



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

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Thursday, 20 February 2020

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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.

Matters of public importance
Statement by Speaker

MADAM SPEAKER: Members, before I call the Clerk, I want to say that this morning, when I considered the matters of public importance that had been lodged by members, there was one matter that was submitted by Ms Lawder that was in identical terms to the one submitted by Mr Milligan and debated on Tuesday.

As stated in the *Companion to the Standing Orders of the Legislative Assembly*, the Speaker has the power to determine whether the matter proposed is in order and, as indicated in the *House of Representatives Practice*, the Speaker has the discretion to disallow an MPI that substantially has the same wording. As the matter was discussed only two days ago, I did not include Ms Lawder's in the MPI draw this morning.

Can I remind members to be aware of the MPIs that are selected and that, if you have one in the pool, so to speak, you are mindful that it may be disallowed, and to change it appropriately. Thank you, members.

Ministerial delegation—New Zealand
Ministerial statement

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) (10.02): I am pleased today to report to the Assembly on my recent mission to New Zealand in November last year, in my capacity as Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, and Minister for Seniors and Veterans.

New Zealand is identified in Canberra's international engagement strategy as one of our key markets. The purpose of our mission to New Zealand was to learn more about Whanganui as a restorative city, to learn more about Rotorua as a dementia-friendly city, to observe an established drug and alcohol court in action, to discuss the implementation of New Zealand's living standards framework and wellbeing budget and to meet with Wellington City Council to discuss the success of the Canberra Wellington Indigenous artist exchange, as well as visiting a number of other New Zealand arts organisations.

The delegation consisted of me, my chief of staff and the assistant director, arts policy in artsACT. In Whanganui I met with 20 representatives of restorative cities Whanganui, including district council members, local iwi, and restorative justice facilitators, administrators, practitioners and champions. Whanganui, along with Hull

in the UK, is recognised globally as a leader in restorative practices, and I was keen to hear stories of these practices in action in all areas of life, not only in the justice system but as part of Canberra's progress toward being a restorative city.

What I heard is that while there is no single, easily encapsulated definition of a restorative city, it is ultimately a way of life that puts people and respectful relationships at the core of everything—the justice system, schools, workplaces, hospitals and family life—everything. Where people are heard, conversations are respectful and conflicts are dealt with in ways that focus on healing and moving forward, we can build a community where everyone is valued, welcomed and can participate.

Building restorative cities takes time, time to embed truly relational approaches in our daily lives, to innovate or dismantle legislative barriers to restorative practices and to address power imbalances of gender and culture. But it is a journey worth taking and I am committed, more than ever, to helping lead this change in the ACT.

While I was in Whanganui, I also had the pleasure of visiting the New Zealand Glassworks, the new national centre for glass art. I was delighted to be given a tour of the facility by manager Scott Redding, who has also previously worked out of the Canberra Glassworks hot shop. Although the facility is on a smaller scale than our facility here in Canberra, the quality of the work that is produced is indeed impressive.

It was great to hear about the growing relationship between the Canberra Glassworks and the New Zealand Glassworks. For example, the New Zealand Glassworks hosted the CoLab Conference in February 2019, which was a joint conference of the New Zealand Society of Artists in Glass and the Australian Association of Glass Artists. A number of staff from the Canberra Glassworks and local artists flew to Whanganui to participate in the conference, which I believe was very successful. I have no doubt that the relationship between local and New Zealand glass artists will continue to strengthen in coming years.

I also spent three days in Wellington, primarily focusing on the arts portfolio. My first meeting was with the Honourable Grant Robertson, Associate Minister for the Arts, Culture and Heritage, who is also New Zealand's Minister of Finance. I first met with Minister Robertson in 2018, when I was the Chair of the Meeting of Cultural Ministers. At that meeting, Minister Robertson gave a presentation on New Zealand's wellbeing framework. This meeting in Wellington was to discuss how the implementation of the living standards framework and the wellbeing budget was going, and to also discuss how the arts and culture have been incorporated. We also discussed the work that Creative New Zealand is currently undertaking in relation to career sustainability in the arts and creative industries, an issue that is also relevant for us here in Australia.

I also met with officials from Wellington City Council, our sister city, where I caught up with Ana Iti, the Wellington artist who took part in the recent Canberra Wellington Indigenous artist exchange pilot with local Aboriginal artist Dean Cross. Ana informed us about her upcoming exhibition at the Dowse Art Museum in Lower Hutt and how she had invited Dean to submit a work for the exhibition. I also undertook a

site visit to Bolton Street Cottage, where Dean stayed for six weeks last year. Building on the success of this pilot, we agreed to continue the Canberra Wellington Indigenous artist exchange in 2020, and then again in 2022.

We also discussed Wellington's recent designation as a UNESCO City of Film, which provides much-deserved recognition of the world-class screen facilities on offer in the Wellington region. Following on from our discussions, I was given a tour of Toi Pōneke Arts Centre, a multi-arts hub run by Wellington City Council which is similar in principle to Gorman House Arts Centre. A number of artists very generously allowed me into their studio spaces, which I greatly appreciated.

While in Wellington, I also visited a number of other arts facilities. I spent a number of hours at Te Papa and visited a wide range of exhibitions, including the Gallipoli exhibition that was developed with Weta Workshop and the opening of the Samoan and photography exhibition, and I experienced the largescale installation, *Final Bouquet*, by former Canberra artist and artsACT creative arts fellow Nike Savvas.

Wellington Museum featured many fascinating insights into the history of Wellington. The recently renovated Attic is a quirky and interactive space featuring collection items, artworks, images, photographs and a pseudo time machine that portrays the evolution of Wellington from the early Maori settlers to the Wellingtonians of the future. I also visited Capital E on the Wellington waterfront. Capital E is Wellington's centre for children's creativity and gives children access to a wide range of creative technology, live performances and events. It is also home to an in-house children's theatre company, the National Theatre for Children, which produces two nationally touring performances each year.

The City Gallery Wellington featured a fantastic exhibition entitled *Eavesdropping*, which featured a diverse range of works such as recordings of answer phone messages and a screen-based work that was based around audio-ballistic evidence that led to an Israeli soldier being tried for manslaughter. Another thought-provoking exhibition that I saw was the *HERE: Kupe to Cook* exhibition at Pātaka Art and Museum in Porirua. The exhibition marked 250 years since Captain Cook's arrival in New Zealand with an exploration of the voyagers who were first to arrive—Maori, Polynesian and European navigators.

One of the most poignant works was *Red Cloud* by Christine Hellyar, which was made up of red handkerchiefs, scarves, napkins and ribbons, all items that were used in trade and each featuring the name of one of Cook's men. Red was the most valued colour in the Pacific and is also the colour of blood, symbolising the spread of disease during Cook's time. I also visited the gallery space at Te Auaha, the New Zealand Institute of Creativity, which opened in 2018. Located in the city centre, the gallery gives students the opportunity to show their work.

I also attended a participatory performance entitled *ransom* at the iconic BATS Theatre, which has been recently restored. BATS is New Zealand's leading venue for the development of new theatre practitioners and experimental plays and has supported the early development of well-known performers such as Flight of the

Conchords. Ninety per cent of its annual program of 60 to 70 shows are New Zealand and world premieres.

One of the things that struck me about Wellington is that, even though it has been affected by a number of earthquakes in recent years, the city's arts and culture scene is still vibrant and a key part of its identity. Public art can be found throughout the city, as well as murals and artistic hoardings around construction sites. On my last day in Wellington, I was invited to attend the National Commemoration to mark the 101st Anniversary of the Signing of the Armistice. It was a deeply moving ceremony and I was honoured to be able to lay a wreath on behalf of the people of the ACT.

In Rotorua, I was particularly keen to visit the CARE Village, which is the first village-style dementia care home to be built outside the Netherlands to pioneer this style of social-based aged care. The village is exactly that: a collection of custom-built homes in a secure and beautiful community on the shores of Lake Rotorua, each designed in a different style or era to suit the previous lifestyles of its six occupants so that they will feel comfortable and at ease in familiar surroundings.

Each house has a resident housekeeper-carer who cooks and does housework for their six residents and the residents are able to lead normal lives, helping with the cooking, grocery shopping, laundry or gardening if they wish, going for walks and to the village café. There are nurses and other carers onsite plus a GP and handyman visiting daily, and care staff are encouraged to bring pets and children and grandchildren to work with them.

Vulnerable residents are protected with subtle technology to prevent them from wandering off unaccompanied and to monitor them overnight for falls. Residents I met with in their homes were happy, relaxed, and healthy. It was a truly inspirational visit, showing that there are effective alternative models to institutional care that allow people to live out their later years in dignity and wellbeing.

Rotorua is a recognised dementia-friendly city. While I was there, I was able to meet the local mayor, Steve Chadwick, about how this had eventuated and how it is lived out, and I also visited the Rotorua Lakes Council Customer Centre, which is much like our Access Canberra service centres, and Rotorua Library to view best practice customer service. Packing a lot into one day in Rotorua, I also visited an intergenerational playgroup at The Gardens Care Home and met with the Dementia-Friendly Rotorua Steering Group.

Another key goal of my trip was to visit the Alcohol and Other Drug Treatment Court in Waitakere, in west Auckland. This court was one of the key inspirations for the ACT's own newly established Drug and Alcohol Court. I was hosted for the day most generously by Her Honour Lisa Tremewan, who graciously allowed me to sit in both closed and open proceedings of a full day of the court, observing each case for the day as she dealt with each individual offender with compassion and cultural sensitivity as well as high expectations.

Many of her "graduates" of the court attended on the day I visited to support current participants and update Judge Tremewan by sharing their stories. It was great to see

how many graduates had gone on to train professionally as peer support workers in the courts. It was a genuinely inspiring and uplifting day and has only strengthened my determination to see our new ACT Drug and Alcohol Court succeed.

On my last day in New Zealand, I met with Auckland Live, which manages and activates a number of performing arts venues in Auckland. I was lucky enough to visit the newly refurbished Kiri Te Kanawa Theatre and to hear about the cultural precinct planning that is being undertaken for the Aotea Arts Quarter. These were interesting in the context of the planning for the new Canberra Theatre and the development of the Kingston Arts Precinct.

Overall, it was a truly inspiring mission that has given me inspiration, determination and confirmation for a number of important initiatives in the ACT in justice, arts and events and seniors areas. I feel privileged to have had so many wise, busy, generous people share their time, their energy, their experience and their ideas with me. I want to thank staff across economic development, the Justice and Community Safety Directorate and the Community Services Directorate who made the mission such a success.

I also want to express my thanks to Debbie Burkevics from artsACT, who accompanied me and my chief of staff on this trip. Debbie is the quintessential trans-Tasman regional citizen. Her deep knowledge of the creative landscape of both Australia and New Zealand was a tremendous asset during the trip, as was her ability to point me to the best ice cream for refuelling at the end of long days of meetings and travelling, and I thank her for that.

I present a copy of the statement:

New Zealand—Ministerial mission—November 2019—Ministerial statement,
20 February 2020.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Public Interest Disclosure Amendment Bill 2020

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

Title read by Clerk.

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) (10.17): I move:

That this bill be agreed to in principle.

The Public Interest Disclosure Amendment Bill 2020 is an important next step in strengthening the ACT's integrity framework following on from the establishment of the territory's Integrity Commission last year. This bill recognises the ACT Integrity Commission as the pre-eminent integrity body in the territory and ensures our public interest disclosure legislation, which was first established by this government in 2012, and our integrity legislation, work effectively together.

The government committed to undertaking a review of our public interest disclosure legislation in response to the recommendations received from two Assembly inquiries into the establishment of the Integrity Commission. I tabled an update on the progress of this review in November last year, and the final report from this review has been integral in developing the bill I introduce today. The review was undertaken by PEG Consulting, and involved a comprehensive assessment of existing public interest disclosure arrangements. The independent reviewers met with key stakeholders during the consultation period and received 14 written submissions. In addition to considering the Moss review into the commonwealth PID Act, the independent reviewers considered a 2019 report from Griffith University titled, *Whistling While They Work 2*, and public interest disclosure legislation in other jurisdictions, both in Australia and overseas, as well as reviews of those pieces of legislation.

As I advised in my November update, the final report from the reviewers was received on 30 September last year. The report is of exceptional quality and I thank the reviewers for their work. This bill responds to the report's recommendations and will support the achievement of a pro-disclosure culture that provides clarity to disclosers and disclosure officers. The bill reduces the complexity of current whistleblowing arrangements, increases protections for those making disclosures and clarifies the role of the ACT Integrity Commission and the Integrity Commissioner. Public sector agencies will now be committing to a pro-disclosure culture and to leading by example.

This will occur through agencies promoting education on notification obligations and protections, committing to transparency, and ensuring appropriately skilled and resourced investigations occur. Importantly, the bill also creates a clear differentiation between conduct which falls within the scope of the PID Act and conduct which falls within the scope of the Integrity Commission Act, while also creating a central decision-making point. The final report notes that the overlap between the existing PID legislation and the Integrity Commission legislation could create confusion about appropriate forums to disclose different types of conduct. This bill addresses that issue. Currently, the definition of disclosable conduct in section 8 of the PID Act overlaps with the definition of corrupt conduct in section 9 of the Integrity Commission Act 2018.

To support increased clarity for disclosers and to align the PID Act with the intention of our public interest disclosure regime, the bill amends the scope of the PID Act to draw maladministration into sharper focus. The bill reduces the scope of the PID Act by removing conduct that could, if proved, be a criminal offence or give reasonable grounds for disciplinary action, both of which fall within the definition of corrupt conduct in the Integrity Commission Act.

The bill also removes ACTPS employment disputes from the scope of the PID Act. This step was a clear recommendation of the final report and was taken after careful consideration of multiple submissions to the review which raised the issue of the PID Act being used by some public service employees to report employment disputes rather than conduct that the act is intended to cover. This change will assist in clearly establishing which matters are, and are not, within the scope of a public interest disclosure and will result in the PID Act having a clearer focus on maladministration, substantial and specific danger to public health or safety, or substantial and specific danger to the environment.

The independent reviewers also recommended that a more expansive definition of maladministration be adopted, with consideration given to models in use in other jurisdictions. A clearer definition of maladministration has been adopted in the bill, which will assist disclosers and disclosure officers to determine if the matter they are concerned about is maladministration resulting in a substantial mismanagement of public resources or public funds or maladministration involving substantial mismanagement in the performance of official functions.

To reduce the complexity of the disclosure process, the bill provides that the Integrity Commissioner will assess all disclosures to create a single point of oversight and decision-making. This step has been taken to simplify existing arrangements, which were consistently raised in submissions to the review as being overly complex. The new arrangements will see disclosures made first to a disclosure officer and if there are reasonable grounds referred to the Integrity Commissioner.

The Integrity Commissioner will then assess whether the disclosure is a public interest disclosure and, if so, determine if the matter should be investigated by the Integrity Commission, whether the matter should be referred to another entity for investigation, or whether the matter should be dismissed. This approach will provide consistency in the first assessment of disclosures and recognises the Integrity Commission as the pre-eminent element of the integrity framework in the ACT. Importantly, it also creates a central data collection point.

The bill introduces a public interest test so that the wrongdoing that is disclosed must affect others and be genuinely in the public interest. This means that the discloser will not be solely or personally affected by the disclosure matter. This was another key recommendation of the independent review. With the introduction of a public interest test and the exclusion of personal employment-related grievances from the scope of the act, disclosers should rarely have a personal interest in the outcome of any investigation into the matter they raise, beyond wanting wrongdoing addressed.

The Integrity Commissioner will have the power to refer a matter to several entities for investigation, including the head of the public sector entity the matter refers to, the head of service, the Public Standards Commissioner, the Parliamentary Standards Commissioner or the Ombudsman. The conduct of members of the Legislative Assembly and their staff remains within the scope of the PID Act. Matters will be considered by the Integrity Commissioner in the first instance, with the ability to refer to either the Parliamentary Standards Commissioner or the Speaker if the disclosure relates to MLAs or their staffers.

To support the Integrity Commission in its new assessment and triage activities, the bill also transfers the oversight functions the Public Sector Standards Commissioner currently has under the PID Act to the Integrity Commissioner. The Integrity Commissioner will now be able to give advice about public interest disclosures, monitor the management of public interest disclosures by public sector entities, and review the ways in which public sector entities investigate and deal with PIDs generally or on an individual level, and undertake and coordinate education and training programs about our public interest disclosure framework.

This work will complement the education work already within the remit of the commissioner. Further, the Integrity Commissioner will issue guidance for disclosers and advice on the management of disclosures to be adopted by ACT public sector entities. Importantly, the Integrity Commissioner will also be able to ensure just outcomes for people who make public interest disclosures, including by preventing and remedying the effect of detrimental action against those disclosers. Adequate protections are central to confidence in our integrity framework. People coming forward to report matters and those asked to provide evidence about matters should feel no fear of detriment because of their actions.

The bill also extends the protections afforded to disclosers to witnesses, as well as more fully encompassing protections for disclosers and those assisting in disclosure investigation in appropriate circumstances. The bill also sets out improvements to capturing data about public interest disclosures and assigns a function to the capture and reporting of public interest disclosures to the Integrity Commissioner. This was a further important recommendation of the independent review. To reduce complexity and red tape, the bill also requires all agencies to provide details of their disclosure officers to the Integrity Commission and in their annual reports.

This bill delivers important improvements to our integrity framework, including a triage approach to receiving disclosures, consistent assessment by skilled officers, and a whole-of-system data collection. This will enable our public interest disclosure framework to be more reactive, through systematic and thorough responses, and more proactive, through an improved whole-of-system analysis and identification of risk.

The bill reduces complexity and increases protection for disclosers, as well as encouraging a more proactive disclosure culture to support transparent and robust responses to matters of integrity. The bill effects extensive improvements to encourage a more proactive disclosure culture within the public service and in the Legislative Assembly. I commend the bill to the Assembly.

Debate (on motion by **Mrs Dunne**) adjourned to the next sitting.

Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2020

Ms Stephen-Smith, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal) (10.29): I move:

That this bill be agreed to in principle.

I am pleased to present the Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2020 to the Legislative Assembly. The Aboriginal and Torres Strait Islander Elected Body has a unique and critical role in the ACT. It is the ACT's democratically elected first nations voice to the Legislative Assembly and the ACT government.

Members of the elected body are, of course, elected by the local Aboriginal and Torres Strait Islander community and have deep connections to the community. It is these connections and members' own lived experiences that enable the elected body to help drive better policy and services for the ACT's Aboriginal and Torres Strait Islander communities.

The Aboriginal and Torres Strait Islander Elected Body is self-determination in action and the ACT government is committed to further strengthening its role in our community. This bill enables the broadcasting of the elected body's public hearings, imposes time frames on both the elected body and the ACT government in regard to the presentation of reports and responses, and provides for a caretaker period from the commencement of the elected body election. The bill also provides for consequential amendments in anticipation of the Electoral Legislation Amendment Bill 2019.

The bill also responds to the fact that, since the review of the Aboriginal and Torres Strait Islander Elected Body Act 2008 in 2015, and the passage of the subsequent amendment bill and regulation in 2017, the work of the elected body has expanded.

This bill explicitly recognises the ability for the elected body to provide advice to any minister about the views of the ACT Aboriginal and Torres Strait Islander community. It also acknowledges what is essentially a new role for the Aboriginal and Torres Strait Islander Elected Body: representation and advocacy at the national level.

Through the establishment of the Coalition of Aboriginal and Torres Strait Islander Peak Bodies—better known as the coalition of peaks—the elected body now represents the ACT Aboriginal and Torres Strait Islander community at a national level. The chair of the elected body, Ms Katrina Fanning, also sits on the Joint Council on Closing the Gap as a representative of the coalition of peaks.

The ACT was the first state or territory to sign up to the partnership agreement on closing the gap that created the joint council and, for the first time ever, gave Aboriginal and Torres Strait Islander organisations a seat at the table alongside ministers as we work to refresh the closing the gap framework.

The 10-year partnership agreement provides an ongoing role for the coalition of peaks and the joint council in overseeing the closing the gap framework until 2029. It is

therefore appropriate that this new national role for the elected body is reflected in its underpinning legislation.

Members will know that the elected body holds annual hearings based on the format of estimates and annual reports hearings. The hearings provide an important mechanism for the elected body to ask questions, hold the government to account and to report the success or otherwise of policies and services for the local Aboriginal and Torres Strait Islander peoples.

In my discussions with the elected body, members have expressed the need to give the local Aboriginal and Torres Strait Islander community greater access to the elected body's hearings. At present they are open to the public and recorded in a Hansard-style transcript, and the elected body provides a report and recommendations following the hearings.

Broadcasting the hearings as the elected body sees fit would enable Aboriginal and Torres Strait Islander Canberrans and the wider community to watch the hearings as they take place or on demand. It was previously recommended in the most recent review of the Legislative Assembly's standing orders that legal advice be sought on the potential legal ramifications of reticulating elected body hearings in the Assembly buildings. The work done in response to this recommendation concluded that it would not be possible for the Office of the Legislative Assembly to broadcast the elected body hearings in the same way it does those of Legislative Assembly committees.

Following receipt of this advice from the Speaker, I asked the Community Services Directorate to explore other options, including whether the elected body act could be amended to provide immunity to anyone broadcasting elected body hearings. That is what this bill achieves. It is important to note that the bill provides an enabling environment for the broadcast of elected body hearings; it does not require that they are broadcast. This will remain a decision for the elected body.

Once the elected body has held its public hearings or conducted one of its regular consultations, it is required to provide a report to the government. This bill creates new time frames for the presentation of reports and shortens the time frames for the ACT government to respond.

Under the current act no time frame is stipulated within which the elected body is required to report to the minister following its hearings. The amendments to sections 10B(1) and 10B(3)(b) impose a four-month time frame on the elected body to report to the minister and shorten the time frame for the government response from six months to four months. This will enable information to become available sooner and ensure that both the report and response are more timely and therefore more relevant to the community.

The elected body is currently required to prepare written reports on its community consultation activities but, again, there is no time frame within which these reports must be provided to the minister. The amendments in this bill will require the elected body to provide a copy of the report to the government within two months after the day the consultation ends. The reporting line is also amended to include not only the

Minister for Aboriginal and Torres Strait Islander Affairs, but also any other minister responsible for the matter that is the topic of the consultation.

At least one of the ministers to whom the report is given must provide the elected body with a response no later than two months after the day the report is received. Like the elected body's own report, the government's response will be required to be published on the elected body's website.

The bill introduces a caretaker period for the elected body. The caretaker provisions are modelled on the ACT government's convention and will ensure that the elected body does not take any action during the caretaker period that would bind an incoming elected body or limit its freedom of action. This replaces and formalises the current practice by which the minister writes to the chair of the elected body in the lead-up to an election to declare a caretaker provision.

This bill also makes the consequential amendments required if and when the Electoral Legislation Amendment Bill 2019 is enacted. The next elected body election is scheduled to commence on 18 May 2020. The Aboriginal and Torres Strait Islander Elected Body Act modifies the Electoral Act 1992 in order to conduct the election.

I greatly appreciate the work of the Aboriginal and Torres Strait Islander Elected Body in advocating for the community, raising issues and concerns, and holding the government and its agencies to account. I thank all elected body members for their advocacy and their frank and fearless advice as we work towards equitable outcomes for the ACT Aboriginal and Torres Strait Islander community. This bill will further strengthen the elected body, and I commend it to the Assembly.

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

Gaming Machine Amendment Bill 2020

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, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (10.36): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Gaming Machine Amendment Bill 2020 today. Canberra's local community clubs make a unique and important contribution to the economic and social fabric of our city. They deliver benefits to our community through sport, music, arts and other cultural activities. The ACT government is committed to supporting clubs to diversify their income to reduce reliance on gaming machine revenue in order to address gambling harm in the community.

Since July 2017 the gaming machine tax rebate has allowed clubs to reinvest in their organisations in a diverse range of ways to direct their income streams away from a reliance on gaming machines into the future.

In order to ensure that the rebate was delivering the intended outcomes, the government committed to a review of the tax rebate, which I tabled on 28 November last year. The gaming machine tax rebate statutory review report focused on whether the rebate contributed to clubs' continued financial viability and supported their ongoing contributions to the ACT community. This bill implements the findings and conclusions of that report. The report found that the rebate achieved its purpose, creating a more conducive financial environment for clubs to diversify their revenue streams. Accordingly, the bill continues the gaming machine tax rebate scheme, with some additional tailored measures for small and medium clubs and club groups.

The bill also makes changes to the rebate to improve its operation and effectiveness. In his report, *ACT Club Industry Diversification Support Analysis*, Mr Neville Stevens AO recommended a phased reduction of the rebate for small and medium clubs or club groups that earn more than \$4 million in gross gaming machine revenue in a year.

Under the current framework, a club that exceeded this threshold would be required to repay the entire rebate that they had received, even if they exceeded the \$4 million annual threshold by just a small amount. In response to this concern, the bill replaces the rebate's previous threshold and eligibility provisions with a phased reduction model. The new model will operate with the effect that any rebate received by a club whose gaming machine revenue goes over the \$4 million threshold will be reduced by 50c for every dollar of gaming machine revenue that goes over that threshold.

The threshold in the act capped eligibility for the rebate at \$4 million earnings in the 2017-18 financial year on an ongoing basis. This meant that a club that earned under \$4 million in the 2017-18 financial year would be eligible for the tax rebate into the future regardless of their current earnings. This bill amends the eligibility provision by capping it at \$4 million in the relevant financial year.

The bill also redefines small and medium clubs and club groups to include any club that receives some amount of the rebate through the operation of the phased reduction provisions, as well as those clubs with gross gaming machine revenue of less than \$4 million.

These provisions will progressively reduce the amount of the rebate received by clubs that exceed the threshold, reflecting each club's current gaming machine revenue and their progress towards diversification. Importantly, however, these clubs will still be considered small and medium clubs and club groups up to the point that their rebate amount reaches zero dollars. In this way, the phased reduction will foster rather than hinder clubs' efforts to diversify.

The bill also makes minor amendments to the community contributions scheme, to improve its operation and efficiency. The government has worked to enhance the effectiveness of the scheme and to maximise its returns to the community. This bill

contains a range of reforms that continue to meet this objective, including two transitional provisions to assist clubs in adapting to the new requirements of the scheme.

The bill also simplifies community contributions and reporting by clubs that operate at more than one venue. Currently, a club that operates more than one venue is required to make community contributions for each individual venue, to a minimum total of eight per cent of that venue's net gaming machine revenue each reporting year. A contribution made by the club on behalf of all of its venues must be apportioned between each venue according to the number of gaming machines at each venue. Under the changes introduced by this bill, clubs will now be able to make community purpose contributions for all of their venues, without those restrictions.

Clubs will still need to make community purpose contributions of at least eight per cent of their net gaming machine revenue. This bill does not change that. But these amendments provide clubs with greater flexibility in making their minimum required contribution and reduce regulatory burdens associated with reporting community purpose contributions for clubs with multiple venues.

The government's previous reforms to the community contributions scheme introduced a requirement for large clubs to make minimum community purpose contributions of money, rather than in-kind contributions, of at least six per cent of their net gaming revenue each reporting year. This change was made to maximise monetary support for community purposes.

Previous reforms also increased the community contributions shortfall tax from 100 per cent to 150 per cent, to emphasise the community's expectation of that ongoing support. This tax was and is payable by any club that does not reach its minimum contribution amount.

The transitional provisions that are included in this bill will temporarily reduce large clubs' minimum monetary contribution from six per cent to five per cent, and temporarily reduce the shortfall tax rate from 150 per cent to 100 per cent. These provisions will apply to clubs' reporting years ending after 30 June 2019 and before 1 July 2021, to ensure that they are supported throughout the entire transition period. These changes are being made in direct response to feedback from clubs, including through a series of management round tables and presidents forums that I have hosted.

Finally, the bill contains a further review mechanism that will need to be completed before 30 November 2022, which will again consider whether the rebate is continuing to support clubs in their efforts to move to alternative revenue streams.

The changes in this bill demonstrate our commitment to listening to stakeholders and to implementing responsible measures tailored to the needs of the community.

Through these initiatives, the bill will continue to support clubs in their journey to adapt to the new requirements of the community contributions scheme. The bill retains the scheme's integrity and provides a safe space for clubs to implement the new reporting and compliance requirements.

We will continue to work to support our local community clubs and to ensure that all Canberrans benefit from the sport, social and charitable contributions that our clubs make, while ensuring that gambling harm is addressed. I commend the bill to the Assembly.

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

Land Titles (Electronic Conveyancing) Legislation Amendment Bill 2020

Mr Ramsay, pursuant to notice, presented the bill, its explanatory statement, a Human Rights Act compatibility statement and the following papers:

Verification of Authority Rules (Exposure draft), dated February 2020.

Verification of Identity Rules (Exposure draft), dated February 2020.

Title read by Clerk.

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) (10.45): I move:

That this bill be agreed to in principle.

Today I am pleased to introduce the Land Titles (Electronic Conveyancing) Legislation Amendment Bill to modernise the ACT land titling laws and later today I will introduce a second land titling reform to adopt the electronic conveyancing national law in the ACT. This first bill repositions the current land titling laws so that they are less paper based and provides scope for electronic conveyancing or, as it is known, e-conveyancing. Further, this bill introduces a number of measures to reduce the risk of fraud.

Currently in the ACT, property transactions occur in person and by paper. Parties need to meet in person at a settlement room, exchange paper cheques and the certificate of title. The paperwork is then lodged, again in person, at the Land Titles Office. In this environment the paper certificate of title is the go-to document in a property transaction across various ACT land titling laws. Broadly, where there is a change in legal rights over property the paper certificate of title needs to be handed over. And the reason for this is that the person named in the certificate owns the property and can sell the property. As such, new owners take the old paper certificate to the Land Titles Office and seek a replacement with their name on it. However, we know the current paper-based land titles system is susceptible to abuse. We saw this when a MacGregor property was sold without the knowledge of its owner.

This bill removes the requirement for the certificate of title to be handed over between parties in a transaction and replaces it with a stronger security measure aligned with

those used for e-conveyancing. Where a client is represented, their lawyer or their bank will need to certify that they have undertaken verification of their client's identity in accordance with the verification of identity rules and their authority to deal with the land in accordance with the verification of authority rules. This process is strengthened by a requirement on the lawyer or the bank to keep the documents that were relevant to providing the certification. Further, the Registrar-General will audit compliance with these obligations. Self-represented parties will also receive the benefit of the stronger protections against fraud through a verification of identity and authority framework.

The verification of identity and authority rules will be disallowable instruments. These rules will be very important to the healthy functioning of the new system and, to assist members and the public to see and to understand the scope of the proposed framework, the rules are provided as associated instruments together with this bill.

The verification of identity rules provide a framework for verifying that a person is who they say they are. This can occur through a face-to-face interview and a process like the 100 points identity checks that we are now well familiar with. There is also scope for verifying identity in some other way that is reasonable. The verification of authority rules provide that reasonable steps need to be taken to verify that a party has the authority to deal with the property interest in question, and generally this is shown by a demonstrated connection to the property.

Consultation on the exposure draft bill and associated disallowable instruments indicated broad levels of support, with suggestions for technical changes, which have been addressed, such as to ensure the banks have clarity on their obligations to verify identity and authority. Further, consultation has brought about helpful feedback on the requirements within the proposed disallowable rules. This has resulted in measures to facilitate competition and assist self-represented parties by broadening the pool of persons who can verify identity. This bill is an important step towards modernising the ACT's land titles system, and I commend the bill to the Assembly.

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

Electronic Conveyancing National Law (ACT) Bill 2020

Mr Ramsay, pursuant to notice, presented the bill, its explanatory statement, a Human Rights Act compatibility statement and the following papers:

Australian Registrars National Electronic Conveyancing Council—

Model operating requirements—Version 5, dated December 2018.

Model participation rules—Version 5, dated December 2018.

Electronic Conveyancing (Adoption of National Law) Bill (NSW)—First print, together with an explanatory note.

Title read by Clerk.

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) (10.51): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Electronic Conveyancing National Law (ACT) Bill 2020 which will allow conveyancing to occur electronically in the ACT. Electronic conveyancing, e-conveyancing, is an initiative that has been agreed by the Council of Australian Governments to provide a common framework for electronically settling and lodging property transactions. E-conveyancing has become progressively available in Australia since 2013 through the electronic conveyancing national law. The national law provides a consistent framework for how parties can electronically settle their transaction and submit it to the land title registry of their jurisdiction.

The ACT is joining New South Wales, Queensland, South Australia, Victoria and Western Australia in making e-conveyancing available under this framework. I note that the Northern Territory and Tasmania have also agreed to make e-conveyancing available in their jurisdictions. This bill will further modernise the land titles system in line with the ACT digital strategy.

I would like to set out what e-conveyancing is and what it is not. As mentioned in my earlier presentation of the Land Titles (Electronic Conveyancing) Legislation Amendment Bill, we are modernising the current approach to conveyancing where parties settle and lodge in person. E-conveyancing changes a number of the conveyancing transaction points from in-person to online.

The settlement process occurs electronically. This provides scope for parties to a transaction to receive settlement moneys more quickly rather than waiting for paper cheques to be deposited and cleared. Further, in an e-conveyance there is not the need to physically drive or travel to the land titles office to lodge the documents. Rather, they are lodged electronically and at that point the land titles office will assess whether a change to the land titles register should be made. A move to e-conveyancing is not a move to privatise or to outsource the functions of the land titles office.

The ACT is not mandating the use of e-conveyancing. A lawyer or a bank will have the choice whether to undertake the conveyance electronically for their clients or to continue to settle and lodge in person. If all parties to the transaction are not using e-conveyancing the settlement and lodgement will continue to occur in person.

The framework for e-conveyancing under the national law is based on businesses providing an intermediary scheme for lawyers and banks to electronically settle and lodge property transactions with the land titles office. These intermediaries are referred to as electronic lodgement network operators, or ELNOs, in the national law. Also it is based on lawyers and mortgagee banks subscribing to use the electronic lodgement network to settle and lodge property transactions on behalf of their clients.

The national law empowers the Registrar-General to authorise businesses to become ELNOs. Further, it empowers the Registrar-General to make rules for the use of an electronic lodgement network and the use of that network by subscribers. The bill provides that rules made by the Registrar-General under the national law are disallowable instruments. The Registrar-General must have regard to the desirability of maintaining consistency with model rules for ELNOs and subscribers developed by the Australian Registrars National Electronic Conveyancing Council, that is, the land title registrars of each state and territory.

To assist members and the public to see and understand the scope of the proposed framework, the nationally agreed model rules are provided as associated instruments together with this bill. Broadly, the operating requirements govern the participation of ELNOs, and these requirements go to matters such as performance of the ELNO, security and compliance. And the participation rules govern the participation of subscribers to ELNOs and they require lawyers and banks to take reasonable steps to verify a client's identity and authority to undertake a transaction. The Registrar-General has powers to audit compliance with these obligations.

I am happy to say that the ACT is a party to the intergovernmental agreement for an electronic conveyancing national law. As a party, the ACT, through the minister, can propose and vote on amendments to the national law. In the event of an amendment to the national law, the minister can ensure that an appropriate transition period is in place before it comes into effect in the ACT.

I wish to note that the minister can use their power to set the transition period for an incoming national law amendment in a different way. The transition period could be set to ensure that there is sufficient time for the Assembly to amend how the ACT applies the national law, such as the territory did not adopt a disagreed amendment. However, this would not be done lightly. As a party to the intergovernmental agreement, the government recognises the importance of minimising inconsistencies between other jurisdictions on how we approach the national law.

I have tabled the explanatory note to the Electronic Conveyancing (Adoption of National Law) (NSW) Bill which contains the national law in its appendix, to assist members and the public to understand the intended operation of the provisions. The introduction of e-conveyancing is another important regulatory reform for the territory, and I commend the bill to the Assembly.

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

Confiscation of Criminal Assets (Unexplained Wealth) Amendment Bill 2020

Mr Ramsay, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement and the following paper:

Independent review of the effectiveness of ACT Policing crime scene powers to target, disrupt, investigate and prosecute criminal gang members, dated 6 December 2019—Prepared by Associate Professor Terry Goldsworthy and Dr Gaelle Brotto, Bond University.

Title read by Clerk.

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) (10.58): I move:

That this bill be agreed to in principle.

Today I present the Confiscation of Criminal Assets (Unexplained Wealth) Amendment Bill 2020. This bill is one of many measures that the ACT government has taken during this term of government to target and to disrupt serious and organised crime. Unexplained wealth laws strike at the heart of serious criminal offending through the seizure, restraint and forfeiture of assets of those who cannot prove that their wealth was not the result of serious criminal activity. This bill allows for the restraint and, ultimately, the forfeiture of property by a person connected to a serious criminal offence where they cannot show that their wealth was lawfully acquired.

These laws have been progressively adopted across Australia and around the world as a measure to strip criminals of the profits of crime. Unexplained wealth laws are unique in their ability to target those directing and masterminding criminal activity, particularly at arm's length. This bill amends the Confiscation of Criminal Assets Act 2003, known as the COCA Act, to create a new ACT unexplained wealth scheme and provides for two types of orders: unexplained wealth restraining orders and unexplained wealth orders.

The bill targets criminal offending in cases where it is not possible to prove a direct connection between assets and a criminal offence, even though the criminal activity may be well known by authorities. The bill is fundamentally different from the existing confiscation of criminal assets regime in the ACT as traditional confiscation mechanisms require a direct link to the commission of an offence. Under the current scheme, for property to be confiscated the property must have either been used in the commission of an offence or directly derived from the commission of an offence. Examples of where this direct link can be proved include where a car is used as a getaway car from an armed robbery or in relation to shares or other property bought using money stolen during the commission of the armed robbery.

This bill allows authorities to intervene proactively when wealth is identified and there is a suspicion that it has been derived from serious criminal activity. This approach facilitates law enforcement powers to detect and deter crime by targeting assets associated with crime. The bill shifts the burden of proof onto the respondent to show that they lawfully acquired their wealth. This is consistent with how other jurisdictions approach this type of scheme and ensures that the person with the ability to explain what would otherwise be unexplainable is afforded an opportunity to do so.

This bill introduces additional measures to disrupt high-level members of organised crime groups who may profit from crime yet prove difficult to link to specific offences. The first part of the unexplained wealth scheme creates restraining orders

which operate as interim orders, restricting a person's ability to dispose of, or otherwise deal with, property. These provisions ensure that property is preserved and cannot be transferred or dispersed before a court can determine whether a final unexplained wealth order should be made. These provisions are consistent with the existing provisions for restraining orders that currently operate in relation to other proceedings under the COCA Act.

A court must make an unexplained wealth restraining order if satisfied that there are reasonable grounds to suspect that a person's total wealth exceeds the value of the person's wealth that was lawfully acquired and the whole or any part of the person's wealth was derived from serious criminal activity. The court has a discretion to make an order for hardship relief for reasonable living, business or legal expenses at the restraining order stage.

The second part of the unexplained wealth scheme provides for final orders to be made by a court. Unexplained wealth final orders are orders that make payable to the territory an amount which constitutes the difference between a person's total wealth and the value of the person's wealth that has been lawfully acquired. This amount is assessed by the court. The amount ordered payable is enforceable as a debt payable to the territory. If property has been restrained, this will be used to satisfy the final order, with any shortfall able to be recovered as a debt payable to the territory.

The provisions relating to hardship relief are an important part of this bill, allowing it to operate effectively, whilst also protecting the human rights of a person against whom an order is made, and those of their dependants. Important human rights measures in this bill provide that the court has a discretion to refuse to make an order or reduce the amount that is payable if it considers it in the public interest to do so. Further, at the final order stage, the court also has discretion to make an order, once the final order amount is paid to provide for living expenses of dependants.

The financial and personal circumstances of a person who is the subject of COCA proceedings can vary significantly. For this reason this bill ensures that the restraining and forfeiture provisions, including as they apply to the unexplained wealth scheme, will operate in a proportionate way and will not result in unreasonable financial hardship on a person and their dependants.

As a human rights jurisdiction it is important that this bill includes provisions which address the potential for undue hardship to a defendant and their dependants at the restraint stage, and, to a more limited extent, dependants at the final order stage. The bill amends the existing confiscation regime in a way that ensures that it does not operate in an unduly harsh manner.

Broadly, the bill engages and places limitations on section 11 of the Human Rights Act, which relates to the protection of family and children, and to section 12, which relates to the right to privacy and reputation.

It is important that these laws target those involved in and profiting from serious criminal offending without unduly affecting dependants, such as children, who are not involved in the criminal activity. Extensive consultation has taken place around the issue of protecting dependants and allowing for reasonable expenses.

Safeguards, which appear in this bill as hardship relief provisions, ensure that our unexplained wealth laws and the act as a whole operate effectively and fairly. I am confident that these laws properly consider the rights of those directly affected by these laws and the need for an operationally effective scheme.

The ACT government is committed to ensuring that law enforcement has the best tools available to effectively target illegal activity. This bill achieves that. The need to continue to take a targeted approach to serious and organised crime was highlighted earlier this month by the Australian Institute of Criminology publication “Australian outlaw motorcycle gang involvement in violent and organised crime.” In particular, the high rates of profit-motivated crime among OMCG members reinforces the need for measures such as those included in this bill.

In introducing this bill I am also pleased to table the report on the *Independent review of the effectiveness of ACT Policing crime scene powers and powers to target, disrupt, investigate and prosecute criminal gang members*. The report was prepared by Associate Professor Terry Goldsworthy and Dr Gaelle Brotto of Bond University. A key purpose of the review was to meet the statutory obligation to examine the operation of the crime scene powers in division 10.4A of the Crimes Act 1900.

