembly. Taking the time to get the bill into a position where it is as right as it can be took an incredible amount of work, and I commend her again on that.

I would also like to extend my thanks to all of the people across the community who have worked tirelessly within the community, legal and government sectors to advocate for reform to address the issue of consent in our community. Misconceptions and misinterpretations of consent across our community and our laws have contributed to cultural misunderstandings that perpetuate and excuse sexual assault and violence. Recognising this, there have been increasing calls for the ACT to adopt an informative, communicative model of consent.

This was one of the recommendations of the Sexual Assault, Prevention and Response Program final report. I would also like to commend Dr Paterson for working closely with the Sexual Assault, Prevention and Response Law Reform Working Group in developing this bill and for continuing to engage in the discussions about improvements to the bill, following its introduction to the Assembly.

An affirmative, communicative model of consent is about upholding each person's right to bodily and sexual autonomy. The model legislated through this bill clearly states that consent means informed agreement to a sexual act that is freely and voluntarily given and communicated. This definition is important, providing clarity to our community about what consent is and what consent is not.

I note and support the amendments Dr Paterson has proposed to be made to this bill today. These amendments to the bill and the explanatory statement will provide greater clarity as to how the affirmative, communicative model of consent will operate in practice and reduce the likelihood that these changes will be misinterpreted. I note that the amendments will also enable a more comprehensive review of the impact of the legislation to be undertaken, giving us a stronger understanding of whether and what further work might be required to implement the new law of consent.

The impact of this bill will not be limited to legislative change alone. Legislation can be a meaningful mechanism for community education and cultural change. Reforming the law on consent in this case will support our efforts in the ACT to address and dispel myths about consent and shift community attitudes towards respectful and equal sexual relationships. We know, though, that, while law reform is an important mechanism to improve responses to sexual violence, law reform on its own is not enough and this must be accompanied by wide-ranging community education initiatives focused on achieving cultural change. We heard this loud and clear from the Sexual Assault, Prevention and Response Program's recommendations to government in its report *Listen. Take action to prevent, believe and heal*.

The legislative reforms in the bill will support and be supported by educative and social measures, focused on primary prevention and cultural change—explaining how the model of affirmative consent fits within a framework of equal and respectful relationships. Working to improve our community's understanding of consent is important. It is as important as law reform. As the Victims of Crime Commissioner said:

We cannot continue to hold up the criminal justice system as the ideal justice response for survivors because that is simply a promise we cannot fulfil.

To make long-lasting change ... we need to bring everyone along on the journey for change.

That is what the ACT government work will do.

Finally, this bill will form a part of broader work that will occur within the ACT government in responding to that report. I will be leading this work on behalf of the ACT government and will work very closely with the community on how we respond together to prevent and respond to sexual violence.

I look forward to working very closely with Dr Paterson. I know that she has a personal interest and has shared her own lived experienced and personal story with the Assembly. I know we have all appreciated the sharing of that story to bring us to an understanding of sexual assault, rape and violence in our community and how we can respond to that better. I look forward to working with Dr Paterson and all my colleagues in this place, as well as communities, and listening carefully to victims about how we can better support them as victim-survivors and how we can prevent sexual assault and violence from happening in the first place. I strongly support this bill.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (3.48): I welcome the Crimes (Consent) Amendment Bill 2022. This bill is important legislation that has personal significance to many people in the ACT. I would like to acknowledge the work of Dr Paterson on the bill and thank her for introducing the bill to the Legislative Assembly.

Thank you to all the survivor advocates who have been tirelessly working for reform to consent laws in Australia. I acknowledge that they have been fighting with significant strength for holistic changes to how we approach sexual violence. This has been a long time coming, and I want to recognise the many people who have been working to see the strengthening of consent laws. Having worked with many gender-based organisations over many years, I have sat with people as they have shared their experiences and their determination to make things better. I have seen the development of great resources and tools, and educators keen to share knowledge about how to equip our young people to embrace affirmative consent. However, this needs to be underpinned by strong legislation.

Sexual violence is a complex issue. It has negative impacts on people's physical, mental and social wellbeing. Offences are under-reported, undercharged and difficult to prosecute, yet they cause ongoing and traumatic harm for victim-survivors. While nothing we can do will remove the pain and the impact of sexual violence, we do need to reform our criminal justice system to better respond to sexual violence and protect victim-survivors. The law needs to reflect community expectations that sexual activity should only proceed when there is full and active consent. Consent cannot be assumed.

The ACT government is currently considering the final report of the Sexual Assault Prevention and Response Steering Committee. The full government response will be delivered this year, as noted by Minister Berry. The steering committee has heard

directly from stakeholders, including victim-survivors, and the ACT government is listening to these victim-survivors as they share their stories and advocate for reforms not just to the law and the criminal justice response but also to address the underlying causes of sexual violence and improve support services.

Initial work in anticipation of the recommendations of the steering committee has already commenced, including collaborative work involving the Director of Public Prosecutions, ACT Policing, the Victims of Crime Commissioner and the Coordinator-General for Family Safety to improve the justice system, including by reflecting on past cases.

I acknowledge that Dr Paterson has also worked closely with a range of different stakeholders to make sure that this bill reflects the voices of those who have experienced sexual violence as well as of those who provide services related to sexual violence.

I also recognise that the bill builds on the recommendations and the model provisions proposed by the New South Wales Law Reform Commission in its 2020 report entitled *Consent in relation to sexual offences*. The New South Wales Law Reform Commission conducted a comprehensive inquiry, consulted widely and received almost 200 written submissions. However, this bill does go one step further than the recommendations of the New South Wales Law Reform Commission by introducing an affirmative consent model. This implements the recommendation of the ACT Sexual Assault Prevention and Response Steering Committee and reflects the views of many advocating for consent reforms who thought that the New South Wales Law Reform Commission did not go far enough with its recommendations. Notwithstanding this, I do note, however, that the New South Wales parliament recently passed a similar bill to introduce an affirmative consent model.

The laws for sexual consent need to be simple and strong. This bill recognises that, firstly, consent to participate in an act should not be presumed. Secondly, every person has the right to choose not to participate in a sexual act. Thirdly, a consensual sexual act involves ongoing and mutual communication and decision-making.

While these changes will not address all of the issues with the criminal justice system, they will introduce a positive concept of consent into ACT law and signal what our community considers to be appropriate behaviour. This bill introduces a communicative model of consent that is underpinned by the principles of bodily autonomy and personal responsibility. Every person has the right to choose whether they participate in a sexual act. Every person has the responsibility to determine whether the person with whom they are engaging in a sexual act has communicated informed consent freely and voluntarily.

In addition, the bill clarifies that a person who does not physically or verbally resist will not be taken to have consented to a sexual act on that basis alone. A person may freeze and be incapable of resisting a sexual assault, or they may surrender out of fear. The surrender and freeze response are two of the most commonly reported responses reported by victim-survivors, yet there is a common misconception that these are not a natural response to sexual violence.

As a result, victim-survivors may be concerned that they may not be believed if they cannot say that they actively pushed away or said no to a sexual act. People can respond differently to traumatic situations, and the clarification provided in this bill may assist more people to identify their experiences as non-consensual. It will also send a powerful message to the community that may assist to change prevailing attitudes and misconceptions.

As I have already noted, another key aspect of the bill is to introduce an affirmative consent model into the ACT. This will also address the issues of the freeze and surrender responses. The bill introduces the requirement that a person must take active steps to ascertain whether another person is consenting to a sexual act. In circumstances where an accused person does nothing to ascertain another person's consent, they will no longer be able to rely on a defence of genuinely but mistakenly having believed that the other person consented.

An accused person will also be taken to know that another person does not consent if any belief that the accused has or may have that the other person consents is not reasonable in the circumstances. This is a significant and welcome shift in the law and reflects similar changes that are happening in other jurisdictions as a result of advocacy by victim-survivors.

This bill will have an important role in progressing community attitudes towards consent and helping to remove what is unacceptable behaviour from society. However, while the bill has an important educative role, it does not lessen the complexities that are present in sexual assault investigations and prosecutions. Moreover, we must continue to take holistic action to address sexual violence by improving our criminal justice system and continuing to challenge misconceptions about consensual and non-consensual sexual activity. I commend the bill to the Assembly.

MS CLAY (Ginninderra) (3.57): I am really pleased, as are all my colleagues, to see that this bill is clearly going to pass. Positive consent laws are an issue that the Greens have been campaigning on for many years. We put them in our election platform in 2016 and 2020. We included them in our parliamentary and governing agreement, and it is great to see that it has come to this point now.

This bill we are debating is based on the work of my predecessor Caroline Le Couteur. Caroline first tabled a positive consent bill in 2018. In developing that, she developed a discussion paper and undertook significant research and consultation. Her efforts led to public discussion and brought out into the open the shortcomings and the flaws of the current definition in the Crimes Act.

Her bill did not pass, but it generated a significant committee inquiry, the results of which have informed this bill that Dr Paterson has developed and has worked through so many of the issues. I am really happy to see that this long-running program of work is finally coming to fruition and I am really sorry that the previous version did not pass, because we might be further ahead.

Why do we need positive consent laws? We need them to make it clear what consent really is. We need them to change the status quo. We need them to ensure that seeking consent to engage in sex becomes the norm. We need them to make sure that victims of sexual violence can have a better chance of seeing justice if they choose to seek justice.

The prevalence of sexual violence is unacceptably high. ABS surveys show that almost one in four women have been a victim; 2.2 million women and 718,000 men have experienced sexual violence or assault in their lifetime. We know that the conviction rate of sexual violence crimes is shamefully low and that here in the ACT the number of sexual assault cases proceeding through to prosecution is reducing.

For far too long we have maintained a system in which a woman's testimony has to be corroborated in order for it to be taken seriously. We know how hard it is to find witnesses in these situations. Instead, we simply need to believe women. But our system presumed a woman was consenting unless she indicated she was not. My colleagues have all outlined the very well-known reactions. We all understand this. Victims of sexual violence all respond in different ways, and one of those really common reactions is to freeze up and disassociate during the crime. It is awful, it is absurd, that that natural, well-known response was taken as consent, but that is what our society has done. This legislation will change that.

We also have to make sure that everyone understands this basic social, moral and legal standard. In particular, we have to make sure that our young people understand what does and what does not constitute consent, and the fact that they need to obtain consent. We have seen a great start to that education work with Minister Berry's work, and there is more to be done so that it becomes normalised for young people and so that they all understand that consent needs to be sought and needs to be given.

It is clear that this is not happening. People are not sharing positive consent. This has a devastating impact on the victims of assault. That is one in four women. It is a lot of people. It also has an impact on the people who are not victims, because a lot of women do not feel safe and so they live smaller lives to avoid risks. Why should we have to do that? We should not have to do that. We should feel safe and respected. We should know that we are safe and respected. We should not have to minimise ourselves and avoid risk and look after ourselves. We should just know that we can be.

We know that the vast majority of women are doing that. They are adapting and changing their behaviour because they are frightened of sexual violence. Many women do this. They choose not to walk through a park at night. They walk home from the bus stop with keys strategically placed in their hands. They are fearful of someone walking behind them. They are worried about leaving their drink unattended at a nightclub.

Fear of strangers is high, but the irony is that, by far, most of the sexual violence is perpetrated by someone known to the victim. Sexual violence and assault from a stranger is relatively rare. But that is why we need consent legislation. It is so much worse when assault comes at the hands of someone known to you, someone you trust.

This legislation makes it clear that, whatever the relationship is between two people, consent must be sought and it must be freely given.

Sexual violence comes from a world that enables sexism. They are not the same thing, but they are on a spectrum. Sexual violence does not happen in a vacuum. It is at the pointy end of a culture that says men are worth more than women, boys will be boys, and being assaulted is a risk women should accept and take steps to avoid. A system of law that does not recognise positive consent is part of that culture. It is a system that says it is up to the victim to stop the crime, rather than it being up to the perpetrator to not commit the crime.

Lately we have heard from so many women who have told us that they have been assaulted. They have told us that not only did these things happen and not only did they happen a lot and not only did the perpetrators get away with it but our society helped those perpetrators. It was normalised. These people have shared how colleagues, bosses, institutions, workplaces and our culture backed perpetrators, not victims. So did our laws and our institutions.

In my very short political career, I have been contacted by constituents who have, extremely bravely and extremely generously, told me exactly how this has happened to them. It is horrifying. It is something I am grateful for them sharing with me, though. It is so important for a new politician to hear directly about this from women who have experienced it. Not everyone can talk about it, and I really, really thank those who have come and spoken to me about it.

These issues are really important and they should not be political. Women's safety and gender equality are too important to politicise. I am really pleased to be part of an institution that is getting together and working on this problem. I am glad to see the reform work from Minister Berry. I am really, really pleased to see this bill from Dr Paterson. I am happy to see my Labor colleagues and my colleagues in the Liberals working on this great work. I am really pleased that we are progressing another parliamentary and governing agreement item that was a Greens election commitment. I think Caroline would be really, really pleased with this outcome today.

It is beyond time that we had these laws. I am still really angry that we need these laws. I look forward to the day, very soon, when we no longer need these laws and they just do not make sense anymore because we do not need them. But we need them now. We have needed them for a long time and I am really, really glad that after today we will have them. Sex requires positive consent. Failure to get that is unacceptable. I am so, so sorry for anyone who needed this before and did not have it. We will do better in the future than we have done in the past.

DR PATERSON (Murrumbidgee) (4.04), in reply: I would like to start today by thanking colleagues for their contributions to this debate. I am happy to close debate on the in-principle stage of the Crimes (Consent) Amendment Bill 2022. I take the opportunity to table a revised explanatory statement to the bill.

I am proud to stand here today, representing the people of Murrumbidgee and Canberra more broadly, to effect positive change for our community. I firstly want to

thank my colleagues who have spoken and expressed support for this bill in the chamber today. This bill is not about politics. It is about ending violence in our community and it is about respect. That is why it is so important that it receive the tripartisan support it deserves.

I thank everyone in the Assembly for their positive contribution to help bring about legislative reforms to introduce a communicative model of consent into the Crimes Act. It has long been recognised that the ACT needs to introduce a communicative model of consent. I want to firstly recognise all the advocates, service providers, community groups and organisations, and victim-survivors who have fought for this change for a long time. This bill today is a reflection of that work. This bill is the product of that hard fight. I am so proud to be the one to stand here today to bring this reform to fruition.

However, the people that I stand here today that I really want to recognise are victim-survivors, those people who have been sexually assaulted in our community. Again, I want to say how deeply sorry I am for what has happened to you. I am so sorry if you live with this in silence. I am so sorry if you never found justice. I am so sorry if your darkest, quietest moments are haunted by a deep pain.

I hope you can find some reprieve that I stand here to represent you and to bring about change that will work to stop this violence. I stand here to put into law that every person has a right—a right—to choose not to participate in a sexual act. I stand here today to put into law that a consensual sexual act involves ongoing and mutual communication and decision-making. I stand here to put into law that consent to a sexual act is free and voluntary.

Legislative reform is one step on the long road to end sexual violence. However, I view it as a very important step. We can have all the best practice, evidence-based education programs in the world but if the law does not reflect those teachings then I do not believe we can fully progress to a point of cultural change. I feel confident that the law now provides the clarity that is needed in the community around what is consent and when consent cannot be given.

I want to reiterate that I will continue to work hard alongside services, advocates, victim-survivors and my Assembly colleagues to end sexual violence in this community. I will continue to be a strong advocate on this issue and I will continue to use my position of influence to achieve positive and constructive outcomes.

I want to acknowledge Minister Berry, as Minister for Women and Minister for the Prevention of Domestic and Family Violence, for all the work that she and her team and the directorate undertake. I specifically want to thank key members of Minister Berry's staff, David Ferguson, Melanie Walker and Gabriela Falzon, for their support through this process. I would also like to thank the Attorney-General, Mr Rattenbury, and his office, especially Lewis Pope, for support along the way. I also commend the professionalism and workmanship of the drafters at the Parliamentary Counsel's Office, who have been an absolute pleasure to work with throughout this process and who have gone above and beyond their call of duty.

I would most like to thank my office staff, Anna Gurnhill and Rhys Thompson, for supporting me in this very challenging reform. I would particularly like to acknowledge Anna, who has worked with me from the moment we first discussed this, every single step of the way. Aside from this bill being incredibly legally complex, it has meant that for over a year Anna and I have intensively interrogated, investigated and worked to understand every aspect of sexual assault. Anna's unwavering commitment to this work and to support me is demonstrated in what we have achieved today.

I would like to acknowledge the ACT government's Sexual Assault Prevention and Response Program and all who worked together on the Sexual Assault Prevention and Response Steering Committee, chaired by Ms Renée Leon, that has shone such a light on this issue in the ACT.

I want to thank all our frontline services, who are there to listen, support and take action for and with victim-survivors and those that fight to see perpetrators held to account. We have so many important organisations working in this space in the ACT: the ACT Victims of Crimes Commissioner; the Canberra Rape Crisis Centre; Canberra Hospital Forensic and Medical Sexual Assault Care; ACT Policing; the Human Rights Commissioner; the Director of Public Prosecutions; the Women's Legal Centre ACT; the Domestic Violence Crisis Service; YWCA Canberra; Legal Aid ACT; Meridian Community Health Action; Women with Disabilities ACT; ACTCOSS; the ACT Law Society; and Advocacy for Inclusion, to name just a few. To all of these organisations and individuals: thank you for the work that you do on a daily basis.

This bill shifts the objectives of consent to a sexual act from something that is presumed and can be negated to something that is unassumed and must be given. This model of consent is underpinned by principles of agency, autonomy and responsibility and is based on a culture of healthy, respectful relationships. This bill will focus trials of sexual offences on whether there was positive communication between the parties about the sexual act, rather than whether the victim-survivor resisted the sexual act. This bill ensures that every person in our community has a right to choose whether or not to participate. It is an incredibly empowering piece of legislation.

I have just tabled a revised explanatory statement which I wish to briefly speak to. The revisions reflect comments made by the JACS scrutiny committee and the government's response, and I have included further consideration and explanation against sections 8, 22 and 28 of the Human Rights Act 2004: the right to recognition and equality before the law, presumed innocence, and limitations on human rights. I note in the revised explanatory statement the ACT's existing criminal laws and their relevance to circumstances where there is no criminal responsibility and, specifically in the context of this bill, related to an accused person's cognitive or mental health impairment.

Regarding the presumption of innocence, I wish to clarify that there is no element in the bill which is required to be proven by an accused person or which requires that an accused person needs to introduce evidence to establish their innocence. The change

introduced by this bill is that an honest but unreasonable belief that an accused person has had about the other person's consent to a sexual act is no longer acceptable if the accused person did not say or do anything to obtain consent. The accused person's failure to do anything at all to ascertain consent will not be an acceptable defence. This is in line with growing community expectations about consent and aligns with recent law reform in New South Wales. This is a proportionate reform, taking into account what, if anything, an accused person said or did to obtain consent in assessing the reasonableness of an accused person's belief that consent was given.

Regarding limitations imposed on human rights, it has been argued that the bill limits a person's rights insofar as an accused person must have done something in order to avoid a criminal liability. I wish to assure the Assembly this is not the case. The policy intent for this bill is to introduce a communicative model and to hold perpetrators to account. The objects, part 3, together with the meaning of consent in section 50B, establish that a sexual act requires informed, free and voluntary agreement by the people participating that is communicated by saying or doing something.

A recent legislative review in Ireland found that a proportionate reform for sexual consent would be for the trial to take into account what, if anything, an accused person did to ascertain consent as part of assessing the reasonableness of the accused person's belief in consent. This bill introduces the provision that an accused person cannot rely on silence and inaction to claim that they reasonably believed the other person consented.

Section 67(5) makes provision that a jury must take into account what, if anything, an accused person said or did to ascertain consent as part of assessing the reasonableness of an accused person's belief that consent was given, and in considering whether the accused person's knowledge about consent was reasonable in the circumstances. The limitations are considered reasonable, justifiable and the least restrictive means to achieve their purpose. I believe the provisions of the bill are proportionate to achieve this outcome.

On other revisions in the explanatory statement, I have revised language from "transgender" to broader and more inclusive language which reflects persons of diverse gender identity and expression. This is consistent with the Discrimination Act 1991 and other ACT laws. I have included specific reference to the freeze and surrender responses of sexual violence. These are the two most commonly reported incidents of sexual violence in our community. Naming them clearly and providing distinct reference will help to change community attitudes and will validate victim-survivors' experiences in situations of freezing and surrender as sexual violence, empowering them to report the assault. I have also provided a further explanation of section 67(1)(g) to make it clear that this bill does not introduce a higher test for a victim-survivor's level of intoxication than is the case in the current legislation.

As noted in the report of the Sexual Assault Prevention and Response Steering Committee late last year, law reform is a critical component of more healthy, respectful relationships, as is community education. To quote the report:

The legislative reforms proposed in this report must therefore support and be supported by educative and social measures focused on primary prevention and cultural change, as outlined earlier in this report, that explains how the model of affirmative consent fits within a framework of equal and respectful relationships.

I understand that the ACT government is currently working through each of the report's recommendations and carefully considering how to design, develop, deliver and prioritise a comprehensive educational program. I also note and welcome the committee's recommendations about the important role of training and ongoing education for all frontline workers involved with various aspects of sexual violence and those working in the criminal justice system; resourcing for an ACT Policing sexual assault and child abuse team; expanding restorative justice programs; the review of justice procedures; and further recommended areas of law reform related to penalties, sentencing, bail, workplace and personal protection orders.

I look forward to the government's response to that report and its assessment and prioritising of a suite of programs, activities, policies and resources to combat sexual violence in our community. Thank you.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clauses 1 to 3, by leave, taken together and agreed to.

Clause 4.

DR PATERSON (Murrumbidgee) (4.19), by leave: Pursuant to standing order 182A (b) and (c), I move amendments Nos 1 to 3 circulated in my name together and table a supplementary explanatory statement to the amendments. The amendments are minor and technical in nature and in response to comments made by the scrutiny committee. *[see schedule 1 at page 1352]*.

Amendment No 1 is a technical amendment to the heading at clause 4 to align with other amendments which introduce a proposed new section 50C—"Meaning of sexual act". It has been necessary to amend the heading to clause 4 to recognise not only proposed new sections 50A and 50B but also the amendment for proposed new section 50C.

Amendment No 2 amends the title of section 50A from "Principles of consent" to "Objects—part 3". This provision clearly articulates that an object of part 3—sexual offences—applies to the sexual offence provisions of part 3 of the Crimes Act 1900. The objects of consent for a sexual act are intended to guide the interpretation and application of the sexual offence provisions of part 3 in the Crimes Act 1900. This is a technical amendment which strengthens and clarifies the policy intent.

Amendment No 3 introduces proposed new section 50C, which makes provision for a definition of a sexual act, as requested in the government's response to the bill tabled. The definition is a technical amendment to avoid interpretive difficulties, to create clarity and avoids leaving open any possible gaps in the definition and interpretation of a sexual act for the purpose of sexual offences at part 3 of the Crimes Act 1900. The definition aligns with that of comparable New South Wales legislation.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (4.21): I would like to take this opportunity to express my and the government's support for Dr Paterson's amendments to the Crimes (Consent) Amendment Bill 2022. I will speak to all of them now because my remarks cover each of the amendments. These amendments respond to the comments raised by the justice and community safety scrutiny committee in its report of 15 March this year, and they are the result of effective collaboration and consultation with key stakeholders.

In addition to the amendments tabled today, I welcome the changes made to the revised explanatory statement, which respond to comments made by the justice and community safety scrutiny committee and the ACT government's response. I note that the revised explanatory statement provides clarification about how the bill is intended to apply in practice and clearly sets out the boundaries of behaviours that are designed to support the most vulnerable in our community in the most vulnerable of circumstances.

The revised explanatory statement clarifies that the proposed test in section 67(1)(g) aligns with growing community expectations about consent and is not intended to introduce a higher test to negate consent. That is, it continues to be for the prosecution to establish that an accused person was unreasonable in their mistaken belief in consent, if any.

The revised explanatory statement now clarifies that both surrender and freeze responses have been contemplated by the bill and that the new laws address these two responses through the new principles of consent at new section 50A of the bill. The revised explanatory statement also includes a more detailed human rights analysis of the amendments and modifies its language with reference to gender identity.

That goes to the issues in the revised explanatory statement in terms of the detailed amendments that Dr Paterson has already introduced and will introduce further. I can indicate the government support for all of those. We believe that they both address a number of technical matters that were raised through the development of the bill and also add clarification for issues that have been flagged in a number of questions raised with Dr Paterson. I confirm our ongoing support for each of those amendments.

MS LEE (Kurrajong—Leader of the Opposition) (4.24): I do not intend to speak long on this amendment, only to clarify and confirm that the Canberra Liberals support the amendments. As spoken by the Attorney-General, they reflect the feedback that has been provided to Dr Paterson from the scrutiny of bills committee. I can also confirm that the Canberra Liberals will support the other amendments.

Amendments Nos 1 to 3 agreed to.

Clause 4, as amended, agreed to.

Clause 5.

DR PATERSON (Murrumbidgee) (4.24), by leave: I move amendments Nos 4 to 7 circulated in my name together *[see schedule 1 at page 1353]*.

Amendment No 4—a proposed new section 67(2)—omits the subsection to substitute with a proposed new subsection which creates clarity that the “same person” is the “accused person”. This amendment in language will avoid interpretive difficulties.

Amendments Nos 5 and 6 both create clarity for the purposes of section 67(3) that the “same person” is the “accused person”. This clarity of language will avoid any interpretive difficulties.

Amendment No 7 creates clarity and consistency in language for the purposes of section 67(4) that “a person” is “an accused person”.

Amendments Nos 4 to 7 agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7.

DR PATERSON (Murrumbidgee) (4.26), by leave: I move amendments Nos 8 and 9 circulated in my name together *[see schedule 1 at page 1354]*.

Amendment No 8 is a technical amendment which changes the heading of proposed new section 442D about the review of the provisions of the bill.

Amendment 9 affects proposed new section 442D(3) and requires that the minister must present a report of the review of the operation of this act to the Legislative Assembly within 12 months after the day the review is started. The bill, as tabled in February, had a six-month time frame. The government’s response to my bill recommended this be amended to 12 months to allow an appropriate amount of time to undertake the review, including any public consultation, meet cabinet deadlines and table the report, and allow for a more comprehensive review.

Amendments Nos 8 and 9 agreed to.

Clause 7, as amended, agreed to.

Clause 8.

DR PATERSON (Murrumbidgee) (4.28): I move amendment No 10 circulated in my name. *[see schedule 1 at page 1354]*.

This is a technical amendment only which gives effect through the dictionary to a new definition of “sexual act” at amendment 3.

Amendment agreed to.

Clause 8, as amended, agreed to.

DR PATERSON (Murrumbidgee) (4.29): In closing, I want to state again that I welcome the comments and tri-partisan support for this bill and the debate we have had here today. This bill is a moment for justice for victim-survivors in the ACT, and it is a significant step on our journey to end sexual violence in our community.

Title agreed to.

Bill, as amended, agreed to.

Government—land release program

MS LEE (Kurrajong—Leader of the Opposition) (4.30): I move:

That this Assembly:

(1) notes:

- (a) in 2014, a review of the National Capital Plan was undertaken to better balance land use options for the ACT;
- (b) in 2016, the National Capital Plan was amended, greatly reducing the amount of ACT land controlled by the Commonwealth and transferring it to the jurisdiction of the ACT Government;
- (c) as part of the amended National Capital Plan, the National Capital Authority identified 726 hectares of land in Tuggeranong, west of the Murrumbidgee, as suitable for potential residential development; and
- (d) the ACT Labor-Greens Government has the jurisdictional authority to release this additional land in West Tuggeranong for residential purposes;

(2) further notes:

- (a) there is a housing crisis in Canberra, driven in part by the decisions of the ACT Labor-Greens Government;
- (b) 12 417 Canberrans applied for 101 blocks of land in Whitlam in March 2022;
- (c) 8 700 Canberrans applied for 71 blocks of land in Macnamara in February 2022;
- (d) 7 484 Canberrans applied for 115 blocks of land in Taylor in October 2021;

- (e) 7 566 Canberrans applied for 92 blocks of land in Whitlam in March 2021;
 - (f) there is clear demand for blocks of land for detached housing, and the Labor-Greens Government's land release strategy does not meet the community's needs or wants;
 - (g) more must be done to increase the supply of detached housing in Canberra; and
 - (h) medium and high density housing, such as townhouses and apartments, form part of a balanced approach to provide more choice; and
- (3) calls on the ACT Government to:
- (a) provide Canberrans with more choice, including land for detached and medium-density housing in the Indicative Land Release Program;
 - (b) give proper consideration to possible future suburban sites now permitted by the National Capital Plan;
 - (c) commit to a feasibility study into the West Tuggeranong site and its potential for residential development and in doing so, take into consideration:
 - (i) housing affordability for thousands of Canberrans who want the option to purchase land for a detached house;
 - (ii) identification and assessment of environmental impacts, including minimisation, mitigation and offsets; and
 - (iii) the future infrastructure needs of any potential new residential development to deliver essential services; and
 - (d) report back to the Assembly by the last sitting day in 2022.

The ACT is in a housing crisis. We have the highest median rents in the country and the median price for a house is over \$1 million. Tens of thousands of Canberrans have entered land ballots over the last 18 months to buy a meagre 379 blocks. Yet this Labor-Greens government is sticking to its untenable housing policy that is depriving Canberrans of genuine choice when it comes to housing options. The government runs all these lines, of course, about the nationwide housing costs, about federal level tax settings and about interest rate rises. Yes, the housing crisis is not limited to the ACT. I have always acknowledged that there are a complex and diverse range of factors that affect housing affordability. But there are policy levers within the control of this local government.

Labor and the Greens are ignoring the reality. They are ignoring their own responsibility in refusing—out and out refusing!—to use the levers at their disposal to improve housing affordability in Canberra. It is within their power to increase the supply of land for housing and they are doing nothing.

In particular, I am talking about the supply of the housing we know that people want: detached houses, townhouses, dual occupancies and low-rise apartments. West Tuggeranong is an area that has long been considered part of Canberra's residential development future. It is an opportunity to undertake best practice housing

development, carefully balancing environmental considerations with a need to build more housing to improve affordability and choice for Canberrans.

In a 2015 report, the National Capital Authority suggested that an area of 726 hectares could be developed whilst retaining strong environmental safeguards. They estimated this would accommodate between 15,000 and 20,000 people, depending on the housing mix. This is an area that is within close proximity to existing infrastructure—essential services like education, health care, supermarkets, community services, employment and public transport—and there is real potential here to grow the Tuggeranong town centre to make sure that Tuggeranong maintains its vibrancy for the future while providing land to help address Canberra's housing crisis.

Let me be clear—because the minister for planning is all-too-predictable—my motion very clearly calls for a feasibility study for the development in the west Tuggeranong area which will specifically take into consideration a number of factors, including, very importantly—and I quote from my motion:

... identification and assessment of environmental impacts, including minimisation, mitigation and offsets.

It is a given that any government that has responsibility for development will and must balance the needs of our growing community with the protection of our local environment. What our community wants to see, what our community needs to see, is a government committed to taking those steps to actually address our housing crisis by committing to a feasibility study in this area.

In this housing crisis, it should be a priority for this Labor-Greens government to not only increase the supply of homes across Canberra but also provide real, genuine and viable options for the types of homes that Canberrans need and want. The 2015 housing choices survey, the Winton report, made it clear that an overwhelming majority of Canberrans want to live in freestanding homes and medium density townhouses. Yet those opposite have dictated that a staggering 70 per cent of new dwellings must and will be high-rise apartment towers, when the Winton report found that fewer than two per cent of Canberrans actually want to live in high-rise apartment towers.

This Labor-Greens government must give Canberrans the freedom and autonomy to live the way that they want, instead of dictating that they live the way that the government want. It is incumbent that it governs for Canberrans, not governs for itself. For some, high-density inner city apartments suit their needs very well, but others need and want more space and other options when it comes to housing. We cannot punish these Canberrans by making these homes more and more expensive, to the point where we are seeing that they are only available to the wealthiest in our community.

In the last sitting period, I brought a motion to this chamber calling on the Labor-Greens government to review and reframe their 70-30 infill policy that is having devastating effects for tens of thousands of Canberrans who desperately want land for detached housing and mid-density options. What was their response?

Mr Gentleman got up in this place and completely rewrote my motion and simply congratulated himself and his government mates on a job well done. Where is the responsibility in that? Where is the accountability? Where is the understanding and where is the empathy in that?

In the weeks since, I have also called on the Labor-Greens government to commission a new housing choices survey so that we can have fresh data to inform the future of land release development and planning for the ACT. What was their response this time? Radio silence.

Ministers in this Labor-Greens government have claimed in this place that the ACT government only controls two per cent of the housing market. That is a ludicrous claim. The ACT government owns and controls almost all of the land that can be developed in the ACT. It controls what it sells on to property developers. It controls what land is released on the Indicative Land Release Program and it controls what can be built on it. It controls whether it is an apartment building, a set of townhouses or detached housing.

The Canberra Liberals have made it very clear that we firmly believe in giving Canberrans choice when it comes to housing. Whether they want to live in an apartment or a studio, a townhouse or a freestanding home, that is a choice that Canberrans should have genuinely available to them. Government should not be making that choice for Canberrans, nor should it stand in the way, actively dictating that 70 per cent of Canberrans will live in a high-rise apartment tower whether they like it or not.

This Labor-Greens government cannot hide any longer. The Chief Minister, his cabinet, the Labor-Greens backbenchers cannot stay quiet any longer. It is all very easy for Labor-Greens members in this place to throw around words like “choice” and “a home for all”, but when it really comes down to it, actions speak louder than words and actions and decisions speak louder than slogans. What we have seen from this Labor-Greens government is hypocrisy. As always with the members opposite, it is a case of “do as I say, not as I do”. The vast majority of members of the Labor-Greens government, who live in detached houses or townhouses. They got one, but you are not entitled to one.

The Labor-Greens government backbenchers must make a choice between the same government that has spent the last 20 years restricting land supply and making ACT homes some of the most unaffordable in the country or agreeing that it is time to explore options for the future.

When I have been down talking to locals at Tuggeranong—and I will be there again tomorrow—the overwhelming feedback that I get is about the housing crisis, from young people who are dismayed at seeing their dream of owning their own home slip away under the Labor-Greens government, through to parents and grandparents who see the struggles their children and grandchildren have in trying desperately to access housing, those Canberrans who know that, under this Labor-Greens government, the opportunity to live in their own home is quickly becoming a reality that is only available to the wealthy. This is unacceptable.

The Canberra Liberals believe in housing affordability and housing choice. We believe in giving all Canberrans the opportunity to live in their own home if they wish to and allowing them to dream to own their own home if they wish to. I urge all members to support my motion calling for a feasibility study into the future of the west Tuggeranong region. I commend my motion to the Assembly.

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) (4.40): I would like to thank Ms Lee for bringing this motion on behalf of Senator Seselja, and providing an opportunity for me to talk through some of the detail of the various studies in this area and what they have found. While some of the components of part 1 of the motion are acceptable, the majority of the motion is not.

