



# Debates

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Legislative Assembly for the ACT

**NINTH ASSEMBLY**

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**Thursday, 26 September 2019**

**MADAM SPEAKER** (Ms J Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**Bushfire season—strategic management plan  
Ministerial statement**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (10.02): I rise to report to the Assembly about the 2019-20 bushfire season in the territory and to present the strategic bushfire management plan version 4. As the bush capital the ACT has a history of severe and damaging bushfires both locally and regionally. More recently changes in climate have contributed further to the threat of bushfire in the region.

We cannot escape the realities of climate change and the consequential risks it brings. Expert scientists have warned of drier winters and narrower opportunity windows in which to conduct hazard reduction burns. A Climate Council report found that over the past 40 years or so extreme fire weather has increased in large parts of Australia, including our region. The council noted that in New South Wales and the ACT the fire seasons have started earlier and lasted longer. The 2018-19 ACT bushfire season was a clear example of this, being the longest bushfire season since 2003-04.

The territory-wide risk assessment released in 2017 continues to identify bushfire and heatwave as the territory's two extreme risks. This is why it is important that we not only prepare for the current threats but make a concerted effort to tackle climate change and reduce greenhouse gas emissions, an area of focus that this government is leading in and will continue to do so. It is also important to ensure that we are taking the best possible approach to preparing for bushfire threats, and ensure that our community remains resilient to the threats.

The territory's bushfire season is governed by provisions in the Emergencies Act 2004. This act outlines that the season will run from 1 October in any given year through to 31 March the following year unless conditions warrant a change to that time frame. The bushfire season is determined by the ACT Emergency Services Agency Commissioner. After consultation with the ACT Bushfire Council and taking into account the Bureau of Meteorology's seasonal outlook and the Bushfire and Natural Hazard Cooperative Research Council's southern Australia seasonal bushfire outlook, I advise that the bushfire season will commence on 1 October 2019.

Due to prevailing dry conditions in parts of New South Wales, New South Wales Rural Fire Service declared an early start to the bushfire season in 22 local government areas. The ESA has been advised that the southern ranges to our north and east and southern slopes to our west will declare the bushfire period on

1 October 2019. Snowy Monaro to our south declared the start of their season one month earlier on 1 September 2019.

An ACT annual preparedness brief held on 6 September 2019 involved representatives from across the ACT government; the Security and Emergency Management Branch, or SEMB; Emergency Management Australia; defence; Queanbeyan Palerang Regional Council; the Bureau of Meteorology; and the local utility providers. This briefing helps ensure that each of these services understands the forecast environmental conditions and risks as well as understanding each other's preparedness and capabilities available in the event of a bushfire or emergency.

The ESA through the ACT Rural Fire Service, the ACT Fire and Rescue, and the Environment, Planning and Sustainable Development Directorate, or EPSDD, has highly skilled, experienced and qualified firefighters who stand ready to protect the community should it be required. Firefighters in Canberra are a mix of volunteers and employed personnel and are well resourced and well trained.

The ESA assists the land managers from the fire management unit within EPSDD to mitigate the risk of bushfire. The EPSDD bushfire operational plan, or the BOP, sets out the work and activities that ACT parks and conservation service aim to achieve each financial year to help manage bushfire risk across the territory.

Fire preparedness is a year-round function and ACT parks and conservation service crews are continually engaged in implementing required works under the EPSDD BOP. Prescribed burns are implemented when the weather and ground conditions are appropriate and allow a burn to be undertaken safely, and this can happen at any time of the year.

EPSDD delivers a range of bushfire preparedness activities including prescribed burning, strategic stock grazing, management trail upgrades, maintenance and mulching and slashing of fuels. Essential activities such as fire training, seasonal recruitment and establishment of contracts for slashing are currently being undertaken, as is fire trail access maintenance and physical removal of vegetation and other flammable material.

These activities are all outlined in the 2019-20 bushfire operational plan, which also highlights over 700 individual tasks to better prepare the territory for bushfire and will include over 7,000 hectares of proposed prescribed burning subject to appropriate conditions. I note the ACT Bushfire Council's acknowledgement of the work completed against the 2018-19 EPSDD BOP given the difficulty of decreasing windows of opportunity to safely conduct hazard reduction burns as the climate changes.

The final report on the Potters Hill review, conducted earlier this year by the Australasian Fire and Emergency Service Authorities Council, or AFAC, has also been used to provide valuable lessons and has afforded the opportunity for continual improvement heading into this bushfire season. While the Potters Hill review did not highlight any gaps that impact on the safety of the community or firefighters, it suggested opportunity for improvements in the areas of communication, systems

support and shared training between ESA and EPSDD. This will enhance the already sound capability in the ACT. An interdirectorate steering committee, led by senior officials in the Justice and Community Safety Directorate and EPSDD, has resulted in all of the recommendations of the review being implemented.

The continuation of exceptionally dry conditions that have existed across the ACT over the past 18 months have significantly impacted the ability to deliver these burns in a safe and environmentally sound manner. The parks and conservation service monitor and review conditions on a weekly basis and are ready to commence hazard reduction operations as soon as the weather allows.

Fortunately, conditions over the autumn, winter and spring have allowed for a number of effective burns to be implemented. This has included ecological and research burns, which have studied the impact on regeneration compared with burns conducted in spring and autumn. The ACT Rural Fire Service continues to assist the parks and conservation service to complete these burns.

As part of the 2019-20 budget I announced \$2.184 million to be allocated to contract the use of an additional medium helicopter in partnership with New South Wales to combat bushfires. The additional resource will be available during the 2019-20 bushfire season and will fully implement this government's election commitment.

Another area of focus is community engagement which has developed over the past five years especially in the use of social media and digital platforms to provide critical information to the community. Motivating desired community behaviour remains a challenging space, of course, and the capability to inform the community in the event of an emergency remains key. Part of the ESA's community information plan includes educating the community on the bushfire warning messages used by ESA and where to find information during an emergency. Support from community fire units, or CFUs, the Canberra be ready education program and ongoing support of community events continues to encourage our community to prepare themselves for bushfire.

CFUs are a valued volunteer service made up of local residents who live close to bushland areas across Canberra. On 12 October 2019, which is CFU Saturday, units across Canberra will meet at a number of locations such as local shops, parks and bushfire-prone areas to conduct community education activities. I encourage Canberrans to meet and speak with their local CFUs and consider joining.

Under the Canberra be ready program the ESA doorknock houses in the bushfire prone areas each year to help residents understand their risk and how they can take steps to prepare their family and property. In 2019-20 ESA will be revisiting those homes doorknocked in preparation for the 2018-19 bushfire season to assess the impact of the campaign and its effectiveness to raise the level of awareness, and to understand whether residents undertook preparedness activities following the doorknock.

Another major community awareness activity is the Emergency Services Agency open day to be held on 3 November 2019 at ESA headquarters in Fairbairn. The open

day is where the ESA, supported by ACT government directorates and partners, showcases its members, capabilities and resources to the general public and provides valuable information to the public on how to prepare for the risk of bushfire and other emergencies.

This summer will also see the continuation of the complacency can kill campaign. This year the campaign's focus will be on educating the community about being an important part of a team and that they are not alone in supporting each other in preparing for bushfires.

The second phase of the complacency can kill campaign will showcase the ESA chief officers with the aim of strengthening the relationships between the community and our emergency responders. In addition to the campaign, ESA will implement public relations activities early in the season where they will share all the behind-the-scenes preparations such as the arrival of aircraft, updates on seasonal outlook and firefighter training and reminders about the simple steps that our community needs to undertake to get bushfire ready.

Our emergency services are well prepared and stand ready. Now it is time for the community to work as part of the ESA team to combat bushfire risk. Bushfire preparedness is a shared responsibility. We must all work together to stay safe and protect ourselves from the risks.

The work undertaken by ESA in the lead-up to each bushfire season is to be commended and ensures that we are prepared for all hazards and the eventuation of a worst-case scenario. In addition to regular administrative, training and interagency pre-season preparation, the start to the bushfire season will be supported by a number of special capabilities. These include the continuation of the contracting of a special intelligence gathering—SIG—helicopter. The SIG capability proved to significantly enhance bushfire fighting operations in the 2018-19 season by providing much earlier detection, location and access advice, as well as quicker responses to bushfires in the surrounds of the territory.

To further improve incident management in the territory, the ESA also recently invested in the incident management facilities at ESA headquarters, which included an upgrade of the public information coordination centre, the PICC. These upgrades commenced in 2018 and are now complete, and will improve the public information capability of the ESA during times of crisis or emergency.

Another area of investment has been the continued rollout of new personal protective clothing, PPC, to ACTRFS members. The updated PPC improves firefighter safety by putting our RFS personnel in contemporary clothing that is lighter and constructed to modern design standards for safety and wearability. The more modern designs are better fitting, allowing less restricted movements, and provide for both male and female cuts, supporting our women in emergency services strategy and the push for greater workforce diversity.

ESA has also invested in new portable radio technology, which is currently being rolled out across the agency. These updated radios are a smaller design and have

additional functionality, including GPS tracking, wi-fi and bluetooth connectivity. The new radios have enhanced bushfire operations with ACT crews now able to talk directly with New South Wales crews in local government areas on their frequencies and channels.

The ESA and parks and conservation service personnel regularly provide assistance to other jurisdictions in times of emergencies as part of national and international responses. The rapport established with other jurisdictions in all types of emergencies will assist the ESA in seeking support when faced with any major emergencies of our own in future. So far this year the ACTRFS has not been requested to assist our counterparts on a national or international level. However, RFS remains ready to assist where we can. The experience and lessons learned from previous deployments helps ensure that our own capability is well tested and prepared, and provides invaluable experience to our firefighters and other personnel.

The ACT's key document for managing the risks of bushfire is the strategic bushfire management plan—SBMP. This document is reviewed every five years and presented to the Assembly. The SBMP provides a planned and measured approach to managing the risk of bushfire in the territory and builds on the experience of previous plans. The first SBMP was developed in 2004. Version 2 was presented to the Assembly in 2009, and version 3 was presented in 2014. These previous versions of the SBMP have underpinned the continuous improvement in bushfire management outcomes for the territory.

It is my pleasure to present version 4 of the SBMP to the Assembly today. I am confident that the SBMP will continue to serve the needs of the community well for the next five years of strategic bushfire management in Canberra.

As I have previously stated, the management of bushfire risk in the territory is a shared responsibility. The ESA adopts a collaborative approach to the management of bushfire risk, with early community engagement and working together with all partners taking action to protect the community.

This latest version of the SBMP builds constructively on the achievements of the last 15 years and will deliver significant improvements in operational practices and overall risk mitigation. It emphasises the factors expected to have an increasing significance in the territory over the life of the plan. This includes the importance of community, bushfire recovery, impacts of climate change, use of technology and data for fire management, and support for ongoing connection to the land by traditional custodians to meet a range of cultural land management objectives.

Bushfires have been part of the natural landscape of south-east Australia for thousands of years and they will continue to occur into the future. Climate change modelling predicts that bushfires will become more severe and more frequent, in line with an increase in the number of high-fire weather days and longer bushfire seasons. A changing climate will impact on all aspects of bushfire risk. I can reassure the Canberra community that our Emergency Services Agency and its critical partners are well placed to respond to a high-level demand on our bushfire response services.

We know that fuel is one of the basic elements required to sustain a bushfire. For thousands of years, Ngunnawal people, the traditional custodians of the land in the territory, have practised sustainable land management. Cultural burning is used by Aboriginal peoples not only to reduce fuel and bushfire hazards but to enhance the health of the land and its people. There is a lot we can learn by recognising and using the cultural expertise of traditional custodians in the sustainable management of country. That is why this SBMP brings together traditional methods and contemporary practices to achieve the best results for the environment and the community.

We know that more people will be affected by bushfires as a result of climate change. The work we are doing in the community to raise awareness of the risks of bushfires, increase preparedness and build resilience highlights the effect that a changing climate and bushfire have on the community. Providing tools, information and education in addition to providing timely, effective fire danger information, advice and warnings will assist citizens to make informed decisions. Developing a bushfire survival plan is a key action that all Canberrans can undertake to prepare themselves and their family for responding to bushfire incidents and emergencies.

The SBMP contains 92 actions to continue to mitigate the risk of bushfires in the ACT over the next five years. To achieve this, it ensures that the appropriate equipment, resources, doctrine and capabilities are in place. It contains measurements to plan and manage the reduction of fuel hazards across the territory and ensures that there are enough qualified and skilled people to assist in an emergency. At the national level, the territory will continue to work with national partners on significant issues such as the new risk reduction framework and the national fire danger rating system.

I would like to acknowledge the work of the ACT Bushfire Council and its chair, Dr Sarah Ryan. The council's work in providing advice to the ESA as community representatives and the council's role in assisting the commissioner to monitor the scope and effectiveness of the SBMP are greatly appreciated and respected.

Our bushfire preparedness and response is led by experts. We have some of the best in the country and the world employed across the ACT public service. In responding and preparing, we must trust and be guided by their advice. This is very important. A minister's role is not to be directing operations, giving orders as to when hazard reduction burns should be occurring or how a bushfire should be brought under control. I believe in public service and back our officials.

I also wish to recognise the work of the numerous community groups, organisations and individuals who all contributed to the development of this plan, either by attending one of the many consultation forums or by providing feedback. Thank you for your input into the development of this plan. With the reality of climate change upon us and with the predicted increases in intensity and frequency of the occurrence of bushfires, we all have a responsibility to ensure that the people of Canberra remain vigilant in being bushfire ready.

As we enter the 2019-20 bushfire season, my advice from our expert public officials is that our city is better prepared than ever before to deal with bushfires. However, if the worst should occur, the territory has the capability, resources and emergency plans in place to deal with each circumstance as it arises. I commend this plan to the Assembly and thank our volunteers and staff, without whom we could not keep our city safe.

In closing, while I am here today talking about the bushfire season and the preparedness that has gone into it within the ESA and across ACT government, an important part of this is looking after the mental health of our emergency services staff and volunteers. Making sure that the women and men of the ESA have good mental health is just as critical as having enough firefighters and fire trucks to respond on the front line.

With that in mind the ESA is designating the month of October, internally, as ESA mental health month, with a number of activities to be conducted throughout the month to support that theme. It is hoped that ESA mental health month will encourage ESA personnel to seek help and self-care by removing the stigma of mental health in the workplace. I present the following papers:

Strategic Bushfire Management Plan 2019-2024.

Commencement of the 2019-20 bushfire season and the Strategic Bushfire Management Plan Version 4—Ministerial statement, 26 September 2019.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **Health—Independent review into workplace culture**

### **Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal) (10.23): I am pleased to have to have this opportunity to update the Assembly on the work underway to develop a positive culture within ACT public health services, in line with the commitment made by the former Minister for Health and Wellbeing on 16 May 2019.

Members will recall that in tabling the government response to the final report of the independent review into the workplace culture within ACT public health services—the culture review—the minister committed to providing members of the ACT Legislative Assembly with a biannual update on progress against the recommendations.

Madam Speaker, we will shortly mark one year since the establishment of the ACT Health Directorate and Canberra Health Services as separate entities. Much of

the considerable work underway across the ACT public health system really commenced some 12 months ago, across these two organisations and within Calvary's public services.

At a high level, we are developing a system-wide approach within the ACT that recognises that there are some things that differentiate the ACT public health system from other jurisdictions. The whole-of-system approach also acknowledges the organisational differences between the entities that comprise the system. The purpose of developing a system-wide approach is to deliver meaningful cultural change that can be sustained and measured over the medium to long term.

This work is being supported by immediate, detailed work within each organisation that specifically targets the challenges identified not only in the culture review but by the new leadership of the ACT Health Directorate and Canberra Health Services. Our goal is for the ACT health system's workforce to feel safe, supported, valued and engaged. This is directly related to enhancing patient outcomes and experience.

The considerable whole-of-system work underway is currently in the initiation and planning phase, with the focus being on establishing strong foundations to ensure success as the program develops and initiatives are implemented. The focus at this time has been on establishing strong governance processes, coupled with ensuring that executive leaders have been appointed to ensure that we have the right people in place to lead a contemporary health service across the ACT. Madam Speaker, I would like to outline the foundational activities undertaken to date to progress this important work.

A strong governance framework is recognised as one indicator of a positive workplace culture. The government established the culture review oversight group to support and oversee the implementation of the recommendations, in line with recommendation 18 of the review. To date the oversight group has met three times, with agreement at the most recent meeting on 4 September to increase the frequency from quarterly to bimonthly. It was certainly heartening to hear at the September meeting, which was my first meeting with the group, that people are feeling optimistic about the work underway.

As you may recall, on 16 May, the former Minister for Health and Wellbeing, the Minister for Mental Health, the Director-General of the ACT Health Directorate, the Chief Executive Officer of Canberra Health Services and the Regional Chief Executive Officer of Calvary ACT signed a public commitment to collectively implement the recommendations from the culture review to ensure that cultural reform remains a priority across the public health services.

To further support this commitment, other members of the culture review oversight group unanimously agreed to state their commitment in supporting and driving a positive workplace culture across the ACT public health system. The organisation representatives on the oversight group signed a stakeholder commitment at the 4 September meeting. This supports recommendation 17 from the review.

To support the oversight group, the culture review implementation steering group was formed. This is a forum that facilitates the implementation of the recommendations of the review with a strong focus on implementation and application from a people perspective.

The steering group is chaired by the Director-General of the ACT Health Directorate and comprises the Chief Executive Officer of Canberra Health Services, the Regional Chief Executive Officer of Calvary ACT and the human resources executives of the three organisations. The steering group meets on a monthly basis, with the inaugural meeting having taken place on 13 May 2019. To date, four meetings of the steering group have occurred.

The culture review highlighted the fact that clinical engagement throughout the ACT public health system needs to be significantly improved. We are acting on this in a range of ways. At the organisational level, the refreshed executive team in Canberra Health Services is in no doubt that engaging clinicians to participate in conversations about safety, quality and hospital performance is a core part of their job.

The clinical leadership forum has also been established to provide direct feedback to me and the Minister for Mental Health. It held its inaugural meeting on 24 July 2019 and is meeting again this week. The forum provides a significant opportunity to seek input from clinicians into planning for territory-wide health service delivery. I am pleased to say that forum members are enthusiastically embracing this opportunity and thinking hard about their role in engaging fellow clinicians; and about where they can make a difference in providing practical input on issues such as how ACT health services can work better with the local hospital networks across southern New South Wales to improve patient outcomes.

In response to feedback from a number of the professional colleges and associations that they were keen to play a formal role in culture review implementation and health system improvements more generally, I have also agreed to establish a clinical stakeholder and advisory committee, with the timing of meetings aligned to enable feedback from the culture review oversight group and input to the oversight group meetings. I look forward to attending the first meeting of this forum in the next few weeks.

These various forums provide a structured approach to engaging with key stakeholders to inform the development of initiatives that address the recommendations of the culture review. They also respond directly to those recommendations, particularly recommendation 9.

Other fora that have been initiated include the ACT health and wellbeing and partnership board. The purpose of the board is to discuss significant matters affecting health and medical research and workforce development across Canberra Health Services, the ACT Health Directorate, Calvary ACT, the University of Canberra and the Australian National University, with significant contribution from the Health Care Consumers Association. This initiative is both reflected in and responds to recommendation 7 of the culture review.

Work is also underway to re-establish positive relationships with our non-government organisation partners, in line with recommendation 6. NGOs are vital to service delivery in many areas, and it is very important that these relationships are strong and built on open communication. I have been pleased to hear from the organisations I have met with so far that, again, they are optimistic that things are improving.

Madam Speaker, the review acknowledged considerable challenges with leadership across the ACT public health system. Over the past 12 months, there has been an emphasis on ensuring that the right executives have been selected in the right roles to lead a contemporary health service across the ACT and support the strategic direction of the ACT public health system. I feel incredibly fortunate to have come into the role of Minister for Health with the leadership we now have in place. I will take a moment to acknowledge that the CEO of Canberra Health Services, Ms Bernadette McDonald, is in the chamber with us today.

The culture review recommended the introduction of an executive leadership and mentoring program to develop current and future leaders, which is recommendation 13. Planning for a specific program is underway but, in the meantime, there has been significant work done in identifying where executive staff need further support and working with them to ensure that they have the skills and capabilities to support their teams.

In line with recommendation 1 of the review, all organisations within the ACT public health system have been concentrating on reviewing organisational visions and values. Efforts have been focused on working with staff to identify and recognise organisational values, develop a vision and work towards embedding the values in all aspects of their work and interactions.

Canberra Health Services commenced this work in January, starting with the development of a shared vision for the organisation. Eighty staff from across CHS were trained and supported to have conversations with colleagues, patients and carers to develop the new CHS vision and role. On 14 May, the outcomes were announced, with CHS's new vision being "creating exceptional health care together" and its role "to be a health service that is trusted by our community".

The next step was to develop the shared values of the organisation and the behaviours that reflect those values. On 22 August, the CEO announced that, after more than 7,700 conversations, CHS staff have identified their values and associated core behaviours as:

1. We are Reliable—we always do what we say.
2. We are Progressive—we embrace innovation.
3. We are Respectful—we value everyone.
4. We are Kind—we make everyone feel welcome and safe.

The Health Directorate has also conducted values workshops and roundtable discussions to refresh its values. Recently, the director-general issued a call for new values champions who will play an active role in driving organisational change and

creating new and interesting ways to cultivate the directorate's values of respect, integrity, collaboration and innovation.

I want to take this opportunity to thank the thousands of CHS and directorate staff for their engagement in the values refresh work. We know that having these shared values established is just the end of the beginning, and there is still much to do to ensure that the values are embedded and lived by staff every day. But knowing what you should expect of your colleagues and being empowered to call it out when people are behaving inappropriately is an important foundation.

We have all been concerned about allegations of bullying and harassment that have arisen prior to and during the culture review. Effectively managing such allegations is crucial to building trust and embedding cultural change, but we also know that rebuilding trust within each organisation so that people feel safe to formally report issues will not happen overnight. That is why the recent establishment of the employee advocate position is so important.

The Employee Advocate has been established to support staff within the ACT Health Directorate and Canberra Health Services. The purpose of the role is to assist staff who are experiencing workplace conflict, bullying, harassment or interpersonal issues in the workplace. The employee advocate provides support and advice about options available, assists staff to confidently progress options, arranges facilitated conversations to repair workplace relationships, organises mediation to settle longer term disputes and refers matters for further assessment or investigation if needed.

Other roles that have been established at Canberra Health Services include: the human resource business partners; the manager, workplace inclusion; and the director, workforce planning. This directly responds to recommendation 14 of the review, which stated that the three arms of the health system should review their human resources staffing numbers and functions to improve the timeliness of and confidence in HR procedures.

The ACT Health Directorate and Canberra Health Services are also developing a methodology and approach to consistently managing staffing concerns. At the same time Calvary has reviewed and updated its policies and procedures around the prevention of bullying, harassment and discrimination.

In addition to the governance and oversight work and the very practical work with staff I have described, considerable foundational work has been done to ensure that we can keep building on the efforts to date. The culture review implementation branch has been established with expertise in people and change, project management, communications, human resource management, engagement and workforce data. The purpose of the branch is to support the development and shaping of a system-wide approach to reforming our culture. This is complemented by the commencement of a project director, positive workplace culture at Canberra Health Services.

There has been considerable investment in the development of a partnership with the Australian National University's Research School of Management that will provide expertise founded in an evidence-based approach to supporting people working in

complex organisations. This will enable deliberate investment in a systematic methodology for facilitating, managing and sustaining cultural change.

The first phase of work will focus on the development of an ACT public health system culture change framework, an evidence-based model to inform a positive workplace culture in the healthcare setting. This model will be researched, developed and evaluated in the ACT based on international research and experience.

This represents a deliberate and considered approach to positively evolving the culture across our public health system. This will take time, but it is important if we are going to create long-term change. We are investing in a coordinated approach that is based on the best evidence available and informed by our people. The framework will inform specific initiatives from 2020 and enable improvements to be measured and reported on.

This work relates to recommendation 3 of the culture review, which proposed that the ACT public health system adopt a model or program for promoting a healthier culture based on the Vanderbilt University Medical Centre patient advocacy reporting system and co-worker observation reporting system. In undertaking the work to develop a system-wide culture framework for the ACT there will be a review and assessment of the Vanderbilt programs and others that have an existing evidence base.

The review made clear that in order for cultural change to be embedded across the ACT public health system a robust and strategic approach to communications needs to be adopted. Communication will be integral to the engagement and ongoing support of our staff in understanding the context of change and to identify the vision of our system in evolving a positive culture system wide.

A communications strategy has been developed that identifies our audiences and stakeholders and how, when and where they will be informed about the implementation of the recommendations from the review. This supports recommendation 20 of the review. Our objective is for the hardworking staff across our health system to feel safe, supported, valued and engaged. For that to occur, engagement has been and will continue to be frequent, guiding the workforce through meaningful change to improve the culture.

As I have outlined, two recommendations of the review have been completed—recommendations 17 and 18—and significant work is underway to address the remaining 18 recommendations. I am confident that with the leadership we now have in place and the goodwill of staff and stakeholders we will see a real, positive and lasting change in the workplace culture across our health system. This will be better not only for staff but also for patients, carers and stakeholders.

In closing I want to record my thanks to everyone in the ACT Health Directorate, Canberra Health Services, Calvary ACT and the many consumer, clinical, professional, union and community partners who are all pulling together to ensure that our system delivers both great health services and great places to work and train.

I present a copy of the statement:

Workplace Culture within ACT Public Health Services—Independent Review—  
Final Report—Biannual update on implementation of the recommendations—  
Ministerial statement, 26 September 2019.

I move:

That the Assembly take note of the paper.

**MS LAWDER** (Brindabella) (10.39): It appears that one important group has not been consulted about health culture, that is, the community more generally. The Minister for Health has not told the community which areas of ACT Health and Canberra Health Services have had problems with the culture and what she will do to fix the problems. This is not about finger pointing; it is about transparency and accountability. Until this happens the community can have little confidence in what the government and this minister is doing to fix the issue. You cannot trust ACT Labor on health culture because these issues have raised their head over and over again in the past 18 years.

The minister has just said something along the lines of a strong governance framework is one indicator of good performance, and I agree. But that is exactly where we have fallen down: in the governance from the top of successive ACT Labor ministers. For example, they have consistently denied over the years that the problem exists. Twelve months ago, then Minister Fitzharris was trying to tell us that health culture was just fine. She had to be dragged kicking and screaming into this review of the health culture. Ten years ago Minister Gallagher, the minister at the time, told us about a 10-year war in obstetrics. That means this is now a 20-year war, and we hear reports from members of the community that this war is continuing despite the previous minister and the minister before saying everything is fine.

In 2015 Minister Corbell received a damning report from KPMG on clinical culture. He established a high-powered committee on clinical culture which met regularly until the election. But then after the 2016 election everything seemed to grind to a halt. The bullying resumed and we saw concerns again being raised about culture. We just cannot trust the government to get this right.

In 12 months the minister will no doubt tell us that everything has been fixed and everything is fine. But we feel that it is important to tell the community the truth, including where the problems have been and where the issues continue to fester. After all, it is the community's rates, taxes, fees and charges that go towards our health system. The alternative is what this Labor-Greens government has been doing: claiming, "Everything's fine. Nothing to see here," until an area loses accreditation or has its accreditation downgraded.

I thank our hardworking, dedicated health professionals who continue to provide excellent care despite the structural issues that have plagued our health system and despite the lack of leadership from a revolving door of health ministers within the Labor-Greens government. You just cannot trust them on health.

Question resolved in the affirmative.

## **Residential Tenancies Amendment Bill 2019**

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

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (10.43): I move:

That this bill be agreed to in principle.

On 8 June 2016 my predecessor, Mr Simon Corbell, tabled a report containing 24 recommendations for improvements to tenancy law. Guided by that report, the Assembly has passed four acts which improve the law for both tenants and landlords. Among those amendments, we have extended tenancy protections for people who had received a protection order as a result of domestic or family violence. We have made it easier for landlords to regain possession of a property that has been abandoned by a tenant. We have new end-of-tenancy provisions to reduce the scope for bond disputes. We have supported tenants to keep pets and make minor modifications.

By introducing the Residential Tenancies Amendment Bill 2019, we have entered the final phase of this ambitious program of legislative reform. This bill covers the widest range of issues of any of the legislation produced as part of this program, finalising the outstanding policy issues raised by the 2016 report. It leaves only occupancies and share housing to a future bill, which I propose to introduce to the Assembly later this year.

This bill reflects the government's commitment to empower tenants to make Canberra their home. It reflects community expectations, protects the legitimate interests of landlords in their investments, and modernises the Residential Tenancies Act so that both tenants and landlords achieve better and fairer outcomes.

Prescribed minimum standards are the hallmark of modern residential tenancy law. By not having minimum standards for rental properties, the ACT is becoming an outlier among Australian jurisdictions. This bill enables the prescription of minimum standards for rental properties, facilitating a community conversation about what those standards should be and how those standards can contribute to maintaining adequate housing in the ACT. Tenants in the ACT deserve housing that is safe, secure and fit for purpose.

Heating services are already listed as an urgent repair in the act, and this bill will add "cooling" to that list. Just as the current urgent repairs list does not require landlords to install heaters, the amendment does not require landlords to install air conditioning. This is a minor change—matching the standard set by New South Wales—and reflects our recognition of the threat that extreme heat can pose to vulnerable tenants.

This bill includes amendments to protect a tenant's privacy and quiet enjoyment during the sale of the property. It is entirely appropriate that a landlord is permitted to sell their tenanted property, but new limits on access by prospective purchasers will ensure that the burden of that sale will not fall unduly on tenants. The bill also provides options for a tenant to terminate a fixed term tenancy if they should reasonably have been informed about the potential sale prior to entering the fixed term or if the sale of the property has become too onerous. These amendments strike a better balance between the rights of tenants and landlords.

The bill will increase the notice period that a landlord must provide when they or a person with whom the landlord has a close relationship intends to move into the property. The current period—four weeks—is the lowest in the country; by lifting this to eight weeks, the ACT will meet the standard of other jurisdictions.

This bill streamlines and modernises a number of administrative provisions in the act. Most significantly, the bill explicitly states how changes to the act affect existing fixed term and periodic tenancies. This is a major win for tenants, landlords and real estate agents, who will know exactly where they stand when amendments are made to legislation.

Administrative gaps in the legislative framework for referrals to the tribunal from the office for rental bonds are being removed, as are inconsistencies in the tribunal's power to correct defective notices. Historic powers of the tribunal to make any order necessary to resolve a dispute are being restored, including the power to provide declaratory relief to applicants. This will assist parties who want early resolutions to emerging disputes.

Amendments will also promote consistency in the tribunal's powers under the act, allowing the tribunal to suspend the operation of its orders and clarifying the matters that the tribunal may consider when making these orders.

The government is responding to the call to do more to help the most vulnerable tenants in our community. This bill will streamline the termination provisions when tenants move into social housing or into aged care. No longer will these groups of tenants be forced to seek hardship orders of the tribunal before making this move.

A reduction in the maximum rent that a landlord may request in advance will make it significantly easier for economically vulnerable people to commence their tenancy. This will make a major difference to tenants who live from pay period to pay period and does not unfairly affect how landlords manage their property.

Not only does this bill strengthen the rights and protections of tenants; the bill also reflects the government's obligation to protect the legitimate interests of landlords in their investments. The provision that allows a landlord to terminate a tenancy for the tenant's illegal use of the property will be streamlined to align better with similar provisions in other jurisdictions and to make it clearer for both tenants and landlords. The provision is accompanied by significant safeguards that balance the rights of the tenant with the interests of the landlord. In order to be consistent with the tenant's

right to privacy, family and home under section 12 of the Human Rights Act 2004, there must be some real connection between the use of the rented premises and the illegal activity alleged.

It is important to be clear about the policy objective here. As discussed in the 2016 report, this provision is designed to protect the landlord's ability to re-let the property at the end of the tenancy. It is not intended to allow landlords to re-punish tenants for criminal activity, and it is not sufficient that the premises are merely the scene of the commission of a crime. The amendment is intended to cover illegal use of the property that has a substantial connection with the rented property.

Similarly, the tribunal's powers to issue payment orders have been expanded so that landlords have a clearer pathway to establishing more stable rental income. Tenants who repeatedly frustrate a landlord's entitlement to regular, consistent rental income might now find themselves within the scope of the tribunal's power to make payment orders with respect to future rent.

This bill presents a balanced and considered suite of amendments that will support both tenants and landlords to get better outcomes from tenancy law. Importantly, many of the amendments will promote the rights of tenants and their families to privacy and home in the ACT.

I thank the sector for their very considered views on the proposals and their in-principle support for what we are trying to achieve. I commend the bill to the Assembly.

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

## **Electoral Legislation Amendment Bill 2019**

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

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (10.52): I move:

That this bill be agreed to in principle.

I am pleased to present the Electoral Amendment Bill 2019. The amendments made by this bill support a robust, fair, transparent, representative electoral system that helps to promote equal opportunity for participation in the territory's political process. The bill addresses a number of recommendations that were made by the Select Committee on the 2016 ACT Election and the Electoral Act, and progresses amendments identified by the ACT Electoral Commission as being necessary to improve the operation of the legislation. It implements these recommendations to improve the operation of the Electoral Act and support a more robust electoral system.

The bill implements a key government commitment to allow people to enrol to vote until the close of the poll on election day and is another example of the government's track record of meeting its election commitments. Currently in the ACT, the roll closes on the 29th day before election day. The changes made by today's bill will mean that people not already on the electoral roll will be able to enrol to vote right up to close of polling on election day, and this will ensure that Canberrans' opportunity for participation at the ACT elections is maximised.

Today's bill also meets the government's commitment to enhance public confidence in our elections and our government. It does this by requiring the full name of individuals responsible for the electoral material and the names of entities to be included in authorising statements when electoral materials are disseminated.

The Electoral Act currently only requires that the name of the person who authorised the matter or its author be included in the authorisation statement. This means that a person could currently comply using the initial of their first name and their last name. The bill will make clear that an individual is required to disclose their full name. Madam Speaker, this will improve transparency and more readily enable the identification of people who are responsible for electoral material. This will promote accountability in ensuring that the community is able to identify the source of disseminated electoral material. Ensuring that participants in the electoral system are able to be fully informed about the source of electoral material will strengthen our democratic society.

The ACT electoral system, the Hare-Clark system, is a form of proportional representation voting system which uses a single transferable vote to determine final vacancies. Under this system, surplus votes from an elected candidate are distributed to continuing candidates in the form of a vote value. Currently the fractions of vote values are ignored and are rounded down to the nearest whole number. The bill makes amendments to round down vote transfer values to six decimal places, which will achieve a greater level of accuracy and ensure that any rare possibility of unfair or anomalous election results is minimised.

The Select Committee into the 2016 Election and Electoral Act heard evidence that during the 2016 ACT election a significant number of electoral advertising signs placed alongside public roads had not been approved and did not comply with the requirements of the movable signs code of practice. The bill will allow authorised officers to remove non-compliant electoral advertising signs from public unleased land immediately. The amendment will support an equitable and transparent electoral process by ensuring that people and entities who do not comply with the Code of Practice are not gaining an unfair advantage.

As a safeguard to protect the right to political expression, the bill also provides that following the immediate removal of signs the authorising officer must take reasonable steps to give the owner of the sign a written notice of its removal. This notice will provide details of when and from where the sign may be collected. An affected party will also be able to seek a review of a decision to remove a sign in the ACT Civil and Administrative Tribunal.

The bill will also make the rules about the distance from a polling place within which canvassing is not allowed on election day more consistent. In the ACT, we have canvassing rules that prohibit people from influencing voters by distributing electoral matter within 100 metres of a polling place.

However, where the polling place is on premises which have an enclosure, for example a boundary fence, there is currently scope for the Electoral Commissioner to determine that the area in which canvassing is not allowed is up to 100 metres from the enclosure, rather than from the building where the polling is occurring. The bill makes amendments to remove that discretion from the commissioner, and to measure the 100 metres from the building where the polling is occurring in all cases.

Finally, today's bill corrects a drafting anomaly to reflect the government's policy intent to prevent the public disclosure of the address of individuals who provide reportable amounts, including direct payments to prospective or existing non-party candidates and registered parties. The current drafting in the act suggests that only the privacy of individuals who provide gifts is protected.

The bill will provide that the full home address of an individual paying money or gifts to political entities cannot be published in publicly available returns. Rather, only either the suburb or postcode of the individual's home address or post office box details can be published.

I commend the bill to the Assembly.

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

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Animal Welfare Legislation Amendment Bill 2019**

Debate resumed from 16 May 2019, on motion by **Mr Steel**:

That this bill be agreed to in principle.

**MS LE COUTEUR** (Murrumbidgee) (10.59): The Greens today will be supporting the Animal Welfare Legislation Amendment Bill. Canberra is a proudly progressive animal-loving jurisdiction. Pets are great companions and enrich the lives of their owners. However, there have been some very disturbing recent reports of animal abuse, of roaming cats threatening the survival of native animals, and of dangerous dog attacks. These have highlighted the importance of responsible pet ownership. A small number of owners are irresponsible, and it is important that there are appropriate disincentives and, in the worst case, penalties for negligent pet owners.

The legislation is part of a package built on the back of community consultation on the draft bill and alongside clear policy documents setting out programs for the education of pet owners and the public in general.

The Greens have been committed to the welfare of animals for a very long time; we have been at the forefront of animal rights reforms. In 2014, our bill banning battery hen production in the ACT was passed. In every term of the Assembly that had a Greens member in it up until that time, legislation banning cage egg production was moved. I moved one such motion in 2014. Finally we were successful. This made the ACT the first jurisdiction to legislate against factory farming. In 2014 our bill to prevent the intensive breeding of domestic animals for the pet market was passed; and, thanks to the parliamentary agreement in 2017, legislation to put an end to greyhound racing and an end to the million-dollar government subsidy for the industry was passed.

