



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**19 MARCH 2024**

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**Tuesday, 19 March 2024**

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

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

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

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

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

## **Leave of absence**

**MADAM SPEAKER** (Ms Burch) (10.02): Members, before I move to petitions, I wish to inform the Assembly that, pursuant to standing order 22, secondary caregiver leave has been granted to Mr Steel in line with the lead provisions of the ACT public service commencing on 18 March. I present the following paper:

Mr Steel—Leave of absence—Letter to the Speaker from Mr Steel notifying his period of secondary caregiver leave, dated 30 November 2023.

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

That leave of absence be granted to Mr Gentleman (Minister for Business) for this sitting week due to personal reasons.

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

That leave of absence be granted to Mr Cocks for this sitting week due to personal reasons.

## **Petitions**

*The following petitions were lodged for presentation:*

### **Taxation—general practice clinics—petition 24-23**

By **Ms Lee**, from 920 residents:

**To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw to the attention of the Assembly that the ACT Government proposes to implement an additional payroll tax on general practices. With the viability of general practice in Canberra continuing to come under pressure, GP clinics will have little choice but to pass the tax on to patients.

A survey undertaken by the AMA ACT highlighted that 80% of practices were likely to increase their private billing fees if they did not receive an exemption from the new patient tax.

It's clear that the ACT Government fails to appreciate the essential role that GPs and general practices have in our society. General practice is in a precarious state in Canberra with the lowest number of GPs per patient, where GP training positions remain vacant each year, and community practices are left with no choice but to close their doors.

Not only will the ACT Government's new patient tax make it more difficult for Canberrans to access affordable primary care, but it will likely increase the burden on our Emergency Departments from patients who would normally be seen in a general practice setting.

At a time when our ACT health system is under extreme pressure and Canberrans are experiencing a cost-of-living crisis, the patient tax will make accessing essential health care even more difficult and expensive.

Your petitioners, therefore, request the Assembly to call upon the ACT Government to:

Exempt general medical practices from the additional payroll tax as it applies to contractor/tenant GPs.

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Public Accounts.*

## **Animals—snakes—petition 5-24**

*By Dr Paterson, from 646 residents:*

### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

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

- a. Snakes are important wildlife in Canberra. Along with other native animals, they act as significant middle-order predators which balance local ecosystems. They have been present in the landscape for millions of years.
- b. Snakes are protected under the Nature Conservation Act 2014, and it is an offence to kill, injure, or take snakes from the wild.
- c. Snakes are stigmatised creatures, which means they are prone to being injured or attacked by people (and their pets) when contact occurs.
- d. Education is an important part of ensuring that the ACT community can safely co-exist with snakes. Encounters with snakes are increasing as an outcome of urbanisation and loss/fragmentation of natural snake habitats.

- e. Scientific research in the local region (part funded by the ACT Government) has found that wild eastern brown snakes have very high rates of injury and generally do not respond well to being relocated from their home ranges.
- f. A recent survey of 1176 ACT and surrounds residents found that 40% have a fear of snakes, 90% thought snakes play an important role in the environment and 91% felt that snake catching and snake safety education in the Canberra region should be a public, not private, service. Because of our local geography and climate, snake movement activity is seasonal. This means a dedicated snake catching business in the bush capital is not viable. Currently, snake catchers in the ACT need to have other employment and thus cannot meet community demand and expectations.
- g. Licensed snake researchers and handlers can run highly effective educational programs on snake behaviour, ecology and safety to reduce both the fear of snakes in the community, and the requirement to move them so frequently. However, the ability to run programs and snake handling training is hampered by existing snake licensing arrangements in the ACT. Other Australian jurisdictions, such as New South Wales, Victoria, South Australia, Queensland and Tasmania, have strict licensing arrangements which allow highly experienced individuals to keep venomous snakes and use them for educational and conservational purposes.
- h. Currently, snakes need to be brought into the ACT from other jurisdictions for training purposes. This poses unnecessary animal welfare issues and biosecurity risks to our native snakes and to any captive ones where they are stored overnight.
- i. The situation in the ACT is unworkable for our dedicated snake catchers, educators and conservationists, and needs to be addressed. Otherwise, evidence-based snake education for our community will diminish, and both people and snakes will be worse off.

Your petitioners, therefore, request the Assembly to call on the ACT Government to:

1. Urgently review current licensing arrangements and identify a framework for those snake handlers suitably qualified to register ownership of venomous snakes for educational and training purposes in the ACT. This would be similar to the models operating in New South Wales, South Australia, Queensland, Victoria and Tasmania.
2. Consider making snake removal/handling work in the ACT salaried as a contracted public service (similar to the Northern Territory) that is focused on providing public education through school incursions and community events and improving public safety and conservation outcomes for snakes.

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Environment, Climate Change and Biodiversity.*

### **Schools—Telopea Park—petition 4-24**

*By Ms Lee, from 96 residents:*

**To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw to the attention of the Assembly that the parents and carers of Telopea Park School students strongly oppose the proposed timetable changes that mix primary school children with high school children during recess and lunch.

The timetable change will negatively impact the well-being and development of primary students due to potential bullying, intimidation, inappropriate and anti-social behaviour.

By combining the breaks of years K-6 and 7-10 it will further overcrowd the limited play area available. The overcrowding will limit students' capacity to engage in active play and sports during the break. It has already been acknowledged Telopea Park School is the 4th most crowded school in the ACT.

The parents and carers are disappointed in the manner this change has been conducted with poor consultation and lack of consideration for their concerns.

Your petitioners, therefore, request the Assembly to call on the ACT Government to reverse the timetable change at Telopea Park School, and adequately consult with parents and carers to hear, in open and constructive dialogue, alternative solutions to the challenges faced by the school.

### **Coombs—Ruth Park playground—petition 1-24**

By **Dr Paterson**, from 332 residents:

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw the attention of the Assembly.

1. We express our appreciation for the investment by the ACT Government in establishing the Ruth Park Playground in Coombs.
2. We commend the community engagement and input that went into the planning and construction of this playground, reflecting a dedication to creating an inclusive and exciting space.
3. The recognition of Rosina Ruth Lucia Park AM, along with the commemoration of her contributions through a wombat sculpture, adds cultural and literary significance to the park.
4. However, we wish to draw attention to a crucial aspect that currently hampers the overall experience for families visiting Ruth Park Playground—the absence of toilet facilities. This has led to substantial inconvenience for parents and children, and results in children ducking behind bushes and trees or parents having to leave the park—neither of which are acceptable solutions.
5. We understand that the decision not to include toilets was a result of consultations with nearby residents. While we respect the concerns raised by the community prior to the park being developed however, we believe that addressing the need for toilet facilities is crucial for the well-being and convenience of all park visitors.

Your petitioners, therefore, request the Assembly to call on the ACT Government to provide toilet facilities at Ruth Park Playground in Coombs.

*The Clerk having announced that the terms of the petitions would be recorded in Hansard and referred to the appropriate ministers for response pursuant to standing order 100, the petitions were received.*

## **Ministerial responses**

The following response to a petition has been lodged:

### **Kippax—crime—petition 21-23**

By **Mr Gentleman**, Minister for Police and Crime Prevention, dated 14 February 2024, in response to a petition lodged by Mr Cain on 28 November 2023 concerning police presence at Kippax shops.

*The response read as follows:*

Dear Mr Duncan

Thank you for your letter of 28 November 2023, regarding petition E-PET-021-23, Increasing the police presence at Kippax Group Centre. The petition requests the Assembly call on the Government to increase the number of police officers at the Kippax Group Centre and ensure that regular patrols are provided by police officers on foot and in police vehicles to increase safety for citizens. Pursuant to Standing Order 100, this letter constitutes my response.

#### Visible and regular police presence in the vicinity of Kippax Group Centre

ACT Policing's priority is always the safety and security of the community and its workforce. When discussing crime in the ACT, it is important to remember the advice from successive Chief Police Officers, that Canberra is a very safe city – one of the safest in Australia. The ACT Government continues to work with and invest in ACT Policing to ensure that incidents of crime remain low and that they are responded to quickly when they do occur. While the ACT experiences low crime rates compared to other jurisdictions, the ACT Government acknowledges that property crime can affect anyone and is often opportunistic in nature, requiring residents and business owners to always remain vigilant.

ACT Policing is committed to maintaining its visibility and presence throughout Canberra, including at the Kippax Group Centre. Target areas for patrolling are based on intelligence, with ACT Policing's Intelligence Team analysing a variety of information sources to identify patterns, convergences and prioritisation to maximise crime reduction opportunities and increase community safety.

ACT Policing is aware of the rise in concerns in Kippax and across the West Belconnen area more generally.

As part of its commitment to community consultation, all ACT Policing Station Inspectors engage with business owners and operators as opportunities arise, to



raise awareness about burglaries and other criminal conduct, and when requested, to provide education on how to protect and secure businesses from criminality.

ACT Policing's leadership team at Belconnen Police Station has been highly vigilant with engagement in West Belconnen, and the Officer Charge of Belconnen Police Station has indicated that police officers are keen to continue building relationships with business owners and residents in Kippax and surrounding suburbs.

Senior members also attend community forum sessions, including Belconnen Community Council meetings, when available upon request. At these sessions, police address questions from and work with business owners on strategies to help reduce anti-social behaviour incidents and limit the opportunity for crime to occur.

### Community Focused

In consultation with the ACT Government, ACT Policing is transitioning to a community-focused, proactive model of policing under the Police Services Model (PSM) to ensure the ongoing safety of the Canberra community. This includes a strategic accommodation plan that will consider future policing needs. Education and public messaging are important components of crime prevention, community safety and enhancing confidence in police. ACT Policing is committed to raising awareness of community safety through active engagement with the entire community and the delivery of effective safety messaging.

ACT Policing Intelligence advises on patterns of offending in the district of Holt and officers will continue to work with the community and key stakeholders to ensure the community is safe. ACT Policing encourages continued reporting of suspicious behaviour by members of the community, in order to be able to prioritise its resources effectively and efficiently.

### Resources and police response

Target areas for patrolling are based on intelligence, which draws on a number of sources including community involvement and engagement directly with ACT Policing. ACT Policing takes advice from ACT Policing Intelligence on patterns of offending in the areas surrounding the Kippax Shopping Centre and works with the centre owners and tenants to share the responsibility of ensuring the community and businesses remain safe.

ACT Policing has resources other than those located at Belconnen Police Station, and its dispatch system ensures the closest and most available resources will be allocated. Canberra's condensed geographical nature means police officers can move across the territory in a timely manner, with police undertaking duties in different patrol zones as required.

While police stations will always be a part of the police ecosystem, it is important to recognise that ACT Policing officers have more communication tools and technology than ever before, which allows them to do more of their work on the road and respond faster to crimes when they are occurring.

ACT Policing prioritises its responses to life threatening emergencies first, followed by incidents where there is an immediate threat to a person or property. Response times to specific incidents are also impacted by other operational priorities occurring at the time.

The ACT Government is continuing to ensure that Canberra remains adequately served by our frontline police officers and that ACT Policing has the resources necessary to keep our community one of the safest in the world.

The ACT Government has previously announced an investment of an additional \$107 million over five years towards delivering 126 new ACT Policing personnel. This funding injection is a record spend on the police force since self-government began, and represents a significant increase in resourcing for ACT Policing. Bolstering police numbers and equipping police with the necessary resources means police will be better able to respond to incidents and the evolving needs of the ACT community, and continues the transition towards a more visible, proactive and connected police service.

Through the transition to the PSM, ACT Policing is developing the ability to more effectively deploy its resources based on intelligence and manage its workforce efficiently.

#### Community engagement

Education and public messaging are important components of crime prevention, community safety and enhancing confidence in police. ACT Policing is committed to raising awareness of community safety through active engagement with the entire community and the delivery of effective safety messaging.

ACT Policing steadily increased its community engagement activities in 2023. As a result, police officers have attended and hosted numerous events in local Canberra shopping centres and cafes, engaging face-to-face and re-establishing ACT Policing's strong relationships with the Canberra community.

ACT Policing held its first Coffee with a Cop at Kippax Fair on Friday 19 May 2023, with more than 60 community members embracing the opportunity to meet police officers informally over coffee. Topics discussed include but were not limited to policing in the area, community safety, crime prevention, careers within ACT Policing and policing in general.

ACT Policing received more than 117 requests in 2023 to attend community events in a public engagement capacity. ACT Policing continues to facilitate officer attendance at these events as operational priorities allow, further demonstrating its commitment to strengthening relationships with the community.

I trust this information provides the petitioners with assurance that their concerns are understood and have been acknowledged by the ACT Government.

### **Motion to take note of petitions**

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

That the petitions and response so lodged be noted.

### **Taxation—general practice clinics—petition 24-23**

**MS LEE** (Kurrajong—Leader of the Opposition) (10.04): The petition, signed by over 900 Canberrans, calls on the government to exempt general practice from the

additional payroll tax that applies to contractor and tenant GPs. This petition received support from GP practices, patients and peak bodies to make sure that Canberrans are not paying even more to see their GP.

In not taking action, Mr Barr is slugging GPs and patients with an additional tax to access essential health care. He went against the advice of peak bodies, which included the RACGP and the AMA, who said that this tax could deter GPs from practising in the ACT at a time when we need to grow the workforce and that demand for GPs in the ACT is forecast to increase by 65 per cent by 2023. Mr Barr has ignored this advice and instead hit back at them during question time by claiming that all the RACGP and AMA were trying to achieve was to “minimise tax” and that they, “lack an ambition in relation to bulk billing”. These are disgraceful comments by the Chief Minister, and they all but confirm his lack of ambition to listen to the experts and GP representative bodies.

But he did not stop there. He even ignored advice from his own officials. FOI documents revealed that the Director of General Practice in ACT Health advised the ACT Revenue Office that tying bulk-billing rates to an amnesty from a tax would be “both unwise and unachievable”. That did not stop him blundering on ahead with announcing this policy and ignoring all the pleas of GP practices who said that they would have no choice but to pass this extra cost on to patients. Worryingly, we are now seeing practices raising their fees across Canberra and rightly blaming the ACT government for being forced to take this action.

The ACT is one of the most expensive and difficult jurisdictions in the country in which to see a GP, and you would think that the government would do whatever they could to make sure that they do not enact a policy that would make the situation worse. You would think that, after having some of the worst emergency department wait times in the country, the government would incentive Canberrans to see a GP rather than place more barriers in their path. You would, of course, be mistaken.

This government has acted in its own interests and contrary to the advice of peak bodies, its own directorate, GP practices and patients. Through this extra payroll tax, Mr Barr has effectively decided to disincentivise practices from taking on more employees, from taking on more GPs. When the ACT has one of the lowest numbers of GPs per capita in the country, this government has decided to levy a tax on these practices.

In his appearance earlier this year on the ABC’s *Stateline* program, Mr Barr talked up the need to tackle the cost-of-living crisis. Yet he has done exactly the opposite. He has decided to collect extra revenue knowing that this will lead to an increase in fees for patients. I think that the RACGP summed it up best when they said: “It is incredibly frustrating to have the federal government supporting GPs through the recent budget and then see the ACT government effectively undercutting that support.”

Members of the government may still be clueless as to why Mr Barr is blundering ahead with imposing this tax after hearing all of the evidence against it, and the answer is simply because he is running the territory broke. With a deficit of over \$1 billion, Mr Barr wants and needs to get his hands on any extra revenue that he can. It does not matter that it flies in the face of advice from experts, his federal colleagues or his own

statements about tackling the cost of living. All that matters is making sure that he snatches whatever revenue he can even if it impacts sick Canberrans who need to access their GP.

A Canberra Liberals government will exempt GP practices from a payroll tax, because we know that access to essential health care is important and we are committed to ensuring that Canberrans can see their doctor when they need to. I thank members of the community, GP practices, the AMA and the RACGP who supported this petition, and I sincerely hope that the health committee does conduct an inquiry, so that the ACT can take a far more sensible approach.

### **Out-of-order petition—The Green Shed**

**MS CLAY** (Ginninderra) (10.09), by leave: I present the following paper:

Petition which does not conform with the standing orders—Green Shed—  
Objection to closure—Ms Clay (7,298 signatures).

I am tabling today a petition that was started by Canberra local Zak Finnemore about The Green Shed. This petition ran for six days, and it is a heavy petition. There are 7,298 signatures on that petition which were gathered in six days. There are a lot of Canberrans very, very concerned about this. The petitioner talked about what The Green Shed means to him. We have heard a lot of community stories about the place that The Green Shed holds in Canberra. It is an icon. The petitioner notes that 90 per cent of Australians think that recycling is really important, and the petitioner asks for The Green Shed not to be closed.

It has been announced that that contract has been awarded to a new operator. It is not closing but it has been handed over to a different operator. We have been told that the new operator will provide as much community benefit as the existing one. I want to take the few minutes that I have to list out some of the community benefits that Canberra has received from The Green Shed from the existing operators, because I think it is really important to make sure that Canberra does continue to get those benefits if this change goes ahead.

The Green Shed have given over \$2 million in cash donations to charity, to community members and to individuals in need. They do this through a few different ways. They hold a charity day on the last Wednesday of each month and they donate the entire day's takings—not the profits; the entire takings from the till get donated to charity. As a result of doing that so routinely for so long, they have given away \$2 million in charity in cash donations.

We have got winners like Hannah from Roundabout, who is our Canberra Citizen of the Year at the moment, and Nils of Alpaca Therapy. I have pictures of my father, who passed away, with Nils' alpaca in his nursing home. They have made a huge difference to a lot of the community and charity organisations who are operating in Canberra. They run charity Lego days. That first charity Lego day sold a metric tonne. They weighed it over the weighbridge. It was a tonne of Lego in a truck and it raised, I think, around \$42,000. The last one made \$85,000. This is what they do every year.

They give Canberrans the stuff that we need. There are a lot of essential goods that people in Canberra cannot afford that they have been able to get from The Green Shed. There is also a lot of quirky stuff. They sell used bondage gear. I am really surprised there is a market for that, but I am glad—it's great; whatever floats your boat. They sell grand pianos. They once sold one of Michael Milton's prosthetic legs. They have returned World War II medals to the families of those medal winners. They have tracked them down through heritage lists and they have returned those. They have hosted artists like Candice Addicote and many, many more. They have donated goods to schools, refugees and artists all around Canberra.

On their figures, they recover around 7,000 to 8,000 tonnes of material each year. That is material that would go to landfill. The ACT government has been reporting that in our annual reports each year. I am very much hoping that the new operators will continue to recover 7,000 or 8,000 tonnes of material at least each year. That is a huge saving of waste from landfill. It is also much, much more important than that to the circular economy. Every new thing that we make represents water, resources and climate emissions and, if we are not making more new goods, we are saving all of those.

I actually carbon accounted The Green Shed's operations. Before this role I was a carbon accountant and I had a little look at what they were doing. My analysis showed that they saved over 32,000 tonnes of carbon emissions or climate emissions each year. That is almost half of all of ACT government landfill emissions. They were offsetting that just from their trade in used goods. So I am really, really looking forward to—and will be making sure—that the new operator can provide all of these. A lot of the material that they save is fast-fashion and textiles. This is a real problem waste stream here in Canberra, in Australia and all around the world. So it is really, really important that things like Koomarri's access to The Green Shed and all of that textile and used goods recycling continues. If it does not, we are going to go backwards on our circular economy and on our recycling.

They have also helped a lot of other businesses set up. They helped my own recycling company set up. They have helped dozens of recycling companies get a foothold in Canberra. I think it is not often understood that recycling is a bit of an ecosystem. The Green Shed was a forest for a lot of operators, for a lot of artists and for a lot of community groups. We are very much hoping that the new operators can continue to meet this role for Canberra.

### **Taxation—general practice clinics—petition 24-23**

**MS CASTLEY** (Yerrabi) (10.14): I would like to make a few remarks in support of the GP tax petition that Ms Lee has spoken of this morning. The last thing that GPs in the ACT need is the imposition of a payroll tax. Primary care, and general practice in particular, is the foundation of our healthcare system. It reduces preventable hospitalisations and frees up other healthcare facilities like hospital emergency departments, thus generating savings in healthcare outlays. Conversely, a severely stressed general practice sector leads to fragmentation, duplication and gaps of care and, thus, greater overall costs.

General practice is under severe strain. The RACGP's 2023 *Health of the Nation* report found that 64 per cent of practising GPs are considering reducing the time they

spend practising or stopping their practice altogether. Regulatory and compliance burden and burnout are the major drivers of this trend. Twenty-nine per cent of GPs intend to retire in the next five years, resulting in a net premature loss of 24 per cent of all practising GPs. Fewer graduates are choosing to specialise in general practice each year.

In the ACT, general practice is under greater strain than in any other jurisdiction. In 2022, the ACT had the lowest ratio of GPs to 100,000 people of any major Australian city. Canberrans are finding it harder to access a GP. In 2020, five per cent of Canberrans found it hard to access GP services. In 2023, this had risen to 19 per cent. In the ACT, only 3.4 per cent of GPs bulk-bill—the lowest bulk-billing rate in mainland Australia. The average out-of-pocket cost to see a GP who does not bulk-bill is almost \$50 for a standard 15-minute consultation—again, the highest in mainland Australia.

Many Canberra practices have stopped taking new patients. Canberrans are putting off seeing a doctor, spending longer in consultations on multiple issues or going to emergency departments. At the same time, potentially preventable hospitalisations in the ACT have steadily risen. In 2012-13, potentially preventable hospitalisations stood at 1,814 per 100,000 persons. In 2017-18, it was 2,143 per 100,000 persons.

With GPs considering quitting or retiring early, with patients struggling to book and afford consultations and with clinics facing severe financial pressures, the last thing primary care in the ACT needs is a tax. Yet, in this dire and worsening environment for general practice, the ACT has adopted a New South Wales Court of Appeal decision which found that payroll tax is applicable to medical centres that contract GPs. Advice to the Chief Minister and health minister, obtained under FOI, states that this GP payroll tax is expected to raise \$5 million a year. Were it to be averaged across all Canberra practices, this would be on average an extra \$50,000 per practice per year. But, of course, some practices will pay much more. This new tax will inevitably be passed on to Canberran consumers, who have already seen their out-of-pocket cost to see a GP rise. As if the ACT's imposition of this tax was not enough, payroll tax exemptions and amnesties available to GP clinics in a number of other states now make the ACT an even less competitive place to set up a practice.

In August 2023 the Canberra Liberals introduced legislation into this Assembly to exempt medical practices from this extension of payroll tax. The Barr government opposed this. The Canberra Liberals want to encourage more GPs to the ACT and remove barriers to encourage more people to access primary care. I therefore urge Labor and the Greens to heed this petition.

### **Coombs—Ruth Park playground—petition 1-24**

**DR PATERSON** (Murrumbidgee) (10.18): Murrumbidgee residents and Molonglo residents are incredibly lucky to have one of the most amazing playgrounds in Canberra, located on the Coombs pond. It is the Ruth Park play space, and it is a stunning playground that has bird's nest towers for climbing, pod structures, swings, slides, barbecues, shade structures and the most amazing landscaping. It is a simply stunning park and it is frequented very regularly by local residents, by residents from Molonglo Valley and from outside. But there is one piece of very clear, consistent feedback that I receive about the park, and that is that it is lacking in toilets. This may not seem

like a big issue but it really is. Every person who takes little kids to the park knows that they will inevitably need to go to the toilet—and most often when you have just arrived!

This park has a long history. It started as a YourSay survey with the community and over 1,000 people supported it and stated that a toilet was the most important amenity that the park needed. Following that, there was a more detailed independent consultation report constructed which spoke to the local residents who lived around the park. Through that process, there was very strong opposition to a toilet. So, in the end, the park was built and a toilet was not put in. The park has been in operation now for over a year—or a year or two—and it is not okay that the park does not have a toilet. This has been raised with me so many times, to the point where a local resident has come to me with the idea of a petition. We had 332 signatures to this petition to see a toilet installed at the park.

I acknowledge that I have had contact from three residents who live along the stretch where the park is who are vehemently opposed. I acknowledge that there is a history there and that they have strong views on this, but I also acknowledge that two of those three people told me that they take their grandchildren to the park and they just do a wee behind a tree. The problem is that every kid is doing that, and it is just not okay. We have modern toilet facilities these days. They are not public toilets of the old. They are not stereotypical toilets of the old. They can be time locked and landscaped. There are many ways to make them fit appropriately into the site and not take away from this beautiful play space.

I am very pleased to table this petition today and strongly urge the government to see that toilets are installed to complete this beautiful park.

### **Out-of-order petition—Telopea Park School**

**MS LEE** (Kurrajong—Leader of the Opposition) (10.21), by leave: I present the following paper:

Petition which does not conform with the standing orders—Telopea Park School—Timetable changes—Reverse—Ms Lee (248 signatures).

I seek leave to say a few words on this petition.

Leave granted.

**MS LEE:** This petition has 96 signatures in the in-order petition and 248 signatures in the out-of-order petition, and it calls on the government to reverse the current timetable change and consult with parents and carers about the challenges that the school currently faces in this space.

The current timetable changes have had the effect of combining recess and lunch breaks for years kindergarten to year 6 and years 7 to 10 in an already overcrowded play area. Telopea is one of the most overcrowded schools in the ACT, with limited active play areas to cater for such a large population of students. The canteen area, bathrooms

and play spaces have been described as chaotic, and it is unreasonable for our hardworking teachers to be expected to supervise all students from kindergarten all the way through to year 10 across the entire school at the same time. Parents, carers and teachers have raised their concerns about the impact these changes will have on the already struggling learning environment.

A timetable change has moved the first primary school break time to 11 am, meaning primary school students are waiting two hours—and most of the time longer—before they are able to take their first break. In contrast, parents and teachers are concerned that the last period between 2.30 and 3.15 is too short and not the best use of learning time. Parents and carers are also concerned that the mixing of these cohorts will lead to bullying and antisocial behaviour, particularly against younger students by their older peers on the playground. They have also expressed concern that having very young students in the same overcrowded play areas with senior students will expose the younger students to other behaviour that is problematic, including vaping.

I understand that concerns raised by parents with the Education Directorate over these issues have so far fallen on deaf ears. The timetable change was a unilateral decision made by the administration without any consultation with the broader school community. I thank all of the parents, carers, teachers and members of the school community who raised these issues with me and initiated this petition, and I sincerely hope that the concerns that have been raised are addressed as a matter of urgency.

### **Out-of-order petition—The Green Shed**

**MS CHEYNE** (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (10.24): I want to speak about the out-of-order petition that Ms Clay has tabled. I thank her for doing that, particularly given that there is significant concern within the community, and I am glad that more than 7,000 people have been able to have their say in this way.

I would note that Ms Clay has received a response to her written representation, and that she has sought and been provided with a very detailed briefing. I thank officials for preparing for and taking the time to do that with Ms Clay. I would also note that we have had other representations to which we have responded, including from Senator Pocock's office.

I note that the creator of the petition has been clear in saying that it was drafted in a rush, in two minutes, and with the assistance of ChatGPT prompts, as reported in the *Canberra Daily*. I also appreciate that it was created at a time of great uncertainty, when there was a misunderstanding that the service would be closing completely.

I note that the communication from TCCS was regrettable and that they have apologised, and from which there are very clear lessons apparent. The communication about the process and the decision with the community, my office and The Green Shed and its employees was not of the standard that the ACT government or the community expect.



As The Green Shed had had a contract for such a long time, it meant that it was inevitably synonymous with—and for many people became—the resource centre, rather than the perception that it was managing it as a business on behalf of the ACT government. Whatever the business model, it does not detract from the contribution that The Green Shed has made to our community—employment of dozens of people, donations to charitable organisations in our community, making items available for a bargain price or for free, supporting business ventures and contributing to our circular economy agenda.

I also acknowledge that the decision by TCCS has followed many years of contract extensions for The Green Shed, creating not only a paradoxical situation of uncertainty, but also that this was the norm and to be expected. I acknowledge that the government could certainly have done better in explaining this process, not just to those interested in submitting a proposal but to the entire community.

As Ms Clay flagged, the petition is fundamentally about a service closing. The service is not closing. It has existed since 1988. The Green Shed was successful in securing the contract in 2010, but it existed before their business model. I would note that any suggestion that there should be political interference in a procurement process certainly raises some questions for me. I do not think that was suggested in Ms Clay's comments, but certainly that is how the petition is set out, regarding what it calls for. I would also urge that any potential conflicts of interest are clearly shared in any communications or representations.

I thank Ms Clay for being clear, just as she was in her inaugural speech, that she has an association with The Green Shed that goes beyond being a concerned local member, an avid shopper or a donor. What was less clear to me was the nature of the support that The Green Shed provided to Ms Clay in establishing her business, but I note that she has variously described it as a business that she ran with The Green Shed and it being The Green Shed's latest recycling venture.

I want to acknowledge, in closing, that the distress in the community, and particularly the impact on staff, has been my primary focus since the announcement was made six days ago. I received confirmation yesterday that all staff, whether they are employed in the resource management centre or at a shopfront, will be offered employment by Vinnies if they wish to transition across. Conversations are continuing. I certainly underline TCCS's apology to the community. This situation and how it was communicated was deeply regrettable.

**DR PATERSON** (Murrumbidgee) (10.29): I seek leave to speak to my second petition.

Leave not granted.

**MADAM SPEAKER:** For Ms Lee's second speaking period, there was an arrangement agreed with Admin and Procedure, because there was a mix-up with that petition being presented in February.

**Ms Cheyne:** Madam Speaker, I appreciate that our whip is not here, but my understanding was that that was intended to occur once the time had expired and everyone had had an opportunity to speak?

**MADAM SPEAKER:** Yes, but Dr Paterson has already had an opportunity in this session.

**MRS KIKKERT (Ginninderra) (10.30):** I wish to speak about The Green Shed closure petition. Thank you, Ms Clay, for bringing forward that petition.

Many people have raised their concern with me about The Green Shed closure. This closure will not only impact our environment—because, let us face it, Vinnies’ model is very different from that of The Green Shed—but also it strikes at the heart of our community, particularly affecting those who have found meaningful employment and purpose within its walls—our disability workers.

The Green Shed has been more than just a recycling centre. It has been a beacon of hope, a symbol of inclusivity that I witnessed the last time I was there, and a source of employment for individuals with disabilities. These workers have not only contributed to the sustainability of our environment but also have gained independence, dignity and a sense of belonging through their work.

The impending closure has sent shockwaves of fear and uncertainty among these workers. I thank Minister Cheyne for clarifying that each of those workers has been offered a job, if they wish to stay with Vinnies. They fear—this is what I have heard from them—losing their jobs, their livelihoods and the very sense of purpose that The Green Shed provided them. This does not just affect them. With the ever-rising cost of living, the closure threatens to exacerbate the financial burden on these individuals, their families and the community, making it even harder to afford household items.

The concern of many in the community is about the transparency surrounding the government’s decision to award a recycling contract to Vinnies instead of The Green Shed. They wonder whether the government had private discussions with Vinnies. The Green Shed was running smoothly, providing employment opportunities for the differently abled, effectively contributing to recycling efforts and contributing a large amount of donations to charities.

We must ensure that those who have relied on The Green Shed for support, including donations and employment, are not left behind or forgotten, and that the price of goods is still reasonable. With a cost-of-living crisis, this is very important.

I will end by thanking Sandie and Charlie Bigg-Wither for the incredible work they have done. I visited them, and the love that was visible for the work that they do and the staff that they employ was truly inspiring. I wish them all the best.

Question resolved in the affirmative.