I move:

Omit all text after ‘That this Assembly’ and substitute:

“(1) Notes that:

- (a) the ACT Government conducted initial planning studies in West Murrumbidgee in 2015 and found that:
 - (i) the area is restricted in terms of conservation areas and reserves, threatened species and ecological communities, heritage and topography;
 - (ii) the environmental constraints and topography both limit the developable area and make infrastructure servicing expensive;
 - (iii) the Murrumbidgee River is a significant boundary to urban development, both from a landscape and practical perspective; and
 - (iv) other areas need to be considered to determine if they could be developed more effectively and with less environmental impact;
- (b) the ACT Government considered development in West Greenway, between the Tuggeranong Town Centre and the Murrumbidgee River, in 2016 and found that:
 - (i) community, sporting and environmental groups opposed the development; and
 - (ii) the area close to the Murrumbidgee River corridor is home to endangered flora and fauna as well as natural and built heritage sites;
- (c) the ACT Government has commenced preliminary investigations for potential future greenfield development in the Western Edge; and
- (d) the ACT Government ruled out development in West Murrumbidgee in the 2018 Planning Strategy;

(2) further notes that:

- (a) Australia, including the ACT, is facing significant increases in house prices;

- (b) development of greenfields land takes approximately seven to ten years before housing is available, due to a range of factors;
 - (c) the ACT Government is committed to ensuring 70 percent of development is within our existing urban footprint;
 - (d) the ACT Government is committed to protecting environmental habitat and ensuring proper environmental assessments are conducted prior to any land release;
 - (e) the ACT Government is committed to taking action on climate change which, as highlighted by recent IPCC reports, requires less urban sprawl and more high-quality climate-resilient infill along transit corridors that are well-served by public and active transport; and
 - (f) Legislative Assembly Committees are investigating several specific areas of housing and rental affordability, including vacancy rates and the impacts of the platform-based short-term accommodation sector; and
- (3) calls on the ACT Government to:
- (a) continue a policy of 70 percent urban infill and 30 percent greenfields development;
 - (b) continue identifying suitable locations for additional medium density development in our inner suburbs; and
 - (c) provide an update by the last sitting day in 2022.”

Senator Seselja may be right in the initial changes to the National Capital Plan that have been made, but he is being misleading and lacking some detail of what else is required. Under federal and ACT laws we would need to spend some years undertaking environmental and planning studies to ensure that this land is appropriate for development. Even if Senator Seselja manages to have this land sold directly to a private developer, they will need to do the same planning studies. In fact, as our chief planner, Mr Ben Ponton, said in a committee hearing just last week, it usually takes seven to 10 years from identifying land potentially suitable for development to houses being built.

Building a new suburb requires environmental studies. These studies often cannot be rushed. Checking whether an endangered species is present during breeding season is usually something that can be done only at a specific time of the year. Our newest suburbs need electricity, water, sewerage and roads. These developments are paid for by ACT taxpayers and ratepayers, and it is on us as the government to ensure that this is value for money, both for the residents of our new suburbs as well as for the rest of the Canberra community. So the ACT government also plans for our new suburbs to have schools, shops and community facilities. Planning for these facilities also takes some time.

The ACT government continues to release land ahead of population growth. We continued to release land when there was a slowdown in the market in 2019. As Mrs Kikkert noted in a hearing just last week, the Auditor-General found that the ACT government had hundreds of blocks of land available for sale over the counter. It proved to be a smart move to have the serviced blocks of land available for people to purchase when they were ready. Once various COVID stimulus measures kicked in,

these measures provided incentives to purchase house and land packages, and we have seen the market respond to these incentives with an increase in demand for house and land packages.

Continued provision of land and having an inventory available comes at a cost to ACT ratepayers. The ACT government continues to fund due diligence and infrastructure servicing so that there is available land for the future where the market changes, which is what has happened recently. The ACT government is continuing to monitor population trends and will continue to release land ahead of population predictions. We will also continue to release land considering household formation and demography considerations, to make sure that the range of housing choices reflects a range of different households in the Canberra community.

When it comes to land supply, the role of the private sector is increasing as more and more land transfers to private hands and is no longer directly controlled by the government. Looking at what the private sector provides, as I said in the last sitting week, that housing supply is also about making more efficient use of the land and infrastructure that we have in our existing urban footprint. Adding density to our cities is housing supply. I have also said that rezoning and lease variation contribute to high- and medium-density options in our existing suburbs. As a result, this type of development will not necessarily show up in government land release statistics. This remains true.

The private sector plays a crucial role in providing land for redevelopment. This type of redevelopment is critical to meeting the government's target of 70 per cent urban infill, and the government will continue to boost housing supply in our inner suburbs by carefully considering rezoning opportunities. The Grattan Institute submission to the Productivity Commission's report into the National Housing and Homelessness Agreement shows that the most effective thing that a government can do to boost housing affordability is to increase density in our inner and middle suburbs, and this is what we are doing. Rezoning has allowed for a range of high- and medium-density housing options in our inner suburbs. These high-density housing options have also brought shops, restaurants, services and a thriving nightlife to previously underutilised areas right on the doorstep of our biggest employment centres.

The original motion covered in some detail the federal government's history with West Murrumbidgee, but conveniently ignored the complementary work and considerations of the ACT government on West Murrumbidgee, as well as the more limited area in western Greenway. When the federal Liberal government directed the National Capital Authority to investigate West Murrumbidgee for development in 2014, the ACT government, of course, provided input into these decisions. We advised the federal government of the economic and environmental constraints on development in the area. Only a small proportion of the area investigated would likely be able to be developed, and that potentially developable area was even less once we considered issues such as fire safety, water quality protection and topography. The area identified for potential development contained some of the largest, best-connected patches of box gum woodland that would require substantial buffers from both the river corridor and the conservation reserve.

In addition to the ACT government's consideration of the area, the National Capital Authority conducted its own report and found that West Murrumbidgee has plenty of development challenges. The NCA report into the area found that it would likely be home to around only 14,000 residents—fewer than the population of Kambah. The cost of building roads, bridges, water and sewerage across the Murrumbidgee River was found to be one of the most expensive areas for potential development in the ACT. In particular, development in this area would likely require a new water treatment plant. Bridges across the river would be expensive. Water quality impacts were also found to be significant. The infrastructure costs would mean that either blocks of land would become very expensive or, alternatively, the rest of the ACT ratepayers would be subsidising these homes. We also advised that there are more suitable areas to look for urban development, which is what we are doing with the Western Edge Investigation Centre.

The ACT government, separately from these federal concerns, looked at development in western Greenway for many of the beneficial reasons identified by Senator Seselja and Ms Lee. It is close to the Tuggeranong town centre and will prevent the town centre from being on the western fringe of Tuggeranong. The ACT government has already done some of the work to assess this area for development and, to date, the community has been very opposed to development in the area. In 2016 the ACT government asked people in my local area of Tuggeranong to provide feedback on their ideas for development between the Tuggeranong town centre and the Murrumbidgee River corridor. The response from the local community was overwhelming, with more than 1,000 contributions to this consultation, the vast majority of which oppose it. The opposition was not a surprise to me, as local member.

The Murrumbidgee River corridor has significant environmental value. Western Greenway is also a hub for community recreation, and this space between the Tuggeranong town centre and the river provides a space for Aussie Rules football, hockey and archery, and will soon be home to an ice sports facility. There are also walking and cycling tracks around the river. More residential development in this limited area, being close to the town centre, would likely be high- or medium-density development and perhaps force some of these community sports facilities to find a new home.

Those of us who represent the local area know how much people in Tuggeranong use and value this space for sport and active recreation, so I think it speaks volumes that this motion is not being moved by Mr Parton or Ms Lawder. If they listened to the community like I do, they would know that the Tuggeranong community has a longstanding opposition to development in this area. Maybe Mr Parton should spend less time on TikTok with his party faithful and more time listening to the diversity of views of the Canberra community.

Consultation reports about western Greenway are available on the YourSay website, and if the Canberra Liberals would like to do some homework for this proposal, they can have a look at that. Development in West Murrumbidgee was ruled out by the ACT Planning Strategy released in 2018, and the ACT government ruled out this development on the grounds of environmental impact, infrastructure requirements and

cost. The then Standing Committee on Planning and Urban Renewal conducted an inquiry into the 2018 planning strategy during the Ninth Assembly. The Canberra Liberals raised no issues when the removal of West Murrumbidgee from consideration for development was put. There were no recommendations to government through the committee process that we include West Murrumbidgee in future land release. So we are only seeing the opposition raise this issue now that Senator Seselja is under pressure in a federal Senate campaign.

The Leader of the Opposition spent quite a bit of time and energy last year telling our local media that she is not the puppet of Senator Seselja. Well, I find it incredibly hard to believe. Here she is using the Legislative Assembly to pursue one of Senator Seselja's pet issues. Is development in West Murrumbidgee something that really matters to the opposition, or are they simply doing Senator Seselja's bidding? It is clear to me that in identifying the area for future development the Canberra Liberals are beholden to the policy agenda of Senator Seselja. Why else would they bring forward a motion like this? It is one of Senator Seselja's pet projects. Of course, like so many of Zed's other pet projects, it is the opposite of the wishes of the community that he is meant to represent. Canberrans want their leaders to protect the bush capital.

All week we have seen the Canberra Liberals spouting Zed's campaign lines in this chamber. They have clearly run out of ideas of their own, and Zed is clearly still in charge of these conservative Canberra Liberals. It seems that this week the ghosts of opposition leaders past are once again haunting Ms Lee and the chamber. This was very clear this morning, when Ms Lee did not know what area her motion related to and did not know where Pine Island was. The Canberra Liberals were all over the place here on land release and housing supply. They point to any undeveloped land and declare the government is holding it back, whether or not the land is owned or controlled by the ACT government, and regardless of any environmental or budgetary considerations.

The ACT government is not just ruling out development in this area out of hand. It might look easy and simple to someone with no experience in government, but we have given careful consideration to Canberra's land supply needs and careful consideration to our future areas of growth. We have thought about our household types and sizes, and the diversity of households in Canberra. We have thought about the economic and environmental impacts of development in various parts of Canberra. All of these factors say that West Murrumbidgee just does not stack up as our next development area.

MR PARTON (Brindabella) (4.53): I was having coffee with my mate Benny Mack, who I played footy with in Victoria. He was visiting Canberra, and we were having coffee on Anketell Street in Tuggeranong. It was cold, and he was rugged up. He said to me, "What do you call the place where we are right now?" I said, "This is Tuggeranong town centre." He said to me, "No, it's not." I said, "It is, Ben. It is Tuggeranong town centre." He said, "If it is Tuggeranong town centre, what is all that open space out there?"

I said, "Well, if you go back to the start, when they developed down here, this was always supposed to be the town centre because they were going to build suburbs on

that side. Then the growth of Canberra slowed, and the powers that be at the time pressed pause on that, and they never really got back to it.” To me, that is a pretty sensible clarification to someone from out of town about why Tuggeranong town centre is not a town centre and that it is on the western edge.

We are at the height of a housing affordability crisis in Canberra, but I think it is very clear, as has been so clearly articulated by Ms Lee, that it is clearly worse here than in most other parts of this country. Despite what our Labor and Greens MLAs might want to hear, so much of this is about the long-term failure of their parties in the planning space around land supply. I am not going to trot out those land ballot numbers again for Whitlam, Macnamara and Taylor, but they are absolutely indicative of an undersupply of land in the territory.

There are those who believe that this is part of a wider plan to force more Canberrans into high-rise apartments. Those theories do not come just from us; they come, most notably, from one of this city’s Labor heroes, former Chief Minister Jon Stanhope, because, as much as Mr Gentleman tries to trash the vision that is being presented here, it is a vision which is clearly shared by the man who sat in that chair, as Chief Minister for the Labor Party, for such a long period of time. Those opposite have not been able to fool him.

It is almost as though a group of Labor and Greens insiders sat around in a planning session after Mr Stanhope departed. They might have acknowledged that the Winton report into housing choice clearly showed that the overwhelming majority of Canberrans wanted to live in a standalone house, so at this progressive think tank, behind closed doors, they sat around with a whiteboard and dreamt up ways to end that—to crush the dream of house ownership and to drive people into apartments. I can imagine that someone said, “Here’s an idea. Surely, if we make the price of a house far too high for normal people to afford, they will be left with no option other than to leave and take their conservative voting values into New South Wales or to buy one of our thousands of apartments.”

I think this suggestion would have been met with knowing nods and much support. I am sure most people in that room already owned a standalone house—and if they were Greens they probably owned multiple properties—so they would all be fine. They would all be fine because they have their houses, and for the rest of the masses it is just, “Let them eat cake. Just let them eat cake on their apartment balconies.” Jon Stanhope, Khalid Ahmed, the MBA, the Real Estate Institute and many others believe that this is what is going on here.

Peter Tulip, who is the chief economist at the Centre for Independent Studies and used to be with the Reserve Bank, said recently on social media:

Canberra arguably has the most dysfunctional housing market in the country.

An ex-RBA chief economist with the Centre for Independent Studies said that Canberra arguably has the most dysfunctional housing market in the country, with the highest median rents, despite vast empty land near the centre. This highly credentialed independent commentator said on 29 April:

The problem is that the ACT government withholds land to boost monopoly profits.

When he was asked about Senator Seselja's plan to release the CSIRO land, he said:

This would help make housing in the ACT affordable, and I hope that other ACT politicians make other proposals along these lines.

That is what he said. He said that, unfortunately, other candidates seem more interested in subsidising public housing, and:

This is empty symbolism. It does little for affordability at large cost to the taxpayer.

He closed by saying:

You do not need large subsidies to make housing affordable. Just let builders build.

That is what he said: just let builders build. That is what we, on this side of the chamber, are keen to do.

Today in particular, we see the stark distance between the planning vision that they have and the vision that we have. On the day that we are debating a motion that would potentially allow thousands more Canberrans to realise their dream of owning a house, we finally get to see what has been, up until this point, the secret report that the government had. They were sitting on it. It gives some insight into their plans for the light rail corridor between the lake and Woden. What an amazing vision it is! The report only came to public view because of a freedom of information request. It sees a whole new urban heat island feel to some parts of our city that we all know and love. It talks about cramming 30,000 dwellings into that part of the light rail route between Parliament House and Woden. Thirty thousand dwellings!

The report concedes that the planning laws would have to be radically overhauled, regarding density and height limits, so that we can create our own little part of New York or our own little part of Shanghai right here in Canberra. They are talking about 1,900 dwellings on the Curtin horse paddocks. I reckon that is going to look great! This is extraordinary. And I am pretty keen to hear from the people of the inner south with regard to the dismantling of their part of Canberra as we know it.

While all this is playing out in the inner south, let me tell you that Tuggeranong is going to be left to wither on the vine. The government's long-term planning vision sees the population of Tuggeranong declining. The government's long-term planning vision sees the population increasing in every town area except Tuggeranong. It sees Tuggeranong stagnating and then declining.

Let's have a look at the indicative land release program from the government. This program rolls out until 2025-26. In the five-year period that it encapsulates, how many blocks do you think they are releasing in Tuggeranong? The whole program is

16,400 blocks, across five years, across the entire city. How many do you think there will be in Tuggeranong? Will it be a thousand or 500? There is not one single block in Tuggeranong.

Let me make it clear to the people of the deep south that those on the government side of this argument will not support our motion and they will say that it is because we are being reckless and they care about Tuggeranong. In reality, it is because Tuggeranong is irrelevant to them and they want to make it even more irrelevant. What makes the people of Tuggeranong think that the government is ever going to spend serious time, money and effort in an area of the city that is, by their design, declining in population? What makes them believe that their children and grandchildren will ever have employment opportunities? What makes them think that the government will ever fund schools properly?

Another set of figures came out which showed that a stack of Tuggeranong schools are under capacity and continue to decline. It is no coincidence that, as the number of Tuggeranong schools are teetering on the brink of unviability, we have a new school about to open in Googong—no way!—because that is where the people of Tuggeranong are going. What makes the people of Tuggeranong think that this government will ever spend money on their roads or fix their footpaths?

At the end of the day, what do you think will happen with the government's own landmark infrastructure project, the light rail line? Let's talk about the light rail line. What makes you think that they are going to spend \$3 billion-plus to build a light rail line to the only part of town where the population is declining? Come on; get a grip, down south!

When the local Greens member, Mr Davis, stands to speak and rejects even the suggestion of assessing the feasibility of progressing with residential development in west Tuggeranong, he is actually showing contempt for the valley. Mr Davis is the business spokesman, is he not? I am sure he is. He is showing contempt for the valley and conceding that we are just going to wither on the vine. So I strongly support the motion in its original form.

MS CLAY (Ginninderra) (5.03): I would like to speak about Ms Lee's motion and about Minister Gentleman's amendments to that motion, and I would like to tell a story. It is a story we hear a lot in here. We usually only hear it in slices, but it is really important to tell this story the whole way through. It is not very helpful if we just look at tiny little bits out of context.

There is a context for this story. The context for this story is that we are in a climate crisis. We are in an extinction crisis. We have a massive loss of habitat. We are losing habitat faster than at any other point in history. And we have a homelessness crisis. This is not a distant, global story. These things are happening here. These are all things that we have given words to here—that we have acknowledged here. Frankly, they are all things we have directly and tangibly experienced, but I think a lot of people in here simply do not believe they are happening.

We all lived through the black summer. We all choked through smokepocalypse. We have just seen Australian towns go underwater. We are seeing countries literally begging people to help them because the sea is rising to swallow them up. We understand that this is happening, but it does not seem to affect the decisions of some people in here. We have an extinction crisis, and we have a lot of really precious habitat in our region. We have grasslands that you cannot find anywhere else in the world. We have already lost 99 per cent of those grasslands. They have gone forever, and they are not coming back. There is a cumulative impact of each little carve-up for development. We have to look at that so carefully before we do it.

We also have a homelessness crisis. This is a Greens story. The Greens are always talking about people and the planet. And the reason we talk about both of those things is that we know we have to look after both of them. There can be tensions between the two, but we can actually look after people and the planet if we take the whole together. We put that at the heart of our election campaign in 2020. We said that climate and homelessness are the two biggest things that matter and that we are going to make sure we do something about it. We put those at the heart of our parliamentary and governing agreement.

We have two Greens ministers working in these fields. We have Minister Shane Rattenbury, who is our Minister for Energy and Emissions Reduction, and we have Minister Vassarotti, who is our Minister for the Environment and Minister for Homelessness and Housing Services. These things matter, and we cannot be dismissive. We know that people need a home, and people also need a planet that they can live on. We need both. We will have both, but we need to make smart, careful, balanced decisions if we are going to have that.

Ms Lee's motion calls for a feasibility study to develop west Murrumbidgee for housing. Mr Gentleman's amendments and his statement explain that this area has already been looked at and it has been ruled out. He said that studies show that the area is too environmentally precious and that it means we would sprawl too far out beyond our urban footprint.

I want to talk about urban sprawl just for a little while. Urban sprawl is something we often discuss and dismiss, but actually it is not a simple concept. Urban sprawl is really expensive. We have to build roads and schools. We have to find transport. We have to connect up all our municipal services. Fortunately, we do not have to connect up gas anymore, but we still need water and electricity. Cheap housing is not cheap at all for the taxpayer. We have to pay for all of that. It is not cheap for the resident, who will often find that they are stuck in a car in a long commute to get wherever they need to go. Rising fuel prices are really showing that a lot of people who have bought into these homes cannot afford to leave them anymore. That is a problem. We cannot afford to set that up.

Urban sprawl also costs the planet. I am just going to pause here and talk about the latest IPCC report for a little bit. The IPCC tells a lot of stories—it has been telling them for a long time—and the stories have shifted in recent years. The IPCC is speaking with more urgency and with much greater clarity and certainty. It is also

delving into the detail, because the scientists who are producing those reports are so frightened by the decision-making they see around them. It is as if people simply do not understand and accept the reality of what is being said.

The latest IPCC report has delved into urban planning at quite a detailed level. It says that we need more infill, not more sprawl. We need more public and active transport. We need clear transport corridors that are really well serviced. We need trees, and we need to protect the trees we have and protect the areas we have. The IPCC report says that urban planning matters and that urban planning is key to climate action.

Urban sprawl is also a really slow way to create homes. When we have people who need homes, it is a bit of a fake promise. We have to plan the new suburbs. We have to build roads and schools and shops. We have to build housing. We need a construction industry and supplies, and we all know how long that takes and what the delays are. We have heard that greenfield suburbs are seven to 10 years away from a home. So any new greenfield site is likely to be a decade off from delivering a new home to somebody who needs one right now. That is why our government policy on urban sprawl is 70-30. We will keep 70 per cent of our development within our existing footprint.

The Greens policy actually goes much further than that. We want it to be 80-20. We want to keep 80 per cent of our development within our footprint because we understand that we cannot keep spreading outwards. Eventually, we need to draw lines and stop doing it at all. We understand that every single choice about a greenfield suburb matters. It is important that we do careful environmental assessments, and it is important that we assess against other risks—growing climate risks like bushfire risks.

The Greens understand this really well, but the Liberals seem confused. I was a bit horrified in our last estimates when we were talking about the western edge. We heard a lot of questions about the western edge from a lot of different members, and it was really good to see that detailed level of interest. But some Liberal members seemed to have a very strong narrative: “Minister, when are you releasing these sites? How many homes? When will you release them? Do it faster. Do it now.” And we had other Liberals members saying, “Minister, can you tell us about the bushfire risk in these zones? Minister, can you tell us how you are going to protect Bluetts Block? Minister, can you tell us how you are going to protect the environmental area? Minister, are you sure you are being careful enough?” It was hard to put all that together into some kind of cohesive narrative. It was almost as if we were hearing, “Develop. Protect. Do it all faster.” We cannot make our decisions that way. It is not a good way to build a city and it is not a good way to look after our planet or our children anymore.

We have a homelessness crisis, and we Greens went into the last election knowing that. It is now broader than a homelessness crisis; it is now an affordability crisis as well. Like the rest of Australia, like everywhere else in the world, the ACT is experiencing this, and it is devastating. The causes are really complex, and it is not helpful to people if we simplify them too much. We understand a lot of these causes. We have rising house prices and rent, and we have a tax system that makes it easier

for you to buy your fifth home than to buy your first home. We do not have enough social and public housing. We have a growing population and changing demographics. We have got vacant properties sitting there that could be homes but are not. We have delays in the construction sector and supply chains. We have new business models springing up that provide short-term rentals, like Airbnb, that are disrupting the market.

The problem is really complex, and the solutions are also complex, and we have quite a lot of them already underway. We are making a huge investment in public and social housing. We are putting in over \$1.2 billion to grow and renew our public housing stock. We have dedicated at least 15 per cent of the annual residential land release program to affordable community and public housing. We have offered the Land Rent Scheme to people. That lets you rent land rather than buying it to build a home. We have offered the Home Buyer Concession Scheme to eligible participants so that they can buy land or a home with no stamp duty, or they can do both of those things.

We have also waived land tax for home owners who rent their properties at less than 75 per cent of market rent through a registered community housing provider. I want to pause on this one. This was a measure introduced by Greens member Caroline Le Couteur. It is an interesting scheme and a really good one. The Greens understand that a lot of our problems are caused by the fact that we have turned housing into an investment, and we have moved away from looking at housing as a home. That means that some people have lots and lots of houses and some people have no home at all. It is a broken system. But this scheme is a great way to combine investment and homes. You can use this scheme to make your financial investment somebody else's home. It is so effective, and I would encourage anybody who is a landlord or a potential landlord to look at this scheme.

We have more solutions on the way. We have committed to funding for homelessness, with an investment of over \$12 million so far. I know that Minister Vassarotti is really connected to this work. She has been working on it for a long time, and it is very satisfying for her to bring this work to fruition. We have build-to-rent affordable housing coming in the form of Common Ground Gungahlin and Dickson. We have supported the establishment of an Aboriginal and Torres Strait Islander controlled community housing provider and we have committed to delivering an additional 600 affordable homes by 2025-26.

The Greens understand that there are always new ideas, and we are always looking for new ideas. My colleague Mr Davis has brought forward a couple of good motions recently that we are looking at. We are looking at vacancy rates, because we understand that if there are properties that are vacant—properties that could be somebody's home—we need to understand why they are not somebody's home. What is going on there, where are they and what do we do about it? He has also brought on a motion about short-term rentals, Airbnbs. It is good when we start looking at these other ideas, but unfortunately we are not seeing new ideas from the Canberra Liberals; we are seeing the same ideas that have already been looked at in depth and dismissed on sound financial, economic and environmental grounds recycled over and over.

We know it is not going to help our planet and it is not going to help our people to launch new greenfield sites in an ecologically sensitive area that will take years and years to develop. It is a false promise to do that. These sites are so far outside our footprint that we cannot build there in a climate-resilient way, we cannot build there in an efficient way, and we cannot build there so that people have a really good car-free, cheap way to get into the city. We cannot set people up for a decent lifestyle in a changing climate with increasing bushfire risk if we do this.

It is a story of climate change, homelessness and housing, and we need to look at the whole story. We cannot just pick off little pieces; we need the whole story. There is a lot that we agree with in Ms Lee's motion, but at its heart it is calling for a study that we do not need into a site that we have already looked at and dismissed for development which would take a decade to give anybody a home, and we cannot support that. So the Greens will be supporting Minister Gentleman's amendments.

MS VASSAROTTI (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (5.14): I rise today to support the amendments made by Minister Gentleman to the motion moved by Ms Lee on housing affordability.

I really welcome the Assembly's ongoing focus on the issue of housing affordability. I think it has been a feature of discussion for every sitting period this year. Given the significant housing stress felt in the community, this is not surprising. It is important. However, I am deeply disappointed at the superficial nature of the discussion to date and concerned that those opposite continue to bring simplistic responses to an issue that is complex and immensely challenging to respond to. Wicked problems are just that: they are issues that do not have easy fixes and require thoughtfulness, creativity and collaborative action to respond to.

Here we are today, looking at the latest recycled policy idea from the Canberra Liberals: to bulldoze and develop land west of the Murrumbidgee. While this has been an idea that has been floated a number of times by the federal Liberal member, the Canberra Liberals have been pretty quiet about this idea in recent years. There was little discussion of it in the lead-up to the election. In media reporting, when asked, a spokesman said that the party would protect ecologically sensitive areas of the ACT and not much beyond that. It is almost like they did not want to tell people about the plans to destroy more of the environment that the community loves, to deliver a negligible benefit in terms of seriously addressing housing affordability.

Let us first deal with the probability that this will make a major difference in relation to housing affordability. We absolutely know that supply is part of the issue, so it may make some difference, at least for a short period, a long way into the future. As we have talked about, though, we also know that greenfield development is expensive, takes time and can come at significant environmental cost in terms of loss of habitat, loss of environmental value and the creation of the heat island effect. It also does not necessarily align with the housing preferences of our community, who want to live in places that are close to services, transport and employment centres.

There is clear evidence about the mechanisms that will make the biggest difference in relation to housing affordability. Canberra is not that much different to other communities and we are continuing to deal with the wicked problem, as others are. We are doing the heavy lifting in relation to things that do make a difference at a local level: changing our local tax and stamp duty regime, undertaking a land development program that focuses on our desire to develop a more compact city, with homes near transport corridors and in infill sites, as well as providing greenfield development in locations that do not exacerbate the climate and extinction crisis that we are dealing with.

There is absolutely more to do. We have already started the work on ensuring that we are doing everything we can to support the people most impacted by this housing affordability crisis. As noted previously, I have been working really closely with the community sector on the issue of homelessness. Through the last year we have developed new services and new accommodation options. We have provided a funding boost for frontline services and have injected \$12 million into the sector. We are currently working on a deep engagement and co-design process to ensure that our homelessness sector is supporting everyone who needs our support due to their risk or experience of homelessness.

In this discussion we cannot ignore the environmental vandalism that would be caused by developing land west of the Murrumbidgee. The feasibility of developing this part of our jurisdiction has been something that has been investigated over the decades. Earlier this year, cabinet papers from the last decade were released that outlined the significant concerns from a range of ACT government agencies around the unsuitability of developing land west of the Murrumbidgee, particularly in relation to environmental impact.

More specifically, we are talking about endangered woodlands which are some of the best-connected patches of woodland type in Australia. They include significant habitat for threatened woodland birds, threatened plant species and creatures such as the nationally threatened pink-tailed worm-lizard. The Murrumbidgee and Molonglo valleys are a national stronghold for these threatened species, and we know it is critical to maintain large habitat patches and the connections between them.

There are also significant heritage values present in this area, both First Nations heritage sites and European and settler heritage. I could easily go on. But the key point is that, in recognition of these issues, the ACT government ruled out development in west Murrumbidgee in the 2018 planning strategy. Since the initial discussions a decade ago, nothing has changed except that the stakes for our biodiversity and our climate are even higher. Nothing has changed except for the fact we have signed up to acknowledging that we are in a climate emergency. Nothing has changed except that Australia has the dubious first place of more mammal extinction than any other country on the planet.

Nothing has changed in terms of the Liberals, despite the fact that unfettered development of land west of the Murrumbidgee would not have any real, immediate impact on housing availability and the fact that it would mean significant

environmental destruction. Despite the fact that providing real services and amenities to anyone wanting to buy into the area is a false promise, they persist with this tired and discredited proposition. Are we finally seeing their true colours? They do not look teal. Despite a new-found interest in the environment and climate change, this really feels like there is environmental fraud going on.

MS LAWDER (Brindabella) (5.21): I rise today to speak in support of Ms Lee's motion. As many in this chamber would know, we have had numerous discussions and debates on this topic in the past about where the Tuggeranong town centre is located, relative to suburbs around it, and the decision to build or not to build between the town centre and the river and over the other side of the river.

As a local member for Brindabella, I know that Tuggeranong residents have strong views on this topic. It is no secret that the ACT government has been sitting on land around the west Tuggeranong area for some years that could be used for residential purposes, not just between South Point and the river—or the Hyperdome, as I will always think of it—but on the other side of the river as well.

I know that for many of us, myself included, environmental concerns have been raised over and over again, importantly, regarding potential development in west Tuggeranong. These concerns relate largely to the health of the Murrumbidgee River and maintaining the Murrumbidgee River corridor, the impact on biodiversity in the area, ensuring connectivity and ensuring that any flora and fauna is protected. A feasibility study would enable these concerns to be looked at.

As shadow minister for the environment, heritage and water, I recognise and share these environmental concerns. I am grateful that we live in a city where we can enjoy green spaces, where we can enjoy nature and easily access it, not far from where we live. However, I am of the firm belief that respecting environmental concerns and progressing future development are not mutually exclusive ideas. We need only look at places such as Ginninderry, which has already provided 6,500 homes to the ACT while priding itself on showcasing world's best practice in nature conservation and urban design. It is an exemplar, both nationally and internationally.

I see no reason why, given the right investment and resources, west Tuggeranong cannot also create a community that is sustainable, that values conservation and long-term livability equally. After all, our planning laws, our water sensitive urban design and all that we do in this place are meant to ensure sustainable building and development. They are meant to protect our environment. Is the concern raised about development in this area an acknowledgement or an admission that these laws do not work? Interesting.

I believe that protecting the river corridor is vital, but why can we not commit to a feasibility study into this proposal today? It is not as though those on the other side have never suggested this themselves. This is not a commitment to build. This is simply a study to look at all the relevant input.

In 2016, when we last debated in this place the proposed new suburb of Thompson, there were many concerns raised about the future and longevity of existing

leaseholders—for example, the Tuggeranong Archery Club and the Thompson Homestead. The Tuggeranong Archery Club were really concerned about their future, and rightly so. I visited them recently for the Bhutan archery tournament. This sporting facility, and others in the area, must be protected. They must know what the future holds for them. I believe the future should be that their lease should remain.

These, again, are issues that a feasibility study can look at. There are other sporting clubs in the precinct as well who will also be very concerned about their future. We must look after them and give them certainty. Similarly, the Thompson Homestead, with significant heritage value, must be preserved in any potential development. Of course, that is on this side of the river, not the other side of the river.

Let us not forget that we are talking here about more than that land between the Hyperdome and the river, in the feasibility study. It is no secret that, over and over again in this place, we have talked about a housing affordability crisis, a housing crisis. Just this morning my colleague Mr Davis brought on a motion about the rental housing crisis. I do not have his exact words, but, in effect, what I think he said was that we have to use all the tools that we have all at once to address this crisis. This is an example of that. We must do whatever we can to address the housing crisis we find ourselves in. I am not going to talk about the drivers for that, the structural issues behind that.

I know that Canberrans love to get out and support their local businesses. Many small businesses and family businesses in the town centre area have struggled immensely over the past few years. COVID, of course, has contributed to that. But for them also it is the location. For many of us in Tuggeranong the town centre is nowhere near the centre. You actually have to make a specific trip to go there. It is not on your way, necessarily, to go there. Many Tuggeranong residents are more likely to go to their local group centre and even—I am sad to say—to Woden, on their way to somewhere else. I think that is a terrible practice, but I know that it does happen. The potential development of west Tuggeranong could lead to the revitalisation of the town centre that local businesses so desperately need.

Compared to other territory electorates, Brindabella's population has been declining. In 2017 Tuggeranong had 20.82 per cent of the ACT's population. This is expected to drop to 17.08 per cent by 2041. Mr Parton has already made the point about the declining population. We also appear to have an ageing population. This is going to have a huge impact on the businesses in Tuggeranong and their viability. We want to support those businesses, especially our small and family businesses.

Mr Parton: Some of us do.

MS LAWDER: Some of us do. Tuggeranong needs more investment, more infrastructure and more people moving to the area to support it so that local businesses can thrive. Committing to a feasibility study like this is one way that we can provide some hope for them and allow them to have input into what they see as the future. It would, I hope, lead to a recognition that we need to provide more housing for Canberrans and, importantly, more housing options. If done correctly, it may in the future be developed in a way that preserves the best that nature has to offer,

while also delivering homes with backyards, accessible green spaces and surrounding nature for residents to enjoy, which is what we all want. We love that access to the nature spaces close to us.

It seems to me that, under this government, in the past five, 10 or 20 years, we have seen the loss of mature native trees. Suddenly they matter. Suddenly it is as if this particular area of the ACT is the only one that is going to take away all the trees in the ACT. The environment minister has recently listed saving mature trees as the first step in the draft action plan on mature trees. Are we saying that this action plan is useless or pointless, that we cannot develop because we might lose trees? But we have plans as to how to save the trees.

We hear the Chief Minister talking about us running out of land, but the 2012 taxation review, known as the Quinlan review, said that there were about 70 years of land left. Mr Barr said that this is actually land that is easily developed, without the need to build infrastructure like bridges or large-scale earthworks. Basically, he wants to charge you a fortune for the land but not actually put a lot of money into developing the area for you. It is gouging people who want to buy a house. I commend Ms Lee's motion to the Assembly.

MR DAVIS (Brindabella) (5.32): I rise in support of Minister Gentleman's amendments to Ms Lee's motion. I would first of all like to thank my colleagues Minister Vassarotti and Ms Clay for their contributions to the debate. To anyone who has tuned in just to listen to me—I cannot imagine there would be many of those, Madam Speaker—I encourage them to go back and listen to the presentations by Minister Vassarotti and Ms Clay, who, unlike some of us in this place, have chosen to articulate a more fulsome picture of the housing and rental affordability crisis and of land supply and potential environmental impacts in the ACT.