The Animal Welfare Legislation Amendment Bill which we are debating now is another step in the right direction. One of the most positive things in it is the proposal to include in the objects of the Animal Welfare Act that “animals are sentient beings that are able to subjectively feel and perceive the world around them”. This is a great step forward. This is the principle that we need to work on in terms of our relationships with the other species that we share this planet with. Animals are sentient beings and we have rights and responsibilities as far as they are concerned. They feel and perceive the world around them. I am very pleased to see this change in emphasis in our legislation and, hopefully, more than that: also in our thinking as far as animals are concerned.

The new offences and categories, such as a failure to provide a cleaner, hygienic living environment, will ensure that a wider variety of forms of animal abuse and neglect will be encompassed in our legislation.

The new offences and categories include a permanent prohibition of animal ownership for more serious offences. This update is important and welcome. Until now, people found guilty of serious animal abuse have only been able to be banned from owning a pet on a temporary basis. In many, possibly most, cases, a temporary ban is an appropriate and proportionate response. But where there are major animal welfare issues, such as severe abuse, neglect or following a severe attack, as it stands, the owner is legally able to get another pet just a few years later. Where there has been a series of significant animal welfare abuses, the possibility of being able to stop people owning a pet in the future would seem to be a proportionate response.

We are pleased that the bill establishes a legislative framework enabling the use of genuine assistance animals. Assistance animals provide support to people with trauma, mental health issues and a range of disabilities. They allow for more movement and independence for the vision impaired and can save the lives of people living with epilepsy. The new legislation will make sure that anyone who denies a person with an assistance animal access to public premises or public transport will be legally discriminating against that person.

It is very good to see that provisions to prohibit pig dogging will be put in place, although it is a pity that this does not extend to all hunting with dogs.

Ensuring that the ACT has a strong legal framework for animal welfare will, hopefully, further reduce the likelihood of people setting up puppy and kitten farms or engaging in other abusive and exploitative practices.

While I am in favour of this bill, I must stress the importance of adequate enforcement. Laws need to be effective; there is no point in a law unless it is effective. To be effective, it requires enforcement, which requires resourcing. Education is something which we are totally in favour of, but enforcement is part of it.

It is already illegal to have your dog off leash other than in designated off leash areas. Yet we all know that many, possibly most, dog owners do not comply with this law. However, that being said, it is unrealistic to expect our domestic animal services rangers, even with the recently announced additions to their compliance team, to be able to be on every park or every street. And, quite frankly, we do not want this. Even if they were, in some way, able to do this, we know that many dangerous dog attacks happen in the home, be it the dog owner's home or the home of someone they are visiting.

If we really want to have a positive impact on the welfare of animals, comprehensive community education is key, as is a new view of animals, as I said earlier. That is why I am so pleased that we will soon recognise animals as being sentient beings.

Pet owners and pet businesses need to be made aware of their responsibilities. Beyond that, they need to be provided with the tools and support to enable them to behave responsibly. Legislation, noble as it may be, is pointless unless it is partnered with systematic, well-resourced, targeted education for those who need it. Peer education is a valuable part of this. The overwhelming majority of Canberra's pet owners are responsible and caring. They look after their pets and are considerate in public with their pets. Such pet owners can lead by example.

Pet owners and animal lovers across Canberra can play a role in preventing potential abuse or attacks by being responsible. The ways to do this are simple and obvious. Cats and dogs should be desexed unless the owners have a permit, and they should be registered and microchipped. Pet owners must have appropriate fencing, gates or enclosures for their pets, in particular for cats in cat containment suburbs. Dogs need adequate exercise and training. If people are aware of animal abuse or neglect, they need to know they can report the owner to the RSPCA or to domestic animal services.

Looking at the future, there is more work that can and should be done in the animal welfare space. It is really great that people with assistance animals will now have full use of public transport, but the Greens believe, and have been championing it for a long time, that all responsible pet owners, along with their responsible pets, should be able to have full use of our public transport. Many Canberrans own a pet of some sort. If we are serious about achieving zero emissions in the future, and if we are serious about servicing the needs of all Canberra to do this, we must make it as convenient and accessible as possible to travel by public transport. Canberrans can currently travel with their pets on light rail but, sadly, they cannot take their pets onto a bus without permission from the bus driver. I have heard from pet owners who say that

the only reason they have a car is so that they can take their pet to the vet. That is not a very good solution. We have a public transport system, and pets—accompanied by their owners, of course—should be able to use it. The government should look at this obvious gap and have consistency across all public transport.

There is also a possibility of establishing a searchable register of individuals who have been banned from pet ownership. This would have to be done with appropriate privacy safeguards, but I believe that it has been done abroad and is being used by pet shelters, animal rescue groups, animal welfare inspectors, police and breeders to ensure that people who have been banned from being pet owners are not inadvertently given a pet by an animal rescue organisation. That does not serve anybody's purpose.

There is also a need for an updated code of practice for pounds and shelters to reflect current welfare standards. The code currently in place is from 1995. I believe that updating that might be the responsibility of the animal welfare advisory committee, but I am sure this is something where government leadership could be positive.

The scrutiny committee raised some concerns about the number of strict liability offences included in the new regime and some points which needed clarification. The government has addressed the clarification issues, I understand, largely through its amendments. But the Greens are still concerned about the issue of strict liability. That is the only area where we have any significant concerns about this bill.

We are hopeful, but at this stage we are still cautious, that the bill has found the right balance between the ability to stop egregious abuse of animals and the important principle of innocent until proven guilty.

We wish to make the situation clear in relation to someone who is sick for a day, meaning that they cannot walk their dog that day. We have been assured by the government that that is not by itself what they are intending to prosecute as a strict liability offence. I note the considerable discretion for rangers and DAS officials in terms of whether any prosecution is done. We have been assured, hopefully correctly, that the government will only use the strict liability offences to stop egregious abuse of animals.

Through the accompanying packages, we see that the government is putting effort into education and information sharing. That is the most important avenue to social change. We need to be aware that fines are not the deterrent that some people like to imagine. As I mentioned before, it is important that, for the worst cases of animal abuse, the legislation sets up a system where a person can be banned from owning a pet again. While this is an unusual punishment, in many cases, it would be a vastly more effective mechanism to prevent animal abuse in the worst cases.

Because this bill considerably expands the range of strict liability offences and thus potential penalties, I will be moving an amendment to have an established review of the legislation three years after commencement. While this can look at things more broadly, the reason I feel that this is necessary is to ensure that the strict liability offences have been proportionate to the issues that they are addressing.

I am confident that this bill will have negligible impact on the overwhelming majority of pet owners across the ACT. This is because, as we know, pet owners in general are responsible people who look after their pets. Why else do they have them? Most of us have pets, if we have them, because we want them, and we want them to be safe and well.

This bill tightens and clarifies our animal welfare standards and provides stronger sanctions against those who break the laws maliciously and wilfully rather than those where there is an occasional accident. This will, hopefully, both deter irresponsible behaviour and assist with enforcement. The result of this will be improvement in the lives of pets and other animals across the ACT. The Greens will be supporting this bill plus our amendment.

**MS LAWDER** (Brindabella) (11.13): Canberra is a pet-loving community. We love our dogs, our cats, our guinea pigs, rabbits, ferrets, horses et cetera. No-one supports animal cruelty. The Canberra Liberals will be supporting the government's bill today because it is, at its core, about animal cruelty.

We do have some concerns, which I will address further in comments relating to the amendments that have already been circulated in my name. I will seek leave to move those a bit later, and I will speak in more detail to each of those amendments at the detail stage.

What we are concerned about is overreach, because some clauses in this bill step away from community expectations and might criminalise some common, responsible and humane activities. We do not condone animal cruelty, and I do not know anyone who does. But we know that there have been some terrible, abhorrent cases of animal cruelty, and they must be dealt with very strictly and strongly.

When I was finally briefed by the directorate, it was made clear that the main thrust is to crack down on animal cruelty. The bill updates the ACT's animal welfare laws. It promotes the welfare of animals, it deters cruelty to animals, and it punishes those who abuse animals. These are things that everyone can get behind and support.

Another key feature of the bill is that it recognises animal sentience. It recognises that animals feel emotion and subjectively perceive the world around them, that animals have an intrinsic value and deserve to be treated with compassion, and that modern animal welfare legislation considers the mental as well as the physical wellbeing of animals.

Anyone who has a pet knows that animals can feel emotion and subjectively perceive the world around them. But the concept of this animal sentience was qualified in the minister's explanatory statement, which talks about the five animal freedoms. Those freedoms are freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury or disease, freedom to express natural behaviour, and freedom from fear and distress.

I must confess that, in some ways, this was something I had to grapple with, because the law and our community have historically treated animals as property, and

sentience and reason were reserved for humans. This bill challenges the norm, and it is natural that we should question and be cautious about such a big step in our legislative framework.

I have received many questions from members of the community who are concerned about aspects of this bill. For example, a common perception, or perhaps misconception, was that people will be penalised or punished if they do not walk their dog every day. Many people said, "I'm elderly, I can't walk my dog every day," or, "My dog is elderly and not well, and I can't walk it every day. It would do more harm than good." These are some of the community issues that need to be talked about with regard to this bill.

At the end of the day the ACT does deserve to have the best animal welfare laws. No-one should be cruel to animals. We agree that animal cruelty is abhorrent, and this bill will crack down on animal cruelty in the ACT. We are supporting the bill today, but I reiterate that, at the operational level, we have some concerns about overreach. As presaged, some amendments will be presented at the detail stage. I will talk about them a bit more at that time.

I would like to thank the minister for arranging a briefing from the directorate, which was very useful in order to answer a number of questions that we had, both from within my staff and from members of the public. I look forward to further discussion during consideration of the proposed amendments to the bill.

**MS CHEYNE** (Ginninderra) (11.18): Madam Speaker, many Canberrans own a pet. As you are well aware, I am one of them. Many people will be familiar with my Italian greyhound, Bailey, who often gets stopped so that people can pat her. They ask, "What is she?" given how strange she looks. We are often spotted out and about. We regularly enjoy walks around Lake Ginninderra, and she often accompanies me to community events. She is always on a lead unless we are in an off-leash area, which is her preferred location.

But not all dogs enjoy that regular exercise. In fact, not all pets enjoy the very necessities that they rely on their owners to provide, things like ample food and access to water, appropriate shelter and regular exercise, whether that is out and about walking, in a yard or in a home.

Responsible pet owners know that it is a privilege to own a pet. Anyone who has been lucky enough to enjoy the companionship of a dog, cat or another animal understands the indescribable impact they can have on your life. For many of us, animals are more than just pets; they are family. Unfortunately, not all pets are treated with compassion. Unfortunately, some people undermine the privilege that is animal ownership, and, indeed, the benefits and support that animals can and do provide to many members of this community.

I am very proud to support the Animal Welfare Legislation Amendment Bill 2019 today. This is important and substantial legislation that will strengthen our existing animal welfare laws. It includes a suite of measures allowing inspectors to

issue warnings and on-the-spot fines for minor duty of care and cruelty offences, such as failing to provide a dog with access to drinking water.

The legislation will also increase the maximum penalties for serious animal welfare abuses, including, importantly, jail terms of up to three years. Under this bill the animal welfare authority will have greater powers to refuse ownership of animals for up to six months for those people who pose a serious animal welfare risk. The authority will also be able to seize and rehome animals based on animal welfare concerns. The legislation also will enable the courts to impose permanent animal ownership bans.

Other measures include updating and improving the Animal Welfare Advisory Committee's governance framework to allow the committee to advise the animal welfare authority and the minister on strategic and operational animal welfare and management matters. This is a practical change to ensure that our animal welfare practices are robust, evidence based and world leading.

This legislation will also make it an offence to keep an animal in a moving vehicle without proper restraint or leaving an animal in a hot car. Passers-by will also be able to legally break into a vehicle to rescue an animal at risk of serious injury or death in circumstances where all other reasonable steps have been taken, such as calling police.

I am very pleased with the introduction of a new assistance animal framework that provides for the accreditation of assistance animals. This has real benefits for Canberrans who rely on their assistance animals every day, as it will enable the act to better protect against discrimination and ensure rights of access for all assistance animals, and particularly for those that are recognised and accredited by government.

It will mean that a person who relies on an assistance animal can simply show identification to be guaranteed access to any place that the public uses. It will make it easier for our public transport operators and other premises to easily provide access for people who rely on these important companions. It also means that action can be taken if access is not provided.

I know that this is something our community has been advocating for, and I look forward to seeing the new scheme implemented. Being clear on this is important for everyone, including those who manage those spaces where these accredited animals are wanting to get access to. It means that there is no confusion for businesses and people who are all just trying to do the right thing. I look forward to widespread understanding and acknowledgement of the scheme.

The bill also sets out a framework for regulating pet businesses, including pet shops and boarding kennels, and includes provisions to address violent activities like dog fighting. Importantly, on that note, it recognises animals as sentient beings: animals that feel and perceive the world around them. Science has proven that animals are capable of feeling emotions like fear, joy and anger. They are capable of feeling pain and experience suffering. These are facts that we cannot ignore, and it is no surprise that leading jurisdictions around the world are moving towards recognising the sentience of animals in their legislation.

I note, too, that ACT Labor recognised this at a conference a number of years ago. Seeing this now reflected in our legislation is not only the right step in reflecting the values of the community; it also enables the Animal Welfare Act to provide for the physical and mental wellbeing of animals.

This bill is not about punishing responsible pet owners who are doing the right thing. The legislation is about targeting irresponsible owners who are not doing the right thing, people who are not caring for their animals appropriately, like keeping a dog tied to a pole for days on end, or blatantly abusing animals, such as kicking or beating a dog.

Many of us are all too familiar with instances of animal cruelty. Constituents of mine will recall the nine puppies found crammed in a box and dumped in Higgins. One of the nine puppies was so badly beaten that it had to be put down. Others may recall the time two kittens were dumped in a kerbside recycling bin and taken to the Hume materials recovery facility. Thankfully, staff spotted the kittens as the box was making its way through the recycling process. These are just two stories of animal cruelty, stories that are all too familiar to the RSPCA; stories that should not occur.

I note, importantly, that the existing maximum time frame for reporting an injured animal will be reduced from 24 hours to two hours. This amendment sends a message that assisting animals that are suffering should be a priority and that it is a significant animal welfare responsibility for everyone, whether the animal is a domestic pet or wildlife; and we have plenty of wildlife here. The clarification and strengthening of duty of care offences in the act is an important aspect of this bill and one that can vastly improve the welfare of all animals throughout the territory.

This bill complements other measures this government has taken to encourage animal owners to do the right thing. The Canberra dog management model is one great example. I have long advocated for the provision of bins and dog waste bag dispensers at popular dog-walking areas throughout the ACT. The dog management model is doing just that, making it easier for responsible dog walkers to clean up after their furry friends while they are out and about.

I, almost without fail, carry bags for my dog—or dogs, as it is at the moment—but even I was caught out the other week. I was not thinking, and suddenly I was at the Palmerville Heritage Park and realised that I was wearing different pants from the ones I normally wear and which have the pockets stuffed with bags. I did not have anything with me. Fortunately, with the dog waste bag dispenser, there were bags available, and thank goodness there were.

Other initiatives under the model include the annual registration of dogs—with no extra fees, I might add—and the rollout of the Yellow Dog campaign, which involves the use of yellow merchandise to identify dogs that need space for a particular reason, such as illness or anxiety.

This is a government which cares about the welfare of creatures, great and small. The Animal Welfare Legislation Amendment Bill 2019 will go some way to ensuring that

animals in the ACT are treated with the care and respect that they deserve, no matter whether they are pets or wildlife. This legislation will better equip inspectors to respond to instances of abuse or neglect when they occur, and it will help to deter and prevent animal cruelty in all of its forms. I commend this bill to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (11.28), in reply: Our changes to the Animal Welfare Act are significant and well overdue. The Animal Welfare Act 1992 is now 26 years old, and a comprehensive review undertaken last year revealed the need to update it to reflect modern expectations. We have heard from many animal welfare stakeholder groups ranging from foster organisations to assistance animal organisations to the RSPCA of the need to make changes to the law, and our government has listened. We have sadly seen recent incidents across our city of animal welfare abuses and we need laws that allow us to take appropriate and balanced action against people doing the wrong thing.

The Animal Welfare Legislation Amendment Bill 2019 is an Australian first and positions the ACT as a leader in animal welfare management. It strengthens our legislation and provides an effective tool to address and deter animal welfare abuses. The majority of the Canberra community do the right thing by our animals. However, this bill is designed hold accountable people who choose to neglect, abandon or mistreat our animals.

The bill makes the ACT the first jurisdiction in Australia to recognise the sentience of animals. This means that our legislation can account for the proven fact that animals are not objects but instead beings capable of feeling emotion and pain. Just spending a few minutes with a dog makes this very obvious. It is a critical step forward in our understanding and application of animal welfare. Other jurisdictions in the world have already taken this step, including New Zealand, Canada, and countries in Europe. I am pleased that the ACT government can lead the way in Australia in recognising sentience as well as leading in other areas of animal welfare and management.

Canberrans should be able to expect a strong, enforceable and reliable framework for protecting animals from cruelty. Under the bill the ACT will have a fair and best-practice legislative framework that protects and acknowledges the intrinsic value of animals and prevents cruelty. The bill will empower our animal welfare authorities to take effective action in the unfortunate situation where animals are abused, mistreated, neglected or abandoned.

In 2017 the government released the animal welfare and management strategy which recognised the need to update our animal welfare laws by committing to a review of the act as an immediate action. This bill delivers on that outcome under the strategy. The community has made it very clear to us that they value the protection of animals and are looking to government to set the highest standards. Numerous engagements with the community have occurred since the strategy and the exposure draft of the bill were released last year. That community feedback has informed the bill and changes have been made as a result.

The majority of amendments proposed in this bill clarify and strengthen the existing laws ensuring that they are clear and enforceable and carry appropriate penalties while other amendments proposed are new, bringing the act into line with contemporary values and best-practice. I take this opportunity to outline the major changes.

Firstly, a new offence category is established for minor duty-of-care cruelty offences. This will ensure that less serious animal welfare abuses can be addressed through warnings and fines. This will allow for deterrence and early intervention before minor animal welfare abuses escalate to more serious levels. Under the current act it is difficult to prosecute minor duty-of-care offences, for example, where a person responsible for an animal fails to provide it with food and water, hits or kicks the animal or if a person confines a dog in a cage over days on end with no room for it to move.

I clarify that this does not regulate how often a person must walk their dog; in no way does this bill require a person to walk their dog every day or not keep a dog in an apartment. The bill is explicit about that.

The new category for minor offences will enable animal welfare officers to effectively enforce the existing legislation and ensure that animal welfare abuses at all levels can be addressed appropriately and proportionately, as any reasonable person would expect. Reasonableness is central to the application of animal welfare laws, and this bill establishes appropriate and clear provisions around ensuring sensible enforcement and circumstantial considerations that can be taken into account. But let me be clear: serious abuse of animals is not tolerated in our city.

This bill brings the ACT into line with contemporary expectations for animal welfare by increasing a range of maximum court-imposed penalties for animal cruelty and aggravated cruelty offences and updating the objects of the act to reflect the value our community places on animals and their welfare.

Specific provisions around dog fighting and other violent animal activities are proposed under the bill to prevent the use of animals to kill or injure other animals. Importantly, this does not apply to dog sporting events. It does, however, send a clear message to people that fighting animals, and particularly dogs, is not acceptable and action will be taken with the potential for up to three years' imprisonment in serious cases.

The bill significantly improves the enforceability of legislation as infringement notices can be issued by our animal welfare inspectors, including RSPCA inspectors, without the resource intensive process of a prosecution. That is why the strict liability offences contained within the existing Animal Welfare Act and this bill are so critically important to establishing an effective enforcement regime. Having the power to issue on-the-spot fines for such abuses was a common expectation identified through community consultation and one this bill delivers to a high standard.

This bill also deals with the serious consequences of leaving animals in hot cars. Despite increased awareness of the dangers, particularly for dogs, this remains an

issue in our warmer months coming up. To prevent this from happening the bill proposes a new offence specifically around leaving an animal in a hot car and also introduces a new provision for a person to break into a car if an animal's life is clearly in danger. Education and awareness are also critical to informing our community about the dangers around this, and a new marketing campaign is being delivered through the Canberra dog model released in May of this year.

The changes that the bill proposes will deliver a clear and robust regulatory framework for the Animal Welfare Authority to impose animal prohibition orders for up to six months where serious animal welfare concerns exist as well as the ability to seize, retain or rehome an animal. This provides time for animal ownership bans to be pursued through the courts. Addressing repeat offenders and exercising caution in dealing with the pets of irresponsible or cruel owners are much-needed measures that will see a reduction in animal welfare abuses over time.

The framework governing the Animal Welfare Advisory Committee is also proposed to be amended under the bill to allow for the committee's expert advice to reach the Animal Welfare Authority directly, improving efficiencies in working together towards a shared vision for best practice in animal welfare.

Significant progress has also been made in strengthening our partnership with the RSPCA ACT, which has a critical on-the-ground role in dealing with animal welfare in our city, as well as working with our other partners. A key action in the Canberra dog model is improving partnerships, and I look forward to continuing to work to improve the relationships with our many trusted animal welfare and pet organisations in the ACT, including veterinarians.

Another critical component of the bill is that it promotes and protects the rights of people with a disability who rely on assistance animals. This was developed in consultation with the assistance animal industry which directly contributed to the new assistance animal scheme introduced in the bill. An accreditation framework around assistance animals is proposed under the bill, in conjunction with new penalties for refusing access to an accredited assistance animal to a public place. Many Canberrans have been calling on us to ensure the recognition and right of access for assistance animals in the ACT.

The details of the new scheme will be developed in collaboration with representatives from the assistance animal industry and other key stakeholders and aligns with commonwealth and ACT discrimination laws. The new scheme will not come into effect for six months. That allows time to work closely with all affected stakeholders to develop guidelines and processes to effectively implement the new assistance animal framework.

A high-level framework for regulating pet shops and boarding kennels is also proposed under the bill. This will involve a simple, outcomes-focused licensing system whereby conditions can be imposed to ensure responsible sourcing of pets as well as ensuring the welfare of pets kept in boarding facilities. This has proven successful elsewhere in Australia by ensuring that minimum standards for pet shops and boarding kennels can be set and action can be taken if a business is found to fall

below these standards. All Canberrans should have confidence that their pets will be managed appropriately by the businesses entrusted with their care. The new licensing scheme will also not take effect for six months so we can work closely with pet businesses on the licensing arrangements.

It has been made very clear under the Canberra dog model that the strategic combination of education and awareness and compliance and enforcement is key to reducing dog attacks and improving overall animal welfare and management outcomes in the ACT. This is the best way to improve the safety and liveability of our city for people, pets and wildlife. The changes under the Canberra dog model will work in partnership with the changes proposed under this bill and will form a strong foundation upon which we can achieve best-practice animal management outcomes.

Strong links between poor animal welfare and dog attacks have been found in many jurisdictions and we need to appreciate these findings and consider the benefits that improving animal welfare can have for the safety of our community as well as the safety of animals.

This bill will enable proactive enforcement by our dedicated network of authorised animal welfare inspectors, including domestic animal services rangers, our new targeted compliance team and other RSPCA inspectors. As I outlined earlier in this speech, consultation on this bill was significant; it took place over a number of months with a significant number of stakeholders in the community being involved. We have listened to the feedback; we have made amendments along the way and I can confidently say that the bill reflects the community's values in protecting the welfare of animals and recognises their intrinsic value.

The amendments in this bill clarify and strengthen the existing laws and make regulatory improvements so that the law is enforceable and meets the expectations of the community, delivers best practice legislation in line with our community's values and contemporary expectations for the best possible animal welfare outcomes in our community and leads the way for other jurisdictions. I commend the bill to the Assembly and present a revised explanatory statement.

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Clause 1 agreed to.

Clause 2.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (11.40): I move amendment No 1 [*see schedule 1 at page 4002*] and table a supplementary explanatory statement to the government amendments. These amendments that I will be moving today are minor and technical

in nature and ensure that the full intent of the bill can be reflected in the legislation so that it is enforceable and robust.

These amendments address comments from the scrutiny committee, while also making technical corrections and adjustments to the wording to ensure that the bill is consistent, is clear and effectively conveys its intended meaning. They also ensure that the new assistance animal scheme that this bill introduces is consistent in ensuring the best protections for people who rely on an assistance animal every day, as well as for assistance animals in training.

I will share with you these amendments and the reasoning behind them today. Amendment No 1 is a technical amendment to ensure that all the provisions relating to assistance animals do not take effect for six months, including consequential amendments that I will move today to ensure that the assistance animals scheme is consistent with the Major Events Act, Nature Conservation Act and Public Pools Act.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (11.42): I move amendment No 2 circulated in my name [*see schedule 1 at page 4002*]. Amendment 2 is a technical amendment that adds the Major Events Act, Nature Conservation Act and Public Pools Act to the list of legislation being amended, as I am moving minor amendments to make these consistent with the assistance animals scheme.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clause 4.

**MS LAWDER** (Brindabella) (11.42): I seek leave to move amendments to this bill which have not been considered or reported on by the scrutiny committee.

Leave granted.

**MS LAWDER:** I move amendment No 1 circulated in my name [*see schedule 2 at page 4006*]. My first amendment concerns the proposed section 4A(1). The proposed 4A(1) recognises sentience and the intrinsic value animals hold, and establishes an in-principle duty of care owed by all people for the physical and mental wellbeing of animals.

The phrase “duty of care” holds significant legal meaning and weight in Australian jurisprudence and legal practice. Typically, breaching a duty of care gives rise to a

right to sue and, in some circumstances, criminal liability. This is not something that we should be building into our legislation without a lot of care and qualification.

We recognise that the objects of the act are not operative clauses within this bill. However, the objects of the act will be looked to by judges to determine the intention of this place in disputes arising under this new law.

Section 4A(1)(c) in its current unqualified form could potentially be interpreted as prohibitive against many acceptable, responsible, humane and common environmental, commercial and recreational activities. So my amendment qualifies that duty and expressly notes that the objects of the act will not prohibit responsible and humane food production practices, environmental management, scientific research and recreational activities.

These amendments are not a free pass to be cruel to animals under the above circumstances. There is a protection for responsible and humane practices in line with community expectations. My proposed amendment means that farmers can be assured that they will not be penalised for herding or agricultural practices. I commend my amendment to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (11.45): We believe that these amendments seek to make the bill more ambiguous and harder to enforce, when the intention of the bill is to take stronger action on those committing animal welfare abuses and to make it easier to enforce.

Ms Lawder's amendments to clause 4 of the Animal Welfare Bill seek to qualify the objects of the act, and, in doing so, make them more ambiguous. One of the key objects of the bill is to recognise animals as sentient beings. The proposed new section that they seek to add could be seen to limit this sentience for reasonable and humane purposes such as scientific research.

We also note that the objects of the act are objects only and that, in interpreting the legislation, the act should be read as a whole. Regard should be given to other provisions in the act. For example, the current act already sets out provisions requiring a licence for using an animal for research or teaching, and the bill does not propose to change this. The current act, as it stands, already establishes four codes of practice to be made under the bill, and those also can be used in interpreting the act.

**MS LE COUTEUR** (Murrumbidgee) (11.46): It will surprise no one that the Greens will not be agreeing to this. One of the reasons why we think it is so important to establish the concept that animals are sentient beings and that we do have some responsibility to them is to change some of the practices in these areas.

On food production, I talked earlier about how the Greens have been campaigning, successfully now, to get rid of the practices of battery hen production and sow stalls. Those are things we do not want to see. On scientific research, I think we have all heard absolute horror stories of vivisection and things that have been done to animals

in the name of scientific research: so, no. On cultural and recreational activities, again, there are cockfighting and bullfighting and many cultural and recreational activities which I would not want to see excused by this.

So I think that the objects of the bill should stay as they are, without being seen to be limited by this list of activities, all of which at some stage have been involved with animal cruelty.

Amendment negatived.

**MS LAWDER** (Brindabella) (11.48): My amendment No 2 is pursuant to the previous amendment, so I will not be moving it.

Clause 4 agreed to.

Clause 5 agreed to.

Clause 6.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (11.48), by leave: I move amendments Nos 3 and 4 circulated in my name together [*see schedule 1 at page 4002*].

Amendment 3 is a technical amendment to clarify the definition of “confine”. It defines it as enclosing an animal in a pen, vehicle, cage, box, or other container or small space to otherwise restrict freedom of movement. This would ensure that the reader understands the meaning of the word “confine”, which means enclosing in a way that severely restricts movement.

Amendment 4 makes a minor grammatical correction to clause 6, to the word “hygiene”.

Amendments agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 10, by leave, taken together and agreed to.

Clause 11.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (11.50), by leave: I move amendments Nos 5 to 7 circulated in my name together [*see schedule 1 at page 4003*].

Amendment 5 makes a minor amendment to make this provision consistent with the rest of the bill to include death, so that clause 11 in relation to unlawful confinement

of an animal will now apply where the confinement causes, or is likely to cause, death as well as injury or pain.

Amendment 6 also makes a minor technical amendment to clause 7, to amend the term “wild”, because this section only applies to a person in charge of an animal where an animal would not be classified as a wild animal. Amendment 7 is a minor amendment to clause 11 to move the example of locking an animal in a hot car from section 15 to this section, as it is more appropriate to this section.

Amendments agreed to.

Clause 11, as amended, agreed to.

Clauses 12 to 17, by leave, taken together and agreed to.

Clause 18.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (11.51): I move amendment No 8 circulated in my name [*see schedule 1 at page 4003*]. This amendment substitutes clause 18, relating to transport and containment of an animal, to no longer include the term “contained” for consistency and to clarify this provision. This will assist in interpreting the act. This means that this clause will now focus on the transport of animals.

Amendment agreed to.

**MS LAWDER** (Brindabella) (11.52): I move amendment No 3 circulated in my name [*see schedule 2 at page 4006*]. This is also a qualifying amendment to protect the intentions of the government’s bill. The amendment inserts a section into clause 18 of the bill which replaces section 15 of the act. This section makes it an offence to transport an animal in a way that causes, or is likely to cause, the death of or unnecessary injury, pain or stress to the animal. The penalty under this section is 100 penalty units, one year of imprisonment or both.

In principle, this is a notion that we support. But we are concerned about the broadness of this clause, because transporting animals in any circumstance is reasonably likely to cause unnecessary stress.

I would like you to reflect again on the intentions of this bill. Do we want to outlaw livestock trucks in the ACT? Do we mean that all livestock trucks must circumnavigate the ACT to get to their destination? Do we want to outlaw horse floats? Do we want to criminalise people taking their distressed cat to the vet? Can we take dogs on planes when they are not happy to be doing so?

These are the issues that my amendment today is trying to clarify: that injury, pain or stress is not to be considered unnecessary just because the animal is being transported in accordance with veterinary or industry requirement or practice. So this protects veterinary approved transport.

The amendment also clarifies that injury, pain or stress is not to be considered unnecessary just because an animal is being transported or contained in a way that is generally accepted practice in the community. So that is protecting the transporting of a horse in a float, a cat in a carrier or a dog in a crate.

This is not, I repeat, a free pass to animal cruelty. But it acknowledges that stress may occur despite the very best intentions and actions. It simply recognises that because an animal is stressed by the manner of its transport, this does not make the manner of the transport cruel. I hope for the support of the Assembly.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (11.55): In relation to Ms Lawder’s amendments to clause 18 of the bill, we believe that these amendments would cause ambiguity in interpreting the section.

The proposed subsection (a) would have a minimal impact, as veterinary or industry requirements for transporting animals would be unlikely to cause the death of or unnecessary injury or stress to an animal. In relation to the proposed subsection (b), the term “generally accepted practice in the community” is very broad and difficult to interpret or to apply.

The risk that the government sees is that as the offence is not strict liability—meaning that, as it would need to be prosecuted in a court, a court would apply this in each case based on its merits—this provision could move the question the court needs to answer away from whether the transport or containment would cause, or be likely to cause, the death of or unnecessary injury, pain or stress to an animal to what a generally accepted practice of the community is.

Not to labour this point, the act needs to be read as a whole. The mandatory codes of practice that are made under the act include, for example, a code of practice for the transport of livestock. They are made under the existing act and they will continue to be made under the act and updated. So those instruments exist. A further subsection within an offence determining what is a generally accepted practice is not necessary and would make the legislation more ambiguous and more difficult to enforce for the authorities. Therefore the government cannot support these amendments.

**MS LE COUTEUR** (Murrumbidgee) (11.56): The Greens will also not be supporting these amendments. We think that they potentially open the gates for things that otherwise would be prohibited in terms of the generally accepted practice in the community. I am not quite sure who determines that and whether we can be confident that all the generally accepted practices that this is envisaging would in fact be humane and would in fact be necessary.

As the minister has said, there is already sufficient opportunity for necessary transportation to be undertaken in a humane and responsible fashion. I think that the bill as it stands is adequate from this point of view.

Amendment negatived.

Clause 18, as amended, agreed to.

Proposed new clauses 18A and 18B.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (11.58): I move amendment No 9 circulated in my name [*see schedule 1 at page 4003*], which inserts new clauses 18A and 18B.

The bill already covers the appropriate transportation of all animals to prevent injury or death, and the existing act deals with appropriate transport of dogs in utes. However, the government amendment will apply a strict liability offence to not appropriately restraining a dog in a moving vehicle, to allow for the legislation to be applied effectively on the ground and an infringement notice to be issued.

This amendment is proposed to bring this offence in line with other similar duty of care offences in the bill, ensuring that the amendments read clearly and consistently and the resulting legislation can be properly enforced. Dogs are at serious risk of suffering injury or death if they are not transported appropriately, both on the back of and inside vehicles, and they also present a safety risk to other passengers in the vehicle.

Dog owners and those responsible for transporting dogs have a responsibility to transport dogs in a way that does not directly cause harm or, in particular, risk the dog jumping on to the road. No particular restraint mechanism is specified. This allows flexibility in the way a person might restrain a dog, for example, using a harness or a crate. This amendment also ensures appropriate exemptions for assistance animals.

Proposed new clauses 18A and 18B agreed to.

Clauses 19 to 78, by leave, taken together and agreed to.

Clause 79.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (12.00): I move amendment No 10 circulated in my name [*see schedule 1 at page 4004*]. Amendment No 10 responds to scrutiny committee comments on the bill and clarifies that a temporary animal prohibition order can be issued on a person individually or jointly with another person. This makes the provision consistent with other animal ownership bans in the bill.

Amendment agreed to.

Clause 79, as amended, agreed to.

Clauses 80 to 102, by leave, taken together and agreed to.

Proposed new clause 102A.

**MS LE COUTEUR** (Murrumbidgee) (12.01): Pursuant to standing order 182A(c), I seek leave to move an amendment to this bill as it is in response to a comment made by the scrutiny committee.

Leave granted.

**MS LE COUTEUR:** I move amendment No 1 circulated in my name [*see schedule 3 at page 4007*], which inserts new clause 102A. I foreshadowed that I was going to move this amendment in my speech at the in-principle stage. It is a very straightforward clause. It is a review clause suggesting that as soon as practicable after three years of operation of these amendments, the amendments and their impact be reviewed. The review clause is something which we should probably have in most substantive changes to legislation. I am pleased that some of the changes here are substantive. I am also a little concerned, as I mentioned earlier, about some of the strict liability offences. From both points of view, I think this is a good idea. I commend my amendment to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (12.02): Ms Le Couteur's amendment would require a review of the operation of the amendments after three years of the commencement of the act. The government is happy to support the amendment.

I note that there are a large number of strict liability offences within the existing act and in this bill, as there are in many acts across the ACT in various different areas. It is very rare for the scrutiny committee—I have been a member of that committee—to not make a comment in relation to strict liability offences that come up in legislation from time to time.

In this case, those strict liability offences have been justified. They are particularly applied for low-level offences. That is critical in ensuring the enforceability of the legislation. Ms Le Couteur mentioned in her speech in the in-principle stage that she was concerned about the enforceability of the act. Strict liability offences are critical to enabling particularly the RSPCA to administer and enforce our animal welfare legislation.

We will certainly look at that as part of the review. However, I would suggest that if there is an ideological objection to strict liability offences in general, the scrutiny committee may be a more appropriate place for review to be undertaken so that it can look at strict liability offences across the board and not necessarily just in the Animal Welfare Act, where their role is absolutely integral.

Amendment agreed to.

Proposed new clause 102A agreed to.

Clauses 103 to 121, by leave, taken together and agreed to.

Clause 122.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (12.04): I move amendment No 11 circulated in my name [*see schedule 1 at page 4004*]. Amendment 11 proposes a new section 106C that clarifies this section. The section applies to a person accompanied by an assistance animal as well as an assistance animal in training or an animal being assessed as an assistance animal. This ensures protection of assistance animals in training and makes the laws across the ACT consistent.

Amendment agreed to.

Clause 122, as amended, agreed to.

Clauses 123 to 132, by leave, taken together and agreed to.

Proposed new parts 9 to 11 (new clauses 133 to 140).

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (12.05): I move amendment No 12 circulated in my name [*see schedule 1 at page 4005*], which inserts new parts 9 to 11 (new clauses 133 to 140).

These government amendments make minor consequential changes to the ACT's Major Events Act, Nature Conservation Act and Public Pools Act to bring existing legislation in the ACT in line with the bill and the ACT and commonwealth discrimination laws. It is important that this is done to pave the way for the commencement of the new assistance animal framework in six months time to ensure that our laws are consistent across the statute books and access rights are clear to everyone.

Before the new assistance animal scheme comes into effect, we will work closely with stakeholders in our community and across government to ensure that the new scheme is easy to administer, clear and consistent, and not only promotes the rights of people with a disability that rely on an assistance animal but also provides them with improved identification and protections under the law.