## **Schools—physical activities and excursions policies— post-implementation review Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and

Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.33): I rise today to provide an update on the ACT government response to the coroner's recommendations in the inquest into the death of Adriaan Roodt.

In March 2023, Coroner Stewart published his findings from the inquest, which included six recommendations. The ACT government welcomed and supported the recommendations from the ACT coroner.

When I presented the ACT government response to the coroner's recommendations in October last year, I noted the extensive work undertaken by the Education Directorate since Adriaan's death to strengthen policies and practices in relation to physical education, outdoor education and excursions. This included the development, publication and communication of new policies and procedures in April 2021, supported by ongoing training and guidance for relevant staff. In his report, Coroner Stewart commended the Education Directorate for this proactive work and highlighted the importance of being able to confirm the efficacy of these efforts.

In response to the coroner's recommendations, and in order to identify any further opportunities to strengthen relevant policies, practices and staff training, the Education Directorate engaged an independent contractor, Scyne Advisory, to undertake a post-implementation review of the physical activities and excursions policies. I am pleased to share the outcome of this review with the Assembly today.

Publication of the Scyne Advisory report fulfils and finalises the ACT government's obligations in responding to the coroner's report. Overall, the review found that the directorate's framework to assist schools with the planning and delivery of physical activities and excursions is appropriate and promotes a safe environment for students undertaking such activities. It showed that schools understand and value the importance of following these policies to ensure a safe environment for students.

Supporting schools to apply this framework in their day-to-day work with confidence and consistency is an important objective for the Education Directorate. The review highlighted some of the implementation challenges and barriers experienced by schools and identified areas for improvement. These opportunities for improvement are reflected in four recommendations that have been accepted by the Education Directorate.

As part of its commitment to continuous improvement, the directorate will undertake a range of activities to respond to the review recommendations. This includes a full review of both the excursions and physical activities policies and procedures; providing greater clarity and training for schools around policy induction and training requirements, record keeping, financial delegations, and excursions approvals; implementing a range of actions to streamline and support improved administration and record keeping; exploration of options to provide more contemporary online inductions, including real-time induction compliance information for school leaders and managers; and strengthening training available to all staff in the development of excursions and physical activities risk assessments.

Excursions and physical activities provide enriching learning opportunities and experiences for students and are an important part of every child's educational journey. As well as supporting curriculum delivery and personal development, they contribute to a positive school culture. Safety and assessment of risk are paramount in planning for these activities.

The directorate will continue to place student safety at the centre of this work. This will be achieved through a focus on continuous improvement and a strong commitment to ensuring that all staff involved in the planning and delivery of excursions and physical activities have the appropriate induction and training to support the effective and consistent application of policies and procedures. It is through these actions that students and their families can be assured that students are engaging in these activities in a safe environment.

Finally, I want to acknowledge that all of the work that I have referred to today arises from the tragic death on 18 October 2018 of Adriaan Roodt, then a year 10 student at Campbell High School, during a physical education activity conducted at Remembrance Memorial Park. I want once again to express my sincere condolences to Adriaan's family, his friends, and all other people affected by this tragedy, including the staff and students at Campbell High School.

I present the following papers:

- Physical Activities and Excursions Policies—Post-Implementation Review—  
Summary Report—ACT Education Directorate, dated January 2024.
- Assembly Update—Ministerial statement, 19 March 2024.

I move:

- That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **Gaughan, Deputy Commissioner Neil APM—retirement Ministerial statement**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (10.38): I rise this morning to acknowledge the retirement of Deputy Commissioner Neil Gaughan APM, the Chief Police Officer for the Australian Capital Territory, who has served the territory with distinction in that role in the past four years. I would like to take this opportunity to pay tribute to Neil for his lifelong dedication to public service.

Neil has been an exemplary leader of ACT Policing, overseeing a professional, innovative and effective policing service that has fostered an even safer Canberra, already one of the safest cities in the world.

Neil has dedicated over 40 years of service to the Australian Federal Police, sharing his extensive experience in general policing and investigative roles in both the ACT region and AFP national operations. He started his career in ACT Policing in 1984. Forty years later, in March 2024, he will retire, having risen to the office of Chief Police Officer for the ACT.

In 2018, Neil was promoted to Deputy Commissioner to lead the AFP's response to disrupting serious and organised criminal networks, combating economic and serious crimes, countering cybercrime, leading national responses to human exploitation, and managing the AFP's international engagement.

Prior to his appointment as Deputy Commissioner, Neil was the Assistant Commissioner for the Organised Crime portfolio of the AFP. In this time he championed new approaches to disrupting, dismantling and combating serious and organised crime, with a focus on strengthening partnerships across government and industry.

In the period 2013 to 2017, Neil was Assistant Commissioner for Counter Terrorism within the AFP. During a period of unprecedented levels of counterterrorism activity in our nation's history, he was involved in the development of contemporary Australian counterterrorism policy, contributed to national countering violent extremism strategies, championed significant legislative reform, and worked collaboratively with regional partners to combat terrorism regionally and globally.

For the first 15 years of his policing career, Neil worked in a variety of roles within ACT Policing, including general duties, the diplomatic protection unit, the accident investigation squad, the criminal investigations branch, the sexual assault and child abuse team, and within AFP professional standards.

His outstanding achievements through his long career have been recognised through being awarded the Australian Police Medal and the national medal. Of course, for the past four years, he has been guiding the territory's police force, making him the longest-serving Chief Police Officer in the history of ACT Policing.

Under Neil's leadership, ACT Policing has successfully delivered outstanding outcomes on a range of shared priorities with the territory government, reaching many milestones in a rapidly changing law enforcement environment. As we bid farewell to him in this significant role, I want to reflect on the impact he has had across government and the community.

When he was appointed as Chief Police Officer, one of Neil's priorities was improving mental health support for ACT Policing. He has been a champion of the welfare and wellbeing of police officers and staff. He supported the implementation of the Supporting Health, Intervention, Education, Leadership and Development Program—the SHIELD program—into ACT Policing, which delivers health and wellbeing services to all AFP employees and their families.

The program provides professional and personalised care to all past and present AFP employees and their immediate families, whether they are in Australia or overseas, and regardless of their sworn or unsworn status, with the goal of strengthening individual and organisational resilience. It has been very clear to the government that the wellbeing

of his members has always been Neil's number one priority, and I commend him for this steadfast commitment.

Neil implemented a range of expansions to the deployment of the Police, Ambulance and Clinician Early Response—PACER—capability that is there to provide more holistic mental health responses to the Canberra community, particularly our most vulnerable mental health patients. I want to acknowledge the collaboration for its significant achievements in interagency cooperation and favourable outcomes for people with mental illness and disorder. I am very pleased to be able to advise the Assembly that the government supports continuation of funding for PACER teams to ensure the provision of better care and support for Canberrans suffering an acute mental health crisis.

Neil has also been instrumental in advancing some very significant social reforms in the territory. One I would like to highlight is ACT Policing's active engagement in the legislative reform to raise the minimum age of criminal responsibility in the territory. These reforms, as members are aware, initially raised the minimum age of criminal responsibility from 10 years to 12 years and will subsequently raise it further to 14 years in 2025. This reform is based on research and human rights obligations, recognising that exposing children and young people to the criminal justice system can have a significant impact on their neurological and social development. Neil worked closely with the government to enhance early access to wraparound support and therapeutic services during the acute phase of an incident involving at-risk young people in our community.

Neil also engaged positively and constructively with government agencies in the delivery of significant drug law reform in the territory, including reform that eliminates criminal penalties for using or possessing small amounts of the most commonly used illicit drugs. It is a reform that aims to treat drug dependence as a health issue, rather than a criminal one, and to guide those with addictions to counselling rather than the justice system.

I am pleased that new memorandum of understanding between ACT Policing, ACT Health and Canberra Health Services has been finalised, providing for an enhanced working relationship. ACT Policing has finalised, and continues to evaluate, a standard operating procedure guiding officers on their response to drug possession offences.

Turning now to the pandemic, this was a period when Neil and I saw each other or spoke nearly every single day for months on end—

**Mr Parton:** With masks on.

**MR BARR:** With masks on for much of the time, yes. Throughout the pandemic, before, during and after our 2021 lockdown, Neil led ACT Policing's response. This included the establishment of the COVID-19 task force—a task force that worked 24 hours a day, seven days a week to ensure the safety of the Canberra community.

The pandemic was a challenge for every community, but Canberra experienced, particularly in late 2021, an influx of people from around the rest of the country that required one of the largest-ever police operations to commence, in response to national

protests that were focused on Parliament House. With tens of thousands of people here, it was inevitable that there would be arrests, and more than 60 were made in relation to protest activity. However, the overwhelming response from police was to safely manage the activity, which, at one time, involved at least 10,000 protestors.

The influx of protestors to Canberra required unprecedented operational activity for ACT Policing, and the efficient and effective management of protestors with a wide range of views on the world, and police managed this very effectively. It is definitely worth acknowledging that this was a significant operation and a significant achievement by ACT Policing, under Neil's leadership. It was a clear demonstration that effective planning and execution can ensure the safety of officers, protestors and, most importantly, members of the general public.

At the end of 2022 and early in 2023, we again experienced a surge in so-called sovereign citizen protests. This involved hundreds of people from across the country, who opposed various COVID-19 restrictions and vaccination mandates, undertaking large-scale protests—some of the largest scale in decades—that, again, required a large ACT Policing presence.

Faced with all of these significant challenges, Neil led his team in handling the situation with the utmost professionalism and restraint, particularly at times when some of what was said and done required considerable constraint, and ensured the safety of the public, his staff and also those who were protesting. Those efforts, and the management of that very significant public disruption, were acknowledged by and received a lot of significant support from the broader Canberra community.

I turn now to the release of the Sexual Assault Prevention and Response Steering Committee Report in 2021. At that time Neil made a joint commitment with government and non-government representatives to take action to prevent and respond to sexual violence in the territory.

He acknowledged the concerns raised in the report, listened to victim-survivors, and worked alongside the government for additional funding to improve police's capacity and the capacity of other organisations to respond to and investigate sexual crimes, as recommended by the SAPR report. He played a key role in leading ACT Policing to implement a range of the report's recommendations, including the establishment of a cross-agency oversight committee to review a number of sexual assault cases, with a view to gaining insights into the factors contributing to the limited progression of cases towards charges.

Last June, Neil opened the new ACT Road Policing Centre in Hume, which Minister Gentleman advises me is indeed a state-of-the-art facility for ACT Policing to perform crash investigation, mobile traffic operations and emergency management and planning. The centre will improve road safety enforcement and traffic management for our community and lead to safer roads for all drivers.

Neil worked closely with the government to undertake an unprecedented investment in community policing, with \$107 million invested in the last budget in the recruitment of 126 additional ACT Policing personnel. This represents the largest-ever investment in ACT Policing in the history of self-government. It enables the commencement of an

additional recruit course each year for the next five years, further building the ranks of ACT Policing. New officers will be deployed across a range of priority areas consistent with the police services model pillars, the CPO's statement of intent and the ministerial direction.

Alongside the recruitment drive, the funding will also be used to expand crucial supporting resources, including the provision of vehicles, body-worn cameras and operational equipment. This investment bolsters the capabilities of our dedicated ACT Policing officers in their efforts to ensure safety and security in the community.

On behalf of the government, I thank Neil for his remarkable leadership and his contribution to the safety and security of the ACT community. I extend my gratitude to his family, who are present with us in the chamber today—his wife, Lisa, and children Sophie, Carla and Andrew—an excellent choice in names. They have supported Neil throughout his career and, of course, made significant sacrifices for the greater good of our community. I also acknowledge the presence of Acting AFP Commissioner Ian McCartney APM, who joins us today in acknowledging Neil's significant contribution.

Neil leaves ACT Policing in a stronger position. He will be greatly missed by his colleagues and friends and by those of us who had the opportunity to work closely with him in government over a number of years. Personally, I wish Neil all the very best for his retirement.

I also take the opportunity to welcome the incoming Chief Police Officer for the ACT, Acting Deputy Commissioner Scott Lee APM. I look forward, with Minister Gentleman, to working with the incoming CPO to progress a range of shared community safety priorities to prevent and reduce crime and its impacts, to combat dangerous driving, to reduce the over-representation of Aboriginal and Torres Strait Islander people in our justice system, to implement the raising of the minimum age of criminal responsibility, and to address family violence and sexual assaults. These are all areas in which Neil has been a strong leader for our community. He leaves a very significant legacy. We wish him all the best for the future.

On behalf of Minister Gentleman and all of my colleagues in government, thank you, Neil, for your great contribution to our city. Please don't be a stranger. We look forward to catching up with you during your retirement and seeing you around. Thank you again for four decades of service to the AFP.

I present the following paper:

Retirement of Deputy Commissioner Neil Gaughan APM—Chief Police Officer for the ACT—Ministerial statement, 19 March 2024.

I move:

That the Assembly take note of the paper.

**MS LEE** (Kurrajong—Leader of the Opposition) (10.54): On behalf of the Canberra Liberals, I pay tribute to Deputy Commissioner Neil Gaughan, who is retiring after a long career in policing. He has been in the role of Chief Police Officer for the ACT



since May 2020, making him our longest-serving Chief Police Officer. I think it is a testament to the many lives that Deputy Commissioner Gaughan has touched that we have a full house today. We do not normally have a full house for ministerial statements, so I think that is definitely a testament—no offence, Andrew—to Deputy Commissioner Gaughan.

From general duties to the diplomatic protection unit, counterterrorism, countless other roles and finally the role of deputy commissioner, Neil Gaughan has had a remarkable career and has dedicated his working life to the safety and protection of the Canberra community. It is fitting, Madam Speaker, that he ends his career in Canberra, where his policing career began 40 years ago.

I commend Deputy Commissioner Gaughan for his advocacy for his police officers. As well as negotiating successfully to employ an extra 40 officers each year over the next two years, Deputy Commissioner Gaughan introduced body worn cameras, which are now worn by every officer to help increase the community's confidence in our police officers.

The Chief Minister spoke at length about the very important work that Deputy Commissioner Gaughan was involved in, especially in relation to the Sexual Assault Prevention and Response Steering Committee, and also in relation to PACER. I was very heartened to hear the Chief Minister state this morning that the government was committed to ensuring that that continues. I look forward to seeing agreement from the Labor and Greens members in response to the motion that shadow minister for police and emergency services James Milligan has listed for debate on Thursday.

The last four years have no doubt been challenging for Deputy Commissioner Gaughan and his team. Who could have anticipated a pandemic and the associated work that was required from our police officers on the front line? Deputy Commissioner Gaughan was at the centre of the ACT's response—the border closures, the lockdowns and working out just how the police fitted in to navigating our way through COVID. I am sure that we all became very familiar with Deputy Commissioner Gaughan's face, out of any other in recent history, mask and all.

In September 2018 former Chief Police Officer Justine Saunders said:

The basic principles of policing haven't changed. What our objectives are insofar as solving problems, enforcing the law, providing a service to the community—that hasn't changed. But certainly the nature of crime has changed, the complexity of the environment police are now operating in, and of course, let's be honest, the increased dangers to policing that we certainly didn't see when I was a young constable here.

I think that provides a really good insight into the policing environment that Deputy Commissioner Gaughan stepped into—and that was even before the complexities and challenges of dealing with the COVID pandemic. Whilst he himself said, "I am not going to make change for change's sake," back in 2020, it is clear that the changes he has made will leave a lasting legacy in our community for the better. It has been a long, esteemed career, and one which has had many significant moments and delivered notable outcomes, so it is fitting that Deputy Commissioner Gaughan has been awarded the Australian Police Medal and the National Medal.

On behalf of the Canberra Liberals, one regret is that we did not get an opportunity to work with Deputy Commissioner Gaughan in government, but I do applaud Deputy Commissioner Gaughan and his team for always being very fair and very open and for engaging with the opposition as appropriate.

I join the Chief Minister in welcoming the incoming Chief Police Officer of the ACT, Acting Deputy Commissioner Scott Lee APM. He certainly has big shoes to fill, but I am sure that he will be up for the task. Finally, on behalf of the Canberra Liberals, I wish Deputy Commissioner Gaughan and his family—wife, Lisa, and children, Sophie, Carla and Andrew, who have supported him in his career—all the very, very best in his retirement. Thank you so much for your service to the Canberra community.

**MR BRADDOCK** (Yerrabi) (10.59): The Chief Minister and the Leader of the Opposition have provided extensive detail on the CPO's lengthy and extensive accomplishments, and I do not wish to rehash them here, but I will echo their thoughts on and applaud him for his extended service to the community over 40 years. That is an impressive monument to his dedication to service and his contribution to the community over an extended period of time.

Of particular note is his appointment to the CPO role on 18 May 2020, right near the start of the COVID lockdowns. Neil is to be applauded for ACT Policing's approach during COVID. Taking a collaborative approach and building relationships with the community generated excellent results during what was an extremely challenging time for the ACT, as well as for the rest of Australia. Particularly when you compare ACT Policing's approach with the more punitive approaches taken in other jurisdictions, you can see the great benefits that were yielded from the CPO's approach there.

It is no secret, nor would it be any surprise to members of the chamber or perhaps to people behind me, that the CPO and I have had our policy differences over the years. This is not something to shy away from in a healthy democracy, and it contributed to the debate here in the chamber and in the community. These differences should not overshadow the areas of policy agreement that also existed between us. But these policy differences do not in any way prevent me from proclaiming my professional respect for the man, the role and the work he has accomplished through years of dedicated service to ACT Policing.

I am firmly of the view that ACT Policing is far superior in its approach to any other police service across the country. If ever I need a reminder of this, the articles this week on proactive policing approaches in New South Wales reinforce the benefits that we have here in the ACT in our community-based policing model. I am thankful for ACT Policing's approach. I would like to thank the CPO for his central role in achieving that for the Canberra community. I wish Neil the very best for the future and thank him for his service.

**MS DAVIDSON** (Murrumbidgee—Minister for Community Services, Seniors and Veterans, Minister for Corrections and Justice Health, Minister for Mental Health and Minister for Population Health) (11.01): I thank Deputy Commissioner Neil Gaughan for his four years of service as Chief Police Officer of the ACT, and I wish him well for his future.

The Chief Minister noted the Deputy Commissioner's support for the expansion of PACER. This service has been immensely important in changing how we support people in mental health crisis in the ACT. For people in the ACT community experiencing acute mental distress there was previously only one method for receiving assistance: calling triple zero, being attended to by police and then being taken to hospital while in a highly distressed state. This is no longer the case, thanks to the establishment of the first PACER team in 2019, while Minister Rattenbury was the ACT's first Minister for Mental Health, and its expansion to two teams in September of 2021.

As a truly multidisciplinary response, PACER has been able to support better access to mental health care in a crisis, while also protecting community safety and the safety of the person in crisis. Police officers have told me that they appreciate the additional skills they have developed during their time in the PACER team. Mental health clinicians appreciate knowing that a highly skilled police officer is there if the situation requires it. This enables them to engage in their therapeutic care work and manage risks with greater confidence.

To achieve the level of success that we have seen through this innovative crisis response service requires a demonstration of support from leaders across all three agencies involved. This government is committed, and I am committed, to the continuation of the PACER team. I thank Deputy Commissioner Gaughan for the part he played in seeing the PACER service continue to expand. I look forward to working with Acting Deputy Commissioner Scott Lee to continue the ACT's improvements in how we safely provide care to people in a mental health crisis.

Question resolved in the affirmative.

## **ACT Heritage—inquiry—government response Ministerial statement**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Parks and Land Management, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (11.04): I rise today to table the government response to the Standing Committee on Environment, Climate Change and Biodiversity's report 9, *Inquiry into ACT's heritage arrangements*.

I wish to first acknowledge the Ngunnawal people as traditional custodians of the land that we are meeting on and recognise other people or families with connection to the lands of the ACT and region. I wish to acknowledge and respect their continuing culture and the contribution that they make to the life of this city and this region.

Heritage touches many aspects of Canberrans' lives. Heritage is key to our sense of identity and belonging. It tells us where we have come from and helps define where we are heading. It is a valuable part of place-making, contributes to the planning of our city and can positively impact our wellbeing. The ACT is growing and developing, and this involves heritage considerations. It needs a highly functioning and first-rate heritage system that recognises, protects and celebrates our heritage places, artefacts and stories.

In 2022 a review by the Nous Group found a dysfunctional relationship between the Heritage Council and ACT Heritage within the Environment, Planning and

Sustainable Development Directorate. This was impacting both the delivery of heritage services and the wellbeing of ACT Heritage staff. The government responded with urgency to address these concerns.

In 2022 I dissolved the Heritage Council, appointed an interim council and announced a review of all heritage arrangements in the ACT. Around this time, the Assembly's Standing Committee on Environment, Climate Change and Biodiversity announced its inquiry into the ACT's heritage system. I am glad to confirm that the findings of the government's review and the committee's inquiry were greatly aligned and point to similar priorities and key areas of reform for heritage in the ACT.

The heritage jurisdictional review looked at heritage practices in other jurisdictions, both within Australia and internationally, to develop the best heritage model for the ACT. The government engaged Stenning & Associates to undertake the review. I was provided with the review report in July last year and advised the Assembly and made the report public soon after.

Public consultation on the report took place between August and October 2023. I am pleased to say that we received rich and valuable feedback from the community, especially from the Aboriginal community, as well as from industry and other government agencies. There was broad overall support for the proposed reforms, affirming the proposed direction but also offering valuable insight and improvements. Further detail on the consultation in the listening report is on the ACT government YourSay conversations website.

The outcome of the consultation and the consultants' recommended way forward is provided in the jurisdictional review consultation report, which I recently made public and can be seen on YourSay. This consultation report outlines three reform themes and 46 proposed actions to reform the ACT's heritage frameworks and arrangements. The three reform themes within the consultation report are to establish ACT Aboriginal people as the determinants of their cultural heritage; to champion heritage as a compelling and valued consideration in the planning and development of Canberra; and to strengthen the ACT's heritage governance and administration.

A key proposed action within the consultation report includes the establishment of an Aboriginal cultural heritage body. This will give First Nations people the lead role in determining the recognition, conservation and management of their cultural heritage. To support this role, we will partner with the current representative Aboriginal organisations, RAOs, and the First Nations community to build the capacity of heritage determination and management.

Further key proposed actions include the development of an ACT heritage strategy that provides the vision and direction for heritage in the ACT and inspires the community and industry to value heritage; promoting the value of heritage in place-making and as a contribution to the life of the city; strengthening heritage governance and support functions; and improving the customer service experience for those accessing heritage services.

Actions will address the backlogs in development approvals, advice and registration decisions, and improve response times. Key initiatives will be to deliver an accurate,

comprehensive Heritage Register and to develop Heritage Council policy and processes to guide and support stakeholders on a range of matters, including rooftop solar.

The report noted that digital system reforms for heritage are required. These are being progressed through the current Parliamentary and Governing Agreement initiative to develop a new heritage database and website. While the government is broadly supportive of the direction recommended by the jurisdictional review consultation report, we are now considering the approach and resourcing required to implement the key recommendations within the report.

Around the same time that the government commenced its review, the Standing Committee on Environment, Climate Change and Biodiversity announced its own inquiry into the ACT's heritage arrangements. The inquiry held hearings and took submissions from March to May 2023. The committee released its final report on 24 October 2023, which contains 37 recommendations. The inquiry provides an important review of the ACT's heritage arrangements, in addition to the government review, and identifies opportunities to further strengthen governance procedures, governance and systems for the management of heritage in the ACT.

I am pleased today to release the government response to the inquiry report and recommendations. The government notes, agrees in principle and agrees with recommendations or outlines where recommendations are covered within existing policy. The government response notes the alignment of the inquiry recommendations with the reforms identified in the jurisdictional review consultation report. The proposed reforms of the ACT's heritage arrangements, as described in the consultation report and the government response to the committee inquiry, provide a sound basis for future government consideration. The government is now considering the key implementation actions that are required. ACT Heritage, with the support of the Heritage Council, is now actively working on implementation business planning.

Progressing the Aboriginal cultural heritage reforms is a priority for government. With the Office for Aboriginal and Torres Strait Islander Affairs, ACT Heritage is engaging with the representative Aboriginal organisations and the Dhawura Ngunnawal Caring for Country Committee to further develop these reforms. Heritage is a consideration in many aspects of government business and administration. To achieve the best and most integrated reform outcomes, ACT Heritage will continue to work with other government agencies on the way forward—with the territory planning authority, the Suburban Land Agency, the City Renewal Authority and the Office for Aboriginal and Torres Strait Islander Affairs in particular.

I commend the work of ACT Heritage in delivering the review. It is a critical piece of reform work. I thank all the community members, industry organisations, heritage bodies and members of First Nations communities who have contributed to the review and the inquiry. Your contributions are invaluable and, in fact, essential to ensuring that the ACT has a heritage system that the community can be proud of. I also acknowledge the standing committee's work on the inquiry into the review of our heritage arrangements. I commend the government response to the inquiry to the Assembly. I look forward to the progressive heritage reforms that the ACT so clearly needs.

I present the following papers:

Environment, Climate Change and Biodiversity—Standing Committee—  
Report 9—Inquiry into ACT’s heritage arrangements—

Government response, dated February 2024.

Government response—Ministerial statement, 19 March 2024.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

## **Voluntary Assisted Dying Bill 2023—Select Committee Report**

**MS ORR** (Yerrabi) (11.13), by leave, pursuant to order: I present the following report:

Voluntary Assisted Dying Bill 2023—Select Committee—Report—*Inquiry into the Voluntary Assisted Dying Bill 2023*, dated 29 February 2024, including additional comments (*Mr Braddock*), dissenting reports (*Dr Paterson, Ms Castley and Mr Cocks*) and a corrigendum, together with a copy of the minutes of proceedings.

I move:

That the report be noted.

This is the report of the Select Committee on the Voluntary Assisted Dying Bill 2023. The Assembly established the committee on 31 October 2023. The committee received over 83 submissions and held four public hearings. Witnesses took nine questions on notice.

The committee acknowledges that voluntary assisted dying is a sensitive topic and that different people will have different views on it. It was important to explore the views of a range of stakeholders, with different views and expertise in different areas, to inform this inquiry. The committee would like to thank those who contributed to the inquiry through submissions and appearing at public hearings, which has assisted the committee in gaining a deeper understanding of the topic.

The committee made 27 recommendations. On behalf of the committee, I would like to thank everyone who took time to write submissions and appear at hearings for their significant contribution to this inquiry. The committee particularly acknowledges and thanks those who made submissions or gave evidence to the committee based on their personal experience of their own illness or that of a family member. The committee looks forward to the implementation of its recommendations. I would like to thank the other members of the committee: Ms Leanne Castley, Mr Andrew Braddock, Mr Ed Cocks and Dr Marisa Paterson. I commend the report to the Assembly.

**MS CASTLEY (Yerrabi) (11.15):** I rise today to speak to the tabling of the report of the committee inquiry into the Voluntary Assisted Dying Bill 2023. At the outset, I wish to note my thanks to all who participated in and contributed to the running of the committee inquiry and the production of the report. As Ms Orr said, we received 83 submissions, extensive testimony from many groups over four days of public hearings, as well as exhibits and questions taken on notice—a mammoth amount of material to comprehend, synthesise and then produce a report out of.

To the staff of the committee secretariat—Kathleen, Alicia, Erin, Peter and Satyen—thank you for the work that you did to support the committee. It is very much appreciated and it was a huge effort. I wish to thank the chair and fellow member for Yerrabi, Suzanne Orr, for her fair and balanced chairing of the committee, especially when dealing with what is, at times and for many, an emotional and uncomfortable topic which can trigger heightened emotions and strong views and elicit deeply personal experiences or fears.

To my fellow committee members, thank you for all your work. I found the committee to be collegiate and respectful. Though we did not agree on all the recommendations, I believe that the fact that we were able to come to a consensus position of 27 recommendations stems from the high level of cooperation and trust shown by the committee members towards each other and, no doubt, the fact that, members' own views notwithstanding, we each did want this inquiry report to be an invaluable resource and provide assistance to the government in the crafting of the best legislation possible when it comes up for debate in this chamber.

Today, I briefly want to outline a summary of the concerns raised in the bill and touch on the reasons why Mr Cocks and I chose to submit a dissenting report. I want to note that I entered the process of the committee inquiry with an open and honest desire to listen and learn from the submissions, to then use this to inform the work of the committee and ultimately to provide valuable insight to produce recommendations for this legislation. I hope that the government will take on board the recommendations suggested in the report, as they are genuinely reflective of the concerns raised and, in many cases, the practical considerations that ought to be considered in the setting up of this new voluntary assisted dying regime in the ACT.

When it comes to this bill, it is ultimately to make legal, but regulate, an activity that is not currently allowed in the ACT. It is a complex piece of legislation that covers a range of ethical and practical matters. The inquiry heard from many groups strongly in favour of voluntary assisted dying, strongly against voluntary assisted dying, and somewhat ambivalent towards voluntary assisted dying. It is fair to say that, even amongst those strongly against the proposition of voluntary assisted dying, virtually everyone wants a failsafe regime that is practicable and with safeguards in place to ensure that it is not abused or misused.

To summarise what the committee heard, I will highlight a few points. We need to get this right. The legislation is dealing with many ethical issues and the committee heard from a lot of groups who likewise grappled with many of these. Who should have access to voluntary assisted dying and under what circumstances? We also heard that people who are concerned about how we can be sure that voluntary assisted dying is

not used because of coercion, intimidation or abuse. What protections can be afforded to conscientious objectors and how do we balance these with the ability to access voluntary assisted dying?

Then we get to the more practical aspects of the bill. What groups are considered health practitioners? What steps need to be taken if conscientiously objecting? How should the law deal with those who do not comply? These issues and others were raised and discussed in the committee. It is worth noting that many of the submissions and testimonies did not speak to being either for or against voluntary assisted dying but rather highlighted concerns with the draft bill and the way in which it would operate.

I am glad to say that, amongst all these issues, the committee was able to better inform itself and provide recommendations that cover a whole host of concerns. I will not go through the list exhaustively but will instead note that the inquiry report contains a summary of areas in which government needs to provide more certainty and enhance the legislation.

It is worth noting at the outset that, considering the multitude of recommendations on areas for improvement and the host of concerns raised, if this bill were to be brought forward for debate in its current form, members would not support it, for the reasons I have stated and as outlined in the information in the dissenting report that Mr Cocks and I put forward. Unfortunately, in its current form there are further areas in the legislation that do need to be looked at more closely and that match concerns that the committee heard from representations. These relate to inadequate safeguards, risks to vulnerable people, the implied expansion to children and people without decision-making capacity, and barriers to the full and fair exercise of contentious objection.

On top of that, it is worth noting that voluntary assisted dying is a relatively new area of law for Australia, with the first state, Victoria, only having an operational voluntary assisted dying regulatory regime in place since 2019. Unfortunately for the ACT, this does mean that no comprehensive review has taken place from which the ACT could benefit in the drafting of its legislation.

Especially considering the COVID impact, there is still little in the way of a comprehensive dataset from which to learn and inform the ACT voluntary assisted dying regime. This is important to note because the proposed legislation does go further and differ from those in other jurisdictions in a few key areas. In the dissenting report we have provided 11 further recommendations on areas in which the legislation can be enhanced. I hope that the government will look at those recommendations and give strong consideration to them in their response to the committee report.

Finally, I would like to note that we have received much feedback from members of the community regarding this proposed legislation—some for, some against, some with hope, and some with genuine fears and concerns relating to the operation of a voluntary assisted dying regime. In the production of this report, the committee has attempted to be fair, to be constructive and to provide the government with a valuable set of recommendations to inform the final version of the bill to be debated in this place.

