

- Additional one-off top-up payments were also made for larger businesses at the following rates:
  - \$10,000 for employing businesses with a turnover greater than \$2 million and less than \$5 million
  - \$20,000 for employing businesses with a turnover greater than \$5 million and less than \$10 million
  - \$30,000 for employing businesses with a turnover greater than \$10 million
- The package was split on a 50/50 basis between the Commonwealth and the ACT Governments, with the Territory government administering the program.
- COVID-19 Tourism, Accommodation Provider, Arts and Events and Hospitality Grant
  - One-off grants to businesses in the identified industries will be provided at the following rates:
    - \$1,000 for non-employing businesses;
    - \$3,000 for employing businesses with turnover less than \$2 million;
    - \$10,000 for employing businesses with turnover greater than \$2 million and less than \$5 million;
    - \$20,000 for employing businesses with turnover greater than \$5 million.
  - The eligibility criteria will match the eligibility criteria for the COVID-19 Business Support Grant.
  - We estimate that approximately 2,000 businesses could be eligible for this additional one-off grant to be administered in October as ACT Government progress the assessment of the COVID-19 Business Support Grants.
- Other economic and financial supports measures:

- Accommodation and Tourism Venue Operator support program (up to \$75,000) – Accommodation providers, events venues and private tourist attraction operators can apply for a rebate on the water and sewerage fixed charge component of their Icon Water bills for the first two quarters of 2021-22.
  - To be eligible for the rebate the applicant must be able to demonstrate 30 per cent loss of revenue in July 2021 compared to April 2021.
- Small Tourism Operator COVID Recovery Payment (up to \$15,000) – Operators likely to receive less than \$15,000 under the Accommodation and Tourism Venue Operator support program can apply for reimbursement of up to \$15,000 per ABN for eligible expenses incurred in June and July 2021.
- Tourism Cooperative Marketing Fund (TCMF) will be brought forward in 2021-22. It is designed to encourage Canberra-based organisations or businesses to collaborate on innovative marketing campaigns that increase awareness of Canberra and region as a leisure destination.
- The 2021-22 COVID Safe Co-Investment Program will be brought forward and will offer \$750,000 in funding to encourage the development of new experiences to attract overnight visitors to Canberra.
- COVID-19 Small Business Hardship Scheme – Eligible small businesses will be able to apply to the ACT Government to receive credits for payroll tax, utility charges, rates and other selected fees and charges up to a maximum of \$10,000 per operator. To be eligible, applicants must demonstrate a 30 per cent loss of revenue from June quarter 2021 to September quarter 2021 and have a turnover between \$30,000 and \$10 million. The Scheme will open in October 2021.
- Access to ACT Revenue Office Hardship Arrangements – Homeowners experiencing financial hardship as a result of the COVID-19 lockdown commencing on 12 August 2021, have had

the opportunity to defer payment of 2021-22 first instalment rates.

- For those who received the residential rates deferral last year due to COVID impacts, ACT Revenue Office will extend the deferral interest free period from 30 June 2021 to 30 November 2021.
- Payroll tax exemptions for apprentices or trainees – wages to new employees who are apprentices or trainees employed after 1 August 2020 are exemption from payroll tax from the start of their employment until 30 June 2022.
- Grace period for ACT parking – to support our essential workers and assist our community, Minister Steel has agreed there will be a temporary grace period on paid parking in ACT Government owned car parks for the duration of the lockdown period.
- A range of extended licence and fee waivers, including:
  - The food business registration fee waiver has been extended until 31 March 2022.
  - The outdoor dining permit fee waiver has been extended for another 12 months, until 30 June 2022.
  - The annual licence fee waiver for some liquor licensees has been tapered to provide a 50 per cent fee reduction for 12 months from 1 April 2021 to 31 March 2022.
  - A full rebate for all ride share annual licence fees for 12 months (for both new and renewals).
- A \$26 million package for mental health and community supports, including:
  - \$8.6 million over three years to expand the capacity of existing services including specialist homelessness programs that commenced operation during the COVID-19 pandemic.

- \$4.0 million over four years to increase the community sector indexation rate applied to annual grants funding.
- Additional funding of \$3.5 million over four years to local volunteer groups to help maintain and improve our iconic landscape.
- \$2.5 million over the next four years to maintain and strengthen Legal Aid's capacity to represent, support and assist vulnerable members of the Canberra community.
- \$2.2 million over the next four years for a culturally appropriate program to focus on suicide prevention, intervention, postvention and aftercare tailored for Aboriginal and Torres Strait Islander Canberrans.
- \$2.0 million over four years to support crucial services delivered by the Community Legal Assistance Sector including the Aboriginal Legal Service NSW/ACT, Canberra Community Law, CARE Inc, the Environmental Defenders Office, and the Women's Legal Centre ACT.
- \$762,000 over four years to allow the Children and Young People Equipment Loan Service (CAYPELS) to continue and to develop a service planning model to inform the future operation of the service.
- Additional funding of \$623,000 over four years for A Gender Agenda to continue their work with vulnerable trans, gender diverse and intersex Canberrans.
- \$570,000 to support vulnerable people in the multicultural community, including:
  - An additional \$180,000 for the Refugee, Asylum Seeker and Humanitarian program to provide financial assistance for its clients who hold an ACT Services Access Card and to support the resettlement of refugees, asylum seekers and humanitarian entrants living in the ACT;

- \$137,000 for emergency, material and aid services;
  - \$135,000 to support COVID-19 messaging; and
  - \$118,000 to support a community partnership to provide emergency payments to vulnerable families.
- \$509,000 for the pandemic response team to continue implementing the ACT Government Community Recovery Roadmap. This initiative builds on recent Government actions in this area including the 2020-21 Health COVID-19 Response initiative.
  - \$311,000 to end adverse experiences of young First Nations people in the ACT child protection system by establishing an Aboriginal and Torres Strait Islander Children’s Commissioner.
  - Funding of \$184,000 in 2021-22 to develop a model of care for five additional supported accommodation homes to support people living with enduring mental illness to live safely and well in the community.
  - An additional \$100,000 to support ongoing access to emergency food relief for those in need.

COVID-19 legislative measures:

- In April 2020, the CHO enacted the *COVID-19 Emergency Response Act 2020* which made necessary changes to ACT legislation to ensure the essential and necessary operation of ACT Government and effective service provision. As of 22 September 2021, this Act has been amended to expiry at the end of a 12-month period during which no COVID-19 declaration has been in force.
- Other measures temporarily introduced include *COVID-19 Emergency Response Legislation Amendment Act 2020*, *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)*, and *COVID-19 Emergency Response Legislation Amendment Act 2021*, to support the ACT Government’s emergency and operational response to the COVID-19 public health emergency.

- The *Emergency Response Legislation Amendment Bill 2020 (No 3)* foreshadowed that a future omnibus Bill would be progressed to permanently adopt COVID-19 measures that have continuing benefit, particularly through significant reductions in red tape and effecting operational efficiencies. A Red Tape Reduction and Operational Efficiencies (COVID-19 Legacy) Legislation Amendment Bill is under development for this purpose.
- The ACT continues to share information with, and learn of good practice from, other jurisdictions in response to COVID-19 through Access Canberra's corporate membership of the ANZSOG National Regulators Community of Practice (NRCoP), participation in regulator leadership masterclasses and through participation in a several intergovernmental forums including the National Coordination Mechanism, working groups of the Commonwealth Deregulation Taskforce and the National Cabinet and its sub-groups.
- In response to the lockdown announced on 12 August 2021, the ACT Government has re-instated a temporary measure to protect commercial tenants who are struggling to pay their rent due to the pandemic.
  - The new commercial leases declaration places an obligation on commercial landlords to negotiate in good faith with their impacted tenant before taking action against the tenant for certain breaches.
    - The new declaration took effect from 12 August 2021.
  - Under the new Declaration, an impacted tenant must be an SME entity and must satisfy a decline in turnover test.
  - As with the previous declarations, the new Declaration requires in good faith negotiations having regard to the National Code of Conduct for Small to Medium Enterprise commercial leasing principles which was agreed by National Cabinet in April 2020.
  - Comparable arrangements have been re-instated in New South Wales and Victoria in response to the impacts on lockdowns on small to medium businesses in the those jurisdictions.

- The new Declaration was informed by the views of the Commercial Tenancies Administration Committee which is comprised of industry stakeholders.

## Issue: Wellbeing

### Talking Points

- 2020-21 saw significant progress made to embed the ACT Wellbeing Framework across government, including through Budget and Cabinet processes.
  - Over 200 Wellbeing Impact Assessments (WIAs) were prepared across the ACTPS for the 2021-22 Budget process, supporting a wellbeing focus in the 2021-22 Budget.
  - Wellbeing discussion groups, which included representatives from across all directorates, reviewed the WIAs and provided advice to Expenditure Review Committee through Treasury briefs.
- From 1 January 2022, WIAs became mandatory for Cabinet Submissions, replacing the Triple Bottom Line assessment, and contributing to discussion and decision-making based on a fuller understanding of how proposals will impact the wellbeing of our community.
  - Between November 2021 and February 2022, over 1000 ACTPS staff attended WIA information sessions to support and establish the use of the tool across the service.
- In 2020-21 we also prepared the first Wellbeing Data Dashboard, providing an overview of Canberra's performance across measures under the 12 wellbeing domains.
  - The dashboard includes data and information on 90 measures across the 12 domains and 56 indicators that make up the ACT Wellbeing Framework.
  - The dashboard will assist in measuring our progress over time and help to inform the programs and services the ACT Government delivers.
- Looking forward, we are building a new dashboard to better inform the community on the wellbeing of Canberra's children and young people.
  - This dashboard is based on the domains and foundations of the ACT Wellbeing Framework.
  - It brings together local and national data to support all of our community, including government and community partners, to consider how and where they can best contribute to improving the lives of our children and young people in Canberra.

### Key Information



- In March 2020, the Government released the ACT Wellbeing Framework including 12 domains and 56 indicators. In April 2021, the Government released the Wellbeing Data Dashboard which includes data against 90 of the 100 indicators in the Framework. Some measures are still under development and the dashboard will be updated over time – with the expectation of a first update later this year.
- The 10th Parliamentary and Governing Agreement (PAGA) includes a wellbeing commitment:
  - “Ensuring a holistic approach to government budgets, decision-making and reporting, including consistent, meaningful and measurable strategic and accountability indicators based on wellbeing.”
- The 2021-22 ACT Budget was the first where Wellbeing principles have been embedded in Budget proposals and decision-making.
- Following changes to the *Freedom of Information Act 2016* in December 2021, wellbeing impact assessments (WIAs) became mandatory for Cabinet Submissions from 1 January 2022.
- We recognise that embedding a wellbeing approach in the way we consider issues will take time – to better evaluate wellbeing outcomes, build a strong evidence base of what works for wellbeing, shape our investments around priority areas of need identified in conjunction with the community, and create a shared language across government and stakeholders in how we approach and collaborate on these issues.
- Part of the PAGA commitment involves a review of our strategic and accountability indicators. This work will progress through 2022.

#### *Budget*

- For the 2021-22 Budget, the ACT government required a WIA for budget proposals to help decision-makers understand the impact of each proposal on the wellbeing of our community, including who would be impacted and which of the domains under the Wellbeing Framework the impacts most closely related to.
- WIAs provided a tool for drafting officers and managers to develop proposals that included detailed information on wellbeing impacts, and a tool for ERC to provide advice on how proposals would impact wellbeing, including on groups within the community at risk of experiencing lower than average wellbeing.

#### *Data Dashboard and reporting*

- Development of the dashboard released on 1 April 2021 was an extensive whole-of-government process.
- The Framework commits to comprehensive data reporting every two years, with updates in relation to government and community action to support wellbeing being reported periodically in the intervening years.

#### *COVID-19 Reporting*

- The Wellbeing Framework was designed to capture the longer-term changes in wellbeing outcomes.

- Whilst the dashboard has a number of University of Canberra *Living Well* survey measures in it (and so picks up sentiment during COVID-19 intense periods including last year) the Dashboard itself is not designed as a COVID-19 report.