This is the last opportunity that I will have to speak. I would like to thank Transport Canberra and City Services officials for their work on this piece of legislation over a long period of time. I particularly thank Lisa Johnson and Kirra Cox for their work. I also thank members of the community and organisations that contributed to the consultations throughout the course of the exposure draft consultation and during the bill debate.

Proposed new parts 9 to 11 (new clauses 133 to 140) agreed to.

Title agreed to.

Bill, as amended, agreed to.

**Sitting suspended from 12.07 to 2.00 pm.**

**Questions without notice  
Government—cannabis legislation**

**MR COE:** The question I have is for the Attorney-General. Attorney, in passing the cannabis legislation yesterday your government stated that this area of law is uncertain and carries risk. Attorney, why has the government knowingly and wilfully passed legislation that poses uncertainty and risk?

**MR RAMSAY:** I thank the Leader of the Opposition for his question and for the opportunity to reaffirm why we did what we did yesterday and what we have done and have not done.

It has been very clear in the media and some of the commentary from the Canberra Liberals over the past 24 hours that they are ramping up scaring the community on what is occurring. But what happened yesterday was a natural evolution of long-term policies of this government and of previous governments to ensure that Canberrans are well supported.

Our drug law reform is based on harm minimisation. The reason we have done that—why we did what we did yesterday—is that we seek to govern according to the values of people who live here in Canberra. They have made very clear over the years that their understanding of the way that drug law has worked over the years is that it has not been effective, nor has it been achieving what it was meant to achieve.

Therefore, we have taken another step, which is to seek to ensure that people who are using small amounts of cannabis for personal use are treated through a health approach rather than engaging in the criminal justice system. We believe that is upholding the values of Canberra very well and we are very proud to have done that.

**MR COE:** Attorney, is it responsible and fair that you have put the onus on citizens to sort out the confusion that you have created, and to sort out the uncertainty and risk as a result of this legislation?

**MR RAMSAY:** I note that the commonwealth legislation has not changed, so the circumstances between ACT legislation and commonwealth legislation are as they have been, that is, there is a provision under the ACT legislation for things to be dealt with in a particular way. That is also what has happened. It is reasonable and fair for us to ensure that the values of Canberrans are upheld. Also, as was the case yesterday, the Minister for Health has indicated that there will be educational materials and an education program that will take effect before the legislation commences. That is one

of the numerous reasons why the legislation does not take effect on notification; this will occur at some stage in the future, when it is commenced by the Minister for Health. We currently anticipate that that will probably be at around the end of January next year. But as part of that there will be an education campaign for the broader community.

As was made very clear in speeches yesterday, and as I made very clear in speeches yesterday, there is some ambiguity at the moment, and people in the ACT do need to be aware of the risks. However, we do not anticipate that there will be a new crackdown. The CPO has been very clear on that, and I welcome his statements over the past 24 hours as well. We will continue to ensure that people are dealt with in the manner of a health approach for these small amounts of personal-use of cannabis.

**MR HANSON:** Attorney-General, what is the risk that was described by the government in its response to the committee inquiry, described as risks arising from interactions between territory and commonwealth law?

**MR RAMSAY:** I refer Mr Hanson to my statements in the chamber yesterday as part of the debate on the legislation, that there is still the commonwealth legislation that is in place. However, as I have said both in this place before and again today, and I have said it publicly beyond the chamber as well, it is a matter of ensuring that people are able to be supported in their particular life choices and that when they are choices to engage with drugs in some form of personal use, as is the case here, that they are responded to from a health perspective so that we ensure that we approach this from a harm minimisation point of view, not from a scaremongering, not from a sort of ramping things up in the way that—

**Mr Hanson:** Madam Speaker, on a point of order.

**MADAM SPEAKER:** Mr Hanson on a point of order. Resume your seat, minister.

**Mr Hanson:** My question referred to the risks identified in the government response to the committee inquiry, which are legal risks. I asked the Attorney-General for an explanation of the legal risks of the interactions between territory and commonwealth law. I would ask him to get to that point and be directly relevant.

**MADAM SPEAKER:** Minister Ramsay, in the time you have left; we are aware of the health support aspect of this.

**MR RAMSAY:** Thank you, Madam Speaker. I am happy in the time I have left to go back to what I said in the first place, which is that the risk is that the commonwealth legislation still remains as was the case before this particular piece of legislation went through. There is the chance that people may be arrested, may be prosecuted, may be taken to court. I mentioned that in my speech yesterday. We do not anticipate that being the case and neither, from his statements yesterday and today, does the Chief Police Officer.

*Opposition members interjecting—*

**MADAM SPEAKER:** Thank you, members!

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson!

### **Housing—strategy**

**MS LE COUTEUR:** My question is the Minister for Housing and Suburban development and relates to the government’s plan for review and evaluation of the housing strategy. Minister, will the housing strategy be subject to one or more publicly available reviews or evaluations?

**MS BERRY:** As I have said before in this places, the ACT government, in the development of a housing strategy, had a housing advisory group made up of a number of different organisations and representation from different parts of the sector, including ACT Property Group, architects, real estate agents, public housing tenants and community service organisations. That group will continue and will continue to review and assess the strategy as it is rolled out in the ACT.

**MS LE COUTEUR:** Minister, given that, to the best of my knowledge, that group has so far worked primarily on the development, what work is it currently doing on looking at the implementation and when will there be a public evaluation, presumably conducted by that group, of the implementation of the strategy?

**MS BERRY:** I will update the Assembly on the implementation of the strategy as required. That group is going through a stage right now of reviewing its role given that that role has changed. The strategy has been developed and now the implementation is occurring.

### **Government—cannabis legislation**

**MR HANSON:** My question is to the minister for police. I refer to the front page of today’s *Daily Telegraph* with the headline “The joint’s gone mad”. The article states:

... there are now fears among NSW Police that the new laws could fuel our state’s spiralling drug crisis by making it easier for criminal gangs to transfer their massive pot crops up the Hume Hwy to Sydney.

Minister, what communication did you or your directorate have with New South Wales police about the implications of legalised cannabis in the ACT?

**MR GENTLEMAN:** I thank Mr Hanson for the question. I did not have any direct conversations with New South Wales police but certainly the Chief Police Officer did, and that helped inform his position in regard to the cannabis bill debated yesterday.

**MR HANSON:** Minister, what steps is the government taking to prevent trafficking of cannabis from legal growing in Canberra to illegal markets in Sydney, as has been highlighted by New South Wales Police?

**MR GENTLEMAN:** We are investing in our police force to disrupt crime in the ACT. In each of the budget years, last year and this year, there have been larger resources, investments, put into ACT Policing to disrupt criminal activities, and it is working. ACT police have done a fantastic job of not only crime disruption but also of arresting and prosecuting people who do unlawful things in the ACT, including unlawfully growing marijuana.

**MRS JONES:** Minister, what calculations have you made of the extra cost or extra resources needed to prevent the trafficking of cannabis from legal growing in Canberra to illegal markets in Sydney?

**MR GENTLEMAN:** We invest in our local police force and they calculate the resources they need to combat crime in the territory, unlike those opposite who voted against those resources in the last two budgets.

### **Policing—cannabis**

**MRS JONES:** My question is to the minister for police. I refer to the front page of today's *Daily Telegraph* with the headline "The joint's gone mad". The article states:

ACT chief police officer Ray Johnson previously warned the laws would make the territory "more attractive to organised crime groups as a place to grow cannabis for both internal and external markets" as well as removing the risk to "crop sitters" who grow weed for outlaw motorcycle gangs.

Minister, what particular resources have been made available to monitor and prevent crop-sitters for organised crime operating in the ACT under the new laws?

**MR GENTLEMAN:** I do not believe that that is what the CPO did say. In fact, trafficking still remains a crime.

**MRS JONES:** Minister, what communication or advice have you received from Taskforce Nemesis about the implications of these laws?

**MR GENTLEMAN:** I not only have had communications with Taskforce Nemesis on their ongoing work to combat crime in the ACT but I spent a morning with them at Winchester Police Centre going over the operations they have been conducting in the past 12 months. Thanks to the investment that this government has made in Taskforce Nemesis over a number of years there have been quite successful operations across the ACT disrupting crime, arresting criminals and charging them.

**MR HANSON:** Minister, how do these laws or other pertinent laws prevent persons from being crop sitters for outlaw motorcycle gangs or other organised crime gangs?

**MR GENTLEMAN:** The particular debate yesterday was not about laws on criminal activity; it was about the health implications regarding the harm minimisation approach that this government has to drug use in our community. We do not condone the personal use of cannabis. We know that there are health risks to individuals that

use that. Those amendments will reduce the harm for individuals who are already using cannabis, acknowledging that the outright prohibition can bring people into contact with—

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

**MADAM SPEAKER:** Resume your seat, minister.

**Mr Hanson:** The question was very specific; it was about what laws are available, and what provisions under the laws passed yesterday would prevent crop sitters. It is not about harm minimisation; it is about the issue of crop sitters, as raised by the CPO.

**MADAM SPEAKER:** I think the minister has made reference to the fact that illegal activity remains illegal activity, but—

**Mr Hanson:** It is not; that is the point. It's now legal, isn't it, Madam Speaker?

**MADAM SPEAKER:** Mr Hanson, one more and you will be warned. I call the minister, in the time he has left.

**MR GENTLEMAN:** We did not change the Crimes Act yesterday at all, and trafficking remains unlawful.

### **Housing—Taylor**

**MR WALL:** My question is to the Minister for Housing and Suburban Development. It is in relation to the building of affordable housing in Taylor. Minister, why are tenderers for the Taylor affordable housing expression of interest being required to pay market price for land designated as affordable housing?

**MS BERRY:** The land that is provided for affordable housing purchase and build in Taylor falls within the ACT government's policy of providing that land for builders who meet the expression of interest requirements. There have been a number of meetings and consultations with builders and others who are interested in purchasing land to build affordable homes across the ACT, but particularly more recently in Taylor. As far as I am aware, I have not had any advice from those briefings with those builders that there were issues with that process or with the government's requirements around affordable land purchase and build of homes by those organisations.

**MR WALL:** Minister, how can a quality building be constructed and sold as an affordable home when the market average block price in Taylor is already above the government's price ceiling for affordable housing?

**MS BERRY:** As I said, there have been a number of briefings with builders and others who are interested in building affordable homes in the ACT for the community. That is the agreement that is made through the expression of interest process.

**MS LE COUTEUR:** Minister, will there be any requirement that the purchasers of this land actually build affordable houses and then, if they do, any obligations around resale to eligible people?

**MS BERRY:** Yes, there are a number of requirements on builders regarding the sale of these dwellings, once they have been completed, to ensure that they meet the affordable housing policy of the ACT government. I would like to make sure that I get the right information to the Assembly. I will check the detail on the actual requirements that are in place for those builders and developers who build these homes for sale to make sure that they are going to families who need them.

### **Government—LGBTIQ+ inclusion strategy**

**MR PETTERSSON:** My question is to the Chief Minister. Chief Minister, as the Minister for Social Inclusion and Equality, can you tell us what is the ACT government's strategy for promoting the inclusion of the LGBTIQ+ community in Canberra?

**MR BARR:** I thank Mr Pettersson for the question. We have launched the capital of equality strategy, which is the territory government's first all-encompassing LGBTIQ+ strategy and, I believe, now the most all-encompassing of any state or territory in the nation. The strategy outlines how we are stepping up support for the community, and sets out the principles to ensure that LGBTIQ+ people, their families and communities are visible, valued and respected and that they have access to inclusive and supportive services.

The four-year strategy was developed in close collaboration with the ministerial advisory council and the broader community. It provides a road map to increasing wellbeing and acceptance by reforming laws, enhancing services, supporting peer-led organisations and, importantly, opening doors for participation in all areas of life for this marginalised section of our community. The strategy forms part of the government's broader vision for a more inclusive Canberra.

**MR PETTERSSON:** Chief Minister, how is the strategy going to be implemented?

**MR BARR:** It will be through targeted, measurable and specific actions. Most importantly, getting it right is vital to improve the lives of LGBTIQ+ community members in the territory. The office of LGBTIQ affairs is engaging closely with the ministerial advisory council and right across all ACT government directorates to develop the first action plan for implementation over the coming 12 months.

This plan will be released in coming weeks and will include specific reforms and practical improvements to assist some of the most vulnerable individuals in our community, such as those undergoing gender transition and those born with variations in sex characteristics.

We will work closely with the private sector and with peer-led community organisations on implementing the actions, and ACT government directorates will be responsible for implementing initiatives as part of their core business.

Progress on implementing the actions will be monitored in consultation with the advisory council and through the ACT government's own reporting mechanisms. Following the implementation of the first action plan the government will again work closely with the ministerial advisory council to develop subsequent action plans to deliver on the strategy.

**MS CHEYNE:** Chief Minister, how can we support LGBTIQ+ Canberrans to use facilities that suit their gender identities?

**MR BARR:** I thank Ms Cheyne for that very topical question. The answer is that those members of the community should use the facilities, including bathrooms and change rooms, that they feel most comfortable using.

### **Planning—Ginninderra Estate**

**MRS KIKKERT:** My question is to the Minister for Planning and Land Management. Minister, the EIS for the 330,000 volt powerline currently being constructed east of Ginninderra Estate in Holt states that, "It has been assumed that any future residents should be aware of the proposed transmission line construction." In response, stakeholders warned that future residents were being kept in the dark and, as you know, several Canberrans did buy blocks and even built houses in this estate without any clue that you had approved 49-metre high steel towers to go up behind their homes. Minister, when you used your call-in powers to approve this project, what evidence did you have in your possession that future residents would know about the towers you had approved or the impacts listed in the EIS, such as reduced property values?

**MR GENTLEMAN:** I thank Mrs Kikkert for the question. It is an important one. Of course, this work started back in 2014 in looking at the proposed commencement consultation with landholders and other relevant stakeholders. Then, of course, the environmental impact work was set with the developer for the work that is happening and the residential construction that is occurring at Holt. It was their responsibility to advise future purchasers of the proposal for the powerlines in their purchase place.

**MRS KIKKERT:** Minister, after having been warned, why did you not include a condition that future residents must have full disclosure of this project and its environmental and economic impacts when it was in your power to do so?

**MR GENTLEMAN:** As I mentioned, it was up to the developer to provide that information to future purchasers.

**MR WALL:** Minister, how do potential purchasers learn whether you have approved a major infrastructure project that will drive down the value of land or homes they are considering if the developer is not doing so adequately?

**MR GENTLEMAN:** There is no evidence that this particular development in regard to power lines will drive down any house prices at all. Of course review contracts are available as well and we ask them to review their contracts.

### **Planning—Ginninderra Estate**

**MISS C BURCH:** My question is to the Minister for Planning and Land Management. In response to the EIS for the 330,000 volt powerline currently being constructed east of Ginninderra Estate in Holt one representation noted that photographs were misleading and that therefore “no accurate or objective impression can be gained that might lead the minister to reach a reasonable conclusion with regard to the impact of the proposed powerlines on the estate”. Moreover, the EIS admits that potential social or economic impacts associated with the project were considered only through a desktop review without anyone actually visiting the site. Minister, why did you ignore warnings about misleading images designed to minimise potential impacts when you used your call-in powers to approve this project?

**MR GENTLEMAN:** I considered all of the evidence put to me by the experts in that decision.

**MISS C BURCH:** Minister, did you instruct anyone from the Planning and Land Authority to visit the site to verify the accuracy of the images in the EIS before you approved this project? If not, why not?

**MR GENTLEMAN:** No, as I said, I took the evidence provided by the experts and made my decision based on that evidence.

**MRS KIKKERT:** Minister, will you now visit Ginninderra Estate to observe the impact that the 49-metre-high steel towers are having on those who leased blocks and built homes there after you approved this project? If not, why not?

**MR GENTLEMAN:** I have visited the estate on several occasions.

### **Housing—Common Ground**

**MS CHEYNE:** My question is to the Minister for Housing and Suburban Development. Minister, can you please update the Assembly on the delivery of Canberra’s second Common Ground, in Dickson?

**MS BERRY:** I thank Ms Cheyne for the question on the delivery of this important election commitment. Recently I was joined by the Common Ground board and Minister Stephen-Smith, as well as residents and management of the first Common Ground, in Gungahlin, to release the concept designs and begin the pre-DA consultation for the second Common Ground, which is being built on the former Downer Club site in Dickson.

The concept designs carefully consider the community and stakeholder feedback gathered throughout 2018 as part of broader consultation around section 72. The design includes 40 class C adaptable units, with a mix of one, two and three-bedroom dwellings, and a flexible space on the ground floor with a range of potential uses, including community use.

To allow for all of these features to be built on the site, a variation to the Territory Plan is required, which is also currently open for public comment. Following the eight-week pre-DA community engagement period, Housing ACT will consider the feedback received and finalise the design documentation, with the intention to lodge a development application with the Planning and Land Authority by the end of the year.

The construction of Common Ground Dickson is expected to take between 12 and 18 months, and the first tenants are expected to move into their new homes by the end of 2021. The ACT government is delivering more social and affordable housing for Canberrans who need it, and Common Ground Dickson will provide long-term, secure and affordable housing for people experiencing chronic homelessness.

**MS CHEYNE:** Minister, how will this development build on the success of the first Common Ground in Gungahlin?

**MS BERRY:** Canberra's first Common Ground, in Gungahlin, which opened in 2015 with 40 one-bedroom units with both social and affordable homes and onsite support, has been an outstanding success. Since it opened, many residents have furthered their education, gone on to buy a property from the private market and experienced significant improvement in both their mental and general health. The latest data shows that 50 per cent of the social housing tenants engaged in employment and 25 per cent undertook training or education.

At the launch, I met with Greg, who is a tenant of Common Ground in Gungahlin. He was the second person to move into the Gungahlin Common Ground. He told me about how he used to constantly move between group homes before moving into Common Ground. Common Ground gave him the stability and the space he needed to work on his mental health and he has even returned now to his studies at CIT.

Common Ground Dickson will be a little bit different from the first Common Ground, being designed for, and providing services specific for, women, children and families. Addressing the needs of these cohorts is a key action of the ACT housing strategy, as new and emerging groups of vulnerable and homeless individuals.

The recent cohort study identified the support and accommodation requirements of people with high and complex needs, which helped inform the best housing model for Common Ground Dickson. Common Ground Dickson will build on the success of Common Ground Gungahlin and will provide social and affordable housing and the supports for a new cohort of women and families who need the assistance.

**MR COE:** Minister, what is the plan for the remainder of the government-owned blocks at section 72?

**MS BERRY:** I will have to take that question on notice. That is within the portfolio responsibilities of Rachel Stephen-Smith and I just do not have that information in front of me.

What I can say about the Common Ground in Dickson is that it will be important for the community and businesses to get involved. It will be a project that has, like

Gungahlin Common Ground, received generous support and contributions across Canberra to give tenants the best start in their new homes. More information on how businesses and builders can get involved will be outlined later this year.

**Mr Coe:** Point of order.

**MADAM SPEAKER:** Point of order. Minister, resume your seat.

**Mr Coe:** As important as this is, perhaps the minister could be directly relevant to the question, or be more relevant, by saying what would assist those in the proposed Common Ground to be adjacent to them in the other government-owned blocks.

**MADAM SPEAKER:** There is no point of order. She said at the very beginning that she would take the specifics of the question on notice. She was referring to the policy area of Common Ground.

**MS BERRY:** Over the next eight weeks, Housing ACT will be out in the community to talk in more detail about Common Ground Dickson, with concept designs and how to get involved. More details are currently available on the your say website.

I hope to see greater interest from businesses and the community in the development of Canberra's second Common Ground. I have seen the impact that the Common Ground model has had on residents and the success achieved by tenants over the long term. The ACT government is delivering on its election commitment to build a second Common Ground, in Dickson. I cannot wait for construction to begin next year.

## **Ministerial arrangements**

**MR BARR:** Madam Speaker, it has occurred to me that I neglected at the beginning of question time to observe that Minister Stephen-Smith is absent. I understand that that was well known, but I apologise. I will take questions in her portfolios.

## **Questions without notice**

### **Municipal services—littering**

**MS LAWDER:** My question is to the Minister for City Services. When was the decision made to remove the option to report littering or illegal dumping from the fix my street online portal, and why did the government make this decision?

**MR STEEL:** I thank the member for her question. I am happy to come back to her with some information. I believe it is still possible to report that type of activity. I will provide some information to the Assembly about that.

**MS LAWDER:** Minister, has the rate of littering or illegal dumping reporting decreased since the online reporting option was removed and, if so, by what margin or level has the rate of reporting decreased?

**MR STEEL:** I thank Ms Lawder for her very detailed question. I will come back with the specifics. But, more generally speaking, we have been out there very visibly in the

community, particularly with the compliance targeting team which has been targeting both illegal dumping and littering in the community, and that has led to a significant number of engagements and also quite significant fines being issued in relation to illegal dumping.

**MISS C BURCH:** Minister, how do you reconcile the removal of this reporting option with your stated aim to support a cleaner Canberra by reducing the amount of litter in our streets?

**MR STEEL:** I refer the member to my first answer.

### **Sport—GIO Stadium parking**

**MR MILLIGAN:** My question is to the Minister for Transport and Minister for City Services. Minister, as you would be aware, the Canberra Raiders and Rabbitohs preliminary final on Friday night has been sold out, with 20,000 fans expected to watch this blockbuster game at GIO Stadium. Minister, with only 3,000 car spaces at the venue what arrangements have you made to ensure that there are enough public transport options to get Canberrans to and from the stadium?

**MR BARR:** The arrangements for this match of course sit with Venues Canberra. There is free public transport provision for all ticket holders to the event. Additional buses have been put on to accommodate a crowd of that size. It is anticipated to be around 28,200, give or take five or ten people either way, with additional standing room capacity for around 1,200 made available. There is extra provision and there will be additional staff on to manage access to and from the venue before and after the match.

**MR MILLIGAN:** Chief Minister, will you target NRL fans with parking infringements once again this Friday night, noting your failure to provide adequate parking and public transport?

**MR BARR:** Firstly, the government and individual ministers are not targeting anyone. I need to make that very clear. Parking operations will seek to ensure that people park safely and legally. The last thing we want is, at the encouragement of the shadow minister, someone to be hit by a car or injured at the event. Particularly as this event will start and finish in darkness, we do not want there to be any illegal parking or unsafe parking at this event. There are more than enough additional buses being provided, with free transport.

I would remind Mr Milligan that the precinct, the venue, is in fact owned by the Australian government. It is not an ACT government venue. We do not have the capacity to provide car parking for 28,000 cars at the event. It is physically limited by the surrounds of the Australian Sports Commission and the Australian Institute of Sport. This line of questioning is juvenile and irresponsible, and reflects an alarming approach to public safety. Those who argued yesterday about abiding by the law now want to override that for the sake of a cheap headline, the sort of disgusting behaviour that we have come to expect from those opposite.

**MS CHEYNE:** Chief Minister, how would you recommend that people get to the game?

**MR BARR:** On free public transport or in their vehicles and park legally and appropriately.

### **Building—regulation**

**MR GUPTA:** My question is to the Minister for Building Quality Improvement. Minister, can you update the Assembly on the government's efforts to crack down on dodgy builders?

**MR RAMSAY:** I thank Mr Gupta for this important question. The government is committed to cracking down on dodgy builders and removing them from the industry. We are committed to giving the regulator the tools that he needs to ensure action against those who are doing the wrong thing. We are committed to resourcing the regulator to do this important work.

That is why we have doubled the size of the building inspectorate in the most recent budget. We have funded eight new inspectors to undertake around an extra 1,000 building inspections per year. This will allow the trial of the rapid regulatory response team to be made a permanent feature of the inspectorate and ensure that building inspectors are on site quickly.

We have also funded four staff to administer the nation-leading builders licensing exams, which multiple other jurisdictions are inquiring about to see how they may be implemented in their states and territories. It is just one of the practical measures that we have implemented to check that those who are seeking to become a builder and those who are renewing their licence have the skills and the abilities we expect in a highly technical, complex and regulated profession.

This government is serious about ensuring the high quality of buildings in Canberra. We will hold builders to account for any poor work that they do. We will soon hold the directors of building companies to account should they seek to avoid doing the right thing. We will seek to remove those from the industry who are building poorly.

**MR GUPTA:** Minister, can you update the Assembly on the actions the regulator has taken to hold builders to account?

**MR RAMSAY:** I thank Mr Gupta for the supplementary question. I am pleased that complaints about building quality are reducing. I have been clear, the regulator has been clear, and the government has been clear as well: poor quality and noncompliance with the law will not be tolerated.

Last financial year the rapid regulatory response team finalised 246 cases, referred a further 42 cases to other regulatory areas of government and referred an additional 64 matters for further investigation. So far this financial year the team has closed an additional 23 cases, referred five cases to other regulatory areas of government and referred 18 for further monitoring or investigation.

Last financial year Access Canberra issued demerit points against 50 construction occupations licensees, 11 notices of intention to issue a rectification order, three rectification orders, 10 directions to undertake building work and 29 stop-work notices. In addition, so far this financial year Access Canberra has issued two notices of intention to issue a rectification order, two rectification orders, two emergency rectification orders, two directions to undertake building work, 12 stop-work notices and four controlled activity orders.

Access Canberra's construction audit team is working to make sure that the industry is held to account and complying with their obligations. In 2018-19 Access Canberra's construction audit team conducted 402 energy efficiency rating audits, 147 site audits for building approvals, 112 site audits for development approvals, 91 certificates of occupancy audits and 28 cost of work assessment audits.

**MR PETTERSSON:** Minister, can you update the Assembly on why this action is important and what further action the government has planned?

**MR RAMSAY:** I thank Mr Pettersson for the important supplementary question. There is a reason that we regulate various professions. It is because we think that there should be a barrier to entry to ensure that what work is done is of the highest quality and that the work meets the needs of the community. That is why we undertook over 23,000 electrical inspections last financial year. It is why we undertook over 13,000 plumbing and over 3,000 gas inspections last financial year.

Canberrans rightly expect that one of the biggest investments that they will make in their lives will be up to scratch. The action that we are taking is vital to ensure that people can buy with the confidence that the product will be of a high quality and that if it is not the builder will be held to account.

This is why we are introducing broader powers for the regulator. They will include the ability to hold directors of building companies to account and make them liable for the rectification of defects should the company be wound up to limit liability. We will be giving the regulator power to enter into court enforceable undertakings with builders to have those issues resolved. It is why we will give the regulator the power to publish stop-work notices so that the community have more information available to them when they are shopping around for a builder.

We are also looking at alternative dispute mechanisms to make it easier for consumers to find solutions to building issues. This government is focused on finding practical solutions to improve the quality of building here in Canberra. We have resolved to ensure that those who seek to work in this regulated profession do what is required of them under their licence which gives them the privilege of doing this work for the benefit of the people of Canberra.

**Mr Barr:** I ask that all further questions be placed on the notice paper.

## **Leave of absence**

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

That leave of absence be granted to Ms Cody for today due to illness.

## **Integrity Commission—standing committee Membership**

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

That Mr Wall be discharged from the Standing Committee on the Integrity Commission and Ms Lee be appointed in his place.

## **Papers**

**Madam Speaker** presented the following paper:

Freedom of Information Act, pursuant to section 67—ACT Ombudsman—Report on the operation of the *Freedom of Information Act 2016—2018-19*, dated 30 September 2019.

**Mr Gentleman** presented the following paper:

Estimates 2019-2020—Select Committee—Report—Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020—Information in accordance with the Government response to Recommendations 62, 64, 65, 66, 67, 68 and 69.

## **Mental health—loneliness Discussion of matter of public importance**

**MADAM SPEAKER:** I have received letters from Ms Cheyne, Ms Cody, Mr Coe, Mr Gupta, Mr Hanson, Mrs Kikkert, Ms Lawder, Ms Le Couteur, Mr Milligan, Mr Pettersson and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms Le Couteur be submitted to the Assembly, namely:

The importance of considering loneliness as a public health issue.

**MS LE COUTEUR** (Murrumbidgee) (2.43): I thank the Assembly for choosing this topic, because it is a very important topic. I believe that loneliness is at the centre of many of the ills of our society. It is a serious issue, so serious that the UK appointed a minister for loneliness last year.

There is also ample academic evidence for this. Julianne Holt-Lunstad, Professor of Psychology and Neuroscience at Brigham Young University in Utah, USA, told the 125th annual convention of the American Psychological Association in 2017:

There is robust evidence that social isolation and loneliness significantly increase risk for premature mortality, and the magnitude of the risk exceeds that of many leading health indicators ...

She then cited data from two particular meta-analyses. The first found that greater social connection conferred a 50 per cent reduction in the risk of early death. The

second one examined 70 studies and concluded that social isolation, loneliness or living alone posed risks for premature death that were as big as or bigger than obesity, smoking—and that is smoking fewer than 15 cigarettes a day—or air pollution. She concluded:

... we are facing a 'loneliness epidemic.' The challenge we face now is what can be done about it.

Interestingly, looking at UK data, 16 to 24-year-olds report being more lonely than older age groups. Apart from teenage angst, it is possibly due to technology like texting and social media, which have made it easier to avoid forming real face-to-face relationships. They do have their place but they are not a substitute for real friendships and meaningful relationships.

The other group that is lonely is over 75-year-olds, where the rate of loneliness increases. Your friends may have died or you may have become isolated, and not capable of driving or phoning. Sometimes people have children that they can rely on, but often they do not, and their friends may be in similar states.

I have heard some very concerning stories where older people have been befriended by a carer who eventually moves into their house and gains full access to their finances. The older person may maintain the exploitative relationship with them because in the end it is much more important to have a friend rather than have control over their own life and finances. I have heard similar stories where an older person's family has taken over financial control, the older person has reached out to services for assistance, but in the end they decide that the risk of alienation from their family is too great to take effective action against financial exploitation.

These stories are really sad, and really highlight how important it is to have social connection. Humans are social animals. Older people, like all of us, just want to be able to talk to someone and feel that they matter to someone. This matters more as one nears the end of one's life, and for some people it becomes more important than anything else. Yet older people, and in particular older women, are often not respected by our community.

That is one of the reasons—the isolation of people—that I have been speaking so much about the need for local bus services and transport that are accessible to all of us, including those of us who cannot easily walk to a rapid. As we get older, we are more likely to become housebound and socially isolated. We need to have a transport system that can cater for all of us, not just the active members of the community who can walk and ride to their local bus stop, or people who are capable of driving. You have to remember that not all of us can drive, even if we want to, and even disregarding any environmental impacts. It is not an option for everybody, and we should not have a transport system which relies on people being capable of driving or walking a kilometre or more.

Loneliness is one reason that the ACT Greens worked to include home share for older Canberrans in our parliamentary agreement. We have not seen much action on this as yet. Home-share arrangements are brokered by third parties to bring together typically

an older person, or possibly disabled, living in a larger house, with a younger person, often a student. It is a win-win situation. The older person has company, possibly a little income and someone to help around the house, and the younger person has an affordable place to live. The two parties may well end up as friends.

I have seen documentaries and read about how the Netherlands have been accommodating students for free in aged-care homes in exchange for them spending 30 hours a month of their time acting as neighbours. Also in the Netherlands I have read about “chat aisles” in supermarkets where one check-out is dedicated to those who have a bit more time and want a chat as they purchase their groceries. These same supermarkets have coffee corners where you can expect to have a conversation with someone else. Of course, the Netherlands have been leading the way in bringing children into nursing homes.

Locally, I have heard about a Mr Erwin, who regularly sits on a bench at the Kaleen shops. Anyone who sits next to him can expect a conversation. I understand he is making a real difference in people’s lives simply by sitting on a bench and having a chat. Locally, the Red Cross has Telecross, which is a service which links people with an older person who they call every day in the morning for a chat and a check-in. Initiatives such as these do not have to cost a lot of money. They take some time and they can have a meaningful, positive impact.

Co-housing is another way to address loneliness. Co-housing communities are intentional communities with homes clustered around shared space. People who live there can still live their own separate private lives in individual dwellings, but they also have the opportunity to mingle and share. These are developed in a way to encourage this. They can also be more affordable because some facilities can be shared. For example, not everyone has to have a spare room. You can have some shared spare rooms, some shared laundry space or shared garden space. I am very pleased that three of the demonstration housing projects that the ACT government is looking at feature co-housing. I really do look forward to these coming to fruition.

As individuals, there are things that we can all do. We can get to know our neighbours better, share cuppas and build connections. Things like transition streets are good ways for neighbours and friends to come together and support each other to reduce their ecological footprint, save money and be more connected. Planting community gardens and food gardens is a good way of promoting and enabling social inclusion.

Men’s sheds are another great example, where men, who traditionally have not been very good at social connection and may well become isolated, can develop friendship circles and supportive networks that enable them to belong. These are important because rates of loneliness are often higher for men than for women.

Urban planners have a really significant role to play in this regard. Often apartments are built in such a way that you will never, ever see your neighbour. You will walk out of your front door and you will go down in the lift to the basement car park. We need to stop building isolated places like that.

We also need to make sure that everywhere there are public spaces, which includes some shared spaces for gatherings and interactions. We need to plan our city for social connectedness. We need to plan it so that people can easily get out of their dwelling, so that they can walk around, and that there are not impossible things such as six-lane highways that you simply cannot cross. One of the other issues is that, as you get older, it becomes more and more challenging to get across wide roads in the time allowed by the traffic lights. This can become a real issue for social isolation.

Doctors need to be trained to talk to patients about their social connectedness when conducting medical screenings, and schools need to put a lot of emphasis on social skills training.

There are lots of ways that strong communities can help people to lead better, happier lives. We currently live in an age of “connected loneliness” with social media. We do not often have neighbours borrowing the proverbial cup of sugar, but we should. It is a way of sharing resources more effectively and it is also a way of transforming a neighbourhood into a powerful resource in its own right.

Loneliness is a matter of public importance, it is a public health issue, and each and every one of us can do something to address it.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.53): I thank Ms Le Couteur for raising this important issue. Loneliness and disconnect can lead to poor health and mental health outcomes, which is why this government is looking to reduce loneliness and its effects. I am glad Ms Le Couteur mentioned planning, because one of the ways we can reduce loneliness is by planning for connected communities.

Single-person households have increased by 125 per cent from 1991 to 2016. It is the fastest growing household type in the ACT. At the last census 24 per cent of households in the ACT had only one person. The government wants to make sure that living alone does not necessarily mean being lonely. We want to make sure that those people who live alone are connected to each other and to their community.

By increasing the mix of housing choices in Canberra, we can ensure that people can find the right type of house and community for their life stage. For those empty nesters living alone, this may mean having more options for smaller houses in their existing suburbs. We have heard that Canberrans want to age in place, so downsizing should not mean moving away from your family, your friends, your GP or the area you know and love.

The government has developed guiding principles for policy regarding older Canberrans: age-friendly Canberra, a vision for our city. The government undertook extensive consultation with the community in developing these principles. We heard from our seniors that loneliness is one of their main concerns, and the ministerial advisory council on ageing has also been undertaking consultation and deliberation on the issue.

The first strategic aim of the vision is being involved, connected, and valued. It is the opposite of what loneliness is and it is what we are looking towards for all our senior Canberrans. It is forming part of our work in delivering the age-friendly city plan which will deliver a plan on how we continue to grow our city in a way where loneliness is addressed and we ensure that our senior Canberrans are connected. The minister for seniors expects to launch this plan in the first half of 2020. It will cover all areas of government from health to planning, city services to community services. It will provide a holistic plan on how we continue to build Canberra to be a city for all ages.

Those who live alone are not always the elderly; the 2016 census results show that young men and older women are the most common single-person households. Younger people who live alone should be able to buy or rent close to their work and close to friends and family. The government is committed to ensuring that people are connected to each other through effective planning. This means taking an evidence-based approach. It means thinking about our future, looking at how Canberrans are living, and planning the right housing mix for Canberrans. We cannot afford a one-size-fits-all approach to housing otherwise we will create disconnected communities. This means taking careful, considered approaches that provide people with the right choices at the right time.

**MS LAWDER** (Brindabella) (2.56): I thank Ms Le Couteur for bringing this important matter on for discussion today. Loneliness and isolation are public health issues. Over the years changes in our society have meant that we can isolate ourselves more, even in our own homes. You can drive home or catch the bus home—if you are lucky enough to have a bus near your house—get home, use a remote control to open a garage door, go inside, and you have everything you need inside your house. Our social interests can be met perhaps by surfing the internet. We watch the TV. We can get food and other services delivered. Back in the day you had a reason to go out to do your shopping but now you can even order your shopping online and get it home delivered.

Some people have over time increasingly isolated themselves. For other people loneliness and isolation are not choices; it is a situation they have found themselves in. As shadow minister for seniors I often hear about this from older Canberrans, but it is not only older people. People can become isolated for a range of other reasons, for example, disability, physical frailty, low socioeconomic situations and so on. According to recent data 21.8 per cent of people aged 65 and over in the ACT had not had face-to-face contact with a family or friend living in the same household within the same week.

Loneliness and social exclusion can also be brought on by government action, or even inaction, and that could be cost of living pressures which can help contribute to social isolation. For example, increasing rates, fees, charges and taxes mean that many Canberrans have less disposable income to spend, and the first thing to go for many people is their social interactions: their outings with friends, their visits to the cinema or going to a local coffee shop for a cup of coffee or a meal.

Another item that can really contribute to isolation and hence loneliness is lack of accessible public transport. For example, the recent very disappointing cancellation of many buses throughout Canberra, especially in Tuggeranong, has led to many people feeling isolated. I will read a letter I received recently from John of Wanniasa:

I do not drive and I have been reliant on buses in Canberra since 1969. When I first moved to Wanniasa in August 1980, I used to have to walk to Erindale to get a bus to my work at Russell.