I note the tabling of the report of the committee inquiry into the Voluntary Assisted Dying Bill 2023 and look forward to the government's response.



**MR BRADDOCK** (Yerrabi) (11.22): Voluntary assisted dying already exists here in the ACT. Let's not kid ourselves. Let's not live in denial. It already happens in the shadows; it happens in the open. It happens in myriad ways—some traumatic, some unsafe, some successful and some unsuccessful. But one consistent element is that it is currently happening without legislation. It is happening in secret, and this means access is restricted and inconsistent. We place the medical profession in an ethically unenviable and unsustainable position: serve patients' interests and run considerable risk, as if they could treat the symptoms as though they are totally detached from a person. Our current system places a heavy burden on our medical system, our police and our coronial system. This bill simply brings voluntary assisted dying out of the shadows to make it safe and to reduce the trauma for all involved, ultimately for both the individual's and the community's benefit.

To those who argued against VAD on the grounds that you cannot take life, I understand the position but cannot support it. This position condemns vulnerable people who are in the most pain to an unendurable torture that traumatises their loved ones, family, carers, medical staff and even the police, who have to pick up the pieces, ultimately to no avail, as it does not stop it from happening. To those who are concerned about the possibility of abuse, we share some common ground. The weight of considering what safeguards should apply in the bill is a heavy responsibility, knowing that wherever the scales are drawn there will be pain, suffering and deaths, both good and bad.

But this should not prevent us from legislating VAD, because, as I have said, right here and right now there are people suffering intolerably painful and drawn out, undignified deaths in the ACT. I will not pretend that the bill or even the committee's recommendations that I support have the balance perfectly right. This will be an evolving policy space that will take years to mature and to resolve complex contradictory rights, ethics and societal viewpoints into the black and white that is territorial law.

Is the bill a good step? Yes, absolutely. The benefit of moving last is that the territory has had the opportunity to learn from other jurisdictions and adopt best practice. Katarina Pavkovic, in her submission to the committee, said:

Like all legislation, the Bill may not be perfect. But it is a perfect next step to enabling our people the right to die with dignity and not suffer intolerably at the end of their lives.

Does the bill go far enough? No. The bill itself recognises questions that it was not able to resolve due to the need to get something in place in the time required. This included resolving the question around under-18-year-olds and those who lack capacity. Questions have been kicked down the road for a future review and a future government to address. I lament the lack of ambition to actually address these questions and the lost opportunity to show moral and ethical leadership when it is required by our community. Out of two questions during the inquiry process, I prioritised the loss of capacity. This is not to say the question around under-18-year-olds is any less deserving, but I had to make a calculation: as a lowly nonexecutive member with limited resources, my ability to make change on that issue within the time constraints was unlikely. Indeed, as the committee heard from Roy Harvey, there was only one child in the Netherlands who

accessed euthanasia, in 18 million people, and therefore the likelihood of this occurring within the ACT is low.

Instead, I focused more on advancing the community's conversation about the lack of capacity and what a VAD model could look like for individuals. This is an issue which I and many in our community have personal experience of. It haunts me and creates fear for the future of myself and my loved ones, as it does for many in our community.

Reluctance to engage on this question and this bill was founded on three pillars. Firstly are the ethics of requiring medical professionals to administer VAD when the patient is not able to provide their consent at that moment. I found this a little challenging given the range of activities that are already covered via advanced healthcare directives. These include forced feeding, intubation, stopping life support systems, withdrawal of feeding—that is, starvation—and prevention of medical intervention. I know I am a simple politician, but I struggle to see a strong enough ethical delineation between these activities and what may already occur under an advanced healthcare directive. I believe there is scope here for this to be addressed.

The second point was that it was subjective. I am sorry, but that is also the point. This is about an individual's decision and their individual circumstances that will lead to their decision-making, and that is always going to have an element of subjectivity to it. Unfairly, no other jurisdiction in Australia has done it. I lament—so much for being the most progressive jurisdiction in Australia: “Welcome to the most progressive ACT, as long as someone else has gone first.” This is despite significant contributions to the committee inquiry process and indications from the community that they want to see this included within VAD.

Waiting for a statutory review before this question is examined is not good enough. The community are calling for action on this particular point, and, whilst there may be limits to what we can achieve in this term of parliament, this does not mean that work should not continue to progress in the meantime.

**DR PATERSON** (Murrumbidgee) (11.27): I fundamentally believe that access to voluntary assisted dying is a human right. I strongly believe that all Canberrans should have access to a range of end-of-life choices that align with their preferences and values. Voluntary assisted dying should be one choice available to Canberrans with an advanced condition, illness or disease who are experiencing suffering near the end of their lives which provides the appropriate safeguards and protections while attempting to provide a smooth and succinct process for people when they are at the end of their lives.

I respect people's right to conscientiously object and people whose values do not align with the concept of voluntary assisted dying. However, this must be about choice. Voluntary assisted dying is not a choice between life and death; it is an additional choice that can be provided to an eligible individual, allowing them to have greater autonomy in how their life ends.

Until this bill passes, people in the ACT will continue to experience intolerable suffering. I think it is important to highlight some of the voices of people through the

inquiry who have watched their loved ones suffer. It is these voices that drive me to see that this choice is available to ACT residents at the end of their lives.

I would like to acknowledge Corrine Vale and Jim Williams for the evidence that they provided to the committee. Corrine stated:

These laws were too late for our dearly loved mum/wife Ros Williams, who took her own life in April 2023 because voluntary assisted dying was not accessible to her. She was dying of motor neurone disease ... and after rationally considering all the end of life options available to her in the ACT, she decided that suicide was her 'least-worst option'. No-one should have to make this terrible choice.

I would also like to acknowledge Katarina Pavkovic, who spoke very strongly to the committee on her experiences with her father. She stated:

If my father has access to VAD, the last few weeks of his life would have been completely different. Instead of fear, anxiety, and apprehension for each day of his hospital visit, it would have been filled with love and appreciation, despite the sadness. Family would have had the opportunity to be present, and more importantly, my dad would have felt like he was in control and independent to the end.

I would also like to acknowledge Roy Harvey, who provided evidence to the committee and has since lost his loving wife, Anne. I would like to acknowledge his very consistent and clear advocacy to see voluntary assisted dying implemented in the ACT, and I definitely acknowledge that he would like to see us go further.

I strongly believe that this bill is in a good place, and I am very keen to support this through the Assembly, but I did dissent from three recommendations in the report. Recommendation 3 speaks to increasing the time frame to refer, in cases of conscientious objection, from two days to four days. I believe two days, as outlined in the bill, is an appropriate time frame for a referral. Conscientious objection to voluntary assisted dying is not a belief that someone has arrived at overnight and it is not a stance that a doctor or practitioner would change from patient to patient. So, in line with that reasoning, health practitioners in the ACT who conscientiously object should be well prepared with knowledge of referral pathways in the circumstance that a person initiates a voluntary assisted dying discussion or request.

Further to issues around conscientious objection, recommendation 10 of the committee's report speaks to institutional conscientious objection. I believe that an institution should not be able to conscientiously object. There is evidence from other states that suggests that health facilities have denied patients access to voluntary assisted dying. Dying with Dignity Victoria highlighted practises of pharmacists refusing medication, and denying people access to information and consultations with voluntary assisted dying practitioners. When this occurs, people are being denied their right to health care based on the beliefs of another person or an institution. As many submissions in the inquiry suggested, the ACT bill should mirror Queensland's legislation to ensure that a facility operator cannot impede access to voluntary assisted dying. Their bill states that the relevant entity and any other entity that owns or occupies the facility must not hinder the person's access at the facility to information about voluntary assisted dying and must allow reasonable access at the facility by each person who is a registered health practitioner.

If voluntary assisted dying is to become law, all ACT residents who qualify for voluntary assisted dying should have equal access. This is a right of ACT residents that should not be compromised by the religious views of a health institutions, as has been seen to occur in other jurisdictions.

The other recommendation in the committee's report that I dissented from was recommendation 11: provide a 48-hour waiting period between the first and last request for access. We heard so much evidence from people around the last stages of life—how traumatic it is, how every day counts and how it is such a deeply difficult time. Any changes that are added to the bill to extend time frames to restrict access are inappropriate. We really need to be seen reducing barriers while providing a safe and professional environment where individuals can access voluntary assisted dying.

I view this bill as a very important piece of legislation. I acknowledge the many people who gave evidence to the inquiry and argued that the bill did not go far enough and that it did not legislate for advanced care directives and for young people with decision-making capacity to access to voluntary assisted dying. These are also really important aspects of this discussion. I am very keen to see debate in the next term of the Assembly and the review into voluntary assisted dying laws and to see these discussions brought to the forefront to have some of these issues addressed. I am strongly in support of this bill and really look forward to it coming back to the Assembly for debate.

This is incredibly important legislation that affords the right of people experiencing intolerable suffering to die with dignity. I thank all who gave evidence and my fellow committee members, who have got us to this stage today.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Report 23**

**MR CAIN** (Ginninderra) (11.36): I present the following report, pursuant to order:

Justice and Community Safety—Standing Committee—Report 23—*Inquiry into the Crimes Legislation Amendment Bill 2023*, dated 13 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 23rd report of the Standing Committee on Justice and Community Safety. The committee received four submissions to this inquiry. The report makes one recommendation: that the Assembly pass the bill. On behalf of the committee, I thank everyone who contributed to this inquiry. I thank the other members of the committee, Dr Paterson and Mr Braddock. I commend the report to the Assembly.

Question resolved in the affirmative.

## Report 24

**MR CAIN** (Ginninderra) (11.37): I present the following report, pursuant to order:

Justice and Community Safety—Standing Committee—Report 24—*Inquiry into the Parentage (Surrogacy) Amendment Bill 2023*, dated 13 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 24th report of the Standing Committee on Justice and Community Safety. The committee received 10 submissions and held one public hearing. The report makes nine recommendations, including measures to protect the interests of children born from surrogacy and amendments to counselling requirements. On behalf of the committee, I thank everyone who contributed to this inquiry. I thank the other members of the committee, Dr Paterson and Mr Braddock. I commend the report to the Assembly.

Question resolved in the affirmative.

## Report 25

**MR CAIN** (Ginninderra) (11.39): I present the following report, pursuant to order:

Justice and Community Safety—Standing Committee—Report 25—*Inquiry into Sexual, Family and Personal Violence Amendment Bill 2023*, dated 13 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the 25th report of the Standing Committee on Justice and Community Safety. The report makes six recommendations. The committee received six submissions, all of which provided evidence about how the amendments would operate in practice. Some submissions highlighted concerns or suggested improvements to aspects of the bill. The recommendations reflect this evidence and seek to enhance the proposed amendments. On behalf of the committee, I thank everyone who contributed to this inquiry, and I especially thank the other members of the committee, Dr Paterson and Mr Braddock. I commend the report to the Assembly.

Question resolved in the affirmative.

## Public Accounts—Standing Committee Report 22

**MR PETTERSSON** (Yerrabi) (11.40): I present the following report, pursuant to order:

Public Accounts—Standing Committee—Report 22—*Inquiry into Appropriation Bill 2023-2024 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2023-2024 (No 2)*, dated 7 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

### **Justice and Community Safety—Standing Committee Scrutiny report 39**

MR CAIN (Ginninderra) (11.41): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 39, dated 12 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR CAIN: *Scrutiny Report 39* contains the committee's comments on 11 bills, 109 pieces of subordinate legislation, proposed amendments to three bills, and one government response. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

### **Economy and Gender and Economic Equality—Standing Committee Report 10**

MR MILLIGAN (Yerrabi) (11.42): I present the following report:

Economy and Gender and Economic Equality—Standing Committee—Report 10—*Inquiry into Annual and Financial Reports 2022-23*, dated 6 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

### **Health and Community Wellbeing—Standing Committee Report 11**

MS CLAY (Ginninderra) (11.43): I present the following report:

Health and Community Wellbeing—Standing Committee—Report 11—*Report of the Inquiry into a recovery plan for nursing and midwifery workers*, dated 13 February 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

In my role as chair of the Standing Committee on Health and Community Wellbeing, I am pleased to speak to the report of the inquiry into a recovery plan for nursing and midwifery workers. This is the 11th report of the Standing Committee on Health and Community Wellbeing for the 10th Assembly.

Petition 19 of 2022, with 2,696 signatories, was tabled in the Assembly on 3 August 2021. The petition was referred to the Standing Committee on Health and Community Wellbeing under standing order 99A. On 9 August 2022, the committee resolved to inquire into and report on the petition. The committee received 15 submissions and conducted public hearings on 14 and 20 June 2023, during which the committee heard from 19 witnesses. The committee's report makes 20 recommendations.

On behalf of the committee, I thank everyone who participated in this inquiry for their important contributions. I also thank the other members of the committee, Mr Milligan and Mr Pettersson, and the very hardworking staff of our committee secretariat. I commend the report to the Assembly.

Question resolved in the affirmative.

## **Planning, Transport and City Services—Standing Committee Report 16**

**MS CLAY** (Ginninderra) (11.45): I present the following report:

Planning, Transport and City Services—Standing Committee—Report 16—*Inquiry into the Territory Plan and other associated documents*, dated 7 March 2024, including additional comments (*Mr Parton*) together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

The inquiry into the Territory Plan and associated documents commenced on 14 September 2023. The committee consulted widely, received 33 submissions and 44 exhibits, and conducted two days of hearings involving a range of stakeholders including the ACT government, planners, architects, peak bodies and individual citizens.

The new planning system is intended to shape the future of Canberra's built environment, and the Territory Plan and other associated documents sit at the centre

of this new system. It is important that we get these documents right in order to provide the best possible city for our citizens to live, work and play.

It was clear from the inquiry that many people, including planning professionals, are still grappling with the size and complexity of the Territory Plan, the technical specifications and the design guides. As the new system becomes more established and active, and we start to see the results of the plan being constructed and used around us, further scrutiny will be required.

The committee's report made a total of 30 recommendations. The committee's recommendations to the ACT government seek to amend and widen recent changes to residential zoning rules, simplify and clarify aspects of the Territory Plan, making it easier for professionals and the public to understand and respond to, and increase the transparency and accountability of both reporting mechanisms and future reviews of particular aspects of the plan's operation.

The committee wishes to extend its appreciation to all the inquiry's participants, noting that many of these participants have submitted to multiple inquiries of the planning review. We are very grateful for their time and expertise. We thank them for their engagement throughout this inquiry process and for the valuable contributions they have made in assisting and informing our committee's deliberations. I would also like to make special note of our extraordinarily hardworking secretariat team who have now produced two extensive reports, one on the Planning Act and one on the Territory Plan. There were very tight time lines. They had to work to extremely tight deadlines. I would also like to make special mention of my colleagues, Deputy Chair Orr and Mr Parton, and the truly collegiate way in which we dealt with this very difficult topic. I commend the report to the Assembly.

I would like to pause there and make a few comments, not in my capacity as chair of that committee but in my capacity as the ACT Greens' spokesperson for planning. There are a number of things that are of concern for us in the Greens in this planning review and the Territory Plan.

I first want to make really clear what we have heard from different parties' perspectives on this city-shaping project. We have heard in the media that the Liberals want bigger houses, bigger mansions. The ACT Greens actually want more homes and more sustainable homes. We have heard from Labor. We have comments in RiotACT from the Chief Minister, that what we have seen in this planning review probably represents all of the significant planning changes we are likely to see between now and October. I was a little disappointed to see those comments being made in the media, particularly given that we had an inquiry underway and we did not yet know what the recommendations would be. It sounded like a shame not to have factored in any time to make further changes, should there be changes. We will, of course, wait for the government response to the recommendations we have made.

The Greens have been pretty consistent on this. We put up our policy platform last August. We made some fairly detailed recommendations in that. We want high-quality, sustainable infill development instead of the continuing sprawl that we are seeing. That sprawl is really environmentally destructive. It is producing bad results for the people who have to live in it. It is expensive for government to build. It is actually not meeting



anybody's needs. We want every Canberran to have the opportunity to live in an affordable home, in a climate-friendly home, in a home that is close to where they work and play and does not require really long commutes, and we do not want a never-ending and expanding city footprint. We really think it is time to do what mature cities do and set city limits.

I made a number of additional comments on that report, and they are probably a good reflection of some of the things that the Greens would like to see soon in our new planning system. In my additional comments, I spoke about the RZ1 changes. There was a committee recommendation on RZ1 in the committee report. I do not think that recommendation went far enough and I do not think the planning review went far enough. We have had a four-year planning review and I think it missed some opportunities.

We know that smart density represents good planning. We hear this from every smart city planner in the world. We hear this from the IPCC. We have it in our own government documents that we want transit-oriented dense development, but that is not what we saw delivered in this planning review. We know it is time to set city limits. We know that in order to do that and make enough homes for our people—and we need to make enough homes for our people—we are going to have to up-zone. We should have taken the opportunity to up-zone RZ1. We could have done that. We have not done that. What we have seen is a fairly small dual-occupancy policy. We should have up-zoned RZ1 so that we could get the kind of high-quality density that builds really good homes, the kind of density that puts together a bunch of blocks and lets us have townhouses, terrace houses, and maybe low-rise three-storey apartments with big shared green spaces in the middle. We have some of that kind of development in Canberra. We need more of that kind of development, but we have not seen the planning changes that will bring us that kind of development.

We also needed to look at RZ2, 3 and 4 in a bit more detail and make some changes, but, honestly, with over 80 per cent of our homes currently zoned as RZ1, without making the significant changes that we need in RZ1 to give us the kind of density we need, we are really worried that we are not going to be able to address our twin crises: climate change and housing.

We also heard the same problem that I have heard in multiple budget estimates processes, annual reports hearings and inquiries. Housing ACT have to pay full market rates for land. Community housing organisations also have to pay full market rates for land. I had a really entertaining chat with Leon on 2CC about this. He was quite surprised that the ACT government sold its land to the ACT government and that half of the ACT government could not afford to pay the rates that the other half of the ACT government charged! It does sound like a quite unusual situation when you explain it.

Government do sell land at discounted rates in quite a lot of circumstances already. They do it where there is a land rent lease. They do it where there is the grant of a lease prescribed by regulation for which the amount of the prescribed regulation has been paid. They do it for the grant of a lease of land prescribed by regulation for the University of New South Wales. There are quite a lot of exceptions made already. There is no exception for Housing ACT, and they repeatedly tell us they cannot afford to buy land to build public housing on. If they cannot afford land to build public housing on, we are going to struggle to build enough public housing. I hear exactly the same

problem from our community housing providers. It is a problem we could fix. It sits in the Planning Act at the moment and it could easily be fixed.

We have also heard about the problem that our public and community housing is not being redeveloped. Not enough blocks are being set aside for us to get enough of that housing. Since 2017 or 2018, the ACT government has imposed requirements for the delivery of affordable community and public housing in land sales of unleased territory land. We do not have the same requirements for redevelopments within established land. We know that we need the same requirements within established land if we are going to get to where we need to get to, which is having enough affordable housing and enough public housing.

Community, social and public housing is permitted in all residential zones, but most of our development is going to focus on selling land for private use. That is what developer-led development gives us. The policy outcomes in the residential zones policy supports the provision of housing choices, but we need government to give more directive about what role leased land plays and where we need our public housing and our community housing to go.

I also heard a lot of concerns, and I put them in my additional comments, about nature protection. As we are moving through this really difficult phase for our city of up-zoning, densifying and hopefully no longer sprawling, if anyone but the Greens can see the wisdom in that we also need to make sure that we stop and think really holistically and carefully about which areas of nature we need to protect. We heard that we need to do this in a holistic way. We need an overlay map now of which nature areas within our footprint should be protected—where the corridors are. This planning review went part of the way to do that, but it has not actually given us the kind of holistic nature protection that we need. We also need to make sure that we have enough green spaces. It is really important during climate change to avoid the heat island effect. It is also really important for human beings. It is really important for mental health. We need access to green spaces really close to our homes. We need to see some much stronger protections in our planning review and in our Territory Plan to deliver that.

With the new Territory Plan, we have the *Planning (Biodiversity Sensitive Urban) Design Guide*. The text of this guide is really good. It is really strong. I heard a lot of great evidence from many very skilled-up stakeholders that this *Planning (Biodiversity Sensitive Urban) Design Guide* is a very good planning document, but the problem is that a lot of us noticed that we do not know what status it has. I am concerned that this guide and the Territory Plan do not match up. I am really concerned that the Territory Plan can override the guide and that the guide is not actually going to make sure that we get the protection we need.

There was the recent call-in over an environmentally sensitive area about which the Conservator had said, "Please do not build on this." There was a little area in Denman's recent call-in. Fifty-one homes were to be built on that. The Conservator had said, "Do not build on this area." It got called in and the designs have not changed. There are conditions on that, but the designs did not change to not build on that area. It just shows us how difficult it is when we get a lot of planning pressures and developer pressures. It is really important to be very clear about what those environmental protections are and which one overrides the other.

There were a number of other areas where we thought the Territory Plan review should have and could have gone further, but I think the main ones are that we need to stop sprawling and we need to make sure that we are actually densifying the way we need to. We are hearing this from Greater Canberra, we are hearing this from so many stakeholders, and we know that we need to do further reform to RZ1. And we need to do really careful planning to make sure that we are doing our holistic nature protection as we do all those other things.

**MR PARTON** (Brindabella) (11.57): I want to start by thanking everyone who has participated in this inquiry, including of course my fellow committee members, Ms Clay and Ms Orr. We are pretty tight on the planning committee. We tend to arrive at consensus on most things and it is sometimes quite difficult. I am not sure what Ms Clay was talking about in saying that the Liberal planning policy is about building bigger McMansions. I am not really sure where that has come from. Whatever! Ms Clay wants us to set city limits. I know they tried it in Nutbush! They have city limits there, but we have to ask: has it really worked in Nutbush? I know people are jumping around and shaking their hips and things!

I thank James, Miona, Adam, Lydia and Justice, and we welcome Nicola, who is part of that team now. You have all done great work! Big thanks to all who made submissions and then appeared at the inquiry.

The committee was able to arrive at consensus on 30 recommendations. I would hope that the government will give genuine consideration to those recs, although, as highlighted by Ms Clay, it seems they will not. I would like to highlight one of those recommendations. This is one of those occasions when I find myself on the same page as Ms Clay. I am talking about recommendation 17, which states:

The Committee recommends that the ACT Government provide an explanation of the barriers that prevent land being sold below market value to Housing ACT for public housing ... and explain the effect this situation has on the ability for Housing ACT and community housing organisations to provide public and community housing.

We are faced with an extraordinary set of circumstances with regard to the increasing cost of housing, and I do hope that this government is able to consider extraordinary solutions to deal with it.

Of course, I must mention the changes to RZ1 zoning. Just about every submitter and just about everyone that we spoke to believes that it will not actually add many more than a handful of dwellings to our current housing stock. I think this is a massive missed opportunity, but we as a community need to ask what the point of the change is. If it is not actually going to add more dwellings, why are we doing it? Everyone knows it is not going to deliver many more than a handful of dwellings. When I last inquired, there had been just two development applications submitted under the new Territory Plan. Mr Gentleman, when he held the portfolio, stood in this place and talked about the thousands of dwellings that would come from it, and it is very clear that few people are going to take this up, so why would you do it?

The Chief Minister made a major address to the Property Council less than a week ago. I am going to paraphrase his speech for you, Members. I am sure Mr Barr will be

pleased! He said, “I’ve promised to build heaps of bright, shiny new things that we cannot possibly pay for, so in the first instance I am begging the Prime Minister to give us the money, but I am also flagging that we will be aggressively seeking revenue from wherever we can get it.” That was the speech, in a nutshell! There was a little bit of poetic licence, but that is pretty much what he said.

I go to my additional comments in the report, which state:

I’m also fearful that ... the change in zoning laws will potentially result in an uplift to the unimproved value of all blocks above 800 m/sq, which would then lead to an increase in rates across the board. This increase in unimproved value would be despite the unviability of the dual occupancy redevelopment for most homeowners. Consequently, the biggest outcome of the RZ1 Dual Occupancy policy would not be an increase in the supply of dwellings, but ... a significant increase in government revenue.

If the RZ1 Dual Occupancy change did not limit the size of the second dwelling, other than the current planning guidelines, then it would actually deliver more dwellings. And therefore, I believe that we should have included as a recommendation ...

... that the government revise its RZ1 policy for developing parcels of 800 sqm or larger to:

- Include an option for allowing separate titling, and
- Remove the 120 sqm limit on additional residence.

That is all.

Question resolved in the affirmative.

## **Public Accounts—Standing Committee Report 21**

**MR PETTERSSON** (Yerrabi) (12.02): On behalf of the Standing Committee on Public Accounts, I present the following report:

Public Accounts—Standing Committee—Report 21—*Inquiry into Annual and Financial Reports 2022-23*, dated 7 March 2024, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Statement by chair**

**MR CAIN** (Ginninderra) (12.03): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety

relating to statutory appointments, in accordance with continuing resolution 5A. During the reporting period, July 2023 to December 2023, the committee considered a total of 11 appointments and re-appointments to the following bodies: the Multi Hazard Advisory Council, the Official Visitor Scheme, the ACT Official Visitors Board, the Public Interest Monitor Panel, and the Gambling and Racing Commission.

Pursuant to continuing resolution 5A, I present the following paper:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—10th Assembly—Period 1 July to 31 December 2023.

## **Health and Community Wellbeing—Standing Committee Statement by chair**

**MS CLAY** (Ginninderra) (12.04): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health and Community Wellbeing. On 5 March 2024, the ACT Legislative Assembly Standing Committee on Health and Community Wellbeing resolved to conduct an inquiry into raising children in the ACT. The factors influencing people’s decisions on whether to have children are complex and diverse. In addition to fertility struggles, people face several social and economic factors when considering whether to have and raise children in the ACT. With the ACT having the lowest fertility rate in the country, it is important to reflect on these factors to inform practical actions that better support prospective parents and children.

The terms of reference state:

The committee has resolved to inquire into and report on the following matters:

- 1) Factors affecting raising children in the ACT, including:
  - a) cost of living pressures;
  - b) the availability of affordable housing suited to the family’s needs;
  - c) the ongoing costs of raising children, such as education and participation in extracurricular activities;
  - d) social factors, including availability of family and community support networks;
  - e) climate and environmental concerns;
  - f) availability of health services including access to paediatric specialists and screening;
  - g) support and advice for prospective parents with a disability and/or significant health issues;
  - h) fertility issues and the accessibility of affordable fertility treatments;
  - i) local and international adoption; and
  - j) any other related issue.

Policy considerations and actions to address the above factors will also be part of the inquiry. The committee is mindful of, and will take into consideration, the application of the Human Rights Act 2004 when examining these matters.

The committee has called for submissions to this inquiry and the closing date for submissions is 5 pm on Friday, 5 April 2024. To anybody who is watching, we would love to see your submissions.

## **Justice and Community Safety—Standing Committee Statement by chair**

**MR CAIN** (Ginninderra) (12.06): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety. The Standing Committee on Justice and Community Safety, the JACS committee, has had a strong interest in matters relating to justice responses to dangerous driving since initiating an inquiry into the matter, which was reported on in its 16th report. The Road Safety Legislation Amendment Bill 2023 was introduced to the Legislative Assembly on 29 November last year. While the JACS committee was very interested in an opportunity to inquire into this bill, in line with its resolution of establishment the bill was referred to the Standing Committee on Planning, Transport, and City Services.

The JACS committee took prompt action, writing to the planning committee and indicating its interest. However, the planning committee advised that it took the view that the bill fits within its responsibilities and would defer its decision to inquire into the bill until it received the report of the Standing Committee on Justice and Community Safety, which considers the bill in its legislative scrutiny role. The relevant scrutiny report was issued on 31 January this year—*Report 37*.

The JACS committee was then advised by the planning committee on 15 February this year that it had considered the scrutiny committee report and that the JACS committee may be able to undertake an inquiry into the bill. The planning committee then wrote to Madam Speaker advising that it was not inquiring into the bill and suggesting it be referred to the JACS committee.

In considering possible options, given the operation of the standing orders including time frames for reporting on a bill, the JACS committee contemplated a self-referred inquiry into the bill. It was noted that standing order 175, which goes to suspension of debate of a bill until a committee report is tabled, would not apply. The JACS committee therefore considered writing a letter to the minister and advising of their intent to conduct this inquiry as quickly as possible so that the report's findings could be of benefit before the bill was debated.

On 26 February this year, the JACS committee received a copy of Madam Speaker's response to the planning committee which noted that, had the planning committee or the JACS committee written to her earlier and provided a reason why the JACS committee would be the appropriate committee for the referral of the bill, she may have considered this. However, given she had received notification that the planning committee was not inquiring into the bill, the requirements of standing order 174—with reference to a select or standing committee—had been met, and the JACS committee would need to determine whether commencing an inquiry into a bill that the Assembly might pass prior to the inquiry's conclusion is the best use of its time, given the operation of standing order 175.

The JACS committee has decided, with all this background, that it will not initiate a self-referred inquiry into the bill under these circumstances but would like to share this experience for the benefit of other committees.

## **Public Accounts—Standing Committee**

### **Statement by chair**

**MR PETTERSSON** (Yerrabi) (12.09): On behalf of Mr Cocks, pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts in relation to reportable contracts under section 39 of the Government Procurement Act 2001.

The Government Procurement Act 2001 requires responsible territory entities to provide the Standing Committee on Public Accounts with a list of reportable contracts every 12 months. Reportable contracts are defined, with some exceptions, as procurement contracts equal to or over \$25,000, also known as notifiable contracts that contain confidential texts. The responsible entity is required to provide the committee with the parties to the contract, a brief description of what the contract is for, the date the contract was made, the end date of the contract, the value of the contract, and any other information prescribed in the Government Procurement Act 2001 or by regulation.

The committee acknowledges that the information provided in relation to reportable contracts is publicly available on the ACT Government Contracts Register. However, its scrutiny is assisted by receiving a consolidated report every 12 months. The committee has been provided with consolidated lists of reportable contracts for the 12-monthly periods from 1 April 2021 to 31 March 2022, and from 1 April 2022 to 31 March 2023.

As per previous practice, the committee believes that there is value in tabling the consolidated list of reportable contracts for the periods specified as a transparency mechanism to promote accountability. I therefore seek leave to table the list of reportable contracts for these periods as received by the Standing Committee on Public Accounts.

Leave granted.

**MR PETTERSSON:** I present the following papers:

Reportable contracts—Agencies reporting reportable contracts for the—

Period of 1 April 2021 to 31 March 2022.

Period of 1 April 2022 to 31 March 2023.

## **Children and Young People Amendment Bill 2024 (No 2)**

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

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Family Services, Minister for Disability and Minister for Health) (12.12): I move:

That this bill be agreed to in principle.

I rise to present the Children and Young People Amendment Bill 2024 (No 2). The ACT government is reforming child, youth and family services to ensure we strengthen families and keep children and young people safe and connected. The reform is focused on providing earlier support for children, young people and their families to facilitate positive life outcomes and to ensure long-term wellbeing for our community. It is also about building trust and transparency in a more restorative and collaborative child and youth protection system.