#### *Wellbeing of specific groups in the community*

- As well as providing high-level aggregate data on wellbeing for the community, the Framework commits to, over time and where possible, breakdown of the aggregate indicator and measure information and data by various specific groups to examine the variability of wellbeing outcomes across the community.
- These groups are:
  - Older Canberrans;
  - Children and young people;
  - Aboriginal and Torres Strait Islander people;
  - Culturally and linguistically diverse people;
  - Gender;
  - LGBTIQ+;
  - People with a disability; and
  - Carers
- The wellbeing team in PCD, the ACT Data Analytics Centre and the Community Services Directorate have commenced work around children and young people and Aboriginal and Torres Strait Islander wellbeing.

#### *Governance*

- A cross directorate group (the *Wellbeing Policy and Implementation Group* – WPIG) is working with the wellbeing project team in Policy and Cabinet CMTEDD to embed the Framework within government decision-making.
- Strategic Board is overseeing this work during this the current term of the Assembly.

**ISSUE: CHILD SAFE STANDARDS & REPORTABLE CONDUCT****ISSUE: CHILD SAFE STANDARDS****Talking points:**

- The ACT Government has agreed in principle to Royal Commission recommendations to introduce a Child Safe Standards scheme and appoint independent oversight.
- Under a Child Safe Standards scheme, organisations working with children and young people would be required to use the Standards to make continuous improvements to child safety.
- Child Safe Standards provide practical guidance to organisations on how to create a culture of safety which protects and empowers children and young people (e.g. improving governance systems, including young people in decisions that affect them, and using child focused processes in responding to complaints).
- Initial community consultation on the design of the ACT Child Safe Standards Scheme was held between November 2019 and February 2020. The consultation highlighted community support for Child Safe Standards, with many organisations providing services to children already striving to deliver safe environments and improve practices.
- Organisations also raised the need for educational materials, supports and time to transition to a new scheme, noting child safety has a complex regulatory environment already.
- Based on what was heard, the Government decided the ACT's Child Safe Standards Scheme will:
  - use principle-based standards;
  - be focused on long-term capacity building and education, rather than prescriptive rules and penalties;
  - be risk-based, recognising that each organisation and sector will be different; and
  - be managed by the Human Rights Commission.

### Key Information

- This work has been impacted by the ongoing public health emergency, starting in March 2020 while efforts were focussed on responding to the emerging pandemic.
- Work has re-commenced on drafting legislation to introduce a Child Safe Standards Scheme in the ACT, but timing will be dependent on the ability to engage with stakeholders on the design of the scheme.
- The work was previously being progressed under the Chief Minister, Attorney-General and Minister for Justice, Consumer Affairs and Road Safety. Under the new Administrative Arrangements of the 10<sup>th</sup> Assembly, the work is overseen by the Minister for Families and Community Services and the Minister for Human Rights.

*Why are Child Safe Standards needed on top of Working with Vulnerable People Checks and the Reportable Conduct Scheme?*

- WWVP and RCS require people to report known incidents of abuse, and prevent known perpetrators from working with children. In contrast, CSS places the emphasis on creating child safe environments that prevent abuse from occurring in the first place.

*What will the impact on organisations be?*

- The scheme will be designed to promote child safety while minimising the burden on organisations.
- There is no ‘one size fits all’ approach to implementing the Standards. Organisations will have flexibility to comply in ways that make sense in their context (considering their size, the nature of their interactions with children, and the administrative resources available to them).
- The Standards encourage continuous improvement over time, not immediate leaps in progress.
- Organisations will not be expected to build things from scratch. ACT and federal oversight bodies (e.g., Australian Human Rights Commission) will provide guidance material, tools and resources, training sessions, telephone and email support.
- While compliance may require work for some organisations, the Standards also present opportunities for small organisations:
  - Investment in prevention is cost effective, as it mitigates exposure to the costs of investigations following incidents.
  - Businesses that comply with the Standards are becoming providers of choice as parents increasingly ask about child safety when making purchasing decisions.

- The guidance and support provided through the Scheme will help ACT businesses to continuously improve alongside businesses in other jurisdictions that have similar schemes (eg NSW and Vic).

### **Background Information**

- All Premiers and Chief Ministers endorsed the National Principles for Child Safe Organisations in February 2019
- From November 2019 to February 2020, the community had the opportunity to provide input to the following four elements:
  - scope of the scheme (which organisations should be included);
  - types of support to be provided by the oversight body, to assist organisations to comply with the Standards;
  - what monitoring and enforcement powers should be given to the oversight body; and
  - how best to stage commencement of the scheme so that organisations have time to prepare.
- Note there have been delays in delivering the Child Safe Standards Scheme, in line with the ACT Government's response to the recommendations of the Royal Commission into Institutionalised Child Sexual Abuse; however, no commitment has been made about the timing of legislation following delays associated with the 2020 and 2021 COVID responses.
- If organisations wish to start thinking about what Child Safe Standards means for them, the website of the National Principles for Child Safe Organisations (<https://childsafe.humanrights.gov.au>) contains free tools and resources, including videos, self-assessment checklists, online training modules, and sample policy documents.

## REPORTABLE CONDUCT

### Talking points:

- The ACT's Reportable Conduct Scheme has been in place since 1 July 2017. It provides independent oversight, through the ACT Ombudsman, of the way workplaces subject to the Scheme investigate and handle allegations of misconduct involving children.
- Reportable Conduct refers to certain types of misconduct involving children, including ill treatment, neglect, sexual misconduct, and certain types of criminal behaviour.
- The Scheme was introduced as part of the Government's response to the Royal Commission into Institutional Responses to Child Sexual Abuse.
- Entities subject to the scheme include all government and non-government schools, all ACT Government directorates, providers of childcare services, health services, out-of-home care services and religious organisations providing care or instruction to children.

### Key Information

- Funding for the Scheme is managed through a single service agreement with the Ombudsman for a range of services they provide for ACT Government.
- This service agreement is managed centrally by the Workforce Capability and Governance division, which now manages payments for the Reportable Conduct Scheme, although Policy and Cabinet Division retain policy responsibility for the scheme.
- The Ombudsmans releases quarterly public reports providing an overview of cases received and resolved during each period.
- CMTEDD works with the Ombudsman to review operation of the scheme, including its legislation, to ensure it continues to operate effectively and efficiently.

**ISSUE: Royal Commissions:**

- 1. General information/ACT Government engagement**
- 2. Disability**
- 3. Veterans**
- 4. Child Abuse**
- 5. Natural Disasters**

**1. General information****Talking points:**

- The ACT Government engages with a range of national Royal Commissions including the current Disability Royal Commission and Veterans Royal Commission, and recent Royal Commissions on Child Abuse and Natural Disasters.
- The ACT, as a Territory, does not issue letters patent to establish and empower Royal Commissions in the Territory like States do. Nonetheless, the Royal Commission has the same powers in the ACT as elsewhere and the ACT Government has committed to supporting and engaging fully with all current Royal Commissions.
- Line agencies are generally responsible for leading work to respond to Royal Commissions, although CMTEDD is typically closely involved in coordination and engagement efforts. The ACT Government Solicitor supports direct engagement with Counsel Assisting Royal Commission(s) on legal notices.

**Key issues:**

- The Commonwealth Governor-General may, by Letters Patent, issue a Royal Commission, requiring or authorising it to make inquiry into and report upon any matters specified in the Letters Patent (pursuant to s 1A of the Royal Commissions Act 1902 (Cth) (Commonwealth Royal Commissions Act)).

- A member of a Royal Commission may summon a person or organisation to appear before the Commission at a hearing to give evidence or produce documents in relation to matters that fall within the scope of the Terms of Reference.
- An issue arose when the Commonwealth was establishing the Royal Commission into Institutional Abuse of Children as to the capacity of the Commission to compel the production of some documents held by departments of state governments and to give evidence through their officials.
- It involved constitutional principles around the capacity of the Commonwealth to significantly curtail or interfere with the capacity of a State to function as a government by the production of material core to governmental activities or otherwise interfering in its operations.
- The solution was for the Commonwealth Commissioners to also be appointed as Commissioners under equivalent State laws. The Governor of each State issues corresponding Letters Patent under that State's analogous laws, requiring and authorising the members of the Royal Commission to inquire into matters that fall within the Terms of Reference.
- The Territories are in a different position to States. The Commonwealth Parliament has a power to make laws with respect to the Territory, pursuant to s 122 of the Constitution. The Commonwealth Parliament does not require a separate source of power to compel the attendance of Territory witnesses or require the production of Territory documents pursuant to a power in a Commonwealth law.
- Typically, line agencies are responsible for monitoring, engaging with and responding to Royal Commissions. However, CMTEDD (PCD) has played a significant role in most recent Royal Commissions due to the complex and cross-portfolio nature of those Royal Commissions.
- The ACT Government does not typically share the cost of Royal Commissions that the Commonwealth chooses to establish, but nonetheless support and engage with Royal Commissions as needed.



## 2. Disability

### Talking points:

- The ACT Government has welcomed the *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*, which will provide a much-needed platform for some of the most vulnerable members of our community
- The Royal Commission is expected to inform governments, institutions and the wider community on how to prevent, and better protect, people with disability from experiencing violence, abuse, neglect and exploitation in the future and promote a more inclusive society that supports the independence of people with disability.
- The Community Services Directorate is the lead directorate for disability matters in the ACT. CMTEDD works closely with CSD to ensure a seamless response to the Royal Commission

### Key issues:

- The ACT Government has received a number of notices to give information from the Royal Commission relating to health, justice and education settings.
- There are meetings across government as needed to ensure the ACT Government has a coordinated approach to responding to issues from the Royal Commission. Regular meetings are also held to discuss the response with our colleagues in the Australian Government and all other jurisdictions.
- On 13 May 2021 the Commonwealth Government granted the Royal Commission a 17 month extension to deliver its final report. The ACT will consider its response to any recommendations in due course.
- The Disability Royal Commission has so far published four progress reports which document the findings and evidence from the public hearings. These progress reports do not contain recommendations for the ACT.
- A specific report on the response to the COVID-19 pandemic was tabled in the Australian Parliament in late November 2020. The Commonwealth response to the COVID-19 Special Report was tabled in Parliament on 27 April 2021. The recommendations from this report were all matters for the Australian Government.

### **Background:**

- The Disability Royal Commission was established on 4 April 2019. The establishment of the Royal Commission was the result of efforts by disability peak bodies and advocates, from an initial proposal in 2012, and a Commonwealth Senate Community Affairs References Committee Inquiry and Report in November 2015, which recommended a Royal Commission into violence, abuse and neglect of people with disability.
- Since its inception the Royal Commission has held 17 public hearings in locations across Australia. The hearings have covered a wide range of issues of importance to the community including: the experiences of people with cognitive disability in the criminal justice system, the experiences of First Nations people with disability and their families in contact with child protection systems and a specific hearing on the experiences of people with disability during the ongoing COVID-19 Pandemic.

## 2. Veterans

### Talking points:

- The ACT Government has welcomed the *Royal Commission into Defence and Veterans Suicide*. The Royal Commission is expected to inform governments, institutions and the wider community on how the mental health of defence personnel and veterans can be better cared for.
- The Community Services Directorate is the lead directorate for veterans matters in the ACT, while mental health policy is the responsibility of Health Directorate. CMTEDD works closely with CSD as the lead agency on this Royal Commission to ensure ACT Government engagement is timely and coordinated.

### Key issues:

- The Veterans Royal Commission is the most recent commission established by the Commonwealth.
- CSD (the Office for Seniors and Veterans Affairs) is the lead agency for engaging with the Royal Commission, supported CMTEDD and GSO.
- The ACT Government has received one formal notice to give information from the Royal Commission.

### Background:

- The Royal Commission into Defence and Veteran Suicide was established on 8 July 2021 by the Australian Government. Among other things, the Royal Commission will inquire into:
  - Common themes and issues among defence and veteran suicides or lived experience of suicidal behaviours and risk factors.
  - The role of non-government organisations, including ex-service organisations, in supporting defence members, veterans, their families and others within the community.
  - Issues that exist within, and the availability and effectiveness of, support services for families and others.
  - Common themes and issues among defence members' and veterans' experiences in accessing claims, entitlements, and support services from

government, including trying to engage with multiple government organisations.