In the 2020 election the conservative Coe Liberals ran on a platform of a million trees. They lost that election, and now, to punish the Canberra community, the conservative Lee Liberals want to bulldoze a million trees. This Canberra Liberals opposition will not be satisfied until every square inch of the bush capital is cul-de-sacs, crescents and rolling urban sprawl suburbia.

Ms Lee: What have you been smoking? Like, seriously. Far out.

MR DAVIS: Madam Speaker, I would ask Ms Lee to withdraw.

MADAM SPEAKER: Yes. Ms Lee, that was somewhat inappropriate and had a certain connotation, so can you withdraw, please?

Ms Lee: I withdraw.

MR DAVIS: Thank you very much. Madam Speaker, you do not need to take my word for it. You can actually trust the Canberra Liberals and their own reflections on their 2020 result, when they ran an election campaign where a million trees was a flagship policy statement. As all political parties do, they reflected on their results after the election. Certainly, the 2020 result needed some very deep introspection

from the Liberals. They asked former Liberal MLA Vicki Dunne, who, as we now know, is one of the directors of Advance Australia. The Canberra electorate has become very, very aware of their shenanigans in recent weeks and months. They said in a report on the RiotACT, in a leaked report of their election review, that part of the cause of their election result was not being able to appeal to soft Green voters and that they would need to appeal to those soft Green voters to shore up government in 2024.

As a Greens MLA, I ask the Canberra Liberals: what soft Green voter do you think you are appealing to when your singular solution to fix this housing and rental affordability crisis is the destruction of the bush capital as we know it? You want to bulldoze every square inch of this territory until there is absolutely nothing left.

Madam Speaker, as you know, I am pretty active on social media. Mr Parton is pretty active on social media too. So when I saw Ms Lee's motion on the notice paper, I took it upon myself to post a picture of the notice paper for my constituents, for full transparency and to genuinely ask for their feedback. What did the people of Brindabella that we serve in this place think about the Canberra Liberals' proposal to bulldoze the beautiful green space west of the Murrumbidgee River? Do not take my words for it, Madam Speaker. I am happy to quote them. Jenni says:

My thoughts... NO. Leave the Murrumbidgee alone.

Lachlan says:

This is a terrible idea, they can move that motion to the bin.

Verity says:

We've been through this before, save the Murrumbidgee corridor.

Sue says:

The land proposed for development is too precious in its natural form. Leave the Murrumbidgee Corridor untouched I say!

Jonathan says:

Hate it, leave the corridor alone.

Paula just says, "No." Tara says:

Been through this before. Leave the Murrumbidgee corridor alone. Suburban madness.

Opposition members interjecting—

MR DAVIS: The Canberra Liberals opposition can laugh all they want, but it is reflective on this motion that I take very seriously my responsibility to engage with my constituents far more than the Liberal members of Brindabella do, quite obviously by their contribution to this debate. Mr Parton occupied valuable space on his Facebook—

Opposition members interjecting—

MADAM SPEAKER: Members.

MR DAVIS: Mr Parton occupied valuable space on his newsfeed today to share a media article on a cheap political hit job his fellow member for Brindabella Nicole Lawder tried to launch on me a few days ago. But he did not take it upon himself to engage with the constituents of Brindabella over the course of this week.

Ms Lee interjecting—

MR DAVIS: Ms Lee, you had your go.

Ms Lee interjecting—

MADAM SPEAKER: Ms Lee, enough.

MR DAVIS: Mr Parton did not take the opportunity to use his well-known social media presence to talk about this question. No; he thought his followers would be more interested in having a chat about Ms Lawder's political hack job on me earlier in the week, not about how our district—

Ms Lee interjecting—

MADAM SPEAKER: Ms Lee. Ms Lee.

MR DAVIS: how our suburbs will be reshaped into the future.

MADAM SPEAKER: Ms Lee, if I need to come to you again, you will be warned.

MR DAVIS: I think that is incredibly telling of the priorities of this Canberra Liberals opposition. I am genuinely shocked not only that they would bring this motion to the Assembly but about the lack of homework done in order to prepare for this motion.

Minister Gentleman, in his remarks, mentioned a western Greenway community feedback report of 2016. I would like to read a few excerpts from that report so that I can let the Canberra Liberals know what the Brindabella community thought of such a proposal at that time. Minister Gentleman did outline the feedback received from that report. So that the Assembly is aware, there were 1,800 visits to the YourSay website, 259 contributions to the YourSay online forum, 47 emails to the project team, 14 written submissions and 80 attendees at the Tuggeranong Community Council meeting, where I suspect Ms Lawder and Mr Parton would be very welcome to present their thoughts on the Murrumbidgee residential development. There were meetings with seven community organisations and 15 letters to the minister.

The group summarised their report—those interested can find it on my Facebook page—by saying this:

Overwhelmingly, the community told the government that it highly values the Murrumbidgee River corridor, both for its environmental significance as well as its role as a hub for community recreation. Strong opposition has been expressed to any development that compromises these two important values.

I think it is incredibly telling that neither Ms Lee, Ms Lawder nor Mr Parton saw fit to reference this report of their own constituents only a few years ago on the very question that they have brought to the Assembly today to debate. No reference—

Ms Lee: I literally referenced it in my speech. Do you want to listen?

MR DAVIS: I will take that interjection, Ms Lee, because if you referenced it you clearly did not read it—

Ms Lee interjecting—

MADAM SPEAKER: Ms Lee. Ms Lee. Ms Lee.

MR DAVIS: because the executive summary is very clear that there is overwhelming opposition in my community in Brindabella.

MADAM SPEAKER: Ms Lee, you are now warned. Mr Davis.

MR DAVIS: There is overwhelming opposition in my electorate of Brindabella to residential development west of the Murrumbidgee River. I know that from the last 18 months of serving in this place. I know that from my almost 30 years of living in Tuggeranong. I know that from doing my homework in preparation for today's motion and reading the report commissioned by the government in 2016. And I know that from actively engaging with my constituents as recently as today on social media.

I can guarantee to my constituents that I am opposed today, and will continue to remain opposed, to the destruction of the bush capital and the beautiful nature that the people of Brindabella have come to know and love west of the Murrumbidgee River. I am encouraged that other members of the government who have spoken today share those same concerns. There is a lot that I disagree on with my fellow members for Brindabella Ms Lawder and Mr Parton, but I am shocked and disappointed that this is it.

There is one more thing that I think it is really important to mention in the context of this debate and that is the undermining of the choice that Canberrans make when they choose to live in apartments. We have seen this done subtly by some members of the Canberra Liberals opposition and we have seen it done offensively by some members of the Canberra Liberals opposition.

I would like to draw to the Assembly's attention some recent comments by Mrs Kikkert in this Assembly on the question of housing affordability, when she was talking about apartments. She said on 7 April:

The ACT Greens, it must be remembered, spent years advocating for better living conditions for chickens but fully support a land release policy that is forcing Canberra families to live cramped in high-rise battery cages.

Mr Kikkert also doubled down when she came into this Assembly and said:

Maybe this mentality of calling humans a herd, like a bunch of farm animals, has inspired the Greens' need to force more Canberra families into tiny apartment battery cages.

I would like to remind this chamber that Mrs Kikkert has a very short memory, because her Facebook page also shows a picture of her high-fiving a well-known Canberra property developer on 18 November, celebrating an apartment development in her electorate. Her post says:

Nightfall structure is complete. Just the fittings to go for the 334 apartments and hello to new neighbours.

Mrs Kikkert was thrilled to see 334 new people enter her electorate, living in an apartment in Belconnen. She was thrilled to high-five a well-known Canberra property developer; stoked, so she was, to go through the tour. I am a big fan of apartments. I live in one myself. I am a big fan of semidetached dwellings. I am a big fan of separate title houses. I am a big fan of housing choice and I am a big fan of the work this government is doing to try to make housing and renting more affordable in this city and to attack this issue at its root cause for some of the poorest. I am not a fan of the one-trick pony policy exercise demonstrated today by the Canberra Liberals. *(Time expired.)*

MR CAIN (Ginninderra) (5.42): I will touch on some of the extraordinary statements that Greens MLAs in particular have made this afternoon. As shadow planning minister and shadow minister for land management, I wholeheartedly support this motion. I remind members that this motion is calling for a feasibility study. It is not calling for bulldozers to rip across west Tuggeranong; it is calling for a feasibility study. What are you afraid of, Mr Gentleman? Mr Gentleman talked about, and Mr Davis mentioned, a 2016 survey in Tuggeranong. Things have changed since then. Mr Gentleman will not acknowledge the Winton survey, which was of a similar period, saying, "Well, that's old." Surely something done at about the same time is also old. Is it not time for a fresh look?

Ms Vassarotti said that nothing has changed since 2016-18, with a few exceptions. One of the exceptions was not that there is a housing affordability crisis. Has that changed since 2016 and 2018? I think so, Ms Vassarotti. What else has changed since that time? Well, we have a new Assembly. That is one thing that has changed. Do we really need to be reminded of what previous assemblies have done? We have a fresh leader, we have a fresh team and we have a different opposition.

Let us have a look at the options that are available for meeting Canberrans' housing choices. Is that what you referred to then, Minister? I am not quite sure what your vision is for planning in the territory. We have talked about the bush capital and

perhaps the Canberra Liberals having a vision for bulldozing the bush capital. I would like the Greens MLAs to reflect on their speeches as if the Ginninderry development was being brought up for discussion. I would like you to reflect on every word you just said as if the Ginninderry development was being presented in this Assembly for a feasibility study.

Mr Parton: There are no bulldozers there, are there?

MR CAIN: Maybe none were used, Mr Parton. Maybe there were no trees that had to be pulled over. The Murrumbidgee is there; it is right on the corridor. Consider your own words and say, “Would that make me feel like a hypocrite if this was about the Ginninderry development and a feasibility study into it?” Have a look at it. I think your words would have applied. It would have been “Shame!” to Minister Gentleman and “Shame!” to Minister Berry for not only going towards the Murrumbidgee corridor but also having the hide to buy land in New South Wales to extend the ACT border. Think about every word you have said to do with climate change, bulldozing or affordability. Every word you just said would be damning of what this government is already doing.

With the Ginninderry development a decision was made after a feasibility study. Ms Lee is simply asking for a feasibility study. Yes, things have changed since Winton. That is why we think we should be asking Canberrans again, Mr Gentleman—this is no laughing matter—what are their housing choices. In fact, you do not really need to ask because the numbers speak for themselves—tens of thousands of applications for hundreds of blocks because you are restricting the supply. That is your decision. That is this government’s decision to control and strangle the supply of something Canberrans want.

I was talking to my staff about this today. It really begs a rather big question for me—that is, what is the purpose of government? Each member here is a local member. I applaud many of you who I have heard speak on behalf of your electorate. What is the purpose of government? You are there for your electorate. You are there for your decisions in your electorate. In the case of Tuggeranong, Ms Lawder and Mr Parton and I, having attended the Tuggeranong Community Council, have heard them reflecting on how they feel neglected—a population that is dwindling. Hello? If there is a population that is dwindling, is that not a potential area for growth? The logic is there.

I am astounded by the reaction to a very reasonable motion to call for a feasibility study into development in Tuggeranong. Is the government now going to pull back from the western edge investigation because of the words spoken here this evening?

Mr Parton: No, because that’s their idea.

MR CAIN: It must be. I cannot think of another reason, Mr Parton.

Members interjecting—

MR CAIN: Maybe there are not any trees. Maybe it is not moving towards any creeks or rivers. I do not know. They seem to know better than us, don't they, about the geography of Canberra?

Mr Gentleman: Well, we are in government.

MR CAIN: And you are taking that for granted. Because you are taking it for granted, you do not seem to care about what Canberrans wish for. You are arrogant, Minister; you are arrogant.

Mr Pettersson: On a point of order. Madam Speaker, I would ask that the member direct his remarks through the chair.

MADAM SPEAKER: Any remarks are to go through the chair, but if remarks are made by people that are not on the floor and part of the debate, I suggest you be very quiet.

MR CAIN: I am glancing at you often, Madam Speaker.

MADAM SPEAKER: Remarks are to be addressed through the chair, Mr Cain.

MR CAIN: Surely this government has risen to a new level of arrogance by saying, "Well, we can do this because we're in government." How about doing what Canberrans want? Because that is actually why you are in government. I am flabbergasted, again, by the Greens commentary in particular, because their commentary would have meant nothing would have happened in Ginninderry. The western edge investigation would be pulled immediately; it would be stopped. And in relation to any other investigation by the government into any other expansion of the current footprint—apparently it is going to be 30 per cent—if you take the Greens' words, we should not be doing that.

I cannot understand the opposition to a motion, particularly for the benefit of the citizens of Tuggeranong, to investigate the potential for further development. The government did such a thing back in 2016. It came to a conclusion quite a while ago. It is time for a fresh look, because Canberra has changed and Canberrans are showing what their preferences are, which is something this government does not seem to care about very much at all. I support Ms Lee's motion.

MS LEE (Kurrajong—Leader of the Opposition) (5.50): In response to Mr Gentleman's amendment, and also in closing, I think this debate has demonstrated, once again, that hypocrisy is rank amongst the Labor and the Greens members. These are the members who will force Canberrans into units whether they like it or not, who will force 70 per cent of Canberrans into high-rise apartment towers whether they like it or not. Of course, they are saying this and reflecting on it in the comfort of their home, whilst overlooking a big backyard. It is okay; they have got their house. They have got their house and it is a case of "do as I say, not as I do". I think it is obvious that hypocrisy is rank amongst the Labor and Greens members.

Where was the outcry when the government spent over \$1 million in two years in looking at the western edge? What has happened to that? It is okay for the Labor-Greens government to buy up land in New South Wales for future development, but when anybody else says, “Hey, what about this? Let’s just have a look to see whether this might be possible for residential development,” oh, no. The hypocrisy amongst the Labor and the Greens members of this government is rank and it is second only to their arrogance. Mr Gentleman literally snorted out, “But we are in government.” That is the most arrogant phrase that I have heard from Mr Gentleman, and that is saying something, coming from him. The complete lack of respect and complete lack of regard for people who have given us the privilege to be voices for them in this chamber is disgusting.

I am shocked at Mr Davis’s contribution. I really should not be because, of course, everything he says is to get the headlines. Mr Parton and Ms Lawder spoke in depth about the concerns that have been raised by their constituents down in Tuggeranong, about the concerns they have about the future of Tuggeranong and about the vibrancy of Tuggeranong, but not once was this addressed or even referred to in Mr Davis’s speech. It really does beg the question, Madam Speaker, why he is in this place. Certainly he is not listening to his constituents.

The 2012 taxation review, the Quinlan review, which most members in this place will be familiar with, said that there was about 70 years of land left. The Chief Minister later, in about 2018, clarified that and said, “No, there is far less time because we will run out of land to sell.” He was, of course, referring to easily developed land, without the need to build infrastructure like bridges or to do large-scale earthworks to prepare the land for sale. What is Molonglo? What is Ginninderry? What are those? The hypocrisy is rank amongst the members of the Labor and Greens government.

The fact is that if the Labor-Greens government wanted to, and if they had any care and regard for thousands of Canberrans who are desperate to access land to build a house, they could do it. The very simple fact is that they will not; they will not do it. They are wedded to an infill policy that is failing to meet the needs and wants of the Canberra community and, in doing so, failing to give them genuine options when it comes to housing.

We know that they have no regard for Tuggeranong—your electorate, Madam Speaker. We know that they do not because you just have to have a look at the figures. Both Mr Parton and Ms Lawder talked about them, about the struggling businesses and the ageing population—and let’s not even get started on the school numbers. You just have to have a look to see what is happening to the school numbers in Tuggeranong. Is the Chief Minister going to close more schools down in Tuggeranong, as he did when he closed 23 schools as education minister? The hypocrisy is rank amongst Labor and the Greens.

Mr Gentleman spoke about how it takes seven to 10 years to get land ready for residential development. Who has been in power for the last seven to 10 years? The question is not about: “You know what? It’s going to take too long.” The question is: what have you been doing for the last seven to 10 years? We know that Mr Gentleman

is just parroting words that have been prepared and scripted for him because his argument went from, “It’s going to take too long, seven to 10 years,” through to, “No, no, no; we’ve already done all the studies,” through to, “No, no, no; this isn’t it,” and then it goes to where you know people go to when they have run out, and that is a personal offensive attack.

Mr Gentleman literally started his response by talking about me bringing on a motion on behalf of Zed Seselja. Through you, Madam Speaker, to every single young female from a migrant background who comes into a position that they have worked hard to get into, to be a diverse voice in this place: to have a government minister offensively call me a puppet is disgusting.

I would call on every single member of Labor and the Greens to say what they think about that. Do many of them not say that the standard that you walk past is the standard that you accept? Is it okay for a government minister to be telling the elected leader of a party, who has had to face things that he has no idea about only to be in this place, that I am a mere puppet? It is disgusting, it is unministerial, and he needs to apologise.

I do not care that he said it to me, but it does matter what he said in this place because it sets an example for those out there. Madam Speaker, what happens to the thousands of young women of colour that may one day think, “Hey, perhaps I will have a place in Australian politics,” when they see that rubbish, that unacceptable behaviour, from a government minister? The only thing more shameful and embarrassing is that we all know he does not call the shots. So let us be honest: the Canberra Liberals will not be supporting Mr Ponton’s amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 15

Noes 8

Ms Berry
Mr Braddock
Ms Burch
Ms Cheyne
Ms Clay
Ms Davidson
Mr Davis
Mr Gentleman

Ms Orr
Dr Paterson
Mr Pettersson
Mr Rattenbury
Mr Steel
Ms Stephen-Smith
Ms Vassarotti

Mr Cain
Ms Castley
Mr Hanson
Mrs Kikkert
Ms Lawder
Ms Lee
Mr Milligan
Mr Parton

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

MADAM SPEAKER: Before we go to standing committees, I just want to make the comment that, in the passion of debate, to make reference to and name a public

servant in this place who has no recourse to come back is unfortunate and I would discourage it. I hope that I do not hear it again. Thank you.

Health and Community Wellbeing—Standing Committee Report 5

MR DAVIS (Brindabella) (6.03): I present the following report:

Health and Community Wellbeing—Standing Committee—Report 5—Review of ACT Health Programs—Children and young people and responses to Fetal Alcohol Spectrum Disorder (FASD), dated 27 April 2022, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the fifth report of the Standing Committee on Health and Community Wellbeing. This inquiry covered current screening and health assessment programs in the ACT for the general health of children and young people. It had a particular focus on preventative and other programs for foetal alcohol spectrum disorder. The committee took evidence last year. We received 11 written submissions and we conducted two hearings.

The key theme of the inquiry was that there are gaps in services in the ACT in detecting disability, including for foetal alcohol spectrum disorder. The committee strongly encourages the ACT to do more to raise awareness of foetal alcohol spectrum disorder and to do the best in suitable programs to detect and manage it. All committee members support the report.

On behalf of the committee, I thank everyone who contributed to this inquiry. Effective childhood screening programs can make lifelong improvements. The committee appreciates that stakeholders see this as an important inquiry. I thank the other members of the committee, Mr Milligan and Mr Pettersson, and I thank Mrs Kikkert, who, in her early membership of the committee, brought this to the committee's attention. I commend the report to the Assembly.

Question resolved in the affirmative.

Education and Community Inclusion—Standing Committee Statement by chair

MR PETTERSSON (Yerrabi) (6.05): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Education and Community Inclusion. On 10 February 2022 a petition requesting that Gungahlin skate park be refurbished and lights installed was received by the Assembly and forwarded to the Standing Committee on Education and Community Inclusion.

The committee understands that the refurbishment and installation of lights at Gungahlin skate park is an important issue. It will maintain the quality of an excellent sporting and recreational facility for the enjoyment of students and the wider community, and enhance mental and physical health. The installation of lights would also enable the park to be used up until 10 pm and generate business at food and drink venues in the area.

Noting these issues, the committee resolved at its private meeting on 29 March 2022 to expand its scope to inquire into skating facilities across the ACT, noting that many skaters attend multiple skate parks in the territory. The committee also resolved to commence the inquiry later this year to better fit with its schedule of inquiries underway or commencing in the near future and to prepare an expanded scope for an ACT skating facilities inquiry.

MR BRADDOCK (Yerrabi) (6.06), by leave: Firstly, I would like to thank the education and community inclusion committee for its consideration of the petition, which was led by Mr Liam O’Connell, to upgrade the Gungahlin skate park. I fully agree with the committee’s view that there needs to be an inquiry into skate parks ACT-wide. This inquiry is an excellent result of advocacy by the ACT skate park community, which I have had the delight of working with. I would also like to acknowledge Ms Fair Lee Fast, a powerful behind-the-scenes advocate in this space.

Canberra was once the skate park capital of the Southern Hemisphere. Unfortunately, Canberra is beginning to fall behind in the provision and management of contemporary skate parks. Some facilities are lacking in repair and maintenance, and Canberra does not yet have a vertical half-pipe that meets international competition standards. I am keen to see a comprehensive, long-term facilities management plan that sets out how we locate, design, build, maintain and upgrade skate park facilities. Through this we can treat skate parks as a much-loved community asset.

I am excited to see that the ACT government will undertake feasibility and preliminary design works for the lighting at Gungahlin skate park and thank Minister Chris Steel for this. This will extend the hours of the day that the skate park can be used and further activate this much-loved recreational facility.

Environment, Climate Change and Biodiversity—Standing Committee

Statement by chair

DR PATERSON (Murrumbidgee) (6.07): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Environment, Climate Change and Biodiversity relating to statutory appointments in accordance with continuing resolution 5A. I inform the Assembly that during the reporting period 1 July to 31 December 2021 the committee considered 10 appointments to the scientific committee and four appointments to the ACT Climate Change Council. I present the following paper:

Environment, Climate Change and Biodiversity—Standing Committee—
Schedule of Statutory Appointments—10th Assembly—Period 1 July to
31 December 2021.

Executive business—precedence

Ordered that executive business be called on.

Fair Trading and Other Justice Legislation Amendment Bill 2022

Debate resumed from 7 April 2022, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR CAIN (Ginninderra) (6.08): The Canberra Liberals will be supporting this bill and the largely sensible amendments made to eight acts and regulations. As the Attorney-General would be aware, as part of the national effort to harmonise the real estate licensing and qualifications regulatory framework, these changes to the Agents Act 2003 and the Agents Regulation 2003 will align our laws with the national real estate training package and with the rest of the nation, and propose important changes to ensure peace of mind for homebuyers, home owners, renters and all property consumers in the ACT.

The Canberra Liberals will always seek to provide protection for consumers and upskilling opportunities for industry professionals to ensure the highest quality of customer service in the territory. Bringing upskilling opportunities to Canberrans is of the utmost importance to the Canberra Liberals and has been a worthy focus of the federal coalition government since they overhauled the licensing framework in 2018 to promote skills and vocational training amongst industry professionals.

However, it is worth emphasising that we are the last state or territory to enact these legislative changes and adopt the national real estate training package. This government has had, since 2018, time to strengthen our licensing laws for real estate agents, in line with the national framework. This is far too long a period, given that every other jurisdiction has acted within that time. For example, New South Wales adopted these reforms in early 2020.

It is just not good enough for the territory to be lagging behind important regulatory changes, particularly those that have a national harmonisation agenda; rather, we ought to be at the forefront. I realise that the Attorney-General was not in that role in the previous Assembly, but I hope that the message is being heard. The territory should be ahead of the curve, not coming last. Despite having the time to work on these, obviously COVID affected everybody, not just the ACT. I encourage not just the Attorney-General and his department but all ACT departments who sign up to national schemes of one form or another to get ahead of the curve—even to be first on some occasions.

As part of our commitment, the Canberra Liberals will remain vigilant on behalf of real estate professionals and consumers to ensure that there is no risk of unintended consequences and so that they know they can reach out to us. I have spoken to industry professionals and to the representative body, REIACT. I am available, as

they are aware, if there appear to be unintended consequences or if the industry does not have time to catch up in certain areas. I encourage the industry to reach out to the Canberra Liberals if they feel that their work is being disrupted by these changes in any way being unreasonably applied.

I thank the Attorney-General for providing members of his department, on 28 April, for a briefing on this matter. I always appreciate the public service being open and willing to take questions. Sometimes I ask tough ones as well. On behalf of the Canberra Liberals, I speak in support of this bill.

MR PARTON (Brindabella) (6.12): There are some aspects of this bill that fall into the realm of my portfolio as the shadow minister for gaming and racing—namely, the aspects of legislative change around who can and who cannot own and operate gaming machines, who can and cannot service those machines, and around some minor changes to bookmakers.

After consulting with stakeholders and the minister's office, we are confident that these are extremely minor changes and that at this stage they are not likely to have any effect on any of the operations of our clubs or bookmakers in the ACT. It remains to be seen whether they will have an effect on things in the future, but that is certainly where things stand.

I was initially surprised that the government had not genuinely consulted with ClubsACT regarding these changes. We expressed the view to the minister's office that there was some concern from ClubsACT that this may mean—dare I say it—something sinister. But we are not of the belief that this is the case.

I actually question whether these changes are even necessary. I understand that much of it is to bring us in line with other jurisdictions. It is a dotting of i's and crossing of t's exercise. I am sure it will satisfy some people with a legal mind. Certainly, when it comes to the aspects of the bill that fall under the shadow portfolio of gaming and racing, there is nothing to see here.

MR RATTENBURY (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (6.14), in reply: I thank members for their support for the bill. I will start by tabling the revised explanatory statement. I circulated this to relevant members yesterday. This statement includes a minor amendment to remove references to specific training qualification codes, following changes at the national level to the course code for the diploma of property management. This change is minor and does not substantively impact any matters in the bill. The intention of the amendment is to minimise any confusion for the community and the Assembly about required qualifications.

Turning to the bill itself, this omnibus bill makes amendments to eight pieces of legislation, as Mr Cain noted, across four key regulatory areas—the real estate industry, gaming machine supplies, sports bookmakers, and retirement villages. The amendments contained in this bill were developed through extensive consultation with key stakeholders. I thank all of those involved in the preparation of the bill for their valuable contributions. The reforms will update the territory's regulatory frameworks

to enhance consumer protections for our community. I am pleased to say that they are also compatible with human rights.

I will start with the amendments relating to the real estate industry, under the Agents Act. This bill progresses significant amendments to the regulation of the real estate industry in the territory to implement the national real estate training package and promote improved consumer protection outcomes through the introduction of a new licensing and registration framework.

It is undeniable that the real estate market and industry have drastically changed in the last few years. A national technical review into the current real estate training qualifications identified that there has been significant disruption which has both challenged and changed the remit and responsibilities of real estate professionals. This finding resulted in the Australian Industry and Skills Committee approving changes to the national training requirements, as set out in the national real estate training package. A new package has been designed to clearly define skills and ensure that qualifications accurately reflect industry roles.

Choosing where to make your home is one of the most important decisions that a person and family can make. Entering the real estate market, whether it be to sell or purchase a property, or find a new rental, can be stressful and at times frustrating. It is during this time that consumers heavily rely on the expertise of our real estate industry to navigate the market and achieve the best outcome for them. It is reasonable for consumers to expect that their real estate agent will have the necessary training and skills to carry out these duties professionally and lawfully.

The government recognises that the significant trust placed in the industry by the community should be matched by the highest standards of behaviour and training. The majority of the industry are doing the right thing. However, we still need to ensure that the workforce is appropriately equipped and trained to meet consumer needs in an evolving market. This bill will help to achieve that by updating both the qualification requirements and the licensing framework for the industry.

Under the new licensing framework, agent licences will be divided into class 1 and 2 licences. All licensees in charge of a business will be obliged to hold a class 1 licence, which will require the individual to hold a higher educational qualification than that prescribed for class 2 agents.

We know that a large number of property sales in the territory occur by auction. Conducting auctions can be complex and carry inherent risks for consumers, as they are usually unconditional and not subject to a cooling-off period. Consequently, the amendments respond to this consumer risk by introducing a new land auctioneering licence that will require an individual to hold a class 1 or 2 agent licence and complete three units of auctioneering-specific training. This new licence class will mitigate the risk that untrained agents are carrying out auctions in the territory and ensure that only those who have demonstrated competency in auctioneering are able to do so. This new licence will mean that agents are no longer able to conduct auctions as part of their general licence.

To minimise the impacts of this change on existing real estate professionals, a transitional arrangement has been included to allow real estate and stock and station agents licensed prior to the commencement of the reforms to continue to conduct auctions under their existing licence until 1 July 2024. This transitional measure is subject to a condition that the agent must complete three units of auctioneering-specific training by 1 July 2024 in order to renew their licence. Agents who do not wish to conduct auctions after the conclusion of the transition period are not required to complete this training and will be able to continue to work and undertake all other agent duties.

The amendments also make a series of changes to the regulation of salespersons. From 1 July 2022 salespersons will be renamed assistant agents to better reflect that this is an entry-level position and individuals with this registration are not subject to the same levels of training as licensed agents.

The amendments also remove the unqualified salesperson registration pathway. This pathway allowed individuals to work in the industry who were enrolled in a course of study leading to registration but who had not yet completed it. To ensure that those registered through this mechanism are able to continue to work, unqualified salespersons will be able to work under their existing registration until 31 October 2023, to allow them sufficient time to complete the necessary training to register as an assistant agent.

The bill also recognises that the activities that can be performed under a licence or registration should align with the prescribed educational requirements of that licence or registration category. Accordingly, the ACT government has sought to maximise protections to the community by restricting the activities that assistant agents may undertake.

As part of these changes, assistant agents will be restricted from withdrawing trust money. We have heard from stakeholders that the highest risk of mismanagement occurs during the withdrawal of trust money. As a result, this restriction has been carefully constructed to address the area of highest risk while still allowing assistant agents to continue to conduct lower risk activities such as receiving rent payments and bonds and carrying out other administration tasks. Further noting the significant funds held on trust by agents, this restriction is not subject to any transitional measures and will commence for assistant agents on 1 July 2022.

The amendments also make it an offence for assistant agents registered after the commencement of the reforms to enter into agency agreements and conduct auctions. This restriction acknowledges the complexity of agency agreements and prevents an assistant agent from being able to make a binding agreement between a property owner and real estate agency to carry out services on the property owner's behalf.

This restriction is not intended to prevent an assistant agent from undertaking property management activities. An assistant agent is still permitted to undertake activities which flow from the original agency agreement, such as executing residential tenancy agreements and completing property condition reports. As a transitional measure, the

bill will allow assistant agents registered prior to 1 July 2022 to continue to enter into agency agreements until 1 July 2023. This transition period is intended to provide assistant agents with the opportunity to upskill to an agent licence if they wish to do so.

I am confident that this new licence framework will support Access Canberra to undertake improved compliance activities and have better oversight of how real estate businesses are operating in the territory. The Commissioner for Fair Trading is also granted the power under the amendments to determine by disallowable instrument the qualification and experience requirements to issue or renew an agent licence or assist an agent registration. Containing the licence and eligibility requirements in a disallowable instrument will ensure that, should modifications be needed in the future, they can be actioned flexibly and efficiently.

In order to align with the national real estate training package, it is intended that from 1 July 2022 new applicants for an assistant agent registration will be required to have completed the five core units from the certificate IV in real estate practice and complete an additional five units within the first 12 months of their registration. Individuals applying for a class 2 agent licence will be required to hold a certificate IV in real estate practice and have 12 months experience as an assistant agent.

The specific units that need to be completed within the certificate IV will depend on whether the applicant is applying for a real estate, stock and station or business licence. Class 1 agents will be required to hold a diploma of property agency management and have two years experience as a licensed agent.

The government also appreciates that the majority of real estate industry professionals in the territory carry out their duties diligently, ethically and in accordance with the law. To be clear, the intention of these reforms is not to negatively impact or disrupt existing professionals' ability to work or to reflect on previous performance.

Extensive and carefully considered measures have been provided to support the industry as they transition to the new regulatory framework over a one to two-year period, depending on the type of licence or registration they hold. For example, all existing salespersons will be automatically transitioned to an assistant agent registration and not subject to any gap training requirements. Likewise, existing agents will be automatically transitioned to a class 2 agent licence. Licensed agents who have worked as a licensee in charge of a business will be automatically transitioned to a class 1 agent licence.

The ACT government is also aware that there are some licensed agents who may have chosen not to work as the licensee in charge of a real estate business but are highly experienced and skilled. In recognition of the expertise held by these agents, the bill includes a transitional measure to allow licensed agents who have two years experience the option to elect to transition to a class 1 agent licence.

All existing agents who are issued with a class 1 agent licence will be required to upskill and complete seven core units from the diploma of property agency

management by 1 July 2024. This gap training is considered necessary, given that licensees in charge have overarching responsibility for the management and compliance of the real estate business and its employees.

Currently, licensed agents are not required to complete any management or accountability training. The prescription of seven units of gap training for all class 1 agents means Canberrans can be confident that all licensees in charge of a real estate business in the territory have demonstrated competency in the necessary core skills to manage a real estate business, including ethics, compliance and trust management.

The bill also inserts a regulation-making power to allow for the creation of transitional measures in the event of any unforeseen issues arising during the implementation of the reforms. This mechanism will provide government with an additional, flexible, short-term means of supporting the real estate industry through the transition to a new licensing framework.

Let me turn briefly to the remaining sections of the bill. The bill contains amendments to the licensing framework for gaming machine suppliers within the Gaming Machine Act 2004 and the Gaming Machine Regulation 2001 to provide that only corporations, rather than individuals, may be approved as suppliers of gaming machines.

These amendments serve two purposes. Firstly, they give effect to how the industry operates in practice; and, secondly, they function as consumer protection measures to support the ACT government's commitment to reducing gambling harm. In the time that the current act has been in effect, no individual has been licensed as a sole operator gaming machine supplier in the territory. Due to the complexity of manufacturing, selling or servicing machines to national standards, it is unlikely that an individual would operate in such a capacity. These amendments reflect how supplier approvals are held in practice.

The amendments ensure that gaming machine suppliers are registered as companies under the commonwealth Corporations Act. This ensures that the entities are subject to additional regulatory checks, as all companies must comply with various notification and reporting requirements under the commonwealth act.

The focus on consumer protection is reflected in the creation of a new offence of supplying a gaming machine without a supplier approval. A penalty of 100 penalty units is intended to align with other offence provisions within the act, including acquiring a gaming machine without a licence or authorisation, or possessing or operating a gaming machine without authorisation. This also aligns with provisions for other occupations working without a licence, such as the offence of selling liquor without a licence, and engaging in legal practice without a licence. This is an important measure to help mitigate the risk of harm to gaming machine users in the ACT.

The bill also makes amendments to the Race and Sports Bookmaking Act 2001 and the Race and Sports Bookmaking Regulation 2001 to provide that only corporations and not individuals or syndicates may hold a sports bookmaking licence. As with the gaming amendments, the amendments to the licensing framework for sports

bookmakers reflect how the industry currently operates in practice. In the ACT the only licensed sports bookmaker is a corporate bookmaker.