Legislative change is a foundational element of this plan for reform, and modernising the Children and Young People Act is a priority action under Next Steps for Our Kids 2022-2030, the ACT's strategy for strengthening families and keeping children and young people safe. This work commenced with the introduction and passage of the Children and Young People Amendment Act 2023 in November 2023. Central to the first tranche of legislative reform was the need to shift investment in the child protection system towards earlier support and better diversion to address the root causes of issues for families at risk. Also, it started the process of fully embedding the Aboriginal and Torres Strait Islander Child Placement Principle into legislation, implementing a key recommendation of the Our Booris, Our Way review.

While the ACT has succeeded in stabilising the number of Aboriginal and Torres Strait Islander children and young people in care and has seen a downward trend in entries to care, the territory continues to have one of the highest rate ratios in the country. To address the disproportionate representation of Aboriginal and Torres Strait Islander children and young people in care, continued and sustained reform is required.

We have made significant strides in reforming child and youth protection over recent years, but the legislative reform process is far from over. We need to be adaptable, incorporating emerging best practice from research and continuous quality improvement, as well as the invaluable insights from frontline workers, children, young people, families and carers. The ongoing evolution is essential to improve the sector and, most importantly, for the wellbeing of our children and young people.

We have heard stakeholder feedback during the consultation period which called for further legislative reform. The strong push for change is essential if we are to genuinely build a restorative child protection system. While we know there is much more to do, today we deliver on some key commitments the ACT government has made that will create positive and tangible change for the child protection system.

This bill proposes priority amendments that will make significant improvements to how we respond to the needs of children and young people and fulfils two commitments set out in the Parliamentary and Governing Agreement. This bill reflects recommendations from the Our Booris, Our Way review, the National Framework for Protecting Australia's Children, the National Agreement on Closing the Gap, and our commitment to modernise the Children and Young People Act, as outlined in the Next Steps strategy.



Supporting young people to transition to adulthood is a critical time for any family. The bill delivers on an important Labor election commitment to deliver enhanced support for young people transitioning from care, providing them with the necessary assistance to successfully navigate the shift to independent living. The bill mandates the continued provision of support to care leavers until they turn 21 and continues to provide the director-general with the discretion to continue providing support to care leavers up to the age of 25 years.

The bill also removes legislative restrictions on the director-general providing financial support to care leavers and to foster and kinship carers where young people remain in their care after they turn 18. Currently the act allows the director-general to provide financial support only if they are satisfied that it is for an appropriate purpose and reasonably necessary in the individual circumstances. Removing this restriction will enable the government to implement broadly applicable policies, providing certainty for young people, carers and the workforce supporting them.

Young people transitioning out of the out-of-home care system face unique challenges. They are often at a significant disadvantage compared to their peers who have not been in care, facing higher risks of adverse outcomes in several key areas of life, including education, employment, housing stability and mental health. The extended care provisions outlined in this bill aim to address these disparities by offering continued support to assist care leavers in developing essential skills and accessing vital resources needed to enable their transition to independent living. This bill represents a vital step forward in our ongoing commitment to ensure the wellbeing and success of our young people as they embark on the journey to adulthood.

I am pleased to advise that the bill also delivers on another commitment to establish a framework for charters to be prepared, maintained and notified. Upon notification of a charter, the director-general and the care and protection and youth justice staff must adhere to the principles and expectations outlined in the charter, ensuring a high standard of conduct and professional care is exhibited. Importantly, however, the charters will not create additional legal rights or obligations. The existing charter for parents and families and the future charter for kinship and foster carers are examples of charters that may be notified via the amended CYP Act. It is envisioned that these charters will recognise and reflect the voices of parents, families and carers involved with child protection services and strengthen the supports available to them. Importantly, charters are already in place for children and young people in care and young people in youth justice detention.

A pivotal aspect of this bill is the establishment of an external merits review process for child protection decisions. The establishment of an external merits review process has been driven and shaped by extensive stakeholder consultation since 2016. The reform aligns with and addresses key recommendations from significant inquiries and reports. Notably, the bill directly responds to calls for legislative reform articulated in the 2016 report of the inquiry into review into the system-level responses to family violence in the ACT, as well as the Standing Committee on Health, Ageing and Community Services' 2020 inquiry into child and youth protection services.

We know that additional oversight and independent review processes drive better practice and more consistent decision-making, and this is the outcome we want to see

in our child protection system here in the ACT. The review mechanism will allow affected people to apply to the ACT Civil and Administrative Tribunal for the reconsideration of prescribed child protection decisions made by the director-general under the CYP Act. The bill will confer jurisdiction on ACAT to assess both the merits of certain child protection decisions and any procedural irregularities.

The bill responds to stakeholder feedback by expanding the existing list of reviewable decisions to include decisions made by the director-general relating to contact arrangements; placement decisions; the provision of supports and services to a parent of a child or young person subject to an interim or short-term care and protection order; a supervision or drug use provision; refusal to provide supports or services to a child, young person or young adult or financial assistance to a previous out-of-home carer; a child or young person's health, culture, religion or education; and a cultural plan for Aboriginal or Torres Strait Islander children or young person.

ACAT will provide an accessible, efficient and user-friendly forum to undertake these reviews. The external merits review process envisaged by the bill will align the process with the already established internal review process, as well as align ACT practice and law with that of other Australian jurisdictions.

The bill also authorises the Public Advocate and the Aboriginal and Torres Strait Islander Children and Young People Commissioner to appear and give evidence in all tribunal proceedings. Also, it would empower the Public Advocate or the Aboriginal and Torres Strait Islander Children and Young People Commissioner to initiate an application in ACAT on behalf of a child or young person, but it does not automatically confer party status to them in such proceedings.

Typically, an internal review must precede an application for external review. However, the bill acknowledges there are exceptional circumstances where a prompt and definitive decision is essential. Examples of exceptional circumstances may include an urgent medical procedure, the restriction of a young infant's contact with their breastfeeding mother, or the relocation of a child interstate. These scenarios are considered exceptional because the nature of the decision would render it impractical or impossible to reverse the potential harm caused to a child or young person and it is likely the decision would be carried out before the expiration of the internal review period. In these circumstances, an affected person may apply for external merits review in the first instance, bypassing the usual prerequisites of completing the internal review process.

It is imperative that the voices of children and young people are not only heard but valued in the decisions affecting their lives. Central to the proposed external merits review process is the promotion of the interests of children and young people. The bill emphasises the right of children and young people to actively participate in review proceedings. This participation can occur directly by the child or young person themselves or facilitated through a designated representative acting on their behalf.

The expansion of the external merits review process in the CYP Act represents a significant advancement in ensuring accountability, transparency and responsiveness by child and youth protection services in the ACT. It provides affected persons with a robust platform to seek recourse and review, thereby strengthening the integrity and effectiveness of the child protection system.

The measures in this bill are the outcome of extensive consultation with multiple stakeholders right across the ACT, including children and young people, foster and kinship carers, peak bodies, service providers, legal professionals, and departmental staff. Competing views have been carefully considered and weighed to reach the right balance.

Last year, the Community Services Directorate undertook significant consultation on a broader range of proposed amendments than those reflected in this bill, including changes related to information sharing, fully embedding the Aboriginal and Torres Strait Islander Child Placement Principle, and restructuring the types of orders that can be made by the Children's Court. What became apparent during these consultations is that further work is required to ensure we get these changes right. The Community Services Directorate is continuing to work on these amendments and engage with the Child and Family Reform Ministerial Advisory Council as well as a range of interested stakeholders. A listening report has recently been completed that provides further context for the decision to proceed with a more limited bill at this time and to continue to work on full modernisation of the act.

While the measures in this bill may not address every challenge, they represent a significant step forward in our ongoing commitment to building a more transparent and accountable system, and a system that better supports the most vulnerable children, young people and families in the ACT.

Finally, I want to recognise the officials in the Community Services Directorate and the Parliamentary Counsel's Office who have been working so hard on this complex set of bills. This is an important step, and I know the team is working diligently to progress the rest of the reform program and act modernisation. I commend the bill to the Assembly.

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

## **Human Rights Commission (Child Safe Standards) Amendment Bill 2024**

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

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (12.24): I move:

That this bill be agreed to in principle.

I rise today to present the Human Rights Commission (Child Safe Standards) Amendment Bill 2024. The bill will establish a new ACT child safe standards scheme, making it mandatory for providers of a service to children and young people in the ACT to implement 10 child safe standards.

Having jurisdictional child safe standards schemes was a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse, based on extensive evidence and consultation with survivors. Protecting children and young people

from harm and abuse is a fundamental responsibility of society. The ACT government is making this transformational change to keep children and young people safe, by regulating child safe standards in the territory.

When implemented, the child safe standards will help organisations to incorporate more holistic and child-friendly approaches to safety and wellbeing into their daily work. The bill also strengthens the role of the ACT Human Rights Commission, which will oversee the Child Safe Standards Scheme, in providing capacity building support to organisations. The 2023-24 ACT budget included funding to the ACT Human Rights Commission of \$3.3 million over four years for this purpose.

The 10 ACT child safe standards outlined in the bill replicate the National Principles for Child Safe Organisations and aim to address all forms of harm to children and young people. The national principles were endorsed in February 2019 by all commonwealth, state and territory governments. The principles provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing. The national principles draw on the work of the royal commission, Australia's children's commissioners and guardians, and the 2005 National Framework for Creating Safe Environments for Children.

Underpinned by a child-rights approach and based on the standards recommended by the royal commission, the national principles are designed to build capacity and deliver child safety and wellbeing in organisations, families and communities to prevent future harm. The national principles were developed in 2017-18 through a consultation process that included Australian governments, national peak bodies from sectors that work with children and young people, national advocacy and research organisations, and children and young people themselves.

We recognise that many organisations providing services and supports to children and young people in the ACT also work across other jurisdictions. To support national harmonisation, the 10 ACT child safe standards replicate the National Principles for Child Safe Organisations with a couple of minor tweaks to ensure alignment with the language in the bill. This means that, if an organisation is complying with another jurisdiction's scheme that also aligns with the national principles, that organisation will be complying with the ACT child safe standards.

The requirement to implement the child safe standards will apply to organisations that are already included in the Human Rights Commission Act. The Human Rights Commission's existing powers, for example complaint handling and advocacy, already cover these organisations. The bill relies on the current definition of a service for children and young people in section 8A of the HRC Act:

*A service for children and young people* is a service provided in the ACT specifically for children, young people, both children and young people, or their carers.

The ACT scheme will have minimal regulatory burden for 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 young people, and the administrative resources available to them. Organisations will not be expected to build things from scratch. They will have access to guidance materials, tools, resources, training and other

support from the ACT Human Rights Commission and the National Office for Child Safety to think through how the standards will apply to their service.

The commission will be able to accept complaints from community members and initiate commission initiated considerations of systemic issues brought to its attention regarding alleged non-compliance with the child safe standards. The ACT child safe standards scheme will impose proportionate regulation by using principle-based standards; focusing on capacity building and continuous improvement over time; and relying on existing compliance and enforcement mechanisms. The standards encourage continuous improvement over time, not immediate leaps in progress. These incremental improvements can make a big difference, however.

An organisation that meets the child safe standards is one that creates cultures, adopts strategies and takes actions that protect and empower children and young people in their care. They embed a culture where children are valued, and where abuse of children is better prevented, responded to and reported. Importantly, the organisation seeks to ensure that children and young people can be safe, and that they feel safe; and they give greater consideration to the needs of victim-survivors across all service settings, including the justice, health and education systems. I commend the bill to the Assembly.

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

**Sitting suspended from 12.29 to 2 pm.**

## **Ministerial arrangements**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (2.01): As I think members would be aware, both Minister Steel and Minister Gentleman will be absent from the Assembly this week for personal reasons. I will endeavour to assist members with police, crime prevention, fire and emergency service questions; Minister Berry will take questions in skills and training; Minister Stephen-Smith will take questions for the Special Minister of State and in the multicultural affairs and planning portfolios; and Minister Cheyne will take questions in industrial relations and workplace safety, business and transport.

## **Questions without notice**

### **Light rail—economic analysis**

**MS LEE:** My question is to the Chief Minister. Chief Minister, cabinet documents from 2012 have revealed that there was very clear advice from the Economic Development Directorate that the case for bus rapid transit between Gungahlin and Civic was much stronger than the case for light rail. Given that the return-on-investment estimates were more than twice as high for bus rapid transit than for light rail, why did the government decide to go with the latter option?

**MR BARR:** As I think the papers would demonstrate—and, indeed, my memory confirms—there was a competing range of advice from different agencies at the time that decision was taken. I think the newspaper reporting somewhat reflected that but chose to focus on the advice of one directorate over a number of others. There was

extensive work done and a range of different perspectives were put forward during consideration of which particular transport methodology to proceed with. But, as history shows, we made the correct decision to invest in light rail when the project came in under budget—in reference, to those papers—and has delivered the sorts of transport outcomes expected. Indeed, the investment along the stage 1 corridor has in fact exceeded expectations at that time.

**MS LEE:** Chief Minister, why did your government ignore the advice from the Economic Development Directorate back in 2012 in favour of the other advice?

**MR BARR:** The government considered the full range of advice and the full range of benefits that came from an investment in light rail. The papers at that time demonstrate that there were a variety of different views put by different ACT government agencies, as you would anticipate on a big infrastructure investment. But the government felt that, on balance, the investment in light rail would deliver a better public transport outcome and would deliver a better aesthetic on Northbourne Avenue, rather than adding two more lanes of concrete for dedicated busways—making that an eight-lane boulevard.

**Mr Parton:** Is there concrete in the middle now? I think there is a bit of concrete.

**MR BARR:** There is certainly a concrete track. But, as you would know, Mr Parton, the width and aesthetic of a light rail track are somewhat different to that of bus lanes, and the look and feel of Northbourne Avenue would have been quite considerably different if we had eight lanes of road carriageway in that transport corridor.

But, beyond the visual amenity and obviously the other issues and downsides associated with bus rapid transport, clearly, there were a range of other economic benefits of transport-oriented development outcomes that were far superior using the light rail transport infrastructure. Clearly, Canberrans—having voted for it at elections in 2012, 2016 and 2020, and having another chance to vote for it in 2024—prefer light rail.

**MR PARTON:** Chief Minister, did your government sell out Canberrans just to hold on to power in 2012?

**MR BARR:** No. I cannot speak for Mr Rattenbury, but the thought of him forming government with Zed Seselja would indeed have been a very curious administration that I imagine, like any Liberal-Green attempt at forming a government, it would have fallen apart very quickly!

## Visitors

**MADAM SPEAKER:** I recognise members of the Kiribati Public Accounts Committee. Welcome to Canberra. I hope that you have enjoyed the last few days, and do not take back any bad behaviour that you may see today!

## Questions without notice Light rail—economic analysis

**MS LEE:** My question is to the Chief Minister. Chief Minister, cabinet documents from 2012 have revealed that “the community’s clear preference for LRT are of concern if

they are based on inadequate or premature estimates of the impact of proposals on the territory's budget, rates and charges". The cabinet papers go on to say that "especially, as the study appears to suggest that what preference for LRT there may be within the broader community is malleable and likely to shift once respondents to this question are better informed of the relative costs of the two alternatives". Chief Minister, will you now commit to releasing the full cost of stage 2B before the election to allow Canberrans to make an informed choice at the ballot box this October?

**MR BARR:** The community has debated this issue. There has been a fierce political contest over three elections. In relation to the initial quote that Ms Lee read out—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members. You have asked the question; allow the Chief Minister to answer.

**MR BARR:** In relation to the opening part of Ms Lee's question, clearly, the community has expressed a view on this matter not once, not twice, but three times now.

**Mr Parton:** No, it wasn't—

**MADAM SPEAKER:** Mr Parton, hush.

**MR BARR:** You were opposed to it, then you weren't, then you were again. It was something like that, wasn't it?

**Mr Parton:** It wasn't an issue at the last election.

**MR BARR:** It wasn't an issue last time?

**Mr Parton:** No, it wasn't.

**MR BARR:** Right; interesting.

**Mr Hanson:** Madam Speaker, on a point of order as to relevance, the question was about the cost of stage 2B, not about what position was taken by political parties at previous elections. I would ask the Chief Minister to be relevant.

**MADAM SPEAKER:** Resume your seat. On the point of order, there are also standing orders to say that there should be no interjections.

**Mr Hanson:** I do not recall that I have interjected for a couple of months, to be honest!

**MADAM SPEAKER:** This is what I mean, dear friends from Kiribati.

Mr Barr.

**MR BARR:** It is good to see that you have broken your drought and you are making it all the way back from Siberia, Mr Hanson.

The government's position in relation to light rail stage 2B is clear. We have submitted our proposal and it is now going through the first of many commonwealth approval processes.

**Ms Lee:** What's the cost?

**MR BARR:** We will be in a position to provide more detail in relation to costs when we are further advanced in the project's development.

**MS LEE:** Chief Minister, are you concerned that support for stage 2B will drop and potentially impact the chances of you and your Greens colleagues staying in power, once the full cost of stage 2B is revealed to the public?

**MR BARR:** I am confident that the government, and indeed parties within the government who have advocated for investment in high-quality public transport over multiple elections now, will receive support for a continuation of this program of investment in high-quality public transport.

The Liberal Party are free to oppose the project, as they have done at previous elections, although I do note Mr Parton is now contesting whether that opposition has been consistent over a decade. In some elections, clearly, the main reason to vote Liberal was to vote against—

**Mr Hanson:** Hear, hear!

**MR BARR:** public transport investment. Yes; Mr Hanson confirms that, in his further interjection from Siberia. We welcome a debate on this.

**Mrs Kikkert:** It's not relevant.

**MR BARR:** The other MLA who is also in Siberia!

**MADAM SPEAKER:** Go to the question, Mr Barr.

**Ms Lee:** A point of order, Madam Speaker. He is clearly going into a debate here, and that is not allowed.

**MADAM SPEAKER:** Mr Barr, can you just stick to the question?

*Mr Hanson interjecting—*

**MR BARR:** I am sorry; I was distracted by the interjections from those so far distant now.

**Mr Hanson:** I'm so far away now!

**MR BARR:** I am so used to you being right there; but now you are a long, long way away.

This clearly will be an election issue, and 330,000 voters will cast their verdict on the matter in October.



**MR PARTON:** Chief Minister, why are you so petrified to be up-front with Canberrans about the true cost of stage 2B?

**MR BARR:** I have run for re-election on a positive platform on investment in public transport three times now, and I look forward to this debate again in 2024, confident that the people of Canberra recognise the value of investment in high-quality public transport infrastructure.

### **Light rail—economic analysis**

**MS LEE:** Madam Speaker, my question is to the Chief Minister. Chief Minister, I again refer to cabinet papers that have revealed your government ignored the advice from the economic development directorate, which said: “Overall, the EDD believes that the case for Bus Rapid Transit (BRT) appears to be significantly stronger than that for Light Rail Transit (LRT) ...”

This advice was provided to cabinet in July 2012, four months before the signing of the Parliamentary Agreement for the 8th Legislative Assembly with the Greens in November that year, which committed the governing partners to the construction of light rail.

Chief Minister, given what has been revealed in these cabinet documents, will you finally admit to Canberrans that the decision to proceed with light rail was more about keeping you and your Labor colleagues in government, rather than delivering the best outcomes for Canberrans?

**MR BARR:** As I indicated in my answer to the first question from Ms Lee on this matter, there was a variety of advice from different agencies. The economic development directorate had formed a particular view, and they provided that advice in a frank and fearless way. But it was not the only advice provided. It wasn't the only perspective considered around the cabinet table at that time. The Labor Party, prior to the 2012 election—and, subsequently, the government—made the decision to invest in light rail, a decision that was the right decision.

The practical results of that are very clear. We have a very good public transport outcome between Gungahlin and the city—even Mr Parton has acknowledged that publicly—and we have a significant level of investment along that transport corridor, which is what was intended as an outcome. The decision that was taken and the result demonstrate that it was the right decision.

In the flip-flopping since from those opposite—at least according to Mr Parton—in 2020 you were not opposed to light rail.

**Mr Parton:** Did you not follow the election in 2020?

**MADAM SPEAKER:** Mr Parton, not again, thanks.

**MR BARR:** I think we might have won the election in 2020. I think our view prevailed over yours, Mr Parton.

**MS LEE:** Chief Minister, will you apologise and provide a clear explanation to Canberrans about why you ignored the advice that clearly showed that the case for bus rapid transit was significantly stronger than that for light rail?

**MR BARR:** Again, Ms Lee cannot change her questions, because they are predetermined, even though the answers to the previous questions have already addressed that.

**Ms Lee:** I have a point of order. There are clear rules stipulating how questions in question time should be answered. I ask that he actually follows those rules.

**MADAM SPEAKER:** To the question, Mr Barr.

**MR BARR:** Thank you, Madam Speaker.

As I said before in response to the first question, and now in response to the third question, which is the same question, the advice from the economic development directorate was not the only advice before cabinet. The government made a decision based upon a range of advice and a range of outcomes that we sought to achieve. We provided a full explanation for that in 2012, 2016 and 2020, and we will undoubtedly do that again in 2024.

**MR PARTON:** Chief Minister, what is the point of a frank and fearless public service if their advice is simply ignored by MLAs who think they know better?

**MR BARR:** Thank you, Madam Speaker. Again, Mr Parton cannot adapt his question. There was other advice. EDD's advice was not the only advice. There were other views and other perspectives, and a cabinet has to often weigh up advice that is competing. That is the basis of decision-making. You are not allowed to cherry-pick one agency's advice and say that that constituted the totality of all advice provided to the government at that time.

Again, I stand by the decision that the government made. It has now gone to three elections and soon to be a fourth. This is a debate we have had ad nauseum in this city. The Canberra Liberals position is well known. You are opposed to investment in high-quality public transport. We all know that, and Canberrans know that. May you continue to take this policy to elections; it's worked so well for you over the last 10 years!

### **Light rail—economic analysis**

**MS LEE:** My question is to the Chief Minister. Chief Minister, cabinet papers from July 2012 reveal that the Treasury raised concerns about some of the modelling and assumptions used in the business case for the City to Gungahlin transit corridor. The Treasury said, "Such issues could be raised by Infrastructure Australia should it undertake a detailed appraisal of the business case." The ACT Auditor-General, in his report in 2021, found:

Neither the Stage 2a Business Case or Economic Appraisal Report provides any narrative that describes, explains or supports the estimates of wider economic benefits.

Chief Minister, were there similar concerns from the Treasury that the business case for Light Rail Stage 2A may have had unreasonable assumptions in the modelling of the business case?

**MR BARR:** Well, of course, business case modelling is something that makes certain assumptions, and there are assumptions associated with all modelling and, in this instance, associated with different transport types. There were assessments undertaken about a range of costs and benefits associated, both in pure fiscal terms but also, as Ms Lee touched on, wider economic benefits—and, indeed, benefits that sit broader than just the economy. Questions of, for example, environmental sustainability, an uplift in public transport usage and investment along the transport corridor were all considerably stronger with light rail than they were with bus rapid transport. The government made the decision—

**Ms Lee:** Madam Speaker, on a point of order: the question was specifically about whether the Treasury had raised similar concerns in the modelling for Light Rail Stage 2A—whether there were similar concerns as I outlined in the preamble.

**MADAM SPEAKER:** The Chief Minister is relevant to the question. Mr Barr to continue.

**MR BARR:** Thank you, Madam Speaker. Again, regardless of particular agency views, there were multiple agencies advising government, including transport agencies, including environment and planning—a range of different areas—and the cabinet considered all of that advice and made the correct decision.

*Ms Lee interjecting—*

**MR BARR:** I know the Liberal Party did not like that decision at the time, and it has bitterly fought against it. The infrastructure is built, people are using it, it has delivered a demonstrable increase in public transport usage along that corridor, and the investment that we have seen from the private sector along the stage 1 route has exceeded expectations. You may well want to fight 2012 and 2016 again, but we are moving on and we are looking at building a better public transport system for Canberra.

**MS LEE:** Chief Minister, have Infrastructure Australia or any federal department undertaken a detailed appraisal of the business case for 2A, following the Auditor-General's scathing report?

**MR BARR:** I do not believe Infrastructure Australia have undertaken such an assessment, but that would be a matter for them. What I do know is that the previous federal government— in one of the press conferences of my career, standing next to Zed Seselja!—endorsed the commonwealth making a financial contribution towards stage 2A! Then, subsequently, the new federal government provided a further financial contribution towards the project. So I think it is very clear that, at least at a federal level, there would be bipartisan agreement in relation to investment in light rail, but here we are, in March 2024, and the Canberra Liberals are still trying to fight battles from more than a decade ago—the same old Canberra Liberals!

**MR PARTON:** Chief Minister, do you believe that it is acceptable to only undertake the Auditor-General's recommendation for a benefits realisation plan for stage 2A after signing the main works contract with Canberra Metro for 2B?

**MR BARR:** Sorry—after signing the contract for 2B? We have not signed the contract for 2B.

**Mr Parton:** Do you believe that it is acceptable to only undertake the Auditor-General's recommendation for a benefits realisation plan for stage 2A after signing the main works contract with Canberra Metro?

**MR BARR:** In relation to the stage 2A contract, yes, we have signed that. We have received significant federal government support for that and works are underway. There is a major transformation of that part of the CBD that will provide for more housing, more commercial, more retail and more amenity for our growing population, so we stand by that decision. We note that the Canberra Liberals have at least learnt the lesson and they are not proposing to tear up that contract. Of course, they went to a previous election proposing to tear up the light rail contract—

**Mr Hanson:** We weren't going to tear it up; we were just going to enact the termination clause.

**MADAM SPEAKER:** Members!

**MR BARR:** and we saw the result in that election, didn't we?

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, can we just consider the standing orders and have some decorum in the chamber?

### **Housing—affordable housing project fund**

**MR PETTERSSON:** My question is to the Minister for Housing and Suburban Development. Minister, can you tell me how many homes have been funded through the \$60 million affordable housing project fund since it launched last year?

**MS BERRY:** I am happy to report that, so far, the affordable housing project fund will deliver more than 280 affordable rental homes for low-income Canberrans and their families.

Just last week I joined with Marymeade CatholicCare to announce a 54-dwelling build-to-rent development in Curtin, and last month this government announced its support for the partnership of CHC Australia and the Canberra Southern Cross Club in delivering 70 affordable rental homes in Phillip. That is on top of the \$4.5 million contribution the government has made to the Ginninderry women's housing initiative Build-to-Rent-to-Buy pilot program.

There are more projects in the pipeline that I look forward to sharing with the Assembly as this fund continues to gather momentum. These projects are a fantastic example of how the government can work with community groups to turn under-utilised land into a real social good. I thank Mr Pettersson for the question.

**MR PETTERSSON:** Minister, what else is the government doing to help Canberrans struggling to get into affordable housing?

**MS BERRY:** Thank you for that great question, Mr Pettersson. This government continues to roll out its ambitious housing agenda. Alongside the Growing and Renewing public housing program, which currently has more than 500 homes in the construction pipeline, the government is partnering with community housing providers to get more affordable housing onto the market.

As well as the affordable housing project fund, we are incentivising private landlords with land tax exemptions if they rent their properties at 75 per cent of the market rate through a community housing provider. This scheme has more than 170 participants so far. That is 170 homes rented at affordable rates, and we are aiming for 250.

We have also been supporting local community housing providers with their applications to the commonwealth's Housing Australia Future Fund. This government's record investment in public and community housing is an important part of achieving an equitable housing system for our town.

**MS ORR:** Minister, how is the government delivering the kind of housing that people really want to live in?

**MS BERRY:** I thank Ms Orr for her interest in this important matter. The government believes that housing should be close to quality-of-life amenities like public transport, schools, shops and green spaces—close to things that make life easy and enjoyable and maintain the environment and character of our Bush Capital. Most importantly, they should be homes that meet the needs of individuals.

The RZ1 dual occupancy reform, introduced as part of the new planning system, has unlocked more than 40,000 blocks within the territory's existing urban footprint—close to amenities, just waiting for the private sector to get building. These dual occupancy blocks allow for a modest second dwelling of up to 120 square metres to be built on RZ1 blocks of over 800 square metres. These are the kinds of townhouse-type dwellings that will help deliver the “missing middle”, which has arisen as the population has increased and households have gotten smaller. The room-to-grow Compact Housing Development in north Wright will be built with rooms to extend out the back in case the kids need more room, or for elderly parents who might need to move in for care. These are examples of innovation to meet changing trends in housing typology and preferences this government is investing in.

Ensuring Canberrans have access to secure, comfortable and cost-effective homes, whether they are rented or owned, means that all Canberrans are on an equal footing to live well today and into the future.

### **Government—Mugga Lane and Mitchell recycling depots procurement**

**MS CLAY:** My question is to the Minister for City Services. Minister, The Green Shed were not successful in the recent procurement and I have heard a lot of concerns about and from the staff. Many have worked there for years. Many have disabilities or are neurodiverse and they are worried they will not find work elsewhere in Canberra. Earlier, we heard earlier media lines that Green Shed staff will be offered jobs. I have just come from a community meeting today, which was the first time The Green Shed staff had had a chance to directly speak to the new operators and find out more about that. Prior to that I believe they were sent a brochure and told they could apply for a job, which is not the same as being given a guarantee of a job. So can you tell me, Minister, as part of this arrangement with the new operator, does every single current Green Shed employee have a guaranteed job with the new operator? Has every staff member been told that?

**MS CHEYNE:** I refer Ms Clay, first of all, to my comments this morning in response to the petition. I do understand there have been approaches to meet with and get the details of the current Green Shed employees and that is taking some time, for reasons that I am not quite sure of at this stage, but that a meeting between employees and Vinnies is likely for the end of this week.

I would note also, Madam Speaker, that I have seen some commentary from Senator Pocock that he had been trying to get in touch with me and that one of the reasons that he held the town hall today was that he could not. That has since been refuted by both his office and my office. I think it is important to clarify that.

So I can confirm, as I said this morning, that all staff, no matter the location—and I would note that what was in scope for this request for proposal were the resource management centres, and that The Green Shed, as a business, has opened further shopfronts in the meantime. Those employees who are in those shopfronts, like here in Civic and in the underground, will be offered paid employment in Vinnies retail stores, given they have a retail element to them. So all staff will be invited to apply. I am certainly not going to say that all staff are guaranteed a job because they may not want to transition. So it will be up to staff. They will have that autonomy. There will be an application process, which I think is appropriate, especially given the legislation that comes into effect in early April regarding the positive duty for reasonable adjustments and I think an application process is a great way to reveal that to Vinnies.

**MS CLAY:** For Green Shed staff hired by the new operator, are those staff guaranteed that they will be offered pay at least at the same rate and that they will be earning at least as much as they earned with The Green Shed?

**MS CHEYNE:** Staff will be transitioned onto the Vinnies agreement, which generally pays above the award rate that is attributed to this type of employment. Vinnies is still determining the specifics of the transitioning rates of pay, noting that different staff may be getting paid different rates and they are gaining access to that progressively. Vinnies have not yet been provided detailed information on all staff salaries at this stage and that is why it is difficult to provide a definitive answer. So there is still work to

determine the transition of business, including leave and entitlements, but early indications are that staff employed by The Green Shed would be paid out any leave they have accrued during their time at The Green Shed and then they would begin to accrue leave again if they were to take up the offer of employment with Vinnies.

### **Transport Canberra—bus services**

**MR PARTON:** My question is to the acting Minister for Transport. Minister, the whole town is talking about the failure of your government to ensure that adequate public transport was available after Symphony in the Park. In the weeks prior to the event, and the wider Enlighten Festival, Transport Canberra encouraged people to leave their car at home and take public transport to the events. Minister, why did the government encourage people to catch public transport to Symphony in the Park when there were no buses to take them home after the event?