- To date, the key issues presented in the first hearing include:
  - a. an emphasis on the need for more robust data captured both during a Defence member's service and following their discharge, coupled with stronger mechanisms for sharing such data across relevant stakeholders;
  - b. a call for change in culture, particularly of the leadership structures in the Australian Defence Force in order to remove stigma relating to mental health and encourage members who are struggling to seek help without fear of jeopardising their career;
  - c. a focus on a supportive transition out of Defence into civilian life, noting the effect discharge has on a defence member as they leave behind their 'tribe';
  - d. a need to further investigate numbers and circumstances of Veterans in incarceration and Veterans who are facing homelessness;
  - e. a call for Defence to involve family members in the support of Veterans who are unwell, acknowledging the enormous role families play in providing protective factors and the inherent impact on loved ones who care for unwell Veterans, and
  - f. a need for many and varied support options for Veterans, both with specific defence knowledge and within the mainstream system to cater for the individuality of members of the Veteran population. These systems, however, should be supported by coordination and collegiality amongst service providers.
- Further Hearing Block sessions are schedule as follows, although subject to change:
  - a. Hearing Block 2, Sydney, 14–25 February 2022;
  - b. Hearing Block 3, Sydney, 7–18 March 2022; and
  - c. Hearing Block 4, Canberra, 4–14 April 2022.
- The Royal Commissioners are required to provide an interim report by 11 August 2022, and a final report by 15 June 2023.

### 3. Institutional Responses to Child Sexual Abuse

#### Talking points:

- Progress continues towards implementing the 307 recommendations of the Child Abuse Royal Commission.
- The COVID-19 public health emergency has changed some planned approaches to implementing the recommendations of the Final Report.
- Despite these challenges, significant progress has been achieved across the four themed domains:
  1. Making Institutions Child Safe
  2. An Oversight System that Responds to Child Safety
  3. Services for Children and Young People
  4. Tailored Support through Specialist Services.
- As described in the ACT Government's Third Annual Progress Report, as at the end of 2020, 167 of the recommendations are complete, 123 are in progress and the remaining 17 were noted.

#### Key issues:

- As per recommendation 17.2 of the Final Report, the ACT will continue to provide an Annual Progress Report for five years, from 2018 to 2023, responding to the recommendations of the Royal Commission.
- The Fourth Annual Progress Report will be released in early 2022.
- An effective response to implement the Royal Commission's Final Report recommendations depends on careful consideration, extensive consultation and cooperation between jurisdictions.
- Responsibility for implementation of the recommendations of the Royal Commission are spread across directorates in the ACT, including CMTEDD in some cases.

- CMTEDD also plays a role to coordinate reporting on the Royal Commission and intergovernmental engagement on some recommendations spanning multiple jurisdictions.

### **Background:**

- The Royal Commission into Institutional Responses to Child Sexual Abuse (the Child Abuse Royal Commission) was established in 2013, in response to allegations of sexual abuse of children in institutions across Australia over many years.
- The Royal Commission handed down its Final Report on 15 December 2017. The Final Report contained 189 recommendations, of which 105 affect state and territory governments.
- The Royal Commission has previously released:
  - The Working with Children Checks Report in August 2015, containing 36 recommendations: 35 are relevant to the ACT.
  - The Redress and Civil Litigation Report in September 2015, containing 99 recommendations: 84 are relevant to the ACT.
  - The Criminal Justice Report in August 2017, containing 85 recommendations: 83 are relevant to the ACT.
- The ACT formally responded to the Royal Commission's Final Report on 15 June 2018. Of the 307 recommendations for the ACT Government, we accepted or accepted in principle 290 of these, and noted or took under further consideration the remaining 17.

#### 4. National Natural Disaster Response and Recovery

##### Talking points:

- The Bushfire Royal Commission made 80 recommendations in its final report across a wide range of topics. Many recommendations require cooperation and coordination across multiple jurisdictions, directorates and/or non-government stakeholders to implement.
- The Australian Government announced its response to the recommendations on 13 November 2020, agreeing or agreeing in principle to all recommendations directed at the Australian Government.
- On the same day, National Cabinet decided that all jurisdictions would collaborate to implement the recommendations of the Royal Commission through the newly created National Emergency Management Ministers' Meeting (NEMMM).
- On 24 March 2021, the ACT Government released its response to the final report.
- The ACT is supportive of all recommendations of the Royal Commission. No time has been wasted in progressing the recommendations, many of which overlap with work already underway in the ACT. These include:
  - progressing climate change initiatives;
  - strengthening bushfire fuel load management information;
  - strengthening recovery policy in line with national policy; and
  - sharing information about critical infrastructure.
- The ACT Government has implemented 32 of the recommendations, with significant effort being undertaken across all areas of government to implement the remaining recommendations.
- The ACT is also working closely with the Commonwealth and all states and territories to progress six priority recommendations as determined by the National Federation Reform Council.

**Key issues:**

- In response to the Black Summer Bushfires, the Prime Minister announced on 20 February 2020 that a national Royal Commission would be established to inquire into the bushfires. The specific focus of the Royal Commission included natural disaster management coordination; improving Australia's preparedness, resilience and response; and the legal framework for the Commonwealth's involvement in responding to emergencies.
- The *Royal Commission into National Natural Disaster Arrangements* (RCNNDA) commenced proceedings in April 2020. The ACT provided evidence into the RCNNDA over the following months and made a submission on the draft propositions that were received on 31 August 2020. Overall, the ACT was supportive of the majority of the draft propositions.
- The final recommendations are wide ranging and address a diverse range of areas, including, among other things: national emergency coordination arrangements, data and decision making, declaration of national emergency arrangements, enhancements to national emergency response capability, emergency planning and evacuation, emergency information and warnings, land management and indigenous land and fire management, coordinating relief and recovery and delivery of recovery services and financial assistance measures.
- All Emergency Management Ministers agreed that ahead of the 2021-22 high-risk weather season, the states and territories and Commonwealth governments would focus on progressing priority actions against seven recommendations relating to:
  - the Australian Warning System
  - the Australian Fire Danger Rating System
  - nationally consistent pre-agreed Disaster Recovery Funding Arrangements
  - a review of the path to expeditiously deliver the Public Safety Mobile Broadband capability
  - making substantial progress to reform fundraising laws
  - making substantial progress to improve natural disaster risk information to support decision-making such as land-use planning for new developments, and the construction code, and
  - share hazard reduction data and information across jurisdictions to maximise its utility and value for hazard risk reduction.



### **Background**

- The Royal Commission into National Natural Disaster Arrangements was established in response to the Black Summer bushfires of 2019-2020 which resulted in devastating loss of life, property and wildlife, and environmental destruction across the nation. Commission Chair, Air Chief Marshal Mark Binskin AC (Retd) presented the Royal Commission's report to the Governor-General on Wednesday, 28 October 2020. The report was tabled in the Federal Parliament on 30 October 2020.
- In December 2020, March, May and July 2021, Tasmania, Victoria, South Australia and Queensland respectively released their formal responses to the Royal Commission recommendations. It is expected that most other jurisdictions will release their responses in the coming months.

**ISSUE: POLICY INNOVATION TEAM (Policy Design and Evaluation Team)****Talking points:**

- The 2018-19 Budget provided \$5.57m over four years for the initiative *Policy Innovation Team*. This included ongoing funding from 2018-19 for the Regulatory Reform Team and also new funding for three years (from 2019-20) to establish a new function in Policy and Cabinet for Policy Design and Evaluation (PDE team).
- The initiative funded two full-time equivalent positions in the PDE team. The PDE Team commenced work in the second half of 2019, and has focussed on supporting evaluation planning and policy design capability across the ACTPS.
- The team has a whole of government role with three key areas of focus:
  - **Supporting Priority Evaluations** across the service
  - **Capability building** including practical supports and advice across the ACTPS
  - **Improving access to research and expertise** by facilitating connections across the Service and to external research organisations
- The priority evaluations to date have included the mid-term review of the Office for Mental Health and Wellbeing (2020); the *Nurses and Midwives: Towards a Safer Culture (TASC) Strategy* Evaluation (2021); an after-action review of acute response teams in the disability sector (2021); and the Safewards post-implementation review (2021).
- To support capability development, the team established the ACT Evidence and Evaluation Academy in March 2021, which is a six-month ACTPS-wide program that links formal training in evaluation to work projects. 17 participants completed the program in 2021 and a further 23 have just been offered places for the Academy in 2022.
  - Contract in 2021 was for \$96,800 incl GST; 2022 Academy cost is expected to be similar.
- The PDE Team is also working closely with CMTEDD's Wellbeing Team to embed the Wellbeing Framework in practices and processes across the ACT Public Service.

### Key Information

- As the team is only small, the approach is not to centralise policy or evaluation functions within CMTEDD, but to work *with* directorates and other stakeholders to build capability. The PDE team does this by supporting directorates with advice and capacity when needed, building mutually beneficial relationships and creating a supportive authorising environment across government to engage in this work.
- There is sometimes confusion about how evaluation functions differ from other functions such as expenditure reviews or performance audits. The focus of the PDE team's evaluation work is to understand whether policies and programs are achieving their intended outcomes, not to identify savings or to specifically examine governance and management issues with particular issues.
- The PDE team is working with the Wellbeing team to support the embedding of evaluation in the implementation of the Wellbeing Framework. It is proposed to release a new version of the ACT Evaluation Policy (2010) in 2021-22 to support and align with the implementation of the ACT Wellbeing Indicators.
- From 2021-22 the PDE Team will be funded on an ongoing basis through a merger with the Wellbeing Team in Policy and Cabinet Division in CMTEDD. This will bring together the work of both teams to improve policy design and evaluation across the service in close alignment with the Wellbeing Framework.
- The ACT Evidence and Evaluation Program has been developed for the ACT by Dr George Argyrous from the University of Technology Sydney with Dr Duncan Ritoul of Rooftop Social. A request for quote procurement process was used and included local providers.
  - The program evaluation showed very significant improvement in evaluation skills following the six-month program during which the participants attended six three-hour workshops and worked on individual evaluation projects with 1:1 coaching from mentors.
  - Total cost of contract was \$96,800 incl GST which is extremely good value for money considering this ensured significant practical progress on 17 ACT Government evaluation programs.
  - Offers have just been made to 23 participants for the 2022 Academy, covering 20 projects (three projects involve pairs of two participants). The 2022 Academy has added an Indigenous Evaluation session led by an experience facilitator Skye Trudgett. Costs will be similar to 2021.
  - By the end of 2022 a total of 40 candidates will have completed the Academy program (taking 2021 and 2022 together).

- Priorities for 2021-22 include:
  - Continuing to support evaluation capability and culture across the ACTPS with the second year of the ACT Evidence and Evaluation Academy commencing in March 2022.
  - Delivering a refresh of the ACT Evaluation Policy (2010).
  - Developing online resources and materials to support policy design and evaluation planning across the Service.
  - Completing the Mid-Term Review of the *Healthy Canberra: ACT Preventive Health Plan 2020-2025*, and a review of the Office for Climate Action.
  - Continuing to review the process for identifying and commissioning major evaluations in collaboration with directorates.
- The team also works with a range of areas across Directorates to build evaluation planning into the design and implementation of new initiatives, and to support evaluations.

**ISSUE: NATIONAL SECURITY AND PUBLIC SAFETY**

**Australian Government Critical Infrastructure Reforms** Critical infrastructure is essential to the function of our daily lives in the ACT.

- The ACT is supportive of the focus by the Australian Government to strengthen the security of Australia's critical infrastructure.
  - Some of these reforms have already been introduced by the Australian Government and officials are working closely across directorates on how this will apply to the ACT.
  - Additional reforms are still to be introduced by the Commonwealth, and the ACT remains engaged with the Commonwealth and state and territory governments to support these reforms.
- The ACT maintains its own critical infrastructure arrangements and relationships between government and non-government owners and operators.