The amendments are intended to maintain a public health approach to gambling harm prevention within the territory. There is clear evidence that sports betting is a problematic form of gambling for many of its users. A survey by the Australian Institute of Family Studies found that 70 per cent of the 335 bettors surveyed were at risk of or already experiencing gambling harm, and most participants reported that sports betting was too easily accessible.

These amendments to restrict sports bookmakers' licences to corporations are intended to limit the number of people who can apply for a licence in the future. This should help to reduce the risk of a possible increase in sports betting services over time. The amendments will also ensure that sports bookmakers are subject to a more robust and multifaceted regulatory environment, due to their registration under the Corporations Act.

Finally, on retirement villages, it is important to highlight that the bill also makes a number of amendments to the Retirement Villages Act and the Retirement Villages Regulation to improve and clarify the operation of retirement village meetings. Broadly, these amendments fix several typos, clarify that a chairperson should be elected for all meetings of residents, make clear that an operator cannot be present during a vote, and specify when a vote must be taken by written ballot. *(Extension of time granted.)*

While these changes may be minor and technical in nature, they will collectively help retirement village residents and operators to better understand their legislative obligations. By clarifying meeting processes and procedures, retirement village residents will be able to more readily participate in decision-making processes that impact their home.

I am confident that this bill will make important amendments to these regulatory frameworks and support improved consumer protection outcomes for our community. I thank members for their support of the bill. I assure Mr Parton that there is nothing sinister in here. I commend the bill to the Assembly.

At 6.30 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

YWCA Canberra—Great Ydeas Innovation Breakfast

MR CAIN (Ginninderra) (6.31): It was my privilege last Thursday to attend the Great Ydeas Innovation Breakfast hosted by YWCA Canberra at the Ainslie Football Club. The event was to support the YHomes project and the 2022 Great Ydeas recipient. These great ideas are focused on improving outcomes for women, girls, families and communities at large, and, in particular, women in vulnerable circumstances.

YWCA continues to successfully support women, girls and non-binary people in the ACT to pursue their passion and improve the community with programs such as YWCA Canberra's Great Ydeas program.

While I am sure of the status of the planned development in Ainslie, I will speak to it in general. YHomes has a planned supported housing development envisaged to provide affordable, safe and fit-for-purpose housing for women in the ACT. It is wonderful to note that YWCA has offered members of the community an opportunity to contribute by donating to the development of these quality homes for women escaping violence and facing housing crisis, wherever that development may be located.

As one of the world's largest women's organisations, with a global outreach to millions of women and girls, YWCA's presence in Canberra is significant. It has been evident that YWCA is successfully delivering community, children, education and advocacy services in Australia and, again, support for women in vulnerable circumstances.

As a local member for Ginninderra, seeing organisations such as the YWCA working consistently to develop leadership and the collective power of women and girls and supporting sustainable development in local areas is very impressive. By supporting women and girls through services advocacy, as noted in its vision statement, the organisation continues to prove its significant role in strengthening and supporting our community.

It was wonderful to connect again with YWCA President Carina Zeccola and Chief Executive Officer Frances Crimmins. I would like to thank YWCA for hosting me and the several other parliamentary colleagues in attendance at the innovation breakfast and for their continued efforts in delivering diverse community services.

The Canberra Liberals will continue to encourage and support organisations with such dedication and commitment to community service. I look forward to attending future events with YWCA and supporting the organisation in its pursuit of supporting the wellbeing and development of women, girls and families in the ACT.

Icon Water—odour control units

MRS KIKKERT (Ginninderra) (6.34): ACT government-owned Icon Water has a fact sheet regarding odour control units, published as part of its Belconnen trunk sewer upgrade project. The answer in the fact sheet to the question: “Do they smell?” is absolute: “They are designed to treat odours, so they do not smell.”

Unfortunately, this may not always be the case. Three odour control units exist on the edge of west Macgregor. Two are located within 160 metres of the nearest homes and one of them is only 90 metres away. More than once, residents who live near these two odour control units have told me that they smell like rotten eggs, especially when the days are very hot and the winds blow from the west. A rotten egg smell is consistent with the escape of hydrogen sulphide, which Icon Water notes in its fact sheet is a common source of odour from sewage systems.

Residents in west Macgregor report that when they first built or bought their houses the ventilation stacks attached to these odour control units were much lower. In response to their complaints, the height of the stacks was raised. This has improved the situation, I have been told, but it has not entirely eliminated it.

I raise this matter because the Belconnen trunk sewer upgrade project, which is currently underway, includes the construction of four new odour control units in my electorate of Ginninderra—two in Latham, one in Florey and one in Evatt. Like those in west Macgregor, these four odour control units will be located near residential areas.

I understand from the air quality impact assessment which forms part of this project’s environmental impact statement that computer modelling predicts that emissions of hydrogen sulphide will be within acceptable limits. In fact, the modelling forecast that this noxious gas would be detectable by nearby residents, on average, for less than two minutes each day.

At the same time I note that in a letter to me dated 30 June 2020 the Chief Minister assured me that the odour control units in west Macgregor were “currently operating within design parameters” and that Icon Water had no verified data of an odour problem. In contrast, a few months earlier, one west Macgregor mum assured me that the smell from the odour control unit near her house was so bad on some days that she could not convince her children to play outdoors.

I rise today on behalf of residents in Latham, Florey and Evatt. They are very concerned that they will be exposed to bad odours, as has happened to residents in west Macgregor. I request that the ACT government carefully investigate the complaints from Macgregor residents and, if necessary, use whatever is learnt to amend planning for the four new odour control units that will be built in Latham, Florey and Evatt.

As a local member, I will be monitoring any impacts that the future operation of these units may have on nearby residents, and I will expect the ACT government to be responsive to any concerns that may arise.

Moncrieff—sludge pit

MR BRADDOCK (Yerrabi) (6.37): The Moncrieff sludge pit has caused locals headaches for years. A few months ago, Ms Natasa Sojic started a petition calling on the ACT government to encase the pit so that it could contain the rubbish within it and also to commission its removal, away from residential areas. I was really glad to see the government's response to this petition this week in the Assembly.

Unfortunately, it is not practical to move the sludge pit, but we have gotten a significant number of commitments from the ACT government for a large number of improvements to the area. These include installing chain-wire fencing around the perimeter of the pit and also heavy duty shade cloth to help enclose the rubbish. There are also scheduled works to landscape around the immediate area which include a thick layer of mulch that will be placed on the eastern side of the area.

Finally, working in partnership with the great local group that I know of, the Ginninderra Catchment Group, there will be planting around the area, including larger sized eucalypts, casuarinas, screening shrubs and small scented plants to assist with odour control. I am heartened to hear that these works will be complete by 30 June 2022. I would like to say that this is just one example of the power of petitions and what can be achieved when community voices are illuminated here in the Assembly.

Arts—theatre

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) (6.39): On 13 April I was very pleased to attend the opening night of Alchemy Artistic's *The Boys*, directed by Amy Kowalczyk, in her debut in this theatrical collective, at the new ACT venue, the Australian Capital Theatre Hub, or ACT Hub. *The Boys* was written by Gordon Graham in the 1990s but its relevance today is stark and it is disturbing.

The Boys is a brutal reflection of masculine violence, told largely through the viewpoints and experiences of the women in their lives. The themes are unmasked in a way that is relatable and in some ways all too real. This is something that Amy has taken into account, because Alchemy Artistic is about exploring and examining social issues through a lens to help bring about transformative societal change. In this respect, Amy has employed a variety of theatrical techniques that allow for contemplation and for rumination—to pause, to consider and, through considered action and experience that only theatre can provide, to drive change.

She also provided space for questions and answers with her and the cast, to work through the very difficult issues presented, and offered, on different nights, spaces for female-identifying people to come together and spaces for male-identifying people to come together, with non-binary, gender queer and queer audiences invited to participate where they felt most comfortable.

I can confirm that this was a powerful experience and, to be quite candid, it was unsettling. I very much appreciated the opportunity to think through the issues presented by the work. This has certainly been brought home to me again this week, as we passed the new consent laws, driven by Dr Paterson, today; marked Domestic Violence Remembrance Day yesterday; and reeled from the leaked news from the US that it is likely that *Roe v Wade* will be overturned.

I wanted to congratulate Amy for bringing this together, in the midst of all the challenges that have been present in the past few years, and for the skill of the cast and crew in dealing with such a difficult but important topic. It was also very special to be in the Causeway Hall, in its own transformation now as ACT Hub, and to see realised exactly what could be possible in this venue. *The Boys* was part of ACT Hub thanks to the HUB TOO program, which allows emerging directors like Amy and her new collective to be supported by the ACT Hub team in a low-risk and nurturing environment. Congratulations to all. Thank you.

Question resolved in the affirmative.

The Assembly adjourned at 6.42 pm until Wednesday, 1 June 2022 at 10 am.

Schedule of amendments

Schedule 1

Crimes (Consent) Amendment Bill 2022

Amendments moved by Dr Paterson

1

Clause 4 heading

Page 2, line 9—

omit the heading, substitute

4 New sections 50A to 50C

2

Clause 4

Proposed new section 50A

Page 2, line 11—

omit proposed new section 50A, substitute

50A Objects—pt 3

An object of this part is to recognise the following in relation to a sexual act:

- (a) consent to participate in a sexual act is not to be presumed;
- (b) every person has a right to choose not to participate in a sexual act;
- (c) a consensual sexual act involves ongoing and mutual communication and decision-making by the people participating in the sexual act.

3

Clause 4

Proposed new section 50C

Page 3, line 7—

insert

50C Meaning of *sexual act*—pt 3

(1) In this part:

***sexual act*—**

- (a) means—
 - (i) sexual intercourse; and
 - (ii) sexual touching; and
 - (iii) any other act in circumstances where a reasonable person would consider the act to be sexual; but
- (b) does not include an act carried out for a proper medical purpose or otherwise authorised by law.

(2) The matters to be taken into account in deciding whether a reasonable person would consider an act to be sexual include the following:

- (a) whether the area of the body involved in the act is a person's breasts, genital area or anal area;
- (b) whether the person carrying out the act does so for the purpose of sexual arousal or sexual gratification;

- (c) whether any other aspect of the act (including the circumstances in which it is carried out) makes it sexual.
- (3) In this section:
object—see section 50 (2).
sexual touching, by a person (the *first person*) means—
 - (a) touching another person, including through something, with any part of the first person's body or with an object in circumstances where a reasonable person would consider the touching to be sexual; and
 - (b) the continuation of sexual touching as defined in paragraph (a).

4

Clause 5**Proposed new section 67 (2)****Page 4, line 15—***omit proposed new section 67 (2), substitute*

- (2) A person also does not consent to an act with another person (the *accused person*) only because the person—
 - (a) does not say or do something to resist the act; or
 - (b) consented to—
 - (i) another act with the accused person; or
 - (ii) the same act with the accused person at a different time or place; or
 - (iii) the same act with a person other than the accused person; or
 - (iv) a different act with a person other than the accused person.

5

Clause 5**Proposed new section 67 (3)****Page 4, line 23—***omit*

a person

substitute

an accused person

6

Clause 5**Proposed new section 67 (3)****Page 4, line 26—***omit*

subsection (1) (a) to (o), the

substitute

subsection (1) (a) to (o), the accused

7

Clause 5**Proposed new section 67 (4)****Page 5, line 1—***omit*A person (the *accused person*)

substitute

An accused person

8

Clause 7

Proposed new section 442D heading

Page 6, line 3—

omit the heading, substitute

442D Review—pt 3

9

Clause 7

Proposed new section 442D (3)

Page 6, line 10—

omit

6 months

substitute

12 months

10

Clause 8

Page 6, line 12—

omit clause 8, substitute

8 Dictionary, new definitions

insert

consent, for part 3 (Sexual offences)—see section 50B.

sexual act, for part 3 (Sexual offences)—see section 50C.

Answers to questions

Government—grants programs (Question No 600)

Mrs Jones asked the Minister for Families and Community Services, upon notice, on 11 February 2022:

- (1) What grant programs were operated or administered by your portfolio in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20, (e) 2020-21, and (f) 2021-22?
- (2) For each grant program referred to in part (1), (a) what was the purpose of the grant program, (b) how much money was budgeted for the grant program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (c) how much money was expended under the grant program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (d) was the program accounted for as an expense on behalf of the Territory (“administered” within the meaning of Australian accounting standard AASB 1050), (e) how many applications were received for grants under the program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (f) who decided, approved or rejected applications for grants, (g) what percentage of applicants were approved in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (h) what percentage of applicants were rejected in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (i) what criteria, policies, guidelines applied to the program.
- (3) For each grant program referred to in part (1), but excluding non-competitive grant programs that provide generalised financial assistance to individuals or businesses, (a) who received a grant in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (b) when did the recipient apply for the grant, (c) when did the recipient receive the grant, (d) how much was the grant and (e) did the conditions that attached to the grant prevent (or have the effect of preventing) the recipient making public comment on any issue; if so, how was the recipient prevented from making public comment.
- (4) Has the portfolio provided a grant that was not provided under one of the programs identified in part (1) in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20, (e) 2020-21, and (f) 2021-22.
- (5) For each grant referred to in part (4), (a) who received the grant, (b) how was the recipient of the grant identified, (c) what was the purpose of the grant, (d) when did the person receive the grant, (e) what conditions attached to the grant, (f) did the conditions that attached to the grant prevent (or have the effect of preventing) the recipient making public comment on any issue; if so, how was the recipient prevented from making public comment and (g) how much was the grant.
- (6) Does the Government report or disclose publicly the recipients of grants and the conditions that attach to those grants.

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

1. (a)-(f) Portfolio arrangements and administration of grants have changed over time. The grants currently in the Families and Community Services portfolio are the

Community Support and Infrastructure Grants (CSIG) and the Technology Upgrade Fund Grants (TUGF).

The outcome of these grants, including recipients and amounts received is available here: <https://www.communityservices.act.gov.au/community/grants>. This webpage provides information back to 2014-15 for the programs that existed at that time. Note that the names of recipients are redacted when the recipient is an individual.

2. (a) The CSIG aim to support community organisations to deliver their programs and services effectively and efficiently for the benefit of members of the ACT community.

The TUGF are designed to:

- Support community sector organisations to; upgrade IT equipment; develop improved communication platforms, including websites and access to software to support online webinars, online training and other activities; improve digital service provision and deliver digital literacy programs to enhance their capacity to effectively engage their communities and clients to participate fully in the life of Canberra through the use of digital technology; and
 - Meet the needs of Canberrans most at risk of digital exclusion, including those with mobility constraints by providing access to IT equipment, on-line and services through registered community organisations in the ACT.
- (b)-(c) Please see the publicly available information in Community Services Directorate (CSD) Annual Reports and the webpage link above. Provision of the level of detail requested would require a significant diversion of resources that cannot be justified.
- (d) These grants are paid through the Territory controlled accounts and are therefore not accounted for as administered items.
- (e) Provision of the level of detail requested would require a significant diversion of resources that cannot be justified.
- (f) Grants are assessed by a panel comprising government and community members. All panel members are required to sign a conflict of interest declaration to ensure that there are no conflicts with grant applicants. Once recommendations are put forward by the panel, these are approved by the panel Chair and the relevant delegate within CSD. There are feedback and complaints mechanisms provided to applicants regarding the grant process.
- (g)-(h) Provision of the level of detail requested would require a significant diversion of resources that cannot be justified.
- (i) There are Grant Guidelines available for each grant program and these are published on the CSD website here: <https://www.communityservices.act.gov.au/home/grants> when grant rounds are open. This website also includes a link to general information about applying for a grant.
3. (a) and (d) As noted in response to Question 1, grants recipients are listed at the following webpage: <https://www.communityservices.act.gov.au/community/grants>. These links provide the amount received by each grant recipient (noting that the names of recipients are redacted when the recipient is an individual).
- (b)-(c) Provision of the level of detail requested would require a significant diversion of resources that cannot be justified.

- (e) There are sometimes conditions put on successful recipients where there are specific requirements of the grant that needs to be met. This could include the requirement to ensure all previous grants have been acquitted. However, neither the CSIG nor TFUG programs prevent (or have the effect of preventing) a recipient making public comment on any issue.
4. Information about the broad range of grants outside the competitive grants programs, including grants delivered in response to COVID-19, is reported in CSD Annual Report available at:
- [Community Services Directorate Annual Report 2016-17](#)
 - [Community Services Directorate Annual Report 2017-18](#)
 - [Community Services Directorate Annual Report 2018-19](#)
 - [Community Services Directorate Annual Report 2019-20](#)
 - [Community Services Directorate Annual Report 2020-21](#)
5. Providing this level of detail would require a significant diversion of resources that cannot be justified given the level of information publicly available on grants, as outlined above.
6. See responses above. Any conditions on grant recipients are included in the individualised Letter of Offer provided to successful applicants, which are not published. However, conditions that apply to grants generally are outlined in the Grant Guidelines for each program.

Government—grants programs (Question No 602)

Mrs Jones asked the Minister for Health, upon notice, on 11 February 2022:

- (1) What grant programs were operated or administered by your portfolio in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20, (e) 2020-21, and (f) 2021-22?
- (2) For each grant program referred to in part (1), (a) what was the purpose of the grant program, (b) how much money was budgeted for the grant program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (c) how much money was expended under the grant program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (d) was the program accounted for as an expense on behalf of the Territory (“administered” within the meaning of Australian accounting standard AASB 1050), (e) how many applications were received for grants under the program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (f) who decided, approved or rejected applications for grants, (g) what percentage of applicants were approved in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (h) what percentage of applicants were rejected in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (i) what criteria, policies, guidelines applied to the program.
- (3) For each grant program referred to in part (1), but excluding non-competitive grant programs that provide generalised financial assistance to individuals or businesses, (a) who received a grant in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (b) when did the recipient apply for the grant, (c) when did

the recipient receive the grant, (d) how much was the grant and (e) did the conditions that attached to the grant prevent (or have the effect of preventing) the recipient making public comment on any issue; if so, how was the recipient prevented from making public comment.

- (4) Has the portfolio provided a grant that was not provided under one of the programs identified in part (1) in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20, (e) 2020-21, and (f) 2021-22.
- (5) For each grant referred to in part (4), (a) who received the grant, (b) how was the recipient of the grant identified, (c) what was the purpose of the grant, (d) when did the person receive the grant, (e) what conditions attached to the grant, (f) did the conditions that attached to the grant prevent (or have the effect of preventing) the recipient making public comment on any issue; if so, how was the recipient prevented from making public comment and (g) how much was the grant.
- (6) Does the Government report or disclose publicly the recipients of grants and the conditions that attach to those grants.

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

1. (a)-(f) Answering this question to the level of detail required would require the diversion of significant resources. Links have therefore been provided to published information about grant programs. Portfolio arrangements and administration of grants have changed over time. Details of grant programs are provided in the ACT Health Directorate (ACTHD) and Canberra Health Services (CHS) Annual Report each year. Annual reports dating back to the 2009-2010 financial year are available on the ACTHD website: <https://www.health.act.gov.au/about-our-health-system/data-and-publications/reports/annual-reports>.
2. (a) Details of grant purposes are provided in ACTHD and CHS annual reports each year.
 (b) – (c) Details for grant related budget and expenditure are detailed in Financial Statements included in the Annual Report.
 (d) Territorial Grants have consistently been accounted for and reported as 'administered' or as 'expenses on behalf of the Territory' within the 'Territorial Financial Statements' in line with AASB 1050 dating back to the 2016-2017 financial year. Other types of grants (e.g. health promotion grants, research grants) are not accounted for as 'administered' items.
 (e) – (f) Answering this question to the level of detail required would require the diversion of significant resources.
- 3 – 4. See response to question 1.
5. Providing this level of detail would require a significant diversion of resources that cannot be justified given the level of information publicly available on grants, as outlined above.
6. See responses above. Details on grant recipients are provided in ACTHD and CHS annual reports. Recipients sign a Deed of Grant which specifies the obligations of both the grant recipient and the ACT Government. ACTHD does not publicly disclose these deeds. However, conditions that apply to grants generally are outlined in the Grant Guidelines for each program.

It is a condition of all ACT Government funding programs that grant recipients provide a final report to the funding Directorate. Final reports must include a description of project outcomes and an acquittal of how the grant was used.

ACT Government funding programs also require grant recipients to acknowledge ACT Government support in material produced as a result of that funding. These conditions are further detailed on the ACT Government Grants webpage:
www.act.gov.au/grants/home.

Canberra Health Services—COVID-19 leave (Question No 625)

Mrs Jones asked the Minister for Health, upon notice, on 11 February 2022:

- (1) In relation to Canberra Health Services, how many instances, since 1 July 2021, have there been of nurses being furloughed because they have been required to quarantine or isolate due to COVID-19.
- (2) For each instance of quarantine or isolation referred to in part (1), did the nurse use (a) COVID-19 leave, (b) personal leave, (c) annual leave, (d) other leave (specify), (e) a combination of the leave types in (a)-(d) (specify) or (f) was the nurse not entitled to leave.
- (3) How many days of (a) COVID-19 leave, (b) personal leave, (c) annual leave and (d) other leave, have been accessed by nurses in each month since 1 July 2021.

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

- (1) Canberra Health Services (CHS) is unable to answer all elements of this question. When staff apply for COVID leave, CHS internally tracks this request, however once this leave is approved, it cannot be traced. When the COVID Leave type was created for ACTPS employees, no ACTPS leave codes were created to allow directorates to track the amount of leave paid.
- (2) As above.
- (3) (a) As above.
 (b) The breakdown of personal leave days paid by month to Nursing Staff at CHS since 1 July 2021 is detailed below. These days are the total hours of personal leave paid and divided by eight (shift length) to determine days taken per month. There are three types of personal leave included as defined in the table with total per month detailed.

| | | Personal leave days |
|-------------|------------|----------------------------|
| 2021 | Jun | 4061.72 |
| | Jul | 3845.28 |
| | Aug | 4080.5 |
| | Sep | 4502.8 |
| | Oct | 3057.4 |
| | Nov | 4127.58 |
| | Dec | 4183.18 |

| | | |
|-------------|------------|---------|
| 2022 | Jan | 3465.61 |
| | Feb | 3576.53 |
| | Mar | 4409.31 |

(c) The breakdown of annual leave days paid by month to Nursing staff at CHS since 1 July 2021 is detailed below. These days are the total paid divided by eight (shift length) to determine days taken per month.

| | | Annual leave days |
|-------------|------------|--------------------------|
| 2021 | Jun | 4565.71 |
| | Jul | 6220.75 |
| | Aug | 4707.59 |
| | Sep | 6841.04 |
| | Oct | 4733.34 |
| | Nov | 5150.09 |
| | Dec | 5735.81 |
| 2022 | Jan | 8451.1 |
| | Feb | 6650.72 |
| | Mar | 5786.34 |

(d) The breakdown of other leave days paid by month to Nursing staff at CHS since 1 July 2021 is detailed below. These days are the total hours of other leave paid divided by eight (shift length) to determine days taken per month. Please note that within the parameters of 'other leave', are multiple leave codes not assigned to any other code within the ACTPS system.

| | | Other leave days |
|-------------|------------|-------------------------|
| 2021 | Jun | 402.26 |
| | Jul | 433.67 |
| | Aug | 1134.07 |
| | Sep | 2884.86 |
| | Oct | 1461.77 |
| | Nov | 843.44 |
| | Dec | 699.94 |
| 2022 | Jan | 2414.29 |
| | Feb | 1867.03 |
| | Mar | 1476.25 |

Schools—counsellors (Question No 666)

Ms Castley asked the Minister for Education and Youth Affairs, upon notice, on 25 March 2022:

- (1) How many ACT government schools are there.
- (2) How many school counsellors are employed as full-time equivalent.
- (3) Does every government school have a full-time school counsellor; if not, how often is the school counsellor at the school (eg, one day a week, 1.5 days).

- (4) Are there more school counsellors employed in high schools and colleges than primary schools; if so, how many and how often are school counsellors at high schools and colleges.
- (5) What is the role of the school counsellor.
- (6) Are school counsellors required to submit reports with the Education Directorate about their work and the nature of the student issues they deal with; if so, can the Minister provide this information/reports for the last two years.
- (7) Has the number of school counsellors changed over the last five years; if so, can the Minister provide details.
- (8) What is the waiting time for a student to see a counsellor, and is this information kept.
- (9) On average, how many times will a school counsellor see a student/child.
- (10) What are the five most common reasons for students to see a school counsellor.
- (11) What qualifications do school counsellors have and can the Minister provide a breakdown of counsellors and their qualifications, including whether they are psychologists.
- (12) Has there been a review of the school counsellor program over the last six years; if so, can the Minister provide the report and recommendations.

Ms Berry: The answer to the member's question is as follows:

- (1) 90.
- (2) The Education Directorate does not employ school counsellors.
- (3) Refer to Answer 2.
- (4) Refer to Answer 2.
- (5) Refer to Answer 2.
- (6) Refer to Answer 2.
- (7) Refer to Answer 2.
- (8) Refer to Answer 2.
- (9) Refer to Answer 2.
- (10) Refer to Answer 2.
- (11) The Directorate employees qualified psychologists in the school psychology service. Currently, ACT public schools are supported by a total of 83.0 full-time equivalent (FTE) psychologists.
 - 64.0 FTE school psychologists (including two COVID-19 Response fund temporary positions)

- 14.0 FTE senior psychologists
- FTE Director of School Psychology, Clinical Practice
- FTE Senior Director of Clinical Practice
- 3.0 FTE psychologists in the Child Development Service, Community Services Directorate

(12) The Directorate does not have a school counsellor program.

Yerrabi Pond—water quality (Question No 668)

Ms Castley asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022:

- (1) How many complaints has Transport Canberra and City Services had about water quality at Yerrabi pond since 2016.
- (2) What has the Government done since 2016 to reduce Blue Green Algae blooms at Yerrabi Pond and will the Minister provide a breakdown of money that has been spent so far on these activities.
- (3) What work does the Government plan to do to reduce Blue Green Algae blooms at Yerrabi Pond and will the Minister provide a breakdown of future activities and their estimated cost.
- (4) What testing has the Government conducted for water quality at Yerrabi Pond since 2016.
- (5) What reports has the Government produced about the water quality of Yerrabi Pond since 2016 and can the Minister provide these reports.
- (6) Are these reports or test results publicly available; if not, why not.
- (7) Is the Government planning to build a floating wetland at Yerrabi Pond; if not, why not; if so, what is the process and timeframe and when will the wetland be finished.
- (8) What work has the Government done about establishing a floating wetland at Yerrabi Pond.

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

- 1) TCCS Fix My Street returned no complaints specific to the water quality of Yerrabi Pond.
- 2) Yerrabi Pond experiences strong growth of the submerged macrophyte *Vallisneria* ('ribbonweed') and filamentous algae attaches to this. These growths indicate that Yerrabi Pond is nutrient enriched, as expected since it is part of the pollution control system for Gungahlin. However, Yerrabi is not as susceptible to blooms of blue-green algae as are some other lakes and ponds in the ACT, likely because of the protection afforded by the *Vallisneria*, which competes with algae. The ACT Government is investing in a floating wetland for Yerrabi Pond that will help control nutrient levels and thus algal growth. The cost of the floating wetland is in the vicinity of \$600K.

- 3) The ACT Government is considering an integrated program of activities, which includes the development of a catchment plan for improving water quality in Yerrabi Pond.
- 4) Yerrabi is monitored 6-8 times a year, mainly in the summer, at 0.5m intervals to 3.8m (the bottom) for temperature, dissolved oxygen, pH, and conductivity. Enterococci are also monitored in the water sample from the pond surface. A surface water column sample is analysed for temperature, dissolved oxygen, pH, conductivity, turbidity, total organic carbon, total suspended solids, ammonia, nitrate, total nitrogen, total phosphorus, chlorophyll-a, total algae and algal composition. Yerrabi Pond is also monitored monthly at two sites (an inlet and the outlet) by Waterwatch volunteers for pH, turbidity, dissolved reactive phosphorous, conductivity, dissolved oxygen, macroinvertebrate (water bug) community composition and riparian condition.
- 5) Yerrabi Pond is included in the Waterwatch Catchment Health Indicator Report, which is produced annually and is available online.
- 6) The reports are publicly available.
- 7) A floating wetland is being installed in the bay draining Amaroo. Delays in supply chains have postponed this deployment and altered the design of the wetland however it is expected that the works will be completed this financial year.

ACT Gambling and Racing Commission—problem gambling incidents (Question No 669)

Dr Paterson asked the Minister for Gaming, upon notice, on 25 March 2022
(*redirected to the Minister for Business and Better Regulation*):

- (1) What is the Electronic Gambling Machine (EGM) total player losses for the ACT for (a) 2021, (b) 2020, (c) 2019 and (d) 2018, broken down by year and month.
- (2) Has the ACT considered a ‘demerit point’ system for compliance breaches for licensees (similar to Victoria).
- (3) Does the Gambling and Racing Control (Code of Practice) Regulation 2002 require licensees to record problem gambling incidents; if so, what was the overall number of problem gambling incidents recorded across venues in the ACT for (a) 2017-18, (b) 2018-19, (c) 2019-20 and (d) 2020-21.
- (4) Can the problem gambling incidents, referred to in part (3), be broken down by number per club, per year, either by identifying venues (or de-identified).
- (5) Can the ACT Gambling and Racing Commission provide a breakdown of the descriptions of the incidents (under Schedule 1 Code of Practice, Division 1.2.2, 1.6A (3b)) for (a) 2017-18, (b) 2018-19, (c) 2019-20 and (d) 2020-21.
- (6) How many incidents on the Problem Gambling Incident Register recorded ‘action taken’ each year in (a) 2017-18, (b) 2018-19, (c) 2019-20 and (d) 2020-21.
- (7) How many deeds of exclusion were enacted each year in (a) 2017-18, (b) 2018-19, (c) 2019-20 and (d) 2020-21.

- (8) What is the average exclusion period for deeds of exclusion in the ACT.
- (9) What is the gender breakdown of deeds of exclusion, each year, in (a) 2017-18, (b) 2018-19, (c) 2019-20 and (d) 2020-21.
- (10) How many deeds of exclusion were revoked, each year, in (a) 2017-18, (b) 2018-19, (c) 2019-20 and (d) 2020-21.

Ms Cheyne: The answer to the member's question is as follows:

(1) (a) 2021 – Total player losses: \$143,695,002.61

| | |
|---------|-----------------|
| Jan-21 | \$15,257,853.75 |
| Feb-21 | \$13,108,565.92 |
| Mar-21 | \$13,726,467.91 |
| Apr-21 | \$15,253,228.69 |
| May-21 | \$14,231,276.61 |
| Jun-21 | \$14,578,505.43 |
| Jul-21 | \$17,405,110.68 |
| Aug-21 | \$5,326,918.68 |
| Sep-21 | \$0.00 |
| *Oct-21 | \$4,088,251.04 |
| *Nov-21 | \$14,979,693.27 |
| *Dec-21 | \$15,739,130.63 |

(b) 2020 – Total player losses: \$107,130,847.20

| | |
|--------|-----------------|
| Jan-20 | \$14,206,051.20 |
| Feb-20 | \$13,102,496.84 |
| Mar-20 | \$9,939,667.86 |
| Apr-20 | \$0.00 |
| May-20 | \$0.00 |
| Jun-20 | \$0.00 |
| Jul-20 | \$0.00 |
| Aug-20 | \$10,183,142.94 |
| Sep-20 | \$14,700,786.59 |
| Oct-20 | \$16,178,192.61 |
| Nov-20 | \$13,888,836.34 |
| Dec-20 | \$14,931,672.82 |

(c) 2019 – Total player losses: \$169,947,554.77

| | |
|--------|-----------------|
| Jan-19 | \$13,120,470.14 |
| Feb-19 | \$12,458,020.34 |
| Mar-19 | \$14,262,142.79 |
| Apr-19 | \$13,357,334.02 |
| May-19 | \$13,870,367.05 |
| Jun-19 | \$14,208,763.99 |
| Jul-19 | \$14,522,084.62 |
| Aug-19 | \$15,566,877.04 |
| Sep-19 | \$14,708,184.13 |
| Oct-19 | \$14,585,833.07 |
| Nov-19 | \$13,876,488.60 |
| Dec-19 | \$15,410,988.98 |

(d) 2018 – Total player losses: \$165,783,015.97

| | |
|--------|-----------------|
| Jan-18 | \$13,214,865.86 |
| Feb-18 | \$12,319,533.68 |
| Mar-18 | \$14,026,846.13 |
| Apr-18 | \$13,233,872.71 |
| May-18 | \$13,051,411.64 |
| Jun-18 | \$14,479,937.65 |
| Jul-18 | \$14,066,198.40 |
| Aug-18 | \$14,966,096.15 |
| Sep-18 | \$14,386,249.46 |
| Oct-18 | \$13,794,289.39 |
| Nov-18 | \$13,987,748.62 |
| Dec-18 | \$14,255,966.28 |

** Assessment period subject to possible adjustment*

- (2) The government has been unable to identify any recent consideration of a demerit point system for ACT gambling licensees.
- (3) Under the *Gambling and Racing Control (Code of Practice) Regulation Schedule 1* Division 1.2.2 (1.6A) a licensee of a gambling facility must keep a record of problem gambling incidents. The overall numbers of gambling incidents recorded across venues in the ACT are:
 - (a) 2017-18 – 2,048
 - (b) 2018-19 – 13,225
 - (c) 2019-20 – 13,110
 - (d) 2020-21 – 16,340
- (4) *(Answer available at the Chamber Support Office).*
- (5) The government is unable to provide a breakdown of descriptions of the incidents without unreasonably diverting resources to undertake manual processing as information about incidents is detailed in the ACT Gamblers Exclusion Database in free text.
- (6) The government is unable to provide a breakdown of actions taken without unreasonably diverting resources to undertake manual processing as information about incidents is detailed in the ACT Gamblers Exclusion Database in free text.
- (7) The following number of deeds of exclusion were enacted:
 - (a) 2017-18 – 235
 - (b) 2018-19 – 215
 - (c) 2019-20 – 154
 - (d) 2020-21 – 163
- (8) The government is unable to calculate an average exclusion period without unreasonably diverting resources to undertake manual processing. Self exclusion periods range from six months to three years.

(9) The gender of signatories to deeds of exclusion began to be collected in November 2019. The first full year of data is 2020-21 where the breakdown is as follows:

(a) 2020-21 – Male = 130; Female = 33

(10) The following number of deeds were revoked:

(a) 2017-18 – 63

(b) 2018-19 – 60

(c) 2019-20 – 62

(d) 2020-21 – 56

Justice—Justice Health strategy (Question No 670)

Mr Pettersson asked the Minister for Justice Health, upon notice, on 25 March 2022:

- (1) When did work on the Justice Health Strategy commence.
- (2) Why is the strategy needed and what issues is it seeking to address.
- (3) Why have the issues, referred to in part (2), emerged and what steps will the Minister take through the strategy to ensure these are not repeated.
- (4) What consultations have occurred and if no consultations have occurred, why not.
- (5) What metrics will be used to determine success or failure of the strategy and will these be incorporated into the accountability indicators associated with Output 1.2.
- (6) Why are there currently no specific indicators for the health and wellbeing of detainees at the Alexander Maconochie Centre (AMC).
- (7) When will the strategy be launched and when will it commence.
- (8) How will health outcomes for detainees be improved prior to the commencement of the strategy.
- (9) How will this strategy address current shortages in psychiatrists and psychologists working in justice health at the AMC.