The report endorses the legislative program that the ACT government has implemented to combat serious and organised crime. In particular, I note Professor Goldsworthy’s lack of support for anti-consorting laws, which he says are ineffectual. I quote from the report:

The effects of specific consorting laws on serious and organised crime are tenuous at best. Although the success of these types of laws is mostly based on disruption, there is little evidence regarding what criminal activity is being disrupted. Enforcing these generic laws demands significant police time and resources for little output in terms of sentencing outcomes. Without a requirement of criminality being attached to the purpose of the consorting, it is difficult to argue that such laws and their enforcement are successfully targeting serious and organised crime.

The report found that the legislative responses to disrupt serious and organised crime by the ACT government are effective and proportionate, providing ACT law enforcement agencies with several effective tools with which to combat serious and organised crime.

The unexplained wealth scheme introduced in this bill is the key area of legislative reform that is identified in the Goldsworthy report as an additional measure needed to enhance law enforcement powers in the ACT. The measures in this bill target and disrupt serious and organised crime while supporting national efforts to take the profit out of crime.

As a government we take our responsibility to protect our community seriously, and we will continue to ensure that law-abiding citizens are protected from criminal behaviour. I commend this bill to the Assembly.

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

Labour Hire Licensing Bill 2020

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

Title read by Clerk.

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) (11.09): I move:

That this bill be agreed to in principle.

Today I am pleased to present the Labour Hire Licensing Bill 2020, which will establish a licensing scheme for the regulation of labour hire operators in the ACT.

This government is proud of its long history in protecting the rights of territory workers. We have committed and delivered on a secure local jobs package of reforms that have set the bar for ensuring that government-funded contracts are going to businesses that are doing the right thing. We have committed to and delivered on improving work health and safety legislation, including the strongest regulations for dealing with asbestos-containing materials anywhere in the country. We have committed to and delivered on reforming the way that the ACT government cares for and supports its injured workers by becoming a self-insurer, improving rehabilitation and return to work outcomes for public servants.

Today this government is building on its success by delivering a labour hire licensing scheme for the ACT to better protect our vulnerable workers. The Labour Hire Licensing Bill will deliver on a promise made in this place in 2018 to develop a labour hire licensing scheme. This scheme is about encouraging responsible practices in the ACT labour hire industry; ensuring that labour hire businesses operating in the ACT meet their workplace obligations and responsibilities to their workers; and creating a framework that is effective in preventing and responding to non-compliance with workplace standards in the labour hire industry.

As the Assembly will be aware, a number of recent inquiries in Australia have highlighted the vulnerability of labour hire workers to poor treatment at work, including underpayment and unauthorised deductions of wages; dangerous workplace conditions; substandard accommodation provided to workers; and even cases of exploitation akin to slavery and bonded labour. This is unacceptable, and while a national scheme would be preferable, in the continued absence of a comprehensive labour hire licensing scheme at a national level, this government will step up and take the necessary action to protect vulnerable territory workers.

Licensing is a powerful regulatory approach that can simultaneously track businesses entering and leaving an industry, screen new entrants, and monitor and drive compliance with industry standards. To ensure this, the Labour Hire Licensing Bill has a number of core elements that will continue this government's long tradition of protecting workers.

First, any labour hire provider operating in the ACT, including providers based interstate but providing workers to the territory, will be required to hold a valid labour hire licence. For the purposes of this bill, a provider is defined as a person or business that supplies a worker to do work for another person or business. By incorporating a broad definition of labour hire provider into the bill, we are making sure that the scheme is able to respond to the changing nature of work in the territory. A broad coverage will universally apply to the labour hire industry operating in the ACT and not just a select few sectors. To limit this scheme, particularly in the ACT, would undermine its effectiveness. This scheme is about ensuring that our businesses and the corporate structures they choose to adopt do not adversely impact our workers.

Another key component of the Labour Hire Licensing Bill is to ensure that there are appropriate penalties in place to discourage unlicensed labour hire providers from operating. A publicly available register will be created and maintained by the government to ensure that businesses and individuals using labour hire providers are easily able to ascertain who is a licensed provider.

For too long, ethical labour hire operators have been undercut by providers who are too willing to exploit workers in order to make money. We are ending this practice in the territory with this bill, and there will be strong disincentives, with a maximum penalty of 800 units for an individual and 3,000 units for a corporation, for providing labour hire services without a licence. In addition, a civil penalty will apply to users of unlicensed labour hire service providers.

In a regulatory scheme, this recognises the balance between obligations on labour hire providers to maintain a licence and market pressures that, if left unattended, are likely to continue to support unlicensed labour hire practices. However, it is clear that this approach, in applying a financial disincentive to engaging unlicensed labour hire, must be appropriate and must be justified.

That is why we have included safeguards within the bill. Specifically, users that have a reasonable excuse for engaging unlicensed labour hire services will not be subject to the civil penalty. For example, in circumstances where an individual might engage someone to carry out personal or domestic work, such as cleaning their residential home, it is reasonable to expect that they may not be aware that they have engaged a labour hire worker.

It is incumbent on government, providers and recipients of labour hire to step up together to ensure that vulnerable workers are protected. This government is rightly proud of our history in doing this, and we are confident that hardworking, reputable territory businesses will step up too.

In addition to the requirement to hold a licence, and the requirement to use a licensed provider, there will be a “suitable person” test in order to assess the likelihood that a particular business will comply with relevant laws and will treat its workers fairly. The bill includes provisions that would be applied to all applicants—whether an individual or an executive officer of a corporation—which will consider whether the applicant for a labour hire licence is honest, is professional, and has integrity when it

comes to workplace law and obligations. Applicants will have to demonstrate that they have a history of compliance with labour hire industry laws and are able to comply with labour hire industry laws.

A “suitable person” test will also ascertain whether the applicant has previously held a licence that has been cancelled or suspended or had conditions imposed on it. A labour hire licence will not be issued to any individual or an executive officer of a corporation who has been convicted of an offence against a labour hire industry law or another law that affects the applicant’s suitability to provide labour hire services. The labour hire licensing schemes enacted in both Queensland and Victoria have similar “fit and proper person” tests as a key feature of their respective legislation. These tests are essential to supporting the objective of integrity in the labour hire sector.

In addition to meeting the “suitable person” test, labour hire providers in the territory would also need to demonstrate their compliance with industry standards on a periodic basis in order to maintain their licence. A labour hire licence will require renewal every year. It will not be enough for labour hire providers to prove just the once that they are compliant with meeting their workplace obligations and responsibilities to their workers. They will have to continue to prove this for as long as they supply workers in the territory.

Compliance and enforcement mechanisms are critical to ensuring the integrity of the scheme and that its objectives are met. It is proposed that the scheme will be administered and regulated by the Work Health and Safety Commissioner. This will facilitate an immediate capacity to administer the scheme and leverages the regulatory and enforcement expertise within WorkSafe ACT to respond to specialised workplace and industrial legislative compliance awareness.

The Labour Hire Licensing Bill includes comprehensive provisions for regulatory action, which include imposing, or amending, a condition on the licence; suspending the licence; disqualifying the licensee from applying for another licence; or cancelling the licence altogether.

In order to protect reputable labour hire providers, there are strict provisions as to when regulatory action may be taken, including if a provider has contravened labour hire law; has contravened a condition of the licence; has used false or misleading information to obtain the licence; or has stopped operating the business that is the subject of the licence.

To ensure that the scheme is flexible and can respond to changes in future work arrangements, the Labour Hire Licensing Bill also ensures the ability to exempt certain employers or classes of employers from its operation if a compelling reason for exclusion is demonstrated.

Reputable labour hire providers in the territory have everything to gain from this bill. They will be shown to be ethical, responsible businesses that comply with workplace laws that protect their workers. In contrast, labour hire providers that exploit

vulnerable territory workers or put workers at risk by exposing them to dangerous working conditions will be stopped from providing labour hire in the territory.

Vulnerable territory workers and the community at large can be assured that this government will continue to do all it can to protect them. I commend the bill to the Assembly.

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

Loose-fill Asbestos Legislation Amendment Bill 2020

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

Title read by Clerk.

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) (11.19): I move:

That this bill be agreed to in principle.

I am pleased to present the Loose-fill Asbestos Legislation Amendment Bill 2020. This bill gives effect to the announcements made in November 2019 about the management of any Mr Fluffy affected properties remaining in the Canberra community following the closure of the buy-back program on 30 June 2020.

Since the commencement of the loose-fill asbestos insulation eradication scheme in 2014, significant progress has been made toward eradicating affected properties from the ACT residential community. To date, 96 per cent of affected properties have been demolished either through the scheme or through residents making their own arrangements. However, the goal of eradicating all loose-fill asbestos from the ACT residential community—and, in doing so, removing the associated risk to the Canberra community—will not be fully achieved until all properties have been demolished. The pathways to eradication package, consisting of five initiatives, works to deliver this outcome.

The initiatives include transitional support for homeowners, additional asbestos management plan requirements, development and building approval restrictions, occupancy prohibition, and the potential for compulsory acquisition, if required, from mid-2025. The first initiative, transition support for homeowners, will be provided through administrative procedures and sale contracts, with the first of these arrangements expected to commence in March 2020. And the final initiative, should the government need to take action in 2025, will be enabled through legislation already in place.

The bill I introduce today will give effect to the other three initiatives and I will outline them for the Assembly, starting with changes to the current asbestos management plan requirements. To improve community safety, the bill enacts three

changes in relation to asbestos management plans, commonly referred to as AMPs. Firstly, status flags showing whether a property requires an AMP and whether it has a compliant AMP, will be added to the Affected Residential Premises Register, which is published on the Asbestos Response Taskforce website. This change is particularly important for tradespeople and care workers as they assess the risk associated with any work they are being asked to undertake in an affected property.

The second change implements a requirement for a property's AMP to be presented in a display case at the main entrance to an affected property. The display case will be supplied by the taskforce and assistance provided to install it if needed. Making the AMP visible and accessible in this way supports community safety by allowing all visitors to make an informed decision about their activity at the affected property. Personal information, such as name and phone numbers, can be redacted from the display copy and asbestos assessors will be required, where practicable, to exclude photographs that show any personal effects.

The third change relates to the length of time that an AMP remains valid. AMP validity, currently set at 24 months for all plans, will be set at between six and 24 months, as deemed appropriate to each individual property by the licensed asbestos assessor preparing the AMP. This flexibility in validity timeframes ensures greater currency of affected property condition reports, which supports community safety while not enforcing onerous assessment requirements on properties that do not need it.

The government acknowledges that this may mean that a homeowner will need to get a renewed AMP more regularly and incur the cost, which generally sits between \$400 to \$1,000, depending on the property and the number of samples taken. To address any financial hardships, homeowners can apply to the taskforce for an early release of their relocation assistance equal to the cost of obtaining the AMP. These three changes will work together to improve community safety, particularly for tradespeople, care workers, and visitors, while these aging affected properties remain in the Canberra community.

Allow me to speak now about how the bill will implement restrictions on development and building approvals. Consistent with the government's commitment to community safety through the removal of all loose-fill asbestos affected properties from Canberra's suburbs, restrictions are being introduced that prevent unnecessary development or building works at properties on the Affected Residential Premises Register. The bill makes a number of amendments seeking to restrict works on affected premises to those related to asbestos removal and demolition of an affected building or required to support health, safety and reasonable living conditions. This is achieved through the removal of a range of development and building exemptions and restrictions of approvals.

Some minor works not related to affected structures will remain exempt from approval, such as installing a fence or a letterbox or establishing a site shed that might be needed for demolition works. I reiterate, works that are needed to support health, safety and reasonable living conditions will be approved. Guidelines will be published to assist homeowners and industry to understand what works will be permitted, and discussion has already commenced with the Council on the Ageing to understand

typical works that might be required at a property to support an aging occupant. These restrictions made on a small number of properties is balanced against the broader community safety need to constrain the long-term existence of these properties in Canberra's suburbs, where they continue to present a risk to residents, tradespeople, visitors and the community.

Finally, I would like to provide some detail about the introduction of an occupancy prohibition applicable to remaining affected residential properties. In the interests of community safety, and in support of the goal of eradication of affected premises from Canberra's suburbs, it is critical that a new generation of residents are not exposed to the risks associated with living in an affected property. It is important to note that the bill does not require existing residents to vacate their homes. The occupancy prohibition only comes into play when an affected property is sold or transferred, or when a current rental arrangement is complete. The bill provides that upon the transfer or transmission of the title of an affected residential premises only certain approved occupants can live in the premises.

A blanket occupancy prohibition on any transfer or transmission of title would have had the potential to require long-term residents to vacate, for example, if the property title was held in a husband's name only and upon his death his wife received the property through inheritance. To accommodate this and similar circumstances where continued occupation of a premises is desired, the bill introduces the concept of an approved occupant. This enables those who have lived in an affected premises from the time it was placed on the Affected Residential Premises Register to remain, and so supports those very elderly who wish to see out their final years in their homes.

The bill also provides for other individuals, such as a carer or family member, to seek approval from the portfolio minister to occupy the premises to provide support to an existing occupant of the home. The owners of a property on the register that has become subject to the occupancy prohibition through the transfer or transmission of the title after 1 July 2020 must ensure that the premises are not occupied by anyone other than approved occupants. Failure to comply will be an offence under the Dangerous Substances Act 2004.

The bill also addresses occupancy prohibition in relation to rented properties. Any residential tenancy agreement, occupancy agreement, assignment or sublet for a premises on the register that is entered into on or after 1 July 2020 is deemed void under the changes proposed. This is a critical step to prevent new, and possibly vulnerable, members of our community being exposed to the risks associated with living in an affected property. In summary, this bill progresses the initiatives announced in November 2019 that work toward an ACT residential community free from loose-fill asbestos-affected properties.

The Asbestos Response Taskforce is working with individual homeowners as they consider their options leading up to the close of the buy-back program on 30 June 2020 and will assist any of those intending to remain to understand how the new obligations and restrictions will apply to their individual circumstances. The taskforce will also engage with industry, including asbestos assessors, building surveyors and the Real Estate Institute of the ACT, to assist each group to understand the changes.

With only 35 affected properties remaining privately owned now, and this number expected to decrease substantially before the bill takes effect on 1 July 2020, these changes will apply to very few households across Canberra.

This does not, however, diminish the importance of these measures. These community safety initiatives, increased AMP obligations, restrictions on building works and restrictions on future occupation of affected properties, all aim to protect members of our community, tradespeople, care workers, visitors and renters from the risk of exposure to loose-fill asbestos while, as far as practical, balancing the needs of current owners and occupiers. I commend the bill to the Assembly.

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

Estimates 2020-2021—Select Committee Establishment

MR WALL (Brindabella) (11.29): I move:

That:

- (1) a Select Committee on Estimates 2020-2021 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2020-2021, the Appropriation (Office of the Legislative Assembly) Bill 2020-2021 and any revenue estimates proposed by the Government in the 2020-2021 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
 - (a) one Member to be nominated by the Government;
 - (b) one Member to be nominated by the Opposition; and
 - (c) one Member to be nominated by the ACT Greens;to be notified in writing to the Speaker within two hours of this motion passing; an Opposition Member shall be elected chair of the Committee by the Committee;
- (3) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (4) the Committee is to report by Tuesday, 11 August 2020;
- (5) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation;
- (6) for the purpose of taking evidence the following will constitute a quorum:
 - (a) two members of the Committee; or
 - (b) one member of the Committee and any other non-executive Member of the Assembly; and
- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

This is the standard motion that has been brought each year this term to establish the Select Committee on Estimates to examine the subsequent financial year's budget papers. There are two minor tweaks. The committee this year, via agreement between the government and the crossbenchers, will constitute three members as opposed to the traditional five. Apparently, there is something happening later in the year that we are all worried about.

The committee will constitute three members, one from the opposition, one from the government and one from the crossbench with, as usual, the committee to be chaired by the opposition. The other change is just to accommodate a smaller committee and the workings of what can often be a very gruelling estimates hearing schedule in June, where typically members of that committee do go down. I speak from the experience of having chaired that committee a couple of times this term, and anybody with a lurgy can affect those in the room, which does make it difficult to ensure that everyone is there every day.

There is a special clause in the resolution to establish that this year's committee has an alternative definition of "quorum" to what is found in our standing orders. A quorum for the purposes of this committee will be two members of the committee for taking evidence, which is in line with the standing orders or, alternatively, a member of the committee and any other non-executive member of the Assembly. This is a failsafe to ensure that the estimates hearings can continue should the worst happen to a couple of members during that hearing period. I commend the motion to the Assembly.

MS CHEYNE (Ginninderra) (11.31): The government is supporting this motion but, in doing so, I will iterate what I do every year—several times a year—that I am not convinced that establishing an estimates committee is the best way to review an appropriation bill. We already have established standing committees, which are well equipped to review areas in the budget most relevant to them as, indeed, they do every single year with annual reports hearings. But, in the absence of agreement for another year on doing this, the motion in the current form does seem to be the next best option.

This year, as Mr Wall stated, we will have a smaller estimates committee, which is consistent with the changes we made to committees close to two years ago, where we reduced the sizes generally from five or four to three members. This does have the benefit of the committee hopefully being a touch more agile if it needs to meet quickly.

The motion also contains an important provision, I believe at point 6, which Mr Wall elaborated on, which makes clear what will be the quorum requirements for the purposes of taking evidence, for this committee only. This makes a lot of sense, especially with a smaller committee. Under our usual rules, only two members of a committee are required for the taking of evidence but, of course, with a small committee this puts an enormous pressure on all of those committee members. This clause anticipates that there may be absences, which is almost guaranteed because we know that by the second week the room becomes something of a pit of sickness.

Additionally, this motion does allow those who have a particular policy or committee interest being present—as they usually are—to potentially be counted as part of quorum for the purposes of taking evidence, so long as at least one other committee member is present. This is eminently sensible. This is a new approach for estimates committees, which will probably require a touch more communication, but I do not think that that is beyond us. Hopefully, it takes us one step closer to using standing committees to review the appropriation bill, which I regret must be resigned to being pursued in the next term of parliament.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee Report 16

MS J BURCH (Brindabella) (11.33): I present the following report:

Administration and Procedure—Standing Committee—Report 16—*Inquiry into the Review of the Performance of the Three Branches of Government in the Australian Capital Territory against Latimer House Principles—9th Assembly*, dated 19 February 2020, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

MS CHEYNE (Ginninderra) (11.33): In speaking to the report, I will give a bit more context about what is included in it for those who are not members of the administration and procedure committee. In the second year after a general election, following consultation with the administration and procedure committee, the Speaker usually appoints a suitably qualified person to conduct an assessment of the implementation of the Latimer House Principles in the governance of the ACT. The report that results is tabled in the Assembly and then it is referred to the Standing Committee on Administration and Procedure for inquiry and report.

The review produces a report, which is then given to the administration and procedure committee to inquire into and report on. The review report was tabled on 17 September 2019, about which time the standing committee began its review, including writing to relevant stakeholders and seeking comments. We did receive some feedback, which is detailed in the report.

I wish to draw members' attention to one particular section of the report before I go into the recommendations. In considering the review and its recommendations, the committee was appreciative of the work done by the review team, which encompasses a review of the whole system of government in the territory. However, we do believe that on some occasions criticisms were made with little empirical evidence and, indeed, no investigation. In fact, some matters raised were somewhat trivial and not within the scope of the Latimer House Principles and, occasionally, broad, sweeping

statements were made in the review, made on no evidence other than hearsay and some personal experiences.

It was not entirely clear what was proposed by the review to strengthen the implementation of the Latimer House principles in the ACT, which is regrettable. This resulted in, I think, towards the end of last year, some members in this place having to investigate where some things had been drawn from, given that they received media attention and were erroneous.

What the review did do, though, was to particularly reflect on the committee systems and the interactions of the non-executive with the executive. We determined again that the analysis of some indicators was erroneous and considered only a very limited selection of how members of the non-executive interact with the executive in providing that review. Helpfully, the review did focus on the number and the size of committees in the ACT and the workload of these committees.

I will note that, personally, it appears that the membership size of the public accounts committee is one of the smallest not only in all Australian jurisdictions but also in the Australia-Pacific region. Everyone knows where I stand on the necessity of having a standalone estimates committee and the review made comments on both of those. As a result, the administration and procedure committee has made a recommendation that, at the beginning of the 10th Assembly, the Assembly and the government consider the comments and suggestions contained in the review regarding committee structures, in advance of actually creating those committees, using that evidence to inform what the committee structure should look like for the 10th Assembly.

The committee has also recommended that the matters raised in the review in relation to the role and operation of the Standing Committee on Public Accounts be brought to the attention of that committee and that that committee be invited to respond to the Assembly on why so few reports on Auditor-General's reports have so far been presented. At the time of the review I think no reports had been presented, but since then there have been at least two, I think, with more to come. The public accounts committee is also being invited to provide its own views on its preferred form, structure, membership and terms of reference for any future public accounts committee for the Assembly, which I think is sensible.

The review also noted that while officers of the parliament were created in 2013, there is a distinct absence of them being profiled on the ACT parliament's website. Of course, the committee is supportive of providing this on the website and has thus made a recommendation to that effect. I am sure that will be easy to implement.

Finally, the review concluded that "the Australian Capital Territory's record in implementing Latimer House Principles is highly credible and notable", so that is a good pat on the back for us. But it also noted that tensions will continue to exist between the branches, which is healthy, and the Latimer House principles do provide a focus on examining performance. However, this is the third review of the Assembly in 12 years. As the Assembly is now 30 years old, we considered as a committee that a review once every four years is no longer warranted, and a better time frame is perhaps once every eight years. We have made a recommendation to that effect.

Thanks to my administration and procedure committee colleagues for yet another collegiate inquiry and, of course, to all those involved in the drafting of the report. I commend the report to the Assembly.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee

Statement by chair

MRS JONES (Murrumbidgee) (11.39): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety relating to statutory appointments in accordance with continuing resolution 5A.

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

For the applicable reporting period, 1 July 2019 to 31 December 2019, the committee considered a total of 58 appointments, including reappointments, to the statutory bodies. In those cases, the committee advised the responsible minister that it had no comment to make on the appointments proposed.

I table a schedule of statutory appointments for the period 1 July 2019 to 31 December 2019 as considered by the justice and community safety committee for the Ninth Assembly in accordance with continuing resolution 5A. I present the following paper:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2019.

Justice and Community Safety—Standing Committee

Motion (by **Mrs Jones**), by leave, agreed to:

That the resolution of the Assembly of 27 November 2019 which referred the Human Rights (Workers Rights) Amendment Bill 2019 to the Standing Committee on Justice and Community Safety for report, be amended by omitting the words “by the end of February 2020.” and substituting “by 13 March 2020.”.

Crossbench executive members' business

Ordered that crossbench executive members' business be called on.

Majura nature reserve

MR RATTENBURY (Kurrajong) (11.42): I move:

That this Assembly:

(1) notes:

- (a) Yellow Box-Blakeley's Red Gum Grassy Woodland (Yellow Box Woodland) is endangered in the ACT;
- (b) unleased Territory land east of Antill Street, North Watson, contains significant Yellow Box Woodland conservation values, such as old growth, hollow bearing Yellow Box trees, as well as listed wildlife such as Rosenberg's Monitor;
- (c) the land east of Antill Street is currently zoned as CZ6—Leisure and Accommodation, which allows for dense residential development;
- (d) preserving this land from development would protect the existing endangered Yellow Box Woodland, and provide a buffer between the urban environment and the remaining Mount Majura Nature Reserve; and
- (e) the important conservation values of this area would be heavily impacted by Monash Drive if it were built, which the National Capital Authority has refused to remove from the National Capital Plan; and

(2) calls on the ACT Government to:

- (a) commit to preserving and protecting Yellow Box Woodland ecosystems in the ACT from damage and urban encroachment;
- (b) investigate rezoning the unleased Territory land east of Antill Street (section 84 block 1, section 85 block 1 (part), section 86 block 1, section 87 block 1 and section 75 block 7 (part)) to protect it from development and preserve its Yellow Box Woodland; and
- (c) report to the Assembly on the investigation into the rezoning and the status of the Yellow Box Woodland by August 2020.

This is a motion about ensuring that we protect areas of precious environmental value in the ACT. Protecting and enhancing the ACT's natural environment is particularly of great concern to the Greens and our members, but it is also a concern to many in our community—I would say probably to almost everyone in our community.

Canberra is the bush capital. We have a beautiful natural landscape that people value and enjoy. But we are also host to a range of threatened species and ecological communities. This includes flora and fauna that are vulnerable, endangered, or critically endangered. They include ecological communities such as yellow box Blakely's red gum woodland and natural temperate grasslands, and they include species such as grassland earless dragons, pink-tailed worm-lizards, and swift parrots. This is flora and fauna at risk of actually disappearing, which would be a tragedy and which would deplete our natural ecosystems.

Anyone who has seen some of these ACT creatures will know that many of them are quite cute. Lizards are not usually considered to be cute, but take a look at a grassland earless dragon and I guarantee that its little reptilian grin will tickle your heart. We have an obligation to protect these threatened species and ecological communities. Unfortunately, these important environmental areas are too often damaged or otherwise interfered with. Precious environments are often under threat from development or other human activities.

One of the reasons the Greens argue that our planning system needs to prioritise a more compact form is to protect the environmental values at our urban fringe. If the city keeps expanding, it will further encroach into the natural environment. Rare ecosystems will vanish. We may never see the earless dragons' little grin again.

These are significant issues that we should explore in other debates. The motion I am moving today focuses on one type of threatened ecological community in the ACT: yellow box red gum grassy woodlands. The motion asks for the protection of yellow box woodland in the ACT, and it specifically asks for an area of land on the west side of the Mount Majura nature reserve to be rezoned and protected, to ensure that it is not developed.

Yellow box red gum grassy woodlands are naturally occurring, temperate zone woodlands, in which yellow box trees co-occur with Blakely's red gum. They include an understorey of native tussock grasses and home many native animal species. Sadly, these areas in the ACT have already largely been cleared for housing and other infrastructure. It is important that we protect the remaining areas. They are especially valuable as a home to several endangered species, including vulnerable bird species such as the superb parrot and glossy black-cockatoo. These birds favour nesting in the hollows of trees in these woodlands.

My motion specifically references a significant portion of land that is in Watson, to the east of Antill Street, on the fringe of the existing Mount Majura nature reserve. Members may know the area. The Ted Noffs Foundation building is here, and there are also government horse paddocks. There are several blocks here, which I have listed in my motion, which contain yellow box red gum grassy woodland. In particular, there are old-growth, hollow-bearing yellow box trees in this area, the kind of trees favoured for nesting by the vulnerable birds that I have mentioned today.

Ms Le Couteur asked questions on notice about this site last year. The answer indicated that while there has been no government investigation of the site in the past four years, ACTmapi does indicate that environmental values have been identified on the blocks. These include the threatened box gum woodland which I have already mentioned, as well as Rosenberg's monitor, a lizard which is listed as a vulnerable species in New South Wales and is rare in the ACT.

These blocks are currently zoned as CZ6, "leisure and accommodation". This means that these blocks could be developed with dense residential development. We do not believe that that is appropriate, and it risks destroying a precious, threatened environmental area. We argue that this zoning should be changed. This whole area should be rezoned to be part of the Mount Majura nature reserve, to which it is already adjacent. The rezoning would protect this area from development and protect a valuable ecosystem.

A second benefit of reserving this area from development is that it provides a buffer between the existing urban environment and the remainder of Mount Majura nature park. It can be problematic when residential developments border right on the edge of reserved grassy woodlands. The Friends of Mount Majura have explained to me some

problems that have occurred with the nature reserve directly bordering the residential estate in north Watson. These include roaming cats, people feeding invasive bird species, dogs walked off lead, vandalism of conservation work, and dumping of garden waste and rotting food.

At this point, I would like to give special recognition to the great work that groups like the Friends of Mount Majura do in caring for these valuable ecosystems. It is not just the Friends of Mount Majura, of course, but the whole range of ParkCare groups across the ACT, as well as the catchment groups, and Landcare ACT, which is the peak body.

I want to note that because of groups like this, if we were to rezone the land to be nature reserve, the government would not have to put in a large amount of extra resources. Our ParkCare groups already do a lot of the hard yards. The Friends of Mount Majura have even mapped the location of all of the rabbit warrens around Mount Majura nature reserve.

Not only should we be protecting the area I have described in north Canberra, we should be taking steps to protect all of the remaining yellow box red gum grassy woodlands in the ACT from urban development and other activities that may damage these ecosystems. And we have to be careful about using sites as offsets, because there is always a concern about maintaining an offset site in perpetuity, especially as they are at risk from threats such as fires and the changing climate.

My motion asks the government to start the process of rezoning the area near Mount Majura nature reserve, and to report back to the Assembly on progress. It also asks the government to report back on the status of yellow box red gum grassy woodlands across the territory.

My motion also makes reference to the proposed Monash Drive, which still exists on the National Capital Plan because the National Capital Authority refuses to remove it. The Greens' position on this phantom road is clear. It is a bad idea, it is not necessary, and it is time to exorcise that phantom and take it off the map. We want a sustainable, people-focused bush capital, and you do not achieve that by building big new roads in spite of the views of your community and taking out the nature reserves that locals value.

To conclude, I commend this motion to the Assembly. It asks for the government to undertake an investigation into the blocks east of Antill Street. This is the first step in a process of rezoning these blocks to be part of the Mount Majura nature reserve and ensure they are protected from future development. This is an important issue for the community, and for this Assembly, to ensure that we value and protect our natural environment and we preserve the threatened ecological communities over which we have stewardship.

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) (11.49): I thank Minister Rattenbury for bringing this motion to the Assembly and indicate that Labor members will be supporting this

motion today in relation to the land located east of Antill Street in north Watson that, as Minister Rattenbury has said, contains significant yellow box woodland conservation values. It is a great pleasure to talk about this important environmental asset in my electorate of Kurrajong, which is also the electorate of Minister Rattenbury and Ms Lee, the shadow minister for environmental matters.

Canberra nature parks around urban Canberra host valuable environments, ranging from forested hills to some of the best examples of lowland native grassland and critically endangered yellow box red gum grassy woodland in Australia. The ACT parks and conservation service manages Canberra nature parks to protect these grasslands and woodlands and the rich ecosystems that support rare and threatened species such as superb parrots and grassland earless dragons. When I saw a photo of one the other day I thought, "That is very cute." I agree with Minister Rattenbury on that.

Our parks also form important wildlife corridors and support the movement of wildlife through the urban area. The proximity of these parks to urban areas of Canberra means we have an extraordinary opportunity for recreation and wildlife experiences. They really define what it is to be the bush capital. Many are within walking distance of our residential areas, allowing Canberrans to explore the valuable grasslands and woodlands and some of our iconic mountains for views across the city and surrounding landscape, including, of course, Mount Majura and Mount Ainslie. It is this proximity to nature that provides Canberra with its unique landscape character and its sense of place.

There are a couple of issues in relation to Minister Rattenbury's motion that I want to touch on and clarify. The motion does mention that the land in question is currently zoned CZ6, leisure and accommodation zoning, which is accurate, but the motion indicates that this allows for dense residential development. I just want to clarify in relation to that. Minister Rattenbury said that, of the commercial CZ6 blocks mentioned in the motion, block 1 section 84 Watson, which is leased to the ACT government, is used by the Ted Noffs Foundation as an outreach facility. This is a very important facility for the young people of Canberra, and we are committed to maintaining that facility. All other parcels of land identified in the motion are, indeed, unleased land and are managed by the ACT parks and conservation service.

It is, however, the case that residential development is not permitted in the CZ6 zone, except where it is enabled through a precinct area overlay. The Watson precinct code does not permit residential development as an additional use on the blocks that are identified in this motion. This is in contrast to the majority of the CZ6 land located on the other side of Antill Street that is permitted to have a residential use. With the current unleased land status and the management of this land by the ACT parks and conservation service, I can say with confidence that the unleased blocks identified will not be used for the range of leisure and accommodation uses that are permitted in the CZ6 zone.

I think the level of density that you might expect to be your maximum in that kind of zone is indicated by something like the Parklands Central Hotel in section 72 Dickson. That is probably the densest type of development and the type of leisure and

accommodation development that could potentially be permitted in a CZ zone. But I can say confidently that we do not have any intention of allowing that.

It is open for the ACT parks and conservation service to request an adjustment to the reserve boundary from the edge of the designated land to Antill Street and to have that land use rezoned accordingly. However, this variation is not able to be done by way of a technical amendment. Therefore, the adjustment of the reserve boundary and the rezoning of the land use will be included in a broader review of all reserve boundaries, which is currently being undertaken by the ACT parks and conservation service. This will lead to a subsequent Territory Plan variation to adjust the reserve boundaries in due course.

Minister Rattenbury's motion also mentions the potential impact of Monash Drive, if it were built, and the fact that the National Capital Authority has refused to remove Monash Drive from the National Capital Plan, and Minister Rattenbury again spoke about that in his speech on his introduction to this motion. I would note that early last year Minister Steel wrote to the National Capital Authority asking them again to remove Monash Drive from the National Capital Plan and that the ACT government has committed to never build the road.

Unfortunately, the National Capital Authority, as Minister Rattenbury has pointed out, has refused to remove the road from the National Capital Plan. The planned road, for those not familiar, would run along a four-kilometre stretch along the western foothills of Mount Majura and Mount Ainslie. Minister Steel described this on 13 March 2019 as:

This is an environmentally damaging, unnecessary and expensive road and it should never be built.

We stand by that statement. While we in government will never build Monash Drive, we want to prevent future territory and federal governments from doing so by removing this, as Minister Rattenbury described it, phantom road from the map. We continue to encourage the National Capital Authority to reconsider its position on that matter.

As I said, as a local member for Kurrajong I am very well aware that the residents of Watson, Hackett, Ainslie, Campbell and, indeed, Reid have a very strong connection to both Mount Majura and Mount Ainslie and really value the bush that is right on—I think I said at the time “their doorstep”—our doorstep. I say that as a Reid resident. Those who live near the proposed corridor for Monash Drive have also expressed concern about noise and extra traffic causing disruption to many suburbs along the potential road.

Rather than this unnecessary major road, we believe that a future shared path for walking and cycling along the corridor would make sense and would not substantially impact on the nature reserve but would provide even more Canberrans with the opportunity to enjoy access to the nature reserve. With the completion of a \$300 million investment in Majura Parkway, the completion of light rail, which has proved even more popular than predicted, and the full duplication of Gungahlin Drive,

Monash Drive is no longer required. We continue to advocate that it should be removed from the National Capital Plan and we support the intention of Minister Rattenbury's motion to investigate the rezoning and status of the yellow box woodland. Minister Gentleman, who is not here today but on whose behalf I speak, will be very happy to report back to the Assembly by August in relation to this matter.

MS LEE (Kurrajong) (11.57): I thank Mr Rattenbury for bringing on this motion for debate today under crossbench executive members' business. However, I struggle at times to understand the role that Mr Rattenbury has, or thinks he has, in this place. I struggle to understand whether it is simply bald-faced gall or a genuine belief that he is merely a member of the crossbench in this chamber and that his role as minister in in a multitude of portfolios in successive governments for almost a decade—and before that as speaker—is meaningless and without influence. I contest that, as he has never genuinely been just a crossbench member.

Let me give an example. Last week at the Inner South Canberra Community Council meeting, Mr Rattenbury, as Minister for Climate Change and Sustainability, was invited to speak about tree cover in the ACT and the government's proposed changes to planning rules to accommodate these changes. But clearly it was not Minister Rattenbury who spoke; it was Shane Rattenbury, ACT Greens member for Kurrajong. And on more than one occasion he spoke on behalf of his colleague, fellow Greens member Caroline Le Couteur.

He spoke of how the government had let down the people of Canberra by not delivering the promised tree cover in new suburbs like Wright. He spoke of areas in places like Ngunnawal that were effectively treeless deserts, how the tree canopy had declined and that this decline must be addressed. He urged those at the meeting to make sure they submitted their ideas and responses to the government's consultation process before the closing date of 25 February because, he warned, there were others in the community who would oppose these new tree cover quotas.

The slides he used for his presentations were prominently badged with the ACT Greens logo, and the title slide specifically stated that it was a presentation by Shane Rattenbury, ACT Greens member for Kurrajong. Even more brazen was a slide which encouraged people at that public meeting to make submissions to the government's consultation process, advertising an ACT Greens website. At worst it is misleading to encourage people to make submissions to a government consultation through an ACT Greens website; at the very least it is confusing. Was it an oversight that the website he put up was in fact not the one intended for government purposes but one directly linked to the ACT Greens? Was it an innocent error? Was it bald-faced gall? Perhaps it was simply blatant dirty politicking. As Mr Rattenbury said yesterday in this place, I will let others decide.

Mr Rattenbury's motion today outlines in great detail the importance of yellow box Blakeley's red gum grassy woodlands and the need to preserve areas in the ACT that have such vegetation. Yellow box Blakeley's red gum grassy woodland was declared an endangered ecological community in May 1997 under the Nature Conservation Act. It was subsequently recognised nationally under the federal Environment Protection and Biodiversity Conservation Act 1999, and in 2016 in New South Wales under its

Biodiversity Conservation Act. These grasslands are predominantly found in the northern part of the territory on the undulating plains in the north and the rolling hills and valleys of Naas Valley. Examples of these grasslands can be seen in government areas, on private land and on rural lease and agistment properties, and many of these areas have already received protection status in the ACT following implementation of the ACT lowland woodland conservation strategy.

The government actively monitors endangered woodland communities across the territory to better understand threats that these areas might face. Threats and pressure on woodlands can come from kangaroo grazing, rabbits, foxes, feral cats, weeds, fire and, of course, urbanisation. The government currently monitors 104 sites and, generally speaking, there has been an overall reduction in weeds. We have plenty of examples of Paterson's curse, Chilean needle grass, and serrated tussock throughout Canberra. In my electorate of Kurrajong, African lovegrass is rife, so I can only assume it is present in all grassy woodland areas across the ACT and will be a constant threat to woodlands, pastures, nature strips and gardens.

As it focuses on trees in north Canberra, this motion surely has universal support, and so it should. I could not imagine a circumstance in which the government would contemplate any redevelopment that would remove old-growth yellow box trees in any number or remove endangered grasslands. However, this is not the first time these concerns have been raised. Back in 2003, Greens MLA Kerrie Tucker sought to have similar land in Watson protected and managed sustainably. In earlier times, as shadow minister, Simon Corbell sought to have the area protected. However, in response to the 2003 Tucker motion, the responsible Labor minister, Bill Wood, said the government did not agree with the proposal. He suggested that, while the trees were worth protecting, the area was overgrazed and, in effect, of no real importance. That is contrary to what Labor members said in opposition. In opposition, they were going to protect the area at whatever cost. There has been some suggestion that in 2003 Environment ACT suggested that the understorey was degraded.

Seventeen years later we are all a little wiser as to the importance of preserving our endangered natural environment. One point I think we can all agree on is the importance of protecting our great bush capital. It is a responsibility that is incumbent on all of us. In this particular block, redevelopment would result in the buffer between the current urban environment in Watson and Mount Majura nature reserve being lost. We know the impact that loss of tree density can have on temperature and on amenity. We know the important role that trees can play in mitigating the effects of climate. In the ACT we have an enormous advantage over many other cities, both here and overseas, because of the number and distribution of trees.

As both Mr Rattenbury and Ms Stephen-Smith said, we are all aware of how important this area is to our constituents and our local residents. But over the course of successive Labor governments, we have seen the loss of grassland and a great number of native trees. We have also seen the neglect of introduced trees. Lack of maintenance of trees in old suburbs in my electorate is commonplace, and in new suburbs, despite all the promises, areas like Wright are barren. How many trees and how much topsoil was removed from suburbs like Lawson or Crace? Will the same

fate befall Whitlam, Moncrieff and Taylor? These areas were all once healthy rural lands with beautiful tree cover.

Mr Rattenbury gave a memorable performance just last week, appearing shocked and angry that successive Labor governments had failed to deliver on their tree promises, so perhaps this motion today is a belated recognition that his government—the one he has been a part of for most of his political career—has failed. The Canberra Liberals support this motion because it is the right thing to do, but the hypocrisy of Mr Rattenbury in moving it today is not lost on us or on a great many Canberrans.

MR RATTENBURY (Kurrajong) (12.04), in reply: I thank members for their support for this motion. I will skip over the politics, which always seems to be present, and simply reflect on the fact that I think this is one of those things that need to be addressed. There is a gap in the history of this. If we look at the landscape we realise that not including this area as part of the nature park prevents us having a buffer from Antill Street right into the reserve. That would maintain the integrity of the reserve, which is very important.

I appreciate the more technical comments, including those from Minister Stephen-Smith in particular. There are facilities in that area, like the Ted Noffs Foundation and a small farmhouse, so working out where to put the boundaries would be part of the assessment process. Certainly, it is not my intention that those facilities—or anything similar—would be removed, but the area could be redefined as part of that nature reserve and caveats or grandfathering conditions placed on sites where there are already facilities.

I look forward to having the report back in the Assembly later in the year, once the government ecologists have had a chance to look at this and provide more detailed advice to the Assembly and to Minister Gentleman with respect to his portfolio responsibilities. We can then make some clearer, more informed decisions about the most appropriate way to proceed with this. We need to make sure, as we think about the future of the city, that areas that have ecological value are set aside so that we can ensure their protection and so that Canberra continues to be the bush capital, with its excellent network of protected areas.

Question resolved in the affirmative.

Leave of absence

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

That leave of absence be granted to Mr Gentleman today to attend a ministerial council.

Sitting suspended from 12.07 to 2.00 pm.

Ministerial arrangements

MR BARR: Minister Gentleman will absent from question time today. The Attorney-General, Mr Ramsay, will take questions in Mr Gentleman's portfolios.

Questions without notice**Land—sales**

MR COE: My question is to the Minister for Housing and Suburban Development. Minister, how many blocks of land remain unsold at Throsby, noting that they are at about \$1,100 a square metre?