**Foreign Interference**

- The ACT values its open and transparent international engagement with other governments to progress matters of mutual benefit.
- Unfortunately, some foreign actors are pursuing opportunities to interfere in a range of areas such as with decision makers, intellectual property, and IT systems in Australia. The ACT is not immune to this interference.
- Foreign interference activities go beyond routine diplomatic influence practiced by governments. Interference may be coercive, covert, deceptive and clandestine in nature and can cause harm to the ACT's interests.
- The ACT partners with the Australian Government and other states and territories on efforts to protect our systems of government, democracy, critical infrastructure, education, and media.

- Concerns about foreign interference should be reported to the National Security Hotline on 1800 123 400.

### **Counter Terrorism**

- The ACT is a successful, diverse and inclusive society. This is one of our greatest strengths against acts of terrorism and violent extremism occurring in Canberra.
- The ACT supports community leaders and activities to promote our vibrant, inclusive, and culturally diverse community while maintaining the rule of law and protecting human rights.
- The Government is committed to ensuring the safety and security of the community, working closely with ACT Policing and other law enforcement and intelligence agencies to counter terrorism and violent extremism.
- Terrorism is a national issue, and we work closely with our interstate and Commonwealth partners on the existing and emerging national security challenges, considering how our legislation and capabilities are best able to meet these evolving issues.

### **Ideologically motivated violent extremism and religiously motivated violent extremism**

- The best defence to violent extremism is maintaining the ACT as a harmonious, inclusive and cohesive community.
- The ACT's laws and arrangements focus on threat and criminality regardless of ideology or motivation.
  - Ideologically motivated violent extremists, specifically nationalist and racist extremists, are motivated by a wide variety of social, economic and political grievances.
  - Religiously motivated violent extremism and the violent narrative of some groups will continue to appeal to a small number of people in Australia.

### **Cyber Security and Online Safety**

- Cyber security remains a top priority for the ACT Government.
- The cyber threat is persistent. State actors, criminal syndicates, issue motivated groups and self-motivated individuals continue to target children, families, businesses, online critical infrastructure, and intellectual property.
- The government has been briefed on the Australian Cyber Security Committee's Annual Cyber Threat Report for 2020-21. The government notes the increased frequency and sophistication of cybers attacks in 2020-21 in comparison to previous years.
- Our specialist teams work to protect information managed by the ACT Government and regularly meet with the National Cyber Security Committee to monitor the cyber threat environment.
- The ACT remains engaged with the Commonwealth about proposed reforms to the enhance the security of critical infrastructure in Australia. A significant focus for these reforms is the strengthening of cyber security arrangements as they apply to critical infrastructure and systems of national significance.

### **Fixated Threat Capability**

- In the ACT Budget 2019-20, the Government announced \$1.08 million over three years to establish and trial a fixated threat capability for the ACT.
- This capability has been established and is referred to as the FLAG – (Fixated, Lone Actor and Grievance Fuelled Violence) assessment team. The ACT FLAG has specially trained officers from ACT Policing, and mental health professionals from Canberra Health Services co-located and working closely together to assess and manage fixated individuals in the ACT. The ACT Government is also undertaking a two year review of the capability to ensure it is best practice and meets the requirements of the ACT.

- A fixated individual is a person with an unhealthy obsession or perceived grievance with another person. In many cases, a fixated individual may have undiagnosed or untreated mental health issues.
- A focus for the ACT's fixated threat capability is to reduce harm to the community by engaging (or sometimes re-engaging) fixated individuals with appropriate mental health or other community support services.

**Public Spaces and Venue Safety**

- Canberra's public places and events remain a safe and attractive place for communities and families.
- The ACT Government and ACT Policing continually monitor the security threat environment.
- The Government remains focused on promoting and supporting safe public events within the current COVID environment.
- The Government continues to expand and enhance the ACT's Public Safety CCTV Network, as well as making use of portable CCTV capability, vehicle protection barriers and other measures as appropriate to protect Canberrans.



**ISSUE: OFFICE OF LGBTIQ+ AFFAIRS****Talking points:**

- The Office of LGBTIQ+ Affairs (the Office) was established in January 2017 to coordinate and support strategic government projects and policy to promote Canberra as the most LGBTIQ+ welcoming and inclusive city in Australia.
- The Office plays a critical role in progressing the Government's social inclusion agenda, ensuring people with diverse sexuality, sex, gender and bodies are:
  - safe to participate in our community;
  - able to access the services they need; and
  - valued for their achievements and contributions to the life of the city.
- During the reporting period, the Office worked across government and the community to implement Canberra's first LGBTIQ+ inclusion strategy, *Capital of Equality*, and First Action Plan which set out the changes government and the community want to make to improve the lives of LGBTIQ+ Canberrans.
- A Second Action Plan under the *Capital of Equality* Strategy is being finalised in consultation with the community and a cross-directorate working group. The Second Action Plan is due to be released in the coming months.
- The Office is collaborating with intersex people, human rights organisations and healthcare professionals on a major project to establish a new framework to regulate deferrable medical interventions on intersex people.

**Key Information**

- The Office's total budget:
  - for 2018-19 was \$637,000;
  - for 2019-20 was \$704,000;
  - for 2020-21 was \$735,674; and
  - for 2021-22 is \$810,000;
- In 2021-22 this consists of:
  - Office for LGBTIQ Affairs (staff etc) - \$434k;
  - LGBTIQ+ Services (Meridian services agreement) - \$126k ongoing;
  - LGBTIQ+ Grants Program - \$100k ongoing; and
  - A Gender Agenda Deed of Grant - \$150k (four years; ending 2025).
- The Office consists of one permanent SOG B and one permanent SOG C.

- The Office has \$100,000 to fund community projects under the Capital of Equality Grants Program. The three rounds of grants between 2019 and 2021 have delivered 30 community-led projects across Canberra.
- The Office's key activities include:
  - Managing the services agreement with Meridian for targeted, peer-led services to support and strengthen LGBTIQ+ Canberrans;
  - Managing a grant agreement with A Gender Agenda to deliver services for trans, gender-diverse and intersex people;
  - Administering the Capital of Equality Grants Program;
  - Providing support to major community events celebrating LGBTIQ+ communities;
  - Engaging with relevant project and policy work across government, such as improving collection and dissemination of sex, gender identity and sexual orientation data;
  - Coordinating and providing input into government policy development on key issues affecting the LGBTIQ+ community; and
  - Implementation and development of the action plans of the *Capital of Equality Strategy* including priorities such as regulation of deferrable medical interventions on intersex children.

#### ***Implementation of the First Action Plan, Capital of Equality Strategy***

- The First Action Plan, released in 2019, outlined tangible actions towards implementation of the *Capital of Equality Strategy*.
- There were 21 actions planned in the First Action Plan. Most actions have been implemented or are nearing completion. Four actions were not implemented, but will continue to be considered in the context of ongoing priorities.
- Some of the most prominent achievements of the First Action Plan include;
  - Legisating a ban of sexuality and gender identity conversion practices (*The Sexuality and Gender Identity Conversion Practices Act 2020* came into effect on 4 March 2021).
    - It is now illegal for someone to perform conversion practices on people who do not consent or who consent because of misleading or deceptive claims about the efficacy of conversion practices, including practices on children or people with impaired decision-making ability in relation to their health or welfare.
    - The 2021-22 Budget increased the Human Rights Commission's capacity to respond to complaints about sexuality and gender identity conversion practices (among other services) by providing funding for

additional staff for the Discrimination, Health Services, Disability and Community Services Commissioner.

- Questions about implementation of the new scheme should be directed to the Commissioner.
- A review of implementation of the scheme is due in 2023.
- Amendments to the *Births, Deaths and Marriages Registration Act 1997* to improve processes for changing birth registration and birth certificates for trans and gender-diverse young people.
- Completion of the LGBTIQ+ Health Scoping Study (this action was led by the ACT Health Directorate).
- Investment in the ACT component of the *Writing Themselves In 4* study. We now have comprehensive research into the health and wellbeing of 300 young sexuality and gender diverse Canberrans.
- Two actions (“Support initiatives that allow mainstream services to pledge they are LGBTIQ+ inclusive” and “Assess the feasibility of establishing a community of legal practitioners to support LGBTIQ+ people”) were not implemented due to resourcing constraints. During the Second Action Plan development consultations, community stakeholders did not express a need for these actions to progress.
- The action aimed to reflect the voices of LGBTIQ+ populations in delivering the Welcoming Cities Standard for migrant and multicultural communities was not implemented as the level of accreditation that the ACT government self-assessed for does not mandate an intersectional inclusion of LGBTIQ+ populations.

#### ***Development of the Second Action Plan under the Capital of Equality Strategy***

- The Office has led work across government to develop the Second Action Plan spanning the two year period 2022-2023. The Second Action Plan will build on the progress achieved in the First Action Plan.
- The Second Action Plan is being informed by the priorities outlined by the LGBTIQ+ Ministerial Advisory Council and community consultations held in 2021 and early 2022.
- To run the community consultations, the Office engaged ACT based organisations working with LGBTIQ+ communities including those working with Aboriginal and Torres Strait Islander LGBTIQ+ people and culturally and linguistically diverse LGBTIQ+ people, as well as organisations working in the area of settlement and refugee support.
- The cross-directorate working group has been closely consulted.
- Finalisation and release of the Second Action Plan is expected in the coming months.

### **2021 New budget measures**

- A Gender Agenda has received \$150,000 per year (ongoing, four years) to continue its work with trans, gender-diverse and intersex people.
- There is a new commitment with redirected funds (Health Directorate, CHS; an ERC approved budget bid, with identified offsets) to begin implementation of the LGBTIQ+ Health Scoping Study recommendations.
- In August 2021, an additional \$40,000 was allocated to Meridian to scale-up existing services to support at-risk Canberrans in the LGBTIQ+ community at particular risk of heightened mental ill-health.

### **Other Background Information**

- A ministerial statement on progress under *Capital of Equality's* First Action Plan was delivered by the Chief Minister to the ACT Legislative Assembly in November 2021.

## Issue: Cabinet and Document Release

### Talking points:

- Following an Executive Document request, the Canberra Times [published an article](#) on 30 January 2022 critical of the ACT's arrangements for release of information about executive documents. The article was critical of the time taken to complete the request and advocated for the proactive release of all executive documents.

#### Timeframes

- In the 2020-21 financial year:
  - six applications were made for executive documents;
  - 60 executive documents were requested in total;
  - Executive document requests were fulfilled, by average, in 267 days;
  - there are currently no outstanding executive document requests.
- There is no statutory timeframe for the release of executive documents in the *Territory Records Act 2002*. However, the Cabinet Office has previously indicated 8-12 weeks as an indicative timeframe for applications.
- The time taken to respond to requests can increase due to the need to consult with directorates, the Government Solicitor's Office and relevant third-parties. Support provided by Cabinet Office to the ongoing COVID-19 response has also broadly contributed to delays.

#### Proactive Release

- Executive Records are not proactively released as they must be assessed by the ACT Government in accordance with the *Territory Records Act 2002* to determine whether information contained in them is suitable for release. Factors that may preclude release of information include personal information about any person (including a deceased person), information that is contrary to the public interest, or information that is protected under Legal Professional Privilege.
- The most recent listing of ACT Executive documents released on Canberra Day 2021, included 595 items.
- The article made comparisons with models in other jurisdictions, such as the Australian Government. Commonwealth Cabinet records are released on New Year's Day when they are 20 years old. The National Archives of Australia assesses many of the available documents prior to the release date and makes some of these available online in full on 1 January. It employs a historian to investigate the records and holds an embargoed release event for journalists prior to the 1 January public release.
- The ACT Government approach is largely reflective of the low number of requests received in response to the release of the list of accessible executive documents, and therefore Cabinet Office does not have specific resources for this purpose.
- ACT Government Executive Documents can be sensitive and complex, requiring a high degree of consultation across government. Administrative Arrangements can mean that a single Cabinet submission may span many areas of responsibility across

government agencies. In addition, the shorter 10 year timeframe increases the likelihood that the release of records may adversely impact on current legal, personal or public safety issues.

- Records generally become less sensitive with the passage of time. The effort to examine records for release after 10 years, and the quantity of material likely to require exemption from public access, will be greater the less time has passed since the records were created.
- Cabinet Office currently undertakes the proactive release of the Cabinet decision summary, title, date of decision and Triple Bottom Line Assessment/Wellbeing Impact Assessment of decisions made by Cabinet in accordance with the *Freedom of Information Act 2016*.