Ms Davidson: The answer to the member's question is as follows:

- (1) While reviewing service delivery and implementing plans to improve the quality and safety of health care to detainees are core business as usual practices, a specific Justice Health Strategy is being developed in response to the Auditor-General's audit into the management of detainee mental health services at the Alexander Maconochie Centre (AMC). Therefore, this work has two phases - review of the recommendations which commenced in December 2021, and development of the Justice Health Strategy which will commence following the Government response to the above-mentioned audit.

- (2) People in contact with the ACT justice system are a particularly vulnerable population group. As such, it is critical they are provided with health services that are accessible, effective, evidence-based, culturally appropriate, and safe. Furthermore, these services need to be commensurate with what is provided in the community. Improving health outcomes for detainees and supporting them in transitioning back into the community is important from both a public health perspective and a criminal justice perspective. The recommendations made by the Auditor-General Michael Harris seek to strengthen strategic planning, record keeping, governance, care coordination and key performance indicators at the AMC.
- (3) The AMC opened in 2008, which is a relatively new service in comparison to other jurisdictions. Taking this into account, as well as the multi-faceted complexities of justice health services, recent audits, and reviews, including the recent Auditor-General's audit, have been beneficial in identifying opportunities to improve justice health service delivery and design. The Justice Health Strategy will seek to collaboratively improve health outcomes for detainees through interagency partnerships. Areas currently being explored include developing the model of care, establishing a policy function, strengthening governance structures and frameworks, driving improvement through strategic planning, enhancing care coordination and record keeping, increasing performance indicators, and developing training and research opportunities.
- (4) The Justice Health Strategy is aiming to improve health outcomes for detainees and support them in transitioning back into the community. Canberra Health Services, ACT Health Directorate (ACTHD), including Winnunga, and Justice and Community Safety Directorate (JACS) are all key stakeholders in the delivery of healthcare services within the ACT justice system, and as a result, interagency collaboration and consultation have commenced to address the Auditor-General's recommendations
- (5) Ultimately, the success of the Justice Health Strategy will be determined by improved health outcomes for detainees. Specific metrics relating to the Justice Health Strategy are currently being developed in consultation with key stakeholders. It is important to note that there are currently three accountability indicators, specific to Justice Health Services, that are associated with Output 1.2.
- (6) There are many specific indicators currently in use to monitor the health of detainees at AMC. These include mental and physical health, as well as induction, risk assessment and blood borne virus health metrics. One of the accountability indicators associated with Output 1.2 is *the Proportion of detainees at the Alexander Maconochie Centre with a completed health assessment within 24 hours of detention*, to which Canberra Health Services met the target of 100 per cent in 2020-21. Additional key performance indicators (KPI's) will be identified to improve health outcomes for detainees and enhance partnerships and governance of health service delivery in the custodial setting. Additional key performance indicators (KPI's) will be identified to improve health outcomes for detainees and enhance partnerships and governance of health service delivery in the custodial setting.
- (7) As previously stated, strategies that improve the provision of safe and high-quality care are core components of health services management. Further strategies that will form the Justice Health Strategy are currently being explored in response to the Auditor-General's audit into the management of detainee mental health services at the AMC. Once consultations with key stakeholders have concluded, the Government Response due to the Legislative Assembly in July 2022, will be finalised. The Justice

Health Strategy will be developed following the Government Response, and it is anticipated that it will be launched by the end of 2022.

- (8) Improving the safety, quality and sustainability of health services is the foundation of health services management. Focusing on the development of the Justice Health Strategy allows for the careful planning and implementation of improvements that will be sustainable. If there is an initiative identified during the development of the Justice Health Strategy that will improve health outcomes for detainees and is sustainable, it may be implemented prior to the commencement of the strategy.
- (9) Staffing pressures are an established national issue. However, a focus on Justice Health strategies through innovations such as research and policy development, will give structure to health services in the custodial setting and attract and retain a professional workforce.

Housing ACT—residents survey (Question No 671)

Ms Lawder asked the Minister for Homelessness and Housing Services, upon notice, on 25 March 2022:

- (1) How many residents are currently living in public housing in the ACT.
- (2) What percentage of these residents, referred to in part (1), identify as female.
- (3) Are public housing residents surveyed about their experiences living in public housing; if so, how often does this take place.
- (4) Can the Minister provide a copy of the most recent survey undertaken by Housing ACT.

Ms Vassarotti: The answer to the member's question is as follows:

- (1) On 28 March 2022 there were 20,697 residents living in public housing in the ACT.
- (2) On 28 March 2022, 56 per cent of these residents had identified as female.
- (3) A survey of the ACT's public housing tenants is conducted annually, with questionnaire responses typically sought from May to June each year, to gain feedback on tenant support needs, housing conditions and priorities, views on their local area, tenancy experiences and satisfaction with service provision.

This survey is conducted in alternating years by a) Housing ACT and b) the Australian Institute of Health and Welfare (AIHW) as part of the national social housing survey on behalf of all states and territories.

The most recent survey completed by Housing ACT was in 2019. The AIHW national social housing survey scheduled for 2020 was postponed until 2021 due to COVID-19. The 2022 ACT survey is now in preparation for distribution to tenants in April.

- (4) The AIHW is currently preparing its report on the 2021 national social housing survey results which is due for release by June 2022. The results of the ACT 2019 tenant survey are attached.

(A copy of the attachment is available at the Chamber Support Office).

Taxation—commercial property rates (Question No 673)

Ms Castley asked the Treasurer, upon notice, on 25 March 2022 *(redirected to the Chief Minister)*:

What were the median commercial rates in (a) Gungahlin, (b) Belconnen, (c) Phillip, (d) Mitchell, (e) Fyshwick, (f) City Centre, (g) Braddon, (h) Ainslie, (i) Mawson, (j) Wanniassa, (k) Kambah and (l) Isabella Plains, for each financial year since 2012 to date.

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

The median commercial rate charged (\$ value) for requested suburbs in financial years 2012-13 to 2021-22, year-to-date are tabled below.

| Suburbs | 2012-13 | 2013-14 | 2014-15 | 2015-16 | 2016-17 |
|---------------------|---------|---------|---------|---------|---------|
| (a) Gungahlin | 3,444 | 4,285 | 5,392 | 8,875 | 9,922 |
| (b) Belconnen | 5,232 | 6,052 | 6,494 | 7,078 | 7,473 |
| (c) Phillip | 6,423 | 8,078 | 7,382 | 7,788 | 8,364 |
| (d) Mitchell | 4,575 | 5,407 | 5,793 | 6,401 | 6,706 |
| (e) Fyshwick | 6,083 | 6,738 | 7,127 | 7,656 | 8,278 |
| (f) City | 7,031 | 9,587 | 9,692 | 10,196 | 13,236 |
| (g) Braddon | 12,834 | 6,588 | 5,616 | 6,378 | 6,733 |
| (h) Ainslie | 5,754 | 6,888 | 7,610 | 8,356 | 8,845 |
| (i) Mawson | 4,496 | 5,461 | 5,983 | 6,577 | 6,943 |
| (j) Wanniassa | 3,977 | 4,820 | 5,223 | 5,685 | 5,998 |
| (k) Kambah | 4,801 | 5,791 | 5,447 | 6,967 | 7,462 |
| (l) Isabella Plains | 11,390 | 13,809 | 15,098 | 16,323 | 17,214 |

| Suburbs | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------------|---------|---------|---------|---------|---------|
| (a) Gungahlin | 10,624 | 10,564 | 10,372 | 10,964 | 11,230 |
| (b) Belconnen | 7,720 | 8,128 | 8,307 | 8,167 | 7,270 |
| (c) Phillip | 9,480 | 10,400 | 11,342 | 11,590 | 10,720 |
| (d) Mitchell | 7,080 | 7,295 | 7,626 | 7,627 | 7,959 |
| (e) Fyshwick | 8,959 | 9,276 | 9,806 | 9,321 | 9,512 |
| (f) City | 13,673 | 14,095 | 13,598 | 12,240 | 12,422 |
| (g) Braddon | 7,165 | 7,588 | 8,098 | 6,701 | 7,517 |
| (h) Ainslie | 9,327 | 10,478 | 11,033 | 12,124 | 13,749 |
| (i) Mawson | 7,329 | 7,646 | 8,071 | 7,937 | 8,012 |
| (j) Wanniassa | 6,336 | 6,536 | 6,834 | 6,658 | 6,812 |
| (k) Kambah | 7,875 | 8,120 | 8,472 | 8,328 | 8,505 |
| (l) Isabella Plains | 18,123 | 18,673 | 9,279 | 18,949 | 18,353 |

Notes

1. In the 2011-12 financial year both land tax and general rates applied to commercial properties. In 2012-13 as part of tax reform, commercial land tax was abolished. From 2012-13, general rates are used as a base to replace revenue lost as a result of abolishing inefficient taxes (refer explanatory statement, Revenue Legislation (Tax Reform) Amendment Bill 2013).
2. The commercial rates values tabled are net of rebates and includes the Fire Emergency Services Levy.
3. The median value in suburbs with only 2 properties is worked out as an average of the 2 values.
4. The median values are current to 25 March 2022.

**Yerrabi electorate—rates
(Question No 674)**

Ms Castley asked the Treasurer, upon notice, on 25 March 2022 (*redirected to the Chief Minister*):

What is the breakdown, by suburb, for median (a) residential rates, (b) commercial rates and (c) land tax, in the electorate of Yerrabi since 2012.

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

The median residential rates, median commercial rates and median land tax charged, broken down by the suburbs within the electorate of Yerrabi, for the financial years from the creation of the electorate in 2016 to 2021-22, year-to-date are tabled below.

(a) Residential rates (\$ value)

| SUBURBS | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|------------|---------|---------|---------|---------|---------|---------|
| Amaroo | 1,902 | 2,056 | 2,214 | 2,354 | 2,502 | 2,582 |
| Bonner | 1,725 | 1,880 | 2,074 | 2,233 | 2,349 | 2,386 |
| Casey | 1,797 | 1,946 | 2,144 | 2,305 | 2,425 | 2,487 |
| Crace | 1,978 | 2,135 | 2,385 | 2,603 | 2,730 | 2,774 |
| Forde | 1,907 | 2,092 | 2,365 | 2,568 | 2,702 | 2,769 |
| Franklin | 1,693 | 1,568 | 1,657 | 1,799 | 1,902 | 1,903 |
| Giralang | 2,094 | 2,280 | 2,503 | 2,710 | 2,852 | 2,930 |
| Gungahlin | 1,853 | 1,977 | 2,041 | 2,150 | 2,157 | 2,025 |
| Hall | 3,836 | 4,063 | 4,219 | 4,426 | 4,648 | 4,925 |
| Harrison | 1,768 | 1,898 | 2,103 | 2,294 | 2,408 | 2,453 |
| Jacka | 1,281 | 1,553 | 1,629 | 1,716 | 1,864 | 1,934 |
| Kaleen | 2,255 | 2,445 | 2,664 | 2,865 | 3,051 | 3,195 |
| Moncrieff | 1,771 | 1,891 | 2,097 | 2,253 | 2,359 | 2,391 |
| Ngunnawal | 1,729 | 1,841 | 2,016 | 2,137 | 2,227 | 2,236 |
| Nicholls | 2,058 | 2,317 | 2,518 | 2,755 | 2,903 | 2,998 |
| Palmerston | 1,845 | 2,079 | 2,208 | 2,394 | 2,539 | 2,641 |
| Taylor | N/A | 2,274 | 2,418 | 2,520 | 2,658 | 2,681 |
| Throsby | 2,404 | 2,634 | 2,802 | 2,863 | 2,914 | 2,921 |

Notes (a) Residential rates

1. The suburbs tabled comprise of the entire district of Gungahlin and includes the suburbs of Amaroo, Bonner, Casey, Crace, Forde, Franklin, Gungahlin, Harrison, Jacka, Moncrieff, Ngunnawal, Nicholls, Palmerston, Taylor, Throsby, the Belconnen district suburbs of Giralang

and Kaleen, and the Township of Hall. The current boundaries of the Yerrabi electorate have been used, historic movement of boundary lines have not been considered.

2. The residential rates values tabled are net of rebates and includes the Fire Emergency Services Levy and Safer Families Levy.
3. The median value in suburbs with only 2 properties is worked out as an average of the 2 values. The values are current to 25 March 2022.

(b) Commercial rates (\$ value)

| SUBURBS | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|------------|---------|---------|---------|---------|---------|---------|
| Amaroo | 67,040 | 72,890 | 58,907 | 35,576 | 35,510 | 38,661 |
| Bonner | 8,322 | 8,778 | 9,051 | 9,430 | 9,265 | 9,456 |
| Casey | 32,496 | 34,163 | 41,776 | 9,003 | 8,987 | 9,263 |
| Crace | 41,160 | 3,851 | 3,978 | 4,188 | 4,150 | 4,269 |
| Forde | 3,929 | 4,160 | 4,296 | 4,518 | 4,648 | 4,882 |
| Franklin | 4,033 | 4,240 | 4,410 | 4,637 | 4,661 | 4,878 |
| Giralang | 19,848 | 19,390 | 36,231 | 37,255 | 38,129 | 51,495 |
| Gungahlin | 9,922 | 10,624 | 10,564 | 10,372 | 10,964 | 11,230 |
| Hall | 15,071 | 20,812 | 14,593 | 15,130 | 15,071 | 16,769 |
| Harrison | 2,877 | 3,055 | 3,158 | 3,575 | 3,586 | 3,774 |
| Jacka | N/A | N/A | N/A | N/A | N/A | N/A |
| Kaleen | 7,273 | 7,676 | 7,277 | 7,600 | 7,717 | 7,928 |
| Moncrieff | 152,361 | 75,771 | 52,474 | 53,853 | 3,548 | |
| Ngunnawal | 5,644 | 5,964 | 6,153 | 6,438 | 6,344 | 6,628 |
| Nicholls | 10,319 | 10,997 | 11,337 | 8,793 | 8,642 | 8,823 |
| Palmerston | 5,816 | 6,145 | 6,339 | 6,630 | 6,532 | 6,684 |
| Taylor | N/A | N/A | 318,190 | 117,032 | 130,410 | 132,398 |
| Throsby | 97,337 | 170,558 | 115,439 | 107,233 | 119,865 | 72,645 |

Notes (b) Commercial rates

1. The suburbs tabled comprise of the entire district of Gungahlin and includes the suburbs of Amaroo, Bonner, Casey, Crace, Forde, Franklin, Gungahlin, Harrison, Jacka, Moncrieff, Ngunnawal, Nicholls, Palmerston, Taylor, Throsby, the Belconnen district suburbs of Giralang and Kaleen, and the Township of Hall. The current boundaries of the Yerrabi electorate have been used, historic movement of boundary lines have not been considered.
2. The commercial rates values tabled are net of rebates and includes the Fire Emergency Services Levy.
3. The median value in suburbs with only 2 properties is worked out as an average of the 2 values. The values are current to 25 March 2022, and do not include land tax bills for the final quarter of 2021-22.
4. No commercial properties existed in Taylor in 2016-17 and 2017-18, and no commercial properties exist in Jacka.

(c) Land Tax (\$ value)

| SUBURBS | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|----------|---------|---------|---------|---------|---------|---------|
| Amaroo | 2,311 | 2,552 | 2,677 | 2,810 | 2,972 | 2,450 |
| Bonner | 1,686 | 2,188 | 2,280 | 2,535 | 2,684 | 2,171 |
| Casey | 1,947 | 2,191 | 2,313 | 2,489 | 2,635 | 2,173 |
| Crace | 1,910 | 2,154 | 2,383 | 2,558 | 2,718 | 2,210 |
| Forde | 2,175 | 2,465 | 2,657 | 2,925 | 3,114 | 2,548 |
| Franklin | 1,235 | 1,491 | 1,591 | 1,652 | 1,758 | 1,403 |
| Giralang | 2,955 | 3,196 | 3,477 | 3,778 | 4,000 | 3,192 |

| | | | | | | |
|-------------------|-------|-------|-------|-------|-------|-------|
| Gungahlin | 2,034 | 2,285 | 1,987 | 2,009 | 1,729 | 1,411 |
| Hall | 4,660 | 4,951 | 4,118 | 4,955 | 5,216 | 4,314 |
| Harrison | 1,479 | 1,749 | 1,952 | 2,169 | 2,276 | 1,887 |
| Jacka | 1,451 | 1,864 | 1,929 | 2,029 | 2,130 | 1,713 |
| Kaleen | 3,369 | 3,545 | 3,815 | 4,099 | 4,410 | 3,577 |
| Moncrieff | 1,192 | 1,980 | 1,658 | 2,184 | 2,462 | 2,013 |
| Ngunnawal | 2,097 | 2,293 | 2,433 | 2,547 | 2,669 | 2,131 |
| Nicholls | 2,168 | 2,774 | 3,035 | 3,211 | 3,338 | 2,674 |
| Palmerston | 2,043 | 2,759 | 2,848 | 2,980 | 3,167 | 2,504 |
| Taylor | N/A | 816 | 1,177 | 2,149 | 2,611 | 2,089 |
| Throsby | N/A | 1,075 | 2,703 | 2,589 | 2,838 | 2,380 |

Notes (c) Land Tax

1. The suburbs tabled comprise of the entire district of Gungahlin and includes the suburbs of Amaroo, Bonner, Casey, Crace, Forde, Franklin, Gungahlin, Harrison, Jacka, Moncrieff, Ngunnawal, Nicholls, Palmerston, Taylor, Throsby, the Belconnen district suburbs of Giralang and Kaleen, and the Township of Hall. The current boundaries of the Yerrabi electorate have been used, historic movement of boundary lines have not been considered.
2. The median value in suburbs with only 2 properties is worked out as an average of the 2 values. The values are current to 25 March 2022.
3. No Throsby residences were subject to land tax in 2016-17.

ACT Health—policies and programs (Question No 676)

Ms Castley asked the Minister for Health, upon notice, on 25 March 2022:

Can the Minister provide a breakdown of all ACT Health and Canberra Health Services (CHS) policies, actions, reports, plans and projects since 2016 including a breakdown (a) of the estimated expenditure for each of the policies, actions, reports, plans and projects, (b) of how much has currently been spent on policies, actions, reports, plans and projects by ACT Health and CHS, (c) of the expected completion date for each policy, action, report, plan and project and (d) on whether the policies, actions, reports, plans and projects are completed, on time, delayed or suspended and explanations why.

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

Information on ACT Health (ACTHD) and Canberra Health Services (CHS) policies, actions, reports, plans and projects are available online via the ACTHD, CHS and ACT Treasury websites:

- <https://health.act.gov.au/about-our-health-system/data-and-publications/reports/annual-reports?msclkid=5f264c3ec6bd11ec813187dc5ac0800f>
- <https://www.canberrahealthservices.act.gov.au/about-us/media-centre/publications>
- <https://www.treasury.act.gov.au/budget/previous-act-budgets>

Further information that relates to your question can be found on the following ACTHD and CHS websites:

- <https://health.act.gov.au/news>
- <https://health.act.gov.au/about-our-health-system/data-and-publications>
- <https://www.canberrahealthservices.act.gov.au/about-us/media-centre/news>
- <https://www.canberrahealthservices.act.gov.au/about-us/planning-for-the-future>

The Budget Estimates and Annual Report hearings are an opportunity to seek information on any ACTHD and CHS policy and plans that are of interest to you. To provide further detail at this time would be an unreasonable diversion of resources.

Chief Minister—grants (Question No 677)

Mrs Jones asked the Chief Minister, upon notice, on 25 March 2022:

- (1) What grant programs were operated or administered by the Chief Minister's portfolio in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20, (e) 2020-21, and (f) 2021-22.
- (2) For each grant program referred to in part (1), (a) what was the purpose of the grant program, (b) how much money was budgeted for the grant program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (c) how much money was expended under the grant program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (d) was the program accounted for as an expense on behalf of the Territory ("administered" within the meaning of Australian accounting standard AASB 1050), (e) how many applications were received for grants under the program in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (f) who decided, approved or rejected applications for grants, (g) what percentage of applicants were approved in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (h) what percentage of applicants were rejected in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22 and (i) what criteria, policies, guidelines applied to the program.
- (3) For each grant program referred to in part (1), but excluding non-competitive grant programs that provide generalised financial assistance to individuals or businesses, (a) who received a grant in (i) 2016-17, (ii) 2017-18, (iii) 2018-19, (iv) 2019-20, (v) 2020-21, and (vi) 2021-22, (b) when did the recipient apply for the grant, (c) when did the recipient receive the grant, (d) how much was the grant and (e) did the conditions that attached to the grant prevent (or have the effect of preventing) the recipient making public comment on any issue; if so, how was the recipient prevented from making public comment.
- (4) Has the portfolio provided a grant that was not provided under one of the programs identified in part (1) in (a) 2016-17, (b) 2017-18, (c) 2018-19, (d) 2019-20, (e) 2020-21, and (f) 2021-22.
- (5) For each grant referred to in part (4), (a) who received the grant, (b) how was the recipient of the grant identified, (c) what was the purpose of the grant, (d) when did the person receive the grant, (e) what conditions attached to the grant, (f) did the

conditions that attached to the grant prevent (or have the effect of preventing) the recipient making public comment on any issue; if so, how was the recipient prevented from making public comment and (g) how much was the grant.

- (6) Does the Government report or disclose publicly the recipients of grants and the conditions that attach to those grants.

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

The table below contains data on the Capital of Equality LGBTIQ+ Grants Program, an "administered" program within my portfolio. Further information on the purpose, criteria, policies and guidelines applied to the program is available in ACT Budget papers, since 2018-19, and www.act.gov.au/lgbtiq.

There are no conditions attached to funding deeds which prevent grant recipients from making public comment. Information on the 2021-22 round is not available as the round is currently open.

| | 2018-19 | 2019-20 | 2020-21 |
|---------------------------------|-----------|-----------|-----------|
| Budget | \$100,000 | \$100,000 | \$100,000 |
| Amount expended | \$100,000 | \$100,000 | \$99,950 |
| Number of applications received | 32 | 18 | 31 |
| Number of applications approved | 10 | 10 | 10 |

Government—act of grace payments (Question No 678)

Mrs Jones asked the Treasurer, upon notice, on 25 March 2022 (*redirected to the Chief Minister*):

Further to the answer to question on notice No 520, in 2020-21 (a) how many applications for Act of Grace payments were received, (b) how many applications for Act of Grace payments were agreed and (c) what was the total amount agreed to be paid as an Act of Grace payment, by (i) the Treasurer, (ii) E900, Director-General, Chief Minister, Treasury and Economic Development Directorate (CMTEDD), (iii) E916, Under Treasurer, CMTEDD, (iv) E1014, Deputy Under Treasurer, Economic, Budget and Industrial Relations, CMTEDD, (v) E391, Executive Group Manager, Finance and Budget Group, CMTEDD and (iv) E529, Executive Group Manager, Revenue Management Group, CMTEDD.

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

Section 130 of the *Financial Management Act 1996* allows the Treasurer to authorise act of grace payments and requires authorised payments to be reported in notes to the financial statements of the Directorate or Territory Authority who made the payment.

Total act of grace payments and their value can be found in the relevant financial statements of each Directorate or Territory Authority (other expenses or act of grace note) and in the 2020-21 Consolidated Annual Financial Statements at

<https://www.treasury.act.gov.au/publications> (note 17 - Act of Grace Payments, page 30).

All payments were authorised by the Treasurer.

Government—payment waivers (Question No 679)

Mrs Jones asked the Treasurer, upon notice, on 25 March 2022 (*redirected to the Chief Minister*):

- (1) Further to the answer to question on notice No 519, what was the amount waived under paragraph 131(1)(a) of the Financial Management Act 1996 in 2020-21 by (a) E900, Director-General, Chief Minister, Treasury and Economic, Development Directorate (CMTEDD), (b) E916, Under Treasurer, CMTEDD, (c) E1014, Deputy Under Treasurer Economic, Budget and Industrial Relations, CMTEDD, (d) E391, Executive Group Manager, Finance and Budget Group CMTEDD, (e) E1003, Executive Group Manager, Revenue Management Group CMTEDD, (f) E270, Executive Group Manager, Housing ACT, (g) E902, Director-General, Justice and Community Safety Directorate, (h) E812, Deputy Director-General, Workforce Capability and Governance, CMTEDD, (i) E812 Deputy Director-General, Workforce Capability and Governance, CMTEDD, jointly with E916, Under Treasurer, CMTEDD, (j) E518, Executive Branch Manager, Libraries ACT, Transport Canberra and City Services Directorate (TCCS) and (k) P34360, Assistant Director, Operations Manager, Libraries ACT (TCCS).
- (2) How many applications for a waiver under paragraph 131(1)(a) of the Financial Management Act 1996 did each of the delegates referred to in part (1) receive in 2020-21, and how many were agreed.
- (3) What was the amount waived by the Treasurer under paragraph 131(1)(a) of the Financial Management Act 1996 in 2020-21.
- (4) How many applications for a waiver under paragraph 131(1)(a) of the Financial Management Act 1996 did the Treasurer receive in 2020-21 and how many were agreed.

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

Section 131 of the *Financial Management Act 1996* allows the Treasurer to authorise waivers and requires authorised amounts to be reported in notes to the financial statements of the Directorate or Territory Authority who made the payment.

The Treasurer has also delegated this authority under section 254A of the *Legislation Act 2001*.

The number of waiver applications received, and the amounts waived, by the Treasurer and delegates in 2020-21 is provided below. No other delegations were used in relation to waivers in 2020-21

| Delegate | Number | Value \$'000 |
|--|--------------|-----------------|
| Treasurer | 526 | 6,782 |
| Under Treasurer | 6,086 | 6,773 |
| Deputy Under Treasurer Economic, Budget and Industrial Relations | 4 | 12 |
| Executive Group Manager, Finance and Budget Group | 15 | 2,014 |
| Executive Group Manager, Revenue Management | 99 | 113 |
| Total | 6,730 | 15,694 |

In relation to the number of applications received, I have been advised by my directorate 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 require a considerable diversion of resources. In this instance, I do not believe it would be appropriate to divert resources from other priority activities for the purposes of answering this part of the Member's question.

Roads—pedestrian safety (Question No 680)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 25 March 2022:

- (1) Is a report being prepared on the safety of the intersection of La Perouse Street and Carnegie Crescent in Red Hill; if so, will the Minister engage with the community on the contents of this report prior to its finalisation and release.
- (2) Were the outcomes of this report expected in November 2021; if so, can the Minister provide an update as to the status of this report.

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

- (1) Yes.
- (2) The study has been completed and the findings have been reviewed by TCCS. Consultation with the community and stakeholders regarding the recommendations is expected to commence in the coming weeks.

Umbagog District Park—bridges (Question No 682)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 25 March 2022:

- (1) When will the community consultation on the progress of repairs to Umbagog bridge take place.
- (2) What sort of consultation will occur.
- (3) What is the next stage and timeline on this project.

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

- (1) Community consultation on the replacement of three timber pedestrian bridges in Umbagog District Park has commenced. The community will also have an opportunity to provide feedback on the overall project as part of the public notification period for the Development Application in the middle of the year.
 - (2) The community have been invited to provide feedback on the 'Look and Feel' impressions of the concept design. These, along with the heritage and ecological studies, will be provided on the City Services website with the community invited to provide feedback via email. In addition, two pop-ups will be held in the Umbagog District Park along with a presentation to the Belconnen Community Council to allow questions to be asked face to face (COVID restrictions permitting) with the project team.
 - (3) Following this period of community consultation, a Development Application will be submitted and a public notification period held in mid-2022. Construction is expected to commence later this year and be completed by mid-2023.
-

Giralang Pond—roadworks (Question No 683)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 25 March 2022:

- (1) Has Giralang Pond recently had a section of its pond filled in, in anticipation of further works on the Gundaroo Drive duplication; if so, can the Minister outline what consultations were done with local residents and community groups, including environment groups, before engaging in works to fill in part of Giralang Pond.
- (2) Can the Minister set out any planned future consultations with local residents and community groups, including environment groups, about these works and remediation of Giralang Pond.

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

- (1) A new bridge is to be constructed over the creek in this location. To enable construction of the new bridge, a section of the creek has been cleared to build a temporary piling platform using rock ballast and geofabric. The temporary platform will be removed upon completion of construction in this area and the creek and surrounds will be reinstated.

These works are consistent with the approved Development Application (DA) conditions and the approved Construction Environmental Management Plan (CEMP) associated with this project.

Previous public consultation was undertaken during the design and development of the project and more recently via public notification of the DA.

- (2) No further consultation is planned. The works are underway and will be undertaken in accordance with the DA conditions and approved CEMP.
-

**Consumer affairs—right to repair
(Question No 684)**

Mrs Kikkert asked the Minister for Consumer Affairs, upon notice, on 25 March 2022:

- (1) What has the ACT Government done in response to the Productivity Commission “right to repair” inquiry report since its release.
- (2) Is the ACT Government actively working in consultation with the Federal Government to work on amending Australian Consumer Law to introduce “right to repair” type legislation; if so, what work is being done.

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

The Productivity Commission’s report was initiated in response to a motion by the ACT at the Ministerial Consumer Affairs Forum (CAF) in 2019.

The report made 16 recommendations. The majority of recommendations require work to be undertaken by the Commonwealth or through multi-jurisdictional working groups. However, recommendation 3.3 provided that the State and Territory governments should identify opportunities to enhance alternate dispute resolution options in each jurisdiction to better resolve complaints about consumer guarantees.

The ACT has already implemented a mechanism which aligns with the intentions of this recommendation. The ACT Government strengthened enforcement through the *Justice Legislation Amendment Act 2020* which amended the *Fair Trading (Australian Consumer Law) Act 1992* to introduce a regime for the conciliation of consumer disputes by the Commissioner for Fair Trading (the Commissioner). Following these amendments, the Commissioner has the power to require a business to attend a compulsory in-person conciliation to assist consumers and businesses to resolve disputes relating to a consumer guarantee under the Australian Consumer Law (ACL).

This conciliation process imposes a monetary limit of \$5000 for consumer disputes. If a business fails to attend a compulsory conciliation and does not have a reasonable excuse of non-attendance, their non-attendance is subject to a civil penalty to be determined by the Magistrates Court. If necessary, the Commissioner can also apply to ACAT for an order enforcing an agreement’s terms should the terms be breached.

It is anticipated that conciliations will commence in May 2022.

From the ACT’s perspective, the Productivity Commission’s inquiry offers the Federal Government an opportunity to work with States and Territories to strengthen and better enforce the ACL’s consumer guarantees and, broadly, consumer protections. The Federal Government is yet to respond to the Report. Following the Federal election, I look forward to discussing the Federal response to the Report and working with Federal, State and Territory colleagues to further implement recommendations. I have also met with the Productivity Commission this year regarding the report to discuss the findings in more detail.

**Health—digital record systems
(Question No 685)**

Mrs Kikkert asked the Minister for Justice Health, upon notice, on 25 March 2022
(*redirected to the Minister for Mental Health*):

- (1) Is the replacement of the MAJICeR system on track for completion by 2022; if so, by what month is it expected to be replaced; if not, what is the (a) cause of the delay and (b) expected time of replacement.
- (2) What data interrogation options and information storage options will the new Digital Health Record system have that MAJICeR cannot currently perform.
- (3) When did the process to replace the MAJICeR system begin.
- (4) What has been expended so far in replacing MAJICeR.

Ms Davidson: The answer to the member's question is as follows:

- (1) Yes, the Digital Health Record is expected to go live in November 2022.
- (2) The Digital Health Record is designed to contain a longitudinal data view of a patient, as they journey through all ACT public health services.. The DHR data will enable mental health clinicians to interrogate not only the data they currently use today within MAJICeR, but also encompass their clinical assessment of health treatment, care plans, outcomes and impacts from the patients' other healthcare interactions. To do this today, data must be extracted not only from MAJICeR, but a number of clinical systems.
- (3) The strategic decision to invest in the digital health record began in 2017-18 with funding provided in the 2018-19 financial year.
- (4) The Digital Health Record will not only replace MAJICeR but another 26 clinical and administrative systems (such as Pathology, Radiology, Cancer, ICU, Dental, Renal, ED systems) used across the ACT public health system, as well as provide electronic workflows for several existing paper-based processes. As such it is difficult to attribute the specific spend to date replacing the MAJICeR system. The DHR Program has currently expended \$52,881,590 Capital to March 2022.

**Alexander Maconochie Centre—mental health services
(Question No 688)**

Mrs Kikkert asked the Minister for Justice Health, upon notice, on 25 March 2022:

- (1) Has the ACT Corrective Services (ACTCS) health advisory group been ineffective in establishing high level oversight of the work between ACTCS and ACT Health and ensuring an integrated approach is taken to the development of health-related policies within the Alexander Maconochie Centre (AMC).
- (2) In relation to paragraph 3.65 in the Auditor-General's report on the management of detainee mental health services in the AMC, which key action items failed to progress, remaining incomplete for more than 18 months.

- (3) Which of the key action items, referred to in part (2), remain incomplete and what progress has been made of them.

Ms Davidson: The answer to the member's question is as follows:

- (1) Historically, the health advisory group has been effective in establishing high level oversight of the work between ACTCS and Canberra Health Services however, since the beginning of 2020 due to managing COVID-19, this group has not been as effective in the development of health-related policies.
 - (2) Of the nine action items from the meeting on 12 September 2019, seven have been actioned and two remain unfinalised. These unfinalised items are the development of a Service Level Agreement between Canberra Health Services and ACT Corrective Services, and the progression of a Drug Strategy (ACTCS to quantify).
 - (3) Prioritisation of the COVID-19 response has impacted on the completion of these items. They will be readdressed as the burden of the pandemic begins to ease.
-

Parks and play spaces—federal funding (Question No 690)

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 25 March 2022:

- (1) How much Federal funding was allocated to the ACT Government this financial year for the purposes of upgrading parks.
- (2) How much of this funding is allocated to the Belconnen area.
- (3) How was Federal funding allocated to the ACT Government this financial year for the purposes of upgrading playgrounds.
- (4) How much of this funding is allocated to the Belconnen area.
- (5) What parks and playgrounds in West Belconnen are slated for upgrades this financial year.
- (6) How many parks and playgrounds in West Belconnen are slated for extensive maintenance and repairs this financial year.
- (7) How are park and playground upgrades prioritised.

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

- (1) Approximately \$3.86 million.
- (2) At least \$800,000.
- (3) Funding was allocated through the Local Roads and Community Infrastructure program.

- (4) At least \$500,000.
- (5) Sites for minor improvements at existing playgrounds in Belconnen are identified on the City Services website at www.cityservices.act.gov.au/Infrastructure-Projects/programs/playspace-upgrades.
- (6) Refer to 5.
- (7) Improvements to Canberra playgrounds are assessed and prioritised annually and considered for future improvements where necessary. This includes considering the provision of community recreational infrastructure on a priority basis, taking account of factors such as demand, demographics, equity, sustainability, co-location, and availability of funding. This process ensures that investments in public spaces are suitably targeted and meet the needs of all Canberrans.