**MS CHEYNE:** I thank Mr Parton for the question. I am not sure if Mr Parton was actually present there, so I think it is worth highlighting some of the facts regarding exactly the number of people we are talking about here, of the record-breaking crowd, that attended the world premiere of Hoodoo Gurus with the Canberra Symphony Orchestra, which, by all accounts, was incredibly well received. My understanding is that, of the people Events ACT discovered were waiting in anticipation of a bus service—and it is not clear to me whether or not they were expecting the shuttle bus that was taking visitors to and from the Enlighten projections or whether they were looking for public transport itself—12 to 15 people were waiting to go northbound and 20 to 30 were waiting to go southbound. That was out of our record-breaking crowd of 15,000.

If people were looking to take public transport and did take public transport to Symphony in the Park, my expectation is that they most likely would have used the Journey Planner. If people were going to an event and expecting to take public transport home, I would also be expecting that they would be using the Journey Planner to see what options were available to them to go home. The Sunday bus timetable has been the way it has been for 18 months, if not two years. So that information is publicly available.

**MR PARTON:** Minister, will you apologise to Canberrans, tourists and the many people who have suggested on social media that they were left stranded for leaving them stranded after Symphony in the Park?

**MS CHEYNE:** Yes; I am sorry. I have no issue apologising. That was regrettable and I am sorry that it may have had an impact on their impression of the event overall. I do not actually believe that that is the case, given some of the widely reported comments and that there were only a few who stressed that it was a fantastic event but that, for some people, it was marred at the end with respect to getting home.

Events ACT has absolutely reflected on having an event of that calibre, with an audience of that size. It can be difficult for us to estimate when it is a free event. Symphony in the Park attendance figures have fluctuated wildly over the last three years, especially as we have been coming out of COVID. But, if we were to put on a

similar event, of a similar calibre, then yes, of course, we would be looking at how we could move people in and out of the event more efficiently and to the expectation that the community would have.

**MS LAWDER:** Minister, what impact has the Symphony in the Park debacle had on public confidence in the public transport system after big events?

**MS CHEYNE:** I would not say that there has been an impact on public transport confidence regarding big events. In fact, I would acknowledge that at Skyfire this past Saturday there was free public transport and it was widely utilised. We again had a record-breaking crowd, with more than 100,000 people around the basin of Lake Burley Griffin who were supported by Transport Canberra in getting to and from that area, especially noting that, with the danger that comes with fireworks, there was limited parking available. So we did see a great uptake of public transport.

I do not think there has been an effect at all. In fact, the most regrettable thing for me is that the focus has been on a handful of people who were left stranded—and I do apologise to them—and not on the Hoodoo Gurus and what a fantastic concert it was. I want to put on the record my thanks to the Canberra Symphony Orchestra for being so innovative and open and for putting on such a fabulous with Events ACT.

### **ACT Policing—Gungahlin**

**MR MILLIGAN:** My question is to the Chief Minister, in his capacity as acting minister for police and emergency services. Minister, on 6 March this year, it was revealed that the Gungahlin staff were to be moved to the Belconnen Police Station. The *Canberra Times* in February stated that all other police stations were already at capacity, including the Belconnen Police Station. Minister, what has been the impact of this move on the Belconnen Police Station and the staffing there?

**MR BARR:** I have received no advice, as acting minister, that there is a major problem, but I will take the question on notice and seek a meeting with the new CPO later this week. I will raise it with him then.

**MR MILLIGAN:** Chief Minister, what is being done to support policing in Gungahlin, especially during peak times when it can take up to half an hour to reach areas of Gungahlin from Belconnen?

**MR BARR:** I understand ACT Policing have put in place operational arrangements to support that. I do not have the detail of that. Again, I can take that on notice for Mr Milligan.

**MR CAIN:** Chief Minister, what has been the impact on police services for Belconnen, given the extra workload they have now inherited?

**MR BARR:** I believe ACT Policing's view is that there is no impact. Again, I will discuss that with the CPO on Friday and, if there is any new information, I, or the minister for police, will provide it to the Assembly during a subsequent sitting.



## **Economy—cost-of-living**

**MS ORR:** My question is to the Chief Minister. Chief Minister, how will the Commonwealth's revised stage 3 tax cuts affect Canberra's economy?

**MR BARR:** I thank Ms Orr for the question. The tax cuts have now passed both houses in the federal parliament and come into effect in July. They will have a positive impact for more Canberrans than the previous tax arrangements, and that will flow directly through our local economy. The revisions to the tax cuts put more money in the pockets of lower- and middle-income earners than was the case under the previously legislated tax cuts.

This is particularly relevant in the ACT, given we have an above national average level of income earners in that particular set of tax brackets. Many low- and middle-income earners in Canberra will be over \$800 a year better off than they would have been under the previously legislated tax cuts. People in these salary brackets are in fact—

**Ms Lawder:** I have a point of order, Madam Speaker.

**MADAM SPEAKER:** Ms Lawder.

**Ms Lawder:** With regard to standing order 114, questions to ministers are about the matters that they have direct control over. They refer to a “matter of administration for which that minister is responsible”. I'm not sure how federal stage 3 tax cuts—

**MADAM SPEAKER:** Thank you. I think it is in order, because part of the question was the impact on the Canberra community. So I think it is in order, from that point of view.

**MR BARR:** Thank you, Madam Speaker. The opposition—vocally—may not like the tax cuts. He interjections—

**Mr Parton:** Just the standing orders, please.

**MADAM SPEAKER:** Yes, Mr Parton. That would be good!

**MR BARR:** Touché, Madam Speaker!

The fact that more money will flow into Canberra's economy is a good thing for economic activity in the ACT. It will bring real and practical benefits for our retail, hospitality and service sectors.

**MS ORR:** Chief Minister, how has the ACT government's approach to its public service EBA negotiations complemented the commonwealth tax cuts?

**MR BARR:** Thank you. We weave into our EBA negotiations across a range of agreements a key principle to provide the biggest pay rises to our lowest paid workers—those such as our hardworking cleaners, our mowers, our teachers' assistants and others who work hard every single day to make our city better.

The ACT government is the second-largest employer in the territory, given the state and local government responsibilities that we hold. Our employment, wage and conditions settings do have a material impact on the territory economy and, indeed, flow through into economic activity. The agreement offers combined multiple, fixed-dollar increases as well as percentage increases. This combination provides workers on lower salaries with higher increases than would be provided if a simple, single recurrent percentage were applied. Given immediate cost-of-living pressures on ACT government staff, we also paid an initial \$1,250 cost of living supplement.

This approach aligns well with the adjustments to the commonwealth tax-cut package, which provides more money for lower- and middle-income households in the territory. So it is an example of both governments working together to make a meaningful difference—to put more money into the pockets of low- and middle-income households in Canberra.

**DR PATERSON:** Minister, how will the commonwealth's tax changes and the ACT government's cost of living measures work to support Canberrans under financial pressure?

**MR BARR:** The revised commonwealth tax arrangements, the ACT government's EBA negotiation outcomes and a range of important cost-of-living measures that the ACT government has put in place—and some future ones that we look forward to partnering with the commonwealth on—will ensure that more money is going to low- and middle-income households in the ACT. This is important, and it is active decision-making from both levels of government to ensure that more of the benefits of economic growth are shared more evenly across our community.

Here in the ACT, we have a very high proportion of pay-as-you-earn taxpayers who benefit from the commonwealth's arrangements, but for those who are on statutory income support, this is an opportunity for the commonwealth and territory governments to partner in the provision of additional financial supports for those households. We have already done so in this current fiscal year, and we look forward to doing more in the coming 12 months.

### **Government—Mugga Lane and Mitchell recycling depots procurement**

**MR BRADDOCK:** My question is to Minister Stephen-Smith, who I believe is acting as the special minister of state for procurement. If I have that wrong, please forgive me. The ACT government chose to conduct a procurement process for the reusable facility as a one-stage request for proposal, not a two-stage process that would have allowed further consultation with industry following initial submissions or request for tender. Why did the government make this choice, and did the government clearly communicate it from the start?

**MS CHEYNE:** I will take that question. To answer Mr Braddock's question, last year TCCS issued a request for proposal to the market for the management and provision of the services at these facilities. It was a competitive open tender process run by TCCS with the support of Procurement ACT. A request for proposal was undertaken instead of a request for tender, as an RFT would have been too prescriptive. An RFP allows the government to seek industry's advice and ideas on possible innovations and

improvements in the service offering. This is a service which has been contracted out since 2003 and, as is well-known now, The Green Shed was the successful contractor in 2010 and 2011 for the two sites respectively, and their contract for the management and provision of these services had been extended several times.

The procurement did not go to the Procurement Board as it is under the necessary threshold of \$5 million contract value. Procurement ACT's advice was sought during the procurement process, although ultimately the procurement is managed by TCCS as a goods and services procurement. Procurement ACT provided advice that a two-stage procurement was not necessary in this instance once the one-stage RFP procurement was conducted, which was communicated to industry during industry briefings.

**MR BRADDOCK:** With the decision not to refer it to the Procurement Board, was any consideration made of the value-in-kind of the salvage rights to the materials?

**MS CHEYNE:** This is a zero-sum contract. It is of zero value to the ACT government, meaning that the sheds themselves are let at a peppercorn rate and the contractor is free to then do what they will with the material that they are recovering. What the ACT government did through TCCS was assess the tenders on the services that the proposals put forward in their submissions, with a value on environmental and social outcomes rather than purely economic outcomes. The contract has not been valued, but the inclined valuation of the two sheds has been estimated at \$200,000 per annum.

**MS CLAY:** Minister, over the full term of the contract, what is the total in-kind value of the contract, including those salvage rights, which have been costed by this government in the past?

**MS CHEYNE:** I will take that on notice.

### **ACT Policing—Gungahlin**

**MR MILLIGAN:** My question is to the Chief Minister as acting minister for police and emergency services. In February this year, the minister for police and emergency services announced infrastructure updates including the Joint Emergency Services Centre in Gungahlin, but there is nothing on the subsequent linked website to provide any details of these updates. The Gungahlin Joint Emergency Services Centre has been shut down due to environmental concerns, and the temporary building was also shut down last week due to safety concerns.

Chief Minister, can you provide the people of Gungahlin with details of what the infrastructure updates are?

**MR BARR:** I will take that question on notice.

**MR MILLIGAN:** Chief Minister, when will the updates be completed and the Joint Emergency Services Centre reopened?

**MR BARR:** I understand the government is awaiting advice on that completion date. Once we have that, we will make that public.

**MS CASTLEY:** Chief Minister, what is being done in the meantime to ensure that the people of Gungahlin are kept safe, especially during busy times at the Belconnen station?

**MR BARR:** ACT Policing are aware of those issues and have structured arrangements accordingly.

### **ACT Policing—Woden Police Station**

**MR MILLIGAN:** My question is to the Chief Minister as acting minister for police and emergency services. Minister, in the last few weeks we have seen the reduction of operational staff at the Civic Police Station as well as the closure of the Gungahlin JESC. Now it also transpires that the Woden Police Station is not fit for purpose due to air conditioning issues. Minister, how long have these issues with the air conditioning at Woden Police Station been known for?

**MR BARR:** I have not been briefed on that matter but I will take it as a question on notice and I will provide that information in due course.

**MR MILLIGAN:** Chief Minister, why has nothing been done to fix the concerns raised by staff and an effort made to replace the air conditioning at the Woden Police Station?

**MR BARR:** I am not sure it would be fair to characterise the matter in that way, but I will seek some advice on the progress of rectification works and that will be available for the Assembly in due course.

**MR HANSON:** Minister, how long will it be before the air conditioning is replaced and the property made fit for purpose?

**MR BARR:** Welcome back Mr Hanson. Thank you for the question. As soon as possible and as soon as I have information on what that timeframe is—as soon as the government does—we will make that available.

### **Government—Mugga Lane and Mitchell recycling depots procurement**

**MISS NUTTALL:** My question is to the Minister for City Services. Each year, the government reports on the ACT's total recycling rates in annual reports. This information is based on surveys and audits of material recovered. The government has been reporting Green Shed recycling rates for over a decade, and I understand they recover around 7,000 to 8,000 tonnes of material each year. What contract provisions are included in the new contract to ensure that the new operator recycles at least as much material as The Green Shed did?

**MS CHEYNE:** I think it is important to note that it has been well understood by the government, the community, industry and indeed the media that the calculation of the recovered material at The Green Shed has been an estimation. It has been inexact. It has been based on goods coming through and sight of what those goods are and how that translates to what CO2 emissions have been diverted as a result. I would note that the figure of between 7,000 and 8,000 tonnes is in fact from Ms Clay's carbon audit of

The Green Shed back in 2019. I believe that is where that figure may be drawn from. I would note that, in that carbon audit, it did say that the dataset is an estimate only and that The Green Shed provided this after discussion of operations and percentage breakdown with the site managers and the owners. So I think that confirms that. So it is no secret that it has been inexact.

In the absence of further data—and noting the contract provisions as they stood—TCCS has been relying on the monthly figures that The Green Shed has provided to determine the percentage that is being diverted from landfill and reporting that in its annual reports. The figures that have been provided have been round numbers, because they are estimations, and they have been taken and accepted on face value, while also being realistic that the data has been inexact. Vinnies is proposing to weigh the material and, naturally, that will provide us with better data.

**MISS NUTTALL:** Will the government include contract provisions to require the new operator to arrange repairs for broken items and upcycling, so that less material is sent to landfill?

**MS CHEYNE:** That is my understanding. The advice I have is that Vinnies will continue many of the environmental programs that The Green Shed currently runs, including tag and test, repairs, upcycling, and giving materials away to artists, schools, refugees and other individuals and groups in need.

**MS CLAY:** Minister, how much of the data reported by the ACT government over the past 15 years, based on the industry surveys with these estimates in them from The Green Shed and other operators, now needs to be corrected if this data is not accurate?

**MS CHEYNE:** We are not going to know until the contract begins and then we will have a much better understanding of what the data is. But I would note that Ms Clay, with her carbon accounting qualifications, did conduct that audit for The Green Shed back in 2019, and that is publicly available. I believe that is where some information has been drawn from over the last few years. We will have a look at what data we get from Vinnies weighing the material that comes through and what the actual landfill diversion is, and we will certainly be transparent about that.

### **Light rail—stage 2B**

**DR PATERSON:** My question is to the Acting Minister for Transport. Minister, unlike the Canberra Liberals, I am very passionate about light rail stage 2B to Woden.

Minister, how is the ACT government progressing with light rail stage 2B?

**MS CHEYNE:** I thank Dr Paterson for the question. The ACT government has continued to progress with the complex design, planning and approval stages for light rail stage 2B. I am pleased to advise the Assembly that the project time line for light rail to Woden is now available on the Built for CBR website, and construction of stage 2B is set to occur in 2028.

The new referral to the Australian government under the Environment Protection and Biodiversity Conservation Act was published earlier this month for public comment. Alongside this, early designs of some of the proposed stops were published, so that members of the community could see how the project will contribute to the broader integrated transport network and feel of their local area.

We have also proactively begun work to develop the detailed environmental impact statement, with the expected outcome of the referral, including the supporting of detailed investigations and studies. We are engaging Canberrans early through these processes, so that they can help to shape how the project is designed, to ensure that we maximise the benefits for communities along the line.

With the ACT growing faster than any other jurisdiction in the country, it is critical that we build the infrastructure now to meet the needs of our city in the decades ahead.

**DR PATERSON:** Minister, how will light rail to Woden address the future transport needs and challenges for Canberra?

**MS CHEYNE:** I thank Dr Paterson for her supplementary and her passion for stage 2B. Canberra's population will nearly double by 2060. We need to progressively build a transport network that a bigger city needs, to avoid the congestion and vehicle emissions problems faced by others. We know this is done by delivering an integrated public transport network which takes into consideration all transport modes, including light rail, buses, active travel, rideshare and private vehicles. Light rail to Woden is central to this, by providing that mass transit spine between the north and the south of Canberra.

Through stage 1, we have seen that light rail has resulted in a significant reduction in motor vehicles along the Northbourne Avenue corridor, and has been a major catalyst for choosing public transport over private motor vehicles. Every car off the road reduces congestion and emissions, frees up parking, and benefits everyone that uses the transport network.

Light rail to Woden will extend these broader transport benefits to the nearly 20,000 adjacent residents and provide them with access to a zero emissions and high frequency transport service into the city, and then further, into Dickson and Gungahlin. It provides new opportunities for integration with rapid and route bus services, as well as active travel infrastructure along the future corridor.

**MR PETTERSSON:** Minister, how can members of the community have their say on the location and design of light rail stops in their local area?

**MS CHEYNE:** Thank you, Mr Pettersson. The EPBC referral documents have been published on the website of the Department of Climate Change, Energy, the Environment and Water for the public to access. Canberrans, including people living and working along the alignment, will also be encouraged to have their say on the design of the project as the EIS is developed.

*Mr Parton interjecting—*

**MS CHEYNE:** We encourage all Canberrans, including Mr Parton, to get involved in shaping this long-term asset for Canberra by visiting the Built for CBR website for information on how they can have their say, subscribing to light rail stage 2B project updates to find out more about upcoming community consultation, and commenting on the interactive map, where they can provide feedback on the preferred route and highlighted points of interest, such as stops.

I would like to thank the team in Major Projects Canberra for the diligent work they have put in, in ensuring that public information on the project is up to date and accessible for the community.

On that, I would note that there will be a road closure where Parkes Way intersects with Vernon Circle, with that cloverleaf there that is still in existence, starting from this Thursday. I would encourage people to check the website. Even if they are not that keen on stage 2B, as those opposite might not be, it is still worth being signed up to those newsletters because they do provide some great comms for the community, so that they can be prepared for any impacts to traffic resulting from works in stage 2A.

**Mr Barr:** Mercifully for our guests in the public gallery, that is the conclusion of question time! I ask that all further questions be placed on the notice paper.

### **Supplementary answer to question without notice Government—Mugga Lane and Mitchell recycling depots procurement**

**MS CLAY:** I would like to seek a correction of the record, if one is merited, and seek a personal explanation for something that was said in question time. May I do that?

**MADAM SPEAKER:** Do you claim to be misrepresented, Ms Clay?

**MS CLAY:** I believe so, yes.

**MADAM SPEAKER:** Yes, then come.

**MS CLAY:** I think I heard; I may have misheard—this is the opportunity to get the facts right—there was a figure that I quoted of 7,000 to 8,000 tonnes of material recovered by The Green Shed each year. That figure was actually repeated to me yesterday in a briefing from TCCS. I believe that figure came from industry recycling surveys that have been reported by ACT government in annual reports as part of our recovery rates for 10 or 15 years. I think that is where the figure came from. I do not think TCCS probably quoted a figure to me based on a blog that I wrote six years. I think they were probably using industry and ACT government figures. So can we please get a record correction of where that figure comes from?

**MS CHEYNE:** I am happy to provide further information. As I was explaining, the figure is inexact. It is an estimate. It is based off-site. It is based on exactly the same methodology that Ms Clay was working off when she provided her audit to The Green Shed back in 2019. On that, the figure that gets reported to us each month is around 700 to 750, which translates to between 7,000 to 8,000. I note that in Ms Clay's carbon audit, the figure is 7,250. So it is all quite consistent. I think when we are drawing from estimates data that is inexact, the fact that we still have something that is reasonably

consistent to work off reflects the circumstances at hand. But it is certainly not—I am not necessarily suggesting that this is where the figure has been drawn from. Certainly, The Green Shed does have to provide a monthly update to TCCS to help them do their own calculations. Given their calculations seem to accord exactly with the methodology that was used in 2019, I thought it was relevant to the question.

## **Answers to questions on notice**

### **Questions 1315 and 1519**

**MRS KIKKERT:** I move, under standing order 118B, that the Assembly takes note of the explanation given to me by Minister Berry for question number 1315 is completely unsatisfactory. Minister, for five of those questions—actually six of those questions—you answered that the ACT government is not in a position to respond to this question. I followed up with a question a few months later, and in response to that, your question number 1519, was still an unsatisfactory answer. You said, Minister Berry, the government is still not in a position to answer parts one to five of question on notice number 1315.

**MADAM SPEAKER:** I think it was after an explanation about a question—so 118—any member at the conclusion of a statement may move they take note of an explanation. Ms Berry, have you provided an explanation to that QoN that Mrs Kikkert is actually now referencing?

**Ms Berry:** I think—if I have this right, Mrs Kikkert is referring to a question on notice that I have replied to and she is unsatisfied with the reply. That is my understanding.

**MADAM SPEAKER:** That is—you have made your comments, Mrs Kikkert. That is where we will leave it. Thank you.

**Mrs Kikkert:** Sorry, Madam Speaker, just going on standing orders, I seek your guidance.

**MADAM SPEAKER:** Yes.

**Mrs Kikkert:** It says that—question seeking information—if a minister has not provided an answer to the question within that time or has not provided the member who asked the question with a satisfactory explanation or statement as to why the answer has not yet been provided, at the conclusion of questions without notice, then the member may seek an explanation if the answer is unsatisfactory.

**MADAM SPEAKER:** One moment, Mrs Kikkert. Members, the advice is that the minister has replied. You are not satisfied with the answer that you have been provided. That is not relating to the standing orders you are looking at here. Can I make a suggestion that you re-question the minister and see where we go from there? The minister is clearly on notice that you are not happy with what she has provided to you but you saw the exchange between me and the clerk desk, and it is not to this standing order. I will give the opportunity for the minister to make a comment or perhaps forewarn that you provide additional information, or you believe the matter is done.

**Ms Berry:** I can seek further advice, Madam Speaker. I am happy for the question to be put again if that is satisfactory as well.



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

**Ms Lawder:** I think, if I may, Madam Speaker, Mrs Kikkert referred to 118A(c). She has moved a motion that the minister has not provided an explanation or statement to the satisfaction of the member, which is what Mrs Kikkert moved to start with. It does not say it has to be in writing. She has moved a motion saying she is not happy with the explanation that was provided.

**Mr Rattenbury:** Madam Speaker, if I might assist. I believe the issue at the standing order is that a member can be dissatisfied with the explanation as to why the answer has not come. They do not have a ground to be dissatisfied with the answer.

**MADAM SPEAKER:** Thank you. If—

**Mrs Kikkert:** Madam Speaker, if I may?

*Opposition members interjecting—*

**MADAM SPEAKER:** Members. Yes?

**Mrs Kikkert:** I am seeking guidance here. On page 448, in the *Companion to the Standing Orders*, it says that a member can raise issues after questions without notice if they are dissatisfied with answers from a minister when they put the question on notice. When they receive answers from the minister that basically say, “The ACT government is not in a position to respond to this question”, “The ACT government is not in a position to respond to this question,” that is very unsatisfactory, Madam Speaker.

**MADAM SPEAKER:** Members, you have witnessed I am seeking advice from the clerks desk here. I appreciate it is not as straightforward, but the advice is that it is about a motion on the explanation, not necessarily the question. I will, if I can, take this away overnight and speak further with the Clerk’s office, and come back with a statement and a ruling tomorrow. If then you have an opportunity or not, we will deal with it tomorrow if we can, Mrs Kikkert.

**Mrs Kikkert:** Thank you, Madam Speaker.

**Ms Berry:** Madam Speaker, just a question of clarification. I did not hear Mrs Kikkert move it as a motion. So is it being considered as a motion? Or is it a question—

**MADAM SPEAKER:** She is referencing 118A(c), where it says:

... in the event that the Minister does not provide an explanation or statement to the satisfaction of the Member, that Member may, without notice, move a motion with regard to the Minister’s failure to provide an answer ...

The heart of that is an explanation as to why you have not answered it. It has not been provided. That is not the state where we are at the moment.

**Ms Berry:** Sorry, Madam Speaker, there is no motion before the Assembly at this stage?

**MADAM SPEAKER:** Not at the moment. For clarity I will seek further advice and to come back, but can I also suggest that between Mrs Kikkert's office and the minister's office, you may want to explore further information attached to those questions.

**Ms Berry:** As I have said, I am happy to have the question again and I will seek further advice.

**MADAM SPEAKER:** There is an opportunity there for you, Mrs Kikkert.

**Mrs Kikkert:** Do you want me to repeat the question number or can you look it up?

**MADAM SPEAKER:** No, no. If you can forward it to her formally, thank you.

**Mrs Kikkert:** Okay, no worries.

## Papers

**Madam Speaker** presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Report No 1/2024—Urban Tree Management, dated 23 February 2024.

Bills, referred to Committees, pursuant to standing order 174—Correspondence—  
Bills—Inquiries—

Appropriation Bill 2023-2024 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2023-2024 (No 2)—Copy of letter to the Speaker from the Chair, Standing Committee on Public Accounts, dated 14 February 2024.

Disability Inclusion Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Education and Community Inclusion, dated 14 February 2024.

Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 14 February 2024.

Bills—Not inquired into—

Biosecurity Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 14 February 2024.

Civil Law (Wrongs) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 14 February 2024.

Climate Change and Greenhouse Gas Reduction (Membership) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 14 February 2024.

Crimes Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 14 February 2024.

Residential Tenancies Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Economy and Gender and Economic Equality, dated 21 February 2024

Road Safety Legislation Amendment Bill 2023—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 16 February 2024.

Workplace Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Economy and Gender and Economic Equality, dated 21 February 2024.

Government Agencies (Campaign Advertising) Act, pursuant to section 20—Independent Reviewer—Report for the period 1 July to 31 December 2023, dated 18 February 2024, prepared by Bill Campbell AO KC.

Memorandum of understanding between Speaker of the Legislative Assembly for the ACT and the ACT Work Health and Safety Commissioner, dated 13 and 23 February 2024.

Public Accounts—Standing Committee—Report 21—*Inquiry into Annual and Financial Reports 2022-23*—Speaker’s response to Recommendations 2 and 3, dated 15 March 2024.

Standing orders—

99B—Petitions—Referral advice—Correspondence—

e-petition 019-23 Japanese domestic market style number plates—Introduction—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 15 February 2024.

e-petition 022-23—Scullin and other areas—Tree hollows—Protection—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 15 February 2024.

e-petition 023-23—Belconnen—Public transport outcomes—Improvements—Copy of letter to the Speaker from the Chair, Standing Committee on Planning, Transport and City Services, dated 15 February 2024.

e-petition 027-23—*Crimes (Sentencing) Act 2005*—Sentencing procedure of child sexual abuse cases—Amendment to remove good character references—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 14 February 2024.

191—Amendments to:

Gaming Machine Amendment Bill 2023, dated 13 and 14 February 2024.

Government Procurement Amendment Bill 2023, dated 13 and 14 February 2024.

**Ms Cheyne** presented the following papers:

Auditor-General Act, pursuant to section 21—Auditor-General’s Reports—No 9/2023—2022-23 Financial Audits—Overview and No 11/2023—Financial Results and Audit Findings Report—Government response, dated 18 March 2024.

Budget 2023-2024—Financial Management Act, pursuant to section 10—Supplementary Budget Papers—Environment, Planning and Sustainable Development Directorate—Corrigendum, dated 19 March 2024, together with a statement.

Crimes (Sentencing) Act, pursuant to section 61E—Statutory Review—Part 4.6 of the *Crimes (Sentencing) Act 2005*, dated March 2024.

Crimes Act, pursuant to section 35AB—Statutory Review—Sections 35A(2) and (3) and 35AAA of the *Crimes Act 1900*, dated March 2024.

Financial Management Act, pursuant to section 26—Consolidated Financial Report for the financial quarter ending—

30 June 2023—Amended, together with a statement.

31 December 2023.

Justice and Community Safety—Standing Committee—Report 20—Inquiry into penalties for minor offences and vulnerable people—Government response, dated February 2024.

Public Accounts—Standing Committee—Report 20—Inquiry into Auditor-General’s Performance Audit Reports July – December 2022—Government response, dated March 2024.

Public Accounts—Standing Committee—Report 22—Inquiry into Appropriation Bill 2023-2024 (No 2), and Appropriation (Office of the Legislative Assembly) Bill 2023-2024 (No 2)—Government response, dated March 2024, together with a statement.

Public Sector Management Standards 2016, pursuant to section 56—Engagements for Long-term ACT Public Service Senior Executives—1 September 2023 to 29 February 2024.

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Animal Welfare Act—Animal Welfare (Welfare of Horses in the ACT) Mandatory Code of Practice 2024—Disallowable Instrument DI2024-11 (LR, 18 January 2024).

City Renewal Authority and Suburban Land Agency Act—City Renewal Authority and Suburban Land Agency (Authority Board Member) Appointment 2024 (No 1)—Disallowable Instrument DI2024-18 (LR, 5 February 2024).

Construction Occupations (Licensing) Act—Construction Occupations (Licensing) Building Energy Efficiency Assessment Sale and Lease of Residential Premises Code of Practice 2024—Disallowable Instrument DI2024-7 (LR, 12 January 2024).

Financial Management Act—Financial Management (Insourcing Framework) Determination 2024 (No 1)—Disallowable Instrument DI2024-10 (LR, 18 January 2024).

Legislative Assembly (Members’ Staff) Act—

Legislative Assembly (Members’ Staff) Members’ Salary Cap Determination 2024 (No 1)—Disallowable Instrument DI2024-3 (LR, 9 January 2024).

Legislative Assembly (Members’ Staff) Speaker’s Salary Cap Determination 2024 (No 1)—Disallowable Instrument DI2024-4 (LR, 9 January 2024).

## Long Service Leave (Portable Schemes) Act—

Long Service Leave (Portable Schemes) Building and Construction Industry Employer Levy Determination 2024—Disallowable Instrument DI2024-12 (LR, 29 January 2024).

Long Service Leave (Portable Schemes) Community Sector Industry Employer Levy Determination 2024—Disallowable Instrument DI2024-16 (LR, 5 February 2024).

Long Service Leave (Portable Schemes) Security Industry Employer Levy Determination 2024—Disallowable Instrument DI2024-15 (LR, 5 February 2024).

## Major Events Act—

Major Events (Freestyle Kings Live Show) Notice 2024—Disallowable Instrument DI2024-6 (LR, 15 January 2024).

Major Events (Men’s One Day International - Australia v West Indies) Notice 2024—Disallowable Instrument DI2024-5 (LR, 15 January 2024).

Major Events (Women’s International T20 Australia v South Africa) Notice 2024—Disallowable Instrument DI2024-2 (LR, 15 January 2024).

Nature Conservation Act—Nature Conservation (Canberra Spider Orchid) Action Plan Revocation 2024—Disallowable Instrument DI2024-1 (LR, 8 January 2024).

## Public Place Names Act—

Public Place Names (Denman Prospect) Determination 2024 (No 1)—Disallowable Instrument DI2024-14 (LR, 29 January 2024).

Public Place Names (Whitlam) Determination 2024 (No 1)—Disallowable Instrument DI2024-17 (LR, 5 February 2024).

## Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation (National Multicultural Festival) Declaration 2024—Disallowable Instrument DI2024-13 (LR, 25 January 2024).

Road Transport (General) Concession Determination 2024 (No 1)—Disallowable Instrument DI2024-20 (LR, 8 February 2024).

Urban Forest Act—Urban Forest (Transitional Provisions) Regulation 2024—Subordinate Law SL2024-1 (LR, 15 January 2024).

## Water Resources Act—

Water Resources (Fees) Determination 2024—Disallowable Instrument DI2024-9 (LR, 18 January 2024).

Water Resources (Water Available from Areas) Determination 2024—Disallowable Instrument DI2024-8 (LR, 18 January 2024).