MS BERRY: I have information on the number of blocks of land that are available. I will take the question on notice. I remember reading them just before I came to the chamber. I just cannot recall the actual figure. I will keep flicking through. I will take it on notice and respond before the end of question time.

MR COE: Minister, what modelling was done to determine the cost of land at \$1,100 a square metre in Throsby and who did that modelling or valuation?

MS BERRY: The land pricing that occurs has been discussed a number of times in this place, but the cost of the blocks that are available for sale is based on market values. There are often two agencies involved, so if the question is about a particular block, I might need to get the details from Mr Coe so that I can find out which actual agencies were responsible for pricing that particular block for sale.

MR MILLIGAN: Minister, are new land releases in Gungahlin becoming unaffordable for low-income families and first home buyers?

MS BERRY: Blocks are available in a number of different price ranges to ensure that people can afford to purchase them at a lower rate. For example, there were 366 affordable housing dwellings released by the land agency, 61 public housing dwellings and 59 community housing dwellings. The government's commitment to 15 per cent being available across all developments, including brown fields and green fields, is to ensure that people who are on lower incomes can afford to purchase homes of their own.

Transport—network 19

MS LE COUTEUR: My question is to the Minister for Transport and relates to the bus updates that have been announced and which will be in operation in April 2020. Minister, why is the R5 no longer going to run via Barton and Russell to Civic? How much difference will this make in terms of time to the travelling public?

MR STEEL: I thank Ms Le Couteur for her question. It is a good question because it is about one of the major changes that we are making in the network update in term 2 this year. We heard from the Tuggeranong community that it was taking too long to get from Tuggeranong on the R5 to the city, and that is why we have listened to feedback and we will be making changes to the R5 route to make it more direct. It will be travelling from Woden directly to Civic on the same route as the R4, without having to go through the Barton dogleg, which would go across Kings Avenue bridge and Constitution Avenue.

We looked at the data, and it showed that the dogleg around Barton, Kings Avenue and Constitution Avenue takes an extra 15 minutes on the route. The changes that we will be making will save Tuggeranong residents around 15 minutes in travel time to get to the city. In doing so we will be adding an additional route in the term 2 update which will be running very frequently, almost akin to a rapid service, from Woden through Barton, Kings Avenue and Constitution Avenue, which will provide access for workers in the employment hubs around Barton and still maintain access for them going forward.

MS LE COUTEUR: Minister, the changes will remove the R6 from City West to make way for light rail construction. Can you explain why this change is happening so far ahead of the construction actually starting and how City West will be serviced in the interim?

MR STEEL: I thank Ms Le Couteur for her supplementary. The reason we are making this change is that the network update that we are making envisages that we will be starting construction as early as this year on light rail stage 2A. The changes that we are making need to take that into account, with construction likely to begin particularly with preliminary works in the London Circuit area, particularly with the other parallel project of raising London Circuit. It makes sense, then, to route them around the eastern side of London Circuit in anticipation of that work commencing and the disruption that that might cause buses if they were to remain on that section of London Circuit. People will still be able to access the other side of London Circuit on the route 53 as well as walking the distance from Marcus Clarke Street.

Land—sales

MR PARTON: My question is to the Minister for Housing and Suburban Development. Minister, in answer to a question yesterday about the fall in land sales in the ACT you said:

It is a whole bunch of complex issues that have come together and caused land sales to go down.

You then went on to blame the fall on external factors such as the banking royal commission and the 2019 federal election. However, you did not explain how the fall in land sales was influenced by the government's squeeze on land supply and the resultant high prices for land. Minister, to what extent has the government's squeeze on land supply and the resultant high prices for land contributed to the fall in land sales?

MS BERRY: The reason why that was not included in my response yesterday was that I do not agree with the presumption that Mr Parton has made and the allegations that he has made against the government. I can respond that the number of actual detached single-residential blocks available for sale currently in the ACT is 483.

In response to Mr Coe's question earlier, there are currently 60 blocks available in Throsby as well as 360 blocks in Taylor, 42 in north Wright and 21 in north Coombs. Four hundred and eighty-three detached single-residential blocks available for sale

over the counter is hardly a tightening squeeze by the government on land sales in the ACT.

MR PARTON: Supplementary question, Madam Speaker. Minister, to what extent has the government's squeeze on land supply, and the resultant high prices for land, contributed to rising demand and prices for established houses and units?

MS BERRY: I do not agree with the presumptions that Mr Parton has made in his question. It is the case that sales and purchase of homes are driven by the market. This is something that the Canberra Liberals should be very well aware of.

Opposition members interjecting—

MS BERRY: They are the ones who are constantly against any kind of interference by the government, constantly against any kind of interference in the market for the sale of homes or land in the ACT.

Opposition members interjecting—

MS BERRY: The moment the government started talking about any kind of interference in the price of land, the Canberra Liberals were always the ones in the past to arc up on it. Now they are suggesting that it should be the opposite case, that the government should interfere in the market and hold back other developers in this town and people who have already purchased land.

Opposition members interjecting—

MADAM SPEAKER: Members will please come to order. The minister will resume her seat. I ask that all members remain silent. Minister, you have 50 seconds left for your answer. Do you have anything to add?

MS BERRY: It is public land, which needs to be managed carefully. It will not be there forever and it needs to be managed carefully for future generations to be able to build in and grow this city.

MR COE: Minister, with reference to the blocks in Throsby, when did they first come on the market, that is, for how long have they been on the shelf at \$1,100 a square metre?

MS BERRY: If I can correct and clarify the prices of land, the median price of blocks available for sale is at \$425,000 for a block of 561 metres square. So to suggest that all blocks for sale are at the price that Mr Coe has suggested is incorrect. I do not have the detail as to how long those blocks have been on the market, but I can get that information and provide it to the Assembly.

Arts—summer events

MR PETTERSSON: My question is to the Minister for the Arts, Creative Industries and Cultural Events. Can the minister please provide the Assembly with a summary of the various events that the ACT government funded over the summer months.

MR RAMSAY: I thank Mr Pettersson for the question. Christmas celebrations in the city, courtesy of the City Renewal Authority, took a new and exciting direction in 2019, starting with our stunning new kaleidoscope Christmas tree. This new 16-metre tall tree designed by Keith Courtney is a very Australian reinterpretation of the classic Christmas tree. It is made from decorative polycarbonate panels, designed by Mat Colley, that sparkle in the sunlight and shine under the lights at night. The tree was a stunning centrepiece to the Garema Place Christmas hub, which included a mini Christmas tree forest and log huts full of craft activities including cookie decorating, bauble making and lantern making.

There were also great performances, throughout the lead-up to Christmas from choirs, musicians, circus performers and dancers. While fire danger and smoke prevented us from holding the New Year's Eve celebrations in the city, and our scorching January affected a lot of outdoor events in Canberra, the ACT government was pleased to be able to put on a respectful and relatively low-key but very well-attended Australia Day concert.

I was pleased to be amongst the estimated 5,500 people, mostly young families, who attended a lunchtime concert in Commonwealth Park, with food, entertainment and fundraising designed to help the fire affected communities. While this was, and continues to be, a difficult time for many in the community, our government-funded events are important ways for us to create a space for people to connect with each other in friendship and solidarity.

MR PETTERSSON: Can the minister please outline for the Assembly what the effect of the bushfires was on some of these events and how the government responded?

MR RAMSAY: I thank Mr Pettersson for the supplementary question. With the unprecedentedly extreme and highly unpredictable weather conditions in January, which included dust, high wind, thunderstorms, fires and heavy smoke haze, we made the decision to cancel the New Year's Eve in the city event and also to scale down the Australia Day event, and not to have fireworks at either of those events. All of those decisions were made on advice from relevant officials and agencies—and that included the Emergency Services Agency—about potential risks to staff, contractors and members of the public. With total fire bans in place and emergency service personnel at high alert, decisions about these events meant that emergency service resources would not be diverted from where they were needed by being called on to support the New Year's Eve and Australia Day events.

Fireworks that were purchased for the two events will be available to use at EventsACT events later in 2020 when weather conditions are more favourable, for example at Enlighten or at Floriade NightFest.

I am pleased to note the almost universal community support for the decision not to run a New Year's Eve event with fireworks in the city. It did not feel like much of a time to celebrate, with lives being lost and homes and habitat being destroyed around our region. I look forward to the upcoming season of festivals as Canberrans come together in this wonderful city.

MR GUPTA: Can the minister please inform the Assembly about some of the great upcoming events still to happen this summer, and going into our fantastic autumn festival season?

MR RAMSAY: I thank Mr Gupta for the supplementary question. With the recent rains, the bushfires on our doorstep largely extinguished and the road to recovery beginning, it seems that Canberrans may be ready to cautiously get out and celebrate life in this wonderful city.

The upcoming festival season is a wonderful opportunity for everyone to eat, drink, dance, sing and to be happy together. This weekend we will see the city centre come alive with the National Multicultural Festival. At the end of the month, Enlighten will switch on, from 28 February to 15 March, for 17 nights of stunning light projections, neon art, food and entertainment. Enlighten again will include the hugely popular night noodle markets, for a record 11 nights this year.

During this great season we will also have the Balloon Spectacular, which will see 30 colourful balloons take to the skies above Canberra, including, as I was pleased to announce yesterday, the return of *Skywhale*, which is now owned by the National Gallery of Australia, and an impressive tyrannosaurus rex balloon that is visiting us from Canada.

Over the Canberra Day long weekend we will see three days of fantastic celebrations, starting with a new program of suburban celebrations of Canberra Day in the town centres on Saturday, 7 March, a free symphony in the park with the CSO on the Sunday, and a community celebration on the lawns between Questacon and the Portrait Gallery on the Monday.

I look forward to providing more detail about Canberra Day celebrations in the next few days. I certainly hope that the opposition will pay more attention to what is going on around the Canberra Day celebrations than they are in this chamber.

Canberra Health Services—SPIRE project

MR HANSON: My question is to the Minister for Health. An email dated 21 November 2019 from the head of the SPIRE project states:

We are behind where we had hoped we would be on developing agreed functional briefs with clinicians.

Minister, why is the government behind schedule on developing agreed functional briefs with clinicians?

MS STEPHEN-SMITH: I thank Mr Hanson for the question. It is because we are engaging in detailed consultation with those clinicians, and that is obviously taking a little longer than had originally been anticipated. But we have said from the beginning of this project that it would be undertaken in absolute consultation with consumers, carers and families, clinicians and the local community. That is exactly what is occurring.

MR HANSON: Minister, has the government discussed the new options under consideration for SPIRE with clinicians or are they being left out of the loop?

MS STEPHEN-SMITH: While thanking Mr Hanson for his question, I have to assume that he is referring to the discussion that took place in this place last week in relation to the footprint for the building. My understanding is that there has been some discussion with clinicians about that but, actually, that is not where their particular input would be most useful.

There has certainly been discussion with clinicians about the built form of the SPIRE project and that has taken place consistently. That may be what was being referred to in the email that Mr Hanson referred to in his first question. Certainly, I can assure the Assembly that, in relation to the footprint issues that we were talking about last week, the senior executive of Canberra Health Services has been very closely involved in those conversations and consultations and has shaped the potential outcomes in that regard.

MRS DUNNE: Minister, when will the consultation process with clinicians be completed and how much will this delay the completion of SPIRE?

MS STEPHEN-SMITH: Again, while thanking Mrs Dunne for her question, it portrays a complete lack of understanding of how these projects would progress. Consultation with clinicians will be an ongoing part of the detailed design process which is at least another 12 months, and that consultation with clinicians will continue throughout the project build. My answer to Mrs Dunne is: consultation with clinicians will be completed when the project is completed in 2024.

Municipal services—public toilets

MS LEE: My question is to the Minister for City Services. Minister, when will you install public toilets at the Hackett shops as promised?

MR STEEL: I thank the member for her question. By the middle of this year.

MS LEE: Minister, have you any further plans to actually upgrade the shops since your government last upgraded the Hackett shops by painting a wall?

MR STEEL: I thank the member for her question, and I want to come back to her on her first question. I mistook the content of the question by thinking the member was talking about the crossing at Goyder Street in Narrabundah, which will be upgraded later this year. I will come back to the member with answers to her first and second questions on notice.

MISS C BURCH: Minister, why don't all local shops in Canberra have public toilet facilities, given the ridiculously high rates that residents are paying?

MR STEEL: I thank the member for her question. Not all shops have public toilet facilities. Of course, a number do, and we go through a process of making sure that

they are maintained and upgraded from time to time. We will consider requests from the community as well about the need for toilet facilities to be provided. We are currently going through a process with the Curtin community, for example, in relation to the provision of toilets at Curtin, given the new development. We will consider any requests that come through on a case-by-case basis and based on the needs of the community.

Roads—traffic management

MISS C BURCH: My question is to the Minister for Transport and Minister for City Services. Minister, I wrote to you on 13 December 2019, regarding increased traffic and safety concerns along Eastlake Parade, Kingston as a result of the arts precinct development, and I am yet to receive a response. These issues are outside the developer's remit and must be addressed by the government. Minister, I ask again if the Transport Canberra and City Services directorate will commission an independent traffic analysis to ensure that the area remains safe for all road users?

MR STEEL: I thank the member for her question. I will chase up the response to her letter. Obviously, in relation to any development application or development that occurs, Transport Canberra and City Services is involved in providing feedback through the development application process in relation to traffic in particular. That will no doubt be assessed in relation to this case as well. I will provide some further information to Miss Burch on that matter.

MISS C BURCH: Minister, what will the government do to improve the already hazardous intersection of Eastlake Parade and Trevillian Quay, given the impact of over 500 additional vehicles in the area?

MR STEEL: As I have mentioned, the traffic modelling in relation to these developments will be considered as well as any requirements in terms of improved traffic measures to deal with any additional traffic that may arise as a result of a development being built.

MS LEE: Minister, when will this government commit to ensuring road safety for all road users on Eastlake Parade, given traffic increases on the Kingston foreshore as a result of the arts precinct?

MR STEEL: Once the traffic modelling has been completed and assessed and appropriate traffic measures are looked at to address those issues, if there are any.

National Multicultural Festival—preparations

MR GUPTA: My question is to the Minister for Multicultural Affairs. Minister, can you please update the Assembly on preparations for this weekend's National Multicultural Festival?

MR STEEL: I thank Mr Gupta for his question. As members would have noticed, the tents are going up and there is excitement in the air as the Multicultural Festival will be commencing tomorrow from 4 pm. It is the 24th year of the festival and it builds

on the success of previous years with an event that continues to promote our welcoming and inclusive city at one of Australia's largest celebrations of multiculturalism.

We are expecting once again to have thousands of people make their way in to the festival and in to the city's heart this weekend. With 360 stalls and hundreds of performers across the six stages and three days, it will be fantastic. We are very excited this year to have SBS Food partnering with the festival. They will be onsite across the weekend, capturing the festival with its incredible colours, sounds and displays.

This event has been and always will be about the community. Our multicultural communities in Canberra are the groups that make this festival possible. I would like to take the opportunity to thank them for all the work that they have been putting in for this weekend, and for the previous years of the festival—the volunteers, the performers, the diplomatic missions, the stallholders and the community groups—and for their work in organising this major event.

I want to acknowledge the work of our Chinese community, who still have a presence at the festival, but this year are not able to run the China stage due to the impact of the Coronavirus overseas and the travel ban, which has meant that volunteers and performers were not able to make it to Canberra for the festival. We and the Canberra community stand with them during this challenging time. We look forward to them returning bigger and better to the festival next year for the 25th anniversary event.

MR GUPTA: Minister, what are some of the highlights Canberrans can expect to see at this weekend's festival?

MR STEEL: I thank Mr Gupta for his supplementary question. Entertainment will kick off tomorrow night with the opening concert featuring Australian singer-songwriter Vanessa Amorosi. On Sunday, festival-goers will be able to join former MasterChef winner Adam Liaw as he gives a series of cooking demonstrations and talks. Vanessa and Adam will be joined by local performers, including Canberra's own Liv Li, who will be performing on the six stages.

We will also be able to enjoy the showcases, as always, from India, Greece, Africa, the Pacific, Celtic cultures and the Latin countries, as well as our Aboriginal and Torres Strait Islander cultures. These acts will complement the enormous array of food and information stalls and displays from every part of the world.

Glebe Park has also been added to this year's festival footprint, with stalls and activities occurring there, particularly as a peaceful space for families and children on Saturday and Sunday. We are also taking further steps this year to deliver an environmentally sustainable festival in line with our commitment to phase out single-use, problematic and unnecessary plastics.

It has been a challenging start to the year for many people in our region, with the bushfire crisis, extreme weather and health matters of public concern. The advice of the Chief Health Officer is that the festival is safe for the Canberra community to

come and enjoy. Organisers have taken these matters into consideration. The festival also gives us a chance to come together, to bring our community together in a spirit of resilience and generosity.

Many charity organisations will be collecting funds throughout the festival's footprint to support people affected by the bushfires. I look forward to seeing Canberrans there and I encourage them to get safely to and from the festival by using the extra transport services that will be provided across buses and light rail.

MRS KIKKERT: Minister, why are there fewer stalls this year than in last year's Multicultural Festival?

MR STEEL: I thank the member for her question. Obviously, we have had the China stage pull out this year. That has meant that there is less of a presence from the very significant Chinese community, the largest multicultural community in Canberra. That has had an impact on the number of stallholders.

However, this year we have more community stallholders than in the previous year, which is fantastic to see. The community rate for renting a stall is the same as it has been for just under 10 years, so the government is further subsidising community groups to get involved in the festival, and we are also investing more in the performers that we are bringing into the festival, the headline performers. We have actually had trouble fitting in the whole range of performers who wanted to come from the community to perform across the six stages. I would like to thank the festival organisers for their work in supporting this proudly community-based festival, which is such a symbol of our multicultural city.

Parking—Braddon

MS LAWDER: My question is to the Minister for City Services. Minister, I refer to two new "2-hour parking with ticket" signs at either end of Lonsdale Street, Braddon. Minister, when were these signs installed?

MR STEEL: I am happy to take that question on notice and come back to the Assembly on it.

MS LAWDER: Minister, how are people who enter Lonsdale Street from Eloura Street supposed to know that the centre street parking is now ticketed?

MR STEEL: I thank the member for her question. I am happy to come back in relation to the parking arrangements in Braddon.

MISS C BURCH: Minister, what engagement have you had with local businesses on the parking in Lonsdale Street?

MR STEEL: I thank the member for her question. Often Transport Canberra and City Services does engage, particularly with local businesses, when changes to parking arrangements are made. I will come back to the Assembly with some further detail around that. I understand that the City Renewal Authority may have had a role in that as well.

Sport—sportsground irrigation

MR MILLIGAN: Madam Speaker, my question is to the Minister for Sport and Recreation. Potable water is charged at \$4.66 a kilolitre in the ACT and only \$2 a kilolitre in NSW. Similarly, the abstraction of groundwater is charged at \$250 a megalitre in the ACT and \$10 a megalitre in New South Wales. Minister, why is the cost of irrigating sportsgrounds so much higher in the ACT than in New South Wales?

MADAM SPEAKER: You are taking that answer, Chief Minister?

MR BARR: Yes. The pricing of water is set independently by the ICRC; that comes under my responsibilities with the treasury portfolio. I refer Mr Milligan to the latest ICRC pricing determination for the answers to his questions.

MR MILLIGAN: Chief Minister, what incentive is there for community clubs to provide sport and recreation assets to the Canberra community when your government makes it so difficult for them to operate?

MR BARR: Thank you. As I indicated—obviously it is difficult for you to deviate from your set questions—water pricing is set independently by the ICRC in the ACT. There is a number of programs in place to support large water users, and there are concessional rates available for a variety of water users in the ACT. The ACT government also provides considerable capital and recurrent support for sporting organisations to reduce their need for potable water. I certainly recall a very significant program around rainwater collection and storage to assist a range of sport and recreation organisations to reduce their need for potable water usage. That was all taxpayer funded.

MR PARTON: Chief Minister, irrespective of who is responsible for the water charge, is the high cost of water part of the reason that ground hire fees for sportsgrounds are so relatively high in the ACT?

MADAM SPEAKER: Ms Berry, to answer that part of the question.

MS BERRY: I will take that part of the question. I think it is important to note that 86 per cent of the irrigation costs of our fields in the ACT is paid for by the government, and that is a significant subsidy to ensure that the price of participating in sport remains at a rate that people and families can afford so that both children and older people can participate in sport.

We have the highest participation rate in sport and recreation in the country, something we are enormously proud of and want to continue. We also have excellent facilities compared to our neighbours around the region, something we are also very proud of. I am constantly getting feedback from sports communities about the high quality of particularly our fields but also all our sports facilities across the ACT.

There are a number of ways that the ACT government and other organisations support people to be able to participate in sport. One of them is through a very targeted

program through Housing ACT participation grants to ensure that people who would not ordinarily get the chance to be able to afford to play sport are able to get that through access to those grants. We also have through our schools bursary finances for students in our schools to pay for their school fees and sports fees. As well, Every Chance to Play, a charity organisation that the ACT government has partnered with, also targets support for participation in sports for those people who need that support most.

Hospitals—emergency department waiting times

MRS DUNNE: My question is to the Minister for Health. Minister, the half-yearly report for Canberra Health Services, tabled in the Assembly last week, shows that only 38 per cent per cent of all patients who presented to the Canberra Hospital emergency department during the second half of 2019 were seen on time and that only 20 per cent of patients in the urgent category were seen in the half-hour time frame allocated for urgent category patients. Minister, why were only 38 per cent of patients who presented to the emergency department seen within the clinically recommended time?

MS STEPHEN-SMITH: I thank Mrs Dunne for her question and for the opportunity to talk about our emergency department performance, because I know that it is not where I would want it to be, and it is not where Canberrans expect it to be, in terms of those numbers on a page. But I also know that there is a lot of positive feedback about emergency department performance.

A number of changes are being implemented. In addition to the timely care strategy that I have talked about previously, and specifically at Canberra Hospital's emergency department, it is about learning some of the lessons from our peer hospitals around the country and things that they have instituted over time. From next week, as I understand it, a multidisciplinary approach to ensure assessment and treatment will be commencing, ensuring that more patients commence care as soon as possible. Of course, that is what these particular data refer to.

That includes earlier physician engagement in the care provided, as well as expanded nurse protocols or approved pathways: putting someone on a physician or a nurse pathway early and starting treatment early. I refer also to working to streamline admission processes, ensuring that emergency department physicians can make faster decisions to admit to wards across the hospital and a sharper focus across all divisions on admission from the emergency department, as well as on discharge, which is a key element of the timely care strategy, and diagnostics and support services.

All of this is being undertaken to ensure more timely patient flow. We are also exploring the expansion of the rapid assessment models of care, including the emergency medical unit. One of the things that has been identified in looking at other peer hospitals and comparable emergency departments is that our emergency medical unit is not of a size to be comparable to those, so that is something else that Canberra Hospital is looking at.

MRS DUNNE: Why did 80 per cent of patients requiring urgent treatment fail to be seen on time?

MS STEPHEN-SMITH: I thank Mrs Dunne for her supplementary question. I have spoken on radio about the fact that the pattern that we see, that category 3 patients are the least likely to be seen on time, according to the 30-minute benchmark, is a common pattern across hospitals. That is because a lot of emergency departments group together category 3, 4 and 5 patients to be seen in order of arrival, other than if they are going through a fast-track stream or something else. The pattern itself is seen across a lot of our hospitals, certainly in both of our hospitals and in a lot of peer hospitals.

In terms of the numbers, I have said that they are not where we want them to be. We do want to improve those times, but we need to do that in a way that is not about numbers on a piece of paper but is actually about quality patient care. What we see in our quarterly performance report is that 92 per cent of patients who have received hospital care from Canberra Health Services have provided positive feedback on that care and 84 per cent have rated their care as good or very good. When these matters are reported on social media, we see people coming back with very positive comments about their experiences in the emergency department.

We receive feedback such as this: “I highly recommend the ED at Canberra Hospital. The staff and service are number one. A couple of weeks ago my 80-year-old father presented at emergency, followed by admission to hospital for an emergency hip replacement. I would like to thank the entire TCH staff who looked after my father. You all worked extremely hard and presented yourselves in a highly professional manner. Both myself and my husband have always been treated well in medical emergencies that were actual medical emergencies. This is both at Calvary and Canberra Hospital. Canberra Hospital staff saved my life and I am forever grateful for them. We have also used walk-in centres for minor medical needs, which I can highly recommend.”

The list of positive feedback about our emergency departments goes on. The only people who are entirely focused on the negative are those opposite.

Mrs Jones: And those who have had a bad experience.

MADAM SPEAKER: Please go to a question, not a comment, Mrs Jones.

MRS JONES: Thank you, Madam Speaker. Despite all this effort you describe, why do the performances of our emergency departments in treating people who present to ED continue to get worse in their timings?

MS STEPHEN-SMITH: I thank Mrs Jones for the supplementary. I have spoken also about some of the pressures that we have seen on our emergency department. Canberra Hospital is one of the busiest emergency departments in the country, with about 90,000 presentations a year, but the pattern of those presentations has changed over time. We have seen more Canberrans choosing alternatives when they have less

urgent matters. In the year to date for 2019-20—the first half of the year—compared to the year to date for 2018-19, we have seen a 42 per cent increase in category 1 patients, a 13.9 per cent increase in category 2 patients, an 18.8 per cent reduction in non-urgent category 5 patients and a 7.9 per cent increase in urgent category 3 patients.

You can see the pattern that I talk about often, of increased category 1, 2 and 3 presentations and a reduction in category 4 and 5 presentations as people identify that they have alternative options such as to attend our fabulous nurse-led walk-in centres, which those opposite do not support, have never supported and currently do not appear to have a policy on at all. Aligned with that increase in triage categories in emergency, what I am hearing in anecdotal feedback from our emergency departments is that there is an increase in the complexity of patients, an increase in patients with co-morbidity and complex underlying conditions.

The steps that I outlined in my previous answers, I am confident, will deliver not only an improvement in the data over the next few months, but a continued improvement in patients treatment and outcomes.

Schools—chaplaincy replacement

MRS KIKKERT: My question is to the Minister for Education and Early Childhood Development. Minister, how many chaplains are no longer in schools, and how many psychologists have replaced them?

MS BERRY: The ACT government made a commitment to increase the number of psychologists in the ACT over four years. There are now 20 more psychologists engaged in public schools, that is, 81 available across 88 schools in the ACT. As part of the chaplains program, I understand that nine of the chaplains who were employed by the Scripture Union Queensland last year have taken up the offer to continue to be employed by the ACT government, as secular workers in ACT public schools. I think there were 19 previously engaged in our schools.

All schools have been offered additional support, if that is required, through social and welfare supports. I have made it very clear in this place, as well as to our school communities, that if they need extra support the Education Directorate will work with them through their NSET teams to make sure that they have support for children who need it. Of course, there are also the safe and inclusive schools programs and the safe and supportive schools programs. Unfortunately, it is still the case that LGBTIQ children are often still targeted within school communities across the country, including here in the ACT. So, making sure that our schools have the supports available to support that particularly vulnerable group of young people has been very important. A number of tools are available for schools to access should that be required.

MRS KIKKERT: Minister, what is the cost of replacing school chaplains with psychologists?

MS BERRY: That is not a figure that I have in front of me at the moment. I will see if I can get the difference between a psychologist's pay and a chaplain's wages.

MS CODY: Minister, what else is the government doing to support children and those who are vulnerable in our ACT government schools?

MS BERRY: There is significant work happening across ACT government schools, particularly with the introduction and rollout of the positive behaviours for learning, which is a culture change program that has been rolled out across all of our schools. This is an evidence-based program that is about making sure that our schools are safe and supportive for every student, regardless of where they come from, regardless of their sexual identity, regardless of their background, to make sure that every child is welcome.

It is about providing specific support to teachers and other professionals in our school communities to ensure that our schools remain inclusive and safe for everyone. This is an evidence-based program, as I said, that has been rolled out in schools in New South Wales, and it has been shown to have a positive influence on a change of culture within schools to make sure that they are respectful and safe for every child.

Aboriginals and Torres Strait Islanders—grants and recipients

MS CODY: My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, could you please update the Assembly on the recent Aboriginal and Torres Strait Islander scholarship, leadership and cultural grants recipients?

MS STEPHEN-SMITH: I thank Ms Cody for her question and for her ongoing interest in achieving equitable outcomes for Aboriginal and Torres Strait Islander Canberrans. The Aboriginal and Torres Strait Islander scholarship, leadership and cultural grants support fostering community leadership, lifelong learning and strengthening and sharing of cultures.

Today, I was pleased to announce the recipients of the latest round of grants to 10 individuals and one organisation. Successful applicants include a cultural grant for research and study on the repatriation of sacred Ngunnawal items and objects. From this work, the recipient is hoping to create a handbook on repatriation of items of cultural significance from missions and reservations in the region. Cultural grants support individuals and community organisations to run programs and events that promote a wider understanding of Aboriginal and Torres Strait Islander cultures, histories and languages in the ACT.

I am excited to see so many young Canberrans and emerging leaders receive scholarship grants. The grants have gone to students in secondary and higher education. Scholarship recipients include support for year 12 and certificate III in health service assistance, certificate IV in photography and photo imaging, attendance at the Geneva Summit for Human Rights and Democracy, a master's in public policy, a bachelor's in communications and media and a bachelor's in sport and exercise science.

A leadership grant was awarded for a career development internship program with the aim of creating pathways and support systems for young Aboriginal and Torres Strait Islander adults to achieve success at university and gain professional experience.

Last year, we made changes to the Aboriginal and Torres Strait Islander grants programs to provide more support to individuals and organisations and to increase the flexibility around assessment periods. I look forward to receiving feedback from the community on those changes as more individuals and organisations apply for grants.

MS CODY: Minister, why are these grant programs important, and how do they respond to commitments under the Aboriginal and Torres Strait Islander Agreement 2019-2028?

MS STEPHEN-SMITH: I thank Ms Cody for her supplementary question. The importance of the Aboriginal and Torres Strait Islander grants program was reaffirmed and reflected in the ACT Aboriginal and Torres Strait Islander Agreement 2019-2028. These grants align with the agreement's focus areas.

The cultural grants support the core focus area of cultural integrity, which aims for a society that supports the aspirations of all Aboriginal and Torres Strait Islander people and contributes to the building of respectful, fair, sustainable communities. The leadership grants support the core focus area of community leadership, where Aboriginal and Torres Strait Islander people have a strong voice, are decision-makers on issues that impact them, and lead in the achievement of positive life outcomes.

The scholarship grants support the significant focus area of life-long learning, where respect is given to preserving the world's oldest living cultures, which enhances social inclusion and empowers Aboriginal and Torres Strait Islander people to fully engage in lifelong learning and positive generational experiences. The agreement is, of course, underpinned by a deep commitment to self-determination, and these grants support and enable self-determination and community leadership.

These grants have a real impact on individuals and grassroots organisations in our community. Ms Wendy Somerville, a scholarship grant recipient in 2019 said:

The grant helped me at an important time when I really needed a laptop to take into the field for my PhD which is 'Rummaging for stories through memories, archives and places'. I'd encourage other Aboriginal and Torres Strait Islander people to consider how these grants can help you achieve what you want.

I agree wholeheartedly with Ms Somerville and encourage all Aboriginal and Torres Strait Islander Canberrans and local organisations to apply for a grant. Applications are open now, and the next round will be assessed after the end of March.

MS CHEYNE: Minister, how else is the ACT government supporting Aboriginal and Torres Strait Islander organisations and the wider community to get involved in sharing cultures and histories?

MS STEPHEN-SMITH: I thank Ms Cheyne for her supplementary. Today I also launched the second round of the 2020 Reconciliation Day grants program. This program will support more community groups to hold events and activities on and around Reconciliation Day, which will be on 1 June.

For the intent and value of Reconciliation Day to be realised, it needs to be part of our community's fabric and reach every corner of the ACT. The Reconciliation Day grants program is a great way for everyday Canberrans and community groups to get involved.

Reconciliation is about building relationships, respect and trust between the broader Australian community and Aboriginal and Torres Strait Islander peoples. Reconciliation is not just about one day of the year; rather it is a movement about addressing cultural change, attitudes and beliefs to raise understanding of our shared history.

The Reconciliation Day grants program supports events with a focus on promoting understanding, celebrating and raising the significance of Aboriginal and Torres Strait Islander histories and cultures, promoting understanding and the impact of past policies and practices on Aboriginal and Torres Strait Islander communities, providing opportunities for children, young people and elders to be involved in events that promote reconciliation, and developing seminars or panel discussions that focus on the importance of reconciliation for all Australians.

The ACT Reconciliation Council will again oversee the program for Reconciliation Day and continue to promote the importance of reconciliation here in Canberra and across Australia. The Reconciliation Day grants are open until 18 March, and I encourage all Canberrans to get involved in this special day, and members to encourage their communities to apply for a grant.

Work is already underway in preparation for Reconciliation Day, and I am looking forward to meeting with the Reconciliation Council in coming weeks and following the progress of preparations ahead of Reconciliation Day 2020.

Health—hydrotherapy facilities

MRS JONES: My question is to the Minister for Health. Minister, does the facility in Kambah that houses the hydrotherapy pool that Arthritis ACT will be using after the Canberra Hospital pool closes have full and proper access facilities for people with a disability, including parking, building and pool access and egress, and suitable change and toilet facilities? If not, what facilities are available?

MS STEPHEN-SMITH: I thank Mrs Jones for her question and her ongoing interest in the matter of access to hydrotherapy in Canberra's south. There was a long conversation with the CEO of Arthritis ACT to come up with this solution to the issue of access to hydrotherapy on the south side, and it was with great relief that she identified that Aqua Harmony would have a pool available that would be heated to 34 degrees. This was something that was newly available towards the end of last year. It was good timing and a good opportunity.

I will come back with further detail on notice in relation to some of the specific questions that Mrs Jones has asked about access but I note that the current pool at Canberra Hospital is not particularly accessible and friendly for people with disability. If you compare it to the University of Canberra Hospital pool or some of the other more modern pools like the one at Club Mmm!, which I have used for rehabilitation, there is nothing like that for people with disability at the Canberra Hospital pool.

While I will come back with some further details about specific accessibility there are obviously also existing legal requirements in terms of accessible parking, disability parking and the like. But I will come back with further detail on notice.

MRS JONES: Minister, did you or Health officials visit the Aqua Harmony facility to assess whether it is a suitable south side alternative to the Canberra Hospital hydrotherapy pool? If not, why not?

MS STEPHEN-SMITH: I did not. I will take on notice whether officials did. We were working very closely with Arthritis ACT, receiving advice from them, as the experts in the hydrotherapy sessions that they deliver, and as the experts in the pool users and their members, whom they work with every single day. We were very much assured, and reassured, by their feedback that Aqua Harmony was the most appropriate alternative facility.

I am concerned that Mrs Jones and Mrs Dunne, in some of her previous comments, are unnecessarily creating anxiety by putting out there questions about accessibility and the like, whereas actually we have come to a very positive agreement with Arthritis ACT, on the advice of Arthritis ACT about what the most appropriate alternative facility would be. I am really pleased to have reached that solution. Again I emphasise that the Canberra Hospital pool actually fails to meet a number of the requirements that are of the nature that Mrs Jones is talking about.

MS CHEYNE: Minister, are you still working towards a longer term solution?

Mrs Jones: That is a very good question.

MS STEPHEN-SMITH: Thank you, Ms Cheyne, for the supplementary. It is indeed a very good question. Yes, we are working towards a longer term solution, a longer term solution that we are getting on with. I note that the opposition has made absolutely no commitment or statement in regard to whether they would do anything on this.

We had an expression of interest process for private and non-government organisations to indicate to us whether they would be interested in partnering in the delivery of a public hydrotherapy pool on Canberra's south side, a community-based pool in response to the feedback from the community and analysis by the Nous Group last year. We have also been doing some work internally to look at what the government options might be in that regard.

We will have more to say about that before too long. At this rate, we will have a lot more to say about that before those opposite, who would have torn down building 3 at Canberra Hospital where the hydrotherapy pool is currently located. That was their 2016 electoral policy, to tear down building 3: no hydrotherapy pool at Canberra Hospital under them, Madam Speaker, and no commitment to a hydrotherapy pool. It is all talk, no commitment; just a lot of blah-blah-blah from those opposite.

Transport Canberra—bus stops

MR WALL: Madam Speaker, my question is to the Minister for Transport. Minister, with the failed network 19, how many bus stops have now been removed from Canberra suburbs and what has been the cost of doing this?

MR STEEL: I thank the member for his question. There was a significant redesign of the bus network with network 19. That has meant that new bus stops have been opened and some have been closed, many of which remain in situ. Some of those bus stops will be reactivated with the changes that we will be further making in term 2 and so will come back on line. Of course, we will continue to make changes to the bus network going forward based on capacity issues and based on the changing nature of the city and its growth.

Mr Wall: Point of order, Madam Speaker.

MADAM SPEAKER: Resume your seat, please, minister.

Mr Wall: On relevance, could the minister answer the specific question, which was: “How many bus stops were removed and what was the cost?”

MADAM SPEAKER: The minister spoke about removal and replacement costs.

Mr Wall: He said they were removed, but the question was about how many.

MADAM SPEAKER: Mr Wall, the minister is on the policy question and he has over a minute to reply.

MR STEEL: I believe I have already provided those figures to the opposition on notice.

MR WALL: Again to be explicit, how many bus stops were removed? What was the cost? Further to that, how many bus stops need to be reinstated as a part of the network changes, and what is the estimated cost of that?

MR STEEL: I will take that as the supplementary rather than a restating of the first question, and I have already answered that one on notice to the opposition in relation to the number of bus stops and—

Mrs Jones: On a point of order, I am seeking your advice, Madam Speaker: is it acceptable for a minister to not at all answer the question because he claims to have answered it once in the past?

MADAM SPEAKER: There is no point of order.

Mrs Jones: It is not a point of order. I was asking for your advice.

MADAM SPEAKER: The minister has two minutes to respond to a question. Often questions are repeated. So ministers are able to say, "I refer to the previous answer." Minister.

MR STEEL: I am happy to come back to the Assembly on the number of bus stops that will be reopening as a result of the changes that we are making in the network 19 update from term 2.

MISS C BURCH: Minister, how many bus stops have been removed and how many will be reinstated?

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

Religious freedom legislation—government submission

MS CHEYNE: My question is to the Chief Minister. Chief Minister, why did the ACT government make a submission on the federal government's proposed religious freedom bills?

MR BARR: The ACT government made a submission on the commonwealth's religious freedom bills because we have grave concerns about the effect of this legislation on Canberrans, and indeed on Australians, should it become law. These commonwealth changes, if enacted, will not just affect someone else; they will affect us all. They will serve to marginalise and discriminate against our family members and friends.

The commonwealth bill puts religious protections above other protected attributes. Rather than protect religious freedom, the bill will enshrine religious privilege above other fundamental human rights. The bill will explicitly override state and territory anti-discrimination laws.

Human rights are universal, not partial, and we should protect everyone in the ACT, regardless of their gender, race, disability, religious belief or any other protected attribute. The ACT government will stand up for all of our residents to ensure that they are respected and protected; are able to exercise their civil and political rights; and, most importantly, are equal before the law.

MS CHEYNE: What are some of the potential implications for Canberrans if the legislation were to pass in its current form?

MR BARR: The range of harm that would be licensed and encouraged under the proposed commonwealth bill is disturbing. It would affect so many areas of life. For example, the bill would create a new legal basis and protection for health practitioners such as doctors and nurses to refuse to provide essential reproductive health services.

It would provide for publicly funded charities, such as soup kitchens or homeless shelters, to refuse to assist people of a different religious faith or of no faith.

The override of current state and territory law could provide immunity from anti-discrimination law for outrageous, discriminatory and marginalising actions, including a childcare provider telling a single mother that they are evil and ungodly for depriving their child of a father; a student being told by their teacher that their disability is a trial imposed by God; a waiter in a cafe telling a same-sex couple that they will pray for their sins; and a teacher telling a transgender student that their identity is against the laws of God.

The vast majority of Canberrans would find this sort of behaviour unacceptable. They simply cannot understand the crusade that the commonwealth is on with this bill. What problem is the commonwealth trying to solve in Australian society at this point in time? The bill is unnecessary. It is destructive and it is morally repugnant.

MR PETTERSSON: Chief Minister, why is this issue important to Canberrans?

MR BARR: It is important to Canberrans for all the chilling scenarios that I have just outlined. Canberrans from all walks of life, whether they are a single parent, a person living with disability, a woman seeking an abortion, a gay student, they would all be affected by this legislation.

Everybody is entitled to freedom of religion. It is a protection enshrined in the Constitution as well as the territory's own Human Rights Act. People are free to practise their faith. What they are not free to do is impose their religious beliefs on others. People without religious faith also deserve freedom from religion.

Regrettably, there are some who think that the commonwealth bill does not go far enough. What they would prefer, it would seem, is some sort of dystopian future, something like we see in *The Handmaid's Tale*. "Religion is not a trump card to justify curtailing others' liberties." That was said by Tim Wilson, federal Liberal MP. I agree with Mr Wilson on that point, and the true liberals in this country need to stand up now to stop this bill from ever becoming law.

I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice Government—fees and charges

MR RATTENBURY: Yesterday in question time Miss C Burch asked me a question about learner driver licence fees. She asked why the fee for a learner driver licence in the ACT is twice that of New South Wales. I can inform the Assembly that Miss Burch's assertion does not present the full picture and that, in fact, in many cases the cost of getting a learner driver licence in the ACT is cheaper than in New South Wales.