He goes on with a few other complaints about the bus system and how he used to play tennis at Vikings Tuggeranong and use the bus to do that. Then he says:

If I want to go to Woden I now have a walk of some 800 metres to a stop on Langdon Crescent. Whereas, if I want to go to Tuggeranong my closest bus stop is about one kilometre away at Erindale. Both walks are arduous and involve quite steep decent or ascent for most of the journey.

Anyone who knows Wanniasa will know that it has some quite hilly areas. John goes on to say:

This has meant that I rarely venture from home and feel quite isolated. One of my next-door neighbours is widowed and in her late 70s—she remarked to me a few days ago that she felt isolated and was very troubled by the walk back from Erindale with her shopping.

I had a similar experience last week after shopping at Erindale and facing the walk back up the steep hill. A number of my neighbours are aged between mid 60s and older and they are similarly affected. We are all disillusioned with the rhetoric used to justify the significant changes. It now seems that if we are to contemplate a long walk to catch a bus, we also have to content with longer times and changing buses to reach our destination ... I feel very disillusioned with this whole matter.

I find it difficult not to get angry about the lack of thought for the public transport travelling the public. From my observations over some 50 odd years in Canberra the main people who seem to use bus services at non peak times are students, the elderly and unemployed, all of whom appear to be significantly disadvantaged by this new system.

This is just one of many complaints, letters and comments I have received about the bus system and its contributing factor in people feeling isolated in their own homes.

Accepting that loneliness is a public health issue and that it especially contributes towards mental health issues, what can be done to reduce it? Of course, as with many if not all—I am not 100 per cent positive—public health issues, prevention is usually better than cure. Removing the barriers to social inclusion will go a long way to reducing loneliness: making sure that our city is safe; providing adequate public transport; making it more affordable to live here; making sure the footpaths are in good repair to assist those with mobility impairment, especially but not only older Canberrans; making sure that there is less vandalism and littering because research

shows that people feel less safe in places where there is vandalism, littering and graffiti. These are the things that will help people to get out of their homes more and hopefully reduce isolation and loneliness.

There is also a role for neighbourhood events with people supporting each other in their own community, looking at ways to bring people together and creating a culture in local communities that encourages as well as makes it safe for residents to looking out for each other.

There is a mixture between ensuring people can get out—that is transport and many urban services facilities—and facilitating community engagement that we need to encourage more of in our community in Canberra. Those of us who still go to a place of work, either full time or part time, often get a lot of social interaction through our work place and people that we work with, but people who are not in the work force have fewer opportunities for these types of social engagements. It can be exacerbated by finances and other structural factors such as transport and urban services that I have already referred to.

Communities can play a part in checking on your neighbours, making sure you get to know your neighbours and especially doing something if you have not seen your neighbours for a few days. Many people I have spoken to since the recent bus changes say they pick up some of their elderly neighbours especially and take them to the shops because they know they are struggling to get there. It is a great community response that there are people who feel that they can assist their neighbours. But we cannot rely only on the good will of neighbours; we must also ensure that if the neighbours are away on holidays or something else those people have other ways of getting around.

I thank Ms Le Couteur for this matter of public importance today because it is a very real issue. It is a growing issue and one we will hear more and more about over the coming years.

**MS ORR** (Yerrabi—Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement) (3.05): I would like to thank Ms Le Couteur for raising this important topic for discussion before the Assembly today. Loneliness can affect anyone. However, it is important to recognise the ways in which people with disability are more likely to become chronically lonely. The impacts of social isolation and barriers are often faced in the daily lives of people with disability. It is important to reflect on what this government is doing to promote inclusivity within our community. Many of the barriers linked to community connectivity are practical, such as the need for accessible transport, access to public buildings and homes, and the provision of financial support and appropriate services.

This government recognises how our ageing population is impacted by loneliness due to lack of accessibility. I am pleased to see the increase in funding in the ACT seniors grants program. These grants provide funding for innovative projects that promote seniors as valued members of our community through their active participation in community life.

I look forward to working with my colleagues to address the systemic challenges that contribute to loneliness amongst Canberrans, particularly those with a disability. I believe that a lack of disability awareness contributes to the challenges faced by people with disability in meaningfully participating in the wider community. People with disability may often feel excluded from community, work and social events when thought is not given to accessibility. A lack of accessible information formats, as well as being excluded from information sharing, can mean that people with disability are unaware of events.

When physical accessibility to a particular venue is not communicated, people with disability may not feel welcomed to attend events, even when they know about them. A flight of stairs or a step into a venue may mean the difference between a person with disability being able to attend or not attend an event. Sometimes people without disability do not know how to interact with people with disability, so they ignore or avoid them. Sadly, sometimes exclusion can also be a deliberate choice.

Inclusion and equity are cornerstone values of the ACT government, as our vision is for the ACT to be an inclusive, welcoming society where everyone has the opportunity to fully participate in the social, cultural and economic life of our community. I am committed to working towards ensuring that Canberra is a more inclusive community and improving outcomes for people with disability in employment, justice, housing, health and education, and supporting the implementation of the national disability insurance scheme, the NDIS.

We are proud in the ACT that we are continuing to support people with disability, and their families and carers, with greater control to respond to their support needs and greater certainty that the funding will be there to ensure that their care and support needs are met through the NDIS. The ACT government has committed over \$716 million to the NDIS and will continue to advocate, through the commonwealth government, that the NDIS be fully funded and resourced to deliver on its promise of social inclusion for people with disability.

An important component of the NDIS is the information, linkages and capacity building stream of the scheme. ILC, as it is more commonly referred to, aims to achieve the following outcomes so that people with disability have the knowledge, skills and confidence to participate and contribute to the community; are connected and have the information they need to make choices and decisions; are able to use and benefit from the same mainstream services as everyone else; are able to use and benefit from the same community activities as everyone else; and can actively contribute to leading, shaping and influencing their community. We will continue to work with the commonwealth government to ensure that people with disability in the ACT benefit from these outcomes.

It is interesting to note that the United Kingdom is working to ensure that loneliness is acted upon as a public health priority at all levels. In October 2018 the government launched its loneliness strategy and appointed a new minister for loneliness to coordinate government action to address what they are calling the loneliness epidemic.

There are many ACT government initiatives where we make inclusion happen, such as the annual Connect and Participate Expo, which aims to address social exclusion in the community, especially amongst those who experience disadvantage and those who are at risk of social isolation. The expo showcases the range of opportunities available for Canberrans to join and participate in local interest groups and social clubs.

The disability justice strategy is part of the ACT government's vision for an inclusive society that gives everyone the chance to participate in community life and leaves no-one behind. The ACT disability reference group provides strategic whole-of-government advice on ways in which the ACT can be a more inclusive community for people with disability. In 2018-19 the disability reference group worked towards reinvigorating the ACT disability commitment; increasing the rate of employment of people with disability; achieving better health outcomes for Canberrans with disability; and reducing the disproportionate levels, and often adverse outcomes, of people with disability in the ACT justice systems.

The annual disability inclusion grant program aims to have a positive impact on the lives of people with disability and shift community attitudes towards inclusion. The grants allow community groups, organisations and small businesses to apply for grants that enable people with disability to better participate in and access services, businesses and groups in the community. A total of \$100,000 was available in the 2019 grant round, and I am looking forward to announcing the successful recipients in October 2019.

The ACT government is working with the Department of Social Services on the development of a national disability framework to replace the national disability strategy, which expires in 2020. The updated ACT disability commitment to the national disability strategy is called "Involved" and will be launched in 2019. The Involved platform has been shaped by the stakeholder engagement and consultation plan and will assist the mainstream community to be more inclusive, benefiting the 56,000 Canberrans with disability who are currently not eligible for the NDIS.

The Involved web platform will include information and detail about a range of ACT government strategic initiatives, including the partnership between the ACT Inclusion Council and the Canberra Business Chamber to generate jobs for people with disability; the work of ACTCOSS, ADACAS and other community partners on changing the health experience for people with disability; the supported decision-making project that Advocacy for Inclusion and ADACAS are working on, in partnership with government, to respond to the Law Reform Advisory Council recommendations on reform to guardianship; initiatives being progressed by the 23 successful disability inclusion grant applicants over 2017-18 and 2018-19; resources and information about disability housing options, including videos and summaries from the having a home forum in November 2018; progress on the activities within the first action plan of the ACT disability justice strategy; and work to inform and enhance the NDIS in the ACT.

The national disability strategy represents an important step in closing the gap between the lived experience of people with disability and the rest of the Australian

community. It will ensure that people with disability have every opportunity to fully participate in the social, cultural and economic life of our city. We know that Canberra is one of the most socially inclusive cities in Australia. I am proud to work with the rest of my colleagues in the Assembly to ensure that all Canberrans feel included and valued in our community.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.13): I am pleased to have an opportunity to discuss this matter today and I welcome Ms Le Couteur putting it on the agenda, because considering loneliness as a public health issue is an area we do need to draw more attention to. Some of the discussion today has underlined that fact. We need to look at ways that we can reduce loneliness and improve social inclusion, because it has a real impact on people's health and wellbeing.

Loneliness is increasingly being recognised worldwide as a critical social issue that can significantly affect people's quality of life and also impact on their physical and mental wellbeing. Loneliness is a subjective and unwelcome feeling of a lack or loss of companionship. The feeling occurs when there is a mismatch between the quantity and quality of social relationships that we desire and those that we actually experience.

It is often associated with social isolation, which is when people have minimal contact with others. However, it is also important to note that people with few social connections may not actually feel lonely and that, conversely, people can feel lonely when they are surrounded by others and have many social connections. That is perhaps an odd one to think about, but I am sure we can all think of a case where we might have observed that amongst people we know or have even experienced it ourselves. In addition to this, loneliness can be experienced at different levels of intensity and severity. While passing feelings of loneliness can be common, loneliness can become chronic and lead to a cycle of self-reinforcing negative thoughts. It can make it difficult for people to improve their social connections and improve their feelings of loneliness.

It is suggested that rates of loneliness are increasing in Australia and around the world. According to a report on loneliness in Australia released by the Australian Psychological Society and Swinburne University in 2018, one in four Australians are lonely. According to this study, compared to their less lonely counterparts, lonely Australians reported higher social anxiety and depression and poorer psychological health and quality of life.

These observations are consistent with international research that suggests a myriad of harmful effects on physical and mental wellbeing that are caused by loneliness. These include studies that have reported that loneliness can lead to an increased risk of developing depression, low self-esteem, difficulty sleeping and personality disorders. Loneliness is also a major risk factor that has been associated with suicide and suicidality.

Loneliness can be experienced at all life stages. However, people under 25 and the elderly appear to be the most at risk and experience the highest severity of loneliness.

The impacts of loneliness affect people differently, depending on their age and circumstances.

For younger people, it has been suggested that social media can displace real social interaction and trigger lonely feelings. There are studies that show a link between higher social media usage and self-reported loneliness. However, it is difficult to ascertain whether social media causes loneliness or lonely people are more likely to use social media.

For older people, those who are lonely are twice as likely to be admitted to residential aged care. In addition, compared to non-lonely individuals, lonely people are also more likely to suffer from cognitive decline and Alzheimer's disease. Given the high rates of depression and loneliness in aged-care facilities, this can further compound the issue and the health of older people.

All of these mental health impacts and the associated physical health impacts point to the emerging consensus that loneliness is a public health issue. This underscores the need to develop strategies across our communities to address the growing problem of loneliness. To effectively intervene, it is necessary to understand some of the causes of loneliness and junctures in people's lives where interventions can help. This is an area that is perhaps not entirely understood and in which there are not really obvious answers at the moment.

I note that people have made a lot of practical comments today. There are some really basic issues around a sense of community, a sense of participation, as well as some of the issues that, for example, Ms Le Couteur identified, such as how we plan our cities and the like. Reference has been made to the need for the ability to move around the city easily. These things are obvious at one level, but how we answer some of the individual cases is perhaps more challenging.

Because of the subjective nature of loneliness, it can be difficult to find specific causes to target. However there are some common causes that have been identified, which I have touched on today. Some of them are structural causes, such as communities' social and physical infrastructure or social and cultural factors, such as work-life balance, the rise of digital media, and even perceptions about talking to strangers. I appreciate the example of a chat aisle in a supermarket. For a lot of people these days there is a sense that it is not appropriate to just chat to people in the public domain or even to smile at them. These are probably unfortunate social trends that we perhaps individually need to take on, just to do our little bit to combat.

There are significant personal life events around transitions that can trigger lonely feelings. This can be things such as moving home or changing schools, the experience of family breakdown and, of course, bereavement. These can all act as triggers for chronic loneliness.

The risk factors also affect different population groups. For example, Aboriginal and Torres Strait Islander people can experience diminished connections to cultural support systems, such as kin, culture and country. This cultural exclusion affects

many aspects of health for Aboriginal and Torres Strait Islander people. It is, I think, a particular area for that community.

In our culturally and linguistically diverse communities, it is equally apparent the triggers that can drive a sense of social isolation and loneliness for people—if they do not speak English at a level they feel comfortable with or perhaps do not know many other people in their community. Whilst we have rich multicultural communities here in Canberra, some of them are quite small and it can be difficult to make some of those connections.

Having moved overseas myself, I know that you are still perhaps in a dominant cultural group in some sense but it can be difficult to make new friendships. And if you come here not speaking the language, perhaps coming from a really different culture, that can be such a strong barrier to having social connection. That is something we need to be really mindful of.

One theory that I think is really important, which is being worked on at the moment and can play a part in addressing some of these issues, is the development of the wellbeing indicators that the Chief Minister is leading at the moment. This is a very positive development on a number of fronts but particularly in measuring things that are not traditionally measured in the economic sense but which are really important to people.

Certainly it would be worth thinking about how we measure levels of social inclusion or loneliness as a counter to that. Trying to measure the sorts of things which really matter in our community is, I think, a real opportunity when it comes to these wellbeing indicators. I certainly look forward to working on that program. I know that my directorates are thinking quite carefully, in the particular areas for which I have responsibility and for which I connect to those directorates, through how to think about the wellbeing indicators and how to start to measure some of those less tangible but nonetheless really important factors that the wellbeing indicators point to.

This topic today has been a really interesting one. I have appreciated the contributions by various members. The remarks Ms Lawder made about how these days people shop online, can do a whole lot of things online and perhaps never have a reason to leave their house are an interesting commentary as well on how our lives are increasingly being designed to enable that sense of isolation. I think these are challenges that, as a community, we need to reflect on. While some of these things are enormously convenient, personally I quite like going down to the shops to get my groceries, because you do actually bump into people, whether it is friends or people who you just sort of bump into over the bananas, and end up in one of those little social interactions that can lift the heart a little.

It has been an interesting discussion today, and I thank members for their contributions. It has left us all with some food for thought.

*Discussion concluded.*

## Public Sector Management Amendment Bill 2019

Debate resumed from 1 August 2019, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MISS C BURCH** (Kurrajong) (3.23): Mr Assistant Speaker, I welcome the opportunity to speak on the proposed amendments to the Public Sector Management Act. I also welcome the clarification that this amendment brings regarding long service leave arrangements and the benefits that this clarification will bring to public servants accessing these entitlements.

The technical adjustments brought forward under the amendment, including the changes to the definition of “employee” to ensure that the Long Service Leave Act does not apply to a public employee, will help the administration and provision of long service leave entitlements within the ACT public service. By mandating that this law applies prospectively, the amendment allows ACT public sector employees currently accessing long service leave entitlements to do so under the arrangements most beneficial to them. I welcome the clarification provided by the insertion of a new definition of an eligible person under the act.

However, the Canberra Liberals will not be supporting the changes to the formalisation of information sharing to unions into territory legislation. Legislation that unduly increases the influence and power of certain groups over others, with no apparent benefit, is not good governance. Section 242A of the Public Sector Management Amendment Bill is yet another example of this.

We need to be absolutely clear what this is really about. This is not simply a move to align ACT legislation with the arrangements already in place under existing EBAs. Nor is it about strengthening the rights of ACT public servants. This is just another move to increase the stranglehold that the unions have over government here in the ACT. This is about expanding the power of the unions beyond what is necessary and beyond what is reasonable. It does this in several ways.

As a feature of enterprise bargaining agreements, the agreed framework put in place regarding the distribution of new starter public servants’ private information to the unions is also a key part of the negotiation process. This means that public servants are able to have a say as to how and where the information of new colleagues is distributed, and how that option appears in their contracts. As the explanatory statement reads:

The decision to adopt the ‘opt out’ system was negotiated as part of the enterprise bargaining agreement and selected as the preferred option.

However, section 242A of this amendment effectively removes that option to have the opt-out information sharing arrangement renegotiated as part of future enterprise bargaining agreements, disproportionately increasing the bargaining power of the unions during future negotiations. This arbitrary increase to union bargaining power does not come with any net benefits to public servants or their workplace conditions.

The formalisation of information sharing into territory law also unreasonably limits an individual's right to privacy and reputation. The JACS scrutiny report alluded to these privacy concerns, stating:

... the collation of the information for presentation to unions may itself be considered disclosure of private information and hence a limit on the protection against the unreasonable interference with privacy protected under section 12 of the HRA—

the Human Rights Act.

The amendment also explicitly states that the personal information and data will only be provided to the relevant unions as defined in enterprise agreements. However, as just one example, the ACT Public Sector Administrative and Related Classifications Enterprise Agreement covers 14 unions, and new starter information would be provided to any number of those 14 unions. Section 242A would remove the option to renegotiate this arrangement at the expiration of the current EBA.

It makes sense that if there are to be arrangements which may limit human rights or privacy as defined under the law then decisions regarding those arrangements should be negotiated with the people the change directly impacts. It is hypocritical of this government to claim to be the party of the worker and then choose to undermine the fundamental right of public servants to doggedly pursue their radical union agenda.

If the government were truly interested in reasonably minimising the human rights impacts that this amendment would have on public servants then the amendment would mandate that the opt-out section of the EBA would also be explained in languages other than English. This would ensure that new starter public servants who are linguistically diverse would not unwittingly elect to have their information shared without their full understanding or consent. Given that over 17 per cent of ACT public servants identified as culturally and linguistically diverse in the last *State of the Service* report, it is vitally important that future public servants are properly informed of their rights to opt out of this legislation.

What is perhaps just as concerning is the safety and security of public servants' private and personal data by these unions. Despite unions being covered under commonwealth privacy provisions, the track record of unions with regard to adhering to the letter of the law raises major concerns as to where and how the personal data of public servants is stored and used. There is, of course, no shortage of media stories and legal cases that illustrate this point, from allegations of violent assault to allegations of shady donations and corruption. The militant unions continue to prove that they do not think they are above breaking the law for their own gain. What is to stop them from misusing personal data to this same end?

This government has a track record of being weak on transparency and questionable on integrity matters. I cannot imagine Mr Barr holding his union mates to account on either. Over the course of Mr Barr's term as Chief Minister, we have seen the deliberate and systemic formalisation of union oversight and power through territory legislation. The ACT government is slowly but surely relinquishing its power to the

unions by mandating their involvement in everything from workplace health and safety training to their appearances at Magistrates Court fair work matters. Bit by bit, unions are becoming less accountable to the law, increasingly able to have a say on who works where and for how long. What is worse, throughout all of this, it is not the unions who bear the cost; it is the small businesses of Canberra and Canberra ratepayers who are burdened with the cost of this union creep.

Given the track record of this government and the disgraceful behaviour of unions that this government continues to endorse, I cannot help but call into question the government's motives for formalising this arrangement in territory legislation. If the Chief Minister were genuinely concerned about the rights of public servants in the enterprise bargaining process, there would be no need for section 242A, particularly given that these arrangements are already provided for within existing EBAs. Instead, what we have seen here is an amendment that reflects just how beholden the government is to its union puppet-masters.

We should not be surprised, however. This is not the first time that Mr Barr and his government have failed public servants and put their union mates ahead of Canberrans. When Mr Barr had the opportunity in 2018 to stand up for public servants and make meaningful reform on public interest disclosure laws, he refused. It took the establishment of an integrity commission for him to consider reviews into whistleblower protections.

Interestingly, one of the only other jurisdictions with similar union information sharing arrangements is Queensland, which is currently under the direction of a similarly woeful Labor government at the behest of the unions. We should not be looking to the Palaszczuk government for inspiration on how to govern effectively or with integrity, because they are not the gold standard in either regard.

We will not be supporting the Public Sector Management Amendment Bill in its current form. The arrangements proposed under section 242A undermine the enterprise bargaining process, unduly strengthen the power of unions without reason and could pose serious security threats to the personal data of public servants. By authorising user data information under territory legislation, these amendments unreasonably limit the rights to privacy and reputation by removing them from the enterprise bargaining process. It is clear that, just as the unions have long failed to stand up for the rights of workers across the territory, so too has this government stopped governing for all Canberrans, particularly our hardworking public servants.

**MR RATTENBURY** (Kurrajong) (3.31): In somewhat of a contrast to the last speech, the Greens will be supporting the Public Sector Management Amendment Bill. The bill amends several areas across legislation which will serve to align and clarify a range of matters for the ACT public service. Our public servants work across the territory to provide policy, strategic and front-line advice and services for the benefit of the Canberra community. This bill helps to ensure the proper management of conditions and processes for our hardworking ACT government employees.

The bill makes clear the citizenship and permanent residency requirements for ACT public service employees, and other technical amendments to improve human

resources, recruitment and promotion processes within the service. Amendments in the bill make adjustments to clarify long service leave arrangements for ACT public servants, particularly relating to the Long Service Leave Act and the public sector management standards. No current or future public servants should be worse off from the proposed long service leave amendments.

The provision of contact details of new employees to the relevant union has already been considered as part of the enterprise bargaining agreements, as noted by the Chief Minister. Unions offer valuable services and resources for workplace safety, fairness and wellbeing, and we agree that it is reasonable that all new employees are made aware of the union applicable to their workplace.

There are privacy concerns about the provision of employee contact details to unions, but we accept that the government has taken steps to minimise risks to privacy, such as only providing the work-specific information of the new employee and allowing employees to opt out of this process. I think these are appropriate considerations. If one thinks about the way the Human Rights Act operates, it is a balancing test. I think that appropriate protections have been put in place that enable people to be given access to this information, whilst at the same time appropriately protecting their privacy.

Certainly, the Public Sector Management Act allows for the provision of reasonable and equitable processes and guidelines for the ACT public service. The amendments in this bill make changes to streamline and clarify sections of the relevant acts. I think that, on balance, these are all improvements to the Public Sector Management Act, and we are pleased to support the bill today.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.33), in reply: I thank Mr Rattenbury for his comments. I probably need to thank the HR Nicholls Society and the Institute of Public Affairs for the comments from Miss C Burch. They would appear to have been written with membership of those two august institutions in mind.

I do not think it is worth spending too much of the Assembly's time this afternoon debating centuries-old industrial relations and anti-industrial relations, hard-line positions and anti-union rhetoric that we have come to expect. Miss C Burch seems to want to position herself at the extreme right of the nation's industrial relations debate. That is her choice.

I would simply remind members that it is clear in the amendments contained in section 242A that the information relates to ACT government email addresses and phone numbers, not an individual employee's private email or private contact details, and that anyone who works for government in the public service will have a work email and phone address. That is not their personal information; that is related to their public service employment. I think that that distinction in the legislation is quite clear; so the sort of scaremongering coming from Miss C Burch is perhaps not really worthy of any further comment. I commend the legislation to the Assembly and I thank the majority of members for their support of the bill.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 10

Noes 7

Mr Barr	Mr Pettersson	Miss C Burch	Mr Wall
Ms J Burch	Mr Ramsay	Mr Coe	
Ms Cheyne	Mr Rattenbury	Mrs Jones	
Mr Gupta	Mr Steel	Mrs Kikkert	
Ms Le Couteur		Ms Lawder	
Ms Orr		Mr Milligan	

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## Freedom of Information Amendment Bill 2019

Debate resumed from 1 August 2019, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

**MRS JONES** (Murrumbidgee) (3.40): Madam Speaker, the Canberra Liberals have been longstanding supporters of FOI reform and we will be supporting this bill. My colleague Mrs Dunne has been deeply involved in the development and delivery of many of the reforms that were passed at the end of the last term and we continue to work to improve this system. We have warned previously that we would not support bills which seek to water down the good work that was done on those reforms.

However, we will support amendments which seek to make the FOI regime more effective in a practical sense, which is what appears to be the case with the current amendment bill. As was described in the tabling of this bill, the ACT Ombudsman reported that in the first six months of operation of the new act there was an increase in applications of approximately 20 per cent.

A survey conducted by information access commissioners showed that 90 per cent of ACT respondents said that it was important to have the right access to information held by the ACT government. Seventy-seven per cent were aware of their rights and around 80 per cent of all applicants were successful. That is a good record, but we are always open to making the system even better, and it appears that there is room to make this system better.

In his presentation speech, Mr Ramsay said that the government had created a working group to monitor the rollout of the new act. He said:

The working group has identified areas where the Freedom of Information Act could be improved to increase the efficiency of processing and provide greater flexibility for agencies to manage increased workloads under the act. The Ombudsman has also requested amendments to the act to address administrative issues, particularly relating to the processing of review applications by his office.

We are told that the results from this group and feedback from the Ombudsman have driven these changes. In summary, they include amendments to clarify the process where agencies are not able to contact an applicant; clarify the process to confirm that an applicant wishes to proceed where an estimate of fees has been issued; allow the Ombudsman to grant longer extensions for processing where it is reasonable and necessary, subject to conditions where appropriate; allow deferral where the information was created with the intention that it be formally published within a stated time but publication has not yet occurred; clarify issues relating to budget papers where interpretations of terminology or issues of timing have been unclear; allow the Ombudsman to resolve applications informally between the parties or through mediation before proceeding to a formal review of a decision; and align grounds for refusal by agencies with grounds used by respondents, supervised by the Ombudsman.

No issues have been raised by the legal profession or stakeholder groups. These do appear to be genuine suggestions for improvements from those working with the act on a day by day basis.

Given the increase in awareness of and demand for these services; that these changes have arisen from feedback from the working group, which includes users, agencies, and the Ombudsman; and our ongoing commitment to transparent government, the Canberra Liberals support this bill.

**MR RATTENBURY** (Kurrajong) (3.44): The ACT Greens will be supporting the amendments today to the Freedom of Information Act. The FOI Act has been something of a labour of love for the Greens over many years and its passage through this place in the last term of the Assembly as a key parliamentary agreement item is something that we are still really proud of and which has made an important difference.

It has set a new standard for FOI legislation here in the territory, providing both greater levels of access and also the “push” model. That was a particularly important reform and one that, as I said at the time, was very much about culture change as much as legislative change. That is something that we are still developing here in the territory.

The bill before us seeks to manage a range of practical changes that I am broadly supportive of, so I do not intend to speak to each of the individual items. Mrs Jones has touched on that to some extent, as has the Attorney in his remarks.

These amendments will support agencies to streamline requests, provide greater clarity to applicants and respondents alike regarding statutory timelines and schedules,

and support the Ombudsman to seek to resolve applications for review informally between the parties or through mediation before proceeding to a formal review of a decision.

The bill as a whole is designed to improve the act and has been worked on over a period of time and with ongoing feedback from the ACT public service, in particular the directorates that are dealing with the most complex FOI requests, namely Community Services, and Health.

I thank the Attorney-General for his approach to these amendments; the officials in the Justice and Community Safety Directorate for their work on sensitively and sensibly engaging with both my office and a range of stakeholders in the development of the bill; and the government for the careful approach it is taking to amending the FOI Act to reflect the original spirit of the legislation and also to acknowledge that, as the rubber has hit the road, certain questions have come up and certain difficulties have arisen. I think that it is appropriate that there are adjustments as we go that are consistent with what we are trying to achieve in this legislation but make the practical job of implementing it easier. We are pleased to support the bill today.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (3.46), in reply: I start by thanking both Mrs Jones and Mr Rattenbury for their contributions and for their support of this bill, which is seeking to make minor but important amendments to the way that the Freedom of Information Act works.

I also thank the scrutiny committee for its comments and for its inquiries about matters. As part of that, I would like to table a revised explanatory statement responding to the matters that arose.

I am pleased to speak on and to summarise the debate in relation to the Freedom of Information Amendment Bill. It makes some important amendments to the Freedom of Information Act. They will improve the operation of the Freedom of Information regime here in the ACT. I reiterate that the amendments proposed by this bill will not undermine in any way the existing rights of people to access information or cause delays in processing applications.

The bill does not affect the scope of information that is required to be disclosed under the act. Rather, the purpose of the bill is simply to help the existing freedom of information regime work more smoothly and more efficiently. The bill proposes amendments to the act that will streamline the processing of the freedom of information applications and reviews. In particular, it will help agencies to focus on tasks that have direct benefits for the applicants. Given the detail that I spoke to at the time of introduction and the comments that Mrs Jones has made, it is not my intention to work through the details of the legislation. They are well on the record here.

Here in the ACT we can be proud of our freedom of information scheme. It genuinely promotes disclosure and it improves the transparency of government. It is vital that we ensure that the scheme works efficiently and effectively so that we can get the

information of government to people who request it without wasting precious resources on administrative processes that do not serve the public interest.

We want to make sure that our freedom of information regime is sustainable into the future and that we continue to build a culture of openness and accountability right across the ACT government. This bill will help to achieve that vision. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Adjournment**

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

That the Assembly do now adjourn.

### **Legislative Assembly—work experience Women—leadership**

**MR MILLIGAN** (Yerrabi) (3.49): Today I rise to present an adjournment speech written by the youngest member of my team, Wanin Tessema. Wanin has been working in my office this week as part of her work experience placement for St John Paul College in Nicholls. She has been working very hard on a report on the Aboriginal and Torres Strait Islander Elected Body annual hearings. Wanin has been reviewing and tracking their recommendations to identify patterns and emerging issues.

Wanin has also helped to draft questions on notice for my portfolio of sport and recreation. She has attended meetings with peak bodies, and tomorrow she will be spending the day with me out in the electorate. It has been great having a new member of the team; it has added a real vibrancy to the office this week, and I sincerely appreciate Wanin's effort and contribution.

Today Wanin has asked me to report to you, Mr Assistant Speaker on an event she recently attended. On 5 September Wanin was a participant in the 2019 women and law enforcement conference in Canberra. As part of the conference they hosted the aspiring young leaders forum where young women in grades 11 and 12 from across Canberra participated. The conference theme, "Collaboration: the future belongs to us", focused on how leadership can be fostered in young women.

The forum provided young women like Wanin an opportunity to assess appropriate high-level development, inspirational and de-stressing opportunities. The forum discussed issues such as the lack of female representation in the Australian Federal

Police and law enforcement community, but it also focused on ways to empower young girls and women, the ultimate aim being that they can excel in whatever they do.

Wanin wanted me to reinforce the point that in every community there are young girls brimming with talent and creativity and it is the responsibility of the community to foster their growth and mentor them in their journey. Investing in young women's leadership will not only change the trajectory of their future but also their communities as well. The day equipped the young leaders with various skills to exercise the power of their voices through different workshops, talks and activities.

This is a nice link to Wanin's work experience at the ACT Legislative Assembly. Wanin has previously participated in debates and activities here through her school, but I hope this week has given another level of insight into the operations and business of our local government. Wanin has hopefully seen that this place gives a voice to our community.

We have a broad range of ages, good gender representation and generally a good spread of diversity across both sides of the chamber. Still, we can always improve and learn, and I have enjoyed learning from Wanin this week. I thank Wanin for her work in the office, for writing this speech and contributing to the team as a whole.

### **Yerrabi electorate**

**MS ORR** (Yerrabi) (3.53): I take this opportunity to update the Assembly on recent events in my electorate of which I had the privilege of being a part. It is no secret that I am a big supporter of the Gungahlin Jets and in the past two weeks, I have had the pleasure of being part of two of their end-of-season awards nights. Last Saturday I had the honour of attending and addressing the Jet's netball presentation night. It was an excellent night and it was wonderful getting to meet and celebrate with so many of the active, strong, passionate and all-round amazing young girls and women.

On Saturday, 14 September I also attended the Jet's football awards night. This was another great night and I thoroughly enjoyed meeting and spending time with some of the amazing members of the Yerrabi community who are incredibly passionate about both their sport and their community.

For me the highlight of the night was seeing Louise Hambleton win Jet of the Year. Louise has worked tirelessly to make Gungahlin Jets the amazing club it is. As a leader of the club she always strives to make sure that every club member feels valued, safe and included in all aspects of the club. It was extremely heartwarming to see Louise recognised for her passion and dedication to the club. Louise is incredibly deserving of this award and I once again give her my wholehearted congratulations.

On 18 August I made it out to Nicholls to attend the fifth independence day cup, just one of the iconic Yerrabi community sporting events of the year.

On Sunday, 15 September I also had the pleasure of joining the members of the Federation of Indian Associations for their annual cricket awards ceremony.

FINACT runs the largest community cricket tournament in the ACT with 14 teams competing in this year's competition. It was wonderful to come together with Canberra's Indian community to celebrate so many young Canberrans and all their achievements over the course of the tournament.

I was delighted to join the people of Gungahlin in enjoying Floriade in the suburbs, a fantastic event where Floriade grows out of Commonwealth Park and begins popping up in town centres all over the ACT. Along with Floyd the pink gnome and classic flower displays, Gungahlin's multicultural community also had a strong presence on the day. There was belly dancing, Bollywood dancing and live music from young local artists. With an increase in demand every year for festivals like Floriade it is encouraging to see the introduction of events like Floriade in the suburbs so that everyone can have a chance to join in on the fun.

I also inform the Assembly that since 7 September Moncrieff has had its very own community book box. I was lucky enough to attend the grand opening of this brilliant local initiative at the Wagi Bridge in support of National Indigenous Literacy Day, a celebration of Indigenous culture, stories, language and literacy. Naturally, everyone involved got the opportunity to taste some authentic bush tucker and learn about the local Aboriginal culture through storytelling and literacy.

Finally, on 3 September I was invited to tour the Canberra Organic Growers Society's Mitchell community gardens, an invaluable institution which provides the local community with space to grow fresh produce for themselves and socialise with one another. Narelle, the garden manager, showed me around the garden, which was flourishing in this beautiful spring weather. My hope is that the Mitchell community garden's success inspires similar gardens across Gungahlin as our population continues to grow.

Clearly Yerrabi has been buzzing with activity these past couple of weeks and I am looking forward to getting back out in my electorate at the conclusion of this sitting period.

### **Multicultural affairs—Canberra Moon Festival**

**MR GUPTA (Yerrabi) (3.56):** Today I am delighted to bring to the attention of the Assembly the hard work and dedication of many individuals who organised a fantastic and highly successful event held right in the heart of the city—the 2019 Canberra Moon Festival, organised by Fun Canberra.

Before I go into detail about this wonderful event and community organisation, I would first like to acknowledge the presence of some of the great organisers of the Canberra Moon Festival who are here in the gallery today. In particular, I would like to acknowledge and thank Ms Suzana Li. Suzana is the founder of Fun Canberra and Canberra Moon Festival. Suzana and her dedicated team of volunteers have worked tirelessly to organise and operate the Canberra Moon Festival, which is now in its third year. It is through the selflessness, dedication and hard work of Suzana and her team members, Anita Yen, Iris Tang, Joanna Li, Greg Zhao and Eric Chen, along with

many more people who could not make it here today, that the Canberra Moon Festival has become such a successful event which brings life to our city.

The Canberra Moon Festival is the first multi-Asian cultural festival event held in Canberra. Canberra Moon Festival is an annual event which celebrates the traditional mid-autumn festival, a period in the lunar calendar and in many Asian cultures which celebrates harvest and reunion. Traditionally, the mid-autumn festival is celebrated through outdoor gatherings among friends and family, who eat mooncakes and watch the moon, which is considered to be a symbol of harmony and unity.

The Canberra Moon Festival takes these traditional celebrations of the mid-autumn festival and combines them into a three-day event held in the heart of the city that the whole community can come and enjoy. This year the Canberra Moon Festival featured over 20 local food, product and carnival vendors, as well as multicultural programs and performances from over six local community organisations.

I had the privilege of attending the Canberra Moon Festival earlier this month, to meet Suzana and her team, and I can truly attest to how fantastic the festival was. The vibrancy, atmosphere and sense of community were unmistakable. It was warming to see the diversity of people attending the festival—those who celebrate the mid-autumn festival and those who do not. It was a truly inclusive and uplifting atmosphere. I was kindly gifted some hand-crafted mooncakes, which were very delicious.

The event was so great that I returned the next day with my family so that they could experience the event as well. It was lovely to see so many other Canberra families doing the same thing.

One of the greatest things about the Canberra Moon Festival is the sense of community and inclusion that it brings to our city. As I have mentioned before, I am deeply passionate about ensuring that our community is welcoming and inclusive to people of all backgrounds. Canberra Moon Festival is an event which truly brings people from all communities together in celebration. The 2019 theme was “One community, one world, one big family”, which truly captures the spirit of Canberra Moon Festival and its aim of creating a welcoming environment for all Canberrans.

The Canberra Moon Festival is just one of the great initiatives that Fun Canberra organises to increase cultural connection and celebration in our city. Fun Canberra is a not-for-profit organisation which acts as an Asian multicultural community hub, run by Canberra locals. Fun Canberra works on various cultural-related projects and programs to expose different cultures to Canberra in a fun and attractive way, guided by the value that many conflicts and misunderstandings can be avoided by understanding cultural diversity through education and communication. The work that Fun Canberra is doing to champion cultural understanding in our community is incredible, and I wish to acknowledge their great and ongoing contribution to our city.

In conclusion, as members of this Assembly are aware, Canberra has a diverse and vibrant multicultural community. The Canberra Moon Festival, and further work that Fun Canberra continue to do in our city to champion multicultural understanding, is

highly inspiring and commendable. It is important that we encourage inspired community events and organisations like Fun Canberra to continue the work that they are doing and thank them for increasing the vibrancy and acceptance of diversity in our community. I would also like to thank the many sponsors for their support. I would like to sincerely thank them for the work that they do. I look forward to attending the Canberra Moon Festival with my family for many years to come.