### Key Information

- The National Archives of Australia does not proactively release all Cabinet documents. There are 2716 submissions, memoranda and minutes included in the Cabinet records from 2001, released on 1 January 2022. Approximately one third of these (947) are available digitally. Around 43 per cent (1159) had been assessed for release prior to 1 January. The remaining 1557 document are listed in the National Archives' online database, and members of the public can apply to have them assessed for public access. Of those examined 70 (6 per cent) were wholly closed, and 94 (8 per cent) were partially closed, meaning that 14 per cent of those records examined required closure for some reason.
- The National Archives has a dedicated team of specialist access examiners which works on the release, both proactive and reactive, of Cabinet and other documents.
- In past years the Territory Records Office worked with the Cabinet Office to promote the availability of Executive Documents on Canberra Day, and a small group of documents was proactively examined for release. These events attracted little media or public interest.
- The National Archives employs a contract historian to research the records being released and to brief the media at the embargoed release event. The National Archives' spending on the consultant historian for the 2022 release was \$11,000.
- The Commonwealth's *Archives Act 1983* requires the National Archives to respond to requests for public access within 90 business days. The National Archives has in recent times attracted criticism for its access backlog and the number of requests taking significantly more than 90 days to fulfil. The National Archives has responded by noting that the majority of access requests are fulfilled within 30 days, and it is primarily the most complex and sensitive records, and particularly those requiring consultation with third parties, that are significantly delayed.

### Background Information

1. Cabinet documents become accessible to the public after 10 years under Part 3A of the *Territory Records Act 2002*. Under section 31C of the Act, the list of records that are available must be published electronically every Canberra Day.
2. An accessible executive record must be assessed to determine whether it contains information that would, or could reasonably be expected to:
  - a) endanger the life or physical safety of a person; or
  - b) be an unreasonable limitation on a person's rights under the *Human Rights Act 2004*; or
  - c) significantly prejudice an ongoing criminal investigation.
3. The principal officer, the Head of Service as Cabinet Secretary, may determine (by a release restraint determination) that for any information (protected private information) that would, or could reasonably be expected to, disclose personal information about any person (including a deceased person) and is contrary to the public interest information—
  - (i) That the part containing the information is only to be released on or after the later release day; or
  - (ii) That the part containing the information is not to be released at all.

## Issue: Climate Change in the ACT

### Talking points

#### Government emissions reduction targets

- The ACT Government has legislated targets to:
  - reduce greenhouse gas emissions (from 1990 levels) by:
    - 40% by 2020;
    - 50 to 60% by 2025;
    - 65 to 75% by 2030;
    - 90 to 95% by 2040; and
    - 100% (net zero emissions) by 2045;
  - achieve 100% renewable electricity in the ACT on and from 1 January 2020; and
  - reduce emissions from Government operations including:
    - greater than a 33% reduction in emissions from Government operations by 2025 (from 2020 levels); and
    - zero emissions from Government operations by 2040.



## Progress on government emissions reduction targets

- In 2020-21, the ACT's greenhouse gas emissions were 1,685 kilotonnes of carbon dioxide equivalent (kt CO<sub>2</sub>-e). This is 3.9 tonnes of CO<sub>2</sub>-e per person.
- ACT emissions were 45% lower than 1989-90 levels, and 2.9% higher than the previous year 2019-20.
  - This increase is largely due to emissions from transport, which bounced back to almost pre-pandemic levels as COVID-19 restrictions eased.
- In 2019-20, the ACT also hit 100% renewable electricity. By using 100% renewable electricity, the ACT has prevented approximately 2,029 kt CO<sub>2</sub>-e from being released into our atmosphere.
- The breakdown of emissions in 2020-21 is as follows:

Emissions source	Emissions generated	Notes
Transport	63.5%	Mainly road transport
Natural Gas	21.6%	Excludes transport
Fugitive emissions	3.0%	This is methane leakage
Industrial processes	9.3%	Mainly HFC gases used in refrigeration and air-conditioning equipment
Waste	10.2%	Mainly legacy waste, i.e. breakdown of organic solid wastes at landfills
Agriculture	0.9%	Calculation method updated this year – now considers livestock numbers most recently reported by the ABS
Land use, land use change and forestry	-8.5%	This is sequestration

Continued efforts to reduce emissions from transport and natural gas will largely drive progress towards meeting future emissions targets.

Current government policies and parliamentary commitments will contribute towards continued emissions reduction. Additional action is and will be pursued over coming years to further reduce emissions and meet government targets.

### Scope 3 Emissions

The Office of the Commissioner for Sustainability and the Environment released its Investigation Report into the ACT's Scope 3 emissions in September 2021.

Key findings from the report:

- The breakdown of Scope 3 emissions by consumer group is:
  - 58.8% from households
    - Household emissions are primarily related to transport, international retail trade and food from other Australian states.
  - 33% from government
    - Also captures government services provided by the rest of Australia, e.g. payments from the Commonwealth Government to State Governments for maintenance of Commonwealth owned property.
  - 8.2% from business.

The report put forward 12 recommendations across four themes. Some recommendations within this Report have begun to be addressed by Government, for example:

- Recommendation 6 focuses on the physical footprint of ACT Government staff. This is partially addressed by the shift toward 'hot desking' in newly constructed ACT Government buildings such as the Dickson offices has begun to reduce the physical footprint of ACT Government staff.
- Recommendation 7 supports greater flexibility on work from home arrangements and business travel. Government has encouraged Canberrans to work from home where possible because of COVID.
- Recommendation 8 suggests an awareness campaign to address Scope 3 emissions in households. Government has begun to address emissions produced from household waste through the launch of the Everyday Climate Choices website.

The complete list of recommendations is below.

No.	Recommendation
<b>ACT Climate Leadership</b>	
1	ACT Government to implement a methodology (such as that presented in this Investigation) to report on scope 3 emissions across the Territory every three years.
2	ACT Government to work in partnership with state, territory and national governments to discuss initiatives to reduce scope 3 emissions across jurisdictions.
<b>ACT Government Operations</b>	

3	Standardise and improve collection and publication of data to ensure accurate calculation can be made of the scope 3 emissions of the ACT Government.
4	Set scope 3 emissions reduction targets for ACT Government operations and assess progress towards these targets every three years.
5	Implement sustainable procurement principles, including developing mandatory embodied carbon limits of procured equipment, items and materials, and supporting the longevity of equipment and waste reduction.
6	Reduce the physical footprint of ACT Government staff, with the aim of 7 square metres per person.
7	Develop and implement a policy for flexible business operations that supports reduction of scope 3 emissions such as working from home and reducing business travel.
<b>Households</b>	
8	Develop and implement education and awareness-raising campaigns for residents on reducing household scope 3 emissions. Key areas of focus should include low carbon building products, adopting the circular economy, and household food waste reduction.
9	In alignment with the national target, implement a 50% food waste reduction by 2030 target in the “Food Organics Garden Organics” program, using a consistent methodology to track progress.
<b>Planning, Construction and Infrastructure</b>	
10	Undertake analysis to determine the barriers and opportunities to increase the supply of low carbon cement to the ACT.
11	Define and implement scope 3 performance metrics for at least 65% of the highest emission intensity infrastructure types by 2025.
12	Review and expand legislation and ensure compliance of new building regulations related to scope 3 emissions, such as:
	a. incentivise renovation of existing buildings instead of demolition
	b. undertake a carbon impact assessment and implement mandatory embodied carbon limits for all new and replacement buildings, fit-out, and infrastructure
	c. implement allowable low carbon material lists for construction
	d. develop an exemplar infrastructure project to demonstrate low embodied energy building principles
	e. increase the reuse of construction and demolition materials for public and private buildings, including the development of an accreditation system to ensure quality of the materials for reuse, and
f. increase inspections and reporting of compliance of building codes.	

## Progress on climate action commitments by the Office for Climate Action

### Office for Climate Action

The Office for Climate Action was established to oversee the delivery of major projects, coordinate activities across the ACT Government and identify ways to increase our climate adaptation and resilience.

In the 2020-21 budget, the Office was allocated \$915,000 from 2020-21 to 2021-22.

### Whole of Government Coordination

The Office has been establishing processes to ensure effective oversight on the delivery of climate commitments, including through:

- Supporting the Climate Action Cabinet Subcommittee in our role as secretariat and coordinating directorates to bring items forward for consideration.
- Establishing the Strategic Board Climate Action Committee to discuss cross-cutting risks to the delivery of commitments and to ensure Subcommittee materials provide sufficient information to support decisions by Cabinet.
- Initiating cross-directorate governance arrangements to oversee implementation and coordinate reporting on programs relating to transport, fossil fuel gas transition and energy, household and community energy efficiency, and resilience and adaptation climate initiatives.
- Reviewing the Government's approach to communicating and engaging with the community around new and current ACT Government initiatives for climate action.

The Office has also co-led the delivery of key climate action initiatives with the Environment, Planning and Sustainable Development Directorate, including the rollout of the \$150 million Sustainable Household Scheme and the \$100 million Big Canberra Battery.

### Progress on Key Initiatives in 2021

The Office for Climate Action has led and supported the progression of several climate action commitments across Government.

### **Zero Emissions Government**

The OCA has assisted with the progression of the objectives outlined in the Zero Emissions Government Framework to reduce emissions from Government operations in a cost-effective way.

### **Strategic Communications**

The new ACT Government climate action branding 'Everyday Climate Choices' was launched in late September 2021 and has seen strong engagement to date.

- The website forms part of a successful 2021-22 budget bid that seeks to deliver initiatives focusing on community awareness and behaviour change around emissions reduction through strategic communications.
- The Everyday Climate Choices website provides a central source for climate initiatives underway across Government and incentives available to residents, businesses, and community organisations. Information on the Everyday Climate Choices website spans across several topics, including:
  - Loans and subsidies relating to energy efficiency and climate change, e.g. Sustainable Household Scheme and Community Zero Emissions Grants.
  - Options for low-emissions travel including ZEVs, and information on different modes of transport such as e-scooters and public transport.
  - Information on recycling and waste, including the new Food Organics Garden Organics (FOGO) waste trial underway.

### **Gas Transition**

The ACT Government is continuing work to examine transition options for the phase out of fossil fuel gas in the ACT.

- A Gas Transition Taskforce, led by EPSDD has been established to understand possible options for phasing out fossil-fuel gas in the Territory.

- Key work to date by this Taskforce includes the commissioning of technical and economic modelling of different energy pathways.
  - The contract for this modelling was commenced with GHD and ACIL Allen (signed 30 June 2021) for \$830,707 (GST incl).
  - In December 2021 (i.e. not within the annual report year), EPSDD expanded the scope to include some additional analysis. The new contract total is now \$893,377.93 (GST Incl).
- The YourSay Panel for Gas Transition work also went live in February 2021 with the intent to obtain preliminary consumer sentiment around gas transition pathways.
- Current ACT Government position on transition pathways:
  - While the Government has not determined a preferred transition pathway to phase out fossil fuel gas, we are undertaking detailed modelling to investigate and understand the impacts of transition options.
  - In determining a well-informed policy for transition away from fossil fuel gas, the Government is consulting stakeholders and has commissioned research to help analyse options that will enable optimal outcomes in terms of the impacts on both the network and consumers.
  - 80 per cent of ACT households have a gas connection, so the transition will impact most Canberrans.
  - Large commercial and industrial gas users are small in number but account for 20 per cent of fossil fuel gas use. Longer-term strategies will be developed as the search for economically and technologically efficient solutions progresses.
- Future decisions on pathways will also require Government to carefully consider any capacity or non-capacity issues that impact energy transitions (e.g. grid reliability).

- This work requires extensive consultation and analysis of emerging information in the renewable energy space, for example, Evoenergy's 'Electricity Five Year Plan'.
  - Evoenergy has commenced planning for the 2024-29 period (EN24).
  - Every five years, Evoenergy prepares a detailed plan about how it will operate, maintain and invest in the electricity network to meet the future needs of Canberra.
  - This plan is submitted to the Australian Energy Regulator (AER) for consideration and approval to determine how costs associated with the electricity network are passed onto consumers.