The current ACT learner licence fee is \$48. However, to obtain an ACT learner licence you must successfully complete the pre-learner licence course, which

incorporates the road rules knowledge test. The pre-learner course is provided by most ACT schools free of charge as part of the year 10 curriculum and is also available from various approved providers within the ACT, including a number of community organisations. This enables the course to be provided at a variety of levels to suit all individual circumstances.

The pre-learner course includes four attempts at the road rules knowledge test. This means that many people are doing the road rules knowledge test and getting their licence in the ACT for a cost of \$48. For the sake of completeness, as that is what I prefer to do, I note that the cost of the pre-learner course in the ACT varies, and it can cost up to \$180. However, approximately 40 per cent of all learner licences issued each year are issued to people who have completed the pre-learner course at school, meaning their licence cost is \$48.

Comparatively, in New South Wales the learner licence fee is \$25. However, there is also a \$47 charge for each attempt at the driver knowledge test, which means it is at least \$72 to get a learner licence in New South Wales, 50 per cent more than the minimum cost in the ACT. As a further comparison, in Queensland the learner licence issue fee is \$175.80 for three years, plus \$25.30 per attempt for a written road rules knowledge test, or \$25.30 for 12 months access to an online program, which means it is at least \$201.10 in Queensland, more than four times the minimum cost in the ACT.

Land—sales

Sport—swimming pools

Education—2020 school year preparation

MS BERRY: To correct the record with regard to blocks for sale in Throsby, I said there were 60. There are in fact 58. Land valuations are determined independently of the SLA applying the valuation standards.

I had a question with regard to the maintenance budget for schools in the ACT and how much was specifically allocated to the Olympic pool. In 2019-20 the repairs and maintenance budget totalled \$1,281,249. This was for the six pools under the remit of the ACT Property Group, including the Stromlo Leisure Centre, currently under construction.

There is also a pool improvement budget allocation of \$800,000 for capital works, which this year was used for capital works at Manuka Pool. This financial year to date, \$253,064 has been utilised at the Canberra Olympic Pool for reactive maintenance and capital works. Funds are allocated to each pool on an as-required basis. Maintenance at the pools associated with the structure is a shared arrangement between the operator and the ACT government. The figures that are quoted here are specifically what the ACT government funded.

With regard to the book box, the street library in Moncrieff, the expenditure associated with the community book box in Moncrieff was attributed to a range of costs, including materials, construction and installation, and the delivery of a cultural community event to launch and activate the asset. I can provide a breakdown for the

book box and the event as follows, which will be of interest to Mr Milligan, who is the opposition spokesperson for Aboriginal and Torres Strait Islander affairs.

The cost of the book box was \$337, the cost of materials was \$212.65 and the cost of installation was \$968, which was a total of \$1,517.65. The event costs included the purchase of local Indigenous literature for the opening, which was \$53.35; the contracting of local Indigenous emerging elders, which included the welcome to country and Indigenous storytelling, as well as catering with Indigenous foods, and cost \$3,350; the event photographer cost \$715; beverages, which was a coffee van, cost \$220; marketing, design, printing, delivery and installation cost \$1,074.14. There were approximately—

Opposition members interjecting—

MS BERRY: Supporting local Aboriginal businesses is important to the ACT government, and it was important to have businesses and elders attend to ensure that the event ran as successfully as possible. Approximately 40 residents attended the event, in addition to special guests. I was invited, but I did not attend that event. I am usually invited to these events as the minister responsible.

It was an opportunity for residents to bring books and contribute to the book box. A welcome to country and Aboriginal storytelling journey about the area of Moncrieff were shared. Gungahlin Child and Family Centre, who helped create the artwork on the box, presented, as did residents, making sure that the residents could talk and connect with each. Importantly, Indigenous food and warm drinks were also provided.

Land—sales

MR COE: Arising from question time, I note that the minister took on notice the question: who did the modelling or valuations for Throsby? She has not yet answered that question, so I ask that she provide that on notice. That would be appreciated.

MS BERRY: I said I would, so I will.

Parking—Braddon

MR STEEL: Earlier in question time, I was asked about parking in Braddon. I have some further information to provide in relation to the answer to that question. The Braddon area was previously covered in a large number of signs and posts. In 2018 it was decided to place parking area signage along Lonsdale Street and Mort Street and to remove the individual signs and posts.

This was done in consultation with businesses in the area at that time and no changes have happened since. We have received several recent inquiries to say that some people have not seen the signs. Officers from Transport Canberra and City Services have investigated these queries and have confirmed that motorists cannot enter the area without passing a parking area sign.

This is similar to other parking area treatments across the ACT. However, Transport Canberra and City Services are sending staff out this week to check if all the signs are, in fact, still in place and not vandalised. I understand there was some talk on the Canberra notice board group about this issue this week. Staff will go out and follow up to make sure that those signs are still in place.

Schools—chaplaincy replacement

MS BERRY: I forgot one correction, Madam Speaker. At the end of last year, there were 15 chaplains engaged by Scripture Union Queensland and seven accepted an offer to be employed by the ACT government.

Health—hydrotherapy

MS STEPHEN-SMITH: I have received advice from the ACT Health Directorate that officials did not attend or visit the Aqua Harmony pool because the relationship that they have is directly with Arthritis ACT. They were relying on the advice from Arthritis ACT and its decision about which pool Arthritis ACT considered would best meet its members' needs.

Crimes (Sentence Administration) Act—intensive correction orders review report

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) (3.12): I would like to present a revised copy of the intensive correction orders review report which I tabled on Monday:

Crimes (Sentence Administration) Act, pursuant to subsection 81 (1)—Intensive Correction Orders Review—

Report—Revised, 20 February 2020.

Tabling statement—Revised, 20 February 2020.

This is a replacement version and a revised tabling statement. This report corrects several incorrect references to provisions of two acts referenced extensively in the report, the Crimes (Sentencing) Act 2005 and the Crimes (Sentence Administration) Act 2005. The only changes to the report are to correct these references. There are no changes to the substance of the report.

Papers

Madam Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 29(3)—2020 Strategic Review of the ACT Auditor-General, dated 13 February 2020—Prepared by Des Pearson AO.

Electoral Act, pursuant to subsection 10A(2)—Effect of Commonwealth Electoral Act amendments on the ACT funding and disclosure scheme—A special report by the ACT Electoral Commission, dated 19 February 2020.

Mr Ramsay presented the following paper:

Public Accounts—Standing Committee—Report 8—*Inquiry into Auditor-General's Report No 7 of 2016: Certain Land Development Agency acquisitions*—Government response.

Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020 Paper and statement by minister

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): For the information of members, I present the following paper:

Legislation Act, pursuant to section 64—Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020—Disallowable Instrument DI2020-16 (LR, 17 February 2020), together with its explanatory statement.

I ask leave to make a statement in relation to the paper.

Leave granted.

MR RATTENBURY: I am pleased to table the Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020. This instrument makes a minor update to the methodology used to determine the ACT greenhouse gas inventory. The inventory provides a comprehensive annual picture of the territory's greenhouse gas emissions and allows us to identify emitting sectors while tracking progress against our interim reduction targets.

The update to the methodology is a result of the Australian Energy Market Operator no longer publishing data that is required under the existing method to calculate the ACT's share of New South Wales below baseline renewables generation. To address this, the methodology now averages the ACT's share of below baseline renewables generation in previous years to determine the ACT's share for 2018-19. Below baseline generation does not count toward achievement of the renewable energy target and is not eligible for large-scale generation certificates, or LGCs.

This change will have little, if any, impact on the greenhouse gas inventory, while still remaining consistent with national and international best practice. For example, the figure under the previous methodology for 2017-18 is the same as the figure under the new methodology for 2018-19. The 2018-19 inventory will be finalised after the

methodology update has been confirmed and is expected to be presented to the Assembly in the first half of 2020.

Thanks to our achievement of 100 per cent renewable electricity, the ACT remains on track to meet its target of a 40 per cent reduction in emissions by 2020, and we are continuing on our pathway to a net zero emissions territory by 2045 through the implementation of the ACT climate change strategy 2019-25. I commend the Climate Change and Greenhouse Gas Reduction (Greenhouse Gas Emissions Measurement Method) Determination 2020 to the Assembly.

Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020 Paper and statement by minister

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) (3.16): For the information of members, I present the following paper:

Legislation Act, pursuant to section 64—Climate Change and Greenhouse Gas Reduction Act—Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020—Disallowable Instrument DI2020-17 (LR, 19 February 2020), together with its explanatory statement.

I ask leave to make a statement in relation to the paper.

Leave granted.

MR RATTENBURY: I am pleased to table DI2020-17, the Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target Measurement Method) Determination 2020. This methodology is for the acquittal of the 100 per cent renewable electricity target established under section 9(1) of the Climate Change and Greenhouse Gas Reduction Act 2010. This methodology is required under section 10 of the act.

This methodology will allow the ACT government to acquit the target of 100 per cent renewable electricity from 2020. The reaching of the 100 per cent renewable electricity target is a major achievement for Canberra and will place us as a world leader in climate change mitigation. It is important that this government and future governments remain transparent and accountable to our community on continuing to meet this target.

This determination will provide a transparent methodology to enable the Canberra community to see exactly how compliance with the target will be measured. The minister's annual report on climate change will undertake this acquittal each year, providing a public view of performance against the target. I commend the determination to the Assembly.

Estimates 2020-2021—Select Committee Membership

MADAM ASSISTANT SPEAKER (Ms Lee): Madam Speaker has been notified in writing of the following nominations for membership of the Select Committee on Estimates 2020-2021: Ms Cheyne, Mrs Dunne and Ms Le Couteur.

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

That the Members so nominated be appointed as members of the Select Committee on Estimates 2020-2021.

Nurse-led walk-in centres Discussion of matter of public importance

MADAM ASSISTANT SPEAKER (Ms Lee): Madam Speaker has received letters from Miss C Burch, Ms Cheyne, Ms Cody, Mr Coe, Mrs Dunne, Mr Gupta, Mr Hanson, Mrs Kikkert, Ms Le Couteur, Ms Lee, Mr Parton, Mr Pettersson, and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Ms Cheyne be submitted to the Assembly, namely:

The importance of the ACT's nurse-led walk-in centres to provide immediate healthcare for people when they need it.

MS CHEYNE (Ginninderra) (3.19): Cuts and abrasions, sprains and skin conditions, the cold or flu, sinus infections, ear infections, mastitis and conjunctivitis: what all of these conditions, illnesses and injuries have in common, apart from causing discomfort or pain, is that they can be treated at one of Canberra's four nurse-led walk-in centres.

This is not the first, and probably not the last, time I have had the opportunity to talk about this fantastic service. This government is passionate about free health care, and our walk-in centres located in Belconnen, Gungahlin, Tuggeranong and, as of December, Weston Creek offer just that. Walk-in centres are often the quickest and easiest way to receive healthcare advice and treatment and, as the name suggests, they do not require an appointment.

Anyone who has set foot inside one of our four walk-in centres knows they are staffed by a committed team of passionate and professional nurses. I have heard countless accounts from individuals and families who, like me, have attended the Belconnen walk-in centre and been impressed by the care and the knowledge provided.

Indeed the Belconnen walk-in centre celebrated five years in operation in July. At the time I sought feedback from others who have been using this service. I was inundated with glowing praise, describing an “excellent”, “fantastic” and “brilliant” offering. Every story is different, from sore throats to sliced hands, but there is always a common thread—endless praise for our healthcare professionals.

One constituent of mine once said that “most of this valuable work probably can’t be measured by statistics”, and that is partly true. But the statistics do paint a picture of just how popular and successful our walk-in centres are. According to the *ACT Public Health Services Quarterly Performance Report* for July to September 2019, which provides the most recent health services data, there were almost 17½ thousand presentations to the then three established walk-in centres at Belconnen, Gungahlin and Tuggeranong. That is a 3.4 per cent jump in presentations compared to the previous quarter. The median wait time for treatment during this period was just 20 minutes—six minutes faster than in the previous quarter. In Belconnen, where there were more than 6,000 presentations, the median wait time was just 16 minutes.

Since the beginning of this year—this year alone—there have been almost 11,000 presentations to walk-in centres across Canberra. This includes more than 3,000 presentations at the new Weston Creek walk-in centre since it opened late last year. I am sure many Canberrans are looking forward to the establishment of our city’s fifth walk-in centre, in Dickson, which is due to open later this year.

Interestingly, the top five presentations at our existing walk-in centres are in relation to the common cold, wound dressings, musculoskeletal conditions, sore throats and ear conditions.

I want to finish by drawing attention to perhaps some of the lesser known services offered at Canberra’s walk-in centres: the removal of stitches and other things, tetanus injections, blood glucose tests and, importantly, emergency contraception.

Our nurse-led walk-in centres are an incredible service. They provide Canberrans of all ages with efficient, quality care and treatment, 365 days of the year and for a very reasonable range of hours, from early in the morning until 10 at night. I would like to take this opportunity to thank all those who make the centres what they are, and whose knowledge, professionalism and empathy are what make these centres shine.

MRS DUNNE (Ginninderra) (3.23): I have to say that staff in my office were utterly overjoyed this morning when they saw the topic of this matter of public importance. They said to me that they thought Ms Cheyne was leading with her chin, considering the stories that were running today about the lack of immediate services provided in the healthcare system. I think Ms Cheyne needs to be a little circumspect about “immediate”. Currently, on the Health app, the waiting times at the walk-in centres are 25 minutes, an hour and 20 minutes, an hour and 12 minutes and 57 minutes.

Ms Cheyne: 12 minutes?

MRS DUNNE: No, an hour and 12 minutes. It is important to put this in context. This is not an immediate service. Although there is a long list of things that can be done through the walk-in centres, there are many things that cannot and will not be done. Although there are people who have good experiences at the walk-in centres, I do come across many people—including me—who have attended walk-in centres and could not be treated for things that are on the list here, for a variety of reasons.

We need to put the walk-in centres in context. If somebody turns up with a cold, normally that is something that you should treat yourself at home. You should not cause the ACT taxpayer to pay \$160 for a service which, under normal circumstances, you would treat at home.

It is interesting that the list includes bruises and the like. Often the advice would be to go home and put a cold compress on it—kerching! \$160 to the ACT taxpayer. I am very glad, for instance, that tetanus injections are provided at the service, because presumably the service deals with wounds and puncture injuries, and the obvious concomitant of a puncture injury is to have a tetanus needle.

With other things, it beggars belief that the walk-in centres do not deal with them. Why are there no vaccination services provided? Especially with cold and flu vaccinations in the flu season, why are we not encouraging people to attend nurse-led walk-in centres, where there are highly trained nurse practitioners? Doing immunisations is an important part of their training. It would be important to have that as another element of the public health service available to the people of the ACT.

Ms Stephen-Smith interjecting—

MRS DUNNE: The minister will have her turn, Madam Assistant Speaker, and I am sure that I can predict now all of the things that she will say. I think we should look at the issue of the importance of immediate care for people when they need it.

The half-yearly report that we touched on in question time today shows that the government is failing to provide timely care to people when they need it. This report shows that only 38 per cent of people who present to the Canberra Hospital emergency department will be seen within the clinically recommended time frame, which is a substantial fall over the years. At the turn of the century and a little later, approaching 75 per cent of people were seen in a timely fashion. If you required urgent treatment, Madam Assistant Speaker, there was only one chance in five over the last six months that you would receive that treatment on time.

The claim is that walk-in centres have relieved pressure on emergency departments. Overall the statistics for timeliness in our emergency departments have declined markedly, even though we are being told that the nurse-led walk-in centres will provide immediate care when people need it.

Ten years ago, 62 per cent of people who presented to an emergency department were seen on time. Those figures were down from the turn of the century. This figure was before the nurse-led walk-in centres were introduced. This has fallen to 46 per cent in the last financial year and now 38 per cent in the first half of the 2019-20 financial year. Our performance in treating patients who present to the emergency department has fallen in the emergency category. It has plummeted for urgent patients and fallen significantly for semi-urgent patients. It has improved for people in category 5, the non-urgent category.

We should put this in context. The Australasian College for Emergency Medicine has developed a triage system. Category 1 is a resuscitation category, for patients who need treatment immediately for reasons such as they have stopped breathing. Category 2, or the emergency category, is for patients who need treatment within 10 minutes. People in this category include people with severe chest pain, difficulty in breathing or severe fractures.

Category 3, or the urgent category, is for people who need treatment within 30 minutes. This is the largest category of patients who attend accident and emergency. People in this category are suffering from severe illness, are bleeding heavily from cuts, have major fractures or are severely dehydrated. Semi-urgent patients should be seen within an hour, and include patients presenting with a foreign body in the eye, sprained ankles, migraine or earache. Category 5 patients are non-urgent, and they have problems such as minor illnesses. However, I always make the point that one should not denigrate patients who present in category 5, because although they are non-urgent, a great proportion of them are still admitted to hospital for treatment or observation.

Ms Cheyne refers in her MPI to people who need immediate treatment. These people are not always treated in walk-in-centres; they are also treated in emergency departments. It shows, by the narrow casting of this MPI, that Ms Cheyne has a lack of knowledge of how the healthcare system works.

Today's *Canberra Times* has a piece on nurse management in our hospital. Mr Daniel from the Australian Nursing and Midwifery Federation says:

There are instances where rosters for the coming month come out and they're not even filled to the minimum of the staffing that's required.

This is a problem that filters all the way through the hospital system and ensures that people do not get the immediate health services that they need. This, amongst other things, shows that our public health system does not have enough nurses to properly service our hospitals. It should be a priority of this government to manage our nursing workforce appropriately. I have said over and over again that our current health system is in crisis. The minister does not believe me. I suggest that, if she does not believe me, she should ask Jon Stanhope.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health, Minister for Urban Renewal) (3.32): It is a great pleasure to rise on this matter of public importance today, because nurse-led walk-in-centres have become an integral part of the ACT health system, with the network across Canberra helping people to get fast one-off treatment for minor illnesses and injuries. We know, as Mrs Dunne leaves the chamber, that the Canberra Liberals do not support, and have never supported, walk-in-centres. But we know that Canberrans love them. Canberrans support walk-in-centres, and the feedback we have received about this is overwhelmingly positive.

Mrs Dunne: Point of order.

MADAM ASSISTANT SPEAKER (Ms Lee): Mrs Dunne.

Mrs Dunne: It is not usually the custom in this place to make adverse comments about members. The minister has just commented that I left the chamber. She does not know why I left the chamber.

MS STEPHEN-SMITH: You do that all the time.

Mrs Dunne: It is not my item of business, and I am not required to be here.

Mr Rattenbury: On the point of order, Madam Assistant Speaker, many members of the Canberra Liberals constantly comment on the absence of various members on other sides of the chamber not being in the chamber at particular times. Mrs Dunne's exception, while she may feel an exception, is actually well precedented.

MS STEPHEN-SMITH: Madam Assistant Speaker, if it assists Mrs Dunne, I withdraw any imputation that she may have interpreted in relation to my comments, and I apologise to her.

Mrs Dunne: Thank you.

MADAM ASSISTANT SPEAKER: Thank you. Minister, please continue.

MS STEPHEN-SMITH: Madam Assistant Speaker, I would like to thank Mrs Dunne for drawing members' attention again to the wonderful ACT Health app that is available to members of our community that enables people to see what the wait times are likely to be. It is true that right at this moment the wait time in Belconnen is appearing as being over an hour. The wait time in Tuggeranong is 25 minutes and the wait time at Weston Creek walk-in centre is zero. We can also see the wait times for our emergency departments. Today Canberra Hospital is looking pretty bad, but Calvary is looking good. If you need to go to emergency today, please go to Calvary if you can.

I am pleased that Ms Cheyne has had the opportunity to update the Assembly on the number of presentations at our walk-in-centres and to note that in the July to September quarter for this financial year walk-in-centres had almost 17,500 presentations. That has been almost a doubling of presentations in five years. On current indications, 2019-20 will be another record year for walk-in-centres.

Canberrans have absolutely welcomed the professional, accessible and approachable care provided by the amazing staff we have at our walk-in-centres, which are staffed by highly skilled advanced practice nurses and nurse practitioners with extensive experience in treating minor injuries and illness.

Talking about minor injuries and illness, Mrs Dunne likes to refer to things that she believes should be treated at home. I have spoken directly with friends, family and

acquaintances who have attended nurse-led walk-in-centres for treatment for matters like pneumonia. Somebody attended with their daughter, who was diagnosed as having pneumonia; she was able to receive a prescription for the right antibiotics from the nurse practitioner and then went to the GP the next day, who confirmed that she had received exactly the right diagnosis and the right kind of support. People have attended with a suspected ankle fracture or sprain, a very infected sore throat which it would have been absolutely inappropriate to not get treated, and a non-displaced fracture of the arm. There are a wide range of things that people in Canberra are getting treated for in our nurse-led walk-in-centres. Mrs Dunne continues to dismiss that as being unimportant, but for many thousands of Canberrans it is very important.

That is why the government opened another walk-in-centre in Gungahlin in September 2018 and opened the Weston Creek walk-in centre in December 2019. While Weston Creek has not even been open for a full quarter yet, I can inform the Assembly that the community has voted with its feet; it has seen over 2,000 presentations in its first month and a half of operation. The fifth centre in the network, the inner north walk-in centre, is expected to open in late August 2020. As a member for Kurrajong, I am particularly excited about the inner north walk-in-centre providing another choice of care closer to home for my own constituents—and yours, Madam Assistant Speaker Lee.

The government made this commitment to the community to offer another option to access quality health care because we understand that Canberrans trust our nurses and want services close to parking and close to public transport links that are open for long hours. Our walk-in centres offer free services on a no-appointment basis from 7.30 am to 10 pm seven days a week, including public holidays. That means that families with sick children, people who need a wound dressed or people who need attention to a minor injury can access care close to home when they need it.

We have heard incredibly positive feedback in relation to this from our own constituents and people who have come to the walk-in-centres. When we opened the nurse-led walk-in-centre at Weston Creek, we received feedback from Sky Smolenaais, who said:

We received some really lovely service that prevented us having to attend emergency, which was very helpful ... It's very reassuring to know that we have a service like this in the local area, particularly after hours and as a mother of young boys.

Sky was a local resident of Weston Creek who had attended a walk-in centre in a different part of town and was welcoming the opening in Weston Creek.

A constituent has written to me about his experience in a walk-in-centre and his appreciation for the excellent service that he received at Belconnen walk-in-centre. He wrote:

The professionalism and care exhibited by the nurse, Kirsten, and indeed by all the staff at the walk-in-centre who assisted me was a credit to the government. My injury was treated properly whereas I might have needed to wait much longer at a hospital emergency department. I thank the government for the excellent

service provided for Canberrans at the walk-in medical centres, and particularly for Kirsten's good work at Belconnen.

Kirsten is certainly a much-loved member of the walk-in-centre community and has provided excellent care for Canberrans.

I cannot let Mrs Dunne's comments in relation to the emergency departments go unanswered. I have talked a lot about them in question time over the last little while, but I want to read some feedback that we received from another constituent, who wrote a long letter thanking Canberra Hospital for the treatment that he received. Part of it says:

Quite honestly, I was expecting an unpleasant experience and long wait times in emergency when I arrived there about 5 pm on the day of arrival. It was quite the opposite. I think I might have had to wait an hour at most before going into emergency to see a doctor. He and his medical student were really lovely in their approach to me and talked me through everything.

This patient went on to be admitted to the hospital and taken to a ward.

A couple of things come out of that, Madam Assistant Speaker. First, the benchmark time for category 3 patients is 30 minutes. It is important that we work towards meeting those benchmark treatment times, but it is also the expectation of Canberrans that they will be seen a timely way that reflects the urgency of their treatment. For this person, waiting an hour was pretty much what he expected. He had expected that he might have even had to wait longer. That was seen to be a perfectly reasonable amount of time to wait, given the urgency of his situation and given the treatment that he then subsequently received.

While the opposition wants to make a very big deal of these numbers, and while we do need to see them improved, we also need to understand that we are talking about a service that provides emergency treatment to Canberrans at a range of urgency need levels. The vast majority of Canberrans understand that, when they turn up at emergency, people who need the most urgent treatment are going to get treated most urgently. The vast majority of feedback that we receive is positive feedback about our emergency departments and our nurse-led walk-in-centres, which are an absolutely fantastic contribution to the ACT's health system.

In 2018-19 there were more than 61,000 presentations across the three existing centres, even noting that Gungahlin only opened in September 2018. I have no doubt that we will continue to see that number grow and we will continue to see the positive feedback from Canberrans for this fantastic service.

MS CODY (Murrumbidgee) (3.42): I thank and acknowledge Ms Cheyne for bringing this very important matter to the chamber today. Whilst all members of the Legislative Assembly have a tendency to be competitive in every way they can, I think I am currently winning the competition for being the most likely to need medical attention—not in a catastrophic or chronic disease kind of way, but more in a sudden allergic reaction, accident-prone kind of way. And I have to say the walk-in centres are terrific for people like me.

One of the problems people like me have is that people such as members of parliament, police and staffers of all varieties are constantly insisting that I go to hospital for one thing or another. The time I broke my arm I just thought it was a bit sore and kept carrying on, doing my job. Sure, a bunch of naggy nags insisted and kept telling me to go and get it checked out. But I am tough. Anyway, it turned out the naggy nags were right. It was one lunchtime at a school graduation ceremony in my electorate. The then member for Canberra, Gai Brodtmann, had one of her staff abduct me and take me to a walk-in centre. The nurse practitioner took one look at me, politely refrained from calling me an idiot and got me the treatment I needed.

Another time I was at bootcamp, maintaining my amazing sexy figure. This was years ago, before former opposition leader Mr Hanson and former Deputy Chief Minister Mr Corbell joined. I was there, maintaining my amazing sexy figure, and I was sitting on the grass and a bee stung me—thankfully nowhere near what rhymes with grass. Of course, I am allergic. Because they were not there—former opposition leader Mr Hanson and former Deputy Chief Minister Mr Corbell—they could not race me to the nurse-led walk-in centre. But I got there anyway.

The amazing nurse practitioner that day drew a ring around the sting and insisted that if the swelling got bigger or moved outside that line I should go back. She was not expecting me to be back in less than 20 minutes. But there I was, and it was like we were old friends. The treatment was fast, compassionate and professional.

If you reckon that story was grouse, this next one is amazing—almost as amazing as the treatment Canberrans get every day at our nurse-led walk-in centres. Late last year I had the honour of going to the opening of our brand-new Weston Creek walk-in centre, the fourth opened by this government. This is a great example of the commitment to service delivery this government has shown to the people of Weston Creek and the Molonglo Valley.

We know that the community have welcomed this new service, with 2,045 presentations from 13 December 2019—yes, December last year—to the end of January this year. Whilst a federal Liberal government keeps putting the cost of seeing a GP up and up, including cutting bulk-billing incentives by 34 per cent in the ACT at the start of this year, ACT Labor is ensuring that everyone can get affordable health care when they need it.

Back to the opening of this wonderful walk-in centre: I am there and boom! I have an asthma attack—not so much “boom” as “wheeze, wheeze, cough, cough, cannot breathe”. Anyway, I am at the official opening and doing my best not to faint or upstage the important proceedings that are going on because everyone knows how much I hate upstaging important official proceedings. One of the amazingly, lovely nurse practitioners who works in the walk-in-centre—I will not say her name or name check her because I am pretty sure she would be very embarrassed—spots what is going on very quickly, grabs me and takes me out of the line of sight of everyone important. They take me into a treatment room, sort out my asthma attack and make sure I am better before they even attempt to let me go.

That day I not only got to be at the official opening of Canberra's newest walk-in centre, in fabulous Weston Creek; I also got to be its very first patient. I reckon that is pretty grouse. The treatment was amazing. The only thing that is possibly regrettable is not getting photos of me collapsing and getting treated, because I am sure our dear friends in the media would have loved to see them. I support the nurse-led walk-in-centres and I too cannot wait to see more of them open across Canberra.

MR RATTENBURY (Kurrajong) (3.47): In this matter of public importance today I am very pleased to have an opportunity to reflect on the value of the nurse-led walk-in centres. Certainly the Greens recognise the valuable role that they play in the ACT healthcare system. The Labor-Greens government will fulfil its parliamentary agreement commitment to deliver an additional three nurse-led walk-in-centres in the course of this parliamentary term.

In this term we have delivered the Tuggeranong and Weston Creek walk-in-centres. The fifth centre, located in Dickson, will be completed later this year. I am particularly pleased to see this centre come online. Not only is it in my electorate of Kurrajong but I know that this will be an extremely valuable addition to the inner north community and the people who live in that area. It will be very convenient. The location for it is great, right there at the Dickson shops. I think this will be a very well utilised service in the heart of the inner north.

It is clear that the establishment of the nurse-led walk-in-centres has added a significant resource to our healthcare landscape. The evidence of the success of nurse-led walk-in centres is strong, particularly as the community gain greater awareness of their availability and more are added to the ACT's healthcare services.

The nurse-led walk-in-centres are led by highly skilled, advanced practice nurses and nurse practitioners. The nurse practitioners have the ability to prescribe. Being able to see a health professional to treat an infection or other minor illness in this setting, which is free, is an extremely valuable service to the residents of Canberra. The scope of work—and Ms Cheyne did a good job of outlining this before—is quite broad, and very many services are available. I think people probably are pleasantly surprised, when they go, to discover how broad the spectrum of available services is.

The nurse-led walk-in-centres provide free and efficient access to treatment and health advice for one-off, minor injuries and illness. Should a patient require urgent attention for serious injury or illness, they can of course be directed to emergency departments if the scope is not within that of the nurses on site. 84.6 per cent of presentations between July and September 2019 were fully treated at the walk-in-centres. Over this period there were 17,481 presentations to the walk-in-centres across the territory. This is up 3.4 per cent for the July to September quarter, compared to the previous quarter of April to June 2019.

Wait times came up during the contribution today by Mrs Dunne—and I think the minister has done a reasonably good job of covering that. What I think is worth noting is that, across all the walk-in centres, presentations increased in the most recent reporting period and wait times reduced. I think this highlights the effectiveness of the

work of those in the walk-in centres because we are seeing significant reductions in wait times at a range of those centres.

This data demonstrates that Canberrans can get the care they need, when they need it. I particularly encourage those with minor conditions to avoid the emergency department and actually use the walk-in centres as a really terrific alternative, because that then makes the emergency department available for those with more serious injuries that cannot be treated at the walk-in centres.

I think Canberrans can be assured that they will get the treatment they need, the care they need, within a short wait time, at an ideal location for their healthcare needs to be met. The walk-in centres are geographically dispersed across the city, more than an emergency department ever could be. I think that, once you add in travel time, for many people with more minor conditions the nurse-led walk-in centres become particularly attractive.

Over the period of smoke haze that we had in the city across the summer, which I know was really stressful for a lot of people—and a lot of people were unsure about the impact on their health—the walk-in centres provided a service for people presenting with low-level symptoms and they were also able to get advice for the medical attention they needed.

I would like to finish my remarks today by simply commending the tireless work of our health staff across the city, particularly the staff in the nurse-led walk-in centres because we are focusing on that today, for continuing to strive for improvement and delivery of health and medical care to the Canberra community.

I am not going to go into my personal trips to the nurse-led walk-in centres, but what I can say is that, from my experience, it has been a great service and I think that is the experience of the many, many people that turn up to seek support from these terrific centres.

MR GUPTA (Yerrabi) (3.52): The government's commitment to developing nurse-led walk-in centres in the ACT has played a crucial role in ensuring that our health system can provide immediate assistance when people need it. I thank Ms Cheyne for bringing this important matter to the Assembly.

By providing advice and treatment for minor illness and minor injuries at no cost, these centres allow all Canberrans, particularly those who are most vulnerable, to access quality health care. Since their opening, nurse-led walk-in centres across the ACT have all seen significant use by the public. Presentations at the walk-in centres have continued to grow month on month, year on year, and continue to grow every day.

In 2014 the first centre treated 27,000 presentations. By 2017 this had grown to 38,942. The opening of the Gungahlin centre further added to the total growth, with 48,987 presentations. Last year this had further grown to 50,060. Already in 2020 the walk-in centres have seen 10,837 presentations. The walk-in centres benefit not only

patients but the broader health system when minor cases are dealt with outside our hospitals and closer to people's homes.

The walk-in centres are now very much part of the ACT healthcare landscape. They provide a useful point of contact for residents evacuated from bushfire areas, those with concern over smoke irritations and many, more recently, over coronavirus. The walk-in centres work very closely with other health services, including emergency departments, radiology services, community-based services such as community nurses or ongoing wound care, GPs and in other health areas that are relevant to the patient.

GPs are sent detailed event summaries after each presentation to ensure that the GP is aware of the presentation symptoms and any treatment that is initiated. The nurses refer patients back to GPs if they identify any longer term issues that are outside the scope of the walk-in centres' protocols.

I have spoken to numerous constituents in my electorate of Yerrabi that have praised the helpfulness of our centre in Gungahlin. Located only a few hundred metres from the light rail stop and Gungahlin bus interchange, the Gungahlin centre is easily connected to our transport network. This allows all people to access this service and get immediate support. The feedback that I have received from constituents is that the quality and speed of the nurse-led walk-in centre made them a helpful option for health care. Many of these constituents have said that they have enjoyed the convenience of having this service in such proximity to where they live.

On a personal note, my family have visited the Gungahlin nurse-led walk-in centre, and the experience was quick and helpful. Instead of waiting at the hospital for hours, we were quickly able to speak to a health professional and given assistance with the issue.

When discussing the success of these centres, the hard work and commitment of the wonderful nurses must also be mentioned. Their conduct makes a significant contribution to our community, and the ACT government will continue its support for this important profession.

The nurse-led walk-in centres across the ACT have been instrumental in providing immediate health care, and I commend the government's continuation of this initiative across Canberra in 2020. The introduction is just one of the ways the ACT government is helping to address cost of living pressures by giving people easy free access to health care closer to home. The development of these centres demonstrates that the government is committed to health in the ACT, particularly in our growing communities.

Discussion concluded.

Government campaign advertising Appointment of independent reviewer

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) (3.57): I move:

That, in accordance with section 12 of the *Government Agencies (Campaign Advertising) Act 2009*, this Assembly approves the appointment of:

- (1) Professor Dennis Pearce AO as the Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 20 March 2020; and
- (2) in instances when the Independent Reviewer is unavailable to review proposed government campaign advertising, Mr Ian Govey AM as Alternate Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing 20 March 2020.

I present to the Assembly a motion to appoint Professor Dennis Pearce AO as independent reviewer. In addition, I nominate Mr Ian Govey AM to be appointed as an acting reviewer who can be called upon to review campaigns if Professor Pearce is unavailable. I would like to take the opportunity this afternoon to acknowledge Mr Derek Volker AO, who was appointed the first independent reviewer in February 2011, and more recently as acting independent reviewer. I thank him for his service and commitment.

As independent reviewer and acting reviewer, Professor Pearce and Mr Govey will review all applicable government campaigns over \$40,000 to ensure that they comply with the *Government Agencies (Campaign Advertising) Act 2009*, which aims to prevent the misuse of public funds. Campaigns about public health and safety and routine advertising in relation to operational activities, such as tourism campaigns, are exempt from review.

This is an important role in ensuring integrity, transparency and trust in the use of public funds for government communications. The independent reviewer presents a report to the Speaker and the Assembly on a biannual basis. Professor Pearce has performed the duties of the position with the highest integrity and professionalism. His experience, diligence, thoughtful advice and responsiveness during his tenure have been invaluable.

Mr Govey has extensive legal and government administration experience, including as head of the Australian Government Solicitor and deputy secretary of the Attorney-General's Department. Through this motion, and in accordance with the legislation, I am seeking Assembly support for these exceptionally qualified nominations so that the government can implement the necessary processes for independent approval of government campaign advertising. I present them for consideration to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 24

Noes 0

Mr Barr	Ms Le Couteur
Ms Berry	Ms Lee
Miss C Burch	Mr Milligan
Ms J Burch	Ms Orr
Ms Cheyne	Mr Parton
Ms Cody	Mr Pettersson
Mr Coe	Mr Ramsay
Mrs Dunne	Mr Rattenbury
Mr Gupta	Mr Steel
Mr Hanson	Ms Stephen-Smith
Mrs Jones	Mr Wall
Mrs Kikkert	
Ms Lawder	

Question resolved in the affirmative, with the concurrence of an absolute majority.

Workers Compensation Amendment Bill 2019

Debate resumed from 19 September 2019, on motion by **Ms Orr**:

That this bill be agreed to in principle.

MR WALL (Brindabella) (4.03): The bill before us today is largely one that clarifies a number of matters around the default insurance fund cover and ultimately ensures that a safety net is in place to meet the cost of workers compensation claims when employers and contractors are uninsured, an issue that more commonly occurs as a result of cross-border issues than out of malice. The bill also addresses the issue of including family day care in the definition of a “worker” for the purposes of workers compensation.

Whilst the opposition will be supporting the bill today, we would like to place on the record again the impact and the issues that family day care has faced as a result of changes in this space over recent years. In 2018 the then Minister for Workplace Safety and Industrial Relations issued a notifiable instrument listing all family day care services in the ACT, declaring all persons engaged by an approved family day care service to be workers for the purposes of the ACT Workers Compensation Act. In 2006 a similar notifiable instrument was issued that covered Communities@Work in a similar way.

Since 2006, and despite many changes along the way, the operation of the family day care sector has had no review under the act. We think that a review into the application of this is long overdue. The days are gone when anyone could start their own home-based child-care operation. Now, family day care educators and operators are working in a centre-based environment more commonly, rather than the large self-employed sector, with mandatory qualification and training requirements in place.

Over some years there has been the introduction of a significant national legislative regulatory framework for the provision of early childhood education and care and substantial changes to childcare subsidies. With all of this comes a significant regulatory burden and a cost that for many family day care operators has been too much.

Again, we need to remember these are, at best, small family-run businesses but more often than not a mother with a willingness to provide care for others in her community, looking for a flexible work environment. Family day care provides families with another choice besides centre-based care and plays an important role in ensuring that there are enough childcare places for working families across Canberra. However, it is my fear that the ever-increasing regulatory burden and the cost impact are forcing many operators to reconsider what they are doing, which will ultimately limit choice for families.

As is the case for many businesses in the ACT, they are just being pushed to the wall as regulation is making it harder and harder for them to operate and survive. While the bill has the intent of protecting workers, there is a cost burden on the small operator, particularly one where a sole individual is offering home-based family day care, and this consideration is rarely factored in. We urge those opposite, when making changes that could have a detrimental impact, to consider not just this impost on those that operate a small business in this space but the wider implication for ensuring the adequate supply and mix of day care options.

MR RATTENBURY (Kurrajong) (4.07): The Greens will be supporting the Workers Compensation Amendment Bill. The safety of workers in the territory is paramount, and improvements to the system that protect their health and wellbeing are to be welcomed. This bill proposes changes to the default insurance fund in the Workers Compensation Act 1951 to provide workers compensation cover to an injured worker who is employed by a contractor that does not have a valid workers compensation policy in place and where there is also a responsible principal contractor that is uninsured.

We expect that everyone who goes to work each day will return home safely. This is true whether employees engage under contracts or in permanent roles and no matter the circumstances of their employment. We have all heard stories of those who have suffered a workplace injury. Recovering from the injury, dealing with the financial and personal costs and planning to return to work are burdens enough without the worry of not being covered by workers compensation.

This bill provides an added level of protection to ensure coverage for more ACT workers, and we support this provision. Minister Orr is also seeking to make amendments that declare all individuals who provide family day care services through an approved family day care service to be workers employed by that service under the act.

The bill will adopt the definition contained in the Education and Care Services National Law (ACT) Act, which governs the approval of all family day care services

in Australia by providing a more contemporary and appropriate definition for workers compensation purposes. This aims to ensure continuity of cover for family day care educators in the territory. We support both elements of this bill and we will be voting in favour.

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) (4.09), in reply: The Workers Compensation Amendment Bill 2019 makes several minor and technical amendments to the Workers Compensation Act 1951. While these amendments are minor, they are necessary to ensure that our legislation is clear and continues to account for contemporary work practices, language and definitions. The bill makes amendments to ensure that family day care educators continue to have access to workers compensation and to ensure the effective operation of the default insurance fund.

The default insurance fund provides a very important function in the context of the workers compensation scheme. It operates to provide workers with a safety net in situations where an injured worker is not able to claim from any other party. To achieve its purpose, the default insurance fund is designed to respond to situations and meet the cost of workers compensation claims where an employer is uninsured. It also responds where an employer's insurer has wound up.

In recent times, some uncertainty has arisen that puts in doubt whether the default insurance fund is responsible for meeting the costs of claims in situations where both a contractor and a responsible principal contractor are uninsured. The legislation is clear in making the principal liable where a contractor may be uninsured. However, the current legislative drafting is not clear in making sure the default insurance fund responds where both the contractor and principal are uninsured.

The amendments in this bill will clarify the intention of the workers compensation scheme to support injured workers regardless of their employer's and principal's failure to hold a compulsory insurance policy. These situations are rare, where both the employer and principal are uninsured, and supporting injured workers so that they can return to work is critical for our workplaces and our communities.

This bill makes it clear that the default insurance fund will respond in these circumstances. Ensuring that we have a workers compensation scheme where no worker is able to fall through the gaps because of someone else's failure to meet their obligations is a critical objective in maintaining our laws.

The bill will also make a minor technical amendments to correct any inconsistency that currently exists in the provisions that define premiums for the purposes of calculating the levy that supports the functions of the default insurance fund. By making this technical correction, it will ensure consistency between the information that is collected from insurers for calculating the levy and the information that is used to apportion the levy contribution amongst insurers.

This bill will also make amendments to the workers compensation legislation in relation to family day care and in-home care workers. Family day care educators

provide a very important service and are trusted with the care and wellbeing of our children. It is only fair that they should have access to workers compensation benefits in the unfortunate circumstance that they are injured or become ill as a result of their work.