### **HeadsUp—fundraising event**

**MS CHEYNE** (Ginninderra) (4.02): I want to put on the record the existence and the creation of the HeadsUp Charity Market Fair, which was held last Saturday from 11 am until 3 pm at the St James Anglican Church in Holt. The purpose of this market was to raise funds for local Canberra charity HeadsUp. HeadsUp is a not-for-profit service. It is run by trained volunteers for women who have lost their hair from the effects of chemotherapy, alopecia or surgery. Not only do they sell wigs, hats, scarves and other beautiful headwear and accessories; they are the place that women turn to when they need help with hair loss, as well as those who might have hair and have some questions about how to manage it.

This market was put together by Beth Lefevre, who you might remember I spoke about in detail last week when we were discussing the fertility preservation clinic for patients of a reproductive age who may have cancer. HeadsUp was one of the first charities to support Beth in more than just headwear when she was diagnosed with breast cancer at the age of 33. It was an absolute pleasure not only to spend some time with Beth at the fair but also to meet the many volunteers behind HeadsUp who have done an extraordinary job in supporting women through a very difficult time, on top of what else they might be going through with any diagnosis.

There were quite a variety of local business market stalls there. As well as paintings, there was a fantastic raffle with a huge number of prizes, which I believe were donated from organisations such as the Walk In Aviary, the National Dinosaur Museum, Astral Float Studio, Clonakilla wines, Capital Brewing Co, Cockington Green, the Canberra Southern Cross Club, Handmade by Lesley, the Riddle Room, Adore Tea, the Caremore Pharmacy in Kippax, the Wombat Den, Essen's Gem, Questacon and more.

It was fantastic to see all of these organisations come on board in donating these raffle prizes. It was also fantastic to see Bosom Buddies there with a presence. They had some latex breasts that you could touch to work out whether a breast may have a cancer in it or not, so that women and men who are doing their own checks at home could have an understanding of the different types and the different ways that cancers can appear within the breast and what are the signs to look for.

Bosom Buddies also hosted a raffle. They raffled off a lovely pink woollen blanket, donated by the National Arboretum. I was very pleased to win that raffle. Unfortunately, the jumping castle was cancelled due to the rain, but there were plenty of kids' activities. There was a mock riddle room made up for the kids, there was a barbecue lunch, a devonshire tea and a variety of other games and activities for everybody. All of the money raised went to HeadsUp in Kippax.

It was a really lovely event, and the warmth there was absolutely palpable. I know that, given the support that HeadsUp has given Beth and many other women, it was very important for Beth to be able to pay it forward—to not only raise money to help the service but also to increase awareness in the wider Canberra community. I want to put on the record my thanks to her and all of the volunteers and businesses that came along that day in support of bringing such an important charity—and it is a registered charity—to the attention of the broader community. It was a great wet weather day, and it was a pleasure to support it.

Question resolved in the affirmative.

**The Assembly adjourned at 4.07 pm until Tuesday, 22 October 2019, at 10 am.**

## Schedule of amendments

### Schedule 1

#### Animal Welfare Legislation Amendment Bill 2019

##### Amendments moved by the Minister for City Services

1

##### Clause 2 (1), last dot point

Page 2, line 19—

*omit last dot point, substitute*

- parts 8 to 11.

2

##### Clause 3, proposed new dot points

Page 3, line 11—

*insert*

- *Major Events Act 2014*
- *Nature Conservation Act 2014*
- *Public Pools Act 2015*

3

##### Clause 6

##### Proposed new section 6A, definition of *confine*

Page 5, line 15—

*omit the definition, substitute*

***confine***, an animal, means—

- (a) enclose the animal in a pen, vehicle, cage, box or other container or small space; or
- (b) otherwise limit or restrict the animal's freedom of movement, including by—
  - (i) tying up the animal; or
  - (ii) using a device on the animal; or
  - (iii) impairing the animal.

##### **Examples—device**

hood, bridle, tether

##### **Example—impairing animal**

clipping the feathers of a bird's wing

4

##### Clause 6

##### Proposed new section 6D (1) (b)

Page 7, line 18—

*omit*

are unhygienic

*substitute*

is unhygienic

5

**Clause 11****Proposed new section 9 (1) (b)**

Page 11, line 16—

*omit*

injury or pain

*substitute*

injury, pain or death

6

**Clause 11****Proposed new section 9 (3), example 2**

Page 12, line 4—

*omit*

wild

7

**Clause 11****Proposed new section 9 (4), new example**

Page 12, line 13—

*insert***Example**

locking an animal in a hot car

8

**Clause 18****Proposed new section 15**

Page 17, line 3—

*omit proposed new section 15, substitute***15 Transport of animals—generally**

- (1) A person commits an offence if the person transports an animal in a way that causes, or is likely to cause, the death of or unnecessary injury, pain or stress to the animal.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

- (2) In this section:

***transport***, an animal, includes—

- (a) carry the animal in a moving vehicle by itself or with other animals; and  
 (b) confine the animal for the purpose of carrying the animal in a vehicle.

9

**Proposed new clauses 18A and 18B**

Page 17, line 11—

*insert***18A Transport of dogs  
Section 15A (1)***substitute*

- (1) A person commits an offence if—
- (a) the person carries a dog in or on a moving vehicle on a road or road related area; and

- (b) the dog is not restrained in a way that—
  - (i) prevents the dog from moving around, out of or off the vehicle; and
  - (ii) protects the dog from injury when in or on the vehicle.

Maximum penalty: 20 penalty units.

*Note 1* It is an offence to confine a dog in or on a vehicle if the confinement causes, or is likely to cause the dog injury, pain, stress or death (see s 9 (4)).

*Note 2* The *Road Transport (Public Passenger Services) Regulation 2002* contains offences about confining animals (other than assistance animals) travelling in light rail vehicles (see that regulation, s 70AAD) and bookable vehicles (see that regulation, s 221W and s 227).

- (1A) This section does not apply—
  - (a) if the dog—
    - (i) is an assistance animal, or is being trained or assessed as, an assistance animal; and
    - (ii) is in the vehicle; or
  - (b) if the dog is being used to work livestock; or
  - (c) to a circumstance prescribed by regulation.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (1A) (see Criminal Code, s 58).

## **18B Section 15A (3), new definitions**

*insert*

**assistance animal**—see the *Discrimination Act 1991*, section 5AA (3).

**public passenger vehicle**—see the *Road Transport (Public Passenger Services) Act 2001*, dictionary.

**restrain**, a dog in relation to a vehicle, means—

- (a) using a harness or similar device to secure the dog to the vehicle; or
- (b) putting the dog in an enclosure in or on the vehicle.

**vehicle** does not include a public passenger vehicle.

10

**Clause 79**

**Proposed new section 86E (2)**

**Page 53, line 17—**

*after*

the person

*insert*

individually or jointly with another person

11

**Clause 122**

**Proposed new section 106C**

**Page 80, line 12—**

*omit proposed new section 106C, substitute*

## **106C Rights of people accompanied by assistance animals**

A person does not commit an offence only because the person—

- (a) is accompanied by an assistance animal; and

- (b) takes the animal onto or into, or allows the animal to enter, a public place or public premises.

12

Proposed new parts 9 to 11

Page 89—

*after the table, insert*

## Part 9 Major Events Act 2014

### 133 Meaning of *prohibited item* Section 12 (1), definition of *prohibited item*, paragraph (a) (xviii) (A)

*substitute*

- (A) if a person is accompanied by an assistance animal—the animal; or

### 134 Section 12 (2), new definitions

*insert*

*accompanied by an assistance animal*—a person is *accompanied by an assistance animal* if the person—

- (a) is a person with disability and is accompanied by an assistance animal that is assisting the person to alleviate the effect of the disability; or
- (b) is an assistance animal trainer and is accompanied by an animal that is being trained as an assistance animal; or
- (c) is an assistance animal assessor and is accompanied by an animal that is being assessed as an assistance animal.

*assistance animal*—see the *Discrimination Act 1991*, section 5AA (3).

*assistance animal assessor*—see the *Domestic Animals Act 2000*, section 94.

*assistance animal trainer*—see the *Domestic Animals Act 2000*, section 94.

## Part 10 Nature Conservation Act 2014

### 135 Offence—take animal into reserve Section 214 (3)

*substitute*

*Note* A person does not commit an offence only because the person is accompanied by an assistance animal and takes the animal into a reserve (see *Domestic Animals Act 2000*, s 106C).

### 136 Section 214 (5)

*omit*

## Part 11 Public Pools Act 2015

### 137 Disability—assistance animals Section 29 (1)

*substitute*

- (1) This section applies to a person if the person is accompanied by an assistance animal.

### 138 Section 29 (2), (3) and (4)

*omit*

assistance

**139 New section 29 (9)***insert*

(9) In this section:

***accompanied by an assistance animal***—a person is ***accompanied by an assistance animal*** if the person—

- (a) is a person with disability and is accompanied by an assistance animal that is assisting the person to alleviate the effect of the disability; or
- (b) is an assistance animal trainer and is accompanied by an animal that is being trained as an assistance animal; or
- (c) is an assistance animal assessor and is accompanied by an animal that is being assessed as an assistance animal.

***assistance animal assessor***—see the Domestic Animals Act 2000, section 94.***assistance animal trainer***—see the Domestic Animals Act 2000, section 94.**140 Dictionary, definition of *assistance animal****substitute****assistance animal***—see the *Discrimination Act 1991*, section 5AA (3).**Schedule 2****Animal Welfare Legislation Amendment Bill 2019**Amendments moved by Ms Lawder**1****Clause 4****Proposed new section 4A (1A)****Page 4, line 12—***insert*

- (1A) This Act also recognises that the objects mentioned in subsection (1) align with community expectations and, accordingly, do not limit practices such as responsible and humane—
- (a) food production practices; and
  - (b) environmental management; and
  - (c) scientific research; and
  - (d) cultural and recreational activities.

**3****Clause 18****Proposed new section 15 (2)****Page 17, line 11—***insert*

- (2) For subsection (1), injury, pain or stress to an animal is not considered to be unnecessary only because the animal is transported or contained in a way that is—
- (a) consistent with any veterinary or industry requirement or practice; or

(b) generally accepted practice in the community.

**Examples—par (a)**

- 1 transporting livestock in a truck in accordance with industry standards
- 2 transporting a dog in the cargo hold of a plane in accordance with veterinary advice and industry standards

**Examples—par (b)**

- 1 transporting a horse in a horse float
- 2 transporting a cat in a carrier in a car

### Schedule 3

#### Animal Welfare Legislation Amendment Bill 2019

Amendment moved by Ms Le Couteur

1

**Proposed new clause 102A**

Page 64, line 5—

*insert*

**102A New section 113**

*insert*

**113 Review of amendments made by Animal Welfare Legislation Amendment Act 2019**

- (1) The Minister must review the operation of the amendments made by the *Animal Welfare Legislation Amendment Act 2019* as soon as practicable 3 years after the commencement of that Act, section 30.
- (2) The Minister must present a report of the review to the Legislative Assembly within 6 months after the day the review is started.
- (3) This section expires 6 years after the day it commences.

## Answers to questions

### Schools—Southern Cross Early Childhood School (Question No 2574)

**Mr Wall** asked the Minister for Education and Early Childhood Development, upon notice, on 2 August 2019:

- (1) What is the designated Priority Enrolment Area pathway for students attending P-2 at Southern Cross Early Childhood School for continuing their education from Year 3.
- (2) In the event that primary schools in the designated PEA are at or close to capacity, what options are available to both parents and more broadly the Education Directorate, to manage primary school student numbers in the Belconnen area.
- (3) What planning is underway to deliver additional spaces for primary schools in the Hawker/Scullin/Weetangera area.
- (4) Have there been any discussions about expansion of the Southern Cross Early Childhood School from P-2 to P-6; if so, what was the outcome of those discussions.
- (5) Has the Southern Cross early Childhood school ever offered classes beyond P-2; if so, (a) when and (b) why was it reduced to P-2.

**Ms Berry:** The answer to the member's question is as follows:

- (1) When continuing through to Year 3, all children who attend Southern Cross Early Childhood School are guaranteed a place at the local primary school that corresponds to the Priority Enrolment Area (PEA) for their residential address.
- (2) Parents are able to plan for their child's education in the knowledge that every child from Kindergarten to Year 12 is guaranteed a place at their local public school. Parents are also able to make applications to enrol at a school outside of their PEA, consistent with advice available on the Education Directorate website [www.act.gov.au](http://www.act.gov.au). The ACT Government carefully plans school capacity to meet the needs of students and the region that they live in. As part of this capacity management, non-infrastructure solutions to increasing school utilisation are considered first (such as reducing the proportion of out-of-area applications accepted), along with temporary and/or permanent additions to school infrastructure.
- (3) The government proposed additional investment and space for Hawker Primary School in the form of transportable learning spaces. I have listened and accepted that the school community is not supportive of expanded accommodation at this time. Hawker Primary School will continue to accept students in its priority enrolment area, including the shared zone. Scullin and Weetangera have sufficient capacity to meet enrolment demand.
- (4) No.
- (5)
  - a) Southern Cross Early Childhood School opened in 2009, offering P-2 enrolments with onsite early childhood education and care facilities. Prior to this a K-6 primary school had operated on the site (Scullin Primary School until 1988 and Southern Cross Primary School from 1989 onwards).

- b) The change was part of the introduction of a network of Early Childhood Schools in the ACT that provide integrated services for children from birth to 8 years and their families.

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**ACT Health and Canberra Health Services—asset management  
(Question No 2575)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 2 August 2019:

- (1) Does ACT Health and Canberra Health Services currently have an asset register; if so, when did this register come into being.
- (2) Does ACT Health and Canberra Health Services currently have a register of portable and attractive assets; if so, when did this register come into being.
- (3) What protocols and procedures do ACT Health and Canberra Health Services follow to update the assets register and register of portable and attractive assets.
- (4) How often do ACT Health and Canberra Health Services undertake stocktakes for items on the assets register and register of portable and attractive assets.
- (5) What protocols and procedures do ACT Health and Canberra Health Services follow to (a) identify assets for disposal and (b) dispose of them.
- (6) What changes have ACT Health and Canberra Health Services made to asset management procedures in response to the report prepared by Axiom Associates in 2017.

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

- (1) ACT Health Directorate maintains an asset register, that was created on 1 October 2018 as part of Administrative Arrangements Order 2018 (No. 2).

Canberra Health Services has an asset register for infrastructure related assets. The asset register is in the process of being updated and validated as part of an asset audit project currently being undertaken which is due for completion in July 2020.

- (2) ACT Health Directorate Cost Centre Managers are responsible for ensuring that portable and attractive items are recorded and accounted for annually. Each Business Unit maintains a portable and attractive asset register.

Canberra Health Services has Chief Executive Officer Financial Instructions which informs Canberra Health Services on the protocols and procedures applicable to the register of portable and attractive assets. There is no single register as each business area is responsible for maintaining its own.

- (3) ACT Health Directorate maintains Director General Financial Instruction (6.1 Asset Management) which informs protocols and procedures to maintain the asset register and registers of portable and attractive assets.

Facilities Management, Canberra Health Services, uses an asset register template for updating the acquisition of new assets. The assets captured in this template are then updated in the asset management system via a data import software tool.

The procedures for updating the asset register are documented in the Canberra Health Services Standard Inclusion suite of documents that are used for maintenance and capital project delivery.

- (4) ACT Health Directorate and Canberra Health Services undertake annual stocktakes as per the Director General Financial Instruction and Chief Executive Officer Financial Instruction respectively.
- (5) ACT Health Directorate asset management coordinator manages the identification and disposal of assets, guided by the Director General Financial Instruction (6.1 Asset Management). Assets identified for disposal are removed from the asset register and disposed of in accordance with the instructions. Canberra Health Services Chief Executive Officer Financial Instructions requires an annual stocktake of assets.

Canberra Health Services requires delegate approval prior to commencing actions to dispose of registered asset items. Following approval, the item is removed from the asset register and the physical asset is disposed of appropriately.

- (6) ACT Health Directorate has updated Director General Financial Instruction (6.1 Asset Management) to reflect the recommendations of the Axiom audit report including implementation of an asset management action plan.

Following the Axiom report a Strategic Asset Management Plan was developed. Following this Facilities Management are undertaking a facility asset audit project (described in the Q1 response above), developing building asset management plans, and upgrading and enhancing the enterprise asset management system.

## **Health—PBS medications (Question No 2576)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 2 August 2019:

- (1) In relation to the Government’s response to recommendation 18, about the Public Hospital Pharmaceutical Reform Agreement (PHPRA), of the report No 6 Annual and Financial Reports 2017-18 of the Standing Committee on Health, Ageing and Community Services, (a) to what extent and (b) in what ways, does the “ACT’s alternative arrangement [ensure] that patients’ access to PBS [Pharmaceutical Benefits Scheme] medications is not limited”.
- (2) How did the ACT draw that conclusion.
- (3) What is the (a) nature and (b) detail, of “the ACT’s alternative arrangement”.
- (4) Has the ACT communicated to the Commonwealth its conclusion that the PHPRA limits patients’ access to PBS medications; if no, why; if yes, what was the Commonwealth’s response.
- (5) To what extent and in what ways, does the PHPRA limit patients’ access to PBS medications in those jurisdictions that have signed the Agreement.

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

- (1) The ACT public hospital has alternative arrangements to ensure that patients access to PBS medications is not limited as a result of the ACT not being a signatory to the PHPRA. These arrangements include:
  - Non-oncology and haematology patients are provided with a discharge prescription.
  - PBS medicines are obtained on behalf of oncology patients in Canberra Hospital and Calvary Public Hospital through a signed agreement with Slade Pharmacy Services. Slade Pharmacy Services is an external organisation with a PBS license.
  - Non-admitted patients, such as emergency department patients, take their discharge prescriptions to community pharmacies for filling. These are dispensed through the PBS, external to the hospital system. Community pharmacies require patients to pay the PBS co-payment.
  - Public hospital outpatients, through ACT public hospital pharmacies, are able to access medicines on the S100 Highly Specialised Drugs Program, and do so for some chemotherapy.
  - For hospital outpatients, prescriptions for non-S100 drugs are dispensed by community pharmacies.
- (2) The arrangements described under answer (1) demonstrate that ACT public hospital patients have access to PBS medications, i.e. access is not limited by the ACT not being a signatory to the PHPRA.
- (3) Refer to answer (1).
- (4) The ACT has not concluded that the PHPRA limits patients' access to PBS medications, and has therefore not communicated this to the Commonwealth.
- (5) ACT is not privy to data relating to the implementation of the PHPRA in jurisdictions that are PHPRA signatories.

### **Hospitals—navigation services (Question No 2580)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 2 August 2019:

- (1) What navigation services and pathways are in place to assist (a) patients, (b) carers, (c) staff, (d) private medical practitioners, other health professionals and allied health professionals, (e) the general public and (f) other users, to navigate (i) the public hospital system, (ii) other public health services (excluding mental health) and (iii) public mental health services.
- (2) Who (a) in government and (b) in non-government, operates these pathways and services.
- (3) Who is responsible for ensuring the (a) complementarity of these services and pathways and (b) the elimination of overlaps that have the potential to cause confusion.
- (4) Are all these services and pathways fully complementary currently; if no (a) why and (b) what action is being taken to ensure full complementarity.
- (5) When were these services and pathways last reviewed.

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

(1) Several navigation services and pathways are currently in place for the abovementioned population groups to navigate the public hospital system, other public health services, and public mental health services.

(a-f) (i-iii)

- The website 'ACT Health find-a-health-service' allows members of the public, carers, staff, patients, and both private and public health professionals to locate a health service, such as hospital services, mental health services, community health and allied health services.
- Healthdirect is a government-funded service, providing quality, approved health information, advice and nurse triage service. Their 24-hour free call service is operated by registered nurses and provides health advice to the public. The website and mobile application offer a symptom checker, service finder, and information about medicines and health topics.
- ACT Health Directorate (ACTHD) funded Health Care Consumers Association (HCCA) to develop a patient care navigator model. The patient care navigator final report is informing a larger body of work, including the development of a draft Community Health Literacy Framework, for which HCCA has received additional funding from ACTHD. A key action area of this Framework is easier service navigation and access.
- Patient Administration System through the GP Liaison Unit in Canberra Health Services (CHS) works in partnership with the Calvary GP Liaison Unit, which provides ongoing contact with GPs and specialists.
- Calvary Hospital Bruce has a presence on the Multicultural Health Reference Group. Similarly, the Calvary Consumer Engagement Working Group's membership consists of consumers and HCCA. Participation on these groups allows for issues such as navigation services and pathways to be addressed.

(a-f) (ii)

- The GP Liaison Unit within CHS aims to enhance communication and partnerships between the hospital and GPs, by assisting with matters such as: locating GPs who are accepting new patients, assisting with safe clinical handover of patients, information sharing via discharge summaries, and updating GP details on the hospital's

(a-f) (iii)

- As part of the redesigned Adult Community Mental Health Services (ACMHS) program, the Access Mental Health Team provides a 24-hour, seven day a week phone intake, assessment and referral service with a free call number, which any person can call to seek advice, information or assistance. The Access Mental Health Team will assist people to connect with the most appropriate mental health service or other treatment, care and support as indicated. This team also has dedicated phone lines for General Practitioners and Emergency Services, providing information on mental health services.

(a-b) (iii)

- Capital Health Network (CHN) has engaged CatholicCare and Woden Community Services to provide the 'Next Step' service, a free program for people

experiencing mild, moderate and severe mental health issues. This service has a triage officer who assists both GPs and consumers to navigate to various mental health and psychosocial support services, if they are not suitable for the 'Next Step' service. This service may also assist groups (c) through (f) as well.

(a-b) (i-ii)

- Canberra Health Services (CHS) implement the Chronic Care Program, where clinical care coordinators provide tailored services to patients, to facilitate the coordination of community and other support, targeting frequent users of the acute sector.

(c-d) (i-iii)

- CHN is co-funded to develop and evaluate clinical pathways, through the HealthPathways resource, designed to improve access to health services and reduce delays in priority areas. To facilitate this, CHN implements HealthPathways, an online health information portal used at the point of care by General Practitioners, medical specialists, nurses and allied health practitioners. This service is available to all public and private health practitioners working in the ACT. The pathways are designed to support the navigation of inpatient, outpatient and community services, including mental health services, within the public and private local health systems, and referral to services in a timely manner.

(c-d) (i-ii)

- The GP Healthnet website provides access to information about CHS and Calvary Hospital Outpatient Clinics. This online service is available to GPs, allied health professionals, nursing staff, specialists and practice managers or administration staff, who are referring to services within the ACT public health system.

(c-d) (iii)

- The mental health pathways have been localised to our region and includes referral information and contact details, as well as treatment advice for primary health practitioners.

(a, b, e, f) (i)

- Calvary Hospital Bruce offers access to all services via the switchboard, which provides a single 24/7 point of contact for the general public, patients and carers.
- Volunteers are available to assist patients, carers and members of the public to locate services within the hospital. CHS has over 400 volunteers who contribute to the delivery of a range of client services and support the patient journey through the healthcare system.

(a, b, e, f) (i-ii)

- The ACT Health mobile application offers real-time information on wait times, locations and travel directions for the nearest Walk-in Centre or emergency department. It also provides an inpatient guide for all ACT public hospitals.
- The Calvary Hospital Bruce website provides patient and visitor information, including a guide to prepare patients and their families for hospital admission, and access to an advisory service. The website also has a 'find a specialist' search function, to locate a specialist that works at Calvary Hospital Bruce.

- (a, b, e, f) (iii)
- Public mental health services support multiple access points into the system (including the Walk-in Centres, Emergency Department presentation, community health centres, phone lines) where the person will be guided to the most appropriate service.
- (2) (a) The pathways and services mentioned in the response to question 1, excluding the services identified in the response to question (2) (b), are operated by ACTHD, CHS and Calvary Hospital Bruce.
- (b) The following services are operated by non-government organisations:
- CHN, which has partnered with ACTHD, the Southern NSW Primary Health Network, and Southern NSW Local Health District, to implement HealthPathways across the ACT and Southern NSW. This receives Commonwealth and ACT Government funding;
  - Healthdirect, which receives funding from most jurisdictions and the Commonwealth; and
  - HCCA, which received funding from the ACT Government to undertake its work.
- (3) (a) & (b) These navigation services and pathways are complementary by design. The intention is to provide multiple avenues to assist people to access and navigate the health system. The Community Health Literacy Project being undertaken by the HCCA, and the previous patient care navigation work, are assisting in identifying navigation services and pathways available in the ACT and opportunities for further improvement.
- (4) (a) & (b) See response to question 3.
- (5) The responsibility for revision of each of these services and pathways sits with the individual area responsible for the implementation of these initiatives. Of the 456 localised pathways that CHN HealthPathways has developed, 190 of these pathways are currently being localised, updated and/or reviewed.

### **Government—invoices (Question No 2589)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 2 August 2019:

- (1) In relation to the payments on the Notifiable Invoices Register to (a) Koomarri (\$26 325.94 on 20 June 2019) and (b) The Sax Institute (\$27 500 on 18 June 2019), (i) what was the purpose of the grants and (ii) why were the payments described as “Grants Other”.
- (2) What was the purpose of the payment of \$1.5m on 28 June 2019 to Canberra Mothercraft Society.
- (3) What (a) were the building and fitout works related to the payments made to various suppliers in June 2019, totalling \$994 625.72 and described as “Buildings & Fitout – WIP” and (b) is the value of works remaining to be completed.

- (4) What (a) ICT hardware is being supplied by Dimension Data Australia Pty Ltd and (b) is the purpose of the hardware.
- (5) What was the purpose of the payment of \$50 390 on 27 June 2019 to Cochlear Limited and why was it described as “Other Creditors.”

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

- (1) (a)
- (i) A funding arrangement exists with Koomarri for the delivery of supports to a person with intensive needs under an Individual Support Plan as required under the *Mental Health Act 2015*.
  - (ii) For processing the payment, this money was coded under ‘Grants Other’ to distinguish it from Grants paid to non-government agencies under service funding agreements.
- (b)
- (i) ACT Health has a funding agreement with The Sax Institute to collaborate on a broad range of research activities relating to public health alongside a number of other jurisdictions.
  - (ii) For processing the payment, this money was coded under ‘Grants Other’ to distinguish it from Grants paid to non-government organisations providing services to the community.
- (2) An amount of \$1.5m was paid to Canberra Mothercraft Society on 28 June 2019 in accordance with their funding agreement to cover costs associated with the transition out of QEII service delivery, including redundancy payments for staff, project management for transition activities, legal and accounting costs and business run off activities.
- (3) (a) The building and fit-out works relate to:
- Canberra Hospital Building 11 Balcony Covers – Installation of new balcony covers to replace old covers;
  - Canberra Hospital Building 3 Pharmacy works – Undertake minor works to improve space utilisation and provide additional storage for pharmacy products;
  - Canberra Hospital Building 25 Ligature Minimisation Work – Security and Bedroom door upgrades;
  - Canberra Hospital Building 12 – Height safety systems upgrades;
  - Canberra Hospital Building 11 – Height safety systems upgrades;
  - Canberra Hospital Building 25 – Height safety systems upgrades;
  - Canberra Hospital Building 1 – Upgrade components of the water filtration system; and
  - Canberra Hospital Radiology Linear Accelerator Bunker – Upgrade and Refurbish.
- (b) As of 28 August 2019, the value of the invoiced works yet to be completed is approximately \$38,000.
- (4) (a) Dimension Data supply the Imprivata card readers.
- (b) These devices are card readers for the Imprivata System that is used by ACT Health Directorate and Canberra Health Services to foster quicker (yet secure) logins for Clinical Staff. These enable clinical staff to tap on and tap off (with a

PIN) into computers, and clinical applications. These devices are proprietary, and are necessary due to the security and privacy protocols that are required for the various clinical systems in use.

- (5) At the time of preparing the invoice for payment processing, an incorrect description was applied. The correct descriptor should have been “implant” (which reflects the actual purchase of Perimodiolar Slim Electrodes).

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### **Animals—cruelty (Question No 2602)**

**Ms Lawder** asked the Minister for Transport and City Services, upon notice, on 2 August 2019 (*redirected to the Minister for City Services*):

- (1) In relation to the Animal Welfare Act, in each of the past five years how many investigations were conducted into (a) animal cruelty matters and (b) all other matters under the Act.
- (2) Of the investigations conducted in part (1), (a) how many resulted in cases being finalised for consideration by the Director of Public Prosecutions, (b) how many resulted in charges being laid, (c) of those cases how many were dealt with in court, (d) of those cases how many resulted in a conviction and (e) how many individuals had a prosecution recorded.

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

- (1) (a) The RSPCA-ACT conducts investigations into animal cruelty matters. The information requested can be found on their website <https://www.rspca-act.org.au/>.
- (b) Domestic Animal Services (DAS) received 283 animal welfare reports during the period 17 April 2017-1 July 2019. These are reports which have been attended by DAS. Cases requiring investigation were referred to the RSPCA-ACT. Prior to 17 April 2017 the current electronic management system was not in place, so the data before this period is not easily accessible.
- (2) (a) For the period 1 January 2014 – 30 June 2019, 72 prosecutions under the *Animal Welfare Act 1992* (ACT) were carried out by the Office of the ACT Director of Public Prosecutions (ACT DPP). Prior to 17 April 2017 the current electronic management system was not in place, so the data before this period is not easily accessible.
- (b) Charges were laid by the ACT DPP against each of the 72 defendants in the above matters.
- (c) All the above 72 matters proceeded to Court.
- (d) Of the 72 matters that proceeded to prosecution, the results are as follows:
  - 57 matters were found proved with a conviction recorded by the Court at sentence; and two matters were found proved with no conviction recorded by the Court at sentence.

- One matter was found not proven.
  - There were eight matters where there was no evidence offered against the relevant defendant; and 3 matters where the charges were withdrawn against the relevant defendant.
  - One matter where the charge was abated (discontinued) because the defendant had passed away.
- (e) All 72 defendants had a prosecution recorded against them. However, of the above 72 defendants, 57 defendants had a conviction recorded by the Court at their sentence.

### **Transport—MyWay agents (Question No 2610)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 2 August 2019 (*redirected to the Minister for Transport*):

- (1) What are the requirements or eligibility criteria for entities that are interested in becoming MyWay recharge agents.
- (2) Further to part (1), what resources, such as hardware or training, are provided to MyWay recharge agents.
- (3) Further to part (2), what is the ACT Government's current inventory of MyWay hardware broken down by (a) type of equipment and use, (b) general location, such as buses or in storage, (c) age and (d) when they are scheduled to be replaced or more ordered.
- (4) What was the total number of MyWay recharge agents for each of the last five financial years to date broken down by suburb.
- (5) What was the total (a) number and (b) value of MyWay recharges for each of the last five financial years to date broken down by suburb.
- (6) What was the total number of requests or applications to place or become a MyWay recharge agent for each of the last five years broken down by suburb.
- (7) What was the total number of requests or applications to become a MyWay recharge agent that were denied for each of the last five years broken down by suburb and reason for the rejection.
- (8) How many new MyWay recharge agents were added as part of or linked to the roll out of Light Rail Stage 1.
- (9) How many new MyWay recharge agents are scheduled to be added as part of or linked to the roll out of Light Rail Stage 2.
- (10) What is the breakdown of the total amount (a) spent to date and (b) that is expected to be spent on scoping, exploring, reviewing or otherwise determining alternate ticketing systems for ACT Government transport systems over the past five financial years to date, including but not limited to (i) specific budget initiatives or project

costs, (ii) ministerial, delegation, government employee or other travel costs (if travel involved, what was the destination), (iii) consultant and contractor costs, (iv) trial costs, (v) expected costs or budget for the new ticketing system and (f) any other category of costs.

- (11) Further to the scoping, exploring, reviewing or otherwise determining alternate ticketing systems for ACT Government transport systems (a) what is the date the ACT Government made the decision to review or replace MyWay, (b) when was the scoping or review originally scheduled to be completed, (c) when was the scoping or review currently scheduled to be completed, (d) when is the alternate ticketing system expected to be rolled out and (e) how many new MyWay recharge agents are expected to be added to the network before the new system is rolled out.

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

1. Prospective MyWay agents must respond to the Tender ACT tender process when advertised. Tender assessments include the following criteria:

Suitability of Facilities:

- i. the tenderers located in the targeted geographic location and proximity to bus and Light Rail services;
- ii. passenger visibility to MyWay Ticketing Reload System;
- iii. passenger accessibility to MyWay Ticketing System (including disabled access); and
- iv. evidence of existing/potential customers at proposed location(s).

Suitability of facilities:

- v. counter space details;
- vi. access to power;
- vii. 3G communications signal strength;
- viii. EFTPOS facilities;
- ix. branding opportunities;
- x. security for MyWay equipment and card stock; and
- xi. MyWay and Transport Canberra information distribution capability.

Service capability:

- xii. proposed daily opening hours;
- xiii. proposed days of operation;
- xiv. proposed staffing levels (including during peak periods); and
- xv. contractor core business suitability to a broad range of MyWay customers.

Demonstrated Experience:

- xvi. performing as an existing Transport Canberra contractor (where applicable) or similar services: and/or
- xvii. providing comparable services (e.g. reload of phone cards, Lotto agent, etc.)

2. MyWay agent Terminals hardware kits, relevant training, agent support and everything MyWay related that is required by an agent to provide MyWay services are provided by Transport Canberra free of charge.

## 3. Inventory

Equipment	In service	Location	Spare and Test equipment	Location	Age	Replacement
Bus Driver Console – TGX200	430	Fleet	8%	Depots Repair centres Test Environments	10 years	Planned 2022
Bus Driver Console – Wayfarer 6	60	Fleet – bus replacements			1.5 years	Planned 2022
AXIO (Bus card reader)	980	Fleet	8%	Depots Repair centres Test Environments	10 years	Planned 2022
Agent Terminals	39	Various MyWay agents Shopfronts	6	Test environments	10 years	Planned 2022
Ticket Vending Machines	23	light rail stops bus interchanges	12	Contractor storage Test Environments	1 year	Undecided
Platform Validators	66	Light rail stop	14	Contractor storage Test Environments	1 year	Undecided

4. MyWay recharge agent numbers have remained stable at 30 agents for the last five years. There may have been a reduction in agent numbers for the short period required to run a tender procurement process to procure new agents.

Last five years' tendered agents:

2014-15	30 Agents Total – (Engaged one Belconnen West group centre).
2015-16	30 Agents Total – (One Tuggeranong North group centre agent closed. Engaged one Tuggeranong North group centre agent).
2016-17	30 Agents Total – (One City East agent closed and engaged one City East location group centre agent).
2017-18	30 Agents Total – (One ANU City West Student Union shop closed. Engaged one ANU City West Post office. One Woden major group centre agent closed and engaged one Woden major group centre agent).
2018-19	30 Agents Total – (One ANU City West Post office closed. One City West agent engaged. One City East agent sold and one City East Agent engaged).

A list of agent locations detailed on the Transport Canberra website (as below).

*(Available at the Chamber Support Office).*

5. The total number and the gross value of MyWay recharges is detailed below

Financial Year	Number of Transactions (a)	MyWay Recharge Value (b)
2014/15	664,461	\$13,055,699
2015/16	729,859	\$14,082,883
2016/17	770,150	\$14,533,855
2017/18	789,312	\$14,787,228
2018/19	766,258	\$13,687,718

We are unable to provide a disaggregation by suburb at this time as the information is currently collected on a selling agent basis and disclosure by suburb is potentially commercially prejudicial to current MyWay agents.

6. MyWay agent requests are received on an ad hoc basis. There is no formal process for recording these requests. These requests are received through different methods including through the Customer Experience Team and Transport Canberra Operations. When these requests are received the agent requestees are advised that new agent opportunities are advertised through Tenders ACT tender processes and to check regularly for opportunities.

New MyWay Agent tender applications received in the last five years:

2014-15	Engaged one Belconnen West group centre
2015-16	One Tuggeranong North group centre agent closed. Engaged one Tuggeranong North group centre agent.
2016-17	One City east agent closed. Engaged one City East location group centre agent
2017-18	One ANU City West Student Union shop closed. Engaged one ANU City West Post office. One Woden major group centre agent closed. Engaged one Woden major group centre agent.
2018-19	One ANU City West Post office closed. Engaged one City West agent. One City East agent sold and one City East agent engaged.