Domestic and family violence—Family Violence Safety Action Pilot (Question No 691)

Mrs Kikkert asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 25 March 2022:

- (1) Did the Minister state that the Family Violence Safety Action Pilot provides extensive support to women and children victim-survivors; if so, can the Minister detail what this extensive support entails.
- (2) What tailored support is available for new migrants and refugees who are escaping domestic violence.
- (3) Did the Minister also state that the Family Violence Safety Action Pilot is unique in the ACT in how it responds to those who are perpetrating the violence; if so, can the Minister provide details of these responses and how it is unique to this Territory.
- (4) Can the Minister provide a list of perpetrator-focused agencies and services in the ACT.
- (5) Can the Minister provide a staffing profile of all staff involved in implementing the Family Violence Safety Action Pilot, including (a) whether they are full time equivalent, full-time/part-time/casual and other type of staffing and (b) employment classification, job title and description.

Ms Berry: The answer to the member's question is as follows:

- (1) The Minister did state that the Family Violence Safety Action Pilot provides extensive support to victim survivors. This support includes an average of 12 weeks intensive case coordination and support. Victim-survivors are contacted at the point of referral, their support needs are discussed and they can opt into the FVSAP. The support offered will depend on the needs of the individual and may include their case being discussed at the collaborative multi-agency meetings. These meetings develop and implement a coordinated service response by multiple government and non-government agencies to provide the individual support to meet the individual needs of each victim-survivor. FVSAP case coordinators use behaviour mapping to

understand victim-survivors' experiences of violence, the behaviour of the perpetrator, previous engagement with the service system and potential points for advocacy on their behalf.

- (2) Tailored responses to newly arrived migrant and refugee women in the ACT who have experienced domestic and family violence is provided by several organisations.

Examples of these responses include:

- collaborative practice between the Cultural Liaison Officer at Victim Support ACT and the Multicultural Hub
- services provided via the Red Cross
- domestic and family violence informed responses via women's refuges and crisis agencies such as Toora Women Inc, Doris Women's Refuge Inc. and Domestic Violence Crisis Service.

- (3) The FVSAP is unique in how it responds to those perpetrating violence. The FVSAP Perpetrator Response Advisor role was created following the external evaluation of the pilot conducted by Stopping Family Violence. It is a unique role that supports and coordinates all service responses to perpetrators when the person against whom they used violence is a client of the FVSAP. The Perpetrator Response Advisor works closely with the FVSAP case coordinators to understand the victim-survivor's experience of the violence and potential escalation and trigger points. They then liaise with all agencies engaged with a perpetrator. This could include men's behaviour change programs, ACT Corrective Services, ACT Police, and/or Children and Youth Protection Services. The Advisor ensures the information provided by the victim survivor and the behaviour mapping work of the FVSAP informs perpetrator interventions. The Advisor also ensures safety concerns identified by services are communicated to agencies supporting the victim survivor. Whilst the ACT currently has providers delivering services for perpetrators of domestic and family violence, these do not have the capacity to coordinate all service responses in the way the FVSAP does.

- (4) In the ACT, men's behaviour change programs are provided by Domestic Violence Crisis Service, EveryMan, Relationships Australia and ACT Corrective Services.

- (5) FVSAP staff are employed in the Victims of Crime Commission and Domestic Violence Crisis Service:

a. Victims of Crime Commission

- i. Coordinator – 1FTE
- ii. Assistant Coordinator – 1FTE
- iii. Case Coordinator – 1FTE
- iv. Perpetrator Response Advisor – 1FTE
- v. Aboriginal Liaison Officer – 1FTE
- vi. Cultural Liaison Officer – 1FTE

b. Domestic Violence Crisis Service

- i. Case coordinators – 2FTE

**Environment—Healthy Waterways project
(Question No 692)**

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022:

- (1) Can the Minister confirm if the MIS08 standard as specified is used by the Directorate.
- (2) Given that MIS08 uses Bureau of Meteorology data from 1968-1977 and water quality parameters from total suspended solids, total phosphorus (TP) and total nitrates/nitrogen (TN) from Fletcher 2004, based on Melbourne and Sydney data, how does this equate with assurances that local/recent data is included.
- (3) Can the Minister clarify which is used, MIS08 MUSIC model, or other; if another model is used, what is used.
- (4) Did Alluvium 2015 carry out research works for Healthy Waterways.
- (5) Did Alluvium use Fletcher (2004) parameters or the GHD (2015) data.
- (6) What was the GHD data used for.
- (7) Was the data collected by Waterwatch baseflow or peak flow.
- (8) Were water samples collected recently using autosamplers and grab samples tested by a NATA certified lab (ie, measuring to low levels of TN and TP); if so, can the Minister provide copies of these.

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

- (1) The MIS08 standard is used by the Directorate in the construction of water quality assets. In situations where a type of asset is new to the Territory, the MIS08 standards may not appropriately specify their design. In such instances, a Design Approach Report has been drafted and the design approach agreed with asset owners. The Design Approach Report then serves as a template for expanding MIS08. The Directorate has contributed to the expansion of MIS08 in this manner to enable several new kinds of water quality assets to be constructed in the Territory.
- (2) The best available and appropriate data are used for modelling water quality in catchments and the design of water quality assets. The Bureau of Meteorology and Fletcher 2004 data referred to are considered the industry standard for the ACT. Appropriate local data are used when available.
- (3) MUSIC models are used, as per the response in (1), to design assets. Flood models are also used to help plan the assets.
- (4) Assuming 'Alluvium 2015' refers to the report *Water Quality Improvement Options for 4 Priority Catchments in the ACT: Lake Tuggeranong Catchment*, October 2015, that contract was for services as a part of the selection process for the locations and types of water quality assets.
- (5) Alluvium 2015 used both the GHD MUSIC model and Fletcher 2004.

- (6) The GHD (2015) data and report was a part of the Territory's due diligence, in relation to the original Healthy Waterways contract, in assuring that the selection of catchments for water quality works was appropriate.
 - (7) Baseflow. Waterwatch volunteers are not encouraged to operate in high flow situations.
 - (8) The water quality monitoring data supplied in relation to Questions on Notice 175, 477 and 582 are from NATA certified labs.
-

Planning—water sensitive urban design (Question No 693)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022 (*redirected to the Minister for Planning and Land Management*):

What evidence is there that the Water Sensitive Urban Design code is achieving its objectives, that is, what testing has been conducted to ensure that the assets are still functioning years after being installed and that pervious areas are maintained and not covered in hard surfaces.

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

The ACT Healthy Waterways program has invested in better understanding of the performance of Water Sensitive Urban Design (WSUD) infrastructure in the Territory (see QON232 and QON477). In addition to monitoring, ACT Healthy Waterways invested in research delivered by the University of Canberra which examined the water quality performance of existing urban stormwater ponds, and their responses to variable water levels.

The ACT Waterwatch Catchment Health Indicator Project (CHIP) provides an annual report on the water quality of ACT lakes and waterways, as the receiving waterbodies for stormwater run-off. Water quality reported through the CHIP provides important information on the effectiveness of WSUD implementation.

Environment—Healthy Waterways project (Question No 694)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022:

- (1) How is the \$30 million committed to the Healthy Waterways program being spent.
- (2) What processes and key performance indicators are being put in place to ensure there is a measurable significant reduction in water pollution, rather than relying on computer modelling and theoretical outcomes.

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

- (1) The funding currently committed to the Healthy Waterways Program comprises investments in:
 - water quality infrastructure;
 - behavioural change projects to improve management practices that impact water quality;
 - research into the sources of pollution; and
 - the development of technology and plans to support catchment management.
 - (2) The Healthy Waterways Program has a strong track record of evidence-based management, with monitoring and modelling to help understand the state of waterways and performance of assets and projects. Every major project within the program is evaluated using recent data. Key performance indicators are set and reported on. The outcome of improved waterway health is measured via the annual Catchment Health Indicator Program.
-

Government—office of water (Question No 695)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022:

Is there any progress on the formation of the Office of Water.

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

Environment, Planning and Sustainable Development Directorate commissioned a review of water governance arrangements across the ACT water sector in 2021. This review concluded in March 2022. All relevant agencies with water responsibilities and Icon Water participated in the review.

The outcomes of the review are being considered by Government and will inform the establishment of the Office of Water as per the *ACT Water Governance Review* fact sheet available online.

Environment—Lower Cotter Catchment project (Question No 696)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022 (*redirected to the Minister for Planning and Land Management*):

- (1) Can the Minister elaborate on exactly what work is being undertaken from the \$350,000 being spent on the Lower Cotter Catchment Project.
- (2) What areas specifically are being restored and what are the proposed timeframes for these projects.
- (3) What evidence or monitoring of native flora and fauna is available or being undertaken to determine the life cycles of the species in this area and hence how they will be affected, assuming controlled burns are still going to be carried out in this area.

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

1. The Lower Cotter Catchment Reserve Management Plan describes the need to promote ecosystem regeneration and ecosystem function to secure water quality outcomes. The funding is used to implement the actions in the Management Plan. Works completed or planned to be completed this financial year have focussed on major invasive weed control programs and broadacre revegetation programs.

This ongoing land restoration work will result in increased water security in the ACT and the realisation of the significant investment in the Enlarged Cotter Dam.

2. The restoration program in the Lower Cotter Catchment is centred around improving water resources and mitigating the risks from future disturbances, especially in a changing climate. As the Catchment continues to transition from intensive historic land-use – being grazing and, more recently, plantation timber – the importance of promoting landscape resilience is fundamental to reducing water quality impacts from future wildfires and floods.

This resilience is being progressively achieved through targeted restoration programs in line with the actions outlined in the reserve 10-year Management Plan, especially in waterways and more vulnerable parts of the Catchment. Programs include specialised erosion and sediment control to mitigate sedimentation impacts in the Cotter Dam, pest plant and animal management programs that focus on critical riparian areas, and both intensive and broadacre revegetation to encourage species diversity, promoting both ecological and landscape resilience outcomes.

3. Both ecological and landscape function monitoring is an important and ongoing component of managing the Lower Cotter Catchment. Since 2008, long term vegetation monitoring across the Catchment has shown consistent improvements in species diversity. Pest animal monitoring is similarly ongoing and informs management programs across the Catchment, with specific focus on vulnerable areas. Additionally, specialised measures to monitor the recovery of waterways and the threats to water quality are undertaken as part of the ACT's Conservation Effectiveness Monitoring Program. This combined monitoring effort equally informs fire management across the Catchment, with fire management actions balancing the importance of protecting the Catchment from wildfires while minimising localised ecological impacts.

Queanbeyan sewage treatment plant upgrade—Oaks Estate (Question No 697)

Ms Lawder asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 25 March 2022:

Has a new effluent discharge authorisation been agreed to with the Queanbeyan Palerang Regional Council for the proposed new sewage treatment plant to be located in Oaks Estate.

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

Environmental authorisation

Queanbeyan-Palerang Regional Council (QPRC) hold an environmental authorisation (EA) for the operation of the Queanbeyan Sewage Treatment Plant. This EA has been

granted for an unlimited period to meet defined performance standards and a new EA will therefore not be legally required as a part of the plant upgrade.

However, if planning approvals are granted to reflect the expected improved performance standards for the new plant, the EA will be varied to align with the revised standards. The Environment Management Plan (required as a condition under the EA) will also need to be updated, once the new plant is commissioned to outline the procedures and risk controls for its operation.

Environmental Impact Statement (EIS) and development application (DA) process

An application for an EIS has been made for a proposal to upgrade the Queanbeyan Sewage Treatment Plant facility to cater for an increased population. The proposal requires an impact track DA and EIS, under the *Planning and Development Act 2007*, due to the proposed increase in capacity for the facility.

The proponent, Queanbeyan-Palerang Regional Council, submitted a draft EIS on 23 December 2020. The EIS was assessed by the ACT Planning and Land Authority (the Authority), referral entities and publicly notified to the community. The draft EIS, prepared by the proponent, describes that the upgraded facility will comply with the current environmental authorisation. The draft EIS is available on the EPSDD website at www.planning.act.gov.au.

The Authority sent a request for a revised EIS to the proponent on 29 March 2021. The proponent is currently preparing a revised EIS to be submitted to the Authority for assessment.

If the EIS is determined to be complete, a development application (DA) will be required and the DA will be publicly notified. Through the EIS and DA process, adequate measures will be required to mitigate the potential environmental impacts of the development. The measures may need to be adopted prior to and during construction and also during the operation of the facility.

Waste—landfill (Question No 698)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 25 March 2022:

- (1) How many tonnes went to landfill in the ACT in 2021 of (a) dirt, (b) drillers mud, (c) virgin excavated natural material, (d) stormwater waste/sediment from ponds, (e) dredging spoil and (f) contaminated soil.
- (2) How much does it cost to dump a tonne of the material in ACT landfill, for each of the items referred to in part (1).

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

- (1) In the 2020-21 financial year the below categories were accepted at ACT managed landfills (categorised as identified in the Disallowable Instrument):

| Category | Mugga tonnes | Mugga II tonnes | Total tonnes | Additional comments |
|--|--------------|-----------------|---------------|--|
| (a) Beneficial Re-use Material (dirt) | - | 30,916 | 30,916 | |
| (b) Drillers mud | 533 | - | 533 | |
| (c) Virgin excavated natural material | 963 | 937 | 1,900 | VENM was stockpiled and reused on site for operational purposes e.g. covering up waste |
| (d) Stormwater waste/sediment from ponds | - | - | - | not identified |
| (e) Dredging spoil | - | - | - | not identified |
| (f) Non-Friable Asbestos Containing Material (contaminated soil) | - | 10,838 | 10,838 | |
| Total | 1,496 | 42,691 | 44,187 | |

Yerrabi Pond—water quality (Question No 702)

Ms Castley asked the Minister for Health, upon notice, on 8 April 2022:

- (1) On what dates has ACT Health tested the water quality in Yerrabi Pond since 2016 and can the Minister provide a copy of all test results and analysis since 2016.
- (2) Does ACT Health conduct regular scheduled testing of Yerrabi Pond; if so, when; if not, why do ACT Health test Yerrabi Pond infrequently.
- (3) Does ACT Health conduct regular testing of catchments and lakes in the ACT.
- (4) Has ACT Health ever determined that the water quality in Yerrabi Pond could have a negative impact on health; if so, (a) what date was ACT Health made aware of the poor water quality, (b) what policy/solution did ACT Health propose to improve water quality, (c) how much did the policy/solution cost and (d) when was the policy/solution implemented.

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

- (1) The management of recreational activities in lakes and water bodies is in accordance with the ACT Guidelines for Recreational Water Quality 2014 (the Guidelines). Primary contact recreation where there is direct contact with the water, such as swimming, requires regular sampling during the swimming season of October through to April.

As swimming and other primary contact recreation is not permitted at Yerrabi Pond or similar Neighbourhood Ponds, water quality testing does not occur at these sites.

The Guidelines are publicly available via the ACT Health Directorate website:
<https://health.act.gov.au/sites/default/files/2018-09/ACT%20Guidelines%20for%20Recreational%20Water%20Quality.pdf>

(2) See response to question 1.

(3) ACT Health Directorate (ACTHD) undertakes sampling and analysis of designated primary contact recreational (swimming) sites for microbiological analysis. These are undertaken to manage risks to human users of the sites and results are assessed against the Guidelines.

ACTHD undertakes weekly sampling and analysis of primary contact recreational sites across ACT lakes and rivers during the recreational season (October-April). These include sites in Lake Ginninderra, Lake Tuggeranong, Molonglo Reach and along the Molonglo and Murrumbidgee river corridors.

Results of weekly sampling are published on the City Services website:
www.cityservices.act.gov.au/news/news-and-events-items/water_quality_in_our_lakes_and_ponds

(4) As Yerrabi Pond is not a designated primary contact recreational site, it has not been subject to ACTHD testing. The Canberra Urban Lakes and Ponds Land Management Plan 2022 (the Plan) sets out a Vision for Canberra's Urban Lakes and Ponds and a framework for the sustainable development and management of urban lakes and ponds, while meeting the management objectives as defined under the *Planning and Development Act 2007*.

The Plan is publicly available via the ACT Legislation Register:
www.legislation.act.gov.au/View/di/2022-10/current/PDF/2022-10.PDF

Access Canberra—electrical safety inspections and audits (Question No 704)

Ms Castley asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022:

- (1) In relation to certificates of electrical safety, how many electrical inspections (ie, random audits) have been done each year since 2016, broken down by inspection type (eg, general electrical work, photovoltaic systems).
- (2) How much does a random audit cost an ACT electrical company and what is the breakdown of each type of electrical inspection and the cost.
- (3) How many defects has Access Canberra issued since 2016 from random audits by inspection type.
- (4) How much revenue has Access Canberra received since 2016 from random audits and what is the breakdown of revenue by inspection type.
- (5) How many audits of new installations have been completed by Access Canberra each year since 2016.

- (6) How much does an audit of new installations cost an ACT electrical company and what is the breakdown for each type of inspection and the cost.
- (7) How many defects has Access Canberra issued since 2016 from audits of new installations by inspection type.
- (8) What is the total revenue Access Canberra has received since 2016 from auditing new installations.
- (9) Can the Minister provide a breakdown of what/how many disciplinary actions have been taken against ACT companies in breach of legislation, including detail of each action.
- (10) Are electrical inspections carried out by ACT Government employees or contractors and what is the reason for using ACT Government employees or contractors.
- (11) Is the ACT Government responsible/liable if they do not identify a defect and this causes property damage.
- (12) What qualifications does the ACT Government require of inspectors who do audits.
- (13) How many inspectors does the ACT Government employ or contract to conduct audits and what are their salaries.
- (14) Do all auditors hold solar licenses as well as electrical licenses.
- (15) Can auditors access rooftop solar for inspections; if not, how are auditors confident that new installations have been properly checked for defects.
- (16) How long, on average, does an electrical inspection take and can the Minister provide a breakdown by inspection type.
- (17) How was the \$253 price for a solar photovoltaic determined and can the Minister provide details or documents that informed this decision.
- (18) Why is the price still \$253 every time an inspector returns to the site to ensure the defects have been fixed and can the Minister provide details or documents that informed this position.

Ms Cheyne: The answer to the member's question is as follows:

- (1) I note a number of the Member's questions reference "audits" and "inspections". Generally, the operations of the electrical inspectorate of Access Canberra have its activities described as "inspections".

Access Canberra undertakes inspections for all new electrical installations, new solar photovoltaic installations and targeted inspections based on consideration of risk and potential harm of electrical works associated with existing installations. Random inspections of installations (either existing or new) are not undertaken by the Access Canberra Electrical Inspectorate.

The requested information is provided in a Financial Year (July to June) in this context:

2015/16 –

- Inspections - new installations = 6,290
- Inspections - new photovoltaic system = 748
- Inspections - existing installations¹ = 7,711

2016/17 –

- Inspections - new installations = 8,852
- Inspections - new photovoltaic system = 1,122
- Inspections - existing installations = 9,673

2017/18 –

- Inspections - new installations = 8,581
- Inspections - new photovoltaic system = 2,899
- Inspections - existing installations = 11,464

2018/19 –

- Inspections - new Installations = 9,371
- Inspections - new photovoltaic system = 4,448
- Inspections - existing installations = 13,961

2019/20 –

- Inspections - new installations = 8,031
- Inspections - new photovoltaic system = 3,533
- Inspections - existing installations = 20,290

2020/21 –

- Inspections - new installations = 7,187
- Inspections - new photovoltaic system = 4,163
- Inspections - existing installations = 20,207

(2) Fees and charges for electrical inspections are available on the ACT Planning website: www.planning.act.gov.au/_data/assets/pdf_file/0015/1217130/planning-lease-administration-building-services-fees-and-charges.pdf

(3) The photovoltaic value is a subset of total new installations. The fail rates are:

2015/16 –

- New Installations inspections inspection fail = 628
- New photovoltaic system inspections inspection fail = 82

2016/17 –

- New Installations inspections fail = 520
- New photovoltaic system inspections fail = 89

2017/18 –

- New Installations inspections fail = 608
- New photovoltaic system inspections fail = 268

2018/19 –

- New Installations inspections fail = 572
- New photovoltaic system inspections fail = 266

2019/20 –

- New Installations inspections fail = 541
- New photovoltaic system inspections fail = 309

2020/21 –

- New Installations inspections fail = 730
- New photovoltaic system inspections fail = 306

- (4) Fees associated with electrical inspections are not paid directly to Access Canberra and form part of consolidated revenue for ACT Government, with Access Canberra being funded through appropriations. Installations that are included in the Building Approval (BA) are not charged as the electrical inspection fee is recovered as part of the Building Levy.

The effort to collect and assemble the information sought solely for the purpose of answering this question would require an unreasonable diversion of resources.

- (5) Please refer to response to Question 1.
- (6) Please refer to response to Question 2.
- (7) Please refer to response to Question 3.
- (8) Please refer to response to Question 4.
- (9) No disciplinary action was undertaken against electrical companies for the period of the request (2016 to 2021). The following summary is provided for disciplinary action taken against electricians for non-compliance with the Electricity Safety Act 1971 for the same period:
- 2016 – 11 Electricians received demerit points
 - 2017 – 27 Electricians received demerit points
 - 2018 – 36 Electricians received demerit points
 - 2019 – 36 Electricians received demerit points
 - 2020 – 14 Electricians received demerit points
 - 2021 – 12 Electricians received demerit points
- (10) Electrical inspections are carried out by employees of the ACT Government. Noting inspectors are appointed by the Construction Occupations Registrar under Part 7 Section 41 of the *Electrical Safety Act 1971*, and in consideration of functions and authorities associated with the role, it is appropriate they are employed as public servants.
- (11) There are a number of legal avenues through which a person may seek hold the Territory responsible for damages.

It is noted Section 60 of the *Electrical Safety Act 1971* provides specific avenue for any person to claim reasonable compensation from the Territory if the person suffers loss or expense because of an inspector's exercise, or purported exercise, of a function under Part 7 of that Act. Any such claim is to be determined by a court, and a court may order reasonable compensation upon being satisfied that it is just in the circumstances.

- (12) Under Part 7 Section 41 of the *Electrical Safety Act 1971*, the Construction Occupations Registrar may appoint a person to be an inspector. Part 7 Section 41 (3) (C) states that the Registrar must be satisfied that the person has completed adequate training and is competent. Minimum qualification is an ACT unrestricted electrical licence.
- (13) There are 19 electrical inspectors appointed within Access Canberra.
- The pay rates of the electrical inspector are available on the Jobs ACT website at: www.cmtedd.act.gov.au/employment-framework/for-employees/agreements
- (14) In the ACT, there is no Solar Licence category under the construction occupations licensing framework, and this is consistent with most other jurisdictions in Australia.
- (15) Inspections of a commercial rooftop may be achieved through a plantroom where access to the roof is available, and safety barriers are in place.
- Inspectors do not normally access residential installation due to WHS issues with working from heights. Inspections in these situations are carried out using drones.
- (16) The time required for an electrical inspection varies with the type of electrical installation to be inspected. They can range from 30 minutes to over several weeks depending on the installation being inspected.
- (17) The 2009-10 ACT Budget announced the introduction of inspection fees for the ACT building and construction industry. The inspection fee was initially set to represent the average cost of an inspection at the time, this includes travel time associated with the inspection and the associated administration costs with the inspection. Since 2009-10 the fee has risen on an annual basis in line with inflation which is considered an accurate reflection of the increased cost to the ACT Government for performing the work. The fee is a flat rate and reflects the recovery of the average cost of inspection.
- (18) In most occurrences, when the work is required to be re-inspected, it will incur the same costs as an initial assessment as the inspector has to re-attend the site and re-examine the work to ensure that the defects have been fixed and no new defects created.

¹ Existing inspections may include established photovoltaic systems.

ACT Law Courts—costs (Question No 705)

Ms Lee asked the Treasurer, upon notice, on 8 April 2022 (*redirected to the Attorney-General*):

- (1) In relation to the ACT Law Courts public private partnership, what is the exact dollar amount of each monthly services payment made since the completion of Stage 1 in 2018 to the present.
- (2) Can the Treasurer advise how the variable component of monthly services payments is determined.

- (3) What was the non-current asset value of the law courts precinct for each financial year since it was completed and handed over to the Territory.
- (4) What was the operational expenditure of the law courts for each financial year from 2011-12 through to 2019-20.
- (5) What was the annual level of capital expenditure on the law courts for each financial year from 2011-12 through to 2019-20.

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

1. In relation to the ACT Law Courts public private partnership, what is the exact dollar amount of each monthly services payment made since the completion of Stage 1 in 2018 to the present.

See Attachment A.

2. Can the Treasurer advise how the variable component of monthly services payments is determined.

See Attachment B.

3. What was the non-current asset value of the law courts precinct for each financial year since it was completed and handed over to the Territory.

| FY | Asset costs for courts building as at end of June (\$'m) | Asset net book value ^a for Courts building as at end of June (\$'m) |
|-----------|---|---|
| 2018-19 | 143.1 | 136.7 |
| 2019-20 | 197.6 | 184.9 |
| 2020-21 | 187.7 | 187.7 |

^a – Net book value is the value of assets less accumulated depreciation.

4. What was the operational expenditure of the law courts for each financial year from 2011-12 through to 2019-20.

**ACT Courts & Tribunal Expenditure
(including Corporate overheads and ACAT)**

| | \$'000 |
|---------|---------------|
| 2011-12 | 35,901 |
| 2012-13 | 34,692 |
| 2013-14 | 39,661 |
| 2014-15 | 38,380 |
| 2015-16 | 42,581 |
| 2016-17 | 42,280 |
| 2017-18 | 44,893 |
| 2018-19 | 56,040 |
| 2019-20 | 67,871 |

5. What was the annual level of capital expenditure on the law courts for each financial year from 2011-12 through to 2019-20.

Annual capital expenditure (including ICT projects) on the law courts

| FY | (\$'000) |
|-----------|-----------------|
| 2011-12 | 2,269 |
| 2012-13 | 2,510 |
| 2013-14 | 1,926 |
| 2014-15 | 3,883 |
| 2015-16 | 3,919 |
| 2016-17 | 3,957 |
| 2017-18 | 4,571 |
| 2018-19 | 4,267 |
| 2019-20 | 4,445 |

(Copies of the attachments are available at the Chamber Support Office).

**Environment—pest management
(Question No 707)**

Ms Castley asked the Minister for the Environment, upon notice, on 8 April 2022:

- (1) What methods does the Government use to monitor the population of rabbits in the ACT.
- (2) Can the Minister provide a breakdown of estimated population for each electorate.
- (3) What research or assessments has been done into the environmental impacts of rabbits on ACT flora, fauna, farmland and waterways.
- (4) Can the Minister provide a breakdown and link to each report referred to in part (3).
- (5) If reports or assessments have not been completed on flora, fauna, farmland, and waterways why have they not been completed, and will the Government produce a report or assessment given the population is increasing.
- (6) What is the threshold that the Environment, Planning and Sustainable Development Directorate (EPSDD) use to determine whether a rabbit population is too dense.
- (7) What research was used to determine the threshold referred to in part (6).
- (8) What research has the Government completed on the health impacts of rabbits in the ACT.
- (9) What programs is the Government developing to control the increasing rabbit population.
- (10) How much do the programs referred to in part (9) cost and can the Minister provide a breakdown for each government action.
- (11) Can the Minister provide a breakdown of specific locations where EPSDD has identified as a priority to reduce rabbit populations.

Ms Vassarotti: The answer to the member's question is as follows:

- (1) Vehicle-based spotlight line transect count monitoring is used to monitor rabbits in strategic locations across ACT reserves and environmental offsets. Spotlighting transects are a well-established technique for providing an index of rabbit abundance and are used to prioritise more detailed warren-based surveys that inform on-ground management efforts. Monitoring is undertaken quarterly to account for natural fluctuations in rabbit numbers. Please refer to the *Best Practice Management Guide for Rabbits in the ACT* (https://www.environment.act.gov.au/_data/assets/pdf_file/0014/715010/Best-Practice-Management-Guide-for-Rabbits-in-the-ACT.pdf) for a detailed description of how rabbit monitoring and management is undertaken in the ACT. Within the ACT, rabbit populations have been monitored in this way for more than 10 years in most conservation areas and more than 25 years in some reserves.
- (2) The abundance of rabbits is highly varied across the ACT conservation estate and depends on availability of food, suitable habitat, predators and management effort. Rabbit monitoring within the conservation estate provides a population index to be calculated (i.e. number of rabbits seen per spotlighting kilometres) for each reserve or environmental offset area surveyed. Due to the localised nature of rabbit populations, it is not possible for the ACT Government to reliably estimate rabbit population size outside of the conservation estate due to the influence of private and rural land uses. Current priority areas for rabbit management within the conservation estate that exceed the acceptable impact threshold are:
 - Ainslie Majura Nature Reserves
 - Mt Pleasant Nature Reserve
 - Percival Hill Nature Reserve
 - Jerrabomberra Wetlands
 - Red Hill Nature Reserve.
- (3) European Rabbits can pose a wide range of threats to natural ecosystem, primary production, urban amenity and social values. The Best Practice Management Guide for Rabbits in the ACT provides a review of the likely impacts to natural ecosystems and primary productivity in the ACT and identified a range of native flora and fauna that are likely to be impacted.
- (4) The ACT has also been the recipient of various research programs focussing on effective rabbit management, conducted by external scientific and research organisations, such as rabbit haemorrhagic disease virus (Calicivirus).

Please refer to the following suggest reading list:

- Best Practice Management Guide to Rabbits in the ACT: <https://www.environment.act.gov.au/nature-conservation/conservation-strategies/pest-animal-management-strategy/best-practice-management-guide-for-rabbits>.
- ACT Pest Animal Management Strategy 2012-2022: https://www.environment.act.gov.au/_data/assets/pdf_file/0008/575117/PAMS_WEB.pdf.
- Conservation Effectiveness Monitoring Program – refer to ecosystem condition documents on page: <https://www.environment.act.gov.au/nature-conservation/conservation-research/conservation-effectiveness-monitoring-program>.

- (5) Further research is often not required as the negative environmental impacts of rabbits are well established. Programs focus resources on controlling the impacts of rabbits by controlling the rabbit population.
- (6) The *Best Practice Management Guide for Rabbits in the ACT* considers that unless eradication of isolated populations is achievable, rabbits should be managed to a low population level. Acceptable rabbit populations are considered to be <1 rabbit per hectare or <6 rabbits per spotlight kilometre, within the relevant management unit. The population threshold considered acceptable will also depend on land use and management objectives, and nature of damage being caused.
- (7) This threshold is based on scientific research previously undertaken to provide guide to expected number of rabbits seen at a low, medium or high population density. Research sources for rabbit threshold establishment are as follows : Trudy Sharp and Glen Saunders, 2012. Code of practice for the humane control of rabbits. Model Code of Practice. PestSmart website <https://pestsmart.org.au/toolkit-resource/code-of-practice-rabbits> and,

Williams, K., Parer, I., Coman, B., Burley, J. and Braysher, M. (1995) Managing Vertebrate Pests; Rabbits. Bureau of Resource Sciences/CSIRO Division of Wildlife and Ecology, Canberra(https://pestsmart.org.au/wp-content/uploads/sites/3/2020/06/Managing_Vertebrate_Pests_Rabbits.pdf).
- (8) Rabbit have not been identified as vectors of zoonotic disease so have not been the focus of any recent health research.
- (9) Rabbit control is ongoing across the ACT. Each year priority conservation sites are identified via the abovementioned process and programs are developed to control the impact of rabbits. Fumigation is the most common method in urban nature reserves and suppresses controlled populations. Larger programs that require harbour destruction, poisoning and follow up shooting also occur when the populations require a greater reduction to reduce impacts.
- (10) Resourcing for the Rabbit Management Program consists of 4 FTEs plus approximately \$100,000 of recurrent non-employee expenses.
- (11) Current priority areas for rabbit management within the conservation estate that exceed the acceptable impact threshold are:
 - Ainslie Majura Nature Reserves
 - Mt Pleasant Nature Reserve
 - Percival Hill Nature Reserve
 - Jerrabomberra Wetlands
 - Red Hill Nature Reserve.

Drugs—roadside testing (Question No 708)

Mr Davis asked the Minister for Transport and City Services, upon notice, on 8 April 2022 (*redirected to the Minister for Police and Emergency Services*):

- (1) What substances are currently tested for in roadside drug tests in the ACT.

- (2) How many roadside drug tests were conducted in the ACT in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.
- (3) How many initial positive tests were detected, broken down by each substance, in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.
- (4) Of those initial positive tests referred to in part (3), broken down by each substance detected, how many were later confirmed positive tests in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.
- (5) How many confirmed positive tests were from people who had a valid prescription for medicinal cannabis at the time of any positive test in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.
- (6) What was the annual cost of the roadside drug testing program in terms of policing and the processing of testing in the 2020-2021 financial year.

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

- (1) **What substances are currently tested for in roadside drug tests in the ACT.**

ACT Policing uses roadside drug testing kits that detect the presence of substances including cannabis (THC), methamphetamine (speed and ice) and MDMA (ecstasy).

- (2) **How many roadside drug tests were conducted in the ACT in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.**

| | 2016-17* | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|-----------------------------|----------|---------|---------|---------|---------|
| Random drug tests conducted | 2,428 | 3,895 | 3,541 | 3,264 | 2,041 |

*ACT Policing calculates per financial year

- (3) **How many initial positive tests were detected, broken down by each substance, in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.**
- (4) **Of those initial positive tests referred to in part (3), broken down by each substance detected, how many were later confirmed positive tests in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.**

ACT Policing does not maintain a database of 'initial positive tests' conducted roadside.

Every driver that returns a positive roadside result for the presence of either MDMA, methamphetamine or THC is automatically required to accompany police to the nearest Oral Fluid Analysis Testing Instrument at either a police station or mobile platform to provide a second sample. Once the second test is conducted, regardless of the result, the sample is then sent to ACT Government Analytical Laboratory (ACTGAL) for analysis and final determination.

Once the final analysis is received by ACT Policing from ACTGAL, the result is recorded as positive or negative in the Road Policing database.

| | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 |
|------------------------------|---------|---------|---------|---------|---------|
| Meth/MDMA | 12 | 11 | 16 | 17 | 21 |
| Meth only | 254 | 357 | 494 | 387 | 326 |
| MDMA only | 8 | 10 | 10 | 12 | 4 |
| THC | 306 | 378 | 403 | 392 | 357 |
| Negative result from ACTGAL | 4 | 9 | 9 | 11 | 11 |
| TOTAL Samples sent to ACTGAL | 584 | 765 | 932 | 819 | 719 |

- (5) **How many confirmed positive tests were from people who had a valid prescription for medicinal cannabis at the time of any positive test in (a) 2016, (b) 2017, (c) 2018, (d) 2019, (e) 2020 and (f) 2021.**

The use of medicinal cannabis while driving is illegal. Regardless of whether a driver possesses a medical prescription for cannabis, ACT Policing will record a positive drug test result where the drug has been detected in the system of the person in control of the motor vehicle. Given this, ACT Policing does not request to sight a prescription.