## Government—infrastructure investment

**MS LEE** (Kurrajong—Leader of the Opposition) (3.13): I move:

That this Assembly:

(1) notes:

- (a) the ACT Government has committed, through its infrastructure plan and other announcements, to build over the next 15 years, Light Rail Stage 2B, a new Northside Hospital, a new Bruce stadium, a new

- Canberra Theatre Expansion, a new Convention Centre, as well as other major infrastructure projects estimated to cost more than \$8.5 billion;
- (b) the Chief Minister has indicated that he plans to pay for these projects through 50/50 funding agreements with the Federal Labor Government;
  - (c) there have been no business cases, estimated completion dates, or detailed funding released to Canberrans as a part of these announcements; and
  - (d) during construction of Light Rail Stage 1, the Chief Minister cut projects in health and housing to ensure funds were reallocated to build the tram from Gungahlin to the City;
- (2) further notes:
- (a) more than half of new Capital Works Projects commenced by major directorates in the 2020-21, 2021-22, and 2022-23 budgets have been delayed;
  - (b) Capital Works Program expenditure reports for the 2020-21, 2021-22, and 2022-23 financial years show that the ACT Government has failed to spend over \$500 million of allocated funds on Capital Works Projects across major directorates;
  - (c) to fund these projects, the ACT Government will reach borrowings of at least \$18.5 billion with an interest bill worth more than double what the ACT Government currently spends on housing; and
  - (d) the Chief Minister revealed in Budget Review hearings that to fund his spiralling debt costs and to avoid a further credit rating downgrade, revenue can be increased through own-source revenue; and
- (3) calls on the ACT Government to:
- (a) commit to publicly releasing the business case for all projects listed in the ACT's infrastructure plan, and report to the Assembly by the last sitting in June 2024 whether the Federal Government has agreed to 50/50 funding; and
  - (b) publish a full list of delayed projects for each region in the next edition of the Our Canberra newsletter.

We have all heard the figure of speech, “You cannot have your cake and eat it too.” Canberrans must be wondering if Mr Barr has ever heard these words! He has been very vocal about his “once in a generation” infrastructure plan, which he says, cannot be delayed. Mr Barr used his annual State of the Territory speech to try and answer questions about how he plans to pay for these infrastructure projects, to justify the ACT's debt levels and to emphasise that the territory needs this infrastructure now.

Effectively, what the Chief Minister is asking Canberrans to do is just to trust the Labor-Greens government because of their “Experience over the last ten years.” This is a pretty strange choice of words from the Chief Minister given that when you look beyond the usual Labor-Greens spin and look at the facts, Canberrans have been utterly let down by the so-called experience of the government's infrastructure management and delivery.

This is a government that, time and time again, over-promises and under-delivers. Following the Treasurer's latest budget review which revealed his staggering \$1 billion

deficit, the *Riotact* released their story titled *No delaying infrastructure, says Barr, as Budget dips deeper into red*. One of the more extraordinary quotes from this article was when Mr Barr was asked whether the ACT could afford these infrastructure projects and he responded by saying:

...the question should be, can the Territory afford not to fund necessary infrastructure?

But it seems that it has taken an upcoming election to get Mr Barr and his ministers out and about announcing hundreds of millions of dollars in infrastructure projects which, based on his record over the last two decades, will be unlikely to see the light of day.

Let us have a look at Mr Barr's record of delivering infrastructure projects for Canberrans. Funding was announced in the 2017-18 budget for the Canberra Theatre Expansion Project. Six years ago and still no activity on that project. In 2017, Mr Barr scrapped the detailed design scoping for the new convention centre, despite the former Labor Chief Minister Jon Stanhope saying in 2008 that a new convention centre that meets international standards should be built. The Canberra Hospital expansion had funding for a feasibility study allocated in the 2011-12 budget, but Mr Barr ripped out that money, put the critical project on hold and reallocated the funds to the tram. The much needed Canberra Hospital expansion project is now due to be completed more than halfway through this year, 12 years after it was first promised!

Let us look at the Canberra stadium debacle. Mr Barr has recently announced a seventh feasibility study into a new stadium. That is right, the seventh feasibility study! It has been over 15 years since he first announced the initial feasibility study way back in 2009. Fifteen years on, countless study tours and feasibility studies later, and we are still no closer to even knowing the location of the stadium, let alone any concrete plans to actually get it built!

This Labor-Greens government and Mr Barr are treating Canberrans with contempt. He keeps announcing and re-announcing feasibility studies in the budget reviews in election years and expects the Canberra community to swallow his shallow promises that never eventuate. He did this in the 2019-20 budget review, and he did this in this year's budget review.

Surely even the producers of the TV show *Utopia* would reject some of this farcical bumbling mismanagement as too farfetched. We have a number of significant projects where there is no clear business case, but this has not stopped this government announcing that they will build it. We have a number of significant projects without any clear time frame in which they will be completed. This has not stopped the government announcing that they will build it. We have a number of significant projects where there is no clear plan for funding and this has not stopped this government announcing that they will build it. It takes an incredibly high level of delusion to claim that the territory cannot afford to delay these projects when this is precisely what the government have been doing for more than 15 years.

Now, Mr Barr likes to spruik his government's so-called experience. But when you look at the facts they are a government that do not have experience in delivering multiple

infrastructure projects. They have decades of experience in false promises, in abandoned projects and in dodgy procurements. They have become experts at blaming that on anything and anyone else but themselves. These are not once in a generation projects; these are once in an electoral cycle announcements for projects.

The Labor-Greens' track record of capital work project delivery can only be described as an utter failure. When you look at new capital works projects across the four budgets handed down this term, across all of the major directorates, including in health, education, city services and major projects, you will find that over 50 per cent of these projects have been delayed. Amongst the worst of these directorates has been the Chief Minister's own directorate, where more than 60 per cent of projects have been delayed across these budgets.

What is equally concerning to the Canberra Liberals is the consistent underspending of capital works compared to how much is allocated each year across these directorates. Using the figures in the June capital works program, it shows that this government has failed to spend more than half a billion dollars over the past three years.

Is this the experience that the Chief Minister is boasting about during his economic address? More than 100 projects delayed and half a billion dollars of funding that the Labor-Greens coalition has failed to spend from their own budgeted infrastructure plan, with a deficit of more than \$1 billion, borrowings that total nearly \$18.5 billion and an interest bill that will see Canberrans paying almost \$2 million a day in interest repayments alone in the forward estimates!

It is not surprising that Mr Barr is relying on the federal government to fund his election gamble. The Chief Minister has gone as far to say that it is essential that the commonwealth government increase their infrastructure spending in the ACT over the next decade. We know that this government cannot deliver multiple infrastructure projects at the same time, but have they at least managed to make a formal case to the federal government for funding?

A question on notice to the ACT government during a federal government inquiry asked the ACT government directly whether there has ever been a formal case to the federal government for a convention centre or a stadium. The response indicated that a new convention centre and stadium had been raised and, at various points, advice had been provided that funding was not on the commonwealth's short-term agenda. Is this the best that Canberrans can hope from the Chief Minister of the ACT in advocating for a funding commitment for these long outstanding infrastructure projects?

Today, I call on Mr Barr to be upfront and transparent with Canberrans about exactly what discussions have taken place with the federal government—what business case has been delivered to the federal government and what commitment he sought and received, if any, from the federal government on a commitment to help fund infrastructure projects in the ACT.

Mr Barr has a duty to the Canberra community to be upfront and transparent about why and how he can justify boasting that he expects to receive fifty-fifty funding from the federal government, because as far as the public can see, save the publicly announced



commitments from the federal government, both Liberal-National coalition and Labor on stage 2A, there has been not a single formal commitment on fifty-fifty funding for the numerous projects that are in the ACT government's so-called infrastructure plan.

If you want to know what Mr Barr has actually done in following through on delivery of these infrastructure projects, this pretty much sums it up: he has, for a long time now, spruiked his close relationship with federal Labor and how things will be different now for the ACT because his close mates are in charge, but since Mr Albanese has become Prime Minister, he has delivered more selfies for the Chief Minister's social media account than funding delivering commitments for what Mr Barr has spruiked as once-in-a-generation infrastructure projects.

The National Capital Investment Framework was announced with much fanfare, but there is nothing to indicate that it has delivered a single benefit to the ACT. What the commonwealth government has done is cut 50 infrastructure projects across the country that they believe have no merit or have no proper planning. Mr Barr must be in dreamland if he thinks that he will be able to secure fifty-fifty funding for more than eight projects from a government that are cutting projects around the country.

It is not even the major citywide infrastructure projects that are being delayed with question marks hanging over them. In every single electorate, there are examples of much-needed infrastructure projects that the government have failed to deliver. The commitment for a new southside hydrotherapy pool was made before the last election and promised to be delivered in the 2022-23 financial year. As we see so often with the government, months from an election they are quite happy to pose with hi-vis and hardhats for the sod-turning ceremony, but this project has been delayed and is now not expected to open until 2025. Schools in the new development of Straithnairn that were meant to be operational by 2025 have already been delayed, leaving families to apply for schools that are already over capacity. Construction commenced last year for the new Acton Fire Station, which is also expected to be delayed by at least a year more than the government had previously thought. New facilities in Gungahlin, such as the Throsby Home of Football and the Gungahlin tennis facilities that were promised, have also been delayed, despite residents calling for more leisure activities for years in the Gungahlin region.

All these projects were announced with great fanfare in the lead up to an election, and once he got them elected, they remain forgotten. There are countless examples throughout issues of the *Our Canberra* newsletter where the government use taxpayers' money to spruik projects that many Canberrans know will not be a reality in their lifetime.

This motion is pretty straightforward in its calls-on. It calls on the Chief Minister to be upfront and transparent with Canberrans and list in the next issue of the *Our Canberra* newsletter a list of every single project that has been delayed in each of the regions. If, as he likes to spruik, he is proud of his record on infrastructure delivery, he should have no issues with doing this. He has assured us before that the *Our Canberra* newsletter, which costs over \$600,000 of taxpayers' money each month to produce and distribute, is informative and not election material. If so, then he should have no problem publishing the list of numerous projects that have not yet eventuated, despite the numerous promises.

In addition, my motion also calls on the government to publicly release the business cases for the projects listed in his infrastructure plan and come back in the last sitting week of June to provide an update on whether the federal government has indeed agreed to fund these projects on a fifty-fifty basis.

After all his talk in boasting his economic and infrastructure delivery credentials, the Canberra Liberals are simply asking Mr Barr to provide what many Canberrans are seeking and have a right to seek, and that is some transparency and certainty about his so-called infrastructure plan.

If members of this Labor-Greens government do not agree to this motion, then every single one of them will have all but confirmed that they do not intend to deliver any of these projects in the infrastructure plan. It will be the same as the stadium, the convention centre, the Canberra Theatre Expansion Project, light rail stage 2A, the Canberra Hospital Expansion, and the list goes on. All promises and no delivery. Despite the spin, it is clear that Mr Barr cannot have his infrastructure cake and eat it too. I commend my motion to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Tourism and Minister for Trade, Investment and Economic Development) (3.25): I thank the Leader of the Opposition for bringing this matter forward, and I move the following amendment that has been circulated in my name:

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

“(1) notes:

- (a) the ACT Infrastructure Investment Program is forecast to be \$8.5 billion over the five years to 2027-28 to cater for our growing population;
- (b) the Government is updating the 2019 Infrastructure Plan by portfolio area, to provide the Canberra community, businesses, and the construction sector a clear indication of the pipeline of major infrastructure work planned in the ACT over the next 15 years;
- (c) the ACT population is anticipated to reach half a million by 2026-27, making investment in infrastructure necessary to maintain our world class living standards and wellbeing outcomes;
- (d) the updated Plans outline the Governments infrastructure priorities over the short, medium and long-term and provide information on the indicative costs of future works where possible;
- (e) the Government has committed, through its updated plans, to build over the medium-term, a new Northside Hospital, new schools and school expansions, Light Rail Stages 2A and 2B, a new Canberra Theatre Expansion, a new Convention Centre, a new Stadium as well as other major infrastructure projects such as the Molonglo River Bridge, and arterial road upgrades and active travel routes, that are necessary for the fastest growing jurisdiction in the country;
- (f) delivering major infrastructure projects requires long-term planning; and
- (g) financing of the Infrastructure Investment Program over the coming decade will be through a combination of operating cash surpluses, asset sales, significant Commonwealth co-contributions, market borrowings and leasing arrangements;

- (2) further notes:
- (a) approximately \$7.5 billion in important infrastructure has been delivered for the people of Canberra since 2014, including Light Rail Stage 1 from Gungahlin to the City, University of Canberra Public Hospital, five new schools across Canberra growth areas, new Nurse-led Walk-in Centres, ensuring we continue to lead the nation on a per capita share of public housing, and major community sporting and recreation facilities; and
  - (b) there are major projects currently underway and nearing completion, including: the Canberra Hospital Expansion, due for completion mid this year, Woden CIT, and Raising London Circuit, to connect the CBD to New Acton and facilitate Light Rail Stage 2 to Woden;
- (3) also notes that the Canberra Liberals have committed to oppose Light Rail to Woden;
- (4) calls on the ACT Government to continue to:
- (a) invest in infrastructure to meet the needs of our growing city;
  - (b) release business cases for major projects at appropriate times, to ensure transparency and provide accurate information to the community regarding the economic, productivity and community considerations informing Government decision-making, while protecting the commercial interests of the Territory and ensuring that value for money outcomes are not compromised; and
  - (c) work with the Commonwealth Government through the National Capital Investment Framework to ensure fair Commonwealth funding is provided to deliver essential infrastructure as it is required, and to update the Assembly on progress by June 2024; and
- (5) calls on the Canberra Liberals leader to provide a detailed breakdown in her Budget Reply as to what projects, alongside Light Rail Stage 2B to Woden, a Canberra Liberals Government would cut from the forward Infrastructure Investment Program, to better inform the Canberra community ahead of the October election.”.

The ACT’s Infrastructure Investment Program is forecast to be \$8.5 billion over the five years to fiscal 2027-28. This is necessary to cater for our city’s growing population. The government outlined in 2019 a long-term infrastructure plan, by portfolio area, to provide the Canberra community, businesses and the construction sector with a clear indication of the pipeline of major infrastructure work planned over the next 15 years.

Industry had been calling for a long-term infrastructure plan that stretched into multiple decades. This necessitates them identifying projects that will be necessary over the long term; but a 10 to 20-year infrastructure plan would not be funded in one budget, indeed even in one parliamentary term or in three parliamentary terms. Long-term infrastructure planning requires work, thinking, sequencing and delivery, and the government has been progressively delivering projects off the long-term infrastructure plan list.

The population of our city is expected to reach half a million in fiscal 2026-27. This makes investment in infrastructure necessary to maintain our world-class living standards and wellbeing outcomes. The government has updated the 2019 infrastructure plans, reflecting infrastructure projects that are now complete and providing further

information, including indicative time frames and indicative project costs, across a number of different infrastructure asset classes.

We have committed, through these updated infrastructure plans that are 10- to 15-year plans, to, over the medium term, construct a new north-side hospital—and we have had quite an extensive debate about the pathway forward for that project—new schools and school expansions, investment in public transport infrastructure, investment in performing arts infrastructure, live music infrastructure, convention facilities and, indeed, football stadiums, as well as other major infrastructure projects. I refer, for example, to the Monaro Highway duplication and further work that is occurring in relation to that project, particularly around intersections, flyovers and the like, the Molonglo River bridge, other arterial road upgrades and active travel routes—all infrastructure investment, small, medium and large, that is necessary to ensure that we are delivering for one of the fastest-growing cities in the nation.

The delivery of major infrastructure projects requires long-term planning, and it does require feasibility work. Sometimes feasibility studies come back and say that a project is not feasible—a stadium in the CBD, for example. Feasibility studies indicate that a project is not feasible, so that necessitates a further response to look at alternative locations. Feasibility studies are important because they give an early indication of whether a project is viable and deliverable. Sometimes feasibility studies say that is not the case—that, no, we will have to rethink. That has certainly been the case in relation to a CBD stadium.

I will contest Ms Lee’s characterisation that I commenced a process in 2008-09 in relation to stadium infrastructure. No. That was an Australian government process associated with our ultimately doomed bid for the 2022 football world cup. The commonwealth initiated that process, just to set the record straight.

Returning to infrastructure and the financing of an infrastructure investment program, the territory has traditionally financed its infrastructure through a combination of operating cash surpluses, asset sales and market borrowings. The commonwealth, from time to time, has been a co-contributor to infrastructure projects in the city. What I find remarkable about the opposition leader’s comments, and those from several of her colleagues, is that somehow seeking commonwealth co-investment in infrastructure is a bad thing. I know that the Liberal Party at a federal level has never supported significant infrastructure investment in recent Canberra history.

**Ms Lee:** You just said that Zed stood with you—stage 2A.

**MR BARR:** Well, there is one exception.

**Mr Parton:** What about the Monaro Highway?

**MR BARR:** That is being funded by the current government, not by the previous one. Commonwealth co-contributions are important and welcome, and I think it is unusual to make that observation. We welcome commonwealth co-contributions to the Molonglo River bridge, the Monaro Highway project and light rail. We look forward to and welcome the commonwealth’s investments in the Woden CIT, the Garden City cycleway—in a range of projects, big and small, in our territory.

We will, of course, borrow for infrastructure. It was entirely appropriate for the government, through our water utility, to borrow for the expansion of the Cotter Dam. There is an asset that has stored water for more than a century and that generates revenue every single year. It is appropriate that there were borrowings for that project. There are other projects where borrowings are appropriate.

At the heart of the opposition leader's criticism, and what is a pattern of behaviour that commenced with the call for a commission of audit, is clearly a view that there is too much being invested in infrastructure and too much being invested in health, education and other services in the territory. It is incumbent upon the opposition leader, if she is so concerned about the forward infrastructure program, to identify which projects she will not proceed with.

**Mr Parton:** I will give you one.

**MR BARR:** Yes, and we have one. We know there is one, but clearly there are others in the minds of the Canberra Liberals, from this motion, all of the rhetoric that we have seen and all of the concern, apparently, over the government's market borrowings for infrastructure. Just come clean and outline which projects you do not want to proceed with.

**Ms Lee:** How about you come clean? How are you going to pay for it all—\$8½ billion?

**MR BARR:** I have just outlined how I am going to pay for it all—operating cash surpluses, asset sales, commonwealth co-contributions, market borrowings and leasing arrangements. They will be the five forms of finance for ACT government infrastructure projects. I repeat that: operating cash surpluses, asset sales, commonwealth co-contributions, market borrowings and leasing arrangements. Examples of the leasing arrangements include two of the public-private partnerships—the Supreme Court project, and light rail stage 1 and the augmentation that is light rail stage 2A.

It is important to acknowledge that, since 2014, \$7.5 billion of infrastructure has been delivered, including light rail stage 1, the University of Canberra public hospital, five new schools across Canberra's growth areas, new nurse-led walk-in centres, major road projects, major active transport projects, new emergency services stations, new community facilities, upgrades to shopping centres, upgrades to parks and playgrounds, and new parks and playgrounds across our city—\$7½ billion delivered since 2014. Major new community, sporting and recreation facilities have been delivered over that time frame.

We currently have multiple major projects being delivered simultaneously—the Canberra Hospital expansion, the Woden CIT project, raising London Circuit and, of course, the work that is about to commence on light rail stage 2A. My amendment notes that the Canberra Liberals are very publicly committed to opposing further extensions of the light rail network.

**Mr Parton:** Yes.

**Ms Lee:** Yes.

**MR BARR:** Indeed. We get that endorsement very clearly. The next part of the amendment, at paragraph (5), calls on the Canberra Liberals leader to provide a detailed breakdown in her budget reply—so she has three months to prepare for this—as to what other projects the Canberra Liberals would seek to cut from the forward Infrastructure Investment Program, so that the community is indeed better informed ahead of the October election.

We have been clear about the projects we will seek to pursue over the next 15 years. We have been clear about that. We will be clear in this coming budget about the projects that will receive construction funding, projects that are works in progress that will be completed over the coming years, and any new feasibility or forward design work. That will all be outlined in detail in the annual budget papers. The Leader of the Opposition will then have an opportunity to respond to that program and, indeed, things that sit within the infrastructure plan, and will have the opportunity to be very clear with the community about which projects her party will support and which they will not.

Let us be clear about the purpose of today's motion, and the purpose of the motion a few years ago that called for a commission of audit. The Leader of the Opposition is seeking to soften the ground to make significant cuts to public expenditure and public infrastructure programs. Why else would you pursue this particular political approach? If you do not support projects that are in the forward infrastructure program, and you have identified one, identify the others. You seem to have no problem identifying the public transport project. Identify the others, because clearly it is a matter of concern for you.

It is standard Liberal Party operating practice: call for a commission of audit to identify things to cut. Whether that is infrastructure projects or public spending, that is clearly the agenda and that is what you are setting it up for. It is why you are presenting particular concerns in relation to the financing of infrastructure projects.

**Mr Parton:** We are here to hold you to account.

**MR BARR:** You can, and you will, seek to do that.

**Ms Lee:** Hence the motion.

**MR BARR:** Hence the motion. But you will also have to, before October, identify the projects you are going to cut, because clearly you are concerned that there is too much infrastructure in the pipeline. Clearly, you are concerned in relation to public investment in health, education, community services and emergency services.

**Ms Lee:** What?

**MR BARR:** Clearly, you have those concerns because you have come in here and called for a commission of audit. You call for commissions of audit when you are looking for an excuse to cut. It is what every Liberal Party opposition has done in each Australian state and territory over the last decade, from Campbell Newman—

**Ms Lee:** Is that what your government did when Stanhope raised it? Is that what Stanhope did?

**MR BARR:** That is exactly what Stanhope did. He called a commission of audit and he undertook—

**Ms Lee:** You were in the ministry, mate.

**MR BARR:** I was not in the ministry when he called the commission of audit. It was before my time in this place, but he called for it in order to cut. That is exactly what you did with your motion here earlier, and this motion is then following up that motion, in calling for a commission of audit. You are seeking to soften the ground to make cuts.

My amendment calls on you to be clear with the community in your budget reply as to what those cuts will be. You will have seen the budget, you will have seen the forward outlook and we will be a few months from polling day. The onus will be on you, Leader of the Opposition, to outline your alternative strategy. It is clear from what you have said today and what you have said over the course of the last 12 months that you believe expenditure on infrastructure and recurrent services in the territory is too high.

The onus is now on you, having raised the issue and raised the concern, to outline what you will cut. This amendment calls on you to come clean on that point in your budget reply. I do not expect you to list it today, but in your budget reply, just a few months ahead of the election, you will have that opportunity, and we call on you to do so. I commend my amendment to the Assembly. *(Time expired.)*

**MR RATTENBURY** (Kurrajong) (3.41): The Greens want to build a city with more housing, great health facilities, schools and colleges, expanded and active transport, and better community facilities. The city is growing, and our infrastructure needs to grow with our growing population, recognise the future that this city is facing and prioritise where we spend our infrastructure dollars. That is clear, because there are many projects that need to be done and we need to get on with them in order to meet the needs of this growing and changing city.

In terms of today's motion, it is a good opportunity to talk about those matters, and we are pleased Ms Lee brought this forward. The Greens, however, will be supporting Mr Barr's amendment. We believe it is a more accurate description of the infrastructure situation in the ACT and of the government's actions on infrastructure. There are some particular issues with Ms Lee's depiction of the situation that I will touch on later.

Borrowing to invest will increase the productive capacity of our city in the long run. It will improve wellbeing and help us to make Canberra a more livable place. The Canberra Liberals seem to want to cut projects which are much needed and potentially cut the public service, all in the name of a budget surplus fetish. It is clear that governments need to invest, and governments need to take a long-term view. That is certainly why the Greens have championed things like the light rail project.

We know that this city will continue to see a population increase. We know that we live on a footprint that is equivalent to the size of Sydney but with a population of just 450,000 or so. We know that, to prevent the destruction of the bushland, the grasslands and the protected habitats around our city, we need to think about how we become a more compact city.

How do we provide the housing, services and green spaces that Canberrans want, whilst at the same time making sure we provide the supporting infrastructure that goes with that? I refer to things like better public transport, including light rail, better lighting, and better walking and cycling infrastructure. These are the things that this city needs in the future. We need new schools; we need upgraded schools. These are essential services, and we are committed to making sure that we provide them for the city.

Ms Lee raised the issue of wanting to release the business cases for every project in the infrastructure plan. But when I think about the infrastructure plan, there are around 140 lines describing many projects, ranging from small things like local pool upgrades, all the way through to very large projects like the stages of light rail, the proposed stadium, the convention centre, various roads projects, new suburban developments and more.

The Greens are very supportive of projects having an infrastructure plan, and laying out what is on the program for coming years. This was put together after feedback from industry, who said they wanted to have a clearer picture of what was coming in the future. Whilst it is an indicative list, it does provide a very useful framework of what needs to be built, some sense of the time frame and the prioritisation of those projects, and it provides industry with a guide to the capacity that will be needed in the future in our city.

It contains projects which would not have just one business case, for example. If we look at the education section, it describes building new P-6 and 7-10 schools in multiple locations across the city. Clearly, each of those would need its own piece of work to be done as we go along.

One of the interesting questions I have is that, as much as the Greens support transparency, we also want to be mindful of ensuring that the ACT gets value for money. We have had this debate before. If one publishes one's business case and expected costings in advance of the commercial negotiations, you are leading with your chin. You are conditioning the market in a way which ensures a particular minimum cost. We want to do our best, through processes of commercial negotiations, to get value for money for the territory.

If we took the approach that Ms Lee seems to be suggesting in her motion, of publishing every business case in advance, it seems likely that we would not get the commercial advantage that the government should be looking for in those processes of negotiation. If that is the Liberal Party's approach, I fear that, in the future, we will not see great value for money outcomes for Canberrans. That is something we should be striving for as we seek to build this range of projects across the city.

With those few remarks, we will be supporting Mr Barr's amendment today. We think that it provides a good account of the current situation. It outlines the projects that have been built and those that are being targeted. It talks about the prioritisation that has been indicated through the infrastructure plan. I think that is a useful way of being clear and transparent with the community about what the priorities are and the time lines for them, and enabling the building of capacity amongst the industry sectors, particularly the civil sector here in the ACT. The Greens will be supporting Mr Barr's amendment.



**MR PARTON** (Brindabella) (3.46): The whole government is a sham. The entire government is built around promises that are either never delivered or they are promised, then repackaged, then re-promised again and finally some of them are delivered a long time after they were originally suggested.

The message that I have for those on the other side is that, out in the suburbs, they are on to you. We can all see what you are doing, and we are not going to let you get away with it. We all have our vices, but it is pretty clear that the Chief Minister's primary addiction is spending other people's money, and when you run out of it, it does not matter. You can just keep promising more; you can spend more and more, you can borrow more, and you can get deeper and deeper into debt.

There is no way that Labor and the Greens will support this motion because it would involve some honest talking and, in this space, they are not capable. The Chief Minister knows that he cannot pay for all of this stuff. He admitted it at the Hotel Realm on Wednesday afternoon of last week. In that big speech last week, Mr Barr said that increased commonwealth spending will be "essential" over the next decade to overcome the ACT's limited ability to raise its own revenue. That is what he said. He said that increased commonwealth spending will be "essential" over the next decade to overcome the ACT's limited ability to raise its own revenue. The Chief Minister essentially is saying, "We can't afford this stuff. We can't get these bright, shiny things that I've promised unless somebody else pays for it." If the only way that this government can deliver these projects is with other people's money, why did we promise to build them?

He talked about a more aggressive approach to selling land, but I would think there would be a much more aggressive approach to everything that has raising money attached to it. We have seen fines revenue explode again in recent months, and you can guarantee that there is more of that to come.

As the shadow minister for transport, I know all about the biggest money sinkhole in the territory, and that is the great tram to Woden. Even if we can somehow convince the federal government to tip in a large portion of funding for this project, it will still leave a catastrophic hole in our budget. Given the level of the federal commitment to this project, if indeed they line up with Mr Barr's thoughts publicly, I would not have thought they would be spending money on anything else in the territory. If \$2 billion goes to this single project, I would not have thought they would be stumping up for much else.

Stage 2, in its entirety to Woden, will not come in at under \$4 billion. I know it; you know it, Mr Assistant Speaker. They know it; we all know it. My original estimation of the cost, which I announced in November 2022, was just over \$3 billion for the whole stage. That estimation is now actually fanciful. We have now shifted to a figure closer to \$4 billion, most of which could come entirely from the cost blowout on stage 2A.

Mr Assistant Speaker, you must understand that I do not have the benefit of an entire government directorate to provide me with information on these matters. As much as the Liberals do a bit of fundraising, we have not been able to scrape together \$100 million to pay for an AECOM contract to advise us on these matters. You can understand that, as the opposition, we do not have full visibility of these things; nor do the people of Canberra, and they want it. They want to know what is going on.

Based on what we have recently learnt about the real cost of stage 2A, it is very clear that we are going to end up paying well over \$4 billion for stage 2 in its entirety. If the government could go to the public now with my original cost estimate, they would because, as we said at the time, it was an extremely conservative estimate. But when it comes to talk of those estimates, there is dead silence from the government. There is absolute silence because they know that the numbers are so bad that no-one will swallow them. The final numbers for this will be an economic nightmare. But they do not care. It does not matter how far into debt we slide.

With regard to the amendment from the Chief Minister: yes, we thought about it. Actually, no, we did not think about it. We looked at it and said that, no, we cannot support that. The Chief Minister, in his amendment, trumpets the Canberra Hospital expansion as a great achievement. I would note that it was originally promised by Katy Gallagher, wasn't it? It was originally promised a long time ago. It has been revealed that things have shifted in that space because of the spending on the tram. I cannot quite believe that the Chief Minister has the audacity to even mention it in this place.

There is also the audacity in the "calls on" of lecturing us on the subject of transparency. Honestly, what about the audacity of this Chief Minister in calling for us to come clean on the details in this infrastructure space? Has the Comedy Festival started early? That was my first thought. Has the Comedy Festival started early? Is the Chief Minister opening for Wil Anderson or Nazeem Hussain? Is that what is going on here?

The speech from the Chief Minister was complete spin. It was more dodging and weaving. He knows that they are not delivering what they have promised. In his time here as an MLA, as a minister and as a Chief Minister, he has become very good at talking the talk in this space. He is very good at it. He knows that they cannot do what they have said they will do, but he is clinging on, in the hope that the fine folk out in the suburbs will not notice. That is his hope—that they will not notice. I would say to the Chief Minister: we are here to make absolutely sure that those people are noticing. We will not be supporting the amendment.

**MS CASTLEY (Yerrabi) (3.53):** I stand in support of Ms Lee's motion. The idea of this motion is to hold the government to account, and it is clear that it is desperately needed. Labor's track record on health infrastructure is one of serial overpromising and under delivery. The new \$600 million critical services building at the Canberra Hospital is a case in point. It is a downgrade of the \$800 million expansion of the Canberra Hospital—promised, as Mr Parton mentioned, in 2012—the first stage of which was costed at \$375 million.

After the 2012 election the hospital rebuild was cancelled and that exact amount was allocated for the first down payment on the tram. The next proposal for Canberra Hospital's Woden campus was the SPIRE Centre, a 2016 election commitment that Labor pledged would open in 2022. By the 2020 election, work had not even begun. After being called in, work finally started on a revamped critical services building in November 2021, with completion now expected later this year. The good news here is that this is only three elections late, not pushing into the fourth, but we will just have to wait and see.