7. Where unsolicited agent approaches are made to the Territory, requestees are advised that when new agent opportunities present, the Territory advertises the opportunities through Tenders ACT. No formal tender applications have been rejected.
8. None.
9. Associated future agent planning has not been scoped at this stage of Light Rail stage two project.
10. a) The actual expenditure on the integrated Light Rail and Bus ticketing system stands at \$4,912,156 to 30 June 2019.
- b) (i) The total approved budget is \$5,100,000 of capital with depreciation of \$1,000,000 commencing in 2020/21. Project costs to 30 June 2019 were \$4,912,156.
- (ii) To our knowledge no travel was undertaken in relation to the current ticketing solution.
- (iii) Consultant and contractor cost for the project are included in the project expenditure disclosed in part 10 (a) of this response.
- (iv) Trial costs of the current ticketing solution are included in the project expenditure disclosed in part 10 (a) of this response.
- (v) Any progression of future ticketing solutions is subject to a decision of government.
- (f) All direct/quantifiable project costs are included in the project expenditure disclosed in part 10 (a) of this response.
11. (a) The decision was made by Government in the 2016-17 financial year.
- (b) 2020;
- (c) 2020;

- (d) the current procurement is ongoing. No set timeframe has been established; and
  - (e) ticketing agent requirements will be assessed based on demand requirement and available resourcing.
- 

### **Government—Major Projects Canberra (Question Nos 2611-2614)**

**Mr Coe** asked the Minister for Health; the Minister for Tertiary Education; the Minister for Transport and City Services and the Treasurer, upon notice, on 2 August 2019 (*redirected to the Treasurer*):

- (1) What has been the (a) spend to date and (b) expected total cost of establishing Major Projects Canberra, including (i) relocation costs, including fit out and leasing costs, (ii) design and rebranding costs, (iii) employee transfers and any entitlements paid out, (iv) recruitment costs, (v) new employee costs and salaries, (vi) consultant and contractor costs and (vii) any other relevant category of costs.
- (2) Can the Minister provide a copy of the full organizational chart of Major Project Canberra with the (a) fulltime equivalent, (b) headcount and (c) classification for each area, project or output.
- (3) What is the total number of employees that have transferred from other directorates to Major Projects Canberra broken down by (a) directorate and area, (b) classification, (c) fulltime equivalent and (d) headcount.
- (4) If any redundancies, alternate transfers, relocations, or other separation methods were offered, taken up or linked to the establishment of Major Projects Canberra and associated staff transfers, what was the (a) directorate and area, (b) nature of the separation, (c) classification, (d) fulltime equivalent, (e) headcount and (f) value of entitlements paid out.
- (5) What is the total number of new positions that were created by or through the establishment of Major Projects Canberra, and what is the (a) position title, (b) nature of role, (c) classification, (d) fulltime equivalent, (e) headcount, (f) cost of recruitment and (g) position start date.
- (6) What selection (a) criteria and (b) methods, such as a direct invitation to apply, have been or will be used to fill vacant or acting positions within Major Projects Canberra, including but not limited to (a) Chief Projects officer, (b) EBM Communications and Engagement, (c) Project Director SPIRE, (d) SPIRE technical lead and (e) SPIRE clinical liaison lead.
- (7) Further to parts (5) and (6), when are each of the currently vacant or acting positions expected to be finalised or filled.
- (8) When is the establishment of Major Projects Canberra and the associated administrative works expected to be completed, including but not limited to (a) staffing, (b) design and branding, (c) website and online contact form, (d) creation of freedom of information team and (e) any other relevant establishment and associated administrative works.

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

(1)(a) and (b) Major Projects Canberra (MPC) was established on 1 July 2019 from existing funding. The creation of MPC has involved the transfer of existing staff from three directorates - Transport Canberra and City Services, Chief Minister, Treasury and Economic Development Directorate and Health Directorate. Five new positions have been created by or through the establishment of MPC being:

- Chief Projects Officer (CPO)
- Executive Assistant to the CPO
- Business Manager MPC
- Executive Group Manager, Project Development and Support Group
- Executive Branch Manager, Ministerial Services, Governance and Corporate Support.

This represents a reconfiguration of previous management structures to better align with the structure of MPC and has been funded from existing resources.

As new projects for the hospital and light rail stage 2 are currently being established, several new project specific positions have been created, which would have been created in the parent Directorates regardless of the creation of MPC and were considered as part of the original approval by Government as part of the appropriation project funding.

(i) ACT Property Group is currently facilitating the relocation of MPC staff from 496 Northbourne Avenue Dickson, Nature Conservation House Belconnen and Bowes Street Woden into the vacant and government owned Callam Offices. As at 30 August 2019 all business units except Infrastructure Development Group have been relocated.

(ii) Nil. MPC uses the existing ACT Government logo.

(iii) Nil.

(iv) An Executive Search Service has been engaged to manage the recruitment of the CPO at an estimated cost of \$35,000 plus GST. MPC has recently recruited a Director of Communications and Engagement. This was an established vacant position and will lead employee and industry communication. Advertising costs of \$427 were incurred in relation to this recruitment.

(v) Please see Question 5.

(vi) Nil.

(vii) Nil.

(2) An Executive organisational chart for MPC is at Attachment A. Please refer to staffing numbers noted in response to Question 3.

(3) The total number of employees that have transferred from other directorates to MPC is currently being finalised as part of Machinery of Government transfers.

- (4) No redundancies, alternate transfers, relocations, or other separation methods were offered, taken up or linked to the establishment of MPC.
- (5) See Attachment B.
- (6) (a) (b) (c) All vacant positions will be recruited in accordance with the ACT Public Service recruitment guidelines, relevant enterprise agreements and the *Public Sector Management Act 1994*.
- (7) See Question 6 above.
- (8) (a) Administrative activities associated with the establishment of MPC are anticipated to be largely complete by 30 September 2019, noting staffing activities will continue as the SPIRE and Light Rail Stage 2A projects progress.
- (b) These activities are complete. MPC uses the existing ACT Government logo.
- (c) These activities are complete. The MPC website is now live at: <https://www.act.gov.au/majorprojectscanberra/home>. Additional content will be made published overtime. MPC can be contacted via the email: [majorprojectscanberra@act.gov.au](mailto:majorprojectscanberra@act.gov.au).
- (d) These activities are complete. A Freedom of Information (FOI) email has been set up: [MajorProjectsCanberraFOI@act.gov.au](mailto:MajorProjectsCanberraFOI@act.gov.au). MPC records management and FOI functions are delivered by the Project Development and Support Division.
- (e) These activities are complete. MPC is maintaining a Human Resources function as well as other corporate functions such as audit, risk, Work, Health and Safety and business continuity.

*(Copies of the attachments are available at the Chamber Support Office).*

### **Transport—active travel (Question No 2619)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 2 August 2019 (*redirected to the Minister for Roads and Active Travel*):

- (1) Can the Minister provide an update on the work that has been conducted towards meeting the mode share targets for all journey to work trips by 2026 that were outlined in the ACT Government's 2015 Active Travel Framework, Building an Integrated Transport Network - Active Travel for (a) walking, (b) cycling and (c) public transport.
- (2) Can the Minister provide data about walking trips in Canberra, including by suburb of usual residence if this data is available (a) as a proportion of all trips to work and (b) for all purposes.
- (3) Can the Minister provide data about cycling trips in Canberra, including by suburb of usual residence if this data is available (a) as proportion of all trips to work and (b) for all purposes.

- (4) Can the Minister provide information about the number of bicycles that are taken on bus racks over the past five years, broken down by (a) bus route, (b) peak time, (c) weekdays, and (d) weekends.

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

- (1) Light rail between Gungahlin and the City is operating and the new integrated public transport network has seen patronage increase, with around 5% growth in patronage on weekdays and approximately 30% growth in patronage on weekends. Many of these journeys are to work or education.

To help meet the growing demand and encourage even more Canberrans to use public transport, the Government is investing in new *Disability Discrimination Act* (DDA) compliant buses, building the new Woden Bus Depot, and pushing ahead with extending the light rail line to Woden.

The Government has invested strongly in cycling, walking and public transport interventions. Attachment A provides a list of key infrastructure, projects, programs and services delivered since 2015.

Infrastructure improvements have also been delivered around schools throughout the ACT to support walking and riding to school. The improvements have included new and improved crossings and footpaths, traffic calming measures like speed humps and refuge islands, and additional bike storage facilities. These improvements have helped to support independent student travel, which reduces car dependency and time constraints for parents who wish to walk, ride or catch public transport to work.

- (2 and 3) In 2017, Transport Canberra and City Services undertook a Household Travel Survey to better understand how people travel across the whole day. A Household Travel Survey dashboard has been published on the Transport Canberra website. The dashboard allows the data to be broken down into mode, journey purpose, origin, destination and journey time: <https://www.transport.act.gov.au/about-us/planning-for-the-future/household-travel-survey>

- (4) I am advised that Transport Canberra records some information about the number of bicycles carried on Transport Canberra bus services which falls within scope of this question.

However, this data is manually entered by bus drivers when customers board buses with a bicycle, and may understate the actual number of bicycles carried on Transport Canberra bus services.

Additionally, presenting the data as described in the question would result in many hundreds of pages of raw information being recorded in Hansard. This would not serve the public interest as it would be difficult for members or other stakeholders to understand and interpret this data.

For these reasons, I am happy to provide you with a briefing with Transport Canberra staff to provide answers to your questions more comprehensively and to discuss how to provide information about the number of bicycles carried on Transport Canberra bus services.

*(A copy of the attachment is available at the Chamber Support Office).*

**Health—preventative health strategy  
(Question No 2622)**

**Ms Le Couteur** asked the Minister for Health, upon notice, on 2 August 2019:

- (1) What is the status of the 2017–18 and 2018–19 for the Healthy Weight Initiative progress reports as the last progress report listed on the ACT Government Healthy Living website is from 2016–17 and when will they be published on the website.
- (2) What is the status of the appointment that is part of the 9th Parliamentary Agreement between ACT Labor and ACT Greens in which the ACT Government committed to investigating the appointment of a Preventative Health Coordinator, responsible for developing a comprehensive preventative health strategy.
- (3) When was the last round of the ACT Health Promotion Grants Program (ACTHPGP) and (a) what are the names of those who received grants and (b) when and where will the next ACTHPGP be published.

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

- (1) A new ACT Preventive Health Plan, building on the Healthy Weight Initiative, is in development and will be finalised towards the end of 2019. The Plan will provide a framework for the continued implementation and monitoring of key Healthy Weight Initiative actions, as well as broader alcohol and smoking reduction interventions. A final Healthy Weight Initiative scorecard is in development and will be released in the coming months.
- (2) The appointment of a Preventive Health Coordinator by the ACT Government is being considered in the context of the governance arrangements for the Preventive Health Plan.
- (3) (a) The last ACTHPGP funding round was the 2019-20—2021-22 Healthy Canberra Grants. Applications for this funding round closed on 24 May 2019. The assessment panel for the 2019-20—2021-22 Healthy Canberra Grants met on 28 August 2019. It is expected that this process will be finalised and all applicants advised of the outcome of their application in October 2019. The grant recipients to be published on the ACT Health website.  
  
(b) The next ACTHPGP funding round will be published later in the 2019-20 financial year. It will be published through a range of publicly available sources, including the ACTHPGP website [www.health.act.gov.au/hpgrants](http://www.health.act.gov.au/hpgrants)

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**Transport Canberra—bus services  
(Question No 2625)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 2 August 2019 (*redirected to the Minister for Transport*):

- (1) How does Transport Canberra notify passengers of weekend bus service cancellations and how far ahead does Transport Canberra make these notifications.

- (2) Does the Government have any plans to return bus shelters or seating to Langton Crescent since Network 19 has returned the 57 and 58 to Langton Crescent.
- (3) How does Transport Canberra prioritise which stops receive shelters and/or seating.

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

- (1) Passengers can call Access Canberra or use the NXTBUS website up to 90 minutes before they travel to find out whether their service is running. NXTBUS is a live system that is updated at 30 minute intervals and is activated when the driver logs on at the commencement of shift.
- (2) The ACT Government has no current plans to upgrade facilities at bus stops on Langton Crescent, Parkes.
- (3) The provision of facilities at bus stop, such as seats and shelters, is considered on a case-by-case basis. In making decisions around improvements to facilities at bus stops, Transport Canberra gives priority to compliance with the *Disability Discrimination Act 1992*. Other factors that are considered include the number of customers using the stop, connections that can be made at the stop, the number of services calling at the stop and the feasibility of upgrades in particular locations.

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### **Light rail—project delivery report (Question No 2626)**

**Mr Milligan** asked the Minister for Transport and City Services, upon notice, on 2 August 2019 (*redirected to the Minister for Transport*):

- (1) Who was consulted in preparation of the Light Rail Project Delivery Report published in June 2019.
- (2) Specifically, within the Light Rail Project Delivery Report were local businesses consulted; if so, (a) whom and (b) when.
- (3) What methods for consultation were used to inform the Light Rail Project Delivery Report.
- (4) When was Light Rail Project Delivery Report finalised and sent to print.
- (5) Why were the lessons learnt or findings from Business Impact Assessment of ACT Government-led construction activities in Gungahlin not comprehensively covered in the Light Rail Project Delivery Report.
- (6) Why in the answer to question on notice No 2558, dated 28 June 2019, did the Minister for Transport report that the (a) the exact timing, (b) scope of the consultation and (c) scope of the review, was yet to be finalised, when the Light Rail Project Delivery Report was already completed and released on 21 June 2019.

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

- (1) The Light Rail Project Delivery Report is a report of the ACT Government. The report reflects engagement and consultation with multiple stakeholders throughout the delivery phase of the project.

- (2) The Project Delivery Report included consultation from the Gungahlin Business Impact Assessment, Light Rail Business Link Program and broader business feedback received during the project.
  - (3) The consultation referenced in the Project Delivery Report relates to that performed during the project's procurement and delivery phase, as discussed above.
  - (4) 21 June 2019.
  - (5) The Report summarises key lessons identified during the project's procurement and delivery phase. The Report's analysis and findings cover a comprehensive scope of procurement and delivery phase elements, and lessons learnt, beyond those of the scope of the Gungahlin Business Impact Assessment.
  - (6) The Light Rail Project Delivery Report published in June 2019 provided the initial Post-Implementation Review of the City to Gungahlin light rail. Further review of the project implementation and proactive consultation with local stakeholders and businesses is proposed with the exact scope to be finalised.
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**Children and young people—drug treatment programs  
(Question No 2631)**

**Mrs Kikkert** asked the Minister for Children, Youth and Families, upon notice, on 2 August 2019 (*redirected to the Minister for Health*):

- (1) What drug treatment facilities or programs for young people currently exist in the ACT.
- (2) What is the capacity of each of these (including beds for residential centres).
- (3) What is the maximum length of treatment offered by each.
- (4) Is there a cost involved in accessing any of these facilities or programs.
- (5) How much did the ACT Government spend in each of the past five years for supporting each of these programs or facilities.
- (6) Are there waiting lists for any of these programs or facilities; if so, what is the current wait time for each.
- (7) What is the total cost per participant for each of these programs or facilities.
- (8) What is the minimum age for accessing each of these programs or facilities.
- (9) Do those leaving care have assigned case managers.
- (10) What data is kept on those leaving care.
- (11) What figures regard success rates does the government have, and what are they.

- (12) What outreach services do these programs or facilities offer to the families of affected young people.
- (13) What data does the ACT Government have regarding rates of drug usage by young people and adults in the territory and how can this data be accessed.

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

- (1) Alcohol and drug treatment programs specifically targeted towards people under 18 years of age that are funded by ACT Government are provided by:
  - Canberra Health Services' Alcohol and Drug Service;
  - Ted Noffs Foundation; and
  - Gugan Gulwan Youth Aboriginal Corporation.

Funded treatment types include residential rehabilitation, withdrawal services, counselling, pharmacotherapy, crisis intervention, assessment, information and education.

The Canberra Health Services' Alcohol and Drug Service Youth Drug and Alcohol Program provides a range of services for young people aged 12-25 years with complex alcohol, tobacco and other drug issues. Young adults aged 18-25 years are able to access the full range of treatment services, unless specifically excluded (for example men from women-only programs).

Young people may receive priority access to all-age services, where clinically appropriate.

Canberra Health Services, Ted Noffs and Gugan Gulwan all provide in-reach services to Bimberi Youth Justice Centre.

- (2) Ted Noffs Foundation is contracted by ACT Health Directorate to operate a 10-bed residential facility. Beds are primarily for residential rehabilitation, but a proportion may be used for withdrawal in the early stages of admission if clinically required.

Capacity for non-residential programs will vary depending on the complexity of individual cases. Ted Noffs has a counselling capacity of approximately 30-50 clients at any one time, depending on the complexity.

Canberra Health Services' Alcohol and Drug Service has two full-time equivalent positions for youth counselling.

Gugan Gulwan employs three drug and alcohol outreach workers.

- (3) The length of treatment will vary dependent on individual circumstances.

Alcohol and other drug dependence is regarded clinically as a chronic and relapsing biopsychosocial condition as the condition is influenced by a complex interplay of biological, psychological and social factors.

Management of conditions can be prolonged, comparable to management of mental illness or management of a condition like diabetes. Alcohol and drug dependence is not regarded as a condition that can necessarily be definitively 'fixed' by short-term treatment.

- (4) Treatments services for people under 18 years of age provided by Canberra Health Services, and non-government services funded by ACT Health Directorate, are free to clients.

For services funded by the Australian Government, in some instances standard Medicare or other fees may be payable, for example general practitioner fees.

Some service providers charge a boarding fee for residential places, separate from cost of treatment. This fee is dependent on the individual circumstances of the client such as age, income and access to centre link benefits. The fee varies depending on the service provider.

- (5) Over 2014-15 to 2018-19, ACT Health Directorate provided funding of \$7.875 million (excluding GST) to Ted Noffs Foundation to provide a range youth drug and alcohol programs.

Over 2014-15 to 2018-19 ACT Health Directorate contracted Gugan Gulwan Youth Aboriginal Corporation for \$3.114 million (excluding GST) to provide alcohol and other drug treatment and support targeted towards young people of Aboriginal and Torres Strait Islander background.

Youth-treatment-specific budget information for Canberra Health Services' Alcohol and Drug Service is not available. Youth-focused services are funded from the overall budget for alcohol and other drug treatment.

- (6) Ted Noffs Foundation reports young people are usually able to access its residential program within 1-2 working days, if required. Ted Noffs has also advised that longer delays in access often relate to delays in judicial proceedings rather than limitations on service access.

Young people may encounter a waiting period for entry into Canberra Health Services' Youth Drug and Alcohol Program services. Processes are in place to triage young people coming onto the program in order to provide timely access. Young people are prioritised for access to general services, for example counselling. Wait times depend on the outcomes of the triaging process.

There is no delay in accessing drop-in type services provided by Ted Noffs and Gugan Gulwan.

- (7) ACT Health provides block funding to service providers and does not fund on a per client or episode basis. However, based on the numbers of young people that attended the Ted Noffs residential rehabilitation service in Canberra in 2018-19, the estimated cost is \$15,151 per client, for non-residential services in Canberra in 2018-19, the estimated cost is \$2,644 per client.
- (8) Young people can access services from 12 years of age. Clinicians have provided information that presentations of people younger than 12 for treatment are uncommon. However, people younger than 12 years old would not be turned away and may receive treatment occasionally.
- (9) Young people leaving Ted Noffs residential services are assigned case managers. Case management is also part of the model of care of Gugan Gulwan.

Young people are not case managed by Canberra Health Services following completion of treatment, but may be referred to other services which provide additional treatment, case management or other supports according to needs.

- (10) In line with the requirements of the National Minimum Data Set for Alcohol and Other Drug Treatment Services, information is gathered by all services on the reason a treatment episode was closed. These reasons may include that treatment was successfully completed, or that the client left against advice.

The Ted Noffs Foundation is currently working to gather more information about why young people may exit its program at an early stage.

- (11) “Success Rate” is not a term used to evaluate the performance of alcohol and other drug treatment services. As noted above in answer (3), Substance Abuse disorders are ongoing and complex conditions that are not resolved through short term interventions but require ongoing support and care.

Alcohol and other drug treatments in the ACT are based on evidence from scientific studies of successful treatment approaches and informed by clinical practice. Treatment is therefore based on models that have demonstrated previous success.

The Alcohol and Other Drug Treatment Services National Minimum Dataset contains measures that are relevant to treatment success, such as whether treatment was completed as planned and the length of treatment.

Annual reports for this dataset are publicly available on the Australian Institute of Health and Welfare website at: <https://www.aihw.gov.au/reports/alcohol-other-drug-treatment-services/aodts-2017-18-key-findings/contents/data-cubes>.

In addition, there are many measures of success relevant to outcomes of alcohol and other drug treatment, including, but not limited to, abstinence from alcohol and other drugs or reduction in usage, which will be captured in individual treatment plans but not captured in national data reporting.

For example, Ted Noffs provided information to ACT Health Directorate, based on 2018-19 program participation, that three months after treatment clients reported:

- reduced cannabis use from an average of 24 days to 13 days per month and reduced amount consumed from 23 joints or cones per day of use to 11 per day of use;
- reduced amphetamine use from an average of seven days per month to three days per month and a reduced amount of amphetamines consumed per day of use from four points (doses) to one point (dose) per day of use;
- a reduction in those who felt their drug use was out of control from 63 per cent to 21 per cent;
- a reduction in offending for theft from 39 per cent to 19 per cent;
- a reduction in those who said their family did not get along from 45 per cent to 28 per cent; and
- a reduction in those reporting suicidal thoughts from 43 per cent to 13 per cent.

- (12) Ted Noffs Foundation provides family outreach counselling.

Family counselling is also potentially available from specialist family counselling services, in addition to alcohol and other drug treatment services, or for example, psychologists/clinical psychologists.

ACT residents can also access the national phone and/or internet family support services, such as Parentline, Family Drug Support Australia, ACT Alcohol and Drug Information Service, Directline and Counselling Online.

Further information and contact details are available on the Australian Institute of Family Studies website at <https://aifs.gov.au/cfca/topics/web-resources-drug-and-alcohol-abuse>

- (13) Population level indicators tend to show declining rates of drug use among young people. ACT data from the Australian Secondary Schools' Alcohol and Drug Survey show, that in 1996 37.5 per cent of ACT school students aged 12-17 years reported using illicit drugs at least once. This figure had fallen to 17.4 per cent in 2017.

Information on youth drug use is publicly available online from several datasets.

Selected key sources for data on alcohol and other drug use by young people (and adults) in the ACT and/or Australia wide include:

- *A Picture of Children and Young People in the ACT*: <https://www.communityservices.act.gov.au/ocyfs/children/a-picture-of-children-and-young-people-in-the-act>
- *Alcohol, tobacco and other drugs in Australia* (Australian Institute of Health and Welfare). Available at: <https://www.aihw.gov.au/reports/phe/221/alcohol-tobacco-other-drugs-australia/contents/drug-types/new-and-emerging-psychoactive-substances>
- *Healthy Canberra: Australian Capital Territory Chief Health Officer's Report 2018*. Available at: <https://www.health.act.gov.au/about-our-health-system/data-and-publications/reports/chief-health-officers-report>
- *Health Stats ACT: Illicit Drugs*. Available at <https://stats.health.act.gov.au/statistics-and-indicators-categories> Interactive data displays include ACT information from the Australian Secondary Students' Alcohol and Drug Survey (ASSAD).
- *ACT Criminal Justice Statistical Profile* — December 2017. Available at: [http://www.justice.act.gov.au/criminal\\_and\\_civil\\_justice/criminal\\_justice\\_statistical\\_profiles](http://www.justice.act.gov.au/criminal_and_civil_justice/criminal_justice_statistical_profiles)
- *Australian Secondary School Student' Use of Tobacco, Alcohol, Over-the-Counter Drugs and illicit substances*. Available at: [https://www.health.gov.au/sites/default/files/secondary-school-students-use-of-tobacco-alcohol-and-other-drugs-in-2017\\_0.pdf](https://www.health.gov.au/sites/default/files/secondary-school-students-use-of-tobacco-alcohol-and-other-drugs-in-2017_0.pdf)

- *Alcohol and Other Drug Treatment Services in Australia 2017-18: key findings* (Australian Institute of Health and Welfare). Available at: <https://www.aihw.gov.au/reports/alcohol-other-drug-treatment-services/aodts-2017-18-key-findings/contents/data-cubes>
- *The National Drug Strategy Household Survey 2016* (Australian Institute of Health and Welfare). Available at: <https://www.aihw.gov.au/reports/illicit-use-of-drugs/ndshs-2016-detailed/contents/table-of-contents>
- *Young Australians Alcohol Reporting System* (National Drug Research Institute). Available at <http://ndri.curtin.edu.au/publications-resources/project-reports-and-bulletins/young-australians-alcohol-reporting-system>
- *3303.0 Causes of Death, Australia 2016: Drug Induced Deaths in Australia: A changing story*. Available at: <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/3303.0~2016~Main%20Features~Drug%20Induced%20Deaths%20in%20Australia~6>
- *Impact of alcohol and illicit drug use burden of disease and injury in Australia: Australian Burden of Disease Study 2011*. Available at: <https://www.aihw.gov.au/reports/burden-of-disease/impact-alcohol-illicit-drug-use-on-burden-disease/contents/summary>
- *Tobacco in Australia: Facts & Issues*. Available at: <https://www.tobaccoinaustralia.org.au/home.aspx>

## Trees—planting (Question No 2639)

**Ms Lawder** asked the Minister for the Environment and Heritage, upon notice, on 16 August 2019 (*redirected to the Minister for City Services*):

In relation to the new trees that have been planted along Lonsdale Street and other sites in the inner north in recent months, (a) how many trees have been planted since the beginning of July 2019 as part of this planting program, (b) what was the site selection process, (c) who is responsible for the tree planting, (d) who is responsible for maintenance, (e) how were the trees selected, (f) where were the trees sourced from, (g) what sort of trees were planted, (h) what is the total cost of planting all these trees, (i) what was the average cost per tree and what makes up this figure and (j) is more planting in this area planned and what is the timeframe for this.

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

- Transport Canberra and City Services (TCCS) planted 39 trees across Braddon and the City centres during June 2019. This was in addition to the 48 trees planted in the Inner North during Autumn 2019.
- Vacant planting sites in the city and Braddon commercial precincts were identified through TCCS' pre-existing tree removal and planting data, as well as a site walk-through by TCCS and the City Renewal Authority (CRA). Some of the vacant planting sites that were identified were unsuitable for planting due to the proximity to utility services.

- (c) Installation of the trees and the surrounding landscape treatment was undertaken by contractors engaged by TCCS.
- (d) The trees are TCCS assets. The planting contractors are responsible for the maintenance of the trees until 24 April 2020 whilst they are under consolidation and TCCS will maintain them after that.
- (e) These tree species were selected to match the official street tree species for their respective locations.
- (f) The *Platanus orientalis* were sourced directly from one of the planting contractors and all other trees were sourced from the Yarralumla Nursery.
- (g) The following tree species were planted during the city and Braddon planting program:
  - 27x *Platanus orientalis*
  - 2x *Pyrus calleryana* 'Chanticleer' syn. 'Cleveland Select'
  - 2x *Cedrus deodara*
  - 1x *Liquidambar styraciflua*
  - 3x *Quercus lusitanica*
  - 2x *Quercus rubra*
  - 2x *Zelkova serrata* 'Green Vase'
- (h) The final cost of the project including tree supply, planting costs and maintenance until April 2020 is \$127,474.64 (GST incl.).
- (i) The cost of tree planting and tree maintenance varied significantly across the program due to differences in the planting site locations, required landscape treatments and proximity to underground services and other infrastructure. Semi-advanced sized trees were purchased to help protect the new plantings from accidental damage and to discourage vandalism. The average cost of trees planted in this program was \$671.61 per tree.
- (j) At this stage, there are no specific plans in place to plant more trees in the city and Braddon commercial precincts.

### **Schools—positive behaviour learning (Question No 2641)**

**Mr Wall** asked the Minister for Education and Early Childhood Development, upon notice, on 16 August 2019:

- (1) Did the literature review for the School Education Advisory Council (SEAC) as referenced in Directorate Estimates briefs, precede the Government's decision to introduce the Positive Behaviour for Learning (PBL) framework into ACT schools.
- (2) What did the literature review cover.
- (3) Why have only 60 per cent of schools introduced PBL.
- (4) Who delivers the training for PBL.
- (5) How are coaches and mentors of the PBL program/framework selected.
- (6) Are there mentors/coaches in each school in which PBL is operating.

- (7) When will the final report from the SEAC be delivered and will it be made public; if not, why not.

**Ms Berry:** The answer to the member's question is as follows:

- (1) The School Education Advisory Council (SEAC) literature review, completed in 2019, did not precede the Government's decision to introduce the Positive Behaviour for Learning (PBL) framework in ACT Schools. The Schools for All Report (2015), guided the implementation of PBL.
- (2) The SEAC literature review covered details of key policy and practice being implemented internationally and in Australian jurisdictions, which aim to respond to student violence and bullying.
- (3) PBL is being incrementally rolled out through ACT Public Schools. This incremental approach has allowed a greater fidelity of implementation. All ACT Government schools will adopt PBL.
- (4) The Directorate employs a team of PBL coaches known as 'External Coaches', who deliver training.
- (5) External PBL Coaches are selected through an open recruitment process. They require teaching qualifications and demonstrated capacity to meet the School Leader C capability framework.
- (6) Every PBL school identifies an internal implementation team, including an Internal Coach, through a school nomination process. The External Coach works closely with the Internal Coach to guide and mentor them.
- (7) Consistent with the Terms of Reference, SEAC provided the final report to government on 19 August 2019. The report will be made public following government consideration.

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### **Government—indoor sporting facilities (Question No 2644)**

**Ms Le Couteur** asked the Minister for Sport and Recreation, upon notice, on 16 August 2019:

- (1) In relation to funding provided by (a) Sport and Recreation (within Chief Ministers, Treasury and Economic Development Directorate), (b) Sports and Recreation Facilities (within Transport Canberra and City Services Directorate) and (c) ACT Property Group (within Chief Minister, Treasury and Economic Development Directorate), (i) what is the total expenditure broken down for each of these agencies on sport and recreation facilities and infrastructure for (A) 2015, (B) 2016, (C) 2017, and (D) 2018 respectively and (ii) what is the total amount of any grant funding that has been provided to non-government sporting organisations for the upkeep, upgrade, maintenance or construction of sport and recreation facilities and infrastructure broken down for each of these agencies for (A) 2015, (B) 2016, (C) 2017, and (D) 2018, respectively.

- (2) In relation to part (1) (i), how much of that total was provided for Government owned indoor facilities (halls; stadiums etc).
- (3) In relation to part (1) (ii), how much of that total was provided for indoor facilities.
- (4) What, if any, formal Government policy guides the allocation of resources specifically to indoor sport facilities.
- (5) What, if any, formal Government policy guides the provision of sport and recreation grants specifically to indoor sport facilities.

**Ms Berry:** The answer to the member's question is as follows:

(1) (i)

<b>Operational Expenditure (incl. Employee) Sport and Recreation Facilities and Infrastructure (ACTGOV Assets)</b>				
	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	2018-19 (\$'000)
<b>Sport and Recreation (ED, CMTEDD)</b>	28	1	389	272
<b>Sport and Recreation Facilities (TCCS)</b>	16,295	13,654	16,242	16,437
<b>Aquatics (ACTPG, CMTEDD)</b>	352	2,366	3,015	3,059

<b>Capital Expenditure Sport and Recreation Facilities and Infrastructure (ACTGOV Assets)</b>				
	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	2018-19 (\$'000)
<b>Sport and Recreation (ED, CMTEDD)</b>	-	-	215	35
<b>Sport and Recreation Facilities (TCCS)</b>	2,794	10,282	7,851	9,285
<b>Aquatics (ACTPG, CMTEDD)</b>	1,747	764	785	805
<b>Total Operational and Capital Exp.</b>	<b>21,216</b>	<b>27,067</b>	<b>28,497</b>	<b>29,893</b>

(1) (ii)

<b>Grant Funding provided to Non-Government Sporting Organisations</b>					
	2015-16 (\$'000)	2016-17 (\$'000)	2017-18 (\$'000)	2018-19 (\$'000)	TOTAL (\$'000)
<b>Sport and Recreation (ED, CMTEDD)</b>	1,840*	1,797*	579*	427*	4,643

\*The provision of grant funding is subject to applications received, the quality of those applications and the nature of the funding request received by non-government sporting organisations.

(2) The entities detailed in Question 1 don't own dedicated indoor sport court facilities (i.e. halls, stadiums).

(3)

<b>Grant Funding provided to Non-Government Sporting Organisations - Indoor/Outdoor Split (\$'000)</b>	
Indoor Expenditure	1,057*
Outdoor Expenditure	3,587*
<b>Total</b>	<b>4,643*</b>

\*The provision of grant funding is subject to applications received, the quality of those applications and the nature of the funding request received by non-government sporting organisations.

- (4) The Sport and Recreation Grant Program guidelines support allocation of resources, which includes indoor sport facilities.
- (5) The Capital Assistance Program guidelines, part of the Sport and Recreation Grant Program, support grant funding for capital projects, which can include indoor sporting facilities.

### **Heritage—nominations (Question No 2647)**

**Ms Le Couteur** asked the Minister for the Environment and Heritage, upon notice, on 16 August 2019:

- (1) In relation to the response to the Select Committee on Estimates 2019-2020 question on notice E19-518 response of “the ACT Government is actively working through the detail of these nominations”, (a) which agency and output class is leading this work, (b) which other agencies and output classes are being consulted, (c) what is the nature of the work being done, (d) what is the expected process and timeline for that work.
- (2) In relation to part (2) of the answer to E19-518, why not, and have any ACT Heritage staff undertaken any training or professional development in the Recommendation.

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

1. (a) The work is being led by the Environment, Planning and Sustainable Development Directorate, Output Class 1.2: Planning and Building Policy.
- (b) Other agencies being consulted are the City Renewal Authority and Transport Canberra and City Services Directorate. Other output classes within the Environment, Planning and Sustainable Development Directorate involved are Output Class 1.1 Planning Delivery, Output Class 2.1 Environment, Output Class 2.3 Heritage and Output Class 4.2 Urban Renewal.
- (c) Consideration of how the nomination will apply to the preparation and implementation of key planning, urban renewal and environment policies and plans, and the development assessment process for development and infrastructure projects within the boundary of the area subject to the nomination. Consideration is also being given to the referral process and how this can be integrated into existing approval processes where it may be required.

Management and maintenance requirements as they apply to the subject area and possible implications under this nomination are also being considered. This is ongoing consideration and will inform advice for Government to consider in response to the Commonwealth.

The Australian Government Department of the Environment and Energy has also asked that the ACT Government review the ‘Canberra the Planned National Capital -National Heritage Place EPBC Act Referral Guidelines’ (2013), which have been prepared to assist decision making processes about whether an action will require approval from the Australian Government Minister for the Environment under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

(d) Consultation within government is being undertaken to understand the opportunities and challenges posed by the nomination. Outcomes of these discussions and the review of the referral guidelines referred to in (c) above will be used to prepare advice for consideration by the ACT Government. This advice is expected to be provided to the Minister for Planning and Land Management in quarter 4 of 2019 – quarter 1 of 2020.

2. ACT Heritage staff undertake training and professional development opportunities, as applicable to their duties, including annual ICOMOS conferences and the ACT Region Heritage Symposium. The 2019 ACT Region Heritage Symposium focused on ‘The Spaces in Between: Connecting Canberra’s Urban Landscape’, which included sessions on the Historic Urban Landscape construct.

### **Litter—offences (Question No 2648)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 16 August 2019 (*redirected to the Minister for City Services*):

- (1) For each year over the past 10 years how many people were (a) given a formal warning for littering, (b) fined for littering offences, (c) charged for littering offences and (d) imprisoned for littering.
- (2) How much was the (a) average, (b) maximum, and (c) minimum, fine in relation to parts (1)(a), (1)(b), and (1)(c).
- (3) Does Transport Canberra and City Services (TCCS) record recidivism numbers for littering offences; if so, for parts (1)(a), (1)(b), (1)(c), and (1)(d), Can the Minister provide information about repeat offending.
- (4) Does TCCS record information about whether people warned, fined, charged, or imprisoned for littering offences are experiencing homelessness or are income support recipients; if so, can the Minister provide information about the numbers of people (a) warned, (b) fined, (c) charged, or (d) imprisoned, for littering offences who were experiencing homelessness or are income support recipients for each year of the last 10 years.
- (5) Does TCCS have information about whether a person being charged with a littering offence was also charged with another offence at the same time; if so, how many people were charged with littering and other offences at the same time for each year of the last 10 years.
- (6) For each year over the past 10 years how many people were (a) given a formal warning for dumping, (b) fined for dumping offences, (c) charged for dumping offences and (d) imprisoned for dumping offences.
- (7) How much was the (a) average, (b) maximum, and (c) minimum, fine in relation to parts (5)(a), (5)(b), and (5)(c).

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

- (1) Prior to 2017, litter infringements were issued manually by authorised officers and undertaking the manual search required to answer this question would be resource

intensive. Since the commencement of an electronic infringement system (Pinforce) the following have been issued:

2017 – Warnings – 1, Infringements – 0, Charged – 0

2018 – Warnings – 4, Infringements – 0, Charged – 0

2019 – Warnings – 3, Infringements – 0, Charged – 0

The introduction of TCCS' new Compliance Team in July 2019 is aimed at proactively engaging with individuals and businesses in line with the scheduled Compliance Program and increasing capacity to identify offenders.

- (2) Nil. There are no fines associated with a warning notice.
- (3) Through Pinforce, identifying recidivism is now possible, however, no records of recidivism have been identified at this time.
- (4) No. TCCS encourages compliance firstly through education but will apply escalating enforcement actions to those that demonstrate a disregard for the law and whose conduct has, or is likely, to cause harm to consumers, business, the community or the environment.
- (5) No.
- (6) As outlined in (1), data is readily available for 2017 and later periods, as follows:  
 2017 – Warnings – 0, Infringements – 0, Charged – 0  
 2018 – Warnings – 0, Infringements – 2, Charged – 0  
 2019 – Warnings – 13, Infringements – 11, Charged – 0  
 The new Compliance Targeting Team mentioned in (1) identified 31 illegal dumping offenders in the two months from July 2019.
- (7) There are no fines associated with a warning notice.  
 2017 – Nil  
 2018 – 2 x \$5000 infringements to businesses.  
 2019 – 5 x \$1000 infringement to individuals and 6 x \$5000 infringement to a business/corporation.

### **Transport Canberra—weekend bus services (Question No 2649)**

**Miss C Burch** asked the Minister for Transport and City Services, upon notice, on 16 August 2019 (*redirected to the Minister for Transport*):

What is the breakdown of how many bus drivers volunteered for weekend shifts between the Wednesday and Saturday immediately prior to the weekend of (a) 20/07/2019 to 21/07/2019, (b) 27/07/2019 to 28/07/2019, (c) 03/08/2019 to 04/08/2019 and (d) 10/08/2019 to 11/08/2019.

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

Transport Canberra Buses operates a fluid process whereby drivers opt-in to work a weekend detail (shift) up to and inclusive of the rostered weekend. The data records the total count of drivers who worked a weekend shift.