### **Adaptation / Whole-of-Government Climate Risk Assessment**

The ACT Government has progressed its whole-of-government Climate Risk Assessment that is underway as part of work to ensure Canberra can effectively adapt to a changing climate.

The ACT Climate Change Risk Assessment was commissioned to inform Cabinet decision making in relation to the prioritisation of adaptation and resilience initiatives to manage these impacts. AECOM were engaged to deliver the Risk Assessment.

Their final report includes:

- An assessment of the most significant climate risks facing the ACT
- An analysis of the current level of maturity of the ACT in managing these risks, and
- A suite of current and future actions that could be implemented to manage these risks.

Some information from the Report will be included in a forthcoming Territory Wide Risk Assessment report which will be a public-facing document.

Key points from this Report include:

- AECOM engaged with over 120 internal stakeholders across Government over a 6-month period. This involved seminars, workshops and targeted meetings.
- There are many escalating climate change risks that the ACT has already taken steps to manage. This is particularly true for impacts which have already been experienced, such as bushfires, poor air quality and heatwaves. There are six extreme risks to the ACT Government, despite current controls in place.
- There is likely to be significant financial strain associated with compounding and more frequent events (i.e. deteriorating housing stock, stressed local businesses, potential reduced borrowing capacity, escalating insurance costs), which will need to be managed at a whole of government level.

The OCA is currently reviewing the Report and considering next steps. This will involve working with Directorates across Government to better understand their climate risks and support adaptation planning within each sector.

### **Zero Emissions Vehicles and Transport**

Actions to date have focused on transport-related commitments in the PAGA and the Zero Emissions Vehicle Action Plan 2018-2021.

This Action Plan included commitments to a zero emissions Government passenger vehicle fleet, new charging infrastructure, and incentives for consumers to purchase zero emissions vehicles.

Government has made significant progress across these items in the past year. A series of actions were implemented from the ZEV Action Plan and the PAGA in 2020-21:

- Providing financial incentives for the purchase of zero emission vehicles, including free vehicle registration for new ZEVs for two years.
- Providing a stamp duty exemption for new ZEVs that have not previously been registered in the ACT or another jurisdiction.



- Amending road rules to allow zero emissions vehicles to drive in ACT transit lanes until December 2023.

The OCA is coordinating across Government to support the delivery of the forthcoming Zero Emissions Vehicle Action Plan after the current iteration ended in 2021.

- The new iteration of the ZEVs Action Plan will expand on policy options that continue to incentivise the uptake of ZEVs in the ACT.
- Broader commitments on zero emissions transport, including heavy vehicles and an emissions-based registration system, are being considered as part of a suite of policies that drive the uptake of ZEVs and reduce emissions in the transport sector.
- Longer-term initiatives around transport require extensive consultation and analysis to ensure that the policy options available are cost-effective, capable of being implemented in the current timeframes outlined in the PAGA and comprehensively informed by the needs of stakeholders and the community.

As part of the Government's focus on incentivising the uptake of ZEVs in the ACT, Government is undertaking work to comprehensively analyse pathways that achieve key PAGA commitments and meet the net zero emissions target, including:

- The procurement of 50 public chargers – this action was progressed in 2021 through the development of policy options and analysis, resulting in the release of the Public Electric Vehicle Charging Outlook in December 2021.
  - Procurement is underway for this item and is expected to be delivered in 2022.
- Engaging with the ZEV industry and adopt an ambitious target for new ACT vehicle sales to be zero emission by 2030.
- Planning changes to require charging infrastructure for new multi-unit residential and commercial buildings and investigating measures to support retrofitting of charging infrastructure in existing buildings.

## Households / Just Transition

The ACT Government is committed to a just transition to net zero emissions, that supports low-income households and the most vulnerable in our community to meet the challenges of a changing climate.

- Measures such as the Sustainable Household Scheme will support Canberrans to invest in energy-efficient upgrades, reducing their carbon footprint and saving costs through reduced energy bills.
- The Vulnerable Household Energy Support Scheme and the Solar for Low-Income Program will provide targeted support to improve the energy efficiency and thermal comfort of public housing, rental properties, and low-income owner-occupier residences.
- Canberrans experiencing financial hardship have access to subsidies for energy bills under the Utilities Concession and support from the Low-Income Household Program, which is designed to provide free assessments for households to find practical ways to improve the comfort of their home and save money on energy and water bills.
- The Energy Efficiency Improvement Scheme offers households and businesses the opportunity to save money on their energy bills by receiving special deals from electricity retailers when they improve the energy efficiency of their residences and workplaces.

## 2021-22 Budget – climate action initiatives

2021-22 Budget (new funding only)		Total funding: over \$60 million	
Initiative title	Portfolio	Description	Funding
<b>Household, community, adaptation</b>			
Energy Efficiency Improvement Scheme	Minister for Water, Energy and Emissions Reduction	Delivery of the scheme for a further four years and enable EEISD legislated responsibilities to support emissions reduction, household and business energy use and costs. Expenses are fully offset from funds paid into the scheme by tier 2 retailers.	\$8.87m over four years
Vulnerable household energy support scheme	Chief Minister; Attorney-General; Deputy Chief Minister	Deliver subsidies for low income homeowners to upgrade energy efficiency appliances; install heating and insulation at Housing ACT assets.	Release \$5.1m over four years of provisioned \$50m total
Community Clubs Building Energy Efficiency Fund	Minister for Water; Energy and Emissions Reduction; Minister for Business and Better Regulation	Four year fund to provide rebates to clubs for equipment energy upgrades, building envelope improvements and installation rooftop solar and batteries to reduce electricity and gas bills.	\$5m total expense with \$2.47m offset over four years
Community Zero Emissions Grants;	Minister for Water, Energy and Emissions Reduction	Continue grants program for a further four years.	\$600k over four years
Adaptation and resilience	Minister for Climate Action; Minister for Water, Energy and Emissions Reduction	Support continued implementation of the Living Infrastructure Plan, delivery of ACT community resilience assessment and climate analysis.	\$2.50m over four years
Solar for low income	Chief Minister; Attorney-General; Deputy Chief Minister	Continue the Solar for Low Income program to provide subsidies of up to \$2,500 to eligible low-income homeowners to install rooftop solar systems.	
<b>Government assets and operations</b>			
Social cost of carbon	Attorney-General	<ul style="list-style-type: none"> <li>Implement a SCC for emissions from government operations from 2021-22 to support delivery of emissions reductions activities.</li> <li>Interim price of \$20 applied with project funding drawn from the Better Infrastructure Fund.</li> </ul>	\$4.7m over four years

Reducing Callam Offices carbon emissions	Special Minister of State	Capital funding to install new HVAC system and other base infrastructure upgrades	\$15.252m over four years
ACT NoWaste FOGO Facility	Minister for Transport and City Services	Capital funding to progress the Environmental Impact Assessment and site selection works for a food and garden organics waste recovery facility	\$700k
Growing Canberra's Urban Forest	Minister for Transport and City Services	Expand tree planting program, woodyard management, tree maintenance and continue Adopt-a-park program and works at Holder Depot	\$14.85m over three years
<b>Transport</b>			
ZEV registration for battery electric and fuel cell vehicles	Minister for Water, Energy and Emissions Reduction	Extend the free registration initiative to used zero emission vehicles.	\$8.56m over four years
<b>Communications</b>			
Climate action strategic communication and behavioural change activities	Minister for Climate Action; Minister for Water, Energy and Emissions Reduction	Deliver climate action website, education and awareness raising campaigns,	\$856k over four years

### 2020-21 Budget – climate action initiatives

<b>2020-21 Budget</b>	<b>Total funding: over \$300 million</b>
<b>Initiative title</b>	<b>Funding</b>
Sustainable Household Scheme	\$150 million
Big Canberra Battery	\$100 million
Vulnerable Household Energy Support Initiative	\$50 million
ZEV infrastructure, industry development and adopting a 2030 sales target	\$2.7 million
Phasing out fossil fuel gas use <ul style="list-style-type: none"> <li>Money allocated toward net zero technical and economic modelling study, which will help to inform the gas transition plan.</li> </ul>	\$855,000
Zero emissions bus network plan	\$800,000

## Implementation Update on Climate Change Strategies

The Minister for Climate Action has lead responsibility for commitments under the PAGA.

- The Sustainable Household Scheme.
- Delivering a 250 MW battery for the ACT (Big Canberra Battery).
- Delivering a \$50 million program over 5 years to improve building efficiency and sustainability for social and public housing, low-income owner-occupiers, and the lowest performing rental properties (including upgrades to government housing, and financial incentives to implement minimum energy efficiency standards in rental properties).

The Minister for Climate Action further supports the delivery of climate related PAGA commitments under separate ministerial portfolios. Examples include:

- Engage with the ZEV industry and adopt an ambitious target for new ACT vehicle sales to be zero emission by 2030.
- Develop additional financial incentives to support greater ZEV uptake by businesses and the community sector.
- Build at least 50 electric vehicle recharging stations across Canberra and the region, holding a reverse auction for their construction in 2021-22. This will include working with service station providers to explore broader public charging infrastructure.
- Planning Review: Provide a pathway to achieve net zero emissions.

The Minister for Water, Energy and Emissions Reduction reports on the implementation of the Climate Change Strategy, Living Infrastructure Plan and ZEV Action Plan to the Climate Action Subcommittee of Cabinet.

## ACT Climate Change Strategy 2019-2025

- The Strategy outlines the next steps the community, business and Government will take to reduce emissions by 50–60% by 2025 and establish a pathway for achieving net zero emissions by 2045.
- The Strategy was developed in coordination with the ACT Planning Strategy 2018, the ACT Housing Strategy (2018) and the Transport Strategy. Together, these strategies provide a comprehensive approach to building a smart, healthy net zero emissions city.
- Actions are grouped into ‘community leadership’, ‘just transition’, ‘transport’, ‘energy, buildings and urban development’, ‘Government leadership’, ‘waste avoidance and management’, ‘land use and biodiversity’, ‘monitoring evaluation and reporting’ and ‘increasing ambition’.
- The actions have been developed with the community and stakeholders and are focused on: (i) meeting the 2025 target, (ii) building resilience to climate change impacts, (iii) ensuring we don’t ‘lock in’ future emissions and (iv) laying the foundations for achieving net zero emissions.
- The Strategy includes a commitment to not purchase carbon offsets. Instead, a ‘social cost of carbon’ would be invested in measures that reduce greenhouse gas emissions.

## Canberra's Living Infrastructure Plan: Cooling the City

- The Plan sets out the Government's commitment to maintain and improve living infrastructure within urban Canberra to support urban heat mitigation.
- In Canberra's urban context living infrastructure includes street trees, ovals, wetlands, creeks, parks and nature reserves, private yards, green roofs, balconies and living walls.
- The Plan identifies fifteen actions, including measures to:
  - achieve 30% tree canopy cover (or equivalent) and 30% permeable surfaces in urban areas by 2045;
  - develop an Urban Forest Strategy (released in March 2021);
  - introduce landscape planning requirements for multi-dwelling, mixed-use and commercial developments; and
  - support community efforts to incorporate climate-wise landscaping principles and sustainability outcomes.
- The Plan includes four goals:
  - Climate-wise city - To reduce the risks from the key climate change impacts of heatwaves, droughts, storms and bushfires, through resilient living infrastructure.
  - Nature in the city - To conserve and enhance Canberra's biodiversity and landscape function, quality of life and sustainability, which are reliant on our urban forest, open spaces, wildlife and water systems.
  - Prosperous city - To recognise that our landscapes, with living infrastructure asset components, are an essential part of our economic prosperity that create revenue and jobs.
  - Healthy city - To promote community-wide health and wellbeing through access to nature which provides recreational, fitness and relaxation opportunities, and improves mental health.