Family day care educators generally care for children in their own home, but in certain circumstances may care for a child in the child's home. They do not employ staff but work alone. It is easy, therefore, to assume that they make all of the decisions for all aspects of the business. On first glance, they could be considered a sole trader. However, this is not the case. Family day care and in-home care educators operate under the close direction of a family day care service that will generally provide training, approval to operate and facilitate and collect the childcare benefit from the commonwealth government on their behalf.

There is no scope for a family day care educator to negotiate any independent contractual arrangements. It is therefore appropriate that these educators are considered workers for the purposes of workers compensation. In 2006 the ACT government made its intention to cover these educators under the workers compensation scheme clear. By definition, they were deemed to be workers. As times and definitions change, it is now necessary for us to amend the legislation to ensure that this commitment continues without any uncertainty or ambiguity in the legislation. This bill will make these changes.

The amendment bill will remove an outdated definition and declare people working in family day care and in-home care services in the ACT as workers for the purposes of the Workers Compensation Act. Not only will it do this, but it will ensure that our definition is in step with the current industry terminology and language. This is why the definition will now refer to an improved family day care service as defined by the Education and Care Services National Law (ACT) Act 2011.

This bill makes some small but necessary changes to the Workers Compensation Act 1951 that will provide better outcomes for workers covered by the scheme. It demonstrates this government's continued commitment to ensuring that our workers compensation scheme continues to support timely, safe and durable return to work outcomes for our injured workers. 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.

Cemeteries and Crematoria Bill 2019

Debate resumed from 28 November 2019, on motion by **Mr Steel**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (4.14): The opposition will support this bill, but we have some grave concerns. We raised these concerns during the briefing, and they remain the same. I acknowledge the minister and the directorate staff for providing that briefing and answering our questions; however, those underlying concerns remain.

The government has told us that this bill is the way to account for the distinctive cultural and religious needs of citizens, that it is the way to impose more needed government oversight of the business and that it will modernise the current act and improve the make-up of the trust. We remain concerned that it is a government smokescreen—a cover-up for the reckless and gross incompetence of the government and a plan for the government to unnecessarily compete with private business.

The very first thing the bill does is to outline the objects of the act, which is to provide a financially sustainable model for management of cemeteries and crematoria that recognises and provides for the diverse needs of the community. In a nutshell, this is to fix up the financial mess of the current system and make sure that the funeral industry delivers what the community wants. It creates a framework to ensure that community needs and preferences—in particular, religious and cultural needs—can be met. This is achieved by requiring operators to consider community needs when operating a facility, and making it an offence for operators to refuse any reasonable request made on the basis of religious or cultural needs.

This is important, but it is what successful businesses do every day of the week. We fear it is government red tape—even more government red tape—to further interfere with business. It will re-create a management system that already exists and fix the government's financial mess. The opposition is very concerned about the red tape implications of this bill—interference with business and lots of government-dictated paperwork and record-keeping.

The government wants to change the current act to fix up the unfunded long-term liabilities of the current system. The government wants to get more access to Canberrans' cash by setting up its own crematorium. The government said it had received 740 surveys, seven submissions and 250 in-person consultations, and had received comments during pop-up stalls and focus groups. The government said it had had special contact with religious groups including the Sikh, Jain, Buddhist, Hindu, Jewish, Islamic, Sukyo Mahikari and Brahma Kumari communities.

I have been told that funeral homes and funeral directors in the ACT have not been consulted. The opposition has had some conversations with the Sikh, Jain, Buddhist, Jewish, Islamic, Sukyo Mahikari and Brahma Kumari representatives, and my colleague Mrs Kikkert will speak more on that. In general, none of the people we have spoken with have expressed any overarching concerns about the operations of the current private crematorium. I did hear concerns from them about capacity—for example, people of the Hindu faith may not be as easily accommodated by the current operation—however, I am assured that the current operation is about to expand. The operators are doing that off their own bat, without the need for imposed regulation, and because they are keen to provide a service to the public. They are keen to

continue to expand and improve their service delivery model because the operation is about 55 years old.

The operators want to provide the services that are needed by the public. This issue is not about capacity or space, because I have been told that the crematorium has recently purchased a couple of acres more land alongside Gungahlin Drive. The operators indicated that if they are told about the specific needs of communities—specific cultural or religious groups—they can incorporate those into their plans for the new area. The opposition does not have concerns about ashes being scattered—I asked about this during the briefing and was given an answer by the directorate—but some Canberra families choose to have their funerals interstate. The reasons are many and varied, including personal family reasons, religious reasons and commercial reasons. It could be about having flowing water—rivers—in which to scatter ashes.

The opposition believes the government is providing a solution to a problem that does not exist except with respect to its budget woes. If there was great demand for additional crematorium services, I believe a private contractor would enter into the market. This government is not an expert in running crematoria; it has not done it before. The other concern that has been expressed is that the government is choosing to set up its operation 200 metres from the gates of the current crematorium. For all the talk about competitive neutrality, this is bound to have an impact on the current operator, which fears it will have to cut staff. The competition and difference between the public and the private sector will impact on the current business. It may create an artificial socio-economic divide. It may also create even more red tape and government interference.

The opposition is not concerned so much about the government providing a publicly run crematorium; a large part of the opposition's concern is about the decision to put this publicly run crematorium 200 metres from the existing crematorium. Any private business facing that kind of competition would be devastated to have the government enter that market for the first time. It is not friendly or supportive for local businesses. The government has indicated that this is because of specific land zoning requirements; however, it is strange that it has been built with the intention of being portable, which seems to imply that there will not be additional space within the facility for family members, which was one of the reasons that the directorate staff indicated the current crematorium was perhaps unsuitable.

The current operators also say that they were told about the plans but they were not consulted early on. The operators said that if anyone had raised concerns with them about capacity issues or religious or cultural issues, they would have done their best to address them. They remain committed to doing that; they will do whatever they can to address these issues. It is what they have done for many years, and what they will continue to do.

The government said the ACT simply does not have enough services—that the ACT has one crematorium per 400,000 people and New South Wales has one per 150,000 people. But in New South Wales there are geographic issues. It is a much bigger area and people expect to have a crematorium within their community; they do not expect

to have to travel hundreds of kilometres. The ACT does not have the same geography that gives rise to these problems.

The opposition support a large part of this bill, but we find it deeply concerning that the government is considering opening a crematorium pretty much across the road from an existing facility. It is also disturbing that the government has tens of millions of dollars of unfunded liability because it set up a trust system that simply has not worked. Money from the profits of the new crematorium—which is the growth area of funerals, with 70 per cent of all deaths being cremated, and growing—will go into a trust to fund existing and future government liabilities. It creates a second crematorium in the ACT, a public crematorium, unnecessarily operated by a government authority in direct competition with the private operator.

This government has taken a long time to get the southern memorial park up and running, but when it wants to fund its own liability it is quick to establish a crematorium, in competition with a private provider. This is supposedly to account for the religious and cultural needs of Canberrans, although, from what I have found out in my consultation, the evidence for this is slim. It is hard to see that this crematorium is being built for the purpose of helping religious groups to conduct their religious rites. If that were so it would be a good reason and we would support it.

I fear that this is a smokescreen to deflect us from the real reasons the government is entering into this marketplace—to try and make up for its past mistakes with respect to the trust fund. The government is using an entirely admirable objective—meeting the needs of cultural and religious groups—in order to do that. No-one would argue against that objective. That is what we all want, and we all support it. Unfortunately, the evidence to support that may be slim. The government is building this crematorium and keeping it in government hands, which will have a negative impact on a private provider, to make up for its past mistakes.

As I have said, we support this bill in principle, but it is important to outline our deep concerns with some aspects of it. Our concern is mostly about the government's stated rationale for entering into this space, rather than about the bill itself. The government's reason for doing that—what they have led us to believe—does not quite add up. I support the bill and I hope it will provide a better experience for cultural and religious groups that want access to funerals that better meet their needs. I certainly hope that is the case and that we do not end up with more problems.

MS LE COUTEUR (Murrumbidgee) (4.28): The Greens will be supporting the Cemeteries and Crematoria Bill 2019. In the interest of full disclosure, I mention that I was on the board of the ACT Public Cemeteries Authority for a year, in 2015-16. My views, of course, have been influenced by my time on that board. The bill makes some useful improvements to how cemeteries and crematoria are regulated and run in the ACT. It establishes objectives in the act that require a financially sustainable model for the management of cemeteries and crematoria, while meeting the diverse needs of the community.

First off, as a Green, I am disappointed that the environment was not mentioned in the objectives. Cemeteries are usually places that are managed for many centuries; thus

the environment is important. Here in the ACT the Hall cemetery contains some very rare and endangered plants, notably the Tarengo leek orchid, which is extremely rare, being found in only five sites across Australia. The Hall cemetery is the only place where it occurs in the ACT. Because of this the authority does not mow the grass in spring or early autumn so that the plants can flower and seed.

The environment is also the major reason that the Greens and I support natural burials. Cremation, by its nature, leads to gaseous pollution. However, the major environmental impact of conventional burials is the decades and then centuries of lawn maintenance and lawn mowing. Natural burials allow our bodies to become part of our natural environment. They are normally put in areas of native vegetation, which almost certainly will not require mowing and almost certainly will not require a lot of human intervention in their maintenance. In the long run and the short run, they are usually cheaper than conventional burials. I am therefore very disappointed to learn today that there will not be any natural burial plots included in stage 1 of the southern memorial park.

I will now talk about the objective of sustainable financial management. At present burial sites in the ACT are perpetual sites, so the ACT cemeteries authority, which manages them, has an unending financial liability to maintain the site. In his tabling speech the minister said that “the territory has an unfunded liability for future maintenance of facilities in the tens of millions of dollars”. This liability was accumulated when interest rates were higher, the climate was less extreme, there was more space and more burials were being conducted. All of these things made the financial life of the ACT cemeteries authority easier.

I cannot see, however, that this bill will actually address funding this liability. Certainly, it does not appear to do that. And I am not at all sure that it in fact deals with the long-term funding issues. What we can say is that it does simplify the financial arrangements. There will only be one trust, instead of a trust for each location, and that trust is purely for long-term maintenance. That is a simplification and a good thing.

One option which has been explored to reduce the perpetual liability is to sell burial sites as “renewable tenure”. In 2017 the Standing Committee on Environment and Transport and City Services inquired into the management of cemeteries and related facilities. One of its recommendations was as follows:

The Committee recommends that a review of the Cemeteries and Crematoria Act 2003 be undertaken to ascertain the feasibility and financial basis for adopting a renewable tenure scheme to replace the prevailing tenure provisions applying to ACT cemeteries.

An awful lot of the other recommendations fell out of that major recommendation. Renewable tenure addresses the financial issues of cemeteries because you do not have a right to the plot forever; you have to renew it. Most cemeteries across the world do not have perpetual tenure. I understand that even in jurisdictions where it appears that there is perpetual tenure, generally it is only for 99 years. In Australia, most jurisdictions have moved to renewable tenure.

Cemeteries report that, by the time you get to 20 years—actually, even five years, but certainly 20 or 25 years—after a burial, most burial sites do not have any visitors anymore. The family has, literally in many cases, moved on.

The other issue with perpetual tenure is that potentially the cemeteries become bigger than they would otherwise be. This calls to mind the issue when the government, a while ago, tried to extend the size of the Woden cemetery. In some ways it was a great thing to do, except for the fact that it is in the middle of Woden, which is a rapidly growing area that needs its green and recreational space.

Minister Steel reported in his speech that the government undertook consultation on renewable tenure, and 60 per cent of Canberrans were opposed to it. Understandably, the government is not proceeding with it at this time. Instead the government will be allowing a publicly operated crematorium to start soon, which it expects will meet the needs of the community, who increasingly are preferring cremation. As Ms Lawder said, the figure is about 70 per cent. As she also said at some length, the publicly owned crematorium will provide much-needed income to the ACT cemeteries authority, as cremations are more profitable than burials. They have the ongoing perpetual liability for site maintenance.

While I probably do not share all of Ms Lawder's concerns, I share her general concern that opening a crematorium opposite the existing one is probably not the best way to solve the long-term problem. This bill has not addressed the long-term problems. It has a short-term fix. It is not taking things backwards. Creating one trust for the cemeteries authority is certainly a step forward because the situation before was incredibly messy and hard to understand. In terms of how to manage cemeteries, providing cross-subsidisation from a crematorium is not the long-run option when you have a perpetual liability for management and maintenance.

Another option suggested by the ACT cemeteries authority was to allow them to have more flexible investment rules. They have a perpetual liability—forever, or very long term—and there is a very restricted list of things that they can invest in. In today's very low interest environment, this makes their task very hard. It was quite a different task when you could easily get six, seven or eight per cent interest rates; you can now only get a bit over one per cent. Their task is a lot harder.

The other thing that should be considered is bringing the management of cemeteries into the ACT government as a business unit. If you think about something that has a perpetual liability, it sounds like it should be managed by a government unit, doesn't it? Who else will feel that they can take that on? In fact, with a lot of the financial management, certainly when I was on the cemeteries board, it was actually done by the ACT government. It also made a lot of sense to do that.

The other objectives of the new bill are human and community based, to wit: recognising the rights of people to dignified and respectful treatment of their human remains and the remains of their loved ones; and respecting diverse burial, cremation and interment practices; and respecting the cultural practices and religious beliefs of people.

The Greens, of course, agree with these objectives and are pleased that some changes are made in this bill to address them. The bill attempts to ensure that the people of Canberra will be able to obtain services that meet their religious or cultural needs. The bill explicitly requires that the licensee of a facility cannot refuse a request related to a burial or other service that is related to the deceased person's religious or cultural group or other special category.

The bill requires operators to be competent and to keep records. This should help to ensure that the distressing case that Ms Cheyne brought to our attention, where Norwood Park crematorium lost a child's ashes, is not repeated. The bill will also make it easier to regulate non-government providers of cemeteries and crematoria by providing an explicit licensing system for them.

The new act will also require the authority to have at least two members who represent different religions or cultures. That is interesting; it goes back to my previous point that this should be a business unit of the ACT government. I think that is particularly the case where people will be appointed to the authority on the basis of representing different religious or cultural groups, rather than necessarily having the knowledge to run a cemetery or crematorium—or in fact any business of that size. It also increases the minimum number of members on the board from four to six. In practice I think the authority has been meeting these requirements in recent years; nonetheless, they are generally good ideas.

In summary, this bill is a useful refresh of the legislative framework for cemeteries and crematoria in the ACT. It is very positive that it recognises our diverse community and that this leads to different requirements. The requirement for effectively competent operation with reasonable records is entirely reasonable. It is interesting that it provides a framework for additional private operators, but it is very disappointing that the main financial fix regarding the issue of perpetual tenure is to let the cemeteries authority run what the government must hope will be a profitable crematorium. I think that the financial issues will need to have more work done on them in the future. As I said, the Greens will support this bill.

MR GUPTA (Yerrabi) (4.40): I am pleased to speak on the Cemeteries and Crematoria Bill 2019, introduced by Minister Steel in this place last year. Whilst speaking about cemeteries and cremation may be a morbid topic, it deals with perhaps the one thing that will affect every single Canberran at some point in their life.

The bill aims to streamline the process outlined in the Cemeteries and Crematoria Act 2003, which has not been comprehensively reviewed since it was introduced. The new bill seeks to outline a new framework for the operation of cemeteries and crematoria in the ACT, with the aim of making this painful process easier both for members of the community and for the operator of these facilities.

Perhaps one of the most significant aspects of this legislation is the new framework it establishes to allow members of our diverse community to practise their faith in relation to the death of loved ones. During the community consultation on the bill, around one in 10 members of the community with a religious or cultural need stated

that their needs were not catered for in the ACT. Our community consultation also found that many members of our community have previously had to travel interstate in order to farewell their family and friends.

In the Hindu tradition, last rites are usually carried out by family members, and they should be performed in the first 24 hours after someone has died. During this time, the eldest son takes on the role of lead mourner, which may be filled by another male mourner or priest if there is no son. After that, mourners provide the last bath and dress the body, preparing it for viewing by loved ones followed by cremation. The body is wrapped in a cloth and carried by family and friends to a funeral pyre where the lead mourner prays over the body. The lead mourner then lights the pyre, and mourners gather to witness the cremation. Afterwards, the ashes are consecrated in water, usually a river or the sea. While the Hindu funeral today may not involve an outdoor funeral pyre, this legislation will allow family members to be closely involved in the cremation process and will allow the lead mourner to carry out his duty in beginning the cremation.

Members of the Sikh and Jain communities farewell their loved one in a similar manner, with family members washing and preparing the body, often for cremation. These faiths all hold that certain prayers must be chanted over the body, and it is important that family members are able to say these prayers and perform certain rituals to ensure that the body is properly prepared for the afterlife that pertains to their religion.

Through reviewing the bill, the ACT government discovered that Hindus, Sikhs and Jains in Canberra are frequently unable to properly honour their loved ones and often travel to Sydney to ensure that they are able to properly participate in funeral services. We as Canberrans pride ourselves on living in an inclusive, progressive city, and it is vital that these values are reflected in how members of our community are supported in all events, including the loss of loved ones.

This new legislation will fill in the gaps in the existing Cemeteries and Crematoria Act, making funeral arrangements more respectful and appropriate for our diverse community. In particular, this legislation will make it an offence for a provider to refuse any reasonable request that is made on cultural or religious grounds, which I hope will allow members of our community to properly say goodbye.

As well as the need for new operating requirements, the public consultation undertaken by the government in 2018 found that many Canberrans want a publicly operated crematorium in Canberra. We will be building a new crematorium at the Gungahlin cemetery. At present, Canberra has only one crematorium servicing all 425,000 people within this jurisdiction. By contrast, New South Wales has one crematorium per 150,000 people. This is despite 75 per cent of Canberrans using cremation, compared to 66 per cent of people from New South Wales.

I am particularly pleased that this new facility will be built in Gungahlin, as Yerrabi is the most multicultural electorate in the ACT. A new crematorium in the electorate will be incredibly helpful in ensuring that members of our community who were previously forced to travel or make alternative arrangements to farewell their loved

ones are able to easily access appropriate services in Canberra. I was pleased to be present at the announcement last year when this was first announced in Gungahlin and I am pleased to speak to this motion today in this place.

The new facility in Gungahlin is part of a larger effort to build a more financially sustainable system for cemeteries and crematoria in Canberra. All providers will share a single sub-trust in order to fund long-term maintenance, allowing more flexible access to funds. This will also allow the cemeteries and crematoria authority to cross-subsidise revenue between cemeteries and crematoria. This model has been successfully applied in Victoria, as well as internationally in England and Scotland. This model will also allow the ACT government to offer cremations at a market sensitive price, easing strain on Canberrans during these difficult times and using profit for greater public benefit. Planning is already in progress, and we expect the facility to be in operation by the end of 2020.

This bill provides access to vital services for many members of our community. The new framework, combined with the new crematorium to be built in Gungahlin, will allow all members of our community to say farewell to their loved one in a way that is in line with their beliefs, as well as provide all Canberrans with easier access to after-death care services within the territory.

MRS KIKKERT (Ginninderra) (4.46): In preparation for addressing this bill, the Canberra Liberals consulted widely with diverse religious communities across our territory. In doing so, we have spoken to both recognised faith leaders and everyday followers. We confirmed with members of the Muslim and Jewish faiths that cremation is not part of either tradition. We also consulted representatives from the Buddhist, Hindu, Sikh and Jain communities. We likewise discussed this matter with Sukyo Mahikari and Brahma Kumaris organisations. Of those faiths whose followers access cremation services, most expressed full satisfaction with the current provision of those services in Canberra.

Several recommendations for improvement were shared with us from the Hindu community. First, it is part of the Hindu practice that the eldest son or close relative of the deceased be the one to light the fire that consumes the body. In India and elsewhere where cremation involves funeral pyres, this is an actual fire. In Canberra, the process involves a button or a switch. We have heard that it would be desirable for kin to be allowed to initiate the actual cremation process in order to allow for the maintenance of this important tradition.

The second issue raised with us involves the number of family members and others who can currently participate in the final rites by being physically present in the place of cremation. It has been recommended that the space could be larger in order to accommodate more family and friends in these final rites. The final issue is about obtaining a departed family member's ashes. Ideally, this would happen within 24 hours. It appears that sometimes it has been taking longer. Speeding up this process would be welcome. Also, there is no provision to inter the ashes in running water. From my understanding, the government is looking into it.

In sharing this information with the Assembly, I wish to let members in the Assembly know that the multicultural community do not want to compete with the current crematorium. They are businesses themselves and know and understand this aspect. I thank those who have so generously and sensitively responded to my request for clarity. I am grateful for both the diversity and the vibrancy of the faiths and cultures that can be found in the ACT.

MS CHEYNE (Ginninderra) (4.50): I rise today to speak in support of the bill. On a broad level, as a member of the environment, transport and city services committee, which reviewed cemeteries and crematoria in the ACT some years ago, I am pleased to see that this bill addresses a considerable number of recommendations in the report and I commend the minister for the work done in this space.

Even though there were at least two opposition members on that committee, it is useful to note that it did recommend that a second crematorium be constructed as a high priority and that the management and the operation of any future cemeteries or crematoria, or any other interment facility, be performed by the ACT public cemeteries authority. That was a unanimous report, so perhaps opposition members can do further research on what they agree to.

The key reason I speak today is the considerable reform contained in this bill related to the management of cemeteries and crematoria. The opposition also seem to need to be schooled in why this is so incredibly important. I am genuinely surprised to hear opposition members say that they have not heard complaints about the crematorium, when in June last year, in question time, Mr Hanson asked the Minister for City Services:

In January the *Canberra Times* reported that you had instructed the city services directorate to investigate Norwood Park crematorium and the ACT cemeteries authority after a number of cremated ashes had gone missing. How can Canberrans be confident in laying their loved ones to rest in our city when their remains go missing?

That was a question from Mr Hanson. Minister Steel's response, apart from thanking Mr Hanson, was:

The regulator of cemeteries has been investigating the matter of the missing ashes at the privately owned Norwood crematorium. The report is currently being finalised in consultation with both Norwood Park and the affected families involved, and I look forward to the regulator releasing that report tomorrow.

And that report was then made public. As the Assembly should be aware, in late 2018 Mr Eddy Mol, through me, brought to the attention of this government and this Assembly that Norwood had lost his son Timothy's ashes. Eddy wanted to have his son's ashes returned to him so that he could scatter them with his late ex-wife's ashes. That had been her wish. But when he asked Norwood for them, Norwood told him they were not there.

It turned out that Norwood had moved an entire wall of children's ashes in the early 1990s. Norwood had written to some families explaining what it were doing, but

when some letters were returned to sender, given that many of the ashes that were interred were from the late 1970s, Norwood did not go to any further lengths to get in touch with families to let them know. Indeed, it seems that the moving of the wall has resulted in ashes being lost.

Eddy's courage—his absolute courage, and at a great personal cost to him—in speaking out resulted in more families coming forward, who revealed that Norwood had told them the same, that their children's ashes simply were not there. Thanks to Eddy speaking up, the attention that was gained and the audit review that resulted from the commissioning of city services, Norwood eventually undertook a proper search and, fortunately, was able to locate the ashes belonging to two other families.

They remain forever indebted to Eddy for speaking up so that this got attention and action, and so that Norwood was required to act, and did act, and they got the ashes back. But, regrettably, Timothy Mol's ashes are still missing. The continued loss of those ashes is, and I expect will remain, the biggest regret of my career, and I think about it most days. What did emerge is that Norwood had been and was still acting in a cavalier and dismissive way, from its communications with families to its record-keeping. I am happy to share with others the way in which Norwood had been writing to people.

Norwood failed the community. The audit report, which has been made public, is, in my view, disturbing reading. I have sent it to Ms Lawder in case she has not read it. For the benefit of the chamber, it found that there was risk that records within the Norwood Park database do not reflect actual holdings of interred ashes, and a risk of inconsistent treatment of the handling and management of ashes.

It found that there are “no documented policies, procedures or standard operating procedures that formally document the ashes management process and key points of control”. None. It further found:

Norwood Park's database was developed using Microsoft Access, a technology that is no longer supported by Microsoft, further this database has not been upgraded since 2011.

There is no mandatory requirement within the Norwood database to capture details of whether whole, part or no ashes were interred as part of a memorial.

That is disgraceful. The government needed to act, and it has acted. Considerable swathes of this bill are dedicated to reform in this space, resulting in much tougher regulation—not red tape, just doing the right thing by families—to ensure that there are minimum standards that must be maintained. The bill also ensures that lost ashes will never occur again—it never should have occurred—and that strong action can be taken in the future. The bill sets out a regulatory framework, including minimum standards on how facilities should operate, whilst also encouraging facilities to work to higher standards and continually improve their services.

Under this new framework all private facilities must be licensed. This licensing scheme is what will provide the government with a more accurate understanding of how facilities are operating and allow conditions to be imposed to ensure that

businesses are consistently meeting appropriate service standards. I do not want to have to put this into legislation, but we clearly have to. These provisions will provide Canberra with a best practice and effective mechanism for regulating cemeteries and crematoria.

A range of provisions also set out the minimum standards required for the operators. We have listened, and these standards are designed to meet the community's expectations. The bill incorporates existing code of practice requirements, such as keeping the facility clean and tidy, but also introduces a range of new standards. Of particular importance, which I hope has been driven home today, is the requirement to develop and keep standard operating procedures for a range of procedures, including exhuming human remains, transporting and moving human remains and resolving complaints. By having documented procedures, the community can be confident that matters will be handled uniformly and appropriately.

I am also pleased to note that the bill requires all standard operating procedures to be reviewed at least once every two years. This provision will encourage operators to regularly update their procedures to reflect changing community needs and ensure that they are up to date with industry best practice.

This bill is robust and amends a range of existing offences to make them stronger, clearer and more enforceable. It also identifies a gap in the current legislation and introduces new offences to help meet the expectations of the community in how cemeteries and crematoria are operated. This suite of offences ensures that the government, where necessary—and I really hope it is not—can take swift and appropriate action against operators who do the wrong thing.

The current act only requires records to be kept concerning burials, interments at the facility of ashes and cremations carried out. These requirements are expanded under the bill to ensure that an adequate breadth of information is captured. The bill requires all facilities to keep detailed records of all interments, including a unique identifying location number. These records must be kept permanently and in a secure system and in an easily accessible format to ensure that families can be confident about the status and location of their loved ones.

The bill also introduces a strict liability offence for licensees who fail to keep the specific minimum records and for licensees who do not keep the appropriate record in a secure ICT database. I am also pleased that the bill has provided clear requirements to operators on what actions they must take to close or transfer a facility. Under the act, there is no clear direction for what happens in these circumstances, creating uncertainty for both the community and the operators. The consultation process has made it clear that cemeteries and crematoria are of immense value to the Canberra community. They are important spaces for people to grieve, remember loved ones and reflect, and it is essential that they are appropriately protected and continue to be available and accessible to everyone in the community.

The bill provides specific provisions that, should an operator wish to close or transfer a facility, they must apply to the regulator to amend or cancel a licence. The regulator may only approve the application if they are satisfied that the facility has fulfilled its

obligations, including transferring all records to the new operator if ownership of the facility is changing, or to the ACT government if the facility is closing. They must also be satisfied that all pre-sold interment rights have been fulfilled or refunded. Through these provisions the public can be confident that records will not be lost, pre-sold services will be accommodated, or rights holders will be refunded, and transfers and closures will be conducted in a way which respects the seriousness and important nature of the services they provide.

What was revealed a little over a year ago should never have happened and it should never happen again. I really hope we are all in serious agreement about that in this place. But, as a result of what was revealed, as a result of Eddy Mol's courage in coming forward at great personal cost—I cannot impress more seriously in this chamber at what cost this has come to Eddy in his grief—we are going to make things better. The government has stepped up and developed significant regulatory reform to ensure that these critical services are always of the highest standard, the standard the community expects. I commend the 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) (5.02), in reply: Cemeteries and crematoria provide essential services for our community. They care for our loved ones after they pass, support families through times of great distress, and help people grieve and say goodbye to their loved ones. The government has an important role in providing these services through our three public cemeteries at Hall, Gungahlin and Woden, and the new public crematorium to be built in Gungahlin this year; and, importantly, as the regulator for the industry.

The Cemeteries and Crematoria Act 2003 is now more than 15 years old. The comprehensive review into the management of cemeteries in the ACT has revealed that it no longer reflects modern expectations or provides for all the needs of our diverse ACT community, and needs to be updated. The government have undertaken a review of cemeteries and crematoria in the ACT. We have, sadly, uncovered a number of issues in the area, including deficiencies in record keeping in the tragic case of lost ashes at the privately operated crematorium at Norwood Park. We also found that the diverse religious and cultural needs of our community were not being fully met.

In November I introduced the Cemeteries and Crematoria Bill into this Assembly to ensure that the ACT has a regulatory framework that will deliver financial sustainability, good governance and best practice facilities that will meet the needs of our community. Canberrans should be able to expect that their loved ones will be treated with dignity and care at all times. This bill introduces stronger regulation of cemeteries and crematoria to ensure that no ashes are lost again and that the facilities, public or private, operating in our city do so sensitively and responsibly.

I am incredible disappointed and surprised by the comments from the opposition, writing off this necessary regulatory intervention as red tape. I cannot believe that has been uttered in today's debate. I did not expect that today, given the circumstances

that have occurred over the past year that have been brought to light by Ms Cheyne and members of the community.

In 2017 the Standing Committee on Environment and Transport and City Services of this Assembly undertook an inquiry into the management of cemeteries in the ACT. This inquiry made 12 recommendations which recognised the need for a review of the current act. The bill before us today is a positive outcome in responding to the recommendations and has been developed in consultation with the community and key stakeholders.

Extensive engagements with the community since the inquiry have led to us considering this bill today. In late 2018 we ran a comprehensive community engagement process that included a survey which generated around 700 responses. Engagement also took place in the community in other ways, with information stalls in town centres and libraries, focus groups, and face-to-face meetings with a variety of religious and cultural groups in order to better understand their needs, including our ACT Multicultural Advisory Council and the Canberra Interfaith Forum.

Through this consultation process, I have listened to the community and taken their feedback seriously. These engagements highlighted that more than one in 10 people who have a religious or cultural need do not have it met by the services currently offered. Specifically, gaps were identified in relation to cremations for people of the Hindu, Sikh and Jain faiths. People from these faiths have had to travel Sydney in order to pay their respects and properly lay their loved ones to rest. This is a barrier no person should have to contend with in such a socially inclusive place as Canberra, especially during a time of grief and mourning.

I am committed to ensuring that all members of our community have access to services that meet their needs. Providing access to burial and cremation services that meet a person's needs is an essential part of supporting their human right to freedom of belief. Under the bill, it will be a requirement for all operators to have regard to the cultural and religious needs or preferences of the community when establishing, planning, improving and operating a facility. It also makes it an offence for operators to refuse any reasonable request made on the basis of religious or cultural need.

To complement these amendments, the government has recently committed to building the ACT's first public crematorium, and there will be a viewing facility. I do not appreciate the comments that were made by the opposition suggesting that there will not be. That is absolutely what we are looking at here for the crematorium at Gungahlin. We are currently going through the design process in consultation with the community to make sure that we are meeting their needs directly. We have members of our board who have those faiths and can contribute to that conversation.

The provisions of this bill will bring the ACT into line with contemporary values and best practice methods for regulating cemeteries and crematoria, and will ensure that all members of our community have access to appropriate services that meet their needs. I would like to take the opportunity to outline the major changes proposed in the bill. Firstly, the bill makes providing a financially sustainable model for managing cemeteries and crematoria and meeting the diverse needs of the community the key

objective. This means that our legislation is driven by the goal of providing long-term best practice services in a way that meets the expectations of the community.

The bill proposes a high-level framework for licensing cemeteries and crematoria to ensure that Canberra has facilities which meet a minimum level of standards while being encouraged to provide best practice services that meet expectations. The community expects that facilities will meet minimum expectations, and it is important that the government can act when things go wrong. The new licensing scheme supports this, with greater oversight of how facilities are operating. The bill significantly improves enforceability, with the introduction of an enforcement framework and a regulator to allow for swift and appropriate action where deficiencies have been identified.

Under the bill, the government may impose conditions on a licence or, in serious circumstances such as where an operator poses a danger to public health, may cancel or suspend a licence. Given the sensitivity and seriousness of the services the industry provides, we have proposed strong penalties to apply for any operator who is found to have failed to operate or comply with the requirements of their licence.

The bill prescribes a range of minimum operating requirements for facilities. These standards are designed to ensure that the community's needs are being met and that facilities are meeting best practice standards. These minimum standards include keeping the facility clean and tidy; creating, maintaining and reviewing standard operating procedures; and having regard to the cultural and religious needs and preferences of the community.

Of particular importance is the introduction of a strong framework for good record keeping. Under the act, there are only minimal record keeping requirements and no reporting requirements. The investigation into the case of the lost ashes found that though the record keeping complied with the necessary standards of the time, it did not sufficiently capture enough information to accurately understand what had occurred. I am determined that no other families will experience the pain and trauma of having their loved one's ashes lost.

Under this bill, all operators must keep records of all pre-sold interment sites; details of the individuals who have been interred, including the site and location of the interment on a map, including a unique identifying location number; and details of cremations, including a unique identifying number for the remains. These records must be kept permanently in a secure system and in an easily accessible format to ensure that families can be confident about the status and location of their deceased loved ones.

The regulatory system is not intended to be overly burdensome, and the impact on operators doing the right thing will be minimal. However, these amendments will ensure that the community can be confident that operators have the appropriate skills, knowledge and procedures to operate a cemetery or crematorium effectively and efficiently.

Additionally, I am pleased that the bill provides a strict framework for how cremated remains are to be handled by operators. Under the bill, cremated remains may only be disinterred at the request of the family or with the approval of the regulator. In considering an application to disinter cremated remains, the regulator must be satisfied that the remains will not be at risk of being mishandled or lost. This will ensure that there is oversight of any movement of cremated remains and that families can be confident about the location of any loved one's ashes.

The ACT public cemeteries authority, which manages Canberra's three public cemeteries, has proven to be an effective and successful operational model. Under the bill, the authority's model will remain largely unchanged, but it will be renamed the cemeteries and crematoria authority to reflect the new remit to operate facilities other than cemeteries, including the recently announced public crematorium.

Under the bill, I am pleased to clarify the authority's role and include a provision that will allow the relevant minister to appoint the authority for a strategic role at times that is needed, such as exploring future facility developments and providing ongoing insights into the evolving religious and cultural needs of the community. This will allow the government to harness the knowledge and expertise to provide better outcomes and benefits for the community.

A key element of the 2017 standing committee inquiry was a recommendation that the government consider the introduction of a renewable tenure scheme. This was a key topic in our 2018 engagement process. We have heard some strong views from the community on this, and that is why the government will not be introducing renewable tenure at this time. This means that all burials and interments of cremated remains in the ACT will continue to be in perpetuity.

Another critical component of the bill is the establishment of a financially sustainable model for managing cemeteries and crematoria. As all burials and interments are in perpetuity, there is an obligation to maintain our cemeteries and interment facilities forever. The current financial model establishes trusts that provide for long-term maintenance but restricts how funds can be used, with each facility managing its own independent trust, potentially leading to cemeteries being maintained to differing standards.

Under the bill, a more sustainable financial model is proposed which allows for a more productive and efficient flow of funds. Operators will no longer have to deposit funds for short-term maintenance into a trust each month, to then only draw on that trust within the same month to undertake the necessary maintenance. Rather, operators will be able to set aside funds for short-term maintenance without a trust. For long-term maintenance, a trust will be established that operators will be required to pay into yearly. For the authority, a single trust for all public facilities managed by the authority is proposed. Implementing a single trust for public facilities will bring the ACT into line with other Australian jurisdictions, including Victoria, and international approaches that are used in England and Scotland. The model also allows for more flexible use of funds; it is a proven method of effective governance and provides essential services without imposing a burden on taxpayers.

The provisions in this bill will strengthen and improve how our cemeteries and crematoria are managed in the ACT. Our community can be confident that there are services available that will meet their needs and that all people will be treated with respect and dignity under this law. 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.

Ms Pattie Tancred—retirement Statement by Speaker

MADAM SPEAKER: Members, before I give the minister the call to move the adjournment, I want to make some remarks about the retirement of the Assembly's Editor of Debates, as today is the last sitting day on which she will be working for the Assembly, and her last working day will be tomorrow.

Pattie Tancred commenced working in the Assembly in 2004—before most of us were here, I would imagine. Although she did leave the Assembly on two occasions, accompanying her husband on overseas postings, she has heard many words spoken in the Assembly, along with all of the interjections—Pattie, you are a brave woman—committee hearings, and more than a few unparliamentary words. Readers of the internal publication of the Assembly, *Assembly Matters*, also know her as the Word Fairy, a logophile or a lover of words, who has enjoyed testing us all with sesquipedalia or very long words indeed.

Having been born in Queensland, Pattie is retiring back to Queensland to escape the Canberra cold. On behalf of all members, I would like to thank her for her work in the Hansard booth behind us over many years, making our speeches read far better than when we delivered them here in the chamber. I wish her all the best in her retirement. I am sure you would agree.

Members: Hear, hear!

Adjournment

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

That the Assembly do now adjourn.

Multicultural affairs—Jewish primary school

MRS KIKKERT (Ginninderra) (5.16): On many occasions I have spoken about the importance of maintaining and preserving culture. Research on this point is very clear:

people who have a strong sense of identity and a connection with their heritage tend to be more resilient. I have also spoken on many occasions about the importance of strong community networks. Belonging to a vibrant and supportive community provides both children and adults with security, stability and an important sense of belonging and purpose.

It is in this context that I rise today to publicly congratulate Chabad ACT on the opening this week of Canberra's first Jewish primary school. I know that this is the fulfilment of a dream long held by Rabbi Shmueli and Rebbetzin Chasia Feldman. The Feldmans and Canberra's entire Chabad community have done far more than just dream, however. Now the tangible outcome of their hard work, passion and prayer means they are ready to begin instructing their first students.

Chabad ACT already operates a well-regarded preschool and childcare centre, Gan Yisroel, and the Canberra Jewish school is a natural extension of the community's desire to provide quality educational opportunities for followers of the Jewish faith here in Canberra.

Instruction in the school will focus not just on academic skills but also on values that will help children to make better choices throughout their lives. These include resilience, confidence, honesty, love, kindness, good social skills, self-discipline, and a love of learning and inner joy.

This will all be accomplished within what the Canberra Jewish school refers to as a "Torah environment". The inclusion of Jewish teachings, celebrations and practices, along with instruction in the Hebrew language, will do much to maintain and preserve Jewish culture here in the nation's wonderfully diverse capital. As students come to better understand their unique culture and religious heritage, they will develop the kinds of rich identities that we know help to protect and fortify children and young people. This is a tremendous gift to this young generation of Jewish Australians.

I warmly welcome the Canberra Jewish school to the ACT's education landscape. It takes its place alongside an array of other schools that embed the teaching of the Australian national curriculum within frameworks of culture, faith, language and tradition, serving the needs of diverse communities.

I express my very best wishes to Rebbetzin Feldman, who will serve as the first principal of the Canberra Jewish school. The opening of the facility has required tremendous labour, and no doubt the development and progress of the school will require the same. I likewise express my best wishes to the students who have started or will start this year, their families and all school staff. I congratulate the entire community on this significant development.

Cemeteries and Crematoria Bill 2019

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) (5.20): I table the revised explanatory statement for the Cemeteries and Crematoria Bill 2019.

Mr Hugh McClure—tribute

MS J BURCH (Brindabella) (5.20): I wish the Editor of Debates well in her retirement. I also want to say farewell to Hugh McClure, who has been with my office for two years as a valued adviser and team member with a very kind and quirky personality. He is leaving the position to take up a great opportunity that will further his career. He will no doubt keep an active eye on ACT politics as the coming weeks and months ensue. I wish him well. To finish off by using his own pitch for when he was seeking to be school captain: woo Hugh!

Industrial relations—penalty rates

MS CODY (Murrumbidgee) (5.21): Tonight I rise to highlight the excellent work done on behalf of all hairdressers and beauty workers over the summer by their union, Hair Stylists Australia. In the culmination of a long campaign, Hair Stylists Australia have defeated attempts by the bosses' cartel to reduce penalty rates on a Sunday from 200 per cent to 150 per cent and from 250 per cent to 225 per cent on public holidays, effectively keeping penalty rates for Sundays and public holidays for all hairdressers and beauty industry workers.

This reduction in penalty rates is for people who do four years worth of training. That is a longer course than many accountants, journalists, financial planners and other professions have to do. In comparison to those trades, hairdressers are paid appallingly. Back in the day, as I am sure many of you in this place have heard me say before, when I was a young apprentice hairdresser I earned \$3.22 an hour for the whole first year of my apprenticeship.

You would hope that with the passage of time things would have got better. But in preparing this speech I looked up the starting junior apprenticeship award rate, which is now \$11.35 an hour—that is, \$431 a week. For those apprentices, an eight-hour Sunday shift is worth 90 bucks, give or take. That is about a 20 per cent difference in their pay. For a member of the Legislative Assembly, the equivalent pay difference would be around \$680 a week.

For my mates who are still in the trade, that is a fair bit of coin. So congratulations to Hair Stylists Australia and a special thanks to the Australian Workers Union for all the support that you have provided. This is a fantastic story of protecting workers rights. I would be really grateful if we could tell this sort of story more often in this place. Unfortunately, we cannot.

Mr Rodney Frazer—tribute

MRS DUNNE (Ginninderra) (5.23): I would like to take this opportunity to honour the memory of Rodney Leonard Frazer, Rod to his friends. Rod died on 6 February at the age of 84. As many would know, Rod was a proud descendant of the First Fleet, an active member of the board of the Southern Cross Club for many years and served on the board of ArtSound FM when the Southern Cross Club was a major sponsor.