- (6) **What was the annual cost of the roadside drug testing program in terms of policing and the processing of testing in the 2020-2021 financial year?**

All Road Policing members are qualified to conduct roadside drug tests. The activity of roadside drug testing and drug analysis forms only part of a road policing member's shift and is not separately time recorded, thus the total monetary cost to ACT Policing per year cannot be determined.

The annual expenditure of the roadside drug testing program in terms of the purchasing and processing of testing in the 2020-2021 financial year was \$0.193 million.

Crime—infringement notices (Question No 709)

Mr Parton asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022:

For each month since the reduced speed zone around Civic was implemented in July 2021, what is the total (a) number of fines issued, (b) revenue raised, (c) fines for less than 15 km/h over the speed limit and (c) number of fines issued to vehicles travelling at 46 km/h.

Ms Cheyne: The answer to the member's question is as follows:

| | (a) Total number of infringements issued | (b) Total penalty amount that has been paid* | (c) Number of infringements issued to vehicles exceeding the speed limit by less than 15km/h. | (d) Number of infringements issued to vehicles travelling at 46km/h. |
|-------------------------|--|--|---|--|
| 05 July 21 – 31 July 21 | 23,031 | \$5,051,451.00 | 21,930 | 4,084 |
| 01 Aug 21 – 31 Aug 21 | 7,185 | \$1,562,853.00 | 6,760 | 1,170 |
| 01 Sep 21 – 30 Sep 21 | 6,764 | \$1,128,703.00 | 6,365 | 1,153 |
| 01 Oct 21 – 31 Oct 21 | 8,196 | \$1,316,313.00 | 7,773 | 1,449 |
| 01 Nov 21 – 30 Nov 21 | 10,457 | \$1,853,306.00 | 10,055 | 2,117 |
| 01 Dec 21 – 31 Dec 21 | 11,660 | \$1,833,590.00 | 11,128 | 2,262 |

* The total penalty amount that has been paid figures are accurate as of 20 April 2022, and are subject to change depending on what action is taken in relation to the infringement and the outcome of that action (For example, a decision on withdrawal application or dispute). Additionally, infringement notices that have been put into a payment plan or work development plan are deemed to be 'paid'.

Roads—traffic data (Question No 710)

Mr Parton asked the Minister for Transport and City Services, upon notice, on 8 April 2022:

- (1) For each month since the reduced speed zone around Civic was implemented in July 2021, what is the total number of accidents involving vehicles, pedestrians, cyclists and e-scooters.
- (2) How many of the accidents referred to in part (1), involved personal injury and how many were property damage only.

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

- (1) Preliminary crash data for locations within the 40 km speed zones around Civic involving vehicles, pedestrians, cyclist, and e-scooters are listed below.

| Location | 2021 | | | | | | 2022 | | | |
|--|-------|--------|-----------|---------|----------|----------|---------|----------|-------|---|
| | July | August | September | October | November | December | January | February | March | April |
| Northbourne Avenue (London Cct - Barry Dr/ Cooyong St) | 1 pdo | 0 | 0 | 0 | 2 pdo | 0 | 0 | 1 pdo | 1 pdo | 4 pdo (Including 1 crash involving pedestrian) |
| Barry Drive (Northbourne Av - Kingsley St) | 1 pdo | 0 | 1 pdo | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cooyong Street (Northbourne Av - Donaldson St) | 1 pdo | 1 pdo | 1 pdo | 0 | 2 pdo | 1 pdo | 0 | 2 pdo | 2 pdo | 3 pdo (Including 1 crash involving scooter) |

pdo – property damage only

- (2) Since 1 July 2021 there has been a total of 24 reported crashes, all resulting in property damage only (pdo). Please note this is preliminary data.

Government—procurement complaints (Question No 711)

Ms Lee asked the Special Minister of State, upon notice, on 8 April 2022:

- (1) In relation to Procurement ACT's supplier and tenderer complaints mechanism, from the financial years 2018-19 to the current financial year to date, can the Minister advise the number of complaints received.
- (2) Of those complaints referred to in part (1), (a) what was the highest stage of the process each complaint was escalated to, (b) which directorate/s was each complaint made about, (c) was each complaint resolved; if so, what was the outcome; if not, what is the status of the complaint, and (d) what was the estimated contract value of the relevant procurement.

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

1. Since the formal complaints process commenced in December 2018, the following number of complaints have been received:

| Financial Year | No. of complaints |
|--------------------------------|-------------------|
| 2018-19 | 0 |
| 2019-20 | 2 |
| 2020-21 | 6 |
| 2021-22 (YTD to 11 April 2022) | 1 |

2. In accordance with the Supplier Complaints Management Procedure, where a supplier is unsatisfied with the outcome of any stage of the complaints process, they can escalate their complaint. To date, no supplier complaints have escalated to an external review. The Supplier Complaints Management Procedure requires that information relating to complaints are to be kept confidential and only used for the purpose of resolving a complaint or improving ACT Government procurement process. The table below provides the details of each complaint and outcome in accordance with the Supplier Complaints Management Procedure – Supplier Complaint Process:

| FY 2018-19 | | | | |
|------------------|----------------------------------|---|---|---------------------------------------|
| NIL Complaints | | | | |
| FY 2019-20 | | | | |
| Complaint Number | Highest Level of Escalation (a) | Directorate (b) | Outcome (c) | Estimated Contract Value incl GST (d) |
| PrC 0001 | Initial Assessment (Directorate) | Transport Canberra and City Services (TCCS) | Resolved – Territory Entity's Delegate provided a written response to the Supplier | \$200,000 |
| PrC 0002 | Initial Assessment (Directorate) | TCCS | Resolved – Territory Entity's Delegate and Major Projects Canberra met with the Supplier to resolve the matter. | \$164,000 |

| FY 2020-21 | | | | |
|--------------------|-----------------------------------|--|--|---|
| Complaint Number | Highest Escalation (a) | Directorate (b) | Outcome (c) | Estimated Contract Value incl GST (d) |
| PrC 0003 | Internal review (Procurement ACT) | Community Services Directorate | Resolved – Territory Entity's Director General provided a written response on the outcome of the internal review to the Supplier | N/A (Establishment of a Panel) |
| PrC 0004 | Initial Assessment (Directorate) | ACT Health Directorate | Resolved – Territory Entity's Delegate provided a written response to the Supplier. | \$495,000 |
| PrC 0005 | Internal review (Procurement ACT) | Canberra Institute of Technology (CIT) | Resolved – Territory Entity's Director General provided a written response on the outcome of the internal review to the Supplier | \$11,000,000 |
| PrC 0006 | Initial Assessment (Directorate) | CIT | Resolved – Territory Entity's Delegate provided a written response to the Supplier | \$11,000,000 |
| PrC 0007 | Initial Assessment (Directorate) | TCCS | Resolved – Territory Entity's Delegate provided a written response to the Supplier | \$ 631,591.26 |
| PrC 0008 | Initial Assessment (Directorate) | TCCS | Resolved – Territory Entity's Delegate provided a written response to the Supplier | N/A (Establishment of a Panel) |
| FY 2021-11/04/2022 | | | | |
| PrC0009 | Initial Assessment (Directorate) | TCCS | Resolved – Territory Entity's Delegate provided a written response to the Supplier | N/A (REOI process -contract has not yet been awarded) |

Access Canberra—customer feedback (Question No 714)

Mr Cain asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022:

- (1) What percentage of customers who had interacted with the (a) call centre, (b) storefront and (c) website were requested to provide feedback, in the financial years of (i) 2021-22 to date, (ii) 2019-20, (iii) 2018-19 and (iv) 2017-18.
- (2) Of those customers requested to provide feedback across the services of the (a) call centre, (b) storefront and (c) website, what percentage of customers did provide feedback in the financial years of (i) 2021-22 to date, (ii) 2019-20, (iii) 2018-19 and (iv) 2017-18.
- (3) In the independent survey of the Canberra community noted in the Chief Minister, Treasury and Economic Development (CMTEDD) 2020-21 annual report, volume 2, page 141, what customer service metrics were surveyed.
- (4) Can the Minister provide an itemised list of the customer service metrics surveyed.

- (5) During the period of the independent survey of the Canberra community noted in the CMTEDD 2020-21 annual report, volume 2, page 141, how many customers interacted with the Access Canberra service avenues of the (a) storefront, (b) website and (c) call centre.

Ms Cheyne: The answer to the member's question is as follows:

- (1) Access Canberra provides a range of different avenues for the community to provide feedback, comments, complaints, or compliments about services and transactions Access Canberra provide, as well as more broadly about ACT Government services. Feedback avenues are designed to be accessible, timely (such as at the point of a transaction), varied in form to support feedback preferences and available to all the community, who can provide feedback anytime.

Avenues for feedback include, but are not limited to:

- At the point of an interaction – such as during a call with the Contact Centre, during a transaction at a Service Centre, or in-person to an inspector or other Access Canberra officer;
- Online on the Access Canberra website by clicking the 'Feedback' link - the community can make a complaint, report an incident, ask a question, seek more information or also provide a compliment;
- Immediately after a transaction at a Service Centre by using the feedback pedestals located within the centres;
- By calling Access Canberra on 13 22 81; and
- By writing to Access Canberra by post.

Details of the Access Canberra Customer Service outlines the feedback and complaints process and can be found via the Access Canberra website (www.accesscanberra.act.gov.au).

In addition to the options above, an annual independent survey of Access Canberra services is undertaken, by a third-party provider.

Well-established survey methodology, including random (rather than by specific service or transaction type) sampling of Canberrans is applied, to provide statistically valid responses.

Further information about the survey and methodology can be found publicly at the following link - www.accesscanberra.act.gov.au/s/article/about-access-canberra-tab-customer-satisfaction-survey

- (2) As above, the annual survey is administered by a third-party provider. In addition to the survey, Canberrans can provide feedback on services and transactions anytime through a range of channels and options as outlined in response to Question 1.
- (3) Please refer to Attachment A. The report is available public and can be read in full at the following link: www.accesscanberra.act.gov.au/s/article/about-access-canberra-tab-customer-satisfaction-survey
- (4) Please refer to Attachment A.

- (5) The independent survey was conducted from 17 May 2021 to 12 June 2021. During the survey period there were:
- (a) 22,760 visits to Service Centres.
 - (b) 411,000 visits to the Access Canberra website.
 - (c) 36,544 calls handled by the Contact Centre.

(A copy of the attachment is available at the Chamber Support Office).

Access Canberra—drivers licences (Question No 715)

Mr Cain asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022:

- (1) What was the average time taken to renew a driver's licence (complete transaction, in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.
- (2) What was the average time taken to register for a driver's licence (complete transaction) in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.
- (3) What was the average time it took to dispatch a hardcopy licence to an ACT resident who had requested a new licence, or a licence renewal in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.
- (4) What was the cost, per licence, to dispatch a hardcopy licence to ACT residents who had requested a new licence, or a licence renewal in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.

Ms Cheyne: The answer to the member's question is as follows:

- (1) The average time for renewing an ACT driver licence has reduced considerably since introducing online renewals in late 2017. The online channel allows most members of the public, except for those needing to update their photo, to renew their licence from a time and place of their choosing avoiding any waiting time to receiving a service at an Access Canberra Service Centre as well any associated travel time. Initially, this service channel was supported by the issue of the physical licence through the post with those attending a Service Centre being issued with their card at the time of the transaction.

In late 2019, to reduce waiting across all transactions delivered by Service Centres, Access Canberra changed its service model moving away from issuing licence cards in Service Centres in favour of a centralised printing and postage model. This approach brought ACT in line with all other jurisdictions, none of which print card licences in their Service Centres.

Access Canberra is committed to delivering services to the ACT community in a timely manner and uses multiple service channel to achieve this. There are numerous variables in completing the transaction outside the control of Access Canberra (such as postal services) or where the process timing is not captured between discrete business areas in Access Canberra. Accordingly, it is not possible to ascertain an exact 'end-to-end' transaction time.

When applying online, an interim paper based licence is immediately issued that is valid for 28 days. While Access Canberra cannot ascertain the average timeframe for an applicant to receive the physical card, on balance when factoring the volume of licences issued by Access Canberra with feedback received and customer survey responses, we believe it is within 28 days more in than 95% of cases. Importantly, however, the overall time impost on community for the consumption of this service has greatly improved since 2017.

- (2) Please refer to response to Question 1.
- (3) Please refer to response to Question 1.
- (4) The total cost to produce a licence card is \$5.10 (excluding staff resourcing). This is comprised of a card and consumable cost of \$4.00 and postage cost of \$1.10.

Access Canberra—services requests (Question No 716)

Mr Cain asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022:

- (1) What were the top 10 services (raw transaction numbers) requested at Access Canberra storefronts in (a) 2021-22 to date, (b) 2020-21, (c) 2019-20, (d) 2018-19 and (e) 2017-18.
- (2) What were the top 10 services (raw transaction numbers) requested through the Access Canberra website in (a) 2021-22 to date, (b) 2020-21, (c) 2019-20, (d) 2018-19 and (e) 2017-18.
- (3) What were the top 10 services (raw transaction numbers) requested through the Access Canberra call centre in (a) 2021-22 to date, (b) 2020-21, (c) 2019-20, (d) 2018-19 and (e) 2017-18.

Ms Cheyne: The answer to the member's question is as follows:

| (1) | (a) 2021-22 to date (End of March) | |
|-----|---|--------------------|
| | Transaction | Raw Numbers |
| | Create/Maintain Client | 48,359 |
| | Establish Registration | 27,714 |
| | Issue Driver licence | 19,145 |
| | Licence Enquiry | 18,711 |
| | Transfer Registration | 18,407 |
| | Motor Vehicle Enquiry | 17,924 |
| | Renew licence | 17,524 |
| | Renew Registration | 16,689 |
| | Working with Vulnerable People - Employee | 11,381 |
| | Issue Proof Of Identity | 10,861 |

| (b) 2020-21 | |
|-------------------------|--------------------|
| Transaction | Raw Numbers |
| Create/Maintain Client | 83,663 |
| Establish Registration | 43,197 |
| Issue Driver licence | 33,605 |
| Renew licence | 33,193 |
| Renew Registration | 32,069 |
| Transfer Registration | 29,140 |
| Motor Vehicle Enquiry | 27,025 |
| Licence Enquiry | 25,219 |
| Maintain licence | 20,109 |
| Issue Proof Of Identity | 15,626 |

| (c) 2019-20 | |
|------------------------|--------------------|
| Transaction | Raw Numbers |
| Create/Maintain Client | 135,068 |
| Establish Registration | 52,160 |
| Renew Registration | 50,498 |
| Motor Vehicle Enquiry | 47,369 |
| Renew licence | 45,399 |
| Transfer Registration | 42,483 |
| Licence Enquiry | 35,733 |
| Issue Driver licence | 28,578 |
| Cancel Registration | 24,445 |
| Maintain licence | 23,351 |

| (d) 2018-19 | |
|------------------------|--------------------|
| Transaction | Raw Numbers |
| Create/Maintain Client | 139,083 |
| Renew Registration | 71,782 |
| Motor Vehicle Enquiry | 65,001 |
| Establish Registration | 60,949 |
| Renew licence | 59,206 |
| Transfer Registration | 52,539 |
| Licence Enquiry | 50,510 |
| Issue Driver licence | 37,047 |
| Maintain licence | 32,056 |
| Maintain Registration | 21,491 |

| (e) 2017-18 | |
|------------------------|--------------------|
| Transaction | Raw Numbers |
| Renew Registration | 51,492 |
| Create/Maintain Client | 40,979 |
| Renew licence | 37,994 |
| Motor Vehicle Enquiry | 35,440 |
| Establish Registration | 33,544 |
| Licence Enquiry | 27,215 |
| Transfer Registration | 26,175 |
| Issue UVP | 18,968 |
| Maintain licence | 17,714 |
| Issue Driver licence | 14,643 |

- (2) The Access Canberra website provides the ACT community with information and digital services from across the ACT Government. Below are the top 10 most viewed pages on the Access Canberra website.

The Access Canberra website was transitioned to our new Customer Relationship Management system in May 2021. This transition together with COVID-19 has seen increased views of new pages in 2021-22.

Note: The 'Feedback and Complaints' page enables the ACT community to request services and provide feedback across the ACT Government including via Fix My Street, COVID-19 Breach reports, Public Transport and many more.

Note: The 'Shopfront Transactions' page hosts digital services for vehicle registration that were setup in response to the COVID-19 pandemic.

| (a) 2021-22 to date (End of March) | |
|--|--------------------|
| Page Views | Raw Numbers |
| MOTOR VEHICLE REGISTRATION AND RENEWAL | 518,835 |
| ACT DRIVER LICENCE INFORMATION | 355,225 |
| ACCESS CANBERRA SERVICES LOCATIONS AND OPENING HOURS | 328,804 |
| TRAFFIC AND PARKING INFRINGEMENTS | 306,665 |
| WORKING WITH VULNERABLE PEOPLE WWVP REGISTRATION | 208,093 |
| MOTOR VEHICLE REGISTRATION TRANSFER | 202,806 |
| PUBLIC REGISTERS | 191,512 |
| TRANSPORT | 159,533 |
| FEEDBACK AND COMPLAINTS | 132,531 |
| SHOPFRONT TRANSACTIONS | 119,729 |

| (b) 2020-21 | |
|--|--------------------|
| Page Views | Raw Numbers |
| MOTOR VEHICLE REGISTRATION AND RENEWAL | 825,580 |
| ACT DRIVER LICENCE INFORMATION | 465,573 |
| TRAFFIC AND PARKING INFRINGEMENTS | 327,980 |
| MOTOR VEHICLE REGISTRATION TRANSFER | 242,010 |
| WORKING WITH VULNERABLE PEOPLE (WWVP) REGISTRATION | 227,236 |
| ACCESS CANBERRA SERVICES, LOCATIONS AND OPENING HOURS | 204,168 |
| ACT DRIVER LICENCE AND MOTOR VEHICLE REGISTRATION PROOF OF IDENTITY AND RESIDENCY REQUIREMENTS | 174,781 |
| MOTOR VEHICLE INSPECTIONS | 141,098 |
| DRIVER LICENCE RENEWAL | 117,541 |
| ACT NUMBERPLATE INFORMATION | 110,842 |

| (c) 2019-20 | |
|---|--------------------|
| Page Views | Raw Numbers |
| MOTOR VEHICLE REGISTRATION AND RENEWAL | 893,897 |
| TRAFFIC AND PARKING INFRINGEMENTS | 403,142 |
| ACT DRIVER LICENCE INFORMATION | 351,261 |
| ACCESS CANBERRA SERVICES, LOCATIONS AND OPENING HOURS | 325,228 |

| | |
|---|---------|
| MOTOR VEHICLE REGISTRATION TRANSFER | 287,212 |
| WORKING WITH VULNERABLE PEOPLE (WWVP) | 246,792 |
| REGISTRATION | |
| LAND TITLE LODGEMENTS, REGISTRATIONS AND SEARCHES | 152,602 |
| MOTOR VEHICLE INSPECTIONS | 143,444 |
| DRIVER LICENCE RENEWAL | 142,897 |
| ACT NUMBERPLATE INFORMATION | 90,264 |

| (d) 2018-19 | |
|---|--------------------|
| Page Views | Raw Numbers |
| MOTOR VEHICLE REGISTRATION AND RENEWAL | 728,163 |
| ACCESS CANBERRA SERVICES, LOCATIONS AND OPENING HOURS | 467,144 |
| TRAFFIC AND PARKING INFRINGEMENTS | 352,552 |
| ACT DRIVER LICENCE INFORMATION | 283,672 |
| WORKING WITH VULNERABLE PEOPLE (WWVP) | 218,357 |
| REGISTRATION | |
| MOTOR VEHICLE REGISTRATION TRANSFER | 169,158 |
| DRIVER LICENCE RENEWAL | 104,914 |
| MOTOR VEHICLE INSPECTIONS | 91,837 |
| LAND TITLE LODGEMENTS, REGISTRATIONS AND SEARCHES | 81,403 |
| APPLY FOR A BIRTH, DEATH OR MARRIAGE CERTIFICATE | 77,192 |

| (e) 2017-18 | |
|---|--------------------|
| Page Views | Raw Numbers |
| MOTOR VEHICLE REGISTRATION AND RENEWAL | 675,334 |
| ACCESS CANBERRA SERVICES, LOCATIONS AND OPENING HOURS | 359,840 |
| ACT DRIVER LICENCE INFORMATION | 242,292 |
| TRAFFIC AND PARKING INFRINGEMENTS | 182,748 |
| WORKING WITH VULNERABLE PEOPLE (WWVP) | 171,800 |
| REGISTRATION | |
| MOTOR VEHICLE REGISTRATION TRANSFER AND DISPOSAL | 117,307 |
| MOTOR VEHICLE INSPECTIONS | 101,982 |
| LAND TITLE LODGEMENTS, REGISTRATIONS AND SEARCHES | 90,900 |
| APPLY FOR A BIRTH, DEATH OR MARRIAGE CERTIFICATE | 82,178 |
| DRIVER LICENCE RENEWAL | 73,019 |

(3)

| (a) 2021-22 to date (End of March) | |
|--|--------------------|
| Transaction | Raw Numbers |
| Travel - Interstate (COVID-19) | 29,246 |
| Registration - Establish/Transfer | 18,023 |
| Quarantine (COVID-19) | 17,413 |
| Exemptions (COVID) | 15,746 |
| Health directions - general advice (COVID) | 14,815 |
| Testing (COVID) | 14,439 |
| Registration - Renewal | 13,444 |
| Housing - Tenancy Management | 12,323 |
| Registration - UVP | 9,620 |
| MYWAY - Account enquiries | 9,156 |

| (b) 2020-21 | |
|--|--------------------|
| Transaction | Raw Numbers |
| Travel - Interstate (COVID) | 33,564 |
| Registration - Renewal | 29,916 |
| Registration - Establish/Transfer | 28,825 |
| Housing - Tenancy Management | 24,311 |
| Registration - UVP | 15,275 |
| Registration - Inspections | 14,832 |
| BUS - Timetable | 12,976 |
| Infringements - TCO | 9,669 |
| Housing - Gateway & Operational Services | 9,171 |
| MYWAY - Account enquiries | 8,557 |

| (c) 2019-20 | |
|--|--------------------|
| Transaction | Raw Numbers |
| Registration - Renewal | 38,319 |
| Registration - Establish/Transfer | 32,097 |
| Housing - Tenancy Management | 21,372 |
| BUS - Timetable | 19,821 |
| Registration - Inspections | 19,332 |
| Registration - UVP | 12,811 |
| Infringements - TCO | 12,376 |
| Infringements - Parking | 12,099 |
| Housing - Gateway & Operational Services | 10,427 |
| MYWAY - Account enquiries | 7,743 |

| (d) 2018-19 | |
|---|--------------------|
| Transaction | Raw Numbers |
| Registration - Renewal | 35,222 |
| Timetable Information - Route/Service Enquiry | 26,702 |
| Registration - Establish/Transfer | 18,834 |
| Housing - Tenancy Management | 17,453 |
| Infringements - TCO | 17,031 |
| Registration - Inspections | 14,510 |
| Infringements - Parking | 13,470 |
| Account Enquiries (MyWay/ACTION) | 8,819 |
| BUS - Timetable | 8,654 |
| Housing - Gateway & Operational Services | 8,225 |

| (e) 2017-18 | |
|---|--------------------|
| Transaction | Raw Numbers |
| Timetable Information - Route/Service Enquiry | 43,081 |
| Registration - Renewal | 34,582 |
| Registration - Establish/Transfer | 17,199 |
| Housing - Tenancy Management | 16,012 |
| Registration - Inspections | 12,502 |
| Infringements - TCO | 11,856 |
| Account Enquiries (MyWay/ACTION) | 10,781 |
| Licence - Drivers Licence/Road Ready | 9,968 |
| Infringements - Parking | 9,272 |
| Registration - Number Plates | 7,787 |

**Access Canberra—transactions
(Question No 717)**

Mr Cain asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022:

- (1) What percentage of the total customer transactions with Access Canberra have resulted in a completed transaction in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.
- (2) What percentage of the total completed transactions with Access Canberra used multiple platforms to complete the transaction in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.
- (3) What percentage of the total completed transactions with Access Canberra used a single platform to complete the transaction in (a) 2020-21, (b) 2019-20, (c) 2018-19 and (d) 2017-18.

Ms Cheyne: The answer to the member's question is as follows:

- (1) (a)-(d) Access Canberra is unable to provide the information as requested.
Access Canberra does not have unique identifiers for individuals for the purpose of tracking completion of transactions across its platforms including via its website, Contact Centre, Shopfronts or Service Centres.
- (2) (a)-(d) As per response to Question 1 above.
- (3) (a)-(d) As per response to Question 1 above.

**COVID-19 pandemic—government response
(Question No 727)**

Ms Castley asked the Chief Minister, upon notice, on 8 April 2022:

- (1) Was a whole-of-government approach used to advise directorates that certain policies and/or programs should be continued, delayed or amended in any way due to COVID-19; if so, can the Chief Minister provide a copy of the advice and where it came from; if not, who made these decisions.
- (2) If a whole-of-government approach was used to advise directorates, can the Chief Minister provide a list of all policies and/or programs that were delayed, ceased or amended in any way due to COVID-19; if not, can the Chief Minister provide this information for the Chief Minister, Treasury and Economic Development Directorate.
- (3) What specific policies or programs received extra resources during COVID-19.
- (4) Has the whole-of-government advice to directorates, in terms of continuing, delaying or amending policies and/or programs, changed throughout the pandemic; if so, can the Chief Minister provide a copy of all whole-of-government advice/policies to continue, delay or amend programs and/or policies due to COVID-19.

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

1. Over the past two years, since the beginning of the COVID-19 pandemic in March 2020 and during the most recent Omicron outbreak, the ACT Public Service as a whole has pivoted its focus to the COVID-19 response as its main priority. Everyone in the ACTPS has played a vital role in contributing to our ongoing response to the pandemic. While a whole-of-government approach was not used, individual directorates were responsible for negotiating with their Ministers on a case-by-case basis where policies and programs might need to be delayed or amended due to COVID-19.
2. Not applicable, the ACT did not use a whole-of-government approach.
3. The ACT Budget papers since March 2020 provide information on the policies or programs that received extra resources during COVID-19. The 2021-22 ACT Budget sets out the recovery and rebuilding effort in the next stage of the Government's plan to support Canberrans through the pandemic and in recovery efforts. In addition, the ACT Government has outlined a range of programs and policies in its responses to the 2020 Select Committee on the COVID-19 Pandemic Response and the Select Committee on the COVID-19 2021 Pandemic Response. Links to the Budget papers and Government Responses are provided below:
 - a. <https://www.treasury.act.gov.au/budget/budget-2021-22/budget-papers>
 - b. <https://www.treasury.act.gov.au/budget/budget-2020-21/budget-papers>
 - c. <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/Sel-Com-covid-19-2021-pandemic-response/inquiry-into-the-covid-19-2021-pandemic-response#tab1855030-6id>
 - d. <https://www.parliament.act.gov.au/parliamentary-business/in-committees/previous-assemblies/select-committees-ninth-assembly/select-committee-on-the-covid-19-response#tab1509618-8id>
4. Not applicable, the ACT did not use a whole-of-government approach.

Water—household usage (Question No 729)

Ms Clay asked the Minister for Water, Energy and Emissions Reduction, upon notice, on 8 April 2022 (*redirected to the Treasurer*):

How many residential dwellings in the ACT have used less than 50L/day water in the last 12 months.

Mr Barr: I have sought Icon Water's advice and the answer to the Member's question is as follows:

There were 2,397 residential sites that recorded an average of less than or equal to 50L usage per day between March 2021 and February 2022.

It should be noted that:

- This figure may be impacted by some water usage estimations due to meter reader access issues.

- Data is only including individually metered premises. Icon Water cannot determine consumption for individual units or flats which are measured through a single common property meter (which is most often the case - Icon Water has some 62,000 unmetered units/flats on record).
- Icon Water does not have visibility into the number of inhabitants or dwellings attached to a site (e.g. cases where there is a granny flat in addition to a primary dwelling on a residential block).
- Due to the meter reading cycle, this data may capture sites with usage recorded over a timeframe slightly more or less than 365 days.

Transport—active travel projects (Question No 731)

Ms Clay asked the Minister for Transport and City Services, upon notice, on 8 April 2022:

Was reference made to a table detailing a breakdown of active travel commitments by project during the annual reports hearing of 18 October 2021; if so, can the Minister provide a breakdown of the ACT Government's announced \$77 million pipeline of active travel infrastructure works by project.

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

The \$77 million pipeline of active travel infrastructure works covers the four years from 2021-22 Budget. The table below includes a breakdown by project, as listed in the Budget:

| Infrastructure project | Total Active Travel related budget over four years \$'000 |
|--|--|
| John Gorton Drive and Molonglo River Bridge Crossing (ACT and Commonwealth Contribution) | 10,962 |
| Road Safety Improvements (ACT and Commonwealth Contribution) | 1,660 |
| Schools for our growing city — Kenny High School | 1,968 |
| Upgrading an intersection on Owen Dixon Drive | 1,933 |
| Building a better city – Canberra Brickworks– Access road and Dudley Street upgrade | 695 |
| Intersections - Delivering our Election Commitments | 1,091 |
| Better connecting Belconnen and Gungahlin | 1,599 |
| Intersection upgrades - Kuringa Drive intersection with Owen Dixon ACT | 924 |
| Intersection upgrades - Southern Cross Drive intersection with Starke Street | 250 |
| Intersection upgrades - Belconnen Way intersection with Springvale Drive | 250 |
| Intersection upgrades - Launceston Street intersection with Irving Street | 76 |
| Northbourne Avenue Pavement - Part 2 | 84 |

| | |
|---|---------------|
| Northbourne Avenue Pavement - Part 3 | 75 |
| Roads to Recovery (Commonwealth) | 1,675 |
| Intersection upgrades - Southern Cross Drive intersection with Starke Street (Commonwealth) | 113 |
| Intersection upgrades - Launceston Street intersection with Irving Street (Commonwealth) | 239 |
| Northbourne Avenue Pavement - Part 1 (Commonwealth) | 125 |
| Northbourne Avenue Pavement - Part 2 (Commonwealth) | 84 |
| Northbourne Avenue Pavement - Part 3 (Commonwealth) | 68 |
| Keeping our growing city moving – Better infrastructure for active travel | 4,159 |
| More active travel infrastructure for our schools and suburbs | 351 |
| 2020-21 BIF Accessible Bus Stops | 3,130 |
| William Hovell Drive duplication - Construction | 9,500 |
| Mawson Stormwater and Placemaking Improvements - Construction | 300 |
| East Gungahlin High School Supporting Infrastructure additional funding | 1,000 |
| Monaro Highway Upgrade | 16,000 |
| Active Travel Package | 17,370 |
| Pialligo Upgrade | 1,000 |
| 2021-22 BIF Gungahlin Town Centre Active Travel Feasibility | 200 |
| 2021-22 BIF Edinburgh Ave/Vernon Circle Ped Crossing | 80 |
| 2021-22 BIF Construction of community paths/missing links (Latham Stairs) | 300 |
| TOTAL Active travel related budget over four years (2021-22 – 2024-25) | 77,261 |

The pipeline of works will be updated following each budget cycle.

Audrey Fagan programs—applicants data (Question No 732)

Ms Clay asked the Minister for Women, upon notice, on 8 April 2022:

- (1) How many applications were received, in 2021, for the (a) Audrey Fagan Leadership and Communication Program and (b) Audrey Fagan Directorship Program.
- (2) How many of the applicants, referred to in part (1), were successful in receiving a position in the (a) Audrey Fagan Leadership and Communication Program and (b) Audrey Fagan Directorship Program.
- (3) How many of the applicants, referred to in part (1), were culturally and linguistically diverse for the (a) Audrey Fagan Leadership and Communication Program and (b) Audrey Fagan Directorship Program.
- (4) How many of the successful applicants were culturally and linguistically diverse for the (a) Audrey Fagan Leadership and Communication Program; and (b) Audrey Fagan Directorship Program.

Ms Berry: The answer to the member's question is as follows:

- (1) Neither the Audrey Fagan Leadership and Communications Program nor the Audrey Fagan Directorship Program were run in 2021. Both were cancelled due to COVID. The Audrey Fagan Board Traineeship Program was able to be run in 2021. There were 47 applicants for that program.
 - (2) Of the 47 applicants for the Audrey Fagan Board Traineeship Program, 25 were successful.
 - (3) Of the 47 applicants, 18 were from culturally and linguistically diverse backgrounds.
 - (4) Of the 25 successful applicants, 8 were from culturally and linguistically diverse backgrounds.
-

**Western edge—sales
(Question No 733)**

Ms Clay asked the Minister for Planning and Land Management, upon notice, on 8 April 2022:

- (1) Can the Minister identify, by block and section number, the five blocks in the Western Edge Investigation Area that have been sold in the last five years.
- (2) Can the Minister identify any blocks in the Western Edge Investigation Area that are currently on the market.

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

- (1) The following blocks have been sold in the last five years:
 - Blocks 435, 439, 440, 441, 456, 476 Stromlo;
 - Block 1600 Belconnen;
 - Block 1582, Belconnen;
 - Part Block 1601 Belconnen; and
 - Block 418 Stromlo.
 - (2) The Minister is not aware of this information.
-

**Transport Canberra—bus drivers
(Question No 734)**

Ms Clay asked the Minister for Transport and City Services, upon notice, on 8 April 2022:

Can the Minister provide data on Transport Canberra's bus operator workforce by gender and employment category, broken down by the number of full-time, part-time and casual drivers, including whether they are male, female or other.

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

The breakdown of the bus operator workforce is shown below. The data shows an overall increase of 1% female representation in comparison to the same time last year (February 2021).

TCCS Bus Operators Headcount as @ 16 February 2022

| Employment type | Female HC | Female % | Male HC | Male % | Total |
|--------------------|------------|------------|------------|------------|------------|
| Casual | 18 | 19% | 79 | 81% | 97 |
| Permanent | 82 | 10% | 721 | 90% | 803 |
| Temporary | 1 | 25% | 3 | 75% | 4 |
| Grand Total | 101 | 11% | 803 | 89% | 904 |

Data source: TCCS Operational Support Data report, List of reported employees February 2022

**Municipal services—Gwydir Square shops
(Question No 735)**

Ms Castley asked the Minister for Transport and City Services, upon notice, on 8 April 2022:

- (1) When did work start on the Gwydir Square upgrade in Kaleen and when is it scheduled to end.
- (2) Can the Minister provide details on whether the work is on schedule.
- (3) Is there a work schedule for the Gwydir Square upgrade; if so, what is the schedule; if not, (a) why is there no schedule, (b) how does the Minister's directorate determine when workers will be on site, (c) how often have workers appeared on site and if information on how often workers have appeared on site is not available, why not and (d) what hours are workers on site and did the Government consider afternoon operations (say after 2pm) or night-time work for Gwydir square; if not, why not.
- (4) What consultation did the Government do with (a) the community and (b) local traders about (i) the work schedule, (ii) when workers would work, (iii) how long barricades would be erected and (iv) how long the car parks would be closed.
- (5) What feedback did traders provide and can the Minister provide details about consultation and how it was done and with whom.
- (6) What consultation did the Government do with (a) community and (b) local traders about noise from construction.
- (7) What is the budget/cost for upgrades to Gwydir square, broken down by all expenses.
- (8) Is the project on budget or over budget and can the Minister provide the relevant details.