Date	Belconnen	Tuggeranong	Total
20/07/2019	109	91	200
21/07/2019	88	94	182
27/07/2019	115	113	228
28/07/2019	92	94	186
03/08/2019	118	108	226
04/08/2019	97	95	192
10/08/2019	111	103	214
11/08/2019	90	85	175

Table 1. Total count of drivers working a weekend detail (shift) by depot.

## Domestic and family violence—government initiatives (Question No 2650)

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 16 August 2019:

- (1) In relation to the Safer Families funding initiatives (2019-20) what additional resources are funded for the (a) Domestic Violence Crisis Service and (b) Canberra Rape Crisis Service.
- (2) What specialist drug and alcohol treatment services are included in the funding initiatives to provide support and referrals for.
- (3) What specific supports for families will be established with the new funding initiative through delivering the Family Safety Hub.
- (4) In what ways will child protection case management and coordination be enhanced through the funding initiative.
- (5) How will access be improved to Legal Aid under the new funding initiative.
- (6) How will stronger criminal justice responses be delivered under the new funding initiative in contrast to the current responses.
- (7) What specific supports will be provided for women and children to leave violence under the funding initiative.
- (8) What specific measures will be undertaken to reduce the risks of deaths from family violence through the funding initiative.
- (9) How many additional individuals and/or families can Room4Change service through its extension under the funding initiative.

**Ms Berry:** The answer to the member's question is as follows:

1.
  - a. The details of the funding for the Domestic Violence Crisis Service (DVCS) can be found in Budget Paper 3: Budget Outlook, Appendix J Safer Families. The 2019-20 Safer Families funding 'Additional resources for the Domestic Violence Crisis Service' is \$0.893m over four years. This is in addition to the base funding that DVCS receives.

- b. The details of the funding for the Canberra Rape Crisis Centre (CRCC) can be found in Budget Paper 3: Budget Outlook, Appendix J Safer Families. The 2019-20 Safer Families funding 'Additional resources for the Canberra Rape Crisis Centre' is \$0.450m over four years. This is in addition to the base funding that CRCC receives.

In 2018-19, both DVCS and CRCC received additional Safer Families funding of \$1.680m over four years via 'More support for families and inclusion - frontline domestic violence and rape crisis services'.

2. The Safer Families funding provided under the alcohol and drug sector initiative supports the capability development of specialist alcohol and other drug treatment providers. It does not directly fund treatment or referral places and services.

The funds are being used to progress the Safer Families Baseline Assessment Project which aims to increase the capacity and capability of the ACT alcohol and other drugs (AOD) specialist services to deliver evidence-based programs that integrate best practice in addressing domestic and family violence. These assessments will identify, at both the organisation and sector level, the capability and the capacity of the ACT's AOD specialist services to respond to domestic and family violence.

3. The Family Safety Hub has been working on a number of areas to improve support for families in the ACT impacted by domestic and family violence including: improving early intervention for pregnant women and new families, developing options to prevent housing and financial crisis for those affected by domestic and family violence, and the 'Listening and Learning' project for children and young people affected by family violence.

The Health Justice Partnership is the first pilot of the Family Safety Hub and is focused on early intervention for pregnant women and new families. This pilot provides free legal advice to pregnant women and new families who are experiencing or at risk of domestic and family violence at three locations; Centenary Hospital for Women and Children (with Legal Aid ACT), Calvary Hospital and Gungahlin Child and Family Centre (with Women's Legal Centre). This pilot was recently extended to June 2020 to allow for further evaluation.

The second Family Safety Hub challenge is focused on how the Government might prevent financial and housing crises for those affected by domestic and family violence. A workshop on 7 May 2019 was held for over 50 people from financial, crisis and housing services along with representatives from Government. The Family Safety Hub is currently having early scoping discussions with potential partners to help the Government determine which ideas will have the best chance of success and will deliver practical change.

The Family Safety Hub and the ACT Children and Young People Commissioner have also commenced a 'Listening and Learning' project to listen to children and young people's views about domestic and family violence. The insights gathered from the project will help us identify what improvements need to be made to services so that the needs of children and young people who have experienced domestic and family violence are met more effectively.

4. The Safer Families Package provided funding for the establishment of the Child and Youth Protection Quality Assurance and Improvement (CYPQAI) Committee and the Case Analysis Team.

The CYPQAI Committee is an independent advisory forum that provides arm's length quality assurance by giving independent advice on child protection policies and practices to foster ongoing improvements of the child protection system.

The Case Analysis Team undertakes case analysis of children to provide an objective view of a child's involvement with the child protection system and provide advice to support decision making and planning. The case analysis supports staff in understanding the impact of cumulative harm rather than a single incident of risk.

5. The Safer Families package funds Legal Aid ACT to expand capacity in its Family Violence Unit to assist more victims of family violence, and their children, to apply for family violence orders.

From 2020-21, Legal Aid funding will transition out of the Safer Families funding package. JACS will review these initiatives in 2019-20 to determine the best approach for the future to assist the initiatives to continue operating outside the Safer Families package.

6. The budget initiative 'Safer Families – stronger criminal justice responses' provides additional capacity to the ACT Director of Public Prosecutions to institute and conduct prosecutions of alleged family violence perpetrators and increase the victim assistance service delivery.

JACS will review this initiative in 2019-20 to determine the best approach for the future to assist the initiative to continue operating outside the Safer Families package.

7. In the 2019-20 budget, \$418,000 over four years is allocated to assist women and children to leave violence via the Safer Families Assistance Program. This program provides \$2,000 to help women leaving violence with the costs associated with maintaining or establishing a home.
8. In the 2019-20 budget, the ACT Government committed \$831,000 over four years to fund the establishment of a permanent Domestic and Family Violence Death Review function for the ACT. This death review function will analyse information relating to family violence deaths in the ACT and make recommendations for system wide improvements to services to prevent similar deaths occurring in the future. This will help us to improve family violence responses by examining the ways in which the Government's systems and services performed when they were most challenged.
9. As a therapeutic, residential behaviour change program for men who use domestic and family violence, Room4Change participants enter and exit accommodation on a regular basis depending on needs and safety. There are also Room4Change participants who do not access the residential component of the program. Consequently, the exact number of additional individuals who will receive support from the extension of Room4Change cannot be determined.

Data for 2018-19 show that 37 clients participated in the Room4Change program, with 33 partners and ex-partners of clients receiving partner support. Of the 33 partners and ex-partners who received support, 53 children were impacted. An additional 17 children of partners and ex-partners who declined partner support were also impacted.

**Domestic and family violence—government initiatives  
(Question No 2651)**

**Mrs Kikkert** asked the Minister for Police and Emergency Services, upon notice, on 16 August 2019 (*redirected to the Minister for the Prevention of Domestic and Family Violence*):

What stronger police supports in particular will be established with the new Safer Families funding initiative for family violence victims.

**Ms Berry:** The answer to the member's question is as follows:

The budget initiative 'Safer Families – Strong police support for family violence victims' has supported ACT Policing to employ two dedicated Family Violence Order Liaison Officers (FV-OLOs) to assist vulnerable members of our community to obtain Family Violence Orders. This initiative added another option of support for people seeking family violence orders, in addition to the support provided by the Domestic Violence Crisis Service and Legal Aid ACT.

Under the Safer Families budget initiative, the ACT Government has provided funding for \$1.18 million over four years to fund the FV-OLOs to assist victims of domestic violence, in particular to assist victims in applying for domestic violence protection. This funding commenced in the 2016-17 financial year and will be transitioned out of the package after 2019-20. During this financial year, the Justice and Community Safety Directorate will be reviewing this initiative to determine the best approach for the future.

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**Domestic and family violence—government initiatives  
(Question No 2652)**

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 16 August 2019:

- (1) How many clients (offenders) are involved in the Room4Change Program at the present time.
- (2) How many partners of clients are currently being supported through this program.
- (3) How many children of clients or clients' partners are currently being supported through this program.

**Ms Berry:** The answer to the member's question is as follows:

Point in time information relating to the number of clients, partners and children supported by Room4Change is not available. Under the reporting requirements of the service funding agreement, the Domestic Violence Crisis Service (DVCS) is required to make regular reports on program participation and support provided.

The data below is for participation and support for 2018-19.

1. 37 clients participated in the Room4Change program.
2. 33 partners and ex-partners of clients have received support via the Room4Change program.
3. As per their service funding agreement, DVCS are not required to report on the number of children who receive direct support via the Room4Change program. Instead, DVCS report the number of children impacted via their parents participating or receiving partner support from the program.

Of the 33 partners and ex-partners who received support via the Room4Change program in 2018-19, 53 children were impacted. An additional 17 children of partners and ex-partners who declined partner support were also impacted.

### **Domestic and family violence—government initiatives (Question No 2653)**

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 16 August 2019:

In relation to the Safer Families Levy what is the (a) total number of functions that the Safer Families Package funded for the year 2018-19, (b) responsible directorate for each of the functions funded through the Safer Families Package, (c) subject of each function funded through the Safer Families Package and (d) number of full-time equivalent positions and corresponding job classification hired to deliver each function funded through the Safer Families Package.

**Ms Berry:** The answer to the member's question is as follows:

- a. Table J.2 on page 417 of 2018-19 Budget Paper No. 3 provides the Safer Families initiatives funding for the 2018-19 Budget.

[https://apps.treasury.act.gov.au/\\_\\_data/assets/pdf\\_file/0007/1206817/Budget-Paper-3-Budget-Outlook-2018-19.pdf](https://apps.treasury.act.gov.au/__data/assets/pdf_file/0007/1206817/Budget-Paper-3-Budget-Outlook-2018-19.pdf)

- b. The responsible Directorate for each function in 2018-19 is as follows:

#### Community Services Directorate

- More support for families and inclusion – Delivering the Family Safety Hub
- Safer Families – Additional resources for the Canberra Rape Crisis Centre
- Safer Families – Additional resources for the Domestic Violence Crisis Service
- Safer Families – Early assistance for families at risk of violence (Room for Change)
- Safer Families – Enhanced child protection case management and coordination
- Safer Families – Safer Families team
- Safer Families – Training in domestic violence for frontline workers
- Safer Families – Support for women and children to leave violence

#### Justice and Community Safety Directorate

- Safer Families – Enhancing access to justice for non-English speakers
- Safer Families – Implementation of the Joint Australian Law Reform Commission and NSW Law Reform Commission Report on Family Violence

- Safer Families – Improved access to Legal Aid
- Safer Families – Stronger criminal justice responses
- Safer Families – Stronger police support for family violence victims

Health Directorate

- Safer Families – Support and referral through specialist drug and alcohol treatment services

Chief Minister and Treasury Directorate

- Safer Families – Reportable conduct scheme for employees

c. The subject of each function is outlined in Table J.2 on page 417 of 2018-19 Budget Paper No. 3.

[https://apps.treasury.act.gov.au/\\_\\_data/assets/pdf\\_file/0007/1206817/Budget-Paper-3-Budget-Outlook-2018-19.pdf](https://apps.treasury.act.gov.au/__data/assets/pdf_file/0007/1206817/Budget-Paper-3-Budget-Outlook-2018-19.pdf)

d. The Safer Families Package funds functions not positions. The funding is provided to the responsible directorate which determines how that function is best delivered. The number of positions required to deliver each function is not necessarily fixed and may change over time.

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**Children and young people—care and protection  
(Question No 2654)**

**Mrs Kikkert** asked the Minister for Children, Youth and Families, upon notice, on 16 August 2019:

- (1) How many children in care and protection currently have a therapeutic plan as at the date this question is published in the Questions on Notice Paper.
- (2) Who conducts the therapeutic assessments in relation to part (1) and at what point in time upon entry into the care and protection system are children assessed.
- (3) How many children in care and protection currently do not have a therapeutic plan as at the date this question is published in the Questions on Notice Paper.
- (4) What criteria determines whether a child in care and protection will receive a (a) therapeutic assessment and (b) therapeutic plan.
- (5) Who has authority to (a) view a child's therapeutic plan and (b) review and/or amend a child's therapeutic plan.
- (6) How often are therapeutic plans reviewed, and under what additional circumstances would a child's therapeutic plan be subject to review.
- (7) Is a child's therapeutic plan added to their health passport.

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

A therapeutic assessment takes place when a child enters care and focuses on gathering information about the child's history, exposure to trauma and its impact, and the child's

development from those who already know, or who have assessed the child. The therapeutic assessment looks at the impact of trauma on various aspects of a child's life to identify any challenges, so the child and carer can be best supported to address these challenges.

The initial therapeutic assessment is completed by the CYPS Therapeutic Assessment Team or the Australian Childhood Trauma Group. Once completed a therapeutic assessment report is discussed with the child's Care Team, including recommendations made, and supports the Care Team to prioritise the identified goals and strategies for the child.

Under *A Step Up for Our Kids*, the introduction of therapeutic assessments has been incremental. This is because the ACT decided that all children and young people in out of home care would benefit from therapeutic assessments regardless of the time they had been in care.

CYPS has been progressively completing assessments and has also engaged the Australian Childhood Trauma Group to assist in completing these assessments. It is expected that all children and young people in the care of the Director-General and in out of home care will have a therapeutic assessment by 30 June 2020.

Since the implementation of *A Step Up for Our Kids*, CYPS has reduced the number of 'plans' for children and young people in out of home care. Feedback has been that having multiple plans is confusing and onerous. The new client management system facilitates goals and actions from any assessments undertaken being recorded centrally and able to be drawn into the relevant plan as needed.

1. As at 22 August 2019, there were 690 children in the care of the Director-General where the child was in out of home care. All children and young people in the care of the Director-General have a care plan, while 401 of these children have had a therapeutic assessment completed which has informed their care plan.
2. A therapeutic assessment is completed by either the CYPS Therapeutic Assessment Team or the Australian Childhood Trauma Group.

An initial consultation is provided by a CYPS therapeutic assessor to the child's foster or kinship carer within 5 working days of the child entering care.

3. All children and young people in the care of the Director-General have a care plan. Care plans are updated as needed and as information is received, including upon the completion of a therapeutic assessment. See answer to Question 1.
4.
  - a. A child or young person on a Care and Protection Order is eligible for a therapeutic assessment.
  - b. All children and young people in care have a care plan. The care plan documents the goals identified for the child (informed by various assessments including the therapeutic assessment), and actions for the care team to complete.
5.
  - a. The therapeutic assessment forms part of the child's file and is made available to the Care Team. Members of a Care Team may include the carers, parents, school staff, treating professionals, other government services and community organisations. Care team membership is determined based on the individual needs of children and includes those who are part of the child's support network.

- b. The case manager for each child or young person has the authority to review and update the care plan. Updates are generally undertaken in the context of consultation and discussion in Care Teams, with the child or young person where this is possible, and in consultation with their team leader.
  6. Care plans are not intended to be static documents and are amended as individual circumstances change. More regular change is expected for those children on short-term or interim Care and Protection Orders. For children who are in stable long-term care, their care plans are less likely to change.

Therapeutic assessments are reviewed annually and inform any adjustments to the care plan. ACT Together are responsible for undertaking a review of the therapeutic assessment for children and young people they directly case manage.
  7. A care plan is not added to a child's health passport. Carers have access to both documents to inform their care of the child. Health Passports allow carers to record medical appointments and services to ensure this information is documented for the child and available to the carer.
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### **Children and young people—care and protection (Question No 2655)**

**Mrs Kikkert** asked the Minister for Children, Youth and Families, upon notice, on 16 August 2019:

- (1) Does the KPGM Final Report for the mid-Strategy evaluation of A Step Up for Our Kids state on page 50 that “the number of children and young people in care with a Health Passport was not recorded”; if so, does the ACT have complete and accurate records of which children and young people currently in out-of-home care have been issued Health Passports.
- (2) If the ACT does not have complete and accurate records in relation to part (1), why has this information not been kept and if the information is partial or incomplete, what is known.
- (3) Since Health Passports were introduced in 2015, has the ACT Government taken steps to introduce them to children and young people already in care, or have they only been issued to those entering care for the first time, and what has been the reason/s behind this approach.
- (4) If data has been kept how many children and young people currently in out-of-home care are aged (a) 0–14 and (b) 15–18, and of these, how many currently have Health Passports.
- (5) What is the mechanism for keeping a Health Passport up to date once it has been issued to a child or young person.
- (6) What is the initial cost related to issuing a Health Passport.
- (7) What are the ongoing costs, if any, for keeping a Health Passport up to date.

- (8) In the past year (2018–19), how many children and young people aged (a) 0–14 and (b) 15–18, entered out-of-home care and of these, how many were issued with Health Passports.
- (9) What is the current policy or guideline regarding how quickly a child or young person entering care should be issued a Health Passport.
- (10) Of those children and young people in part (8)(a), how many of them received Health Passports within (a) two weeks (b) four weeks and six weeks, of entering care.
- (11) Of those children and young people part (8)(b), how many of them received Health Passports within (a) two weeks (b) four weeks and six weeks, of entering care.
- (12) What are the steps necessary to issuing a Health Passport, and who is responsible for completing this process.

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

1. Yes, the KPMG report does include the quoted words. However, Child and Youth Protection Services (CYPS) has a record of all Health Passports issued to the carers caring for children and young people who have entered care.
2. See response to Question 1.
3. When Health Passports were introduced in 2015, they were provided to children and young people aged under 14 years entering care. Health Passports have since been extended to all children and young people in care under 14 years regardless of the year in which they entered care.
4.
  - a. As at 25 August 2019, there were 610 children and young people from birth until 14 in out of home care for whom the Director-General held parental responsibility.  
  
Out of the 610 children and young people, 577 had been issued a Health Passport as at 3 September 2019. The remaining 33 children and young people live outside the ACT and surrounding area.
  - b. As at 25 August 2019, there were 85 young people aged 15–18 in out of home care for whom the Director-General held parental responsibility.  
  
Of the 85 young people, 10 had been issued a Health Passport. These health passports were issued when the young people were aged 14 years and under.
5. Carers are advised to take the Health Passport to appointments in order to record a contemporary summary of a child or young person's health.
6. The cost is approximately \$13.00 per Health Passport.
7. There are no ongoing costs to maintain a Health Passport.
8.
  - a. In 2018-19, there were 95 children from birth until 14 years of age who entered care and for whom the Director-General held parental responsibility. Of these

children, 70 were issued with a Health Passport. The remaining 25 exited care during the financial year and as such were not issued a Health Passport (15 of the 25 were in care for 14 days or less).

- b. In 2018-19, there were 17 young people aged 15-18 who entered care and for whom the Director-General held parental responsibility. Five of these young people were issued a Health Passport. At the time of issue these young people were aged 14 years.

9. CYPS seeks to issue a Health Passport prior to the child or young person attending their first Child at Risk Health Unit (CARHU) Out of Home Care Health and Wellbeing Screen, where this is reasonably practicable.

10.

- a. Within two weeks, 57 children and young people between the ages of birth until 14 years received their Health Passport.
- b. Within four weeks, five children and young people between the ages of birth until 14 years received their Health Passport.

Within six weeks, two children and young people between the ages of birth until 14 received their Health Passport.

Six children and young people between the ages of birth until 14 received their Health Passport after six weeks.

11.

- a. One young person between the ages of 15-18 received their Health Passport within two weeks.
- b. Two young people between the ages of 15-18 received their Health Passport within four weeks.

Two young people between the ages of 15-18 received their Health passport within six weeks.

12. On a weekly basis, CYPS Operational Support team receive a new 'children in care report'. Once this is received the Operational Support Officer issues the Health Passports to the CYPS Case Manager. This is recorded on the Children and Young Person System. The CYPS Case Manager then provides the Health Passport to the carer.

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**Schools—Miles Franklin  
(Question No 2660)**

**Mrs Kikkert** asked the Minister for Education and Early Childhood Development, upon notice, on 16 August 2019:

- (1) What consultation is being undertaken in relation to the proposed fencing around Miles Franklin School and (a) who is being consulted and (b) when will consultation conclude.

- (2) What options are the ACT Government considering to allow for continued public use of the ovals in light of this proposal.
- (3) Does Miles Franklin School own the adjacent oval; if so, will the ACT Government fence the oval adjacent to Miles Franklin School; if not, will the ACT Government fence the school grounds only and leave the oval unfenced for public access.
- (4) What is the estimated cost of fencing the (a) school grounds only and (b) school grounds as well as the oval.

**Ms Berry:** The answer to the member's question is as follows:

- (1) a) The Miles Franklin Primary School has undertaken consultation with the school and surrounding community regarding the fencing proposal. This consultation has consisted of school meetings, notices in the school newsletter and a letterbox drop to all residents of Evatt.  
b) The consultation process has been completed.
- (2) Following community feedback, the fence proposal has been entirely withdrawn and the school and land known as South West Evatt Oval (Section 89, Block 3) will not be fenced and will remain fully open for community use.
- (3) The Education Directorate has custodianship of South West Evatt Oval.
- (4)
  - a) The estimated cost to fence the Miles Franklin Primary School grounds is \$207,000.
  - b) The estimated cost to fence the South West Evatt Oval is \$111,000.

**Canberra Hospital—discharge policy  
(Question No 2662)**

**Mrs Kikkert** asked the Minister for Health, upon notice, on 16 August 2019:

- (1) How many people under the age of 18 years were discharged from The Canberra Hospital without notifying their parents or legal guardian/carer at the time of discharge for (a) 2017-18 and (b) 2018-19.
- (2) Under what circumstances can The Canberra Hospital discharge a minor without notifying their parent or legal guardian/carer at the time of discharge.

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

- (1) The decision to notify parents or legal guardians is a medical one, and any record of the decision may be contained within individual patient records. It would be too administratively intensive to review each individual patient file to ascertain this information.
- (2) The decision to discharge a child or young person is a medical one. Decisions around discharges may involve discussions with parents/legal guardian or other relevant agencies, depending on the specific circumstances of the child or young person.

**Public housing—Kaleen  
(Question No 2664—revised)**

**Mr Milligan** asked the Minister for Housing and Suburban Development, upon notice, on 23 August 2019:

- (1) What is the expected completion date for the construction project of the public housing unit development (block 28, section 117) on Baldwin Drive, Kaleen.
- (2) Can the Minister explain the purpose of the project and who its intended residents are.
- (3) What is the expected date that residents will be moving in to the unit complex.
- (4) Can the Minister detail why this location was chosen for this project.
- (5) Can the Minister detail what benefits this project will deliver for Kaleen and the local community.

**Ms Berry:** The answer to the member's question is as follows:

1. The project was completed in March 2019.
2. Housing ACT commissioned the development of 33 Class C two- and three-bedroom units and a further 33 dwellings to the affordable rental market, possibly targeting ageing persons and people living with disability. This will deliver the site as a mixed-tenure complex which is consistent with the ACT Government's commitment to building an inclusive city.

The purpose of this project was to develop half of the site for public housing principally suitable for older public housing tenants. This will allow older people to downsize and to move into homes that are more suitable for their needs, easier to manage and more efficient and cheaper to run. The other half was developed as an affordable housing model which has been integrated throughout the complex.

3. Public housing tenants have already started to take up residency and will continue to move in over the coming months.

The Housing ACT team are continuing to work through the Housing Register to identify those who would benefit from a Class C home in a supported environment. This process involves working on a one-on-one basis with each client, their families and supports to facilitate these conversations. A public tender has also been released seeking the engagement of a community housing provider that will manage the affordable housing model for the remaining units.

4. Housing ACT is the owner of the land at 110 Baldwin Drive, Kaleen which has a total land area of 16,315 m<sup>2</sup>. A Territory Plan Variation was approved to change the zoning from Community Facility Land to RZ5-High Density Residential zoning, allowing for flexible accommodation to meet the needs of public housing tenants, including providing for housing for older tenants or tenants living with a disability.

Kaleen housing stock is predominantly made up of detached dwellings and 6% public housing. This meant that older housing tenants would have to relocate elsewhere if

they wished to move from their current homes. The development of this site allows housing tenants to 'down-size' into smaller units that better meet their needs while remaining within the area. Further to that, the site is well served by public transport and is close to shops and other community facilities.

5. This project promotes better community outcomes through integrated mixed-tenure developments.

Public housing and affordable housing are both critically important for the ACT community's overall economic and social wellbeing and assists those Canberrans on low incomes to reach their potential, make a contribution and share in the benefits of our community.

These homes were built to adaptable building standards. Adaptable housing allows people from a broader range of ages and abilities to live within the home and can be easily adapted to meet most changing household needs without requiring costly or substantial modifications.

Under the ACT Housing Strategy, the ACT Government is committed to growing and renewing public housing, providing more homes for people in need of secure and affordable housing.

### **Mental health—readmissions (Question No 2666)**

**Mrs Dunne** asked the Minister for Mental Health, upon notice, on 23 August 2019:

- (1) What is the estimated outcome for acute psychiatric unit patient 28-day readmission rate for 2019-20; if not known, when will this figure become available.
- (2) When will the response to the Auditor-General's report on Mental Health Services – Transition from Acute Care, be delivered.
- (3) Why is unplanned readmission not able to be distinguished from planned readmissions given that this is a budget indicator.

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

- (1) The estimated outcome for acute psychiatric unit patient 28-day readmission rate for 2019-20 is unknown as at 4 September 2019. The estimated outcome will be published in the 2020-21 Budget Statements.
- (2) The Government response to the Auditor-General's report on Mental Health Services – Transition from Acute Care was presented in the ACT Legislative Assembly on 24 October 2017.
- (3) Unplanned readmissions cannot be determined without a clinical review. The ACT Auditor General's 2017 report Mental Health Services - Transition from Acute Care recommended that clinical review/audits for readmissions within 28 days not be conducted by the inpatient facility staff receiving the consumer, due to a potential perception of a conflict of interest.

The 2019-20 Strategic Objective 3: Maintaining Reduced Rates of Patient Return to an ACT Public Acute Psychiatric Inpatient Unit aligns with national counting methodology which now incorporates all Mental Health inpatient readmissions as opposed to the previous measure of unplanned readmissions only.

Therefore the target for 2019-20 has been adjusted to reflect this. The Strategic Objective measures Canberra Health Services performance only.

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**ACT Health—internal audits  
(Question No 2667)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 23 August 2019:

- (1) How many internal audit reports did ACT Health commission during 2018-19 and (a) what were the topics of those audits, (b) when were these internal audit reports received, (c) are any of these reports still outstanding, (d) who performed these audits, (e) were any of these reports prepared by outside consultants and (f) how much did each report prepared by outside consultants' cost.
- (2) Has the Minister for Health and the Director-General of ACT Health been advised of the outcome of each audit.
- (3) Which area of ACT Health is responsible for implementing the findings of each audit report.

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

- (1) Refer to the response provided to Question on Notice 2588.
    - (a) Refer to the response provided to Question on Notice 2588.
    - (b) September 2018.
    - (c) No.
    - (d) Refer to the response provided to Question on Notice 2588.
    - (e) Yes.
    - (f) Refer to the response provided to Question on Notice 2588.
  - (2) No briefings have been provided to the Minister for Health or the Director-General of ACT Health Directorate.
  - (3) Strategic Procurement Unit, Corporate & Governance Division.
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**ACT Health—internal audits  
(Question No 2668)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 23 August 2019:

- (1) How many internal audit reports did Canberra Health Services commission during 2018-19 and (a) what were the topics of those audits, (b) when were these internal

audit reports received, (c) are any of these reports still outstanding, (d) who performed these audits, (e) were any of these reports prepared by outside consultants and (f) how much did each report prepared by outside consultants cost.

- (2) Has the Minister for Health and the CEO of Canberra Health Services been advised of the outcome of each audit.
- (3) Which area of Canberra Health Services is responsible for implementing the findings of each audit report.

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

- (1) Refer to response to QoN 2588.
  - (a) Refer to response to QoN 2588.
  - (b) A final report on the Senior Medical Officer Attendance Management is yet to be received.
  - (c) Refer to response to QoN 2588.
  - (d) Refer to response to QoN 2588.
  - (e) Refer to response to QoN 2588.
  - (f) Refer to response to QoN 2588.
- (2) Refer to response to QoN 2588.
- (3) As the report is not yet finalised, the recommendations have yet to be allocated and actioned.

### **Planning—Evatt (Question No 2669)**

**Mrs Dunne** asked the Minister for Planning and Land Management, upon notice, on 23 August 2019:

What does the Territory Plan say about the (a) current and (b) future, use of Block 3 Section 89, Evatt.

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

- (a) The block size is 52578m<sup>2</sup> and is located in the Parks and Recreation—PRZ1 Urban Open Space Zone. The current use of the block is for open space purposes. South-east of the block is an oval currently used by Miles Franklin Primary School for sporting activities.
- (b) There is currently no proposal to change the use of the block or its zoning under the Territory Plan.

### **Canberra Hospital—emergency department bypass (Question No 2670)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 23 August 2019:

- (1) In relation to the hospital bypass on 1 July 2019, what time was the decision taken and who took the decision.
- (2) Who was consulted before the decision to implement a bypass was taken.
- (3) When were the (a) Minister for Health and (b) CEO of Canberra Health Services, consulted or advised.
- (4) What factors led to the decision to implement a hospital bypass on 1 July 2019.
- (5) How many patients were discharged as a result of the hospital bypass and when were they discharged.
- (6) How many patients were transferred to private hospitals and (a) which private hospitals where they transferred to, (b) when were these patients transferred and (c) what was the cost of the transfers.
- (7) When was the decision made to end the bypass arrangements and who made the decision.
- (8) Who was consulted before the decision to end the bypass arrangement.
- (9) What factors led to the end of the bypass arrangement.

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

- (1) The decision to go on ambulance bypass was made by the Canberra Hospital (CH) Commander at 9am.
  - (2) CH Commander, CH Emergency Department Admitting Officer, CH Director of Nursing Patient Flow, relevant CH management positions involved in patient flow, ACT Ambulance Service and Calvary Public Hospital Bruce.
  - (3) It was not part of the formal process to advise the Minister for Health. The process has now been updated to include advice to the Minister.  
  
The CEO was advised soon after the decision was made.
  - (4) There were IT issues at CH which impacted access to patient information.
  - (5) All decisions to discharge patients are made based on whether it is clinically appropriate to do so, not as a result of an ambulance bypass.
  - (6) Nil.  
(a), (b), (c) Not applicable.
  - (7) 9.30am. The decision was made by the CH Commander.
  - (8) CH Commander, CH Emergency Department Admitting Officer, CH Director of Nursing Patient Flow, relevant CH management positions involved in patient flow, ACT Ambulance Service and Calvary Public Hospital Bruce.
  - (9) IT issues were resolved.
-

**Canberra Hospital—emergency department bypass  
(Question No 2671)**

**Mrs Dunne** asked the Minister for Health, upon notice, on 23 August 2019:

- (1) In relation to the hospital bypass on 20 May 2019, what time was the decision taken and who took the decision?
- (2) Who was consulted before the decision to implement a bypass was taken.
- (3) When were the (a) Minister for Health and Wellbeing and (b) CEO of Canberra Health Services, consulted or advised.
- (4) What factors led to the decision to implement a hospital bypass on 20 May 2019.
- (5) How many patients were discharged as a result of the hospital bypass and when were they discharged.
- (6) How many patients were transferred to private hospitals and (a) which private hospitals where they transferred to, (b) when were these patients transferred and (c) what was the cost of the transfers.
- (7) When was the decision made to end the bypass arrangements and who made the decision.
- (8) Who was consulted before the decision to end the bypass arrangement.
- (9) What factors led to the end of the bypass arrangement.

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

- (1) The decision was made by the Canberra Hospital (CH) Commander at 2pm.
- (2) CH Commander, CH Emergency Department Admitting Officer, CH Director of Nursing Patient Flow, relevant CH management positions involved in patient flow, ACT Ambulance Service and Calvary Public Hospital Bruce.
- (3) It is not part of the process to formally advise the Minister for Health when the hospital goes on bypass. This process has now been updated to include advice to the Minister. The CEO was notified by the Hospital Commander in a formal brief on the day of the bypass.
- (4) There was no obvious cause for the surge in admissions other than usual seasonal fluctuations.
- (5) It is not possible to separate hospital bypass discharges from business as usual discharges.
- (6) (a) Four patients were transferred to National Capital Private Hospital (NCPH) via the corridor link.  
(b) Between 5pm and 9pm.  
(c) There are no costs to transfer patients to NCPH.

- (7) 4pm – CH Commander.
  - (8) CH Commander, CH Emergency Department Admitting Officer, CH Director of Nursing Patient Flow, relevant CH management positions involved in patient flow, ACT Ambulance Service and Calvary Public Hospital Bruce.
  - (9) Hospital capacity returned to manageable activity.
- 

**Government—hospital bypass policy  
(Question No 2675)**

**Ms Lawder** asked the Minister for Health, upon notice, on 23 August 2019:

- (1) What are the Government’s policies and procedures, including reporting requirements, relating to hospital bypass measures, whether those policies, procedures and reporting requirements be referred to as “hospital bypass”, “ambulance bypass”, “ambulance diversion”, “load levelling”, “ambulance distribution”, “demand management” or any other similar term.
- (2) How do the policies, procedures and reporting arrangements as referred to in part (1) compare with those in other jurisdictions.
- (3) If the government does not have any element of “policies”, “procedures” and “reporting requirements” relating to hospital bypass measures (or similar term), why.

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

- (1) Canberra Health Services (CHS) has a Capacity Escalation Procedure which sets out CHS overarching approach to identifying and responding to Canberra Hospital capacity during high demand situations or where capacity exceeds available service access. This is available online at [health.act.gov.au/sites/default/files/2019-09/Capacity%20Escalation%20Procedure.pdf](http://health.act.gov.au/sites/default/files/2019-09/Capacity%20Escalation%20Procedure.pdf).
  - (2) CHS is unable to provide specific comment around escalation procedures in other jurisdictions however CHS does benchmark with other jurisdictions. Escalation procedures at other hospitals were reviewed when preparing the CHS Capacity Escalation Procedure.
  - (3) See above.
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**Trees—scar  
(Question No 2681)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 23 August 2019 (*redirected to the Minister for City Services*):

- (1) In relation to the trunk of heritage-listed scarred tree MST4, when will consultations between Transport Canberra and City Services and Representative Aboriginal Organisations (RAOs) occur regarding final arrangements for the trunk of MST4.

- (2) Which RAOs will be consulted.

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

- (1) TCCS will commence consultations with RAOs in October 2019.
- (2) All four RAOs declared under the *Heritage Act 2004* will be consulted.

### **Taxation—payroll tax rate (Question No 2682)**

**Mr Coe** asked the Treasurer, upon notice, on 23 August 2019:

- (1) What is the total number of businesses that paid payroll tax during (a) 2017-18 and (b) 2018-19.
- (2) What is the total number of businesses that have been (a) the subject of payroll tax compliance investigations and (b) found to owe money to the ACT Government, in relation to payroll tax during (i) 2017-18 and (ii) 2018 19.
- (3) For each financial year since 2007-08 to date, what is the total amount of payroll tax (a) subject to payroll tax compliance investigations, (b) recouped through payroll tax compliance investigations (c) outstanding after payroll tax compliance investigations and (d) waived.
- (4) What was the (a) minimum, (b) median, (c) average and (d) maximum, amount of payroll tax paid by businesses for each financial year to date since 2007-08.
- (5) What is the breakdown of the (a) number of businesses in the ACT that paid payroll tax (b) percentage share of payroll tax paid and (c) value of payroll tax paid, during each financial year since 2017-18 to date by the taxable payroll bands (i) \$2 000 000 – \$2 249 999, (ii) \$2 250 000 – \$2 499 999, (iii) \$2 500 000 – \$2 749 999, (iv) \$2 750 000 – \$2 999 999, (v) \$3 000 000 – \$3 999 999, (vi) \$4 000 000 – \$4 999 999, (vii) \$5 000 000 – \$5 999 999, (viii) \$6 000 000 – \$6 999 999, (ix) \$7 000 000 – \$7 999 999, (x) \$8 000 000 – \$8 999 999, (xi) \$9 000 000 – \$9 999 999, (xii) \$10 000 000 – \$24 999 999, (xiii) \$25 000 000 – \$99 999 999, (xiv) \$100 000 000 and above.
- (6) What effect does 0.1 percent growth in (a) employment figures and (b) wages, have on payroll tax revenue.
- (7) What specific assumptions regarding (a) employment and (b) wage growth, underpin the increases in payroll tax in 2019-20 and across each year of the forward estimates.
- (8) What amount in (a) dollar figures and (b) percentage, is the increase in payroll tax revenue each year since 2018-19 and across the forward estimates is attributable to (i) employment growth, (ii) wage growth and (iii) compliance activities.
- (9) What is the number of businesses that have a payroll tax liability based on total Australian wages that receive adjusted ACT tax free threshold for (a) 0 to 10 per cent, (b) 10 percent to 20 per cent, (c) 20 per cent to 30 per cent, (d) 30 per cent to 40 per cent, (e) 40 per cent to 50 per cent, (f) 50 per cent to 60 per cent, (g) 60 per cent to 70

per cent, (h) 70 per cent to 80 per cent, (i) 80 per cent to 90 per cent, (j) 90 per cent to 100 per cent, (k) 100 per cent.

- (10) What is the total amount of payroll tax paid for the entities in each of the increments identified in part (9).

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

- (1) The total number of businesses that paid payroll tax during:
- a. 2017-18: 3,891
  - b. 2018-19: 4,504
- (2) Number of businesses the subject of payroll tax compliance investigations

Financial year	Number of cases completed	Number of assessments issued
2017-18	109	75
2018-19	40	15

- (3)(a) The total amount of payroll tax subject to payroll tax compliance investigations is not estimated. The value of compliance assessments raised is the measure that is reported (refer answer to 3(b))

3(b) Payroll tax compliance investigation revenue is shown below:

Payroll tax (\$)	Tax	Penalty	Interest
2007-08	5,331,497	2,518,873	
2008-09	5,111,315	1,373,323	1,169,189
2009-10	4,540,006	879,613	559,397
2010-11	3,288,529	644,678	473,168
2011-12	2,720,541	812,859	493,789
2012-13	2,323,532	757,624	398,204
2013-14	5,232,271	2,298,520	1,335,566
2014-15	4,913,490	1,866,799	1,139,377
2015-16	5,928,638	1,917,970	1,133,527
2016-17	3,955,588	2,609,981	948,170
2017-18	5,241,256	820,379	279,726
2018-19	3,883,565	958,043	666,863

- 3(c) As noted above, the total amount of payroll tax subject to payroll tax compliance investigations is not estimated. Therefore, it is not possible to determine an 'outstanding' amount.