Rod also was very actively involved in Karinya House, and it is fitting that his family asked for donations to Karinya in lieu of flowers at his funeral.

He was the devoted husband of Ruth for 61 years and the admired and much-loved father of Claire and Ray, Scot and Cheryl, Mark and Melissa, Sarah and Michael, and Anne, and also a proud grandfather to their children. He was the youngest sibling of a large family, and last to pass away. He was the brother of Esmerelda, Jean, Audrey, Russell, William, Leslie, Lorna and Nancye.

As an indication of how much Rod was valued in our community, there is no way that it could be better expressed than in the warm and heartfelt tribute paid to him by Karinya House:

We celebrate the generous life of a beautiful man.

Rod Frazer has been a stalwart of the Karinya family since before its establishment, initially through his longstanding and key role at the Canberra Southern Cross Club. Rod has been a very dear and long-term friend of our Executive Director, Marie-Louise, and Finance and Business Manager, Jo, often providing wise counsel, particularly whilst serving on the Karinya Committee from 2011 through to 2018. Even in recent times when Marie-Louise visited Rod, his care and wise counsel was evident, still enquiring as to what he could do to assist.

Rod's keen sense of humour, dry and gentle wit, was welcome on many occasions, as he provided direction and advice. Always a Volunteer, providing back up Committee on call and respite support, along with daughter Claire, also a Karinya Volunteer. Rod's life has been an exemplar of care and service and his family are testament to this.

We send our thoughts and love to Rod's beautiful life-long partner, his wife Ruth [and their family]. Members of this beautiful family have often celebrated with the Karinya family at our annual Gala Dinner and they are like family to us.

It is always sad to lose a friend and a valued member of our community. But we have to celebrate their legacy and ensure that people like Rod Frazer's legacy will be a very long one and live in our memory. I send my heartfelt, warmest best wishes and sincere condolences to all of Rod's family.

Mental health—depression

MS CHEYNE (Ginninderra) (5.27): Some of you may recall a very sad speech I gave around this time last year. On 1 February, it marked one year since David Finney died. As I said at the time, Dave was proud of his military service and he also spoke honestly and candidly about the costs and sacrifices of serving. His medals were not free.

At the time I said that Dave's story was not over, and that has proven absolutely to be true, not least through the work of his mother, Julie-Ann. Since David's death, Julie-Ann has been campaigning tirelessly and fearlessly for a royal commission into veteran suicide. I have been very pleased to continue to be in contact with Julie-Ann

through—journey is not the right word, but it has been a journey of sorts and we have maintained regular contact.

I was the very first politician that Julie-Ann ever spoke to—and I think had ever spoken to; certainly, the first one after Dave’s death. Since then she has met and argued the case with state and territory and federal politicians over and over again. I have to say, Madam Speaker, that she really is the most determined person I have ever met. You would be hard pressed not to have seen her in some piece of media over the last year. Indeed, the *Daily Telegraph* has taken up her plight with the “Save our heroes” campaign.

She has had an audience with the Prime Minister—more than most people could say they have had, probably having only ever seen him on TV. Earlier this month the Prime Minister announced an ongoing commission into veteran suicide starting immediately. When this first came out, it sounded like a very good idea and that it would have extraordinary powers. It certainly seemed to be the culmination of an incredible amount of campaigning by Julie-Ann. On that note, I will say that she has a petition that has 287,000 signatories to it. That shows how widely resonant that is through this community.

It has emerged that there seems to be very little detail available about what this ongoing commission will look like. For that reason Julie-Ann is still calling for a royal commission. I absolutely support her endeavours in that area. Without these answers, how can we move forward and better support our veterans? She has done an incredible job in continuing to campaign and continuing to try to get answers from the Prime Minister about exactly what this will look like. I think I can speak for many of us when I say that we are right there, beside her.

This week is particularly noteworthy because just a few days ago it would have been Dave’s 40th birthday. Many of us are gathering at the Old Canberra Inn on Saturday night to have a birthday party for Dave. He was an absolute larrikin, by all accounts, and loved to party, loved to drink and loved to laugh. I think that is what the night will be about. In addition to remembering Dave, it will also be a chance to raise money for the charities that he held very dear: Menslink and Camp Quality. I wanted to give the Assembly an update on Dave’s story, because it is not over.

Multicultural affairs—mother languages

MR COE (Yerrabi—Leader of the Opposition) (5.31): I rise to recognise the significance of 21 February as Language Movement Day, a day which is also known as International Mother Language Day around the world. Language forms an integral part of an individual’s identity. Not only does language let us connect with each other but it allows us to connect with our culture and our heritage.

Ahead of this week’s Multicultural Festival, it is important to recognise the value of preserving the languages used by people around the world. Canberra has a diverse population, and the Multicultural Festival is a magnificent display of all the different cultures that make up our community. As joyous as the celebration is, we should not

forget the sacrifices people have made to ensure the continuation of their language, their culture and their heritage.

Language Movement Day represents sacrifices made by the people of Bangladesh to secure respect for their mother tongue, Bengali. The Bangladeshi people staged many protests throughout the late 1940s and into the early 1950s to defend their language and culture. This fight for recognition escalated on 21 February 1952, when a number of student activists were killed by police during protests. Their deaths spurred the movement on, and in 1956 the constitution of Pakistan was amended to include Bengali as an official language. This change can be attributed to the determination of the Bangladeshi people to continually highlight the importance of language to their culture, heritage and way of life.

It was the passion of the Bangladeshi people that made UNESCO choose 21 February as International Mother Language Day. Coincidentally, in 2020 this day also happens to be the start of the Multicultural Festival in Canberra. Currently, there are over 170 different languages spoken throughout the ACT. The 2016 census showed that around one in four Canberrans speak a language other than English at home. With each passing year our society is growing more multilingual and the assortment of languages is increasing.

The ability to learn and speak a different language provides great benefits to individuals. Studies have shown the individual benefits to include better problem-solving skills, increased focus and concentration, and even delaying the onset of conditions such as dementia. Not only does multilingualism provide personal benefits but also it offers economic and cultural benefits to society.

I would like to recognise in particular the ACT Community Language Schools Association and thank them for all their hard work in growing, promoting and supporting language education in the territory. As a peak body, the association is currently affiliated with one playgroup and 51 schools, covering 39 different languages. These playgroups and schools have 405 teachers, and a total of 2,733 students in the territory, with 2,126 of those students funded in 2019.

I would like to thank the committee members of the ACT Community Language Schools Association for their excellent work in fostering language education: the president, Dr Fuxin Li; the vice-president, Ms Tanya Butler; the secretary, Mr Rohan Weliwita; the treasurer, Ms Jinfang Tian; and committee members Ms Galina Amelina, Mr Santosh Gupta and Ms Priya Jeevaranjan.

Canberra is fortunate to have a large number of community language schools, all staffed by talented and passionate individuals. These schools have dedicated and tireless teachers, many working full time and volunteering to teach in the evenings and on weekends to share their knowledge with the community.

Language and culture are intrinsically linked. Language is a touchstone that binds people together. We have an energetic multicultural community in Canberra, and many migrants are passionate about preserving their heritage and leaving a legacy for the next generation.

The Canberra Liberals recognise the integral role that language plays in the lives and identity of multicultural Canberrans. This is why a Canberra Liberals government will expand language education in ACT public schools by working with community groups and other organisations to maximise skills, provide scholarships, attract language experts and native speakers into teaching, audit languages currently taught, and support all students in the progress of learning additional languages. We are committed to ensuring that the multicultural community in Canberra receive the support that they deserve. Canberra is a great place to live and we are so fortunate to have such a multicultural city.

Question resolved in the affirmative.

The Assembly adjourned at 5.37 pm until Thursday, 2 April 2020, at 10 am.

Answers to questions

Mental health—suicide prevention (Question No 2844)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) What are the nine key strategies of ACT LifeSpan that are shown to reduce suicide.
- (2) What is the single approach that incorporates those strategies and (a) how and (b) by whom, in the community leads this single approach.
- (3) What governance structures are in place to manage ACT LifeSpan.
- (4) How many people attended each of the three suicide-prevention collaborative groups and how many of them were (a) individuals, (b) representing non-government organisations and (c) government agencies.
- (5) What was discovered from the collaborative groups referred to in part (4).
- (6) What changes were made to policies and services as a result of those discoveries referred to in part (5).
- (7) In quantifiable terms, what efficiencies were achieved in service delivery.
- (8) When were the engagement activities held, which attracted more than 250 participants and what was discovered from these engagement activities.
- (9) What changes were made to LifeSpan's offerings as a result of the engagement activities referred to in part (8).

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

- (1) The Black Dog Institute's (BDI) Lifespan Suicide Prevention Framework's is composed of nine evidence based strategies which have been shown to reduce suicide. These nine Lifespan strategies are:
 1. Improving emergency and follow-up care for suicidal crisis;
 2. Using evidence-based treatment for suicidality;
 3. Equipping primary care to identify and support people in distress;
 4. Improving the competency and confidence of frontline workers to deal with suicidal crisis;
 5. Training the community to recognise and respond to suicidality;
 6. Promoting help-seeking, mental health, and resilience in schools;
 7. Engaging the community and providing opportunities to be part of the change;
 8. Encouraging safe and purposeful media reporting; and
 9. Improving safety and reducing access to means of suicide.
- (2) The single approach that leads these strategies is the BDI's Lifespan Integrated Suicide Prevention Framework, which is being implemented by ACT Health in partnership with the BDI and Capital Health Network (CHN) as a high-fidelity research trial through funding of \$1,545 million over 3 years provided in the 2018/19 ACT Government Budget.

- a. LifeSpan combines nine strategies that have strong evidence for suicide prevention into one community-led approach. LifeSpan is about working together, implementing proven approaches to suicide prevention, and helping people in the local community to be better informed and connected. The Lifespan Integrated Suicide Prevention framework provides the model for integration of the nine strategies under the Lifespan model, drawing together the strategies into Community, Health, Schools, and data driven decision making.
 - b. The Office for Mental Health and Wellbeing leads and coordinates ACT Lifespan in partnership with BDI and CHN, with an Implementation Manager and an Aboriginal and Torres Strait Islander Project Officer sitting with the office under the stewardship of the Coordinator General for Mental Health and Wellbeing.
- (3) There is an ACT Lifespan Steering Committee and Working Groups to progress the nine Lifespan strategies. The Steering Committee is chaired by the Coordinator General for Mental Health and Wellbeing. The Working Groups of ACT Lifespan focus on suicide prevention strategies for Schools, health settings, community, Aboriginal and Torres Strait Islanders, and the provision of accurate and timely data on suicide deaths and attempts in the ACT. The Chairs of the Working Groups are members of the ACT Lifespan Steering Committee.
- (4) Three Suicide Prevention Collaborative (SPC) Meetings have been held in November 2018, March 2019, and June 2019. The purpose of the SPCs is to provide an opportunity for members of the community to network, to share information and discuss matters relating to suicide prevention in the ACT. The ACT Lifespan SPCs are open to the Canberra community and those with an interest in suicide prevention are encouraged to attend. The themes of the first three SPCs have been an introduction to ACT Lifespan, Lived Experience of Suicide and Suicide Data Provision. These meetings were held at The Canberra Hospital, the Griffin Centre, and ANU respectively.

Comprehensive SPC attendee profiles and attendance records for the SPCs are not documented. Each of the three SPC meetings have been well attended with approximately 120 individuals representing over 20 organisations. Agencies represented included the Australian Federal Police, the Mental Health Consumer Network, Ambulance Service, the Mental Health Community Coalition, MHJHADS, ACT Education, Carers ACT, Catholic Education, MIEACT, BDI, headspace, Calvary Hospital, Woden Community Service, University of Canberra, Winnunga Nimmityjah Aboriginal Service, Gungan Gulwan, Catholic Education Office, Association of Independent Schools, Healthier Work and the CHN.

- (5) The BDI's Lifespan is an evidence based suicide prevention framework. As the ACT is a high fidelity research site it is essential that the scientific integrity of the framework is maintained during its implementation. The three SPCs have confirmed several key implementation priorities and identified some exciting opportunities for collaboration:
- a. It is vital to include the voice of people with lived experience of suicide in the strategic approaches and programs under ACT Lifespan so that all governance groups and approaches under ACT Lifespan are benefiting from the experience of individuals and organisations with personal experience of suicide.
 - b. There is a strong need for a more integrated approach to suicide prevention in the ACT bringing together all the key stakeholders to improve communication and

collaboration and better supporting clinical and emergency services including aftercare to work together more effectively to reduce suicide attempts and deaths.

- c. There is an opportunity to improve data provision on suicide deaths and attempts in the ACT, including the best available demographic and geographical information, so that the most accurate and timely information is available to inform planning and effectively target services. This will involve better collaboration between data providers such as BDI ACT Health, ANU and national agencies such as the ABS and the Australian Institute of Health and Welfare, to provide improved and comprehensive information from all available data sources.

(6) The learnings from the Suicide Prevention Collaboratives have informed the following:

- a. ACT Health has provided input into the development of a National Suicide Prevention Strategy through the MHPC via AHMAC, to ensure that, Australia-wide, there is improved coordination and strategic direction for suicide prevention services, which can contribute to the strategic directions for suicide prevention activity in the ACT;
- b. Locally, activities under ACT Lifespan form the major suicide prevention component of the ACT Mental Health and Suicide Prevention Plan, with the nine strategies under ACT Lifespan fully integrated into the plan;
- c. Roll out of the Question, Persuade, Refer (QPR) free online suicide prevention training to the ACT community, in collaboration with CHN;
- d. Lived experience representative input has been strengthened across all suicide prevention services and policies supported under ACT Lifespan.

(7) In quantifiable terms, efficiencies achieved in service delivery which have been supported through ACT Lifespan include:

- a. Moving from a pilot to the ongoing provision of the Way Back Service to provide aftercare services following a suicide attempt in the ACT, in collaboration with Woden Community Service and CHN, and receiving 191 referrals to date in 2019;
- b. The introduction of a suicide prevention program for all ACT high schools through YAM, which will be rolled out to all year 9 students in 2020/21 with ACT Education.
- c. The provision of the latest evidence-informed training for people in the ACT with an identified role in suicide prevention, including clinical staff, community workers, emergency service workers, mental health professionals, and the broader ACT community, through programs such as QPR (over 600 have now completed training), CAMS (over 40 have now completed training), Advanced Training in Suicide Prevention (over 30 have now completed training), and ASIST training, which is being rolled out by Lifeline, ACT Health and Ozhelp.

(8) ACT Lifespan community engagement activities have included:

- a. Three Suicide Prevention Collaborative meetings which have been held to date, involving around 120 individuals and over 30 ACT organisations;
- b. Development of working groups for ACT Lifespan, with broad representation from over 20 organisations and individuals to engage with and consult community members with Lifespan activities and initiatives;

- c. ACT Lifespan joined over 80 local organisations to share about mental health at the Mental Health Month Expos in 2018 and 2019;
 - d. Launches of ACT Lifespan (November 2018) and YAM (October 2019) with broad media coverage from key agencies;
 - e. Promotion of QPR training to the ACT community; and
 - f. Promotion of RUOK? Day (September 2018 and September 2019) across the ACT in collaboration with the RUOK? National team and BDI.
- (9) These community engagement activities have informed the local implementation of the ACT Lifespan and its strategies including:
- a. Modification of the governance models for ACT Lifespan to ensure the inclusion of all key stakeholders on the Steering Committee and Working Groups for ACT Lifespan;
 - b. The introduction of an Aboriginal and Torres Strait Islander Project Officer for ACT Lifespan;
 - c. The establishment of Suicide Prevention Officer roles in Canberra Health Services and ACT Education to support the roll out of relevant strategies under ACT Lifespan in health and education settings;
 - d. The building of stronger partnerships with key agencies such as ACT Education and MIEACT to support the roll out of the component strategies of ACT Lifespan;
 - e. An improved partnership with the CHN to provide a unified approach to suicide prevention in the ACT;
 - f. Stronger links with the ACT media and the provision of Mindframe training to ensure safe and effective reporting of suicide deaths in the ACT with better coordinated and streamlined communication after a death has occurred; and
 - g. Stronger partnerships with agencies such as Headspace which provides suicide aftercare and postvention in the ACT school setting, to ensure a collaborative approach is adopted and that adequate consultation occurs with ACT Education, Catholic Education and the Association of Independent Schools.

Mental health—services (Question No 2845)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) Were all supported recommendations of the ACT Auditor-General's Report, Mental Health Services – Transition from Acute Care – Report No.6/2017, implemented within the timeframes indicated in the Government's responses; if no (a) why, (b) when will they be and (c) which ones remain to be implemented.
- (2) Are mental health care services now fully standardised across the ACT; if no, (a) why, (b) when will they be and (c) which service areas are not standardised.
- (3) In quantifiable terms, (a) what benefits have these changes brought to consumers of mental health services and (b) to what extent have these changes created efficiencies in the ACT's mental health system.

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

- (1) All seven recommendations were completed by the timeframe outlined in the Government Response.
- (2) With respect to standardisation of mental health services in the ACT, it should first be noted that all mental health services require accreditation against specific health care standards. In the case of those mental health services provided by Canberra Health Services, these are accredited against the National Safety and Quality Health Service Standards (NSQHS). These Standards are designed not only to protect the public from harm and improve health service provision, but also provide 'a nationally consistent statement regarding the level of care consumers can expect from health services'. (reference Australian Commission on Safety and Quality in Health Care; ACSQHC)

Furthermore, the ACSQHC developed a 2nd edition of the NSQHS which incorporates a more 'robust framework for safety and quality in mental health services in public and private hospitals, and community services provided by local health networks.' It is against these Standards which Canberra Health Services and its mental health services will be assessed against in 2020.

Additionally, mental health service provision is also aligned with the National Standards for Mental Health Services and other key frameworks, strategies and plans such as the National Framework for Recovery-orient Mental Health Services Recovery and Fifth National Mental Health and Suicide Prevention Plan. This occurs through, but not limited to:

- (a) the development of policies, procedures and protocols for existing services;
- (b) the implementation of new services including infrastructure projects;
- (c) and changes to service models of care;

At a broader service system level, one could suggest that by meeting these Standards (and aligning with key frameworks, plans and strategies) that these mental health services are standardised. However, it should also be considered that there may be individual mental health service areas which purposely operate different from one another in certain facets. For example, there may be assessment tools and interventions which are quite specific to certain populations and groups and so it is neither feasible nor clinically indicated to completely standardise such processes at a more local level. For example, within CHS mental health services there are different forms of Recovery Plan documentation which are used for children and adolescents compared with adults when providing for collaborative care planning. However, the overarching principles of Recovery are still embedded in both documents.

- (3) It is difficult to quantify the benefits for consumers or system efficiencies that have come from completion of the Recommendations of the Auditor-General Report because these have not been specifically evaluated and measuring such changes would also be confounded by other system and process changes that have occurred independently of these recommendations and may have potentially impacted on service delivery.

**Mental health—paramedic training
(Question No 2846)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019 (*redirected to the Minister for Police and Emergency Services*):

- (1) What training was provided to ambulance paramedics (a) in the lead-up to 1 March 2016 and (b) after that date, when the Mental Health Act 2015 enabled authorised ambulance paramedics to undertake emergency apprehensions.
- (2) What ongoing (a) training is provided to and (b) accreditation assessments are made of, authorised ambulance paramedics.

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

- (1)
 - (a) All paramedics employed by the ACT Ambulance Service (ACTAS) completed a one day face to face mental health education session in the lead-up to March 2016. This was focussed specifically on the new requirements of the *Mental Health Act 2015*. It was conducted by a nationally recognised mental health educator, Mr Len Kanowski.
 - (b) Since March 2016, all new paramedics inducted into ACTAS have been provided training in the application of the *Mental Health Act 2015*.
- (2)
 - (a) Ongoing training since March 2016 has been directed towards reminding paramedics of the relevant sections of the *Mental Health Act 2015*.
 - (b) Accreditation is not required of authorised paramedics in relation to the application of the *Mental Health Act 2015*.

**Mental health—youth services
(Question No 2847)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) In responding to Recommendation 12 of the Select Committee on Estimates 2017-18 Report, what is the status of the work to review access to youth mental health services to ensure timely access and continuing support.
- (2) What mental health services, programs and referral pathways for children and young people have been identified in the review.
- (3) What work has been done to consolidate those pathways into a single, easily navigable resource that is accessible by young people.

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

- (1) ACT Health Directorate (ACTHD) has undertaken a mapping exercise to identify the services for youth in relation to mental health and wellbeing. This work has informed the review of children and young people within the Office for Mental Health and Wellbeing. The findings of this review including recommendations to support children and young people will be made available early 2020.
 - (2) ACTHD in partnership with the Education Directorate developed a Mental Health Programs, Services, and Referral Pathways for Children and Young People in the ACT. This document was designed to assist ACT Schools understand the referral pathways for children in relation to their mental health and wellbeing. This document is currently not available for the public at this point in time as it was designed to support the school wellbeing teams.
 - (3) The Office for Mental Health and Wellbeing is currently undertaking a project to develop an online youth navigation portal that will support young people and their families to navigate the mental health services available. This was a recommendation from the Youth Advisory Council in 2018. This project received Commonwealth funding, and it's in the early project planning stage.
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Mental health—resources (Question No 2848)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) In the context of significant increases in emergency apprehensions, ED3 emergency detentions, and ED11 extensions during 2014-15 to 2018-19, what have been the percentage increases in mental health infrastructure and resources, including human resources, to meet the increased demand over that five-year period.
- (2) If infrastructure and resourcing has increased, why is it still operating near, at, or over capacity.
- (3) What innovative care strategies is the Government considering for future mental health treatment and care.
- (4) Why has the Government allowed the situation to develop that moves the Royal Australian and New Zealand College of Psychiatrists to issue a public warning (reference Canberra Times 6 November 2019) that the ACT's mental health system is "moving closer and closer to crisis point".
- (5) Are mental health staff regularly denied annual and study leave; if so, why.
- (6) What strategies are in place to actively promote and facilitate mental health staff achieving a good work-life balance; if none, why.
- (7) What problems has the College drawn to the Government's attention in the past three years and what has the Government done to address them.
- (8) What is the Government doing to alleviate what the College describes as a "disengagement between administrators and the realities of clinical service" as well as "excessive regulation which is hindering psychiatrists' ability to do their jobs".

- (9) What is the current ratio of mental health beds, including acute and community-based beds, per 100 000 population in the ACT.
- (10) What is the government doing to bring that figure up to the ratio of 41 beds per 100 000 population that the College believes is appropriate.

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

- (1) Canberra Health Services is unable to quantify a percentage increase in infrastructure or human resources. However, since 2014 funding has been received for an additional five low dependency beds (35 to 40 beds) at the Adult Mental Health Unit (AMHU), with an approximately an additional 14 FTE.

A number of strategies have been introduced including:

- Patient Flow Coordinator
This role has provided increased visibility of bed capacity across the system (including Calvary) and supported a proactive approach to increasing movement of patients. This includes twice daily bed capacity reporting including all inpatient units and identification of patients suitable to be cared for in other settings. This enables creation of capacity for High Dependency Unit (HDU) beds in particular.
- Dedicated Consultant Psychiatrist in Emergency Department
Traditionally the ED interface has been managed by a registrar with support from consultants from the Consultation Liaison Service and AMHU. A dedicated consultant has been allocated full time (business hours Monday to Friday) to enable timely assessment and planning for people presenting with mental health conditions. This has enabled better relationships with the ED consultants.
- Cross Directorate Forum with Justice and Community Safety Directorate (JACS) including Emergency Services
Regular meetings have been established to identify and progress issues impacting across services with an aim to streamlining processes which impact both emergency services and the ED. Working with Emergency Services will provide the opportunity to review the current processes for transfer to ED under an Emergency Action (EA). The development of the PACER model will also assist in addressing this situation.
- Consideration of alternative approaches to S309 assessment
In collaboration with the Chief Psychiatrist, alternative approaches will be investigated including the feasibility of undertaking these assessments at the Court rather than transferring to Canberra Hospital ED for assessment. Approximately 50 per cent of people referred for a S309 Assessment do not require admission.
- Creation of a four-bed area within ward 7B
Ward 7B at Canberra Hospital is a medical ward which often accommodates patients with physical health conditions and concurrent mental illness. These physical problems are often associated with their mental illness (e.g. suicide attempts or eating disorders). There is a four-bed pod within the ward that has been identified as suitable and used intermittently for "surge" capacity for mental health patients. A risk assessment has been undertaken to ensure the environment is deemed safe and ligature risks minimised.

Despite the above strategies, management of some individual patients remains difficult, particularly in relation to those requiring seclusion and sedation in the Emergency Department. This creates challenges for their safe transfer to the HDU in AMHU. For example, when patients are particularly aggressive and require significant

amounts of sedation to manage their aggression, their transfer to the AMHU requires medical supervision by an ED physician and transport by ACT Ambulance Service, rather than by routine CHS transport. The services are working together on a plan to manage these people including consideration of individual management plans for known high risk individuals.

Significant work has also been undertaken in the Adult Community Mental Health Services area to refocus on hospital diversion and intensive home care.

- (2) Canberra Hospital Emergency Department (ED) is the only gazetted ED in the ACT and therefore must accept and assess all consumers who present to the ED under the Mental Health Act either under an Emergency Action (EA) or a S309 referred from the Courts.

There has been a 137 per cent increase in mental health presentations to the Emergency Department (ED) at the Canberra Hospital then was reported in 2014-15.

- (3) A collaborative piece of work is underway which involves Canberra Health Services, Calvary Public Hospital Bruce and the ACT Health Directorate to focus on the enhancement of the mental health services in ACT, integrating acute, rehabilitation and community services as the ACT continues to be an increasingly contemporary mental health service.

A new Model of Care for Community Mental Health is almost approaching one year of a staged roll out of services. This has included the development and implementation of the Home Assessment and Rapid Response Team (HARRT). This provides more intensive home-based services for people experiencing acute mental health difficulties. In addition, the ACT is committed to trialling the PACER model in which there will be more assertive responses to people experiencing mental health crises by bringing together a joint response, as needed, by mental health, ambulance and police services.

- (4) This is not a view shared by all local Fellows. There are undoubtedly challenges facing mental health services, both locally and nationally, including in particular increased demand for services, increased acuity of presentations, as well as work force pressures. These issues are not unique to Canberra, but it is recognised that the last couple of years have had particular challenges, especially with regard to medical workforce, which we are actively seeking to address.
- (5) Canberra Health Services is not aware of any annual or study leave regularly been refused. Staff have been asked at program level to discuss with each other plans for leave in order to ensure that services are covered.
- (6) Canberra Health Services recognise the family and other personal commitments of all its employees. Staff are encouraged to regularly take annual leave, rostered days off (RDO) and use flex time. As per the Enterprise Bargaining Agreements staff can apply for flexible working hours and reduce hours.
- (7) The College wrote to the Chief Minister in October 2019 urging the Government to look at three key areas:
- Workforce, recruitment and retention of psychiatrists;
 - Mental Health Care in Emergency Departments; and
 - Further funding for acute and non-acute beds.

Workforce, recruitment and retention of psychiatrists

Recruitment for senior medical staff has been a priority. There have been challenges with recruiting permanent staff at Adult Mental Health Unit (AMHU). However, there has been no circumstance at all in which there has only been one staff specialist working at AMHU in routine business hours. The usual staffing ratio is to have one Clinical Director, four Staff Specialists, and four Registrars with additional support from Resident Medical Officers. For most of the last twelve months two of the staff specialists have been permanently appointed staff and two locums. These locums have usually been longer term, staying over several months.

The Clinical Director, a locum, has been consistent since the start of 2019. A substantive appointment to that post has been made and the person will take up the post in February 2020.

In terms of other recruitment and retention in 2019, I can advise that one Clinical Director and one older person's psychiatrist who commenced in August 2018 decided for personal reasons that they would not remain in Canberra. There have been no other resignations or significant reductions in working hours. We have successfully recruited two substantive Clinical Directors – one in post and one due to take up post in February 2020. We have also recruited 1 FTE general adult psychiatrist, 1.8 FTE CAMHS psychiatrists, and 1 FTE CMO (all permanent and in post). We have also appointed an interim Clinical Director for ECT who will continue for a further twelve months and who has been pivotal in providing training and support for increasing the number of people on the ECT Roster. In addition, we have recruited 1 FTE older person's psychiatrist who is due to take up post in February/March 2020 (pending finalising RANZCP requirements as well as Certificate in Older Person's Psychiatry).

Mental Health Care in Emergency Department

It is acknowledged that the on call demands of medical staff has increased. Data shows that there has been a 137 per cent increase since 2014-15 in the number of presentations to the ED. It is also noted that there has been a significant increase in the number of people brought into ED under the emergency provisions of the Mental Health Act 2015, with an increase in the acuity of presentations. It has been demonstrated that activity on weekends and weeknights has increased although weeknights can be variable. Anecdotally this activity is believed to be comparable to other specialities where staff are frequently in the hospital for extended hours over the weekend as well as in the evening, reviewing patients, including the facilitation of ward rounds, and managing on going care as well as facilitating discharges. We would note that the frequency of the staff specialist on-call roster for psychiatry is far less onerous than for other areas of our Division (Alcohol and Drug Services, and Justice Health Services) as well as most other specialties (e.g. surgery, medicine, oncology).

Further funding for acute and non-acute beds

Currently under development is:

- Acute beds
 - Adolescent Mental Health Unit (AdMHU) (six-eight beds) and Adolescent Mental Health Day Service (AMHDS)
- Sub-acute beds
 - Step Up Step Down (SUSD) (six beds);
 - Supported Accommodation (11 beds across three houses); and
 - Extend Care Unit (ECU) (10 beds - five currently operational).

Further options to continue to meet growing demand are also being explored.

- (8) The Clinical Directors in Mental Health, Justice Health and Alcohol & Drug Services (MHJHADS) work closely with the Executive Director and Operational Directors to ensure that operational administration and clinical governance is integrated across the services. Clinical Directors are integral members of the Clinical Governance Committee, and they, as well as some other staff specialists are part of the Morbidity and Mortality (M&M) Committee, which also feeds into the Clinical Governance Committee. Additional Staff Specialist representation is always welcome on that Committee however engagement has historically been a challenge. As Chair of the M&M Committee, the Chief Psychiatrist is happy to explore with colleagues how they might actively participate in M&M meetings and discuss any systemic issues that impact clinical care.
- (9) The latest available published data 2016-17 on AIHW reporting portal shows a total of 21.9 beds in the ACT. This is an increase from the previous year of 18.3 total beds.
- (10) Currently under development is:
 - Acute beds
 - Adolescent Mental Health Unit (AdMHU) (six-eight beds) and Adolescent Mental Health Day Service
 - Sub-acute beds
 - Step Up Step Down (SUSD) (six beds);
 - Supported Accommodation (11 beds across three houses); and
 - Extended Care Unit (ECU) (10 beds - five currently operational).

Further options to continue to meet growing demand are also being explored.

Mental health—intellectual disability working group (Question No 2849)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

In relation to the mental health services for people with intellectual disability working group (a) when was the stakeholder working group established, (b) when has the group met, (c) what were the outcomes, (d) what gaps, issues and priorities emerged from the three workshops and (e) what has the Government done to address the outcomes and identified gaps, issues and priorities.

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

- (a) The stakeholder reference group on mental health services for people with intellectual disability was established in November 2018.
- (b) The first meeting was held on 15 November 2018. A second stakeholder consultation workshop was held on 5 June 2019 and a third was held on 27 June 2019.
- (c) Each workshop was designed to inform the development of a strategic agenda for the improvement of mental health service provision for people with intellectual disability including those on the autism spectrum. The recommendations from the National

Roundtable on the mental health of people with intellectual disability (2018) were part of the impetus for this work and provided a framework to explore issues.

- (d) A position paper, identifying gaps, issues, priorities and recommended action is being drafted and a further round of consultation with stakeholders on the draft position paper will be required before it is finalised. Draft recommendations are consistent with recommendations outlined in the National Roundtable:
- i. more inclusive health services for people with disability in primary care and mental health services;
 - ii. development of approaches that prevent or respond early to mental health concerns with information that is accessible for people and their families;
 - iii. an adequately skilled workforce to identify and respond appropriately to signs of mental ill health in people with intellectual disability;
 - iv. adequate specialist services for those requiring a more skilled response and to promote expertise in mainstream services; and
 - v. development of collaborative, interagency approaches that bring together expertise in mental health and disability and can address multiple disadvantage.

Specific themes that emerged from the ACT consultation workshops include:

- i. developing the capacity of services to identify mental health issues and respond effectively to people with intellectual disability, including those on the autism spectrum and developing the capacity of carers and family members to manage behaviours of concern;
 - ii. identifying relevant and accessible programs and services and the referral and communication pathways to promote integration;
 - iii. identifying gaps in services available and promoting equitable access; and
 - iv. establishing multi-agency approaches to working with people presenting with behaviours of concern.
- (e) The ACT Health Directorate has already sought to progress initiatives emerging from this work through participation in complementary strategic work such as the Disability Justice Strategy. There are likely to be further developments and recommendations following the final Report from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability which will not provide an interim report until October 2020. Recognising this, a strategic action plan will be included as a recommendation of the position paper which will be able to incorporate responses to findings and recommendations of the Royal Commission as they are released.

Mental health—nurse training (Question No 2850)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) Has the work health and safety strategy for mental health nurses, developed under the document, “Nurses and midwives: towards a safer culture – the first step”, been implemented fully; if no (a) why, (b) when will it be and (c) what elements remain to be implemented.

- (2) What in-service training has been given to mental health nurses in relation to the strategy.
- (3) What feedback has the directorate received from mental health nurses as to the effectiveness of the strategy.
- (4) In quantifiable terms, what have been outcomes of the strategy.
- (5) Is the work health and safety training developed under this document included in orientation training for new mental health nurses; if no, why.

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

- (1) No.
 - (a) There is no specific work health and safety strategy for mental health nurses identified within the *Nurses and Midwives: Towards a Safer Culture – the First Step Strategy* (the Strategy). One of the Priority Actions of the Strategy is the implementation of the health services' Work Health Safety (WHS) Strategic Plans. The WHS Strategic Plans are owned and implemented by the health services. A Mental Health Unit has been identified as a pilot site for the Nurses and Midwives: Towards a Safer Culture.
 - (b) Early in 2020, the project officers for the Nurses and Midwives: Towards a Safer Culture Project (the Project) will liaise with the health services to review the inclusion of prevention and management of Occupational Violence and Aggression (OVA) and Challenging Occupational Behaviours (COB) against nurses and midwives as key elements of their WHS Strategic Plans.
 - (c) Refer to (1) b.
- (2) The Strategy does not deliver in-service training specifically for Mental Health Nurses. Since January 2019, the project officers have facilitated 70 sessions informing key stakeholders across Canberra Health Services (CHS), Calvary Public Hospital Bruce (CPHB), the ACT Health Directorate (ACTHD) and other external key stakeholders of the purpose and expected implementation and outcomes of the Strategy. It must be noted however, the project officers did host a specific Mental Health Month Forum for Nurses and Midwives at CHS and CPHB.
- (3) The Strategy is currently in 'Phase 2 – launch and implement' of delivery. The Strategy has not yet been fully implemented. The expected implementation end date is June 2021. Therefore, feedback is not yet available.
- (4) The project officers developed a three-phase approach to enact the Strategy's Project Management Plan which was endorsed by the Nurses and Midwives: Towards a Safer Culture Steering Committee, the ACTHD Project Sponsor and the ACTHD Project Owner. Under Phase 1 of the Strategy, the Discover and Develop phase, the following papers were developed by the end of 2018:
 - CHS WHS Strategic Plan;
 - Discussion Paper;
 - Strategy; and
 - Implementation Plan.

For Phase 2, the launch and implement phase of the Strategy, the endorsed Project Management Plan has identified expected outcomes and milestones against Priority Actions of the Strategy. This phase is expected to be completed by March 2021.

During 2020 and beyond, as part of Phase 3, the ACT Health Directorate will support the health services to embed a positive safety culture.

- (5) No work health and safety training is developed under the Nurses and Midwives: Towards a Safer Culture – the First Step Strategy. The delivery of work health and safety training is the responsibility of the health services, however will be supported by ACT Health Directorate.

Mental health—policy review (Question No 2851)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) What strategic policy advice on mental health has the Policy, Partnerships and Programs Division provided, and to whom.
- (2) What work has the division done to (a) review and evaluate the Mental Health (Secure Facilities) Act 2016 (b) finalise a review of the orders provisions for the Mental Health Act 2015 and (c) action any necessary legislative amendments.

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

- (1) The Policy, Partnerships and Programs (PPP) Division provides strategic advice about mental health policy development and implementation, social and emotional wellbeing, and suicide prevention to the Minister for Mental Health, through the Director-General of the ACT Health Directorate (ACTHD).
- (2) (a) ACTHD has engaged a consultant to undertake the mandatory review of the operation of the *Mental Health (Secure Facilities) Act*. The review will commence in early February 2020. The report of the review is required to be tabled in the Legislative Assembly within three months from the date of commencement. The review will explore the operation of the legislation at a high level, based on responses from consumers, carers, clinicians, government partners, peak bodies and professional associations. A second report will also be prepared, for consideration at a later date, exploring issues raised in the first report that require in-depth consultation and considering further recommendations. Preliminary work has commenced to support this review, including gathering data and information and notifying stakeholders.
- (b) ACTHD contracted Australian Continual Improvement Group to undertake a mandatory review of the orders provisions of the *Mental Health Act*. The report is complete and is anticipated to be tabled in the Legislative Assembly in February 2020. The tabling of this report will finalise the mandatory legislative review requirements under the Act.

- (c) In anticipation of the outcome of the review report, ACTHD put a placeholder in the Legislation Program 2020 to amend the *Mental Health Act*. These amendments will focus on changes that are critical or time sensitive and can be achieved without extensive consultation.

**Mental health—data
(Question No 2852)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) Was the statistic for “Acute psychiatric unit patient 28 day readmission rate” measured in the years before 1 October 2018 (reference Strategic Objective 6, Canberra Health Services annual report 2018-19, p 27); if yes, why could the process to collect this data not continue after that date.
- (2) Was the “definition” for collecting this data different from the “national definition” previously, and, if so, what were the differences.

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

- (1) Prior to October 2018 the Acute psychiatric unit patient 28-day patient readmission rate for acute mental health services was consistently measured. The reporting of the data could not continue in the same way due in part to the Auditor-General’s 2017 Report - *Mental Health Services - Transition from Acute Care* recommendation.

This report 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.

Without a clinical review of the data we were unable to distinguish between unplanned readmissions from planned readmissions.

- (2) Prior to 2018, the definition used in ACT Health for this indicator is based on the Australian Council of Healthcare Standards (ACHS). A clinical review/audit is required to determine if a return to hospital for an inpatient admission within 28 days is part of planned or unplanned treatment and care.

The national definition of this indicator includes both planned and unplanned readmissions and is not based on the ACHS definition. It is proposed the indicator be aligned with the national definition for consistency in 2019-20.

**Mental health—Auslan resources
(Question No 2853)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) Are there any psychologists in Canberra who are fluent in Auslan and can communicate directly with deaf and deaf blind patients and were there any previously; if so, (a) how long ago and (b) why weren’t they replaced.

- (2) What is the risk that an interpreter might not be able to convey fully the conversations between psychologists and patients.
- (3) What is the risk that an interpreter might misinterpret something a doctor or patient says and therefore convey wrong information.
- (4) What strategies are in place to mitigate those risks.

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

- (1) As far as the ACT Health Directorate (ACTHD) is aware, there are currently no practicing psychologists fluent in Auslan in the ACT. There was previously one such practitioner, who visited the ACT periodically from NSW.
 - a) The practitioner withdrew her services on 8 January 2018 during contract variation negotiations with the ACT Health Directorate.
 - b) There is a national shortage of practicing psychologists fluent in Auslan. ACTHD offered priority support to any referrals made by the departing practitioner however none were forthcoming. ACTHD is currently working with stakeholders including the ACT Deaf community to develop a sustainable systemic response to the mental health needs of Deaf and deafblind Canberrans.
- (2) Interpreters are governed by strict codes of practice which provide for levels of experience and training to allow interpreters to serve in complex scenarios such as health and legal matters. Given the strict accreditation and extensive training of interpreters, it is unlikely that this would occur.
- (3) Interpreters act within the relevant guidelines of the National Accreditation Authority for Translators and Interpreters (NAATI) which governs how interpretation services are provided and guide interpreters in their work.
- (4) These highly professional, highly trained and qualified practitioners maintain their qualifications and skills through constant use and engagement with wider activities in the Deaf community. In addition to these qualifications are maintained through the NAATI and all practicing interpreters are required to be certified through this national governing body.

Mental health—suicide prevention (Question No 2854)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

What is the status of the work to develop the Regional ACT Mental Health and Suicide Prevention Plan and (a) is it on track to be completed in 2019-20; if no, why and (b) what has so far been discovered.

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

- a) The ACT Mental Health and Suicide Prevention Plan (the ACT Plan) is on track to be completed by the end of 2019-20 financial year.

- b) The ACT Plan is being progressed by a Working Group made up of key stakeholders from the mental health sector who have indicated their commitment to the ACT Plan. Part A of the ACT Plan, the Framework, has been finalised.

The priorities for the ACT Plan draw on feedback from stakeholder consultations held in 2018 and were also informed by, and align with, the Office for Mental Health and Wellbeing (the Office) vision and priorities, that were identified in codesign workshops with the ACT community in February 2019.

The Framework for the ACT Plan contains seven focus areas:

- i. Improved mental health outcomes for everyone;
- ii. Services that are responsive and integrated;
- iii. A highly skilled and sustainable mental health workforce;
- iv. Early intervention in life, illness and episode;
- v. Whole of person care;
- vi. Reduced self-harm and increased suicide prevention; and
- vii. Improving the social and economic conditions of people's lives.