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

- (1) Site establishment commenced in early February 2022. Construction is anticipated to be complete by mid 2022 (weather permitting).
- (2) Currently works at Gwydir Square are on schedule to be completed on time.
- (3) Yes, the work schedule is managed by the construction contractor and reported through to the Territory under the construction contract.

The work schedule is staged to ensure the shops and the parking areas remain accessible and to minimise impact to the shopping centre traders and users. Once works are complete in the current area, this area will be re-opened, and the next stage of works will commence.

It is noted that due to the residential nature of the area night works are not appropriate and that activity from after school pick up is also taken into consideration.

- (4) Information was provided to both the local community and Gwydir Square traders:
 - (a) Community: a letterbox drop to residents in the vicinity of the local shops on Monday 31 January 2022, an email sent 9 February 2022 to around 30 local community members and stakeholders, and signage which was erected at various approach points to the local shops warning of changed traffic arrangements. QR codes were on the signage so members of the community could access the project page for more information.
 - (b) Traders: a letter was distributed to businesses in December 2021 providing notice of construction commencing in the new year. TCCS and the construction contractor held a meeting on Monday 31 January 2022 at U & Co café.

Both the local community and Gwydir square traders were informed of the construction schedule, disruption management and process for notification of works outside standard construction hours. Construction and traffic disruption will take up to six months from start of construction.

- (5) Prior notice was provided to traders as described above. The traders were consulted during design development and have been supportive of the design and the proposed works.

The construction contractor and the TCCS project representative have maintained contact with the traders as the works have progressed and have been available to answer questions and respond to concerns.

The traders have raised concerns about the noise from the construction activity, traffic disturbance and activity on site. The construction of upgrades at local shopping centres are disruptive. The contractor delivering the Gwydir Square upgrades is an experienced contractor that is managing the site to minimise this disruption as much as practicably possible.

- (6) Refer to 4.

- (7) The allocated budget for Gwydir Square, Duffy and Campbell shopping centre upgrades is \$7.5m, this is inclusive of all internal fees/ costs, insurances and construction costs.

The original contract price for the Gwydir Square upgrade is \$1,787,500.00.

- (8) The project is currently within budget.

**Mental health services—ACT Recovery College
(Question No 739)**

Ms Castley asked the Minister for Mental Health, upon notice, on 8 April 2022:

- (1) How many people attended courses run by the ACT Recovery College (the pilot program).
- (2) What was the final cost for the pilot program and how does that compare with the initial budget for the pilot.
- (3) When was the evaluation report given to the Minister.
- (4) How much did the evaluation report cost.
- (5) Has the Government made a formal response to the evaluation report.
- (6) Does the Minister intend to respond to the evaluation report; if so, how (eg, ministerial statement in the Legislative Assembly).
- (7) Will the Government establish an ACT Recovery College following the pilot.
- (8) What other education programs exist to support people with lived experience of mental health, now that the Recovery College pilot has finished.
- (9) Can the Minister provide details on what feedback/correspondence the Minister/Government has received about the ACT Recovery College pilot.

Ms Davidson: The answer to the member's question is as follows:

- (1) Approximately 323 individual students enrolled in various courses at the ACT Recovery College (the College) between May 2019 and June 2021. It should be noted that during 2020 in particular, no new students were enrolled during the transition to online delivery of courses whilst COVID-19 restrictions were in place.
- (2) As per the response to the Question on Notice (Question No, 286) from the 4 June 2021, total funding of \$1,078,000 was provided to the Pilot Program. This is made up of:
 - 2018/2019 - \$396,000 provided to Mental Health Community Coalition ACT (MHCCACT) service funding.

- 2019/2020 - \$396,000 provided to MHCCACT as service funding; \$50,000 provided to fund the external evaluation conducted by la Trobe University; and \$47,000 provided to Canberra Health Services for costs associated with participation in the Recovery College.
- 2020/2021 \$189,000 provided to MHCCACT as service funding for the period 1 January 2021 until 30 June 2021.

No other funding has been provided by ACT Government.

- (3) The evaluation report was provided to the Minister's Office on 25 June 2021. It was also made publicly available via https://www.health.act.gov.au/sites/default/files/2021-08/Attach%20B_ACTRCEvaluation_FinalReport_4.6.21.pdf.
- (4) The evaluation process which began in December 2019 and subsequent report finalised in May 2021 with a cost of \$50,000.
- (5) The ACT Government has not made a formal response to the report. The report has been provided to MHCCACT.
- (6) The evaluation report will inform decisions about any future funding of a recovery college or similar model. This will be explored in the two-year process for commissioning of mental health services in the community which will commence in the near future. The sub sector design work to be done in collaboration with community partners will consider the programs and services needed to address a range of needs.
- (7) This is yet to be determined, following analysis of the Evaluation Report and contract reporting. As noted in (6), the role of a Recovery College will also be explored in subsector design work.
- (8) The majority of therapeutic or recovery focused services or programs have an educational element to them, including offering group programs for development of specific knowledge or skills. These tend to be focused on understanding specific conditions and learning strategies that promote self management or recovery. Some notable examples include Mental Illness Education ACT (MIEACT) programs for schools and community groups which aim to develop understanding and awareness of mental health and mental illness and the My Rights, My Responsibility program run through the ACT Mental Health Consumer Network (occasionally delivered though the College).

There are also range of more traditional education providers in the ACT such as CIT, community colleges including the University of the Third Age who offer some courses with similar content.

Within the Adult Mental Health Day Service (AMHDS) most of the group programs offered have a therapeutic function with skills training, development and support and include an educational component.

The group that primarily has an educational focus is the "Family Connections" program which is for people who identify as being in a relationship with someone who has borderline personality disorder (BPD), although it does have some skills

training and support. This is a new program offered through AMHDS. Family Connections is a free, 12-week course that meets weekly for two hours to provide education, skills training, and support for people who are in a relationship with someone who has BPD. Focusing on issues that are specific to BPD, it is hosted in a community setting and led by trained group leaders who are either clinicians or family members of relatives with BPD. Family Connections provides:

- current information and research on BPD and on family functioning;
- individual coping skills based on Dialectical Behaviour Therapy (DBT);
- family skills; and
- group support that builds an ongoing network for family members.

The Child and Adolescent Mental Health Services (CAMHS) provide education through the:

The Dialectic Behaviour Therapy (DBT) Program

The DBT Program provides specialised therapy to adolescents aged 14-18 years who experience multiple social, and emotional difficulties including suicidal behaviour, interpersonal vulnerabilities, and emotional regulation difficulties. This therapeutic program is delivered through skills groups, family therapy and individualised therapy. As DBT is a specialist service, only referrals from other CAMHS community or specialist teams are accepted. Other less intensive treatment options are required to have been tried first.

The Childhood Early Intervention Program (CEIP)

The CEIP is an early intervention program for children and their parents in ACT public and Catholic primary schools. This is for children who are beginning to display some behavioural or mental health concerns such as conduct disorder, anxiety, or depression.

Two teams operate in Canberra, one on the Northside and one on the Southside. Each team works with three primary schools per year.

At each school the program includes:

- An 8-week child and parent group program for children beginning to display mental health or behavioural concerns;
- Education and advice for all teachers and other interested school staff members on how to respond to mental health and behavioural concerns in children;
- 6-week whole of class program for one class selected by the school; and
- 10 x 1hr sessions for four individuals or families at the school.

Tuning into Teens

Tuning into Teens is a program for the parents and carers of adolescents aged 13 – 16 years. The program runs for six sessions every school term and assists participants to:

- Communicate more effectively with their teen;
- Better understand their teen;
- Assist their teen learn to better manage their emotions;
- Understand how to prevent behaviour problems in their teen; and
- Teach their teen to deal with conflict.

This program is available to the parents and carers of young people engaged with CAMHS.

CAMHS Parent /Carer Information Sessions

CAMHS conduct parent/carers sessions which provide psychoeducation and information on:

- Services offered by CAMHS;
- Helping young people better manage their emotions;
- Supporting a young person to engage in safety planning and access support; and
- Managing their own stress and worries related to caring for a young person with mental health issues.

The CAMHS Carers Information session is run monthly by CAMHS managers. Any parent who has a child/young person engaged with CAMHS can attend.

Eating Disorders Parenting Group

The Eating Disorders Parenting Group is a six-week group program based on Collaborative Carers Skills Training Workshop. The aim is to improve the well-being, coping strategies and problem-solving skills of carers of under 18's waiting for family-based therapy for an eating disorder. The Parenting Group provides therapeutic support through upskilling parents on regular eating, managing compensatory behaviours and moderating high expresses emotions and distress tolerance. It also acts as a support group for parents to share ideas and strategies.

- (9) Outside of its role as the organisation funded to deliver the Pilot Program, MHCCACT have been a strong advocate for the College, including preparing the original budget submission used to inform the pilot program and a submission to the Community Budget Consultations in June 2021 which included a call for a permanent College to be established.

Minister Rattenbury, as the Minister for Mental Health at the time, responded to one email seeking the establishment of a Recovery College in December 2017, before the pilot program commenced.

I have responded to one email in May 2021 regarding the cessation of the pilot program from a student of the College.

No other correspondence has been identified.

**ACT Policing—spit hoods use
(Question No 742)**

Mrs Kikkert asked the Minister for Police and Emergency Services, upon notice, on 8 April 2022:

- (1) Does ACT Policing maintain a stockpile of spit hoods; if so, how many does it have.
- (2) In what situations would ACT Policing staff use a spit hood.
- (3) When was the last time a spit hood was used on a person by ACT Policing.
- (4) Does ACT Policing have any limits on who it can use a spit hood on.

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

The ACT Policing Watchhouse maintains the central storage of spit hoods which can be distributed to Patrol Sergeants across the ACT. As at 12 April 2022, there are approximately 100 in stock at the ACT Watchhouse.

Spit hoods can be used by ACT Policing to prevent a person in custody from spitting at or biting officers, which protects officers from the transmission of communicable diseases and sustaining other serious injuries.

A number of considerations are given before any type of restraint is used on a person in custody. These considerations include the safety of the person in custody, the safety of others (including other persons in custody), threats made to expel bodily fluid, recorded history of spitting, aggressive or threatening behaviour, the likelihood of injury to any person and the circumstances of the incident.

Spit hoods used by ACT Policing are considered safe when used in accordance with the instructions. Any person in custody who is issued with a spit hood is personally accompanied by an AFP officer and monitored. Once they are placed in a holding cell the spit hood is removed.

The operational use of a spit hood is governed by the AFP Commissioner's Order 3 on operational safety and as such is subject to the scrutiny that Commissioner's Orders deliver of such matters.

Mental health services—spit hoods use (Question No 744)

Mrs Kikkert asked the Minister for Mental Health, upon notice, on 8 April 2022:

- (1) Do facilities such as Dhulwa and the Adult Mental Health unit maintain a stockpile of spit hoods; if so, how many do they have.
- (2) In what situations would staff of these facilities use a spit hood.
- (3) When was the last time staff of these facilities used a spit hood on a person.
- (4) Do these facilities have any limits on who it can use a spit hood on.

Ms Davidson: The answer to the member's question is as follows:

- 1) Dhulwa Mental Health Unit and the Adult Mental Health Unit do not use spit hoods.
- 2) As per answer 1.
- 3) As per answer 1.
- 4) As per answer 1.

Bimberi Youth Justice Centre—spit hoods use (Question No 745)

Mrs Kikkert asked the Assistant Minister for Families and Community Services, upon notice, on 8 April 2022:

- (1) Does Bimberi maintain a stockpile of spit hoods; if so, how many does it have.
- (2) In what situations would Bimberi staff use a spit hood.
- (3) When was the last time Bimberi staff used a spit hood on a person.
- (4) Do Bimberi staff have any restrictions on who a spit hood can be used on.

Ms Davidson: The answer to the member's question is as follows:

- 1) Bimberi Youth Justice Centre does not use spit hoods. If a young person is known to spit, staff have access to Personal Protection Equipment (PPE) such as face shields.
- 2) Please see response to question number one.
- 3) Bimberi staff have never used spit hoods on a person.
- 4) Please see response to question number one.

Children and young people—wellbeing dashboard (Question No 747)

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 8 April 2022:

When will the new wellbeing dashboard, raised in the Minister's progress update on the implementation of the ACT Children and Young People's Commitment 2015-2025, dated 6 April 2022, be available.

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

The new wellbeing dashboard is a lens of wellbeing focused on children and young people presenting data from conception to twenty-five years of age, also known as the Children and Young People's Lens (CYP Lens). The CYP Lens is currently scheduled for release in July 2022.

Children and young people—Best Start for Canberra's Children strategy (Question No 749)

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 8 April 2022:

In relation to the Best Start for Canberra's Children development initiatives raised in the Minister's progress update on the implementation of the ACT Children and Young People's Commitment 2015-2025, dated 6 April 2022, when is it expected that this five-year strategy will be ready for implementation.

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

Work on the *Best Start Strategy* was paused briefly in 2021 due to the COVID-19 pandemic, and is currently being finalised by the Community Services and Health Directorates, in close consultation with Canberra Health Services and the Education Directorate. This work is also informed by consultation with people with lived experience.

The *Best Start Strategy* is projected for launch in late July 2022 with an Action Plan to follow thereafter.

Children and young people—services connectivity (Question No 750)

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 8 April 2022:

- (1) In relation to the feedback about the need for a better-connected service system for children, youth and families, as raised in the Minister's progress update on the implementation of the ACT Children and Young People's Commitment 2015-2025, dated 6 April 2022, what specific recommendations have been made by families, service providers, and/or government agencies to overcome the fragmented nature of the current service system.
- (2) What specific recommendations has the Government received to improve pathways to support.

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

The Community Services Directorate (CSD) receives feedback from a variety of sources, including conversations with people with lived experience, community sector partner forums and dedicated project consultations, for example those that have informed development of the successor strategy to *A Step Up for Our Kids*.

- (1) The following consistent themes and recommendations have been identified across many forums and conversations:
 - Program eligibility requirements, cohort specific services and rigid requirements around time-limited services contribute to service system fragmentation. Service providers and consumers have sought reform with a view to ensuring continuity of service and reducing the complexity of referral processes for children, young people and families to access support.
 - The service system should have an increased focus on providing earlier support to children and their families before they reach crisis. Families require early, intensive, strengths-based and culturally-safe family support that meets their needs.
 - Community services should be commissioned to deliver outcomes for the community, be based on identified need, and informed by the experiences of children and families who are using these services.
 - Information sharing and data collection should support client outcomes and reduce the need for people to tell their stories multiple times.
 - There is strong support for family-led decision making wherever it is safe to do so.

- The feedback from the community on the service system under A Step Up for Our Kids has been captured in two listening reports, and can be found at: <https://yoursayconversations.act.gov.au/children-and-family-services-reform/step-our-kids>
- (2) In addition to the issues noted above, the following recommendations have been made to improve pathways to support:
- Improve the availability and accessibility of other services, such as alcohol and other drug rehabilitation, mental health, disability and therapeutic services.
 - Further strengthen support during the transition to adulthood for young people who have a care experience.
 - Addressing historical issues of fragmentation and disconnection within the service system will improve pathways to support.

Children and young people—research studies and programs (Question No 751)

Mrs Kikkert asked the Minister for Families and Community Services, upon notice, on 8 April 2022:

- (1) In relation to the Good Start in Life study raised in the Minister's progress update on the implementation of the ACT Children and Young People's Commitment 2015-2025, dated 6 April 2022, (a) when did this study begin and when is it expected to conclude, (b) how much funding is the ACT Government providing to this study and (c) will the outcome of the study include recommendations to government.
- (2) In relation to the Village for Every Child program raised in the Minister's progress update on the implementation of the ACT Children and Young People's Commitment 2015-2025, dated 6 April 2022, (a) when did this program start and who is administering it, (b) how much funding is the ACT Government providing to the program, (c) what are the intended outcomes of the program, (d) how do families access this program, (e) if families are referred to the program, how are they identified, (f) how many full-time equivalent staff are engaged in delivering this program, (g) why was Belconnen chosen as the site of the program and (h) are there plans to extend the program to other districts in Canberra.

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

- (1) (a) The study started 1 November 2020 and is due to cease 31 August 2024.
 (b) Nil. The study is funded by the Medical Research Future Fund (MRFF), an initiative by the Australian Government to improve Australia's health. The University of Canberra's Health Research Institute received an MRFF grant for research into early childhood services and childhood development. ACT Government Directorates are supporting the Good Start in Life study as key local stakeholders, with the West Belconnen Child and Family Centre and Canberra Health Services represented on the Project Advisory Board.
 (c) The outcomes of the study will include recommendations to Government.

The project has been established to provide guidance to public health policy, in

promoting health and wellbeing for early childhood (0-5 years) and to inform local intervention efforts focused on the community and broader systems level.

Further information on the study is available here:

<https://www.canberra.edu.au/research/institutes/health-research-institute/a-good-start-in-life-for-young-children>.

- (2) (a) In 2015, several organisations operating primarily in the West Belconnen area came together to establish the West Belconnen Local Services Network (WBLSN) as part of the Better Services initiative under the ACT Government's *Human Services Blueprint*. WBLSN was focused on improving the local community's opportunities and activities, so that the community would be stronger and more connected.

One area of action for WBLSN was early childhood. This led A Village for Every Child to exclusively focus on early intervention and early childhood as there was opportunity to make the biggest impact over the longest time.

In 2017, UnitingCare Kippax received funding from the ACT Education Directorate to establish the Backbone Team needed to implement a Collective Impact approach to the early childhood system in the Belconnen area. Work was then done to establish the foundations of Village, including developing supporting theory and documentation as well as community consultation to inform the projects.

Since July 2019, the initiative has been administered through a Service Deed with the Education Directorate.

Further information on *A Village for Every Child* is available here:

<https://vfec.canberra.host/>.

- (b) The total funding for the initiative is \$1,852,000 for the life of the Service Deed.

- (c) The program outcomes are summarised in the Services Deed as:

| Parent outcomes | Community outcomes | Sector outcomes |
|---|--|---|
| Increased knowledge of child development | Increased information about parenting and support opportunities | Increased connection between services, resulting in smoother transitions between them |
| Increased parenting skills and stronger attachment | Increased input to design and implementation of Initiative, groups and opportunities | Better (more equitable) distribution of groups and opportunities and more effective access to them |
| Increased engagement in groups supporting parenting | Developing community awareness of the importance of community in a child's development | Increased knowledge of effective groups, opportunities and methods leading to improved quality of service provision |

- (d) Families access services through their contact with the range of organisations part of, or connected to, the Village group.

- (e) Families are not referred into the Village project, because it is a collective of service delivery partners. Families are referred into the service providers that are part of, or connected to, the Village project.

- (f) The project employs three staff.
 - (g) As outlined in response to 2(a), the *A Village for Every Child* Collaborative Impact Project stems from the WBLSN, which was established by the Community Services Directorate as a key initiative under the Better Services Reforms. The WBLSN was able to demonstrate to government its capacity to undertake a collective impact model project for the whole of Belconnen and demonstrated relationships it had already established and has been established as a demonstration project for the collective impact approach to supporting outcomes for children and families.
 - (h) There are no current plans to expand the program. However, the program will inform future policy on applying 'collective impact' methodology to work in other districts.
-

Waste—green waste facility (Question No 752)

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 8 April 2022:

- (1) Has the development application process begun for the new green waste facility for Belconnen; if so, when will a consultation and feedback platform be put up on the Yoursay website; if not, why not.
- (2) Did the development application process commence by early March as stated on the Transport Canberra and City Services website; if not, what was the cause of the delay.
- (3) Does the ACT Government have a date for when it wants the new green waste site to open; if so, what is that date.

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

- (1) The Development Application has been lodged with EPSDD. The application will be publicly notified in the coming weeks. Consultation on the site location was undertaken in January 2022.
 - (2) Preparation of the Development Application has been continuing while all required studies were completed.
 - (3) The green waste site needs to be relocated as soon as possible to facilitate the closure of the West Belconnen Resource Management Centre.
-

Alexander Maconochie Centre—security (Question No 755)

Mrs Kikkert asked the Minister for Police and Emergency Services, upon notice, on 8 April 2022:

In relation to the attempted escape of detainees at the Alexander Maconochie on 19 March 2022, were the drivers of the vehicle that approached the fence at the time of the

attempted escape apprehended; if so, have they received a trial; if so, what was the result of the trial; if not, is ACT Policing still looking for them.

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

The escape attempt is currently subject to an active police investigation.

**Alexander Maconochie Centre—security
(Question No 756)**

Mrs Kikkert asked the Minister for Corrections, upon notice, on 8 April 2022:

- (1) In relation to the escape attempt of detainees at the Alexander Maconochie Centre (AMC) on 19 March 2022, were the officers who deployed capsicum spray qualified for the use of the spray.
- (2) What penalties have been issued to the detainees for their escape attempt by the AMC.
- (3) How did the detainees smash through the window.

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

The escape attempt is currently subject to an active police investigation.

**Canberra Innovation Network—conflicts of interest
(Question No 757)**

Ms Lee asked the Assistant Minister for Economic Development, upon notice, on 8 April 2022 (*redirected to the Minister for Economic Development*):

- (1) Of the four Canberra Innovation Network (CBRIN) ICON grant recipients where CBRIN staff were also shareholders in those companies, can the Minister provide (a) the company name, (b) CBRIN staff member name, (c) value of the grant and (d) date of the grant.
- (2) Are CBRIN staff required to provide annual pecuniary declarations; if so, can the Minister provide copies of the most up-to-date declarations for all CBRIN staff.
- (3) Can the Minister provide a list of all current directorships held by CBRIN staff.
- (4) Does the Griffin Accelerator or KILN Incubator sub-let office space from CBRIN at 1 Moore Street Canberra; if so, can the Minister advise the annual rent paid since this arrangement began.
- (5) Are any CBRIN staff shareholders or employees of the Griffin Accelerator or KILN Incubator; if so, can the Minister specify those individuals' roles in these entities.
- (6) Have any of the recipients of ICON grants expended funds or paid for the services of the Griffin Accelerator or KILN Incubator.

- (7) For CBRIN as an entity and key CBRIN staff, can the Minister provide details of involvement in capital raising including funds raised, nature and level of involvement, and details of successful exits (if applicable) since 2012, and for CBRIN since its establishment: (a) Pre-Seed Rounds, (b) Seed Rounds, (c) Series A Rounds, (d) Series B Rounds, (e) Series C Rounds and (f) Initial Public Offerings.
- (8) Can the Minister provide detail on the nature of the involvement with CBRIN, including annual funding and number of staff provided of the (a) the Australian National University, (b) University of Canberra, (c) Canberra Institute of Technology and (d) Commonwealth Scientific and Industrial Research Organisation.

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

- (1) CBRIN is a not-for-profit company limited by guarantee funded by the Territory. As CBRIN is not a government agency, the ACT Government does not have access to the information requested.

I have written to CBRIN seeking further detailed information in response to these questions. CBRIN may consider that some of the information requested is confidential. Clause 21.1 of the ACT Government's 2019 Agreement with CBRIN requires that the Territory seek consent to release information deemed confidential.

- (2) CBRIN is not required to provide to government annual pecuniary declarations.
- (3) Refer to question 1 response.
- (4) Refer to question 1 response.
- (5) Refer to question 1 response.
- (6) Refer to question 1 response.
- (7) Refer to question 1 response.
- (8) The ACT Government provides CBRIN base funding of \$1.25 million per annum to 30 June 2023 to support its operations (2019 Agreement).

Representatives from the ACT Government attend CBRIN Board meetings in an observer capacity.

The CBRIN Board sets the level of Foundation Member contributions for each financial year during the Funding Period. Contributions will not be less than \$50,000 per Foundation Member per annum and may be a cash contribution or an auditable in-kind contribution or a mix of the two.

The ACT Government does not hold information on the staff provided by those listed in the question.

Housing ACT—eligibility (Question No 758)

Mr Parton asked the Minister for Housing and Suburban Development, upon notice, on 8 April 2022 (*redirected to the Minister for Homelessness and Housing Services*):

- (1) Is there an income threshold for new Housing ACT applicants; if so, what is this threshold.
- (2) Is there a threshold for tenants already residing in Housing ACT properties; if so,
(a) what is this threshold, (b) what options are there for people who exceed this threshold, (c) what happens if tenants exceed the income threshold and (d) how are the threshold rules enforced.

Ms Vassarotti: The answer to the member's question is as follows:

- (1) Income is one of the eligibility criteria when applying for public housing and the guidelines are published on the Community Services website at https://www.communityservices.act.gov.au/hcs/services/social_housing/eligibility_for_public_housing
- (2) The Community Services Directorate's social housing Rental Rebate Policy is available online at https://www.communityservices.act.gov.au/hcs/policies2/rental_rebate_policy#Purpose

While there is no income threshold for existing tenants of Housing ACT properties, tenants are requested to submit an "Application for a Rental Rebate" to assess the amount of the ACT Government subsidy which helps eligible clients meet the cost of renting their public housing property. The rental rebate calculated through this assessment is the difference between full market rent and the maximum rent a tenant is required to pay; tenants pay no more than 25 per cent of their income in rent.

If the income is such that when the rebate is calculated the rent payable is more than the market rent of the property, the tenant will be required to pay market rent.

Housing ACT periodically undertakes a Sustainable Income Review which targets those tenants paying full market rent who may have the capacity to sustain a private rental tenancy or to purchase their own home.

The Sustainable Income Review is conducted under the authority of Section 29B of the *'Housing Assistance Public Rental Housing Assistance Program 2013 (No 1)'*.

The income threshold for the Sustainable Income Review is determined based on several considerations, including average market rent and cost of living. The income threshold for review is set by Notifiable Instrument.

In addition to considering the household income, the review process also considers other factors, such as whether the household may be entitled to a rent rebate; the combined value of assets; whether the tenant has an interest in other real estate properties in Australia; or whether their current financial situation is likely to be reasonably sustainable for the foreseeable future.

Other details including age, general health, disability, carer responsibilities and employment; the appropriateness of the existing property for their needs; and their capacity to obtain appropriate affordable and suitable accommodation are also considered during the review.

**Housing ACT—renewal program
(Question No 759)**

Mr Parton asked the Minister for Housing and Suburban Development, upon notice, on 8 April 2022:

- (1) Does the Housing ACT Growth and Renewal Program have a discretion process.
- (2) What is the process for tenants to apply for this discretion
- (3) What is the process for reviewing the applications including the criteria for decisions.
- (4) Who reviews applications.
- (5) Who makes the approval or denial process of the applications.
- (6) How many have applied for this discretion from the over 300 who received notices.
- (7) How many have been (a) approved and (b) denied.
- (8) What were the reasons for denial of applications.

Ms Berry: The answer to the member's question is as follows:

1. Yes, the Growing and Renewing Public Housing Program has a discretion process.
2. Where a Tenant Relocation Officer has concerns for a tenant's welfare and does not believe relocation can or should proceed, they will complete an Application for Discretion Form with supporting documentation. The request is reviewed for the suitability of proceeding. Tenants are notified in writing if a discretion has been granted and they no longer are required to transfer. Housing ACT is continuing to refine and better articulate processes for tenants seeking exemptions from inclusion in the Growing and Renewing Public Housing Program, and for the provision of ongoing relocation support, so these processes can be better understood by tenants and stakeholders.
3. Applications are reviewed on a case-by-case basis with consideration given to:
 - exceptional and urgent needs;
 - the tenants age (currently tenants 80 plus and 70 plus for Aboriginal and Torres Strait Islanders may be given a discretion);
 - medical needs;
 - personal circumstances; and
 - the circumstances related to the property and its impact on the Program and the ability to house those most in need.
4. Director, Tenant Relocations, reviews the applications for discretion in consultation with the Portfolio, Planning and Alignment Team. A further refinement to the process will be the establishment of the Tenant Relocation Discretionary Panel to review applications against the criteria.

5. Director, Tenant Relocations, can approve or deny applications for discretion.
6. As of 20 April 2022, 8 tenants have engaged with Tenant Relocation Officers and have requested exemption from the Program from the recipients of the 337 letters sent to impacted tenants in February 2022. These requests will be considered upon finalisation of the Tenant Relocation Discretionary Panel. The Tenant Relocation Officers will continue to engage with tenants and support services about the process.
7. To date 9 tenants have been granted discretion and 1 application for discretion has been denied. Subsequently this tenant has agreed to move and will be relocating within the next month.
8. The decision to deny the application for discretion was made in accordance with the following considerations:
 - The tenant's health conditions were acknowledged by all members;
 - The redevelopment of the property will provide a return yield of 3 dwellings;
 - Housing ACT has limited land assets remaining within the suburb and must carefully utilise these assets to ensure it can provide the number and type of public housing dwellings needed in the area;
 - The age of the property;
 - There are suitable replacement properties that will meet the tenant's request to remain in the preferred location; and
 - Alternative options exist for the tenant to temporarily relocate to transitional accommodation and be permanently relocated back to the same address once redevelopment is completed.

Environmental Protection Authority—environmental authorisations (Question No 760)

Ms Castley asked the Minister for Business and Better Regulation, upon notice, on 8 April 2022 (*redirected to the Minister for Business and Better Regulation*):

- (1) Has the Environment Protection Authority (EPA) ever granted the ACT Government an Environmental Authorisation; if so, (a) since 2014, when were the authorisations granted, (b) what were they granted for, for example, what environmental policy was the ACT Government asking for an exemption and (c) did the EPA test the ACT Government's environmental authorisation activities; if so, has the ACT Government ever breached its environmental authorisation; if not; why not.
- (2) If the Government has breached its environmental authorisation, (a) what was the environmental authorisation for and when was it granted by the EPA, (b) were any reports completed by EPA or the ACT Government on how/why it breached the environmental authorisation and (c) was the breach of the environmental authorisation made public at the time EPA became aware that ACT Government breached its environmental authorisation.

Ms Cheyne: The answer to the member's question is as follows:

- (1) Under the *Environment Protection Act 1997* ('the Act'), an environmental authorisation (Class A activities) is required for certain activities that pose an environmental risk. Class A activities are listed in Schedule 1 of the Act.

Each authorisation can be individually tailored for the activity it authorises and can impose specific conditions on the conduct of the activity.

(a) and (b) Since 1 January 2014 the following authorisations have been issued to ACT Government agencies:

EA 0994 - Economic Development Directorate

Granted – 10 September 2014 for 1 year (Ceased)

Activity – Outdoor concert activities using amplifying equipment if the venue has the capacity to hold more than 2000 people and is not an authorised concert venue.

EA 1039 - Economic Development Directorate

Granted – 21 September 2015 for 3 years (Ceased)

Activity – Outdoor concert activities using amplifying equipment if the venue has the capacity to hold more than 2000 people and is not an authorised concert venue.

EA 1048 – Yarralumla Nursery

Granted – 4 November 2015 for an unlimited period (Current).

Activity – The commercial use of chemical products registered under the Agricultural and Veterinary Chemicals Code as in force for the time being under the *Agricultural and Veterinary Chemicals Code Act 1994 (Cwlth)* for pest control or turf management.

EA 1092 – Economic Development Directorate – Territory Venues

Granted – 1 September 2016 for 1 day (Ceased)

Activity – Outdoor concert activities using amplifying equipment if the venue has the capacity to hold more than 2000 people and is not an authorised concert venue.

EA 1128 – Transport Canberra and City Services

Granted – 13 June 2017 for an unlimited period (Current)

Activity - the commercial use of chemical products registered under the Agricultural and Veterinary Chemicals Code as in force for the time being under the *Agricultural and Veterinary Chemicals Code Act 1994 (Cwlth)* for pest control or turf management.

EA 1139 – Transport Canberra and City Services – Roads ACT

Granted - 3 November 2017 for 3 years (Ceased)

Activity – The acceptance of more than 100m³ of soil on land by a lessee or occupier of the land.

EA 1167 - Chief Minister, Treasury and Economic Development Directorate – National Arboretum Canberra

Granted – 22 August 2018 for an unlimited period (Current)

Activity – The management of a concert venue that has the capacity to hold more than 2000 people where outdoor concert activities using amplifying equipment are held.

EA 1169 – Chief Minister, Treasury and Economic Development Directorate – Events ACT.

Granted – 11 September 2018 for 3 years (Ceased)

Activity - Outdoor concert activities using amplifying equipment if the venue has the capacity to hold more than 2000 people and is not an authorised concert venue.

EA 1178 - Chief Minister, Treasury and Economic Development – Venues and Events.

Granted – 3 January 2019 for 1 day (Ceased)

Activity - Outdoor concert activities using amplifying equipment if the venue has the capacity to hold more than 2000 people and is not an authorised concert venue.

EA 1185 – Suburban Land Agency

Granted – 7 February 2019 for 1 year (Ceased)

Activity - The acceptance of more than 100m³ of soil on land by a lessee or occupier of the land.

EA 1192 - Environment, Planning and Sustainable Development Directorate – ACT Parks and Conservation Services

Granted – 18 April 2019 for 3 years (Ceases 18 April 2022)

Activity - The acceptance of more than 100m³ of soil on land by a lessee or occupier of the land.

EA 1244 – Environment, Planning and Sustainable Development Directorate – T/as Resilient Landscapes.

Granted – 22 October 2020 for 1 year (Ceased)

Activity – The acceptance of more than 100m³ of soil on land by a lessee or occupier of the land.

EA 1249 – ACT Public Cemeteries Authority -T/as Canberra Cemeteries – Gungahlin Cremator.

Granted – 24 November 2020 for an unlimited period (Current)

Activity – Conduct of a crematorium for the reduction by means of thermal oxidation of human bodies to cremated remains.

EA 1274 – Chief Minister, Treasury and Economic Development Directorate – Events ACT.

Granted – 24 September 2021 for 3 years (Current)

Activity - Outdoor concert activities using amplifying equipment if the venue has the capacity to hold more than 2000 people and is not an authorised concert venue.

EA 1284 - Environment, Planning and Sustainable Development Directorate – ACT Government.

Granted – 13 December 2021 for 3 years (Current)

Activity - The acceptance of more than 100m³ of soil on land by a lessee or occupier of the land.

(c) Environmental authorisations granted for an unlimited period are required to be reviewed at least once within 5 years of granting the authorisation; and in each 5 year period during which the authorisation continues to have effect. The EPA undertakes a risk assessment for each authorisation granted for an unlimited period and, based on the risk rating, may review authorisations on a more frequent basis. Records held by the EPA indicate that no regulatory action was taken by the EPA against those authorisations listed above.

(2) As also outlined in response to Q1(c), records held by the EPA indicate no regulatory action was taken by the EPA against those authorisations listed above.

Questions without notice taken on notice

COVID-19 pandemic—relief teachers

Ms Berry (*in reply to a question by Mr Parton on Tuesday, 8 February 2022*):

As at 3 March 2022, there were 453 registered teachers available for casual relief engagement with 193 casual relief bookings logged as at 12 noon 4 March 2022.

Monitoring the availability of sufficient relief teachers is an ongoing priority for the Education Directorate. This is managed daily by the appropriate areas in the Directorate.