3(d) Waivers are not a feature of payroll tax compliance activity and assessments.

- (4) Minimum, median and average amount of payroll tax paid by taxpayer group is provided below. The maximum is not provided to protect taxpayer confidentiality. The figures provided are subject to change over time as a result of taxpayer re-lodgements and re-statements and compliance case assessments. Figures prior to 2012-13 are not readily available.

	Minimum (\$)	Median (\$)	Average (\$)
2012-13	1.52	27,035	154,413
2013-14	2.92	25,645	147,464
2014-15	0.74	24,297	148,332
2015-16	0.17	24,683	159,548
2016-17	6.00	25,153	161,862
2017-18	15.00	25,228	165,483
2018-19	1.00	26,755	176,217

- (5) The share of payroll tax paid and value of payroll tax by specified threshold for taxpayer groups is provided below. The figures provided are subject to change over time as a result of taxpayer re-lodgements and re-statements and compliance case assessments.

Value of ACT wages	2017-18			2018-19		
	No. of taxpayer groups	% of total payroll tax revenue	Revenue (\$)	No of taxpayer groups	% of total payroll tax revenue	Revenue (\$)
\$2,000,000 – \$2,249,999	66	1%	4,594,758	88	1%	7,583,665
\$2,250,000 – \$2,499,999	66	1%	5,899,098	67	1%	5,344,604
\$2,500,000 – \$2,749,999	65	2%	7,050,096	59	1%	7,216,447
\$2,750,000 – \$2,999,999	46	1%	6,218,956	42	1%	5,960,735
\$3,000,000 – \$3,999,999	137	5%	23,014,068	141	5%	23,984,321
\$4,000,000 – \$4,999,999	86	4%	20,529,116	78	4%	19,755,829
\$5,000,000 – \$5,999,999	45	3%	14,067,265	72	4%	22,898,180
\$6,000,000 – \$6,999,999	38	3%	15,286,479	32	2%	12,555,498
\$7,000,000 – \$7,999,999	24	2%	10,162,610	32	3%	14,553,158
\$8,000,000 – \$8,999,999	16	2%	7,378,792	23	2%	12,238,080
\$9,000,000 – \$9,999,999	8	1%	4,516,521	14	2%	8,337,602
\$10,000,000 – \$24,999,999	108	22%	104,373,288	100	19%	98,441,318
\$25,000,000 – \$99,999,999	40	28%	128,058,742	51	30%	155,056,737
Above \$100,000,000	3	13%	59,038,526	4	14%	70,795,204

- (6) (a) If private sector employment were to increase by 0.1 per cent more than forecast, assuming the same distribution of taxpayers, payroll tax revenue is estimated to increase by the amount shown below:

	<b>2019-20<sub>f</sub></b> \$'000
Payroll Tax	156

- (b) If private sector wages were to increase by 0.1 per cent more than forecast, assuming the increase is proportional across existing taxpayers, payroll tax revenue is estimated to increase by the amount shown below:

	<b>2019-20<sub>f</sub></b> \$'000
Payroll Tax	543

- (7) The parameters assumptions for private sector (a) employment and (b) wage growth that underpin the increases in payroll tax in 2019-20 and across each year of the forward estimates are shown below:

	<b>2019-20<sub>f</sub></b> <b>Per cent</b>	<b>2020-21<sub>p</sub></b> <b>Per cent</b>	<b>2021-22<sub>p</sub></b> <b>Per cent</b>	<b>2022-23<sub>p</sub></b> <b>Per cent</b>
Private Sector Employment Growth <sup>(1)</sup>	1½	1¾	2	2
Private Sector WPI Growth <sup>(1)</sup>	2½	2¾	2½	2½

Notes:

- (1) Growth rates are in year average terms rounded to a ¼ of a percentage point.

- (8) The contribution to the growth each year in payroll tax revenue which is attributable to each of employment growth, wages growth and compliance activities in 2019-20 to 2022-23, in dollar and percentage point terms, are shown in the table below.

For 2018-19, the estimated outcome for payroll tax revenue is calculated with reference to the year-to-date outcome and historical trends. As the estimated outcome is calculated on a different basis to the forward estimates (which are modelled), the contributions by component are unavailable.

It should be noted that these figures represent the breakdown of the additional revenue that is to be collected in that year compared to the year before. For example, in 2020-21 compliance revenue is expected to be collected, though not more than the year before. Therefore, no contribution to the overall growth in payroll tax revenue is shown.

	<b>2018-19<sub>e</sub></b>	<b>2019-20<sub>f</sub></b>	<b>2020-21<sub>p</sub></b>	<b>2021-22<sub>p</sub></b>	<b>2022-23<sub>p</sub></b>
<b>Private Sector Employment Contribution</b>					
- '\$'000		10,939	11,767	12,452	13,260
- Percentage points		2.0	2.0	2.0	2.0
<b>Private Sector WPI Contribution</b>					
- '\$'000		27,180	29,453	30,764	32,183
- Percentage points		5.0	5.1	4.9	4.8
<b>Compliance Contribution(1)</b>					
- '\$'000		2,000	0	1,000	1,000
- Percentage points		0.4	0.0	0.2	0.1
<b>Total Increase</b>					
- '\$'000	56,717	40,119	41,220	44,216	46,443
- <b>Per cent</b>	<b>11.7</b>	<b>7.4</b>	<b>7.1</b>	<b>7.1</b>	<b>6.9</b>

Note: (1) This is the annual *additional* revenue from compliance activity.

(9) and (10) Figures for the number of taxpayer groups that have a payroll tax liability based on total Australian wages that receive adjusted ACT tax free threshold and total tax paid for the groups is shown in the tables below.

**2017-18**

<b>Percentage of threshold received</b>	<b>Total Tax Payable \$</b>	<b>No. of Taxpayer groups</b>
0 to 10	146,681,093.85	1,122
10 to 20	42,215,057.56	112
20 to 30	9,571,674.47	62
30 to 40	8,927,153.49	29
40 to 50	4,821,610.76	24
50 to 60	9,606,072.74	26
60 to 70	4,191,568.88	27
70 to 80	7,180,034.40	29
80 to 90	13,871,224.66	47
90 to 100	81,595,364.37	59
100	29,694,120.30	159
<b>Total</b>	<b>358,354,975.48</b>	<b>1,696</b>

**2018-19**

<b>Percentage of threshold received</b>	<b>Total Tax Payable \$</b>	<b>No. of Taxpayer groups</b>
0 to 10	149,693,101.84	1,136
10 to 20	56,045,493.57	125
20 to 30	15,101,131.97	75
30 to 40	12,344,683.95	41
40 to 50	6,758,187.45	39
50 to 60	11,934,792.60	30
60 to 70	5,932,434.53	31
70 to 80	6,748,077.62	38
80 to 90	14,939,710.12	40
90 to 100	78,213,569.77	73
100	31,299,388.21	167
<b>Total</b>	<b>389,010,571.63</b>	<b>1,795</b>

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**City Renewal Authority—initiatives  
(Question No 2683)**

**Mr Coe** asked the Chief Minister, upon notice, on 23 August 2019:

- (1) In relation to the answer to Select Committee on Estimates 2019-2020 question on notice E19-197, what is the location and specific works that have (a) been undertaken to date and (b) been delayed or are yet to be completed, for the projects (i) Building a better city – City Renewal Authority – City precinct improvements, (ii) Building a better city – City Renewal Authority – Initial works package and (iii) Building a better city – West Basin infrastructure (Stage 1).

- (2) In relation to part (1), for each project what is the total cost of (a) works that been undertaken to date, and (b) works that have been delayed or are yet to be completed, broken down by (i) category of cost, (ii) elements and (iii) financial year.
- (3) In relation to the answer to Select Committee on Estimates 2019-2020 question on notice E19-198, what is breakdown of each stated initiative cost by each identified outcome bullet point listed.

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

1. (a) (i) Building a better city – City Renewal Authority – City precinct improvements:
- The London Circuit Public Realm Upgrade Project is completed. The Akuna Street Public Realm Upgrade Project is due for completion in November 2019.
- (ii) Building a better city – City Renewal Authority – Initial works package:  
Two engagements were funded from this funding allocation:
- Engagement one is a consultancy engagement with a contract completion date of 31 July 2020.
  - Project two was the construction of new waste enclosures in Odgers and Verity Lanes.
- (iii) Building a better city – West Basin infrastructure (Stage 1):
- Henry Rolland Park and Boardwalk have been undertaken to date.
- (b) (i) Building a better city – City Renewal Authority – City precinct improvements:
- The Akuna Street and Mort Street (East) Public Realm Upgrade Projects are yet to be completed.
- (ii) Building a better city – City Renewal Authority – Initial works package:
- The consultancy engagement is ongoing and the construction of new waste enclosures in Odgers and Verity Lane is complete.
- (iii) Building a better city – West Basin infrastructure (Stage 1):
- Installation of closed-circuit television and replacement of stolen brass furniture fittings are currently underway.
2. (a) (i) Building a better city – City Renewal Authority – City precinct improvements:
- \$3.89m is the total cost of works undertaken to date.
- (ii) Building a better city – City Renewal Authority – Initial works package:
- \$0.867m is the total cost of works undertaken to date.
- (iii) Building a better city – West Basin infrastructure (Stage 1):
- \$13.232m is the total cost of works undertaken to date.
- (b) In responding to this question, the “Category” of cost is taken as meaning either capital or operating expenditure.

**Building a better city – City Renewal Authority – City precinct improvements**

- \$3.61m is the total cost of works that have been either delayed or are yet to be completed
- (i) Capital.
- (ii) Construction Costs \$3.17m.  
Contingency \$0.44m.
- (iii) 2019-20 financial year.

**Building a better city – City Renewal Authority – Initial works package**

- \$0.333m is the total cost of works that have been delayed or are yet to be completed
  - (i) Capital.
  - (ii) Consultancy Costs \$0.333m.
  - (iii) 2019-20 financial year.

**Building a better city – West Basin infrastructure (Stage 1)**

- \$0.366m is the total cost of works that have been delayed or are yet to be completed
  - (i) Capital.
  - (ii) Construction Costs \$0.366m.
  - (iii) 2019-20 financial year.

3. The funding arrangements between the Territory and the Authority required the Authority to provide the Territory a business plan for its approval. It is this approved business plan that the Authority was required to report against. The financial breakdown already provided is consistent with this reporting. Further analysis to define expenditure against a different set of criteria would require detailed analysis of individual expenses and be a significant time impost on the Authority, a small agency.

**Municipal services—playgrounds  
(Question No 2684)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 23 August 2019 (*redirected to the Minister for City Services*):

- (1) Where will the Delany Court playground in Melba be relocated in preparation for the Belconnen trunk sewer upgrades.
- (2) Will the relocation be permanent or temporary until the completion of the upgrades.
- (3) If no location is confirmed, what areas are the ACT Government considering for the relocation of the playground.
- (4) What was the consultation process in relation to the imminent relocation of the playground.

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

- (1) No decision has been made about relocation.
- (2) No decision has been made about relocation.
- (3) Other open space locations within a 400m radius could be considered.
- (4) ICON are undertaking consultation via onsite signage with contact details.

**Domestic and family violence—male victims  
(Question No 2686)**

**Mrs Kikkert** asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 23 August 2019:

- (1) How many male domestic violence victims were reported for each year for (a) 2016–17, (b) 2017–18, (c) 2018–19 and (d) 2019 – the date this question was published.
- (2) What services are offered to domestic violence victims who are male.
- (3) How many men received each kind of service provided for the years (a) 2016–17, (b) 2017–18, (c) 2018–19 and (d) 2019 – the date this question was published.
- (4) What specific services are available to male domestic violence victims.
- (5) Are there any refuges available to male domestic violence victims; if so, where are they located; if not, what emergency accommodation options are available to men escaping domestic violence.

**Ms Berry:** The answer to the member’s question is as follows:

1. There are three key data sets that report on the number of people seeking support for domestic and family violence in the ACT. This includes ACT Policing data, Domestic Violence Crisis Service (DVCS) data and OneLink referral data. Because individuals can seek support from multiple services, it is possible that the same individual is represented more than once in the data below.

ACT Policing report on the number of domestic violence incidents and offences, but do not disaggregate this data by gender of victim. ACT Policing data can be found at <https://policenews.act.gov.au/crime-statistics-and-data/crime-statistics>.

Prior to January 2018, Domestic Violence Crisis Service (DVCS) did not report on the gender of service users. Since January 2018, DVCS provide client data disaggregated by gender as per their service funding agreement, but do not disaggregate this by victim or perpetrator. Consequently, the DVCS data below includes all male clients who receive support from DVCS, which includes both victims and perpetrators.

OneLink referral data collects information on gender and reason for seeking support. 2017-18 was the first year of data collection for OneLink.

- a. **2016-17:** DVCS Service user data for 2016-17 disaggregated by gender is not available. OneLink referral data was not collected in 2016-17.
- b. **2017-18:**
  - i. DVCS Service user data for July to December 2017 disaggregated by gender is not available. In the six-month period between January and June 2018, DVCS supported 389 male clients including victims and perpetrators.
  - ii. In 2017-18, 67 new male clients who reported experiencing domestic and family violence accessed OneLink for support.

## c. 2018-19:

- i. In 2018-19, DVCS supported 712 male clients including victims and perpetrators.
- ii. In 2018-19, 58 new male clients who reported experiencing domestic and family violence accessed OneLink for support.

**July 2019-present:** Data for July 2019 to the present day has not yet been reported.

2. Male victims of domestic and family violence in the ACT can seek specialist support from DVCS, including 24/7 crisis intervention, legal advocacy and safety planning. Other organisations that offer support for male victims of domestic and family violence in the ACT include:

- Relationships Australia ACT
- Service Assisting Male survivors of Sexual Assault (SAMSA)
- Everyman
- Menslink
- Victim Support ACT
- Legal Aid ACT
- Mensline
- 1800 RESPECT
- Lifeline

3. For data relating to male clients of DVCS, please see the answer to Question 1.

Relationships Australia ACT, SAMSA, Everyman, Menslink, Victim Support ACT and Legal Aid ACT are ACT-based organisations that provide services to address a range of issues not limited to domestic and family violence. These organisations do not disaggregate their reporting data based on the type of issue addressed for each client (such as being a victim of domestic violence) and gender as part of their service funding agreements or in annual reports. Consequently, the number of males in the ACT receiving services for domestic violence from these organisations cannot be reported.

Mensline, 1800 RESPECT and Lifeline are national organisations that also provide services to address a range of issues not limited to domestic and family violence. These organisations do not disaggregate client data by type of victimisation, state/territory and gender. Consequently, data related to male victims of domestic violence in the ACT cannot be provided for these organisations.

4. As per answer to Q2.

5. There are no refuges that are specifically dedicated to men in the ACT. DVCS provides support to both men and women escaping domestic and family violence, including support to find emergency accommodation.

The DVCS Domestic Violence Christmas Program, which utilises motel accommodation over the Christmas period (from mid-December to mid-January), is delivered by DVCS each year in partnership with a range of ACT specialist homelessness services. This program provides the service for men and women.

Men who have experienced domestic and family violence can seek support (including accommodation support), through the ACT's largest support agency for men, EveryMan Australia. In particular, Everyman Australia's Early Intervention Program has an accommodation component.

A further two services, Samaritan House (managed by St Vincent de Paul) and Minosa House (managed by CatholicCare) are crisis accommodation services for men who are experiencing homelessness (for a range of reasons) or at risk of homelessness. Housing ACT does not release the location of crisis accommodation.

### **Municipal services—footpaths (Question No 2687)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 23 August 2019 (*redirected to the Minister for City Services*):

- (1) What percentage of streets in Weetangera have footpaths.
- (2) Has a study been conducted in relation to demand and necessity for footpaths in Weetangera within the past five years; if so, can a copy of the study be attached as an answer; if not, what measures will the ACT Government take to consider building new footpaths in Weetangera.

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

- (1) Approximately 35% by count of all streets/roads in Weetangera have footpaths – refer Table 1 below. This is a similar percentage to other suburbs in Canberra built during the same period.
- (2) In response to requests from the community, Transport Canberra and City Services (TCCS) undertakes a methodical assessment process in order to prioritise infill paths and construct them where they are most needed. This assessment takes into consideration factors including; street classification, speed limit, location of community facilities, existing streetlights and thoroughfares. Recently, TCCS assessed the need for paths on Morton Street, Smith Street and Kinleyside Crescent in Weetangera. These streets are classified as minor roads and will be considered for future footpath upgrades.

**Table 1: Footpath coverage of streets in Weetangera by road classification (2019)**

<b>Weetangera Streets/Roads</b>	<b>Count</b>	<b>With paths (count)</b>	<b>With paths (%)</b>
Major boundary roads	3	3	100%
Main roads	3	3	100%
Minor roads	25	5	20%
<b>Total</b>	<b>31</b>	<b>11</b>	<b>35%</b>

### **Roads—traffic calming (Question No 2688)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 23 August 2019 (*redirected to the Minister for Roads and Active Travel*):

- (1) Was the Rogers Street and Shakespeare Crescent intersection assessed as part of the traffic study on streets in Flynn, Fraser and Charnwood, with traffic calming measures

on Shakespeare Crescent recommended as part of the study; if so, did the ACT Government relate that these measures will be implemented in future residential street improvement programs and if yes, when can residents expect to see a residential street improvement program implementing these measures.

- (2) What specific traffic calming measures are being considered by the ACT Government to address road safety at the Rogers Street and Shakespeare Crescent intersection and nearby roads.

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

- (1) Yes, the Rogers Street and Shakespeare Crescent intersection was assessed as part of the traffic study on streets in Flynn, Fraser and Charnwood. The ACT Government has committed to delivering the priority recommendations identified in the study as part of a future residential street improvement program. The priority recommendations will be delivered as part of a capital works project in 2019-20.
- (2) The report recommended a combination of speed humps on Shakespeare Crescent and an intersection upgrade at the Rogers Street / Shakespeare Crescent. The ACT Government will install traffic calming measures on Shakespeare Crescent as the first priority measure in 2019-20, as a reduction in vehicle speeds may address the 'line of sight / visibility' issues at the intersection without further work being required.

### **Heritage—resourcing (Question No 2689)**

**Ms Lawder** asked the Minister for the Environment and Heritage, upon notice, on 23 August 2019:

- (1) In relation to the (a) answer to question on notice (QoN) No E19-508 part (1), wherein the Minister advised that “Additional Resourcing of one ASO6 Full Time Equivalent will be provided to meet the growing demand of development approval and advice applications made under the Heritage Act 2004 (the Act) with the cost being offset by the introduction of application fees”, (b) answer to QoN No E19-508 part (3), wherein the Minister advised that “The introduction of fees and an additional ASO6 relate to planning and development proposals affecting heritage places and objects. The additional resourcing does not relate to nominations of a place or object to the ACT Heritage Register”, and (c) Canberra Times article dated 22 August 2019, titled Canberra's decades-long heritage wait, wherein an Environment, Planning and Sustainable Development Directorate (EPSDD) spokesperson reportedly said, “the ACT government had funded an additional staff member in the heritage unit to address the backlog” - are QoN E-19-508 (“one ASO6 Full Time Equivalent”), QoN E19 508 (“an additional ASO6”) and the EPSDD spokesperson quoted in the Canberra Times (“an additional staff member”) referring to the same full time ASO6 equivalent position within the heritage unit.
- (2) If parts (1) (a), (b) and (c), all refer to the same position and it is a new fulltime ASO6 position what is the job number for that position.
- (3) If parts (1) (a), (b) and (c), all refer to the same position and it is not a new fulltime ASO6 position what is the nature of the filling of the position.

- (4) If parts (1), (2) and (3) do not refer to a single new fulltime ASO6 position with one position number (a) what are the job numbers for the relevant positions, (b) how many individual members perform the role and (c) what are the funding sources for each position.
- (5) Is there any tangible relationship between meeting the growing demand of development approval and advice applications made under the Heritage Act 2004 and the processing of objects or places nominated for listing on the ACT Heritage Register; if so, what is the nature of that relationship.

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

- (1) Yes. The position is being created to meet the growing demand of *Heritage Act 2004* advice and approval applications and development approval referrals from the ACT planning and land authority. This process includes nominated places and objects.
- (2) Agreement to fund an additional full-time ASO6 position was determined in the 2019-20 budget process. The position is currently in recruitment and as part of this process a position number will be generated.
- (3) Not applicable. The position is a single new full-time position.
- (4) Not applicable. The position is a single new full-time position.
- (5) Yes. As the Heritage Council steadily increases the number of registered places and objects, by making decisions on nominations, there is a direct correlation to the rise in the volume of work and development applications and conservation management required.

Under the *Heritage Act 2004* and *Planning Development Act 2007*, proposed development at a heritage place or object must be referred to the ACT Heritage Council for advice or approval.

These applications have increased by 51% since 2014 with 663 applications being received in 2018-19.

## Questions without notice taken on notice

### Mental health—emergency presentations

**Ms Stephen-Smith** (*in reply to supplementary questions by Mr Wall and Mrs Dunne on Tuesday, 30 July 2019*):

- (1) In 2018-19 patients presenting to ACT emergency departments with a serious mental illness spent an average of 16.2 hours before being admitted into dedicated mental healthcare locations.

Patients are only admitted to general ward areas when it is clinically appropriate to do so, and they would be cared for in the general ward until discharge. Patients admitted to general wards are not typically transferred from general ward areas to mental healthcare locations in the course of their admission, unless a new clinical need or indicator emerges.

- (2) As noted, there are a range of actions in this area of the risk register that are identified for the Canberra Hospital. As part of these actions, an escalation plan has already been drafted that, while currently subject to internal consultation, will help to guide decisions and priorities in relation to expanding the available bed base.

In addition to this plan for the Canberra Hospital, a Territory Wide Mental Health Management Committee has been established to provide strategic and executive oversight of all public mental health activity. This Committee is chaired by the Chief Psychiatrist and includes senior representation from the ACT Health Directorate, Canberra Health Services, Calvary Public Hospital Bruce and the Office of Mental Health and Wellbeing. The Committee is responsible for considering the management of demand and future strategic directions of public mental health services in the ACT.

There is also a range of strategic and operational initiatives currently underway in the Canberra Hospital and across the ACT's health system to address the wait times and demand for access to mental health services, in both the short and long term. These initiatives include:

- In May 2019 an ACT Mental Health Access Coordinator role was established to coordinate bed management for adult acute mental health services. This includes a liaison role with Calvary Public Hospital Bruce. A discharge liaison nurse position has also been established to support discharge planning.
- In July 2019 a full-time consultant psychiatrist was dedicated to the Canberra Hospital Emergency Department, to facilitate early review and re-review of patients to support discharge or timely admission to the most appropriate bed.
- A review of the Acute Mental Health Service Model of Care is planned to commence in September 2019. The review will consider all existing capacity within all ACT mental health services, including Calvary Public Hospital Bruce, and the interfaces between these areas.
- Access to beds in the Canberra Hospital has already been increased through the allocation of four beds on one of the general wards to accommodate patients during periods of high demand. Operational procedures support allocation practices based on risk assessment and the safe management of patients allocated to these beds.
- The Adult Mental Health Rehabilitation Unit at the University of Canberra Hospital has established a sub-acute pathway providing access to a five-bed pod for patients who do not fit the criteria for the rehabilitation pathway but require longer admission and can be safely cared for in an open unit. Operational guidelines have been developed to support referral and transfer.

The ACT Government has already committed to a number of initiatives in the 2019-20 ACT Budget to improve access to mental health care in the ACT. These include funding for:

- Supporting workforce development and the capacity of public inpatient mental health care in the Adult Mental Health Unit; and
- Committing to planning and design work for a Police, Ambulance and Clinical Early Response (PACER) service model that can provide better support for people experiencing acute mental health incidents. This model will support staff and ensure a more coordinated response in their interactions with people in acute mental health crisis and aims to help reduce the number of people who present to the emergency department.

### **ACT Health—executive remuneration**

**Ms Stephen-Smith** (*in reply to a question and a supplementary question by Miss C Burch on Tuesday, 30 July 2019*):

The budget for executive staff in 2019-20 is calculated by indexation of the 2018-19 base funding by 2.02 percent in line with the Government decisions in the 2018-19 Budget.

As I noted in the Assembly on 30 July 2019, the increase in executive salaries to which

Miss Burch referred in a previous question can largely be attributed to two new positions and the creation of the Canberra Health Services, Chief Executive Officer. The two new positions were the result of new initiatives being the Office of Mental Health (funded in the 2017-18 Budget, but not filled at the executive level until late 2018-19) and the Executive Branch Manager, Culture Review Implementation (funded in the 2018-19 Budget Review).

The balance was funded through internal reallocation of funds mainly associated with time-limited efficiency projects, which did not impact on front line services.

### **Mental health—disability access**

**Mr Rattenbury** (*in reply to a question by Ms Lawder on Tuesday, 13 August 2019*):

Equitable access to mental health services is facilitated through the use of interpreter facilities and communication supports. These services are available to all private providers and across all Canberra Health Services, including Mental Health, Justice Health and Alcohol and Drug Services, with 24 hours notice. This includes on-site AusLan interpreters provided by the National Interpreting and Communication Services.

In emergency situations a 24-hour Emergency Interpreter Sign Language Communications Service can be provided by the Deaf Society.

There are two specialist services in the ACT that support deaf and deafblind people: The ACT Deafness Resource Centre (DRC) and the Deaf Society.

The DRC provides information, referrals, resources and advocacy to deaf and hearing-impaired communities in the ACT.

The Deaf Society offers support for people including deaf and deafblind adults, hard of hearing teenagers, deaf children and their parents including through AusLan, visual or deafblind communication and written/spoken English. The Deaf Society can support people who have multiple or complex supports from a range of providers, for example mental health needs, and can arrange AusLan interpreters for important meetings such as mental health appointments.

People who are deaf or deafblind are also likely to have an NDIS support package related to their sensory disability. This might include funding of communication tools or a support worker who can assist in everyday activities including assistance to attend and engage with psychological services.

### **Hospitals—radiation therapy waiting times**

**Ms Stephen-Smith** (*in reply to a supplementary question by Mrs Dunne on Tuesday, 13 August 2019*):

Stereotactic radiosurgery (SRS) and stereotactic body radiotherapy (SBRT) are two different techniques and treatment, requiring different technology. Currently Canberra Health Services has one linear accelerator with the capability of treating SRS and all machines are capable of treating SBRT.

The two new linear accelerators that are currently being implemented are designed to treat SBRT cases more efficiently which will enable the Radiotherapy Service to handle more cases. The first of these treated patients for the first time on Wednesday, 11 September 2019.

From 2021, CHS will replace the other two linear accelerators, one of which is the specialist SRS machine. As part of that procurement we will ensure we have the best equipment to meet the needs of our population.

### **Light rail—certification**

**Mr Steel** (*in reply to a question and a supplementary question by Miss C Burch on Wednesday, 14 August 2019*):

The change to the Independent Electrical Certifier required approval of the ACT Utilities Technical Regulator, who formally accepted the change, and notified Transport Canberra, on 15 March 2019.

### **Chief Minister, Treasury and Economic Development Directorate—health unit**

**Mr Barr** (*in reply to a supplementary question by Mrs Dunne on Wednesday, 14 August 2019*):

1. The total expenditure for Healthy Active Living (HAL) in 2018-19 was \$680,284 of which \$220,393 was for staff and \$459,891 for services and projects.

2. There were three staff members working in this unit – two CMTEDD staff and one staff member from the Health Directorate. Following the completion of a number of pieces of work, the remaining projects are being led by Health and CMTEDD. The staff in the Healthy Active Living unit returned to CMTEDD and the Health Directorate.

### **Light rail—certification**

**Mr Steel** (*in reply to a supplementary question by Mrs Jones on Wednesday, 14 August 2019*):

The capacity or otherwise to deliver certification on the project is not a matter upon which the ACT Government was required to form a view. Canberra Metro are responsible for appointment of the certifier.

### **Light rail—certification**

**Mr Steel** (*in reply to a question and a supplementary question by Miss C Burch on Wednesday, 14 August 2019*):

Canberra Metro was responsible for employing the certifier.

Canberra Metro has advised the government that the change of certifier was in relation to the capacity to deliver certification on the project.

### **Planning—Scullin**

**Ms Stephen-Smith** (*in reply to a question by Mrs Kikkert on Thursday, 15 August 2019*):

In terms of consultation, the process to date has been one of notification and information sharing. This has involved the distribution of letters to properties in close proximity to the Frewin Centre site, a summary of which is as follows:

- A notification letter in June 2017 to advise that a Development Application (DA) for demolition of the Frewin Centre building had been lodged. The DA was approved in July 2017 (refer Attachment A). A map showing the distribution area of the notification letter has also been included.
- A letter dated 15 October 2018 to advise that investigations would be undertaken to confirm the site's suitability for future community housing. Information about community housing was also included (refer Attachment B). A map showing the distribution area of the letter has also been included.
- A letter dated 14 May 2019 to advise that preparations were underway to facilitate demolition of the Frewin Centre building. This letter also included information about community housing (refer Attachment C). A map showing the distribution area of the letter has also been included.

Given the range of complex considerations outlined herein, along with the site's existing Territory Plan zone of Community Facility (CF) - which permits community housing, a notify and inform approach to consultation was considered appropriate in this situation by the Environment, Planning and Sustainable Development Directorate.

The Frewin Centre site (Block 20 Section 43 Scullin) was one of a several sites identified through the ACT Government's 2018-19 Housing Targets for future community housing. Information about these sites is detailed as part of the breakdown of housing targets for 2018-19 under the City Renewal Authority and Suburban Land Agency (Housing Target) Determination 2018, which is available at <https://www.legislation.act.gov.au/View/ni/2018-508/current/PDF/2018-508.PDF>.

The sites were nominated to deliver on the policy objectives outlined in the ACT Housing Strategy 2018. In particular, the Strategy includes clear and significant commitments to increase the supply of affordable housing across the ACT and to grow and diversify the community housing sector.

These important commitments recognise the challenges that many low to moderate income households (who may not qualify for public housing) face when trying to compete in Canberra's traditionally competitive rental market. With external factors such as low unemployment, high average wages and strong population growth creating a compounding effect for those in the lower income brackets trying to secure safe, affordable and quality housing.

The identification of land for community housing under the 2018-19 Housing Targets was guided by a range of overarching principles to achieve an equitable and socially sustainable approach to the delivery of affordable and community housing. Principles included: a 'salt and peppering' of sites across the ACT; ensuring the efficient and appropriate use of land; and locating sites in close proximity to major transport corridors, open space and existing services and amenities. Where sites are identified in established suburbs, issues such as current land-uses, local characteristics and comparative information about the quantity of social and affordable housing already in the suburb were also considered.

In the case of the Frewin Centre site, considerations also included the quantity of dedicated CF zoned land and urban open space already within Section 43 and the capacity for this area to both accommodate community housing and retain its existing dominance of traditional community facility and open space uses.

The site will be sold through a competitive Request for Tender process, which only registered Community Housing Providers (CHPs) may participate in. The successful CHP will be required to engage with the community in relation to its specific proposal. This will require the CHP to identify areas of concern and demonstrate how its proposal responds to these concerns and addresses community feedback. The Environment, Planning and Sustainable Development Directorate will support the CHP in undertaking this process, as part of its role in implementing the ACT Housing Strategy.

*(Copies of the attachments are available at the Chamber Support Office).*

### **University of Canberra Hospital—hydrotherapy pool**

**Ms Stephen-Smith** *(in reply to a supplementary question by Mrs Jones and Mrs Dunne on Tuesday, 20 August 2019):*

- (1) As of 21 August 2019, the University of Canberra Hospital (UCH) hydrotherapy pool is available for use by external users such as Arthritis ACT (AACT) seven days per week at the following times:

Day	Session one	Session two	Session three	Total hours per day
Monday	7.00am – 8.30am	-	5.00pm – 7.00pm	3 hours and 30 minutes
Tuesday	7.00am – 8.30am	12.00pm -12.45pm	5.00pm – 7.00pm	4 hours and 15 minutes
Wednesday	7.00am – 8.30am	12.00pm -12.45pm	5.00pm – 7.00pm	4 hours and 15 minutes
Thursday	7.00am – 8.30am	12.00pm -12.45pm	5.00pm – 7.00pm	4 hours and 15 minutes
Friday	7.00am – 8.30am	12.00pm -12.45pm	5.00pm – 7.00pm	4 hours and 15 minutes
Saturday	7.00am – 8.30am	12.00pm -1.00pm	5.00pm – 7.00pm	4 hours and 30 minutes
Sunday	7.00am – 8.30am	12.00pm -1.00pm	5.00pm – 7.00pm	4 hours and 30 minutes
<b>Total hours per week</b>				<b>29 hours and 30 minutes</b>

This is a total of 29 hours and 30 minutes per week or 35 percent of the total available operating hours of the UCH hydrotherapy pool.

- (2) The University of Canberra Hospital (UCH) hydrotherapy pool provides hydrotherapy services to a wide range of people including those with neurological diseases, children with rehabilitation needs and older people through the Transitional Therapy and Care Program (TTCP).

In June 2018, the Director of Allied Health within Canberra Health Services (CHS) Division of Rehabilitation, Aged and Community Care (RACC) – now called Rehabilitation, Aged and Community Services (RACS) met with the CEO of Arthritis ACT (AACT) to discuss the availability of the UCH pool for external users prior to its opening on 23 July 2018.

At this time, AACT were offered 11 sessions across the week which was an increase from the nine sessions which were previously available to AACT at the Canberra Hospital pool. CHS understood AACT to be happy with this outcome and since this time, the number of sessions offered and subsequently used by AACT at the UCH pool has incrementally increased to a total of 13 sessions per week.

Prior to the establishment of the UCH hydrotherapy pool and transfer of services from Canberra Hospital, CHS was not aware of any issues being raised in relation to gaps in hydrotherapy services on the north side of Canberra. CHS understands that AACT accessed a range of pools on the north side of Canberra, including Black Mountain School.

- (3) No, the University of Canberra Hospital (UCH) does not refer rehabilitation patients directly to Arthritis ACT (AACT) after discharge from hospital. On completion of a person's hydrotherapy program at UCH, users are provided with information on where they can continue with their hydrotherapy program, of which AACT is an option. As CHS do not follow up with people post discharge from the program at UCH, CHS is unable to comment on the number of people who may have sought ongoing support from AACT.

### Hospitals—emergency department performance

**Ms Stephen-Smith** (*in reply to a question by Mr Parton on Tuesday, 20 August 2019*):

ACT Local Hospital Network Strategic Indicator 2.1: The Proportion of Emergency Department Presentations that are Treated within Clinically Appropriate Timeframes

	Actual performance: Quarter 4, 2018-19 <sup>(a)</sup>	Target: 2018-19 Financial Year <sup>(b)</sup>
Triage Category 1 (resuscitation, seen immediately)	100%	100%
Triage Category 2 (emergency, seen within 10 minutes)	71%	80%
Triage Category 3 (urgent, seen within 30 minutes)	28%	75%
Triage Category 4 (semi urgent, seen within 60 minutes)	44%	70%
Triage Category 5 (non urgent, seen within 120 minutes)	80%	70%

(a) ACT Public Health Services Quarterly Performance Report, April to June 2019

(b) ACT Budget 2018-19 Budget Statements C, Health Directorate and ACT Local Hospital Network

ACT Local Hospital Network Strategic Indicator 2.2: The proportion of Emergency Department presentations whose length of stay in the Emergency Department is four hours or less

	Actual performance: Quarter 4, 2018-19 <sup>(a)</sup>	Target: 2018-19 Financial Year <sup>(b)</sup>
Patients leaving the emergency department within four hours of presentation	57%	90%

(a) ACT Public Health Services Quarterly Performance Report, April to June 2019

(b) ACT Budget 2018-19 Budget Statements C, Health Directorate and ACT Local Hospital Network

**Hospitals—emergency department performance**

**Ms Stephen-Smith** (in reply to a supplementary question by Miss C Burch on Thursday, 22 August 2019):

ACT Local Hospital Network Strategic Indicator 2.1: The Proportion of Emergency Department Presentations that are Treated within Clinically Appropriate Timeframes

	Actual performance: Quarter 3, 2018-19 <sup>(a)</sup>	Target: 2018-19 Financial Year <sup>(b)</sup>
Triage Category 1 (resuscitation, seen immediately)	100%	100%
Triage Category 2 (emergency, seen within 10 minutes)	72%	80%
Triage Category 3 (urgent, seen within 30 minutes)	30%	75%
Triage Category 4 (semi urgent, seen within 60 minutes)	46%	70%
Triage Category 5 (non urgent, seen within 120 minutes)	82%	70%

(a) ACT Public Health Services Quarterly Performance Report, January to March 2019

(b) ACT Budget 2018-19 Budget Statements C, Health Directorate and ACT Local Hospital Network

ACT Local Hospital Network Strategic Indicator 2.2: The proportion of Emergency Department presentations whose length of stay in the Emergency Department is four hours or less

	Actual performance: Quarter 3, 2018-19 <sup>(a)</sup>	Target: 2018-19 Financial Year <sup>(b)</sup>
Patients leaving the emergency department within four hours of presentation	58%	90%

(a) ACT Public Health Services Quarterly Performance Report, January to March 2019

(b) ACT Budget 2018-19 Budget Statements C, Health Directorate and ACT Local Hospital Network