These focus areas are accompanied by recommended areas for action.

Part B, the Implementation Plan and Part C, the Performance and Monitoring Framework are currently being developed through the Working Group and targeted consultation on these aspects of the plan are currently underway.

Mental health—seclusion data (Question No 2855)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) What are the “complex” (reference Canberra Health Services annual report 2018-19, p 22) reasons for and to what extent does the inclusion of data from the Dhulwa Mental Health Unit impact on, the rate of 17 percent for seclusion episodes compared to the target of less than 5 percent.
- (2) Why were these reasons not discussed more fully in the annual report.

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

- (1) A number of people with severe mental illness and associated high level challenging behaviours were managed in the Adult Mental Health Unit (AMHU) and Dhulwa Mental Health Unit (Dhulwa) during the 2018-19 reporting period. A small proportion of these people have required long term admissions. Additionally, some of these people have been subject to multiple episodes of seclusion due to the intensity of their presentations and the imminent risk posed to themselves, others and staff. A number of these people have transferred between AMHU and Dhulwa impacting the recorded seclusion episodes across both units.

In 2018-19:

AMHU had

- 960 Separations
- 247 Seclusion episodes
 - This included one person who had 99 seclusion episodes, another with 16 episodes, and two with 7 episodes each.

Dhulwa had:

- 14 Separations
- 99 Seclusion episodes
 - This included one person who had 58 seclusion episodes, one with 15 episodes, another with 12 episodes and one with 5 episodes

The person who had 99 seclusion episodes in AMHU also had 58 episodes after transfer to Dhulwa. That is 157 Seclusion episodes for one client out of 381 episodes in total (41%).

The person who was subject to 16 seclusion episodes in AMHU also had 5 seclusion episodes in Dhulwa for a total of 21 episodes.

- (2) The reasons were not discussed in more detail in the Annual Report as the cohort of people admitted to these units under these circumstances is small, as such there is always a potential for a breach in confidentiality in such a small jurisdiction.

Mental health—communications (Question No 2856)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) Since 1 October 2018, what information on mental health has the Strategic Communication Team delivered to the community.
- (2) What communications media were used.
- (3) When was the information communicated.
- (4) What feedback did the team get.

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

- (1) Communication efforts have been focused on ensuring Canberrans have access to information about how to look after their mental health and where to get to help and support if they, or someone they know needs it.

Communication activities have highlighted the work of the mental health teams and organisations across Canberra, as well as an emphasis placed on sharing the 'voice of lived experience' through local members of the Canberra community. This includes communication relating to:

- Mental health related annual awareness days, weeks and months (R U OK? Day, World Suicide Prevention Day, Mental Health Month)
- Implementation of LifeSpan across the ACT
- The work of the Office for Mental Health and Wellbeing
- Community engagement and consultation activities
- Mental health related community events
- ACT Government initiatives and other general health and wellbeing messaging during seasonal periods such as Winter and Summer.

Mental health and wellbeing-related communication continues to be a priority.

- (2) The key channels for delivering information to the community include the ACT Health website, our social media platforms as well as proactive media activities.

For example, between October 2018 and November 2019 there were 60 mental health related posts published to ACT Health's Facebook page.

More detail on channels and timing is provided in the table at [Attachment A](#).

- (3) Please refer to the table at [Attachment A](#) for details on the timing of information.
- (4) Feedback relating to mental health activities is generally received informally via the stakeholders and organisations that represent consumers. Generally, feedback has been positive.

Feedback is also collected in the form of comments and messages via social media channels. Often these include requests for more information, feedback on mental health services or shared personal experiences. These comments are addressed on an individual basis, as well as provided to the relevant service or organisation. These interactions are generally not about the communication activity.

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

Mental health—community engagement (Question No 2857)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) What did the Office of Mental Health and Wellbeing's community engagement and support program discover from (a) the three workshops held during 2018-19 and (b) the survey conducted in February and March 2019.
- (2) Have these discoveries been published; if so, where; if not, why.
- (3) What changes to policy and services have resulted from these activities.
- (4) How have those changes benefitted mental health consumers.

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

- (1) The Office for Mental Health and Wellbeing used a co-design process to develop the Work Plan for 2019-2021 and the ACT vision for mental health and wellbeing. The co-design process used a variety of engagement methods including three face to face workshops, online and written feedback, small group workshops and existing sector networks. Through the online survey the Office heard from 213 individuals and 117 individuals provided input through the co-design workshops. The Office also met with 70 businesses, community groups, government and non-government organisations.

The findings from the three workshops and the online survey were thematically analysed to inform the Office Work Plan for 2019-2021 and to develop the ACT vision for mental health and wellbeing. The following themes for the work plan were identified through the community engagement:

Theme one - Community wide mental health and wellbeing approaches

- There was strong support for prevention and early support activities to maintain people's wellbeing.
- Nearly 30% of respondents to Your Say commented on the need for greater information, resources and knowledge on staying mentally well, building resilience or how to get help to access the right information and support when needed.
- Children and young people were identified as a high priority.

Theme two – Assistance for people experiencing or impacted by mental health concerns

- There is also strong support for improving capacity and accessibility of supports for people experiencing mental health concerns or mental illness.
- The need to focus on the social determinants of health and how to support people and their carers holistically was emphasised.
- Feedback identified the need to support carers in their carer role and for carer wellbeing.

Theme three – Mental health service system and workforce

- Nearly 25% of respondents to Your Say identified the need for more connected and integrated services.
- A further priority was workforce development including greater training and skills in trauma informed care.
- The need for empathic supportive, accessible services was also highlighted in responses.

- (2) The outcomes have been published through the Office work plan and are available on the Office website. The Office formally launched the work plan at an afternoon tea for the consumers, carers, non-governmental organisations and other key stakeholders who participated in the co-design workshops and other engagement activities. Through the afternoon tea, the Office was able to disseminate key findings and to also celebrate the codesigned work plan and the territory-wide vision for mental health and wellbeing. The work plan has also been printed and distributed widely.

In addition, the Office developed a 'What We Heard' report which is available on the ACT Government YourSay website. The outcomes were also discussed and provided to peak non-government organisations for use across the community sector. The Office has also briefed relevant ministers and the opposition.

- (3) Under the themes in the work plan, key deliverables were identified which enhance change processes already underway and identify further priority areas for the Office. One of the key deliverables was the Children & Young People Review which is now complete. The findings of this review including recommendations to support children and young people will be made available early 2020.

The Office will continue to work closely with the Mental Health and Wellbeing Inter-Directorate Committee, Peak Mental Health Non-Government Organisation

Committee, consumers, carers and other stakeholders to collectively implement and evaluate existing plans as they relate to mental health and wellbeing, and to develop new plans (including the ACT Regional Mental Health and Suicide Prevention Plan) to address mental health concerns and gaps in the system.

- (4) The establishment of the Office and consequently the development of the Office work plan promotes strong community engagement, codesign and innovation, and supports the principles of ongoing evaluation and research to measure change in service system delivery and wellbeing.

The Office's focus is on issues across the whole of Government and is collaborating closely with other agencies, including health services, primary care, housing and employment, community services, justice, police, education, and promote social inclusion. This holistic approach of looking at the mental health needs of the community by focusing on the social determinants of health and wellbeing will lead to a more streamlined and responsive mental health system and address the service gaps that consumers currently experience.

Mental health—community engagement (Question No 2858)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

What work is the Office of Mental Health and Wellbeing doing to address widely held views in the community that the ACT's mental health system is overly complex and difficult to navigate, with some mental health consumers "giving up" trying to access necessary services in a timely manner.

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

The Office for Mental Health work plan released in April 2019 has key deliverables that seek to address issues with access to services through promoting mental health, intervening early to reduce the impact of mental illness and reducing demand on services and promoting an integrated system that is accessible to people.

The Office has undertaken a review of children and young people's mental health and is leading the development of a digital portal to assist and support young people to access appropriate and timely mental health care. Findings from this project will inform broader approaches to online and in person navigation supports. Funding for the development of the portal is from the Commonwealth Government.

The Office has also actively contributed to the development of the ACT Mental Health and Suicide Prevention Plan (The Plan) in partnership with the Capital Health Network, Canberra Health Services and peak mental health non-government organisations. The Plan which is due for release in early 2020 aims to deliver integrated and responsive services and whole of person care.

The Office has also developed strong partnerships with peak non-government organisations and continues to consult with the community to understand ongoing and emerging issues. The Office is leading a whole-of-government approach to integrating supports for people with complex support needs.

The recently released Productivity Commission's Draft Report on Mental Health highlights the significant complexity of the service system resulting from multiple funding streams and shared responsibility between different levels of government. The Office for Mental Health and Wellbeing led the development of the whole of ACT Government submission. The submission highlighted the need for structural reform of the complex funding arrangements, addressing the social and economic determinants of mental health and improving community knowledge of, and support to access, services. The Office will continue to have a lead role in the ACT Government to promote and facilitate the development of responses to the Productivity Commission recommendations.

Mental health—work plan (Question No 2859)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) What work has the Office of Mental Health and Wellbeing completed under the Work Plan 2019–2021 and what has been discovered, in relation to each of the key deliverables listed on page 27 of the Work Plan.
- (2) Is work on all deliverables proceeding according to the timeline; if not (a) which ones are lagging, (b) why and (c) what is being done to catch up.

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

- (1) The Office for Mental Health and Wellbeing (the Office) has released a Community Engagement Commitment (previously known as the Community Engagement Strategy) which was developed in partnership with the mental health sector. This commitment highlights the approach the Office is committing to undertake how the Office works across government and the community.

A further key deliverable in the Work Plan is a Suicide Prevention Strategy which is being implemented through the delivery of the Lifespan Initiative.

The Office has undertaken a review of children and young people across the continuum to understand the challenges and issues facing children and young people in relation to their mental health and wellbeing. Consideration of the findings is being discussed, and the review will be made available to the public in early 2020.

The Office has developed an Evaluation Strategy for the Office and is also working closely with CMTEDD in the development of the whole of government Wellbeing Framework which will include consideration of mental health. This work will inform the Mental Health Outcomes Framework which has commenced.

- (2) The majority of the projects have been delivered or have commenced as per the timeline in the Work Plan. There is a delay in the development of the Mental Health Outcomes Framework as this is dependent on the outcomes of the Wellbeing Framework. This project will be delivered in a suitable timeframe that aligns to the outcomes of the Wellbeing Framework.
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Mental health—youth services (Question No 2860)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) How much Commonwealth funding did the Office for Mental Health and Wellbeing receive to develop an online youth navigation portal to help identify the right service at the right time for young people and when did the Office receive the funding.
- (2) What are the deliverables, including timeline, under the funding agreement.
- (3) What is the status of that work and is it running to the agreed timeline; if not, why.
- (4) To what extent will this work result in more accessible and navigable pathways for young people to mental health services.

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

- (1) \$3,174,274 was granted by the Commonwealth through the Community Health and Hospital Program. The funding is over four financial years (2018/19 – 2021/22).

- (2) Stage 1: Procurement (6 months) – Procurement of a consultant to design the model for the portal that aligns with the services available in the ACT, including undertake consultation with the broader community on the requirements for the design/requirements.

Stage 2: Design (4 months) – Develop a design for the navigation portal and an evaluation framework.

Stage 3: Implementation (2 year trial) – Recruit Implementation manager/clinician. Recruit Community Youth Worker. Implement the approved design of the portal

Stage 4: Evaluation (12 months) – Evaluate the portal after the first year and second year of operation.

Stage	Deliverable	Timing
Stage 1	Scoping and Analysis (including procurement) <i>Procurement of a consultant and scoping/analysis of the portal requirements and inclusions. This will include undertaking consultation with the broader community on the requirements.</i>	6 months <i>November 2019 – May 2020</i>
Stage 2	Design (including procurement) <i>Procurement of a consultant and develop a design for the navigation portal and an evaluation framework.</i>	4 months <i>June – October 2020</i>
Stage 3	Build and Implementation <i>Build and implement the approved design of the portal including recruitment of clinician/Community Youth Workers</i>	2 year trial build commencing <i>October 2020 for launch January 2021</i>
Stage 4	Evaluation <i>Evaluate the portal after the first year and second year of operation</i>	First year evaluation <i>January 2022</i>

- (3) The Office for Mental Health and Wellbeing are in the process of procuring a provider to scope the requirements for the online youth navigation portal. It is anticipated this provider will commence in January 2020.
- (4) The Online Youth Navigation Portal will consolidate mental health and wellbeing information for young people into one location. It is anticipated to have a triage function that will allow an individual to be supported (via individualised online and phone services) to access the right information and/or service. This will remove significant barriers experienced by young people, their family members or friends when seeking help for mental health concerns.

The online resources and triage function will provide a clear pathway to assist an individual to make an informed decision as to when to seek support online or in person or which service in the ACT is the most appropriate for their needs.

Canberra Health Services—workforce development committee (Question No 2861)

Mrs Dunne asked the Minister for Health, upon notice, on 29 November 2019:

In relation to the Workforce Development Committee (a) who is on the Committee, (b) what are its terms of reference, (c) what are its objectives, (d) with whom will it consult and (e) what work has it done so far in 2019-20.

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

a) The only Workforce Development Committee at Canberra Health Services is the Mental Health, Justice Health and Alcohol & Drug Services (MHJHADS) Workforce committee. The membership for the MHJHADS Workforce committee comprises of:

- Executive Director MHJHADS (Chair)
- Chief Psychiatrist
- Operational Director - Adult Acute Mental Health Services
- Operational Director - Adult Community Mental Health Services
- Operational Director - Rehabilitation and Specialist Mental Health Services
- Operational Director - Justice Health Services
- Operational Director - Dhulwa Mental Health Services
- Operational Director - Alcohol and Drug Services
- Operational Director - Child and Adolescent Mental Health Services
- MHJHADS Director of Nursing
- MHJHADS Director of Allied Health
- Director of Training (registrar)
- Workforce Development Project Officer

b) See Attachment A.

c) See Attachment A.

d) People and Culture – Canberra Health Services and Unions.

e) In the last five months MHJHADS has continued to progress the work on three workforce priority areas:

- Defined Recruitment;
- Strengthen Graduate Pathways; and
- Prioritise occupational violence initiatives.

As well as developing:

- 2019 United Kingdom recruitment campaign for specialist and senior specialist Psychiatrists
- 2019 United Kingdom recruitment drive for Mental Health qualified Nurses and Allied Health Professionals.
- 2020 National Advertising Campaigns for Staff Specialist and Senior Staff Specialist Psychiatrist
- 2020 Health Professional 1 Graduate Program – Social Workers and Occupational Therapists
- Progressing the Allied Health Assistant workforce strategy for allied health professionals in community mental health.
- Strengthen internal processes to high-level, immediate response to distressing experience.
- MHJHADS Essential Education for 2020.

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

Health—hydrotherapy (Question No 2862)

Mrs Dunne asked the Minister for Health, upon notice, on 29 November 2019:

- (1) In relation to the Minister's ministerial statement of 28 November 2019 on the Hydrotherapy Pool, how many extra additional hydrotherapy treatment sessions are Arthritis ACT delivering over the funded 614 sessions a year.
- (2) What is the estimated additional cost of providing these services.
- (3) What is the projected growth in demand for hydrotherapy services over the next four to five years and what is the projected additional costs to the budget.

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

- (1) Over the course of the 2018-19 financial year, Arthritis ACT provided 1330 hydrotherapy sessions, 716 more than the 614 sessions funded by the ACT Government. Recent data provided by Arthritis ACT as part of ongoing discussions indicate that this number continues to grow and it is now delivering approximately three times the number of sessions specified in the Service Funding Agreement (SFA).
- (2) According to the EOFY Financial Report received by the ACT Health Directorate from Arthritis ACT, total expenditure, inclusive of outputs required under the SFA (that is, 614 hydrotherapy sessions, community education activities, ongoing support groups, newsletters and the provision of support and information) was \$408,011 for 2018 19. This figure is \$174,467 greater than the \$233,544 funding provided under the 2018-19 SFA by the ACT Government.

- (3) There are no explicit projections for growth in demand for hydrotherapy services. However, the Government is aware of the significant increase in utilisation of hydrotherapy services over recent times.

As outlined in my Ministerial Statement of 28 November 2019, the ACT Health Directorate is undertaking detailed discussions with Arthritis ACT on current demand for hydrotherapy sessions and how this can be addressed.

Transport Canberra—flexible bus service (Question No 2863)

Ms Le Couteur asked the Minister for Transport, upon notice, on 29 November 2019:

- (1) How many passenger trips has the flexible bus service delivered for each of the last four years.
- (2) Does the Government monitor any measures of capacity utilisation of the flexible bus service; if so, what (a) are those measures, (b) has the capacity utilisation of the flexible bus service been for each of the last four years and (c) is the current capacity utilisation of the flexible bus service.
- (3) How many passenger trips has the community transport system delivered for each of the last four years.
- (4) Does the Government monitor any measures of capacity utilisation of the community transport system; if so, what (a) are those measures, (b) has the capacity utilisation of the community transport system been for each of the last 4 years and (c) is the current capacity utilisation of the community transport system.
- (5) What percentage of requests to the flexible bus booking service have not been able to be catered for in each of the last four years.

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

- (1) Flexible bus passenger trips for the last four years are as follows:

	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
16-17	1,150	1,340	1,219	1,126	1,356	1,125	1,143	1,222	1,419	1,055	1,346	1,240
17-18	1,438	1,524	1,711	1,439	1,358	1,036	1,126	1,300	1,476	1,364	1,486	1,335
18-19	1,199	1,447	1,183	1,417	1,474	1,066	1,140	1,282	1,259	1,213	1,531	1,378
19-20	1,432	1,616	1,476	1,641	1,685	N/A	N/A	N/A	N/A	N/A	N/A	N/A

- (2) (a) Flexible bus measures that are monitored include:

- New passenger registrations.
- 3-month active passengers.
- passenger trip cancellations.
- monthly passenger trips.

(b) As buses are available between 9.30am and 1.30pm for the operation of the flexible bus service and are used to transport special needs students to and from school each day, passenger bookings are restricted to 100 passenger trips per day (50 return passenger trips per day).

- (c) Flexible bus trips are currently capped at 100 passenger trips per day.
- (3) Service providers of the Community Transport Minibus service are not required to report on the number of passenger trips. However, providers of the community minibus service are required to provide an average of 25 service hours per week for 50 weeks per year. Reporting received from providers indicates that this requirement is being met. The buses are also fitted with electronic logbooks which record usage levels.
- (4) Service providers are not required to report on capacity utilisation for the Community Transport Minibus service. However, it is a requirement for Service Providers that they foster and develop partnerships with other community minibus service providers to assist in efficiencies and flexibility of all community minibus service providers, including Transport Canberra and City Services (TCCS). As part of this commitment the Community Services Directorate (CSD), TCCS and funded service providers participate in a Transport Working Group bimonthly meeting and one of the key focus areas for this group is to share information on the level of demand and emerging unmet need for community transport.
- (5) Applications for travel maybe declined due to:
- not meeting the eligibility criteria;
 - booking within the two-day time restriction;
 - travel is required outside normal operating hours; and
 - travel is required out of zone.
- Details of these requests are not recorded.
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Government—procurement (Question No 2864)

Ms Le Couteur asked the Minister for Government Services and Procurement, upon notice, on 29 November 2019:

- (1) Does the ACT Government provide any assistance or support (e.g. training or information) to help ACT businesses take part in ACT Government procurement processes; if so, can the Minister provide details.
- (2) Does the ACT Government provide any assistance or support (e.g. training or information) to help businesses from the wider Canberra region take part in ACT Government procurement processes; if so, can the Minister provide details.
- (3) Do any ACT Government procurement processes include a weighting or other competitive advantage to proposals on the basis of local content or a business being based in the ACT; if not, has the ACT Government investigated the possible introduction of such a process over the past three years and can the Minister provide details.

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

- (1) Procurement ACT and Major Projects Canberra (MPC) provide support and assistance to all businesses wishing to participate in ACT Government procurement processes.

This assistance extends from providing awareness of upcoming procurement opportunities; support to register and respond to tenders; publishing project information, checklists to assist with submission compliance and details on deliverables; offers to conduct tender debriefings to unsuccessful tenders to provide suggestions on improving their submission for future tender; and a general enquiries line open during business hours to provide advice and assistance as requested. Operational instructions including video are available on the Tenders ACT website to lead suppliers through each of the steps required to receive and respond to electronic tenders.

Further, a number of initiatives have been put in place to support the implementation of the ACT Government's Aboriginal and Torres Strait Islander Procurement Policy. These include supplier training undertaken by MPC in the construction sector and a supplier forum delivered by Yerra and supported by the ACT Government to both build awareness of capability and business opportunities. Additional sessions/activities are planned for early 2020.

Tender specific information and advice is provided from time to time through face to face industry briefings, site visits and supplier forums. These sessions generally provide additional information about the Territory's objectives and how the procurement is planned to be structured and scheduled. However, they can also be used for information sharing and co-design to better inform the procurement process. Decisions to undertake industry briefings or supplier forums are generally informed by the level of complexity in the procurement and knowledge of the supplier market.

With regard to the Building and Construction Sector, the ACT Government supports a Construction Industry Prequalification Scheme that provides opportunities for contractors, consultants and suppliers to be eligible to tender for ACT Government projects. The Scheme is available to suitably qualified and experienced ACT and regional businesses. The ACT Government further demonstrates its support in not charging businesses a cost who wish to seek prequalification. Prequalification information and application documents are on the Major Projects Canberra website at: <https://www.act.gov.au/majorprojectscanberra>. MPC Executives attend regular Master Builders Association meetings where matters affecting industry and procurements are discussed and addressed.

Procurement ACT has further simplified lower value procurement (those with a total value under \$200,000) by introducing a new electronic tool that applies set evaluation criteria and standardised contract terms to deliver a common and familiar experience to businesses when responding to the Territories' simple procurement requests. This reduces both the risk and overhead to businesses when responding.

(2) See answer to question 1

(3) The Canberra Region Local Industry Participation Policy (LIPP) requires:

- for procurements with a value under \$200,000, procuring Territory entities to seek at least one quote from a business based in the Canberra region and one from a small-to-medium enterprise;
- for procurements valued between \$200,000 and less than \$5 million, a default 10 per cent weighting in tender evaluations for an Economic Contribution Test (ECT);
- for procurements with a value of \$5 million or more, a default 10 per cent weighting in tender evaluations for a Local Industry Participation Plan (LIP Plan).

The ECT and LIP Plan need to identify information such as the number of trainees or apprentices, value of work being directed to local suppliers and subcontractors, and other economic contributions to the region like partnerships or sponsorships with local industry or higher-education organisations.

Further information is available at
https://www.procurement.act.gov.au/__data/assets/pdf_file/0011/1365869/Canberra-Region-Local-Industry-Participation-Policy.pdf.

Trees—maintenance (Question No 2865)

Ms Le Couteur asked the Minister for City Services, upon notice, on 29 November 2019:

- (1) What additional measures is ACT Government planning to look after Canberra's street and park trees as we experience less rainfall.
- (2) Will the Minister update the information on Access Canberra's tree FAQ webpage that provides information about tree pruning and removal, but only a little advice about watering, with more detailed and up to date advice, for example by reference to where to water (e.g. drip line or into a trench); how to water (e.g. deeply, less often, into a trench), when to water (e.g. early or late in the day).
- (3) What public education is the Minister planning for water restrictions and care of street and park trees.

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

- (1) The TCCS Urban Treescapes watering program runs each summer from October to the end of April and includes street and park trees within the first three years of their planting date. Due to the extended dry conditions, the 2019-2020 watering program includes trees within the first five years of their planting date and additional watering trucks have been assigned to increase the frequency of watering.
 - (2) A new City Services website was launched this month. This provides expanded information on tree planting including encouraging residents to water young trees in their neighbourhood to help them become established. The Access Canberra Fix My Street page provides information for users who wish to request the watering of public trees. The information that appears encourages residents to water trees with a bucket of non-potable water once a week during summer. The Access Canberra page includes a link to the new City Services website.
 - (3) An information sheet on Caring for a Young Street Tree is provided to all households adjacent to new planting locations. This recommends watering trees with non-potable water. TCCS also annually requests residents to assist with young tree watering through public campaigns.
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**Waste—Hume collection site
(Question No 2866)**

Ms Lee asked the Minister for Business and Regulatory Services, upon notice, on 29 November 2019 (*redirected to the Minister for the Environment and Heritage*):

- (1) Since 1 January 2019, have there been any complaints to the EPA regarding the pop-up tip in Hume, located on Paspaley Street, including the management of the site and any Worksafe complaints which have been received; if so, what (a) were these complaints, (b) investigations has the government undertaken to pursue these complaints, (c) were the results of these investigations and (d) steps is the Government taking to enforce any infringements of the site.
- (2) What bond was secured by the Government to underwrite the operation of the pop-up tip.
- (3) Is the lessee of the site solvent.
- (4) Is the Government commencing the process of rehabilitating the site; if so what is the anticipated cost of any rehabilitation works of this site.
- (5) Has the Government conducted any fire risk assessments of the site; if so (a) does the site present a fire risk and (b) what steps is the Government taking to mitigate these risks.

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

- (1) The Environment Protection Authority (EPA) and WorkSafe ACT have not received any complaints since 1 January 2019 relating to the 'Pop Up' tip at Hume.
 - (a) Refer to answer 1
 - (b) Refer to answer 1
 - (c) Refer to answer 1
 - (d) Southern State Waste Recycling Pty Ltd, the operator of the site in Paspaley Street Hume, is the subject of regulatory intervention by the Transport Canberra and City Services Directorate under the *Waste Management and Resource Recovery Act 2016*.

WorkSafe ACT has not received any complaints since 1 January 2019 relating to the 'Pop Up' tip at Hume. On Tuesday 3 December 2019, WorkSafe ACT conducted an inspection of the 'Pop Up' tip and were advised by the operator that all segregation plant equipment had been sold and removed from the site. The recycling of material has ceased, and the remaining material is being removed from the site. No work health and safety concerns were identified during the inspection. WorkSafe ACT will continue to monitor the operation of the site in collaboration with EPA, No Waste and ACT Fire and Rescue as required.

- (2) A financial assurance of \$250,000 paid by the operators to the EPA under the conditions of the Environmental Authorisation. Once the waste is removed from the site, it will be determined if this money will be used in the clean-up of any environmental damage.

- (3) Southern State Waste Recycling Pty Ltd is a sub-lessee of the site. As at 12 December 2019, both the Australian Business Register and the Australian Securities and Investments Commission show that Southern state Waste Recycling Pty Ltd, the operator of the site, is a registered business.
 - (4) No. Removal of waste from the site is the responsibility of the sub-lessee and lessee.
 - (5) ACT Fire and Rescue have not had any enquiries in relation to Paspaley Street Hume recently. The site was last inspected by ACT Fire & Rescue 6 months ago and ACT Fire & Rescue are of the understanding that the site is being cleaned up and the business is in the process of leaving Hume.
 - (a) Refer to Answer 5
 - (b) Refer to Answer 5
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**Alexander Maconochie Centre—drone activity
(Question No 2867)**

Mrs Jones asked the Minister for Corrections and Justice Health, upon notice, on 29 November 2019:

- (1) What surveillance is there of drone activity at and around the Alexander Maconochie Centre (AMC) and who conducts this surveillance.
- (2) Under what legislation, if any, is it prohibited to fly drones at, near or over the AMC.
- (3) Have there been any recorded incidents of drone activity at the AMC; if so, how many.

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

- (1) The AMC does not conduct specific surveillance of drone activity, however, there is static and dynamic surveillance of the perimeter and grounds of the AMC.
 - (2) The regulation of drone flights falls exclusively under Commonwealth law: *Civil Aviation Regulations 1998* (Cwth) and *Airspace Regulations 2007* (Cwth).
 - (3) There is one recorded incident of drone activity at the AMC.
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**Alexander Maconochie Centre—lockdowns
(Question No 2868)**

Mrs Jones asked the Minister for Corrections and Justice Health, upon notice, on 29 November 2019:

- (1) Prior to the recent emergency declaration at the Alexander Maconochie Centre, on how many occasions had corrections staff been trained in the process of beginning, operating in, and ending an emergency shutdown.
- (2) What training did prison staff receive prior to the shutdown on how to handle firearms and what are the course titles of these trainings.

- (3) On what dates were staff trained in search procedures relating to firearms.

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

- (1) ACT Corrective Services (ACTCS) correctional officers participate in emergency management exercises at the Alexander Maconochie Centre (AMC) and court cells to ensure response readiness and verify the effectiveness of ACTCS emergency management plans. Under the ACTCS *Emergency Management Policy* introduced in early 2019, a minimum of six emergency management exercises are conducted each year, including one live exercise and one major incident exercise. While disruption to operations is minimised to ensure minimal impact on detainees, correctional officer participation is a critical factor in these exercises and provides senior operational management with the opportunity to measure staff knowledge and identify areas for improvement.

Full centre lockdowns are not unusual in correctional facilities and may be declared to manage various situations such as power outages, issues with security system functionality or riots. Partial centre lockdowns also occur for various reasons, including during the lunch hour each day, or in response to incidents or uses of force. ACTCS correctional officers are aware of the requirements and processes for initiating a lockdown and many will undertake this task on each day shift for the lunch hour. The lockdown process is the same regardless of the reason. The lockdown that followed the AMC perimeter breach and subsequent emergency declaration followed standard processes despite the extraordinary circumstances that precipitated this action.

- (2) Correctional officers are not currently trained in the handling or use of guns (firearms) or other projectile weapons. Correctional officers are trained in the management of prohibited items in accordance with the *Corrections Management (Management of Evidence) Operating Procedure 2017*. Guns are prohibited items and would be managed according to this procedure.
- (3) All correctional officers complete a unit 'Conduct Searches' as part of their Certificate III in Correctional Practice. Officers also receive a one-day training in searching during the Custodial Recruit Training course. This training session covers theoretical aspects, practical application of searching techniques, video demonstrations and role play, including the use of props such as drugs and weapons.

Alexander Maconochie Centre—interstate assistance (Question No 2869)

Mrs Jones asked the Minister for Corrections and Justice Health, upon notice, on 29 November 2019:

In relation to the recent emergency declaration at the Alexander Maconochie Centre (a) how many staff from interstate were brought in to assist during the emergency declaration period, (b) what duties did these interstate staff perform, (c) how much was spent on this staffing and (d) which states and departments were these staff from.

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

- (1) In relation to the recent emergency declaration at the Alexander Maconochie Centre:
 - a. A total of seven staff were brought in from interstate to assist during the emergency declaration period.
 - b. The seven officers and their search dogs undertook one day of searching duties (detainee and cell searches) and assisted ACT Corrective Services (ACTCS) staff by utilising their additional capabilities of mobile phone and firearms detection.
 - c. Final costing is yet to be determined. ACTCS will be invoiced for costs including travel, allowances and time for the interstate staff.
 - d. The interstate staff were from Corrective Services NSW.
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Parking—Rivett shops (Question No 2870)

Mrs Jones asked the Minister for City Services, upon notice, on 29 November 2019 (*redirected to the Minister for Roads and Active Travel*):

- (1) How many parking spaces are there at the Rivett Shops and how are they broken down by parking length (e.g. 5-minute parking, 2-hour parking).
- (2) Are there any plans to (a) increase the number of parking spaces available, (b) increase the number of short stay and long stay parking spaces available and (c) increase the number of parking spaces available behind, the Rivett Shops.

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

- (1) There are currently 48 parking spaces at the front of the Rivett Shops (including two mobility spaces). There are an additional seven spaces to the rear of the shops.

Five spaces are restricted to two-hour parking between (9am and 4pm), then 15-minute parking from 4pm to 6pm.

- (2) There are:
 - (a) currently no plans to increase the number of parking spaces available;
 - (b) plans to increase the number of short stay parking by converting eight parking spaces from all day parking to two-hour parking. These will be located along the frontage of the shops; and
 - (c) currently no plans to increase the number of parking spaces available behind, the Rivett Shops.
-

Transport Canberra—fare evasion (Question No 2871)

Mr Coe asked the Minister for Transport, upon notice, on 29 November 2019:

- (1) Can the Minister provide a breakdown of the number of Light Rail fare evasion fines that have been issued to (a) adult, (b) children and (c) other, for each month since the commencement of the Light Rail Network to date.

- (2) How much revenue has been collected from (a) adult, (b) children and (c) other, Light Rail fare evasion fines.
- (3) How many objections have there been to Light Rail fare evasion fines and of these objections, how many have been withdrawn; if any have been withdrawn, what is the value of those fines withdrawn.
- (4) How long does it take for a decision to be made about an objection to a Light Rail evasion fare fine.
- (5) How many Light Rail fines have been discharged by (a) adults, (b) children and (c) others, completing an approved community work program or social development program and (i) what is the value of those discharged fines and (ii) what have the approved community work and social development programs been.
- (6) Can the Minister provide a breakdown of the number of bus fare evasion fines that have been issued to (a) adult, (b) children and (c) other, for each month since the commencement of the Light Rail Network to date.
- (7) How much revenue has been collected from (a) adult, (b) children and (c) other, bus fare evasion fines.
- (8) How many objections have there been to bus fare evasion fines and of these objections, how many have been withdrawn; if any have been withdrawn, what is the value of those fines withdrawn.
- (9) How long does it take for a decision to be made about an objection to a bus fare evasion fine.
- (10) How many bus fines have been discharged by (a) adults, (b) children and (c) others, completing an approved community work program or social development program and (i) what is the value of those discharged fines and (ii) what have the approved community work and social development programs been.
- (11) How many (a) adults, (b) children and (c) other, have been asked to exit the Light Rail because they have not tapped on.
- (12) Are the instances in part (11) recorded by Canberra Metro, so they are aware of those who frequently don't tap on.
- (13) In what circumstances are passengers asked to exit the Light Rail.
- (14) How many (a) adults, (b) children, (c) other, have been asked to exit a bus service because they have not tapped on.
- (15) Are the instances in part (14) recorded by Transport Canberra, so they are aware of those who frequently don't tap on.
- (16) In what circumstances are passengers asked to exit a bus service.

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

- (1) The breakup of light rail infringements issued since the commencement of light rail are as follows:

	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19
Adult	5	13	76	156	125	58
Child	0	0	4	26	5	4
Other	0	0	0	0	0	0
Total	5	13	80	182	130	62

- (2) Revenue collected from paid light rail infringements are as follows:

Adult	\$23,476.00
Child	\$525.00
Other	\$0.00
Total	\$24,001.00

- (3) Since light rail passenger services commenced, there have been 150 infringements for ticketing offences that have been objected to. All 150 have been withdrawn. These infringements had a total value of \$26,350.00.
- (4) The time taken to review applications to withdraw infringement notices depends on the circumstances and if any further information is requested from the applicant.
- (5) There have been no requests to withdraw infringement notices due to clients completing community work or social programs.
- (6) The breakup of bus infringements issued since the commencement of light rail is as follows:

It is important to highlight that on buses, passengers are required to pass by the driver to tap on or purchase a fare. Whereas, on light rail, passengers are required to tap on or purchase a fare at the platforms prior to boarding.

	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19
Adult	0	0	0	0	0	1
Child	0	0	0	1	0	0
Other	0	0	0	0	0	0
Total	0	0	0	1	0	1

- (7) The bus infringements issued since the commencement of light rail remain outstanding with no revenue being collected at this time.
- (8) No applications have been received for the withdrawal of bus infringements since the commencement of light rail.
- (9) The time taken to review applications to withdraw infringement notices depends on the circumstances and if any further information is requested from the applicant.
- (10) There have been no requests to withdraw infringement notices due to clients completing community work or social programs.
- (11) Canberra Metro Operations does not record data relating to numbers of customers who have not tapped on.

- (12) Canberra Metro Operations only records customer details when a customer has been issued an official warning or infringement notice issued in accordance with the Road Transport (Public Passenger Services) Regulation 2002
- (13) In accordance with the Road Transport (Public Passenger Service) Regulation 2002, Canberra Metro Authorised Persons have authority to direct a passenger to alight a light rail vehicle:
- if they do not comply with the direction of an Authorised Person;
 - if they can't produce a valid ticket when travelling on an LRV;
 - person's clothing may soil or damage the LRV;
 - person's goods may inconvenience/danger others; and/ or
 - the person is under the influence of liquor/drugs and is causing/likely to cause a nuisance/annoyance.
- (14) Transport Canberra does not record data relating to numbers of customers who have not tapped on.
- (15) Authorised officers may record instances in their official notebooks of situations where repeat offenders are identified as travelling without paying the appropriate fare.
- (16) In accordance with the Road Transport (Public Passenger Service) Regulation 2002, Transport Canberra Authorised Persons have authority to direct a passenger to alight a bus:
- if they do not comply with the direction of an Authorised Person;
 - if they can't produce a valid ticket when travelling on an LRV;
 - person's clothing may soil or damage the LRV;
 - person's goods may inconvenience/danger others; and/or
 - the person is under the influence of liquor/drugs and is causing/ likely to cause a nuisance/annoyance.

Transport Canberra—patronage (Question No 2872)

Mr Coe asked the Minister for Transport, upon notice, on 29 November 2019:

- (1) What is the total patronage or boardings for (a) light rail and (b) buses for each week or month from 1 July 2018 to date.
- (2) What is the breakdown of total patronage or boardings for (a) light rail and (b) buses, by (i) weekdays, (ii) Saturdays, (iii) Sundays and (iv) public holidays, for each week or month from 1 July 2018 to date.
- (3) What is the breakdown of total patronage or boardings for (a) light rail and (b) buses by (i) MyWay boardings, (ii) MyWay transfers, (iii) MyWay journeys, (iv) paper ticket boardings, (v) paper ticket transfers and (vi) paper ticket journeys, for each week or month from 1 July 2018 to date.

- (4) What is the breakdown of total patronage or boardings for (a) light rail and (b) buses by (i) MyWay fare type, such as adult, concession, and student and (ii) paper ticket fare type, such as adult, concession, and student, for each week or month from 1 July 2018 to date.
- (5) What is the average number of passengers for light rail each day of the week since commencement to date.
- (6) What is the average number of passengers for each bus service each day of the week from 1 July 2018 to date.

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

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

Transport Canberra—patronage (Question No 2873)

Mr Coe asked the Minister for Transport, upon notice, on 29 November 2019:

- (1) What is the total patronage for each Transport Canberra bus route, including school bus routes, for each financial year from 2017-18 to date.
- (2) What is the average number of passengers for each service on each day of the week, for each financial year from 2017-18 to date.
- (3) For the top 10 services with the most patronage for each year in part (1), have any services or stops been altered or changed as part of Network19 or other changes since; if so, can the Minister identify which services and advise (a) how and (b) why the services or stops been altered in the Network19 update or other changes since.

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

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

Transport Canberra—MyWay data (Question No 2874)

Mr Coe asked the Minister for Transport, upon notice, on 29 November 2019:

- (1) What is the (a) average and (b) median number of boardings of MyWay users for each of the previous five financial years to date broken down by fare type.
- (2) What is the (a) average and (b) median number of transfers of MyWay users for each of the previous five financial years to date broken down by fare type.
- (3) For each of the previous five financial years to date, what is the total number of MyWay users broken by (a) fare type and (b) frequency of use.

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

- (1, 2) The monthly average and monthly median number of boardings and transfers by passengers using MyWay cards for the period 1 July 2014 to 30 June 2019 is set out below for each of the following fare types:
- Full fare passengers (Table 1);
 - Tertiary students (Table 2);
 - School students (Table 3);
 - Concession passengers (Table 4); and
 - Other passengers (**Table 5**).

These figures exclude passengers using paper tickets.

The fare types below are defined as follows:

- Full fare passengers – passengers using an Adult MyWay Card.
- Tertiary students – passengers using a Student MyWay Card who are enrolled in post-secondary education (such as CIT or a university).
- School students – passengers using a Student MyWay Card who are enrolled in a primary school, high school or college.
- Concession passengers – passengers using a Concession MyWay Card.
- Other passengers – any other passengers using a MyWay Card, such as passengers using an Employee MyWay Card.