The Chief Minister recently admitted that the government prioritised finishing the critical services building over light rail 2A, thereby acknowledging the trade-off between funding the tram and funding health infrastructure. What has been the cost of delays to the critical services building over the last decade? Outpatient elective surgery waiting lists and emergency department wait times have blown out. Frontline hospital staff have been stressed and overworked. Training accreditation for a number of specialties has been lost or jeopardised. A bad workplace culture has festered and we have some of the worst health statistics in the country.

You would think that, given her record of under delivery on health infrastructure, the health minister would be embarrassed, but no. Every month or so she dons the hard hat and hi-vis for some stunt or another connected to the new building. Canberrans just want their hospitals to be safe, waitlists to be short and promised infrastructure to be delivered in full and on schedule.

In more underperformance on infrastructure, the government abandoned plans for an elective surgery centre at the University of Canberra Hospital precinct, which it promised at the 2020 territory election and which was expected to be finished by 2025. It is not just major projects. A new magnetic resonance imaging machine, MRI, for the Canberra Hospital was promised in 2019, with the installation by March 2021. This was not installed until September 2023. Canberrans have been let down time and again.

A couple of weeks ago the health minister issued a media release announcing the appointment of a head contractor to construct a new hydrotherapy pool on Canberra's south side. Completion is expected to be in the first half of 2025. That would be the hydrotherapy pool that was recommended in 2018, promised in 2020 and meant to be completed in August this year.

I recently received an answer to a question on notice advising that the expansion of pharmacy services at the Canberra Hospital announced in the 2019-20 budget, for completion in September 2020, will now not be completed until this month, some 3.5 years later, and that the cost has blown out from \$5.5 million to \$7.3 million. It is sadly the norm for health infrastructure projects in the ACT to protract for years.

The 2023-24 ACT budget showed estimated completion dates for at least 20 projects further delayed since the last budget. The government now claims its new \$1 billion north-side hospital will commence construction in 2025-26 and be operational by 2030-31. Given its appalling track record, one has to be sceptical about whether Labor can deliver this new hospital any time soon.

The Chief Minister's 12-year unbroken string of deficits, with more in prospect, not to mention his other pie in the sky infrastructure projects, must surely put Labor's time line for delivery of a new north-side hospital in jeopardy. I say again: Canberrans just want their hospitals to be safe, waitlists to be short and promised infrastructure to be delivered in full and on schedule. Labor is incapable of either.

I cannot conclude without mentioning the Chief Minister's laughable recent state of the territory speech. Mr Barr said:

There is a long list of infrastructure that will need to be built as Canberra grows. It cannot all be delivered at once, or even in the short term, but it will need to be

delivered over time. It will be financed by a combination of operating cash surpluses, commonwealth co-contributions, asset sales and borrowings.

The Chief Minister reiterated that in his speech earlier. It is certainly true that this government cannot deliver infrastructure all at once or even in the short term. Take the Tuggeranong ice rink, an election promise in 2016, expected in 2020, promised again in 2020, now expected in 2025. Nor can this government be counted on to deliver infrastructure over time. As Mr Parton mentioned, with the Canberra stadium it is 15 years and seven feasibility studies on. Here we go again.

As for the Chief Minister's financing options, there are his pie in the sky infrastructure projects operating with cash surpluses. You have got to be joking. We have got a decade of deficits and not a surplus in sight. Did I hear "asset sales" as well? Does that mean privatisation? What is this government going to sell, other than land? As far as borrowings over the forward estimates go, total borrowings are now anticipated to exceed \$18 billion. That is more skyrocketing debt and more pressure on our already downgraded credit rating. When it comes to infrastructure, I cannot believe that anyone takes this government seriously.

**MR CAIN** (Ginninderra) (4.00): I rise to speak in support of the motion moved by the Canberra Liberals leader, Ms Lee, and in opposition to the dismissive amendment from Mr Barr. The Leader of the Opposition has moved this motion because it is high time that transparency on government activities was afforded to the public and members of this Assembly. The Labor-Greens government, under Chief Minister Barr, cannot be trusted to responsibly spend the taxpayer dollars collected from ACT ratepayers. The mismanagement, waste, failures, broken promises and abandoned projects are endemic.

The Treasurer has projected a deficit for 2023-24 of \$782 million. Without arbitrary accounting tricks, our real projected deficit is over \$1 billion. The forward estimates project total borrowings to exceed \$18 billion, equating to almost \$2 million a day in interest repayments alone, which will take up the majority of rates collected from ACT taxpayers.

What the Leader of the Opposition's motion does is to introduce pragmatic measures to improve transparency and probity for projects listed in the ACT government's infrastructure plan. In the environment of billions of dollars in debt and deficit, we need practical reform like that suggested by the Canberra Liberals leader to ensure that the community are aware of the government's activities.

Just last month it was rather quietly brought to the attention of residents in Ginninderra that completion of the promised primary school in Ginninderra would be delayed—another example of a broken promise. In 2020 the Labor member for Ginninderra, Ms Berry, promised that construction of the Strathnairn school would commence in the first half of the current term, with delivery in 2025. While ACT Labor have removed evidence of this broken promise from their website, thanks to some sleuthing from some affected residents we found a post Ms Berry made in 2020 to deliver construction in the first half of this term and to have the first intake in 2025.

They make a promise; they fail to keep it; they remove the evidence. That is the track record of this government: make a promise, fail to deliver, remove the evidence and

then just keep making promises. These students and families in Ginninderra have been waiting far too long and will wait far too long for this essential service. It would be entirely characteristic and unsurprising for the Labor-Greens government to fail to even meet their revised time frame.

I ask the community to be very alert to anything promised by this government for after the upcoming election in October. Do not believe a word of it, because we have seen their practice already, up until the 2020 election, and we have seen failed promises after that election date. Do not believe a word promised by this government, leading up to the October election. That is the message to the ACT community: you cannot believe them because they have shown they cannot be believed. That is a very simple thing to get across. They have demonstrated their failures many times.

Let's get on to another example: the broken promise of a \$21 million, purpose-built, 10,000-square-metre multicultural facility to hold festivals, weddings and cultural events. ACT Labor made the promise leading up to the 2020 election: "Create hundreds of new local jobs by investing \$21 million to build a new 10,000-square-metre indoor venue at Epic." ACT Labor marketed this in a media release as: "The first purpose-built facility in Canberra that can cater for large multicultural performances and private events, such as weddings."

The Labor-Greens government wrote into the Parliamentary and Governing Agreement for the Tenth Assembly commitment 15.2, under "Community facilities":

Construct a new multicultural events venue at Epic for cultural performances and available for hire for large private functions, such as weddings.

Commitment 18.3, under the heading "Multicultural Affairs", says:

Constructing a large indoor venue at Epic for cultural performances and large events such as weddings.

For the uninitiated, the government has abandoned this promise, instead opting to refurbish an existing facility to supposedly fulfil this promise. There is nothing new about the refurbishment of an existing facility.

It is not just about large infrastructure problems; it is the systemic decline of services across the ACT and the lack of value for money from procurement. I have lived in Belconnen for over 20 years and have watched many suburbs in my electorate fall into a state of disrepair, particularly under Chief Minister Barr. Residents of Belconnen are extremely frustrated at the lack of basic suburban maintenance, as evidenced by our streets and surrounds—our footpaths, fallen trees, uncut grass, scarred roads and potholes, neglected suburbs and shopping centres.

It is hard to stomach the lack of transparency on billions being poured into flashy projects. How can we have faith in the integrity and accountability of government if they are able to wave glittering offerings for months on end, fail to deliver them and at the same time fail to deliver basic services to our community, particularly in our suburbs? Instead of meeting deadlines, the government's preferred model is to blur the real cost of its infrastructure and when it intends to deliver projects. What does this say about this Labor-Greens government?

The Leader of the Opposition's motion addresses the need for transparency on infrastructure spending in the ACT. It also touches on the heart of the failures of this government. It holds this arrogant, entitled and tired government to account. It calls on them to be accountable to their constituents, who they so often neglect for expedient reasons. Years of waste, mismanagement and poor decision-making must come to an end, and I am hoping that end is October this year.

The ACT government must honour its duties to the public and publish business cases for all projects listed in the ACT's infrastructure plan and make it clear whether the federal government will commit to fifty-fifty funding of ACT projects. It must use the *Our CBR* newsletter to provide value in informing affected residents that their money spent on government projects will face years of delay. It is time for the government to own up and reveal the true cost of these projects. It is time for them to own up and admit where they have failed to deliver and have not kept their promises. In fact, it is time for the ACT community to recognise that we do not want four more years of Chief Minister Barr.

**MS LEE** (Kurrajong—Leader of the Opposition) (4.09): I thank all of the MLAs who have contributed to this debate. It is an important one; we are talking about the future of our city. I am going to address a couple of the comments that Mr Rattenbury made in his contribution. He claimed that he cannot support our call for business cases because of commercial-in-confidence issues—that we would not want to give away our position and that it is about the territory getting the best value for money. But, at the same time, he has no problems whatsoever when the government wants to boast and spruik about the \$1 billion north-side Canberra hospital.

His justification on stage 2A was that it was so that they could get best value, but let us have a look at how that stacks up. When the government announced that it was going to be \$577 million, you yourself, Mr Deputy Speaker, spoke about how costings clearly had been left out of the government's own estimation. What was revealed only in the last couple of days was that the contract for stage 2A did not even go to open tender. So what were they concerned about? It was not going to open tender. They had clearly made up their minds. They cannot sit there and claim that there is no justification for releasing a business case because of commercial-in-confidence issues when that was never, ever genuinely the case. As is always the case—and what we would expect from the Leader of the Greens—it is going to be support for Mr Barr, no matter what.

Mr Barr went on at length about how important it is and how long infrastructure projects take. If only his government had been there for two decades. Oh, that is right! They have been there for 23 years. He also spoke about the importance of feasibility studies. No-one has argued that point. Mr Deputy Speaker, does seven feasibility studies cut it, and 15 years? Is that what we are waiting on? As is always the case when he comes under fire, he cannot explain his way out of what we are saying because numbers do not lie. The numbers do not lie. Here are just a couple: seven for feasibility studies and 15 for years in which the stadium has been debated.

As we have now come to expect from Mr Barr when he comes under fire, it is all about deflection. Apparently, he knows what I said better than I do. Not once have I or any member of the Canberra Liberals said that federal funding was not important or that the federal government did not have a role to play in relation to funding for infrastructure projects. But what we have now come to expect from Mr Barr when he is trying to

squirm his way out of explaining his pathetic failure is that he goes to scare tactics—scare tactics about what, apparently, the evil Liberals will do or will not do.

In talking about cuts—because of course that is what he uses as scare tactics—let us not forget that it was his party that undertook a commission of audit. It was him, as education minister, who closed 23 schools, and it was Mr Barr himself who imposed an efficiency dividend in 2017. Let's get the facts right here. As we all know, and as many Canberrans can see straight through, this is pure scare tactics.

**Ms Lawder:** Twenty-three schools.

**MS LEE:** Twenty-three schools. Shame! The government cannot stand on their record because it is one of spectacular failure, so they do what we now know is going to be their playbook all the way through to the campaign: deflect, spin and blame everyone else.

He has told me what I have apparently said. From what he has said today, what we are going to see is a list of full costings for every project before the election, to show where it is coming from. From what he has said, he has no plans to curb his spending. He has no intention of actually delivering on the billions of dollars of infrastructure announcements, because that is what they are. Then again, should we be surprised? Should we expect any more from a Treasurer who, over more than a decade of looking after the ACT's budget, has not once—not once—delivered a surplus?

How much politics has changed Mr Barr from his inaugural speech, when he said:

Running a surplus operating budget provides intergenerational equity.

What has changed in that time? Is it Mr Barr's commitment to intergenerational equity or his level of delusion that Canberrans will continue to swallow the spin that he continues to dole out with so much disdain and so much disrespect? He expects Canberrans to foot the bill for his empty promises and economic mismanagement.

This is a pathetic amendment from Mr Barr, who knows that the community are starting to see through his empty words that contain no substance. The community are starting to see through to the utter disdain and disrespect that this government has for their hard-earned taxpayer dollars. From the way that Mr Barr contributed to this debate, it is clear that he knows Canberrans will no longer swallow this. He knows that the community will no longer accept at face value what he is promising. It is clear that the community is starting to see that this is a government that is stale, that is tired, that is arrogant and that will say and do anything to remain in power.

The fact that every member of Labor and the Greens cannot even bring themselves to support a motion that calls for transparency when it comes to spending billions of taxpayer dollars speaks volumes about the disdain that this government has for the people it purports to serve. This is a government that is in its dying days. They know it, the Canberra community knows it, and that is why they will say and do anything to try and stay there. But Canberrans know better. They know that they have a genuine choice in October, and they know that this is a government that has stopped serving in their best interests. The Canberra Liberals will not be supporting Mr Barr's amendment. I commend my original motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Andrew Barr	Suzanne Orr	Peter Cain
Yvette Berry	Marisa Paterson	Leanne Castley
Andrew Braddock	Michael Pettersson	Elizabeth Kikkert
Joy Burch	Shane Rattenbury	Nicole Lawder
Tara Cheyne	Rachel Stephen-Smith	Elizabeth Lee
Jo Clay	Rebecca Vassarotti	James Milligan
Emma Davidson		Mark Parton
Laura Nuttall		

Question resolved in the affirmative.

Original question, as amended, resolved in the affirmative.

## **Health—menstruation and menopause support**

**MS ORR** (Yerrabi) (4.22): I move:

That this Assembly:

- (1) notes that the ACT Government:
  - (a) is actively working to ensure women and people who menstruate are supported to ensure their full participation in society;
  - (b) has recently started to address period poverty by ensuring period products are provided free at accessible locations across the Territory; and
  - (c) is developing a menstruation and menopause policy for the ACT Public Service; and
- (2) calls on the ACT Government to:
  - (a) develop an education and awareness package that the private sector can access and implement within their workplace, to better support employees who menstruate and experience menopause;
  - (b) in developing this package, consult with community leaders who have expertise in this policy area;
  - (c) work with industry to raise awareness of the availability of this resource; and
  - (d) report back to the Assembly by 27 June 2024.

I am very pleased to move this motion in the Assembly today. Back in October 2022 I introduced a motion calling on the ACT government to develop, in consultation with relevant stakeholders, a menstruation and menopause policy within the ACT public service. The intent of this policy was to help employees within the public service to



meet their work commitments while managing the impacts of menopause, perimenopause and menstruation. The motion also called on the government to develop an education and awareness campaign to accompany the policy. This aspect aimed to reduce stigma around reproductive health matters in the workplace. Without this kind of education and awareness-raising, the stigma and judgement around periods and menstruation in workplace settings will continue to make people who might need to take extra leave or request workplace adjustments to just persevere or use their personal leave.

I am pleased to see this work on my previous motion progressing. In their report back to the Assembly following my motion, the ACT government confirmed that they are in the process of developing the policy. At the time, ACT public service bargaining was the focus; however, once this had concluded, detailed work on the policy would begin. With the bulk of bargaining now completed, I have been informed through subsequent briefings that there will be a focus on completing the policy and meeting the calls-on of my original motion.

Today, I am introducing a motion that expands on the original motion, which will help to ensure people in the workplace who experience menstruation, menopause and perimenopause are better supported across all workplaces and not just in the ACT public service. My motion today is calling on the ACT government to develop an education and guidance package that the private sector can access and implement within their workplace to ensure employees who menstruate and experience menopause are better supported.

I will reiterate once again why I am so passionate about helping to address the stigma and shame that exist out there in our community when it comes to menstruation and menopause. Periods have been taboo and stigmatised within our own society and culture and, indeed, within most, if not all, societies and cultures over the centuries. This has included taboos to do with the discussion of periods, particularly in the presence or directly with men; undertaking certain daily activities; sleeping in different beds in cultures where you would normally sleep with other people; religious cleansing rituals; and even banishment from the community for the duration of menstruation every month. All or some of these practices still occur in different places around the world and they even occur here.

From my perspective, the one that is still the most present in our society is the taboo on discussion, particularly in the presence of or directly with men, and when you do speak up you are often chastised or ridiculed. But menstruation and menopause are serious matters with significant social and health impacts, and we need to start responding to them with an openness and maturity that centuries of shame have prevented. You cannot be what you cannot see, and the way we omit menstruation out of our day-to-day existence makes it very difficult to be a person who menstruates and to get on with it without shame or stigma, it being a normal bodily function that affects half the population on a regular basis.

Reform and progress when it comes to reproductive health is something that I am very passionate about. After decades of women struggling for equality within the workplace—for equal pay, for remaining in the public service once married and for

freedom from discrimination—we are finally arriving at a point where we can have this conversation about reproductive health and begin to change workplaces to improve outcomes for workers.

Removing obstacles to period management and reducing the stigma associated with periods are themes that I have been doing a lot of work on through this term of government. I have heard from and spoken to countless constituents, Labor Party members, stakeholders, friends and families about these topics, and the main thing people tell me during these discussions is, “This is great,” and, “I wish this was done when I was menstruating or going through menopause.”

Discussion about the idea of menstrual leave has been on the rise within the organised workforce and civil society in Australia for a little while and is becoming more noticeable. In the survey I ran in conjunction with consultation on my Period Products and Facilities (Access) Bill, 85 per cent of respondents supported the idea of investigating the potential for paid menstrual leave. Fundamentally, the interest in this issue arises because of the impact that pain, complications and management associated with periods can have on those who menstruate in the workplace. Almost half of the population may need to use their personal or other leave entitlements due to the management needs of their periods at some point in their career. For those who regularly have more painful periods, this can have a large impact on their leave entitlements, and this can subsequently lead to a loss of pay and superannuation if personal leave is exhausted.

Early menopause can also be particularly crippling for those who go through it. In many cases, those who experience early menopause experience stronger symptoms. This has a big impact on the working life and outcomes of people who experience menopause. For example, the Australian Institute of Superannuation Trustees compiled data and estimates that menopause costs Australian women billions in lost earnings and superannuation each year. They calculated that if 10 per cent of women retire early because of menopausal symptoms, it would equate to a loss of earnings higher than \$17 billion.

But it also has a personal impact on many individuals in our workplace. Following my motion in 2022, I received several emails of thanks. One that has stuck with me is this one. This person told me about their recent medical needs, all focused around their uterus, as they put it, and how it had meant that they had to use their annual leave to seek treatment. They were burnt out but could not take a break as they had exhausted their leave entitlement to seek health care. They also spoke about menopause symptoms they were starting to experience and how the workplace was not an easy fit with these and noted that having a responsive workplace that considered the menstruation and menopause needs of all people would be life-changing for them and many others. They signed their email off by saying, “I hope that for all the women, trans and non-binary people can have access across all sectors in the future.”

If workplaces in this country can be more accommodating, understanding and flexible regarding those experiencing these changes and the associated symptoms, fewer people are likely to be part of that cohort who miss out on income and superannuation either due to leave exhaustion or the need for early retirement. This would have great benefits not only for those individuals, but for the economy as a whole.

Part of this increased accommodation for both those experiencing period pain or menopause symptoms could include particular leave provisions to help avoid leave entitlement exhaustion. However, I would note this is not a single fix-all. Education and awareness and some cultural change would aid immensely in improving the experience of those going through symptoms in the workplace. Including hot water bottles in office first-aid kits, allowing people menstruating to work from home so they can wear comfortable clothing that may not be suitable for an office, allowing fans at desks to help with hot flushes—these are all accommodations that are within our capabilities to implement. We just need to make it permissible and normal.

The motion I have presented to the Assembly today calls on the government to create a package that the private sector can use to inform how they support their staff, to alleviate some of these pressures in the workplace that come from menstruation and menopause. In developing this package, I am calling on the ACT government to consult with community leaders who have expertise in this policy area. I note community organisations such as Women’s Health Matters, for example, have a very helpful information package available for organisations and businesses to access. It would be such a missed opportunity if the ACT government and other businesses did not work with community leaders like Women’s Health Matters when developing their responses.

In closing, I would like to reiterate that half the population experiences menstruation and menopause and it is vital that we, as a community, understand the impacts and ensure that people who menstruate and experience menopause are not made to feel mistreated or judged for a natural bodily function. We spend much of our life in a workplace environment, so it is crucial that our workplaces have access to the resources that can educate and support all employees to go about their daily work life.

I thank the colleagues in this chamber around me who have opened up and shared their experiences over my many motions on menstruation and menopause, as well as the community at large who support and continue to encourage me to work in this area of reform. Women and people who menstruate are not going anywhere and neither are our natural bodily functions. The best thing we can do is support one another, educate people and remove the stigma and taboo associated with periods and menopause.

I commend my motion to the Assembly.

**MS LAWDER** (Brindabella) (4.31): I rise today to speak to this motion on the need for education and awareness surrounding menopause and menstruation, both within the workplace and throughout society. I would like to thank Ms Orr for bringing this motion forward today. Menstruation and menopause are, of course, natural biological processes and they are experienced by a significant portion of our population, but it is often shrouded in silence and stigma. The lack of understanding and acknowledgement perpetuates misinformation and contributes to the marginalisation of people navigating these experiences.

Women constitute a substantial portion of the workplace—about half—and menopause may well occur when they are at the peak of their professional careers. The symptoms associated with menopause, ranging from hot flushes and fatigue to mood swings and cognitive changes, can significantly impact work performance and wellbeing if not

properly understood and managed. Similarly, menstruation affects individuals in the workplace, yet it often remains a taboo subject.

The Jean Hailes 2023 report, *National women's health survey*, indicates that more than four in five women believe that employers or workmates may not be understanding if they were to request leave for such health concerns. In this report Dr Sarah White, the CEO of Jean Hailes for Women's Health said:

It is vital for workplaces to be flexible to support women in the workforce. Workplaces need to be proactive in their support for women's health. This involves creating supportive working environments to discuss health needs, embracing flexibility and offering tailored support for women navigating various health challenges.

Many women experience debilitating menstrual symptoms that can affect their ability to work effectively. Addressing menstrual health in the workplace is a matter not only of gender equality but also of productivity and employee wellbeing. Furthermore, the lack of education and awareness surrounding menopause and menstruation extends beyond the workplace and permeates society as a whole. This ignorance perpetuates harmful stereotypes and misconceptions and can lead to shame, embarrassment and discrimination. Additionally, we often must challenge cultural taboos and foster open and honest conversations about menopause and menstruation. This includes education and promoting public awareness campaigns to dispel myths and promote understanding.

Therefore, we are pleased to support Ms Orr's motion, which calls on the ACT government to support the private and also the public service sector to improve the workplace experience of women who menstruate and experience menopause. Together we can commit to breaking the silence and stigma surrounding these natural processes and embrace a future where everyone feels understood and supported.

**MISS NUTTALL** (Brindabella) (4.34): The ACT Greens believe that proper meaningful support for those who menstruate and go through menopause is crucial in allowing members of our community to flourish and participate fully in society and in life. I thank Ms Orr for bringing this motion to the Assembly today and for her previous motions that highlight the importance of discussing issues faced by people who menstruate and go through menopause. Let me be clear: I am wholeheartedly in support of drawing awareness to menstruation and menopause. These areas have been systematically overlooked and unnecessarily stigmatised to the detriment of anyone who menstruates and goes through menopause, and we must do everything we can to progress menstrual and menopausal health in these areas.

We know progress does not stop at awareness. If we want to see full, fair and meaningful participation in society for everyone that experiences menstruation and menopause, we must go well past awareness. What we really want to see is full flourishing. Full flourishing for people who menstruate and go through menopause means fully paid medical leave in both the public and private sector, as well as fully funded reproductive health care that reflects the needs of our community.

I reflect on Ms Orr's excellent previous motion and subsequent speech in which she discussed how people in the ACT public service who menstruate and go through

menopause are required to take personal leave, sometimes to the point of exhausting their paid days off and risking leave without pay if their pain persists. Goodness forbid that they are at the same risk of getting sick as their non-menstruating colleagues! It struck me how unfair that seemed. I am glad to see the Health and Community Wellbeing Committee recommend that the ACT government develop and trial a policy for reproductive health and wellbeing leave in ACT government workplaces.

As much as the paradigm is shifting within the ACT public service, we are yet to begin discussing it as something available to all people who menstruate. Roughly, 32.8 per cent of Canberra's residents work for the public service, but what about everyone else? It is so important that we are able to quickly implement this, not only for those in the public service but for everyone. Periods can be extremely painful and, at times, debilitating, especially for those with menstrual disorders, endometriosis or hormonal conditions such as PCOS. Everyone, regardless of their employer, deserves to enjoy those same rights to paid menstrual leave, allowing them to avoid the use of other forms of leave.

Reproductive health care is also crucial for people who menstruate and go through menopause. Reproductive health care includes a wide range of needs. A person with a uterus may require pregnancy leave, fertility care, miscarriage, termination of pregnancy and menstrual disorders. The provision of fertility care and menstrual disorders actually leaves much to be desired. Could you imagine asking everyone without a uterus to spend what has been estimated to be a dollar a day for half of their lives on fundamental health care? This is deemed a necessary expense in our society. I cannot imagine asking that. Reproductive health care, especially in terms of access to the combined oral contraceptive pill, IUDs, Implanons and other contraceptives are used by people with uteruses not only for fertility care but also to treat heavy painful periods, symptoms of menopause, endometriosis and PCOS. Actually, obtaining contraceptive methods such as IUDs and Implanons can put patients hundreds of dollars out of pocket and more so if they wish to undergo insertion with adequate pain relief.

I am struck by the timing of this conversation, as we heard just this morning on the radio from a woman who had been refused an epidural during childbirth. It was a traumatising experience. It is not like these are just historical stories from the dark ages; they are happening to us right now. I imagine that most people have first- or second-hand horror stories of pain management when it comes to reproductive health. At times it really feels like we are asking people to choose between pain and more cost. To me, this burden of cost, and a higher cost at that, does not ensure that people are able to access medical treatment as they need and does not secure full participation in society.

While I am at it, let us also discuss how menstrual disorders and diseases such as endometriosis continue to be under-researched and under-supported. The average number of years to get a diagnosis of endometriosis is seven—seven years. On top of this, aside from accessing private health care, Canberra residents currently have access to only two endometriosis and public pain clinics, which often have long wait times. While awareness of menstruation is important, for people who are experiencing painful periods or diseases associated with menstruation, their concerns require ever more support. I am sure that people suffering for years of their life from unexplained pain are interested in any action from the Assembly beyond awareness.

I do very much commend this motion and wish to use this opportunity to call on the Assembly to go further. If we want to walk the walk and support people who menstruate and experience menopause to fully participate in society, we need to also consider other factors that influence the abilities of those people to do so.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (4.39): I want to thank Ms Orr for moving this motion today. She has done a lot of work in this space, to bring it to this point. There is more work to do, but I am pleased to be able to speak to this motion today.

I have also spoken at length in this space over the past few years about how important it is to reduce the stigma around menstruation and menopause, and raise awareness in the broader community about the challenges that people who experience menstruation and menopause can face. When we talk about those two words, there are a number of descriptions that we use in the community for both of those natural health matters that women and people who menstruate experience, but we do not talk about the difference it makes and the impacts that it has on a person's life.

I have been proud of some of the work that the ACT government has done in terms of developing a menstruation and menopause policy for our ACT public service, because it is a start, and it sends a signal to other employers that, as the ACT public service, we can be a model employer. By developing this policy, as well as new provisions in our enterprise agreements, it is a great example that private organisations in our community can adopt for their own workplaces.

The ACT government is currently developing a policy that will provide further guidance to managers and employees in the ACT public service about how the special leave provisions will apply. This is really important, because menopause and menstruation happen all the time—throughout a person's life, throughout a day, even throughout an hour sometimes. Leave needs to be flexible enough so that people can access it when they need it at a time of their own choice.

It is important to provide information and guidance on other entitlements that are available under the ACT public sector enterprise agreements so that employees who are experiencing the effects of menstruation and menopause understand what their rights are and when they can take leave.

For example, as I said, this may include how flexible working arrangements could be used in these situations. Somebody might be experiencing extraordinary menstruation and period pain early in the morning and might need to take that day away from work, but could still be able to work from home. All they really need is just to sleep, because with the pain comes extraordinary exhaustion. Having those flexible working arrangements and understanding how they could be used is really important. An education and awareness campaign will be developed on the contents of the policy to ensure that the stigma about reproductive health matters is reduced.

This is only a small part of the puzzle. This motion is for many thousands of Canberrans. It is a great start, and it will work in the private sector. An example of a private sector organisation that has introduced access to period products within their own place is Royals Rugby club. They have been leading the way in providing period and hygiene products, as well as in removing and reducing the stigma around access to those products by educating what is generally a male-dominated sport and male-dominated users of that facility about being comfortable around those kinds of products, and encouraging women and girls and people who menstruate to feel comfortable around them and around those hygiene products as well.

Developing an education and awareness package for companies to use within their workforce could include examples of others who have already applied good supports such as those within their workplace. It will make a major difference, especially in industries—as I said about this particular sport—that are male dominated.

On the issue of menopause, a few of us in this place might be experiencing menopause at the moment. I sometimes feel like I am in the sunset of my hot personal summers, and heading into a cooler climate. But just when I say that, the summer returns. It is an unpredictable and unpleasant experience, and it goes on for years. But the more it is talked about, the more understanding you get from people in the community that might be experiencing it as well.

I was at an event last week and, just as I sat down to enjoy a speech, the hot tropical summer came along. I sat there and thought, “Oh, my goodness. Here I go.” I was trying to find something on the table to fan my face, and a lady on the other side of the table said, “I have a fan in my bag. Would you like it?” She pulled a fan out of her bag and passed it to me. I was very happily fanning myself, and I thought how great it was that it was starting to be a natural conversation between women and others at an event. Somebody was clearly experiencing an unpleasant tropical summer and somebody else at the table said, “It’s all right; I’ve got your back, sister.” The more that we talk about these kinds of issues, the more that we remove the stigma.

Ms Orr’s advocacy particularly on both of these issues has been relentless. I am grateful to have a colleague like her to bring these important but sometimes taboo issues to the forefront of all of our minds. I encourage everybody in this place to take the time to learn about menstruation and menopause, and how we can talk about it and support people who are experiencing pain or otherwise need support.

**MS ORR** (Yerrabi) (4.45), in reply: I will be very brief. I would like to thank everyone today for their contribution and continued support for reform in this policy area.

Question resolved in the affirmative.

## **Papers**

### **Motion to take note of papers**

**MR DEPUTY SPEAKER:** Pursuant to standing order 211A, I propose the question:

That the papers presented under standing order 211 during the presentation of papers in the routine of business today be noted.

## **Justice and Community Safety—Standing Committee Report 20—government response**

**MR BRADDOCK** (Yerrabi) (4.46): The government’s response to the minor offences inquiry was an interesting read. There are a few things that I was glad to see, as well as a few spots where the government had missed the point. For example, let us look at the response to recommendation 2, which was that the government should explore law reforms with regard to the suspension of a drivers licence only ever occurring based on the substance of a traffic offence rather than on the basis of a failure to pay a fine or a penalty. The government says that it “agrees in principle to explore further alternative mechanisms to incentivise payment”.

The response does not line up with the recommendation, which was made because of the testimony around the cascading effects of fines on vulnerable people. An inability to pay results in a licence suspension. A licence suspension leads to a fracturing of someone’s livelihood, forcing them to make a choice. Do they drive unlicensed to get to work or to Centrelink appointments, or otherwise forgo their income? When they decide that driving unlicensed is the lesser risk, and when they subsequently get caught driving unlicensed, that is how you end up in jail for what started out to be just a minor offence. And we know that jailing is failing.