## Community grants to support climate action

- Government directly supports a range of community activities that reduce emissions and increase resilience. This includes:

Grants title	Portfolio	Description	Annual total funding available
Community zero emissions grants	Minister for Water, Energy and Emissions Reduction	<ul style="list-style-type: none"> <li>• Support the ACT community to reduce emissions and increase resilience to climate change.</li> <li>• In 2020, five projects were successful, receiving a total of \$127k in funding.</li> </ul>	\$150,000
Nature in the city grants	Minister for the Environment	<ul style="list-style-type: none"> <li>• Support community living infrastructure projects to improve the ACT's urban open spaces, ecosystem health and conservation outcomes.</li> <li>• In the 2021-2022 round, 20 projects to the value of \$308k were successful.</li> </ul>	\$100,000
Community Gardens Grants Program	Minister for the Environment	<ul style="list-style-type: none"> <li>• Support delivery of community gardens across Canberra</li> </ul>	\$40,000



## Regional climate modelling

- NARCLiM (NSW and ACT Regional Climate Modelling) is a NSW Government led partnership that provides high resolution climate projections for southeast Australia.
- In June 2020, the ACT renewed its partnership with NSW and contributed \$100,000 towards NARCLiM version 2.0, which is due for release in 2022. This will provide more comprehensive and finer resolution climate projections for the ACT.
  - The ACT currently uses NARCLiM version 1.5 pending the release of version 2.0.
- The ACT Government continues to find ways to use the data to support and enable policy and decision-making. The projections have supported:
  - the whole of government climate risk assessment, currently underway.
  - conservation of threatened species research, led by the Environment, Water and Heritage Division, EPSDD.

## **BIG CANBERRA BATTERY**

### **Talking points:**

- The Government has committed to a distributed network of large-scale battery storage systems through the Big Canberra Battery Project.
- Work undertaken to date, including a market sounding process and independent analysis, has established three primary streams to deliver the Project. These streams will see a variety of batteries installed across the transmission and distribution networks and at government sites.
- It is anticipated that the Project will deliver on a range of financial, electricity network and emissions reductions objectives.

### **Key Information**

#### Big Canberra Battery Project overview

- Action A1(v) of the Parliamentary and Governing Agreement specifies a commitment to deliver at least 250 MW of new 'large-scale' battery storage distributed across the ACT.
- The Big Canberra Battery project is expected to deliver a number of batteries across the Territory, including large-scale transmission connected batteries, smaller 'suburb-scale' batteries and facility batteries at government sites such as schools and maintenance depots.
- The ACT Government has committed funding of \$100m to deliver the initiative. Expenses funding for 2020-21 and 2021-22 has been provided in the 2020-21 Budget, while capital funding for the project (\$95.8 million) and expenses funding from 2022-23 were provisioned.
- The Project is expected to deliver new revenue sources and/or cost savings to the Territory; support grid reliability while helping to integrate greater amounts of renewable electricity; and put downwards pressure on prices in the ACT and broader network.
- Phase 1 of the Project comprised a market sounding process to gauge industry interest and capability and to give industry the opportunity to provide input on the engagement process, role of government and design considerations.
- Independent analysis of the market sounding outcomes was undertaken by the Utilities Technical Regulator and commercial consultant Baringa Partners, to consider the appropriateness of recommendations and alignment with the ACT Government's objectives and interests.
- Work undertaken in Phase 1 has established three primary Project streams for delivery:

- Stream 1: Large, grid-connected batteries primarily on the transmission network.
- Stream 2: Batteries at Government sites such as schools and maintenance depots.
- Stream 3: Medium sized grid-connected batteries on the distribution grid, with a focus on projects trialling community investment models or innovative technical parameters such as battery chemistry and capability.
- Table 1 provides further detail on the streams, including features, objectives, anticipated procurement approach and timelines.

## Stream 1 Expression of Interest (EOI) considerations

### Concept design

- Large-scale batteries can provide a number of services and access a number of value streams. Batteries delivered under Stream 1 will be required to deliver energy and ancillary services to the National Electricity Market (NEM).
- Battery developers will optimise the operation of the battery to maximise revenue while minimising the degradation of the battery. It is expected that most of the revenue will come from Frequency Control Ancillary Services (FCAS) and energy arbitrage.

### Commercial model

- Financial modelling and analysis have resulted in two 'contract for output' commercial models being shortlisted for the procurement process. The Stream 1 EOI will seek industry feedback on these models.
  - Virtual Storage – A 'Virtual Storage' contract fixes the price for the top and bottom intervals of the day in exchange for a fixed hourly fee. This would fix the daily spread for a battery and provide the battery developer with a fixed hourly cashflow.
  - Revenue share – A revenue share arrangement involves the Territory paying a fixed annual sum in exchange for a fixed percentage of total project revenue from the battery developer. Under a revenue share, the battery developer is responsible for all control and management of the battery.

### Sites

- Nine sites (or parts of sites) for which the Territory is the custodian have been identified. The Territory may agree to grant a crown lease, sublease or licence at market rates to successful proponents for these sites which are in the vicinity of transmission or distribution substations. Proponents can nominate to use other sites within the ACT.
- Proponents are responsible for securing a suitable site and for obtaining all approvals to secure and develop batteries at the site.

### Social and environmental sustainability outcomes

- The opportunity for noteworthy social and environmental outcomes is being explored. A social and environmental sustainability plan is required at the EOI stage which includes, as a minimum, a site remediation plan and a battery recycling plan.

## Background Information

### The role of large-scale battery storage in a zero emissions future

- Existing fossil fuel generation is retiring and is being replaced by renewables that are cheaper but have intermittent generation.
- This is likely to happen sooner than the technical lifespan of fossil fuel generators, with little notice. New South Wales will be the state most impacted in the near term, which also impacts the ACT. The lack of coordinated national action in managing the transition is expected to lead to higher electricity prices, lower reliability and worse emissions outcomes than if the transition is managed well. Support from batteries will assist in managing the transition.
- Large-scale battery storage is faster, cheaper and more flexible than gas peaker plants and they are the ideal technology to firm renewables into the grid without relying on fossil fuels.
- Securing financing for battery projects can be difficult, due to uncertainties around revenue and national policy. Stream 1 of the Project would see the Territory share market risk on behalf of project developers, in exchange for a potential return to the Territory.

### Status of battery storage in the ACT

- Existing batteries in the ACT and those under development are shown below.

Battery owner	Location	Size (MW)	Details
Individual households/businesses	Mostly residential sites in the ACT	9.8 total	This is the capacity installed under the ACT Government's Next Gen Program.
Neoen	Oaks Estate	50-100	Under construction. To be delivered as part of a contract signed with the ACT Government in 2020 for Renewables Auction 5.
GPG	Oaks Estate	10	Under construction. To be delivered as part of a contract signed with ACT Government in 2020 for Renewables Auction 5.
Elvin Group	West Belconnen	2.5	Operating.
CWP Storage	Strathnairn	0.25	Under construction.
Neoen	West Belconnen	300	Referred for federal environmental impact assessment in March 2021.

- Battery storage in the ACT is expected to grow significantly under existing policies and projects including: the Big Canberra Battery project; the Next Generation Energy Storage Program; the Sustainable Household Scheme; Renewables Auction 5 batteries; private, community or network batteries and ACT Government owned batteries.

**Table 1:** Big Canberra Battery Project – Primary Streams of Delivery

Stream Description	Features	Objectives	Procurement Approach	Procurement Timelines
<u>Stream 1:</u> Large, grid-connected batteries primarily on the transmission network.	<p>Battery size: &gt;10 MW</p> <p>Ownership: Developers retain ownership and control of the batteries.</p>	<ul style="list-style-type: none"> <li>Deliver 250 MW of storage.</li> <li>Support grid reliability and help to integrate greater amounts of renewable generation in the NEM.</li> <li>Deliver new revenue sources to the Territory.</li> <li>Put downward pressure on prices in the ACT and broader network.</li> </ul>	<p>Two stage process:</p> <ol style="list-style-type: none"> <li>Stage 1: Expression of Interest (EOI). Aims to inform the RFP development (test contract duration, preferred commercial model, etc), and shortlist proponents for the RFP.</li> <li>Stage 2: Request for Proposals (RFP).</li> </ol> <p>Strategic and Procurement Review undertaken by Government Procurement Board.</p>	<p>EOI open 15 Dec 2021 to 11 Feb 2022</p> <p>RFP open Q1, 2022-23, contracting late 2023</p> <p>Construction start dependent on maturity of successful projects selected through RFP.</p>
<u>Stream 2:</u> Batteries at Government sites such as schools, maintenance depots etc.	<p>Battery size: 10 kW to 250 kW (Tailored, based on site's electricity use and solar generation.)</p> <p>Ownership: Site owner.</p> <p>Other: May include virtual power plant (VPP) services to access additional forms of revenue.</p>	<p>First tranche/trial:</p> <ul style="list-style-type: none"> <li>Reduced cost of electricity for ACT Government sites.</li> </ul> <p>Subsequent tranches may focus on alternate objectives such as reliability of supply, support for the distribution grid and avoided augmentation costs as sites transition to being all-electric.</p>	<p>Single stage RFP</p> <p>Depending on outcomes of the trial, a further two RFPs may be released, approximately annually.</p> <p>RFP for VPP (TBC)</p>	<p>RFP released Q3 2021-22, contracting late 2021-22.</p>
<u>Stream 3:</u> Medium sized grid-connected batteries on the distribution grid, with a focus on projects trialling community investment models or innovative technical parameters such as battery chemistry and capability.	<p>Battery size: 100 kW to 5 MW (TBC)</p> <p>Features of this stream are to be determined.</p>	<p>Objective statement will be developed following further refinement of this stream but may include:</p> <ul style="list-style-type: none"> <li>Increased grid reliability</li> <li>Industry development</li> <li>Downward pressure on electricity prices.</li> </ul>	<p>TBC</p>	<p>TBC</p>

## Issue: Sustainable Household Scheme

### Key dates during the phased introduction:

- 16 July 2021* Pilot begins to invited participants only.
- 30 Sep 2021* Scheme opened to all eligible participants for rooftop solar, batteries, hot water heat pumps, electric heating and cooling, electric cooktops and EV chargers.
- 6 Dec 2021* Zero Emissions Vehicles made available.

### Statistics as of February 4, 2022:

- Installations completed – 1,429
- Loan applications in total – 2,887
- Loan applications total value – more than \$31.9 million
- Trend – Approximately \$1.5 million settled per week
- MW Solar installed – 9.9 (more than 4 times the size of the Majura Solar Farm)
- 134 suppliers accredited under the Scheme
- The top 8 have local offices and have received more than \$18 million worth of work

	Rooftop Solar only	Solar & Battery	Heating & Cooling	Battery Storage	HWHP	Stovetop	EV New	EV Used	Total
Loan applications	1,545	539	397	270	224	24	7	7	2,887
Installations/delivery	845	238	223	89	138	15	6	4	1,429

### Plans underway for Q1, 2022:

- Open eligibility to include community groups
- Make \$2,500 Solar for Low Income Grants available to concession card holders. This will assist low-income households to invest in solar.
- Begin procurement for a loans provider for the larger, second half of the Scheme

### Other household measures

In addition to the Sustainable Household Scheme, the ACT Government will be implementing the following programs to support households.

- \$50 million Vulnerable Household Energy Support Initiative to improve building efficiency and sustainability for social and public housing, low- income owner occupiers and low performing rental properties.
- Make it easier for ACT households to get better energy deals by making it mandatory for electricity retailers to provide customers with a reference bill for a typical consumer, and to notify customers of plans that would reduce the customer's bills.
- \$5 million Building Energy Efficiency Upgrade Fund to support community clubs to undertake energy efficiency upgrades through initiative like water and ventilation audits, partial grants for certain energy and water efficiency upgrades and no-interest loans for certain upgrades such as rooftop solar.