Table 1 – Monthly average and monthly median boardings and transfers by passengers using a MyWay card – full fare passengers

Financial year	Average monthly boardings - full fare	Median monthly boardings - full fare	Average monthly transfers - full fare	Median monthly transfers - full fare
1 July 2014 to 30 June 2015	549,478	555,588	111,939	113,755
1 July 2015 to 30 June 2016	561,223	571,991	110,811	113,826
1 July 2016 to 30 June 2017	544,222	550,772	103,846	105,158
1 July 2017 to 30 June 2018	550,781	555,487	107,345	107,360
1 July 2018 to 30 June 2019	622,709	610,994	130,363	121,388

Table 2 – Monthly average and monthly median boardings and transfers by passengers using a MyWay card – tertiary students

Financial year	Average monthly boardings - tertiary student	Median monthly boardings - tertiary student	Average monthly transfers - tertiary student	Median monthly transfers - tertiary student
1 July 2014 to 30 June 2015	190,839	193,682	44,682	46,239
1 July 2015 to 30 June 2016	219,162	223,749	50,004	52,351

Financial year	Average monthly boardings - tertiary student	Median monthly boardings - tertiary student	Average monthly transfers - tertiary student	Median monthly transfers - tertiary student
1 July 2016 to 30 June 2017	244,116	240,511	50,297	50,986
1 July 2017 to 30 June 2018	274,736	267,561	55,691	55,728
1 July 2018 to 30 June 2019	297,816	293,517	62,659	63,526

Table 3 – Monthly average and monthly median boardings and transfers by passengers using a MyWay card – school students

Financial year	Average monthly boardings - school student	Median monthly boardings - school student	Average monthly transfers - school student	Median monthly transfers - school student
1 July 2014 to 30 June 2015	340,022	389,596	61,209	69,018
1 July 2015 to 30 June 2016	325,211	373,800	58,886	67,253
1 July 2016 to 30 June 2017	341,382	367,826	61,895	67,259
1 July 2017 to 30 June 2018	342,677	384,099	60,930	65,485
1 July 2018 to 30 June 2019	357,119	404,807	69,016	70,687

Table 4 – Monthly average and monthly median boardings and transfers by passengers using a MyWay card – concession passengers

Financial year	Average monthly boardings - concession	Median monthly boardings - concession	Average monthly transfers - concession	Median monthly transfers - concession
1 July 2014 to 30 June 2015	166,241	166,879	48,884	48,836
1 July 2015 to 30 June 2016	175,803	175,679	51,226	51,556
1 July 2016 to 30 June 2017	197,576	193,371	57,384	55,995
1 July 2017 to 30 June 2018	225,569	225,504	66,306	65,709
1 July 2018 to 30 June 2019	252,443	251,848	76,308	74,832

Table 5 – Monthly average and monthly median boardings and transfers by passengers using a MyWay card – other passengers

Financial year	Average monthly boardings - other	Median monthly boardings - other	Average monthly transfers - other	Median monthly transfers - other
1 July 2014 to 30 June 2015	4,511	4,657	1,097	1,120
1 July 2015 to 30 June 2016	4,078	4,123	908	920
1 July 2016 to 30 June 2017	3,890	3,907	773	792
1 July 2017 to 30 June 2018	3,598	3,659	705	712
1 July 2018 to 30 June 2019	3,938	3,803	908	825

- (3) Transport Canberra and City Services does not have the facility to calculate this information from data generated by the MyWay ticketing system.

Government—revenue (Question No 2875)

Mr Coe asked the Treasurer, upon notice, on 29 November 2019:

- (1) Can the Treasurer provide a breakdown of the total revenue collected through the ACT Revenue Office for each financial year since 2007-08 inclusive to date by (a) residential rates charges, (b) commercial rates charges, (c) land tax charges, (d) duties charges, (e) residential rates penalties, (f) commercial rates penalties, (g) land tax penalties, (h) duties penalties, (i) residential rates interest, (j) commercial rates interest, (k) land tax interest and (l) duties interest.
- (2) Can the Treasurer provide a breakdown of the (a) total number of properties and (b) type of properties for each financial year since 2017-18 inclusive to date that accrued (i) residential rates penalties, (ii) commercial rates penalties, (iii) land tax penalties, (iv) duties penalties, (v) residential rates interest, (vi) commercial rates interest, (vii) land tax interest and (viii) duties interest.
- (3) What is the current total value of outstanding payments in relation to (a) residential rates charges, (b) commercial rates charges, (c) land tax charges, (d) duties charges, (e) residential rates penalties, (f) commercial rates penalties, (g) land tax penalties, (h) duties penalties, (i) residential rates interest, (j) commercial rates interest, (k) land tax interest and (l) duties interest.
- (4) What is the policy for collecting interest on overdue rates, including how interest is (a) calculated, (b) charged and (c) what period of time the interest charged relates to.
- (5) Further to part (4), can the Minister advise in relation to rates informal challenges or formal objections for each of the previous five financial years to date (a) how many challenges or objections has the ACT Revenue Office received, (b) what was the value of rates interest challenged or objected to, (c) how many challenges or objections have been successful and (d) what is the value of any interest charges that have been remitted, waived or otherwise refunded.

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

- (1) The total revenue collected through the ACT Revenue Office for each financial year since 2017-18 to December YTD 2019-2020 is detailed in Table 1. The amounts are the charges raised in the financial year. Rates and land tax interest are for charges raised in that year and does not include interest from previous year charges. The revenue collected from 2007-08 to 2016-17 is detailed in QON 1102 response of 23 March 2018.

Table 1: The revenue collected from 2017-18 to YTD 2019-20

	2017-18 (\$'000)	2018-19 (\$'000)	Dec YTD 2019-20 \$'000)
Residential rates	\$319,129	\$362,650	\$389,968 ¹
Residential penalties	-	-	-
Residential rates interest	\$2,056	\$1,534	\$251
Commercial rates	\$179,662	\$202,685	\$218,361 ¹
Commercial penalties	-	-	-
Commercial rates interest	\$732	\$598	\$128
Land Tax	\$130,259	\$135,335	\$69,632
Land Tax penalties	\$2,457	\$993	\$255
Land Tax interest	\$1,208	\$746	\$107
Conveyance duty	\$224,669	\$246,688	\$80,886
Conveyance penalty tax	\$184	\$291	\$36
Conveyance interest	\$371	\$428	\$73

¹ Amount is the annual assessment

- (2) The number of properties/transactions relating to the revenue in Table 1 for each financial year since 2017-18 to December YTD 2019-2020 is detailed in Table 2. The number of properties 2007-08 to 2016-17 is detailed in QON 1102 response of 23 March 2018.

Table 2: The number of properties from 2017-18 to YTD 2019-20

	2017-18	2018-19	Dec YTD 2019-20
Residential rates	161,486	165,951	168,946
Residential penalties	-	-	-
Residential rates interest	35,919	40,412	28,937
Commercial rates	6,347	6,436	6,552
Commercial penalties	-	-	-
Commercial rates interest	1,645	1,846	1,349
Land Tax	46,963	48,240	46,522
Land Tax penalties	1,101	646	331
Land Tax interest	13,864	15,901	8,301
Conveyance duty	13,114	12,719	6,083
Conveyance penalty tax	38	63	9
Conveyance interest	755	492	114

(3) The total value of debt arrears at 30 June 2019 is shown in Table 3.

Table 3: Outstanding payments

Debt arrears as at 30 June 2019 (\$m)	
Rates	64.0
Rates Interest	4.4
Land Tax	11.4
Land Tax interest	2.1
Duty	12.6

For debt reporting purposes: rates debt is not separately identified as commercial or residential; land tax penalties are not separately identified; duty penalty tax and interest are not separately identified. Penalty tax does not apply to rates.

Identifying the debt categories as requested in the question would require manual calculations. This would be an unreasonable diversion of resources.

(4) Section 21 of the *Rates Act 2004* defines how interest is calculated on rates amounts which are overdue.

(5) Objections – Numbers of rates objections is provided below.

Table 4: Number of Rates Objections

	2014-15	2015-16	2016-17	2017-18	2018-19
Rates objections received for unimproved value	76	61	77	84	144
Rates objections received not for unimproved value	6	12	16	19	38
Total rates objections received	82	73	93	103	182
Rates objections allowed/part allowed for unimproved value	33	8	23	29	19
Rates objection allowed/part allowed not for unimproved value	2	7	3	5	3
Total rates objections allowed/part allowed	35	15	26	34	21

The value of interest for each objection is not reported nor is the value of interest remitted, waived or refunded. To provide this information would require a manual calculation. This would be an unreasonable diversion of resources.

Taxation—commercial property rates (Question No 2876)

Mr Coe asked the Treasurer, upon notice, on 29 November 2019:

What is the total value of commercial general rates revenue collected during (a) 2017-18, (b) 2018-19 and (c) 2019-20 to date.

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

The value of commercial rates revenue assessed from 2017-18 to YTD 2019-20 is detailed in table 1.

Table 1: The commercial rates revenue (\$'000, 2017-18 to YTD 2019-20)

	2017-18	2018-19	YTD 2019-20
Commercial rates revenue	\$180,349	\$203,222	\$218,292

Note 1: YTD represents annual billing in the first quarter

Motor vehicles—insurance (Question No 2877)

Mr Coe asked the Treasurer, upon notice, on 29 November 2019:

- (1) In relation to the new Motor Accident Injuries (MAI) scheme (a) what will be the accepted actual profit margins for insurance companies, (b) how have actual profit margins previously been calculated, (c) how will actual profit margins be calculated when premium filings for the new scheme are submitted, (d) who has been consulted in relation to insurer profit margins, (e) how do the (i) allowable, (ii) filed and (iii) actual profit margins compare to other Compulsory Third Party (CTP) schemes, (f) if an insurer posts actual profits above the allowable margins, what action will the MAI Commission take and (g) will actual profits above the allowable margins be returned to consumers.
- (2) Given the long tailed nature of the CTP scheme, in relation to actual insurer profits (a) how many years does it take before the actual insurer profit is realised or can be accurately assessed, (b) what long term investigations, assessments or reviews have been undertaken on actual insurer profit margins in the ACT during the last five financial years to date and (i) when did the investigations, assessments or reviews take place, (ii) what years or length of time was investigated, assessed or reviewed and (iii) who undertook the investigation, assessment or review and what was the cost, (c) what investigations, assessments or reviews are planned to be undertaken on actual insurance profits for the current scheme once it ends and (i) when will the investigations, assessments or reviews take place, (ii) what years or length of time will be investigated, assessed or reviewed and (iii) who will undertake the investigation, assessment or review and what was the cost and (d) how many years after the new scheme commences will the MAI Commission be able to accurately assess actual insurer profits.
- (3) What works have been undertaken in relation to the defined benefits information service under section 201 of the *Motor Accident Injuries Act 2019* and (a) what assumptions underpin the provision of information services, such as the number of people likely to use the services and scope of services and (b) is the service proposed to be provided by an external entity; if so (i) how the procurement process will be undertaken and procurement methodology and (ii) what is expected cost and period of the contract.
- (4) According to the Government commissioned EY report (Estimated costs of alternative benefit designs for the ACT's Compulsory Third Party (CTP) Insurance Scheme – March 2018) there was an estimated average reduction of \$130 in CTP premiums under the new scheme (a) what is the most current estimated premium saving to

motorists in respect of passenger vehicles under the MAI scheme and (b) what are the main savings and expenses that contribute to the overall estimated saving.

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

- (a) Each premium filing lodged by an insurer is subject to extensive analysis by the scheme actuary, who is required, amongst other things, to determine whether the premium 'fully funds' the scheme and 'is not excessive' (the two tests).

Each premium filing is based on a range of forecast assumptions with regard to the underlying variables that include, for example, claims frequency; average claim cost; and economic assumptions such as superimposed inflation.

In determining whether the premium meets the two tests, due regard is given to the *proposed* profit margin outlined by the insurer, in combination with the examination of the other underpinning data provided in the filing.

Following on from the scheme actuary's analysis, the CTP Regulator then determines whether or not to approve the premium filing.

The premium filing will not be approved if the proposed profit margin filed as part of the premium, is excessive. As part of that process, consideration is given to ensuring that profits made by insurers are based on an adequate return of capital invested and compensation for the risks being underwritten, and taking into account the significant regulatory requirements that must be followed.

- (b) Compulsory third-party (CTP) insurer proposed profit margins are reported in the CTP Regulator's annual report each year.

For the CTP scheme *actual* profit margins have not been calculated given the constraints on information available and the long-tailed nature of CTP claims. An assessment of an insurer's actual profit margin requires a comparison of premiums earned in an accident year with the expenses related to that accident year.

Key components of the determination of actual profit are commercial-in-confidence and are known only to each individual insurer, including information such as actual expenses incurred, actual investment returns, and reinsurance recoveries. CTP schemes are long tailed insurance schemes and it can take a considerable number of years for all claims in an accident year to be finalised.

In the 2019 Section 275 Review Report (Section 275 report) of the operation of the *Road Transport (Third-Party Insurance) Act 2008*, the scheme actuary used the following process to assess insurers' estimated achieved profits:

- estimate the ultimate claim costs ¹ for each year based on the historical claims performance captured in the data to 30 June 2018 (excluding the nominal defendant fund claims and LTCSS claims);
- apply the insurers' expected other margins as set out in their premium filings, which includes allowances for items such as claims handling costs, acquisition expenses, net reinsurance costs, at-fault driver cover etc; and
- divide the combined costs by the premium received for each year, excluding GST and the Nominal Defendant Levy.

The report emphasised that the estimated achieved profits were ‘indicative only’ and ‘could be different, potentially materially, from actual profits’.

Both NSW and Queensland, with privately underwritten personal injury schemes, have also engaged actuaries to assess estimated actual profits.

(c) Actual profits cannot be calculated for the premiums under the new scheme as the scheme has not commenced.

(d) The Government, scheme actuary, insurers and legal profession have been consulted in relation to the:

- monitoring, assessment and analysis of proposed or net profits as required (noting the power the MAI commission has to make a regulation regarding net profits) under the MAI Act; and
- assessment of proposed profits for the MAI scheme under the MAI Premium Guidelines.

(e)(i) In NSW the maximum profit margin allowable is currently 8 per cent of the proposed average gross premium (excluding levies and GST).

The NSW State Insurance Regulatory Authority (SIRA) has indicated they will review maximum rates periodically, and insurers may take into account allowances for innovation and efficiency that are forecast to improve scheme and policyholder outcomes to justify any assumption exceeding the maximum rates of assumptions, including profits, used in the determination of premiums.

(ii) Filed profit margins in other CTP schemes are commercial-in-confidence.

(iii) Actual profit margins in other CTP schemes are not available for the reasons outlined in (1) (b).

(f) The MAI commission will assess and monitor profits. A licensed insurer’s net profit may be reviewed if analysis indicates insurer profits might be higher than is reasonable for the industry. The MAI Act provides the MAI commission with the power to make a regulation to determine:

- when a net profit analysis may be prepared;
- the information that may be included in a net profit analysis;
- how the reasonable industry net profit must be worked out; and
- what action may be taken if analysis shows an insurer’s net profit for a year differs from the reasonable industry net profit.

Future premiums could be adjusted down in the event insurers are making higher profits than is normal for the industry. A regulation has not yet been made under this provision.

(g) See response to (1) (f).

(2)(a) Actual profit is difficult to calculate given the constraints on information available and the long-tailed nature of CTP insurance schemes as outlined in the response to 1 (b)

For the data prepared for the latest 2018-19 CTP Regulator Annual Report, on a payments basis for the accident year ending 30 June 2010, 13.4% of claims still remain open.

- (b)(i) The Section 275 review commenced on 1 January 2019 and was tabled in the Legislative Assembly on 2 April 2019. The scheme actuary assessed the estimated achieved profit by insurers.
- (ii) The Section 275 review considered expected and estimated achieved profit margins for the 2014 to 2018 accident years. Profits prior to the commencement of competition were not disclosed as they are commercial-in-confidence and of a proprietary nature for NRMA, the sole insurer in the period immediately before 2014.
- (iii) The scheme actuary undertook the analysis and the cost of the report was \$55,000 (including GST).
- (c) (i), (ii) and (iii) – No additional legislative reviews (s 275 reviews) are planned for the current CTP scheme, with the repeal of the *Road Transport (Third-Party Insurance) Act 2008*. The MAI Act provides for a three year legislative review under section 493.
- (d) See response to (1)(b) and (2)(a) regarding the process and timing for determining *estimated achieved profits*. The MAI Commission may publish information about the profitability of a licensed insurer's insurance operations, including any proposed profit margins, noting that confidential information relating to an identified insurer cannot be disclosed.
- (3) CMTEDD has released a tender for the establishment of a defined benefit information service for the commencement of the Motor Accident Injuries scheme.
 - (a) It is unclear at this time what the actual demand on the information service will be and the types of services required by injured persons, with a lower level of demand in the initial year anticipated. As such, an initial 18-month pilot conducted by a single organisation is currently out to tender. An evaluation at the 12-month stage will provide a more complete picture of the information service requirements for a full tender.
 - (b) The service is intended to be provided by an external entity. A limited tender process is currently underway and for that reason details regarding the procurement process, methodology, and expected cost cannot be made public. The contract period will reflect the pilot period.
- (4) (a) Updated premium savings for passenger vehicles cannot be provided as this would disclose information regarding the MAI premiums recently filed which have not yet been publicly released. New premiums will be released in the near future.
- (b) See response to (4)(a).

¹ the final cost when all claims for an accident year have finalised.

Government—revenue (Question No 2878)

Mr Coe asked the Treasurer, upon notice, on 29 November 2019:

- (1) For each financial year since 2017-2018, and for each year of the forward estimates, what is the (a) number of dwellings that paid the fixed charge of the ratings system and (b) total amount of revenue generated through the fixed charge, broken down by (i) houses, (ii) rural properties, (iii) units and (iv) commercial properties.
- (2) What are the commercial conveyance duty rates for each year since 2011 2012 and across each of the forward estimates, broken down by each threshold in Budget Paper 3.
- (3) How many transactions are expected to occur for each year of the budget estimates and how many took place each financial year since 2017-2018 to date.
- (4) Can the Treasurer provide the population of Canberra for each year since 2001 to date.

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

- (1)(a) The number of dwellings by category subject to a fixed charge for 2017-18 is provided in QON response 1015 of 23 February 2018. The number of dwellings by category that paid the fixed charge for 2018-19 and YTD 2019-20 is detailed in Table 1 below. Table 1 does not include forward estimates as the Government does not forecast growth in rateable dwellings.

Table 1: The number of rateable properties paying the fixed charge (2018-19 and YTD 2019-20)

	2018-19	YTD 2019-20
Residential	165,970	168,952
• Houses (incl private flats)	113,963	114,623
• Units	52,007	54,329
Rural	174	173
Commercial	6,326	6,433

- (1)(b) The revenue generated through the fixed charge for 2017-18 is provided in QON response 1015. The revenue generated through the fixed charge for 2018-19 and YTD 2019-20 by dwelling category is detailed in Table 2. Table 2 does not include forward estimates as the Government does not forecast growth in rateable dwellings.

Table 2: Fixed charge revenue by dwelling category (\$'000, 2018-19 to YTD 2019-20)

	2018-19	YTD 2019-20
Residential	135,249	147,856
• Houses (incl private flats)	92,864	100,318
• Units	42,384	47,538
Rural	28	28
Commercial	15,918	16,867

Note 1: Does not include concessions

Note 2: YTD represents annual billing in the first quarter not revenue received

- (2) Commercial conveyance duty rates up until June 2017 are on the ACT Revenue Office website <https://www.revenue.act.gov.au/duties/conveyance-duty>. Duty rates for subsequent years are in the relevant chapter of Budget Paper 3.
- (3) The number of commercial conveyance transactions from 2017-18 to YTD 2019-20 is provided in Table 3 below. The Government does not publish forecasts for the number of commercial transactions in the forward estimates.

Table 3: The number of commercial conveyance transactions

	2017-18	2018-19	YTD 2019-20
Commercial transactions	385	544	218

- (4) The Estimated Resident Population (ERP) data for the ACT can be found on the ABS website (www.abs.gov.au). The relevant ABS catalogue reference is 3101.0, Table 4.

Projections of ACT's population are available at:
<https://apps.treasury.act.gov.au/snapshot/demography/act>.

Taxation—rates (Question No 2879)

Mr Coe asked the Treasurer, upon notice, on 29 November 2019:

- (1) What is the total number of mixed-use sites in the ACT for each of the last five financial years to date.
- (2) What is the total number of mixed-use sites in the ACT that are unit titled for each of the last five financial years to date.
- (3) Further to parts (1) and (2), do they pay commercial or residential rates.
- (4) What is the policy for how rates are calculated for mixed-use sites.
- (5) Does the zoning have an impact on whether commercial or residential rates are charged.
- (6) Are there any residential zones where commercial rates are charged; if so, can the Treasurer identify where and why.
- (7) Are there any commercial zones where residential rates are charged; if so, can the Treasurer identify where and why.
- (8) Are all blocks in CZ5 charged exclusively with residential or commercial rates, or a combination; if a combination, can the Treasurer explain the combination and how it is determined.
- (9) What is the (a) commercial and (b) residential rates revenue collected from mixed used sites over each of the last five financial years to date.

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

The *Rates Act 2004* specifies how rates are determined and applied to parcels of land in the Territory, and also applies to mixed-use sites. The zoning of an area under the Territory Plan will determine the permitted uses that may be granted under a Crown lease. Typically, the use of a parcel of land will determine whether commercial or residential rates apply. In a mixed-use site, residential rates can apply to the residential component and commercial rates can apply to the commercial component. This is dependent on the titling that applies to the land, notably the unit title on subdivided land.

Responding to the data components of the questions would require an unreasonable diversion of resources. The information requested is not readily available. It would require the development, testing and running of new reports, the manual collation of data and a significant reconciliation effort.

Arts—funding (Question No 2880)

Mrs Kikkert asked the Minister for the Arts, Creative Industries and Cultural Events, upon notice, on 29 November 2019:

- (1) Can the Minister provide a breakdown of specific initiatives of the artsACT community outreach funding for the community arts and cultural development programs of the Belconnen and Tuggeranong Arts Centres.
- (2) Are any of these programs specifically targeted at Canberra's multicultural communities; if so, (a) which ones and (b) in what ways.
- (3) Do any of these programs have an identified focus on culturally and linguistically diverse arts.
- (4) What are the total staffing numbers for the Belconnen and Tuggeranong Arts Centres, and how many staff come from culturally and linguistically diverse backgrounds.
- (5) Do the arts centres have targets for employing culturally and linguistically diverse staff.

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

- (1) The Belconnen and Tuggeranong Arts Centres are provided with community arts and cultural development funding of \$190,000 each per year for 2019-20, 2020-21, and 2021-22.

The Tuggeranong Arts Centre's (TAC) community arts and cultural development program produces a range of arts projects and activities that reflect and develop the Tuggeranong community's cultural identity including:

- a. First Nations - TAC has established strong connections with the Ngunnawal community, and has developed a program of First Nations arts and cultural activity with an emphasis on local history and culture. The First Nations program has a focus on contemporary Indigenous arts practice

- b. Spaces and Places - focuses on the demographics, geography and culture of Tuggeranong through the experiences and voices of the community. The projects focus on taking art and creativity to the streets, presenting arts and cultural activities including performances and exhibitions in urban spaces beyond the arts centre.
- c. Invisible Borders across dance, music, theatre and visual arts - explores human rights and stories of cultural significance through the arts. The program brings together local and interstate artists, cultural development workers, producers, community groups and individuals to explore cultural diversity, richness and identity.

From 2020, these activities will be consolidated in a new community arts and cultural development program called 'Intersections, Interpretations, and Interactions'. This program will have the same focus on diverse and marginalised communities including Aboriginal and Torres Strait Islander, LGBTIQA+, culturally and linguistically diverse communities, people with disability, seniors, children, and youth.

Belconnen Arts Centre (BAC) maintains arts and cultural development as a core principle across all its programs. BAC has strong engagement with the diverse residents of Belconnen through a program of dance, music, theatre and visual arts including culturally and linguistically diverse people, people with disability, people experiencing disadvantage, and Aboriginal and Torres Strait Islanders.

The arts and cultural development program at BAC comprises a range of activities, including:

- a. Exhibitions which present opportunities for emerging and established artists from all backgrounds to present their work, and enables the community to have direct, engaging experiences with artists.
- b. 'IGNITE' which provides a variety of arts development experiences for people living with disability, including hearing impairment and mental health issues. IGNITE is focused on the development of creative practice and is open to all levels of skills and experience, and artists from diverse backgrounds.
- c. 'Dance for Wellbeing' is specifically devised to support the health and wellbeing of participants through the development of their dance practice.

BAC also presents a range of events at the centre and in the surrounding region including Gungahlin. These events include 'NAIDOC in the North' in Gungahlin, where the centre celebrates the region's First Nations Peoples' arts and cultural wealth, and the 2019 'Meeting Place Amplified' national forum for arts and disability, in partnerships with Arts Access Australia.

- (2) In 2020, TAC program will target Aboriginal and Torres Strait Islander, LGBTIQA+, culturally and linguistically diverse communities, people with disability, seniors, children, and youth.

BAC targets artists and communities with lived experience of disability, mental health issues and hearing impairment. Its arts and cultural development program is inclusive of artists and communities from all backgrounds.

The BAC and TAC arts and cultural development programs are delivered by engaging practising artists and arts workers to lead and develop activities with their respective communities.

- (3) As described in answers (1) and (2).
- (4) TAC has 10 permanent staff, two of who identify as from culturally and linguistically diverse backgrounds. BAC has 14 permanent staff, of whom none identify as from culturally and linguistically diverse backgrounds.
- (5) There are no employment targets for culturally and linguistically diverse staff for either BAC or TAC.

**Multicultural affairs—awards
(Question No 2881)**

Mrs Kikkert asked the Minister for Multicultural Affairs, upon notice, on 29 November 2019:

- (1) In relation to the Multicultural Awards, who decides how many award categories there will be each year, and how are these decisions made as the Awards vary markedly from year to year (this year, there were four award categories/winners, in 2018, there were five, and in 2017, there were nine).
- (2) Who chooses the award winners.
- (3) Who selects those who choose the award winners, and how are they selected.
- (4) When and how are ACT residents notified that nominations for the awards have opened and who receives this notification.

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

1. The ACT Multicultural Awards is in its ninth year. Each year, following the awards nomination and assessment process, the Office for Multicultural Affairs reviews the award categories taking into account the number of nominations received for each category, awards available through other award programs including those for youth, women and Aboriginal and Torres Strait Islanders and ACT Government priorities. Reviewing the award categories provides the opportunity to reduce duplication and remove categories that have received limited or no nominations. The Office of Multicultural Affairs provides advice of proposed changes for the Minister's consideration.
2. For each award program, the Community Services Directorate convenes an assessment panel to consider nominations across all categories. The assessment panels consist of an ACT Government staff member and community representatives. The 2019 panel comprised one senior ACT Government staff member from the Office for Multicultural Affairs, one member from the ACT Multicultural Advisory Council and one community member. The assessment panel makes recommendations to the Minister for Multicultural Affairs, who approves the final list of award recipients.

3. The Community Services Directorate decides on members of the Assessment Panel based on advice from the Multicultural Advisory Council. The advice takes into consideration:
 - a. members who are available and have not been nominated or nominated someone for an award
 - b. a community member from a previously established Panel of Community Members who is available and has not been nominated or nominated someone else for an award; and
 - c. availability of a senior officer from within Multicultural Affairs excluding the Senior Director.

The Panel of Community Members was a panel that was established by the Office for Multicultural Affairs in August 2019 following an expression of interest process to identify community members interested in assessing Office for Multicultural Affairs grant programs. The Office for Multicultural Affairs accessed this Panel to identify a community member for the Multicultural Awards Assessment Panel.

4. Nominations for the Awards opened on 12 July 2019 and closed on 7 August 2019.

Nominations for the Awards were promoted through a range of mechanisms including: social and traditional media platforms (including community radio); the Community Services Directorate's website; Multicultural E-News; the ACT Ministerial Advisory Council and other ACT Advisory Councils; the ACT Aboriginal and Torres Strait Islander Elected Body; former ACT Multicultural Grants recipients; and youth networks.

Education—early childhood strategy (Question No 2882)

Mrs Kikkert asked the Minister for Education and Early Childhood Development, upon notice, on 29 November 2019:

- (1) When does the Minister expect to release the full ACT Early Childhood Strategy.
- (2) As childcare providers set their own policy, is there anything to stop a provider from establishing a policy that, for example, bonds will be returned within six months after a child is withdrawn from enrolment.
- (3) In section 270 of the National Law and in Regulations 227 and 228, information about services and providers that may be made publicly available is stipulated, what specific justifications or considerations have informed the Government's decision that the ACT's Regulatory Authority will not make any of this information publicly available.
- (4) What determines how frequently a provider's rating is updated providing that in answer to question No 2701, the Minister answered that access to child care ratings that assess providers against the seven areas of the National Quality Standard is enough for families to make informed decisions regarding childcare centres, and the websites that were provided in the answer state that ratings may be issued as infrequently as every five years in the ACT.

- (5) Are any checks or assessments in the ACT completed in between the issuance of published ratings; if so, what and how frequently.
- (6) What is the exact nature of the Regulatory Authority's oversight between updates to a provider's ratings.
- (7) If an issue arises in the period between when ratings are issued but is solved before a ratings update, would clients of a childcare centre know about this in any way.
- (8) Does any legislation, regulation or policy govern the lodgement and/or release of bonds paid to childcare providers as the Residential Tenancies Act 1997 governs the lodgement and release of rental bonds.

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

- (1) The Early Childhood Strategy for the ACT will be released in the coming months.
- (2) Under the *Education and Care Services National Law (ACT) Act 2011* (The National Law) early childhood education and care services establish their own policies and it is at the provider's discretion as to the content within these policies. However, providers are not able to include anything in their policy that is a breach, or would support a breach, of any law.
- (3) Sections 227 and 228 of the National Regulations are currently under consideration in the National Quality Framework Review. This review will consider current approaches to publishing compliance and enforcement actions across Australia, the impacts of making this information publicly available, and opportunities for greater consistency between jurisdictions on this issue.
- (4) Authorised officers from within the ACT Regulatory Authority conduct a risk assessment to determine the schedule of Assessment and Rating cycle. Further details about the Assessment and Rating process are outlined on pages 216-218 of the Education Directorate Annual Report 2018-2019 (the Annual Report).
- (5) As well as Assessment and Rating the ACT Regulatory Authority conducts compliance audits, risk assessment audits and investigations. These functions are outlined in pages 216-220 of the Annual Report.
- (6) Please refer to pages 216-220 of the Annual Report.
- (7) The ACT Regulatory Authority has a range of powers in responding to breaches of the National Law. The National Law is focused on the health, safety and wellbeing of children, their developmental outcomes and the quality of service provision. Decisions to communicate information regarding compliance action to families, or to direct a provider to communicate information to families, are made on a case by case basis. As noted in response to question 3 the publication of compliance and enforcement actions is under consideration in the National Quality Framework Review.
- (8) The keeping of bonds by early childhood education and care services is a contractual arrangement between services and families. Issues related to contracts between consumers and providers fall within the scope of Australian Consumer Law (ACT) (the ACL) which is regulated by the Fair Trading and Compliance team in Access Canberra. The ACL provides protection for consumers in the Territory. While the

ACL does not have specific provisions around bonds, there are laws in place to protect consumers from unfair contract terms in standard form contracts. Whether something is 'unfair' is considered by looking at the contract as a whole.

It is common for providers to request a bond from families to cover any unexpected adjustments to Child Care Subsidy payments.

Not all early childhood education and care services in the ACT require a bond. If a family is dissatisfied with a service's requirements, such as the keeping of bonds, they can raise these issues with the service in the first instance. In some circumstances services can adjust their requirements, such as when a family is experiencing vulnerability or disadvantage. If the issue cannot be resolved, information for families regarding alternative early childhood education and care services can be found on the Starting Blocks website www.startingblocks.gov.au.

Mental health—suicide prevention (Question No 2883)

Mrs Kikkert asked the Minister for Mental Health, upon notice, on 29 November 2019:

- (1) Can the Minister provide detailed updates on what the ACT Government has done in response to Recommendations 1 and 2 from the Standing Committee on Health, Ageing, Community and Social Services Report 8 entitled Inquiry into Youth Suicide and Self Harm in the ACT.
- (2) Have the intended funding and research outcomes been made public yet; if not, why not; if so, are there any other obstacles that would prevent the Assembly from re-examining this matter as per the third recommendation.
- (3) What early intervention measures, education approaches and access to services for suicide prevention activities has the ACT Government developed since the report was tabled.
- (4) The inquiry's terms of reference include data in the notes section from 2013, can the Minister provide up-to-date data for the each year between 2013 and the present, in the categories of (a) percentage of young people aged 15 to 25 who died in the ACT who died as a result of suicide, (b) number of persons who died from suicide in the ACT and (c) number of persons who died from transport accidents in the ACT.

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

(1) RECOMMENDATION 1

2.28 The Committee recommends that the ACT Government update the Legislative Assembly on both the development of the national database, and progress made in relation to improving the collection of ACT data, particularly in relation to receiving consistent data from community based organisations.

There are numerous Commonwealth initiatives to develop national standards for data linkage of national databases that have relevant data related to suicide and self-harm, such as the Australian Institute of Health and Welfare suicide and self-harm

monitoring system project. Data linkage between existing national data sets requires a complex process and cooperation of all data custodians across all jurisdictions. There is no national level database that contains all the relevant data or the right type of data. Progress is being made across multiple levels of government to develop this work. The ACT Government is an active participant in this.

Improving ACT suicide data is a key strategy of ACT Lifespan. ACT Lifespan is collaborating with the Black Dog Institute and the Australian National University (ANU) to progress a study which aims to achieve the most accurate coded and best quality suicide data available in Australia. This data project is currently in its initial stages. Improving ACT suicide data quality will be achieved through data linkage and the analysis and visualisation of spatial relationships within the suicide incident data. This data mapping and analysis will be used to inform the development and implementation of appropriate service provisions and ACT specific suicide prevention programs and strategies.

With respect to community-based organisations, nationally only Western Australia and Queensland have introduced the Australian Institute of Health and Welfare (AIHW) Non-Government Organisation (NGO) data collection taxonomy. The AIHW NGO taxonomy provides a foundation but requires review and updating to include an outcomes of care approach rather than a standardised set of inputs and outputs. At present the ACT does not have a standardised minimum data set for NGOs. Work is progressing with respect to ACT NGO data collection.

RECOMMENDATION 2

3.65 The Committee recommends that the ACT Government update this Committee in relation to Australian Government funding negotiations in relation to mental health funding, including the Capital Health Network.

In 2019-20, the Commonwealth Government announced \$22.9 million to implement additional Youth Mental Health and Suicide Prevention services in the ACT community. This component of the ACT Health Plan, see Attachment A, includes funding for:

1. a Residential Eating Disorders Centre (\$13.5 million);
2. Youth Mental Health and Suicide Prevention project (\$6 million); and
3. Headspace (\$3.4 million)

The ACT Government is currently in the process of negotiating the funding arrangements and Project Agreements for the ACT Health Plan with the Commonwealth. The periods of the Project Agreements are expected to range from 2019-20 to 2023-24.

The ACT Government is committed to partnering with the Capital Health Network to fund and implement mental health and suicide prevention strategies and programs. Over recent years this has included the following:

- the development of the ACT Regional Mental Health and Suicide Prevention Plan;
- the implementation of the ACT LifeSpan high-fidelity Suicide Prevention Trial;
- the ACT Wayback Suicide Aftercare Support Service which provides non-clinical care and practical support to individuals for up to three months following a suicide attempt;

- ACT implementation of the National Psychosocial Support (NPS) measure to provide psychosocial support services to assist people with severe mental illness resulting in reduced psychosocial functional capacity who are not more appropriately supported through the National Disability Insurance Scheme (NDIS);
- additional ACT Government funding of \$1.273 million for Headspace Canberra;
- HealthPathways, a free online health information portal for health professionals in the ACT and Southern NSW (SNSW) regions. The ACT & SNSW HealthPathways program is a partnership between Capital Health Network, COORDINARE (SE NSW Primary Health Network), the ACT Health Directorate and SNSW Local Health District.

(2) RECOMMENDATION 3

5.63 The Committee recommends that the ACT Legislative Assembly consider re-examining this matter when funding and research outcomes are made public in order to determine the most appropriate way to further develop early intervention measures, education approaches and access to service for suicide prevention activities in the ACT.

In 2018-19, the ACT Government engaged the Black Dog Institute to introduce the LifeSpan integrated suicide prevention framework. The LifeSpan project is a whole of system, evidence-based project, which aims to understand suicide and its causes, to better develop prevention activity. LifeSpan combines nine strategies that have strong evidence for suicide prevention into one community-led approach incorporating health, education, frontline services, business and the community. The nine evidence-based strategies are:

1. improving emergency and follow-up care for suicidal crisis;
2. using evidence-based treatment for suicidality;
3. equipping primary care to identify and support people in distress;
4. improving the competency and confidence of frontline workers to deal with suicidal crisis;
5. training the community to recognise and respond to suicidality;
6. promoting help-seeking, mental health, and resilience in schools;
7. engaging the community and providing opportunities to be part of the change;
8. encouraging safe and purposeful media reporting; and
9. improving safety and reducing access to means of suicide.

The ACT LifeSpan research trial and the implementation of its initiatives are due for completion and evaluation in July 2021.

- (3) In late 2016 the ACT Government, as a strategic priority, appointed its first dedicated Minister for Mental Health. The ACT Government is committed to enhancing the mental health and wellbeing of our community by focusing on the integration of services, prevention, and early support.

In accordance with the Ninth Parliamentary Agreement, a key priority for the Mental Health Portfolio is achieving a sustained reduction in the rate of suicide in the ACT.

This commitment is demonstrated in the programs and services that the ACT Government supports for suicide prevention including:

- the establishment and workplan of the Office of Mental Health and Wellbeing including the review of Children and Young People's Mental Health and Wellbeing in the ACT;
- the establishment of the three-year high-fidelity research trial of the Black Dog Institute's (BDI) LifeSpan Integrated Suicide Prevention Framework in the ACT;
- Aboriginal and Torres Strait Islander people are a priority cohort for ACT Lifespan. The ACT Health Directorate has funded an Aboriginal and Torres Strait Islander LifeSpan Project Officer to consult and coordinate the involvement of the ACT Aboriginal and Torres Strait Islander community in Suicide Prevention initiatives and the development of programs;
- the establishment of a Suicide Prevention Officers in Canberra Health Services and the Education Directorate;
- the ACT Government has provided matched funding with the Federal Government for the ACT Way Back Suicide Aftercare Service until 2022;
- increased access to suicidal crisis intervention and treatment with Adult Community Mental Health Model of Care redesign and implementation of Acute Response Intensive Home Treatment and Assertive Community Outreach teams;
- improved services for the highest at-risk populations, for example increased Detention Exit Community Outreach; Mental Health, Justice Health, Alcohol and Drug Service (MHJHADS) working towards LGBTIQ+ improved access and services;
- Aboriginal & Torres Strait Islander priority access to a mental health nurse and psychiatric registrar at Winnunga Nimmityjah Aboriginal Health Service;
- in 2018-19, the ACT Government were successfully granted \$6 million over four years by the Federal Government for a Youth Mental Health and Suicide Prevention Project. This project has two distinct pathways: an Online Youth Navigation Portal providing individualised online and phone services for young people; and the Youth Aware of Mental Health (YAM) program;
- roll out of Question Persuade Refer (QPR) Gatekeeper Training across the ACT through Lifespan;
- ongoing focus on destigmatising community public awareness through support of Mental Health Month, R U OK? Day and World Suicide Prevention Day;
- embedding research and evidence-informed practice, for example the partnership with the ANU Centre for Mental Health Research, Beyond Blue and the Black Dog Institute with the implementation of ACT Lifespan;
- Are They Triple OK?' program provide extra resources to frontline personnel and their families to help them get the support they need if they're struggling with mental health issues;
- the ACT Government has also invested in other suicide prevention services run through non-government organisations including OzHelp, MIEACT, Headspace Canberra, Lifeline, Menslink and Let's Talk.

(4) The data below has been sourced from the Australian Bureau of Statistics (ABS) 2018 Causes of Death and Intentional self-harm tables:

	ACT	2013	2014	2015	2016	2017	2018
4(a)	15-24yrs intentional self harm deaths	5	5	9	na	11	10
4(b)	all ages intentional self harm deaths	37	38	46	28	58	47
4(c)	transport accident deaths	15	14	11	15	9	11

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

Crime—Ginninderra electorate (Question No 2884)

Mrs Kikkert asked the Minister for Police and Emergency Services, upon notice, on 29 November 2019:

- (1) How many crimes in the Ginninderra electorate (if data for the Ginninderra electorate is not available, provide statistics for the whole of ACT) were reported involved alleged victims under the age of 18, for each year in the past four years.
- (2) How many of the reported crimes in part (1) involved alleged offenders under the age of 18.
- (3) How many domestic violence reports in the Ginninderra electorate (if data for the Ginninderra electorate is not available, provide statistics for the whole of ACT) involved alleged victims under the age of 18, for each year in the past four years.
- (4) How many of the reports in part (3) involved alleged offenders under the age of 18.

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

Please note that for the below responses, ACT Policing data for the Ginninderra electorate includes the following suburbs: Macnamara, Strathnairn, Holt, Macgregor, Dunlop, Fraser, Spence, Charnwood, Flynn, Melba, Evatt, Latham, Higgins, Scullin, Page, Weetangera, Hawker, Cook, Aranda, Macquarie, Belconnen, McKellar, Lawson and Bruce.

- (1) Please see the below breakdown for the number of offences reported to ACT Policing in the Ginninderra electorate that involved a victim who was under the age of 18 at the time of the offence.

Offences reported to ACT Policing in the Ginninderra electorate where the victim is under the age of 18				
Number of offences reported	2016	2017	2018	2019*
	285	303	249	222

*From 1 January 2019 to 30 November 2019

- (2) Please see the below breakdown for the number of offences reported to ACT Policing in the Ginninderra electorate that involved a victim who was under the age of 18, and the apprehended offender is under the age of 18 at the time of the offence.

Offences reported to ACT Policing in the Ginninderra electorate where the victim is under 18 and the apprehended offender is under the age of 18				
Number of offences reported	2016	2017	2018	2019*
	16	24	27	18

*From 1 January 2019 to 30 November 2019

- (3) Please see the below breakdown for the number of family violence incidents reported to ACT Policing in the Ginninderra electorate, that involved a victim who was under the age of 18 at the time the incident occurred.

Family violence incidents in the Ginninderra electorate with a victim under the age of 18				
Number of offences reported	2016	2017	2018	2019*
	86	79	78	70

*From 1 January 2019 to 30 November 2019

- (4) Please see the below breakdown for the number of family violence incidents reported to ACT Policing in the Ginninderra electorate, that involved a victim who was under the age of 18, and the apprehended offender was under the age of 18 at the time the incident occurred.

Family violence incidents in the Ginninderra electorate with a victim under 18 and an apprehended offender under 18				
Number of offences reported	2016	2017	2018	2019*
	5	1	3	4

*From 1 January 2019 to 30 November 2019