The government’s response to this recommendation is fixated on the apparent importance of licence suspension as a deterrence to disregarding fines, with that itself supposedly a deterrence to the minor offence. This tells me that the government does not actually agree to the recommendation, not even in principle.

Let us also look at recommendation number 3, which was that the government should explore a system of warning notices for a first offence in the case of minor offences, instead of a fine or a penalty. The government’s response shows that they are very clearly opposed to any form of formalised warning system. It is therefore misleading for the government to say that the recommendation is agreed to in principle.

This idea of deterrence as a primary motivator again shines through in the response. It overlooks how, for the vast majority of first offenders, simply becoming aware that they have committed a minor offence means that 95 per cent of the compliance job has been done. For first-time minor offenders, education is by far the superior tool, but it is not getting talked about in this response. The government seems to be missing the point and refusing to apply its own compliance model.

The ACT Greens believe that justice and policing should emphasise de-escalation and cultivating peaceful communities, rather than using fear and violence as tools of deterrence. This obsession with deterrence as a principal motivator for law enforcement needs to end.

Fortunately, it is not all doom and gloom. Against recommendation 6, the government has agreed that fines should be reduced for concession cardholders. Right across our economy, we accept that people with concession cards have limited financial resources and deserve assistance to make things affordable.



The Greens recognise that, under our current system, fines are fixed in ways that will be a minor inconvenience to a millionaire and simultaneously a devastating blow to a pensioner. It is a system that makes the law inequitable regarding how harshly it is applied. Short of an income-based fine system, which I can accept is not possible to implement without Commonwealth cooperation, recognising concession cards will be a fair and reasonable step towards having something more equitable.

I very much look forward to seeing where this can take us. But I do not need to look forward to the updates to the Access Canberra website, with its improved information on how to pay a fine. This looks like a very good update and I am glad to see it finally happening. It is just a pity that it took until 2024 to make such a change.

Right now, before the Assembly, we have the Road Safety Legislation Amendment Bill 2023, which deals with penalties for a range of drink-driving offences, both major and minor. I want to flag my hope that the government has been thinking about its responses to the minor offences inquiry and contemplating how to proceed with that particular bill. As I have pointed out, licence suspensions can be life destroying and positive enforcement is not just about deterrence.

Question resolved in the affirmative.

## **Liquor Amendment Bill 2023**

Debate resumed from 29 November 2023 on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MS CASTLEY** (Yerrabi) (4.51): Overall, the Canberra Liberals are relatively comfortable with the approach taken in the bill, and we will not oppose it today. Having said that, we do have some concerns. Everyone in Canberra should be confident that when they go out to enjoy a night out they will not become the victim of criminal behaviour. No-one should fear being assaulted, whether in their home or in a nightclub. And no-one should think they can get away with criminal behaviour in our city, whether during daylight hours or after dark.

That is why the Canberra Liberals have been advocating for so long to increase the police presence across Canberra. There is no substitute for adequate police resourcing, as was clearly evident in the case that prompted these changes—not even security cameras. However, we are comfortable with the changes to ensure that the requirements for security cameras are applied to all bars and nightclubs. We are comfortable with the changes to encourage visibility and awareness of security cameras within venues. We are comfortable, within reason, with limiting the amount of time that footage can be stored.

I would like to reflect on concerns stakeholders have raised with the Canberra Liberals around this bill. I encourage the government to carefully monitor the implementation of the measures and introduce further amendments in the future if required.

Firstly, in relation to visibility, the requirement that a security camera must be installed so that the camera is clearly visible to people at the premises or on the land may have

unintended negative consequences. It is my understanding that people intending to engage in criminal behaviour would routinely scope a location before committing an offence. If criminals know where cameras are located, they can work out how to avoid them. It may well be that the provision of signage alerting patrons to the use of CCTV systems within venues, proposed section 1.17B, provides a sufficient deterrent and encourages behaviour modification by both serious and opportunistic criminals, as well as patrons.

On another front, we have heard concerns related to the practical aspects of security camera operations, including dealing with outages beyond the control of the licensee—for example, during a blackout—and a lack of clarity regarding whether modern cloud-based security camera systems meet the bill's requirements for a digital video recorder to be used to record images from a security camera.

So, while we will not oppose the bill today, I encourage the ministers involved to closely monitor the implementation of the regulations so that they can be improved in response to these issues.

**MS DAVIDSON** (Murrumbidgee) (4.53): I rise in support of this bill today. Firstly, I would like to acknowledge Eliza Wilson for her advocacy on these reforms. She has shown immense courage in advocating for these reforms so that no-one else will have to go through an experience like hers. I wish that she had not had that experience at all. I thank her for her efforts to make our community safer for everyone.

I also want to acknowledge the work of my Greens colleague, and Attorney-General, Shane Rattenbury for leading this work and introducing this bill when he had portfolio responsibility for liquor policy, prior to cabinet changes at the end of last year. I know that the Attorney-General greatly values and sees community engagement as critical to his work and wants our community to be a safe and inclusive place for everyone.

These amendments to the Liquor Act will support public safety in our local entertainment scene, both as a deterrent effect as well as supporting responses and law enforcement investigations. Whilst this bill will provide additional safety from violent behaviour in bars and nightclubs to all Canberrans, I want to draw specific attention to what this means for women and gender diverse people, who are disproportionately at risk of violent or intimidatory behaviour.

By requiring bar and nightclub licensees to install security cameras and to retain footage and images for a period of 30 days, this bill will support the ability for incidents to be investigated and responded to. Perpetrators will more likely be held to account for incidents of violent behaviour, and a greater onus will be put on venues to ensure that they comply and respond appropriately to victims of violence, particularly sexual assault and harassment. In doing so, this bill will increase public safety, promote a fairer justice system, strengthen deterrence of violent incidents in licensed venues and support police investigations.

Let me be clear: women and gender diverse people should be able to attend licensed venues without having to worry about their personal safety. A night out should be about fun and not about fear of violence, no matter what you are wearing and no matter what you are drinking. If you are a woman or a gender diverse person who wants to enjoy

time in licensed venues, you have the right to do so free from violence and harassment, and we want to see your right to be free from violence and harassment supported and enforced.

This bill is a step in the right direction in ensuring that venues meet their duty of care to their patrons. It is a step in the right direction in ensuring that our venues are safe environments and encourage safe behaviour. I thank the Attorney-General, Shane Rattenbury, for commencing this work, and Minister Cheyne for progressing these important measures to improve public safety and to deter sexual violence and harassment.

**MS CHEYNE** (Ginninderra—Minister for the Arts, Culture and the Creative Economy, Minister for City Services, Minister for Government Services and Regulatory Reform and Minister for Human Rights) (4.56): I rise to close the debate on this bill in principle. I wish to begin by acknowledging the presence of Eliza Wilson in the gallery this evening. I thank her very much for being here, together with her supporters. It is very rare that anyone at any point in their lives can claim that their efforts have inspired legislative change which will assist the support and safety of their peers and themselves, as well as future generations; but Eliza can say that today.

I do not say that lightly. In early 2021, a Canberra nightclub licensee failed to retain security camera images for the time frame prescribed in the venue's risk assessment management plan. This was in breach of the Liquor Act. In September 2021, the ACT Civil and Administrative Tribunal sanctioned that licensee.

This breach was not a victimless one; instead, the breach exacerbated harm. If a sexual assault allegation is not difficult enough to contend with, I can only imagine how it would feel to know that the consequences of a licensee's actions, in failing to keep security camera footage for the period they themselves had agreed to in their risk assessment management plan, prevented ACT Policing from being able to thoroughly investigate and to try and seek an outcome.

In light of this incredibly devastating news, Eliza did not stay silent. She spoke up, she reached out, with her name and her face, to the media and to government, to me, and to Minister Rattenbury. Her doing so revealed that there was an inconsistency in how security camera requirements are treated across our different licensed venues.

If the Commissioner for Fair Trading makes a decision about whether a premises is suitable for a liquor licence, she may require the person to give her a RAMP for the premises. The commissioner approves the RAMP if she is satisfied that the plan is consistent with harm minimisation and community safety principles. A RAMP details procedures, practices and arrangements for selling liquor at the premises, and it will generally include security measures.

RAMPs are commercial-in-confidence agreements between the commissioner and the licensee. This means that different arrangements can be agreed with individual licensees. Section 90A of the Liquor Act prohibits the commissioner from making a RAMP publicly available unless legally required to do so. The commissioner generally reassesses RAMPs for pre-existing licences only if an event—for example, noncompliance or a licence transfer—has triggered this.

Security camera conditions were introduced in 2017 under legislation which did not have retrospective effect. This created a circumstance where security camera requirements are not applied consistently and that different venues could be subject to, for example, different security image retention periods.

The Liquor Act itself does not compel a licensee to have security cameras. Instead, these conditional requirements are matters left to the discretion of the Commissioner for Fair Trading through subordinate legislation or negotiated on a case-by-case basis through each venue's RAMP. As it stands, licensees holding the same class of licence obtained before the 2017 amendments were introduced may have varying requirements in relation to security cameras, including those different image retention periods agreed as part of their RAMP.

Not having a retrospective effect did have pure intentions in that the government was seeking a modest regulatory impact at the time. But inconsistency when it comes to a person's safety is something that we could not let persist. On understanding the severity of the consequences for Eliza and perhaps others, the Attorney-General and I subsequently took the opportunity to engage with liquor industry stakeholders to discuss how the government could work with industry to improve safety for their customers.

Pursuing an agenda for our night-time economy has dual objectives of keeping our community safe and also supporting the sustainability and vibrancy of our hospitality industry. I do have a very firm conviction that businesses thrive in environments where their customers can move about the city with confidence and without constraint over concerns about their personal safety. The provisions in this bill, developed with the help of industry engagement and consultation with police, as well as Access Canberra as the regulator, serve to strengthen the existing protections within the liquor legislation to improve security for patrons at bars and nightclubs and to build public confidence in safely exploring the exciting nightlife that our city has to offer.

The outcomes that the new legislative provisions seek to achieve are twofold. In the first instance, they seek to deter violent incidents from occurring in bars and nightclubs. The visible evidence of security cameras at bars and nightclubs, noticeably placed and signposted, acts as a first line of defence in discouraging potential offenders by demonstrating that antisocial incidents will be subject to scrutiny. This offers a form of safeguard not only for patrons but also for licensees, who want to direct their efforts and resources to offering those patrons a great night's entertainment rather than addressing the aftermath of dangerous incidents.

However, in those cases where the initial deterrent fails, as was the case with the nightclub I mentioned at the outset, the second purpose of this legislation is to ensure that police have both the evidence and time needed to conduct a full investigation so that those who hurt others can be held to account, and so that those hurt can have confidence that our justice system can operate as it is designed and punish offenders to the full extent of our laws. It standardises and clarifies obligations for bar and nightclub licensees when it comes to security cameras. Having these standardised requirements benefits everyone—business, community and public confidence.

Security camera images through this bill will be stored for at least 30 days but for no longer than 90 days, after which the security images must be deleted. As far as possible,

each security camera in a licensed bar or nightclub will be clearly visible to people at the premises or on the land under the control of the licensee in the vicinity of the licensed premises.

Signs must be displayed at or near each entrance to the premises, or other land under the control of the licensee in the vicinity of the licensed premises, that indicates that security cameras are used on the premises and that the person may be recorded while present there. Signs will contain contact details and link to more detailed information, such as for how long security camera images may be held and how a person can raise any concerns.

The requirements for signs will be included in the Liquor Regulation 2010 and detail related to the content to be included in signs will be addressed in a guideline to be issued by Access Canberra. The requirements regarding deletion of footage and the installation of signage warning the public about the use of security cameras in a venue ensures compliance with the privacy considerations set out in the Human Rights Act.

I am confident that these amendments strike the right balance in providing a greater level of protection for the public without being unduly burdensome for industry. As Ms Castley highlighted, this is something where we will be monitoring the impact. But it is our citizens who will benefit from the protection afforded by these new measures. The standardisation of CCTV requirements should send a strong message to our community that they can feel safe on a night out, wherever they are; and, in the event that a crime does occur, law enforcement will have video evidence to support their investigations.

In closing, I again wish to acknowledge Eliza. Thanks to Eliza, people are more likely now to have a safe and fun night out in our city in the future without negative consequences. Every one of those who does is a testament to your courage in taking a stand against and turning a terrible situation into an opportunity to inspire change. You and those that love and support you can be exceptionally proud of the positive contribution you have made to the community, and I certainly am.

It is about three years now since we first met, and I certainly wish it was in better circumstances. But there has been good that has come out of this terrible situation, and the good has been driven by Eliza, who not only reached out—which must have been terrifying, in and of itself—and had the conversation, but also had done the research and identified where the inconsistency was. As a new minister, that was actually greatly appreciated. But that did spur further conversations.

It did take time—too much time, regrettably, thanks to COVID—but we did get there. Certainly, Minister Rattenbury was instrumental in leading those efforts and, of course, in presenting the bill in November, just before I assumed policy responsibility.

This is testament to the power of people, that we are an engaging workplace, I would hope, that we do take community concerns seriously and that we have the power for change where something is not right. It was not right. We are fixing it.

I give my sincere thanks to the Justice and Community Safety Directorate, who have been working on this for some time, Access Canberra, who had to spend quite a bit of time explaining the ins and outs of RAMPs to me and how the legislation works, and

the industry for their very open engagement and recognising that inconsistency was not something that could be tolerated any longer, however well meaning it was at the time. I commend this bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Statements by members**

### **Belconnen electorate—small business**

**MR CAIN** (Ginninderra) (5.08): I want to speak about two local Belconnen heroes. Abhinest Pathak and his family, originally from Nepal, have shown great initiative in setting up a home-based cafe at Strathnairn in West Belconnen. It is called ABY Coffee House and it is at 43 Cameleer Lane in Strathnairn. I encourage people, if you are in that part of Belconnen, to pay them a visit. It is a great little venue and showing great initiative, and small business initiative in particular.

The manager of Lido Cafe and Bar in West Belconnen, a lovely cafe, local cafe, Binh Le Thanh, much to my surprise and delight, is a very, very gifted nature photographer. It was my delight to be asked to open his exhibition at the Kiama Art Gallery in Hall last Friday. It is open until 7 April. So please get along to the Kiama Art Gallery in Hall to see these beautiful photographs of nature, mostly birds and nightscapes.

So check out ABY Coffee House at 43 Cameleer Lane in Strathnairn and the Kiama Art Gallery in Hall for some exhibits of local initiative and wonderful Belconnen representatives.

### **Municipal services—play spaces—maintenance**

**MRS KIKKERT** (Ginninderra) (5.10): I rise to express concerns with the government's playground inspection and upgrade processes. While many of the playgrounds in Ginninderra are run down, old and not well cared for, I wish to focus on one in particular. On 3 October last year I wrote to the former Minister of City Services on behalf of 90 residents who wanted to see improvements made at the Duigan Street Playground in Scullin. No improvements were promised. Instead, the government took away the tyre swing, citing that the timber frame had deteriorated and was no longer safe and that it would be some months before it would be replaced.

My concern is that in the minister's response to my October letter he had assured me that the government inspected the playground fortnightly. If this is the case, why wasn't deterioration acted on earlier and a replacement tyre swing procured ahead of time? As a result of this government's inaction, Scullin residents suffered a downgrade to their playground mere weeks after asking for an upgrade. Despite this backwards progress, perhaps there is an opportunity here to do a more thorough upgrade of the playground when the replacement tyre swing is installed and upgraded.

**Multicultural affairs—Ramadan iftar cancellation**

**MR BRADDOCK** (Yerrabi) (5.11): On 15 March, last week, the Islamic Practice & Dawah Circle were intending to host a Ramadan iftar for diplomats, political leaders and dignitaries at the Hyatt. This is a regular event and I had received an invitation, as had, I assume, many other members of this Assembly. However, on 6 March I received advice that the iftar had been cancelled. The IPDC had advised that the cancellation was not made lightly but was done to show solidarity with those enduring unimaginable hardship in Gaza. They wrote that cancelling their iftar event was:

A small but meaningful gesture to express support for the people of Gaza. Our hearts ache for the innocent lives lost, the families torn apart, and the immense suffering faced by many.

The humanitarian crisis in Gaza continues to get worse, not better, and the agony it brings to Canberra's Palestinian communities only continues to grow. The civilian death toll from the State of Israel's genocide now stands at over 31,500 people.

*Discussion concluded.*

**Legislative Assembly—standing order 118A**  
**Statement by Speaker**

**MADAM SPEAKER** (Ms Burch) (5.12): Members, before we move to the adjournment I will address the matter that came up at question time. Today after question time Mrs Kikkert raised a matter in connection with standing order 118A, concerning the answers to questions without notice received from the Minister for Housing and Suburban Development. Mrs Kikkert expressed that she was not satisfied with the answers that were provided to those questions.

Standing order 118A was designed to allow members to follow up ministers when they failed to receive an answer to their questions after the 30 days had elapsed. If the minister has not responded within that time frame, members can seek an explanation from the relevant minister as to why an answer has not been received and the minister is expected to explain the delay. If, after the minister has responded, the member is not satisfied with the explanation provided, standing order 118A allows the member to move a motion regarding the minister's failure to provide an answer, explanation or a statement.

However, to be clear, the standing order only applies when a minister has failed to answer a question within the time frame or provide reason for the delay. It is not designed for the purpose of seeking a different answer to the question asked. As such, standing order 118A does not apply as the questions were answered by the minister on 31 July 2023 and 18 December 2023 respectively, which was within the time frame. I hope that this clarifies standing order 118A.

**Adjournment**

Motion (by **Ms Cheyne**) proposed:

That the Assembly do now adjourn.

## Gambling—gambling harm

**DR PATERSON** (Murrumbidgee) (5.14): This week a very devastating story was written in the *Canberra Times* that detailed the depths of harm Mr and Mrs Kasurinen were experiencing from gambling that ultimately ended with Mr Kasurinen taking his own life in March 2020. The family have bravely spoken to the media outlining allegations of predatory behaviour by the Hellenic Club that they reported to the ACT Gambling and Racing Commission four years ago. I can barely speak to how angry it makes me feel that the family has been waiting for four years for the commission to finalise its investigation and reach an outcome. I cannot possibly fathom what the commission has been doing for four years.

Many other commissions conduct investigations and inquiries into similar complaints made against other venues around Australia. The New South Wales Independent Casino Commission into Star Casino conducted their inquiry in 10 months. The royal commission into Crown Melbourne took nine months. The royal commission into Crown Perth took 12 months. The Bergin inquiry, an inquiry under the Casino Control Act in New South Wales, took 13 months. The New South Wales Crime Commission inquiry into money laundering in pubs and clubs took 10 months. Contrast these time frames for significant investigations and inquiries with that of the ACT Gambling and Racing Commission, which the *Canberra Times* article reports has one complaint against one venue and we are still waiting on the outcome of the investigation four years on.

I have little doubt the other inquiries and investigations were substantially resourced to conduct them, but I have sat opposite the Minister for Gaming, Minister Rattenbury, and the Gambling and Racing Commission in hearing after hearing, and I have had multiple briefings, and never once has there been an indication that there are funding or resource issues to conduct compliance activity or investigations. There is no world in which this time frame is acceptable. To me, this case exemplifies the entire purpose of the Gambling and Racing Commission's remit and function: to work in the public interest to minimise criminal and unethical activity, and reduce the risks and costs of gambling harm to an individual and the wider community. I cannot see how the commission has performed its functions to the expectations of the Canberra community.

It is also completely unacceptable that the family have not been provided any information on the progression of this case for four years. I call on Minister Rattenbury to urgently amend the investigative provisions to ensure that further trauma is not inflicted and that the situation can never occur again.

The other issue I have is that the complaints raised by the family reported in the *Canberra Times* are the worst of the worst. They allege predatory manipulative behaviour to encourage attendance at a venue and to play poker machines despite the alleged known harm that was occurring. The fact that this investigation has been going on for four years without any extra scrutiny, sanctions or eyes on the venue and that it was allowed to operate business as usual for four years is absolutely not acceptable. If such serious harm is being alleged and an investigation has been ongoing for four years, then there need to be measures in place to monitor a venue's activities until such time that an outcome of an investigation has been finalised. Again, I will be writing to Minister Rattenbury on this issue.



I extend my deepest sympathies to the family and all families who have lost loved ones to gambling related harm. A paper published in the leading medical journal *The Lancet* in December last year looked at gambling related suicide in Victoria. From nearly 5,000 suicides in the state over an eight-year period, 4.2 per cent were associated with gambling harm. That is likely an underestimation due to the fact that gambling problems are often hidden from loved ones and not routinely investigated by coroners.

The ACT government's website that reports deaths, intentional self-harm or suicide says there are some 14 deaths per 100,000 people, so there were approximately 60 to 70 deaths in 2021, which I note is above the national average. We do not know how many of these deaths gambling played a role in, but there is no reason to believe that it would be any different from Victoria. Gambling harms, sometimes catastrophically, which is why transparent, fair and prompt functions of the Gambling and Racing Commission to uphold the laws to protect people from gambling harm are so important.

### **Women—Canberra Women in Business awards**

**MS LAWDER** (Brindabella) (5.19): As the shadow minister for women, it gives me great pleasure today to acknowledge the winners of the 2023 Canberra Women in Business awards. Firstly, I would like to acknowledge the contributions of Canberra Women in Business in general, as an organisation. Founded in 1992, CWB has been a steadfast advocate for women entrepreneurs in our region. Through their tireless efforts, they have provided a nurturing environment where women can thrive, grow and achieve their dreams in the world of business.

I would like to thank all the CWB committee members, past and present, for their selfless contributions. These are people who have their own day job and they have families, and often they have their own business that they are running. Sometimes it is what may be called a side hustle. They have many things going on in their life and yet they feel it is important to contribute to the Canberra Women in Business Committee. I would like to welcome many of the committee members, sponsors, finalists and winners of last year's awards who are joining us today in the gallery. Thank you for coming, and thank you for what you do.

I am proud to highlight the remarkable achievements of the 2023 award winners at the Canberra Women in Business awards. Each of these women exemplifies the spirit of entrepreneurship, resilience and leadership that defines our city's business landscape.

Dr Chloe Lim, Micro Businesswoman of the Year, captured our hearts with her creative genius at Giggly Wiggly balloons. Through her whimsical balloon artistry, she has brought joy to countless families and organisations, proving that creativity knows no bounds.

Eryn Davies, recipient of the Social Impact of the Year award, has made a profound difference through her work at Capital Psychology Clinic. Her commitment to mental health care has touched the lives of thousands, transforming our community one individual at a time.

Dr Debbie Saunders was honoured with the Innovation of the Year award. She has revolutionised wildlife conservation with Wildlife Drones. Her groundbreaking

technology is setting new standards in radio-tracking of animal movements, empowering conservationists around the globe to protect our planet's precious ecosystems.

Bianca Flint was recognised as Small Business Woman of the Year. She has demonstrated exceptional leadership at OneSource Customs and Logistics Pty Ltd. Her dedication to simplifying supply chain operations has earned her praise and admiration from clients and colleagues alike.

Sarah Richards, Indigenous Businesswoman of the Year, has harnessed her passion for healing and cultural preservation through Marrawuy Journeys. Her commitment to fostering wellbeing and productivity in workplaces is an inspiration to us all.

Emily Coates, Young Businesswoman of the Year, has built a thriving social media agency at Ivy Social. Her insight-led approach and unwavering commitment to excellence have propelled her business to new heights.

In the Businesswoman of the Year award, Alisa Moss of DJAS Architecture was highly commended, and the winner of Businesswoman of the Year 2023 was Dr Debbie Saunders of Wildlife Drones.

These women represent the very best of our city's entrepreneurial spirit. Their achievements remind us of the transformative power of gender diversity in business, and the boundless potential that lies within each and every one of us. Their awards were presented at the CWB Gala Awards night late last year. Well done to the organisers and the committee, and I thank the sponsors who help make the event possible.

As we celebrate their successes, let us also recommit ourselves to creating a more inclusive and equitable society, one where every woman has the opportunity to thrive and succeed. Studies have shown time and time again that companies with diverse leadership teams outperform their counterparts, driving greater innovation, resilience, and profitability. By harvesting the unique perspectives, talents and experiences of women, we can unlock new opportunities to growth, innovation and prosperity for us all. So let us all contribute to breaking down the barriers, challenging stereotypes and building a future where every woman can achieve her full potential.

I would like everyone here to join me to celebrate the resilience, creativity and unwavering determination of Canberra Women in Business. We will have a small reception upstairs after adjournment.

**MADAM SPEAKER:** On behalf of others here, congratulations on the great work that you do.

### **Women—International Women's Day**

**MS VASSAROTTI** (Kurrajong) (5.24): I will be following a theme, because I want to speak briefly to commemorate International Women's Day, which was held on 8 March 2024.

This annual day provides us with the opportunity to celebrate the incredible achievements of women in our local community. I take the opportunity to congratulate

Joanne Farrell, a local builder and founder of Build Like a Girl, who was announced as the ACT Woman of the Year. I would also like to recognise the contributions and achievements of Mijica Lus, the ACT Young Woman of the Year, and Glenda Stevens, the ACT Senior Woman of the Year.

These women have contributed in the areas of supporting gender equity, multicultural communities, education, media, health care and human services. I would also like to congratulate everyone in the gallery today who has been successful in terms of the business awards. I have spent time with Debbie, and the work she has done around wildlife support has been fantastic.

This day also provides us with an opportunity to reflect on where we can do better in relation to women's economic empowerment, their leadership and equity. I had the opportunity to address and participate in a number of events that particularly focused on women's engagement in non-traditional areas, including in construction and conservation. This provided me with the opportunity specifically to reflect, as a female building and construction minister, on how we are doing in this industry in relation to women's equality. It was particularly useful that this reflection occurred in the context of a landmark report around organisations across Australia's performance in relation to pay equity.

In releasing this report, it was noted that the gender pay equity problem is persistent and complex. It is a problem that costs the Australian economy \$51.8 billion a year. This report is particularly important, as we know that transparency and accountability are critical for driving change. By shining a light on gender pay gaps at an employer level, we have critical information regarding the state of play, and organisations now have the evidence they need to take action and accelerate the closing of the gender pay gap.

This information is provided at an industry level. It provides other illuminating data in addition to the data on pay. When I looked at the construction industry, I saw that there was a lot of work to do. There is some good news. Seventy-seven per cent of industry organisations have a policy in place for flexible work; 74 per cent have domestic leave support. This means that there are structural supports in place to enable women to participate in the workplace.

However, I was pretty shocked to read that 52 per cent do not have any parental leave. How could this be? Perhaps it is because women are not the decision-makers. Again, looking specifically at the construction industry, only six per cent of board chairs were female, across the board; 16 per cent were board members; and 10 per cent have set a target. In relation to CEOs, eight per cent were female; and, in this industry, 26 per cent of the industry is female. This has occurred despite the evidence that was referred to by Ms Lawder, that diversity in the workplace delivers better profitability, sustainability and better outcomes.

The focus of the agency's report is on the pay gap. In the construction industry, the pay gap is 31 per cent. Organisations should be aiming for about five per cent. Again, how do we understand how this happens? Equal pay for the same job has been legislated for decades, and many put this at the feet of women themselves.

However, some of us in this chamber can reflect on the situation in which we have found ourselves, from our own experience—those times when we did not negotiate a

salary that reflected our skills because we felt that we needed to be grateful to have the job; negotiating a part-time arrangement, which effectively translated to buying flexibility; or having less super because of the caring responsibilities that we had.

The international theme of IWD this year was to invest in women and accelerate progress. We have come a long way. Here in this chamber, women make up the majority in the parliament. At the cabinet table, women make up the majority. But there is more work to do. We need to champion the work of women leaders and call for greater action around women's empowerment. *(Time expired.)*

### **Women—Canberra Women in Business awards Faith—BAPS Hindu temple**

**MRS KIKKERT** (Ginninderra) (5.29): Congratulations to the beautiful, very intelligent women in our gallery for never giving up on your journey to success. Thank you for representing that wonderful example.

I rise today to congratulate the leadership and members of Canberra's BAPS community on the inauguration in the last week of their Hindu temple and community centre in Taylor. I also wish to express my appreciation for the thoughtful invitation to join in the joyful festivities.

I am grateful each time that a faith community succeeds in completing a place of worship in the ACT. This can be a long, difficult and expensive process—one that has become demonstrably worse over the past few years. I still remember that when I joined a ministerial briefing on the Planning and Development (Community Concessional Leases) Amendment Bill back in 2019, directorate staff explained very clearly that one of the government's intended outcomes was to reduce the amount of community land available for building religious structures.

I congratulate the members of this vibrant faith community on overcoming obstacles, working hard and making significant sacrifices over the past 10 years to bring this stunningly beautiful temple from dream to reality. I understand that the children raised an amazing \$35,000 by collecting soft drink cans and donating their allowances. Adults in some cases sold off investment properties and contributed the proceeds.

The faithful now have a venue that is large enough for 500 worshippers to assemble comfortably. They also have a large commercial kitchen, two dining areas, a parents room, six classrooms for children, and living quarters for visiting monks and a temple caretaker. What a wonderful change after so many years spent crammed into school halls.

I am happy for everyone involved and understand the impact this will have on their desire to practise their beliefs. Those beliefs include addressing the spiritual, moral and social challenges that we face in this world. Members of BAPS strive to strengthen our shared community by caring for families and individuals. They seek to lead upright, honest lives and donate regular hours to serving others. Each makes vows to avoid alcohol and other addictive substances and to be strictly faithful to marriage partners, amongst other vows.

On Saturday, along with James Milligan, I was able to witness the Nagar Yatra, or grand cultural parade, a beautiful procession of devoted members at this very well-organised

event. I am confident that this lovingly crafted temple will be a place of peace for them and for many Canberrans, a place of worship and learning, and a place that will help to build and strengthen our community.

### **Multicultural affairs—Federation of Indian Associations of ACT Inc.**

**MR CAIN** (Ginninderra) (5.33): FINACT, the Federation of Indian Associations of ACT, are one of our wonderful multicultural communities, and strongly representative of our Indian community. They have the goal of representing a united front for all of their member associations and multicultural communities in Canberra, for the advancement of people of Indian origin. They act as a channel of communication between the Indian community and governments—federal, state and territory—on welfare, social and economic matters. They promote an awareness about Indians being responsible Australian citizens and to cultivate a feeling of mutual respect through increased social and cultural interaction, sport and recreation. They also have the goal of developing an “India centre”, a cultural and resource centre for the benefit of all of the ACT community.

In particular, they were the organisers on the weekend of the AusIndia Fair 2024, which provided a wide range of community, business and food stalls, as well as wonderful cultural performances from our Indian and multicultural communities. This is an annual festival for people to experience food and culture and celebrate the friendship between Australia and India.

I was delighted to meet up again with the Deputy High Commissioner of the High Commission of India, Mr Suneet Mehta, to spend some time with him, and to say a few words as shadow minister for multicultural affairs in the Assembly. It was also wonderful to see many of our Canberra Liberals MLAs and candidates attend this AusIndia Fair 2024, with a Canberra Liberals stall being one of the popular stalls of the afternoon.

It was also a delight as usual to meet up with many of our multicultural leaders from all over Canberra. I want to commend FINACT for their organisation and for the presentation of a wonderful day of celebration of our multicultural community—inviting the broader community to be a part of that and to share in a wonderful afternoon together.

Question resolved in the affirmative.

**The Assembly adjourned at 5.36 pm.**