## Issue: Better Regulation Taskforce and AMR

### Talking points

#### What is the Better Regulation Taskforce?

- The Jobs and Economic Recovery Plan released on 27 August 2020 committed to establish a Better Regulation Taskforce (Taskforce). This commitment was funded in the 2020-21 Budget, and the Taskforce commenced in February 2021.
- Reporting to the Minister for Business and Better Regulation, the aim of the Taskforce is to make it easier to do business in the ACT. The Taskforce will support businesses to start and grow through better regulation and simplified interactions with ACT Government.
- Five priority areas for the Taskforce were identified through the Jobs and Economic Recovery Plan:
  - Expanding digital service offerings of the ACT Government's public interactions and support Canberra businesses to transition to greater digital technology operations.
  - Improving labour mobility through automatic recognition of licences from other parts of Australia.
  - Identifying areas of regulatory burden through stakeholder engagement with ACT industry representative groups and businesses.
  - Reviewing key legislation to:
    - reduce the need for businesses to contact multiple Government agencies; and
    - ensure legislation across the ACT supports new business models to grow the digital economy.
  - Removing barriers to investment in the Territory.
- This is a three-phase program of whole of government work over 2.5 years led by the Taskforce. This includes a Discovery Phase, Analysis and Recommendations Phase, and Implementation Phase.
- Due to the changing context and conditions of the COVID-19 pandemic, the approach to delivery of this program has and will continue to be adaptive and sensitive to the changing context across these phases.

#### What did the Taskforce do in the Discovery Phase?

- Activities of the Taskforce during the Discovery Phase have centred on:
  - Extensive engagement with business and other stakeholders;



- Analysis of jurisdictional approaches to better regulation;
  - Oversight of the wide ranging legislative review;
  - Progression of the Commonwealth's deregulation agenda; and
  - Implementation of early reform opportunities in the procurement space.
- The Taskforce has also helped resolve a number of business-specific queries and issues during the Discovery Phase.
  - It has also recently concluded some valuable early reform work in collaboration with Procurement ACT aimed at assisting businesses to understand the ins and outs of ACT Government procurement and how to go about bidding for these opportunities.
  - An e-booklet for suppliers and a revitalised landing page will provide practical and easy to navigate information for business on government procurement.

#### Who has the Taskforce engaged with?

- The Taskforce has undertaken a multifaceted program of review and engagement. This has included focus groups, workshops, roundtables, and one-on-ones with stakeholders.
- The Taskforce has engaged with small business, precinct groups, peak bodies, industry forums and of course government regulators to hear about issues that businesses are experiencing.
- The Minister for Business and Better Regulation has been meeting with all parts of Canberra's business community to understand what we do well, what we need to improve, and how we can better work with business to support them.
- The Taskforce has also been:
  - Scanning feedback and input already received from the community to identify issues previously raised and proposed improvements for business.
  - Examining and applying lessons learned during the COVID-19 response, such as maintaining clear and open communication, prioritising adaptability and rapid action, and engaging with risk to achieve the best outcomes for businesses in the ACT.
- By engaging with business – especially small business – The Taskforce is identifying areas for regulatory, process and information improvement.

Reforms to regulation, communication and process will reduce regulatory burden, making it quicker and easier for business to interact with Government and reducing barriers to investment.

- During the Discovery Phase, the Taskforce has held the following workshops:
  - Internal ACT Government workshop
  - Night-time economy and entertainment workshop
  - Innovation workshop
  - Procurement workshop
- During the Discovery Phase, the Taskforce has presented at the following roundtables:
  - Canberra Region Tourism Leaders Forum
  - Canberra Business Chamber Kindred Members
  - Community Clubs Ministerial Advisory Council
- In addition to these planned engagements, the Taskforce has addressed direct queries from business, helping to find solutions to immediate concerns.
- Where people raise complex, systemic or strategic issues with us, the Taskforce is capturing these.
- The Taskforce also represents ACT Government on working groups to progress the Commonwealths Deregulation agenda. The key reforms now are:
  - Modernising the execution of statutory declarations and deeds of agreement; and
  - Identifying areas of cross jurisdictional overlapping regulation; and
  - Automatic mutual recognition of occupational licences.
- These reforms will be captured as part of the Taskforce's work program.

#### What has the Taskforce discovered?

- The Taskforce is analysing the issues raised through stakeholder engagement. While there is still necessary analysis to be undertaken, some common themes and issues have presented themselves, including:
  - Small business information and communications
  - Simplification of Government to Business interactions

- Regulator Practice (clarity, capability, culture, continuous improvement)
  - Programs and Support for SMEs
  - Skilled Workforce
  - Continuous Improvement – Reviewing ACT Legislation and Regulations.
- The Taskforce has also overseen a wide-ranging legislative review, the first phase of which has now been completed. This phase has identified a shortlist of key areas which may be selected for an in-depth legislative review by the Taskforce. The key areas are:
    - Review full legislative and regulatory arrangements for ‘entertainment economy’;
    - Standardise procurement processes across ACT Government;
    - Digital technology—transition from paper-based documents;
    - Review of ACT-NSW regulation cross border alignment;
    - Review of regulator/regulation overlap and duplication; and
    - Review options for legislation to support regulator best practice.
  - The findings of the legislative review will form a part of the Discovery Phase Report.
  - The Taskforce will utilise stakeholder input and ideas to develop options for reform that bring about real positive change for business.
  - The activities of the Taskforce are taking place within a broader context of ACT Government response to COVID-19 and other initiatives to support economic recovery and growth.
    - By October 2021, the Better Regulation Taskforce had undertaken and supported approximately 132 engagements with individuals representing 114 businesses as part of its Discovery Phase. These numbers are approximate, as some businesses may have attended multiple group sessions.
    - Since the conclusion of the planned engagements for the Discovery Phase, the Taskforce has continued to meet with ACT businesses where individuals and business have sought assistance or information from the Taskforce or have insights to convey.

- As the Taskforce moves into its next phase, further engagements with business will be planned in relation to specific components of the forward work plan.

### When will the Discovery Report be delivered?

- The Discovery Report is being authored by the Taskforce.
- The Report will reflect on the findings of the Taskforce from its engagement with business, its analysis of best practice regulation nationally and internationally as well as the findings of the legislation review.
- The Report will establish the forward work program of the Taskforce.
- These findings and a forward work program will be released in early 2022.
- On commencing the Discovery Phase, the Taskforce resolved to undertake a deeper level of engagement than was initially considered necessary. This has extended the discovery period.
- Additionally, during the lockdown which commenced in August 2021, the Taskforce reduced its engagements with business on better regulation issues. This followed a number of discussions with business and peaks during the lockdown to see if there was appetite to re-engage with Taskforce on better regulation.
- Understandably, the strong feedback was that businesses needed to direct their energies to maintaining the viability of their businesses. Accordingly, interactions during this time centred on available support measures.
  - The Taskforce supported development and delivery of economic measures for businesses hardest hit by COVID-19 during the ACT lockdown.

### Support for the COVID-19 response and impacts on Taskforce work program

- While the Taskforce continued progressing its work program, it also supported the ACT Government's non-health COVID-19 response.
- The Taskforce worked to put in place support measures to help commercial renters and landlords impacted by the COVID-19 public health emergency. This has included reinstating measures which require commercial landlords to engage in good faith negotiations with local

business tenants hardest hit by COVID-19 during the current ACT lockdown.

### **Automatic Mutual Recognition of Occupational Registrations (AMR) – (second priority area of Better Regulation Taskforce)**

- Following agreement through National Cabinet, the ACT worked to introduce a uniform scheme to automatically recognise occupational licences from other parts of Australia.
- Under AMR, a person who is licenced or registered for an occupation in one jurisdiction is considered to be registered to perform the same activities in another jurisdiction, without the need to go through further application processes or pay additional registration fees.
- The Taskforce is leading the whole of Territory work in positioning every Directorate, and the majority of 80+ occupational licences to be ready to participate in AMR when their temporary exemption from the scheme ceases on 30 June 2022.
  - This is a significant and complex piece of work as every licensing framework is different and the implications of the Commonwealth Mutual Recognition Act on local licensing laws is not yet clearly understood by policy officers and regulators across Australia.

#### **Key Information**

##### ***Funding for the Taskforce***

- The Taskforce has been funded for three years.
- At the 2020-21 Budget four FTE were reprioritised from within CMTEDD to form the Better Regulation Taskforce (SES 1.4, SOGA, SOB and SOGC calculated using the Average Salary Costing Model).
- No contractors, advisers or other external service providers comprise the Better Regulation Taskforce.
- Through the 2020-21 Budget the Better Regulation Taskforce received funding for procurement of specialist capabilities to the value of \$329,100 over three financial years:
  - \$124,000 in 2020-2021,
  - \$142,900 in 2021-2022, and
  - and \$62,200 in 2022-2023.
- To date, the Taskforce as part of the Discovery Phase has procured specialist capabilities to support delivery of:

- Engagement planning and facilitated workshops;
  - Small Business Community Communications Research; and
  - Phase one of the legislative review.
- Through the 2021-2022 Budget, the Better Regulation Taskforce received funding for 1 SOG B for nine months to continue its whole of government co-ordination of Automatic Mutual Recognition of occupational licences.

***What money has the Taskforce spent on specialist capabilities?***

- To date, the Taskforce has procured consultants to undertake engagement planning and facilitate workshops to the value of \$61,105 (GST inclusive).
- The Taskforce also procured consultants to undertake Phase One of the Legislative Review.
  - \$36,960 (GST inclusive) was spent on the legislative review project in 2020-21. The total contract value is \$92,400 (spanning 2020-21 and 2021-22).

**Issue: DRONES****Talking Points**

- Drones are a part of a growing area of new aviation technologies, the uses of which we are seeing emerge across Australia and in the ACT.
- We welcome these new and innovative technologies for the benefits they can bring our community.
- For example, use of drone delivery services in Canberra surged last year as Canberrans sought Covid-safe ways to access everyday items. Last year, 40,000 drone deliveries were made in Canberra, with more than 15,000 deliveries made in the lockdown period.
- We remain optimistic about the potential benefits of drones and drone delivery services, these include:
  - empowering local businesses to reach more customers; and
  - potentially cutting greenhouse gas emissions by reducing the need to travel by car.
- While the ACT can be said to be a leader in this area, being one of the first cities in the world to welcome urban drone delivery services, we are also aware of the need to manage the impacts of these technologies carefully, including in the areas of noise, safety, and the environment.

**Noise***Regulation*

- Considering the Commonwealth's comprehensive powers, and the need for consistency across Australian jurisdictions, a national approach to noise management is the optimal way forward.
- To this end, in mid-October 2021, the ACT Government made a submission to the Commonwealth's Regulatory Impact Statement (or RIS) for proposed reforms to the relevant Commonwealth noise regulations.
- The Commonwealth's preferred interim solution to drone noise regulation, outlined in the RIS, involves a process where operators must self-assess their noise impact against several criteria including location, frequency, and drone noise output, amongst others.

*Wing*

- In relation to Wing's delivery service and noise, we have been advised that Wing rolled out a new drone aircraft in May 2021 which is significantly quieter than previous models. Wing says that it almost halves the sound level experienced during overflight, averaging 43

decibels while flying. By way of comparison a normal conversation is said to be around 60 decibels.

### ***Safety***

- The safety of drones is regulated by the Civil Aviation Safety Authority (CASA). We are confident that Commonwealth regulation ensures a high level of safety for drone operations.
- In relation to Wing, there is no evidence that Wing has breached either the conditions of its licenses or relevant Commonwealth regulations.

### ***Environment***

- This is an area of ongoing study and we will continue to monitor for new information on this matter.
- In September 2021, Wing advised the ACT Government that they received reports of birds swooping on drones during nesting season and in response temporarily paused flights around the impacted parts of Harrison, so that an ornithologist could assess the behaviour of local ravens.
- Wing resumed drone deliveries to the impacted part of Harrison in December 2021, well after the raven chicks had fledged and there was deemed no further risk to the birds or the drones
- However, given the birds are natural defenders of their young, there may be similar challenges in the coming Spring 2022.

### ***Wing's operations***

- Wing is currently permitted to operate in the suburbs of Crace, Franklin, Harrison, Palmerston, Mitchell and part of the suburb of Gungahlin.
- To commence operations in any other suburb in the ACT, Wing must notify the the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications at least 5 days before beginning such operations.
- Wing has advised us that it intends to expand operations early this year. Wing have said they will be hosting community stalls, sharing information directly with residents, attending community meetings and actively responding to any questions and concerns.
- Community feedback on Wing's operations is embedded in the Commonwealth's approval process, and we would expect Wing to meaningfully engage with key stakeholders and the community before any expansion.