



**QUESTION TIME**  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

Edited proof transcript

Thursday, 6 February 2025

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## Thursday, 6 February 2025

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## **Questions without notice**

### **Health—Coroner’s report into the death of Rozalia Spadafora**

**MS CASTLEY:** My question is to the Minister for Health. Minister, yesterday you apologised to the family of Rozalia Spadafora for failures within the health system which ultimately led to her death, but you have not withdrawn your remark from an estimates hearing on 23 August 2022, when I asked about Rozalia and you said:

People die in hospitals; it is part of delivering a hospital service ...

Will you now, publicly, finally apologise for that remark?

**MS STEPHEN-SMITH:** I do not really thank the Leader of the Opposition for the question, but it is a predictable one. It is true to say that, when you are delivering health services, sadly and unfortunately, people die. That is in fact part of delivering health services. What we seek to do within the health system is ensure that it does not happen when it should not, and that health care is provided to ensure that people’s lives are saved wherever that is possible.

In the case of Rozalia Spadafora, that did not occur. I was very clear yesterday and I was very clear at the time that Rozalia died that we would do everything we could to understand what happened. Canberra Health Services engaged collaboratively with the coronial process in order for that to occur. Canberra Health Services also undertook significant internal work, and I established an expert panel into child and adolescent clinical services to ensure that every lesson was learnt from this terrible tragedy that occurred within Canberra Hospital. It was an absolute tragedy. I did apologise to the family of Rozalia Spadafora for the failures that occurred within Canberra Hospital, and I again extend my deepest condolences to them.

**MS CASTLEY:** Minister, why is ACT Health forcing the Spadafora family to prove their grief, which you said yesterday was inconsolable grief, in order to access compensation?

**MS STEPHEN-SMITH:** Obviously, if there are matters before legal processes, the matters are sub judice. I am not in a position to talk about them in this place. There are standard processes that occur in relation to such matters. It is the ACT’s commitment to be a model litigant in these kinds of matters. I do not even want to use the word litigant. These are matters that have a legal process. That legal process needs to be undertaken. In all of these types of cases where there is a claim against the territory—and, again, it is hard to talk about this. It is not a public process.

Ms Castley seems to have just made public a process that has not been a public process. I do not know on whose authority she has done that. But, to the extent that there is a process, that is part of the standard process in these matters. Obviously, the Coroner only handed down the report on 6 December, and we worked very quickly to respond to that report. We responded to it in the first available sitting week. We tabled the report, responded to it and accepted all the recommendations in the first available sitting week, and that was yesterday. I was very keen to ensure that we did that, to close off as quickly as possible the part of the process for which I am responsible.

**MR HANSON:** Minister, given the principle of ministerial accountability, shouldn't you take full responsibility for the failures in your portfolio that caused this tragedy and stand down?

**MS STEPHEN-SMITH:** I have taken significant responsibility in relation to this matter. As I indicated, I established the Child and Adolescent Clinical Services Expert Panel to ensure that we finalised the Child and Adolescent Clinical Services Plan as quickly as possible—work that was already underway in July 2022. I have consistently worked with experts and with Canberra Health Services to ensure that improvements have been made in the care of unwell children, and we have made investments through every budget process to improve the care that we provide to children and young people in the ACT.

What I can say to the people of Canberra is that I think about Rozalia at least once a week—every week in doing this job. So, if anybody here thinks that anyone in this place would be more committed to making changes to improve the care of children in this city, I dare them to name someone, because I am absolutely committed to continuing this process of improvement.

### **Elective surgery—waiting times**

**MS CASTLEY:** My question is to the Minister for Health. I refer to elective surgery waitlist data as published by CHS. I note that, between 11 October 2024 and 31 January 2025, the percentage of Canberrans that are overdue for elective surgery has gone from 21 per cent to 28 per cent for Category 1 patients; 45 per cent to 50 per cent for Category 2 patients; and 22 per cent to 24 per cent for Category 3 patients. Can you please explain why the wait times and number of overdue elective surgeries continue to blow out, despite all your claims of delivering a better health system?

**MS STEPHEN-SMITH:** As Ms Castley is well aware, there was some significant disruptions to elective surgery in the 2022-23 financial year, including a fire at Calvary Public Hospital's theatre complex, which took out the entire theatre complex for some weeks and five theatres for 10 months. That resulted in a significant reduction in the capacity to deliver elective surgeries in that year. We have continued to increase the elective surgeries that are delivered by Canberra Health Services and through our private partners and we are continuing to do that this year. This year we have set a very high target for elective surgeries and we are on track to deliver on that target.

**MS CASTLEY:** Minister, why do you only have the most recent fortnightly waitlist data on the website, and not any previous reports? Is it because you do not want the public to be able to track the results over time?

**MS STEPHEN-SMITH:** I will have another look at the website and see if previous data is available. We regularly publish formalised and cleansed data through the Health directorate. So that is data that meets the national standard. The data that Ms Castley is referring to that is point in time is Canberra Health Services operational data. It is published on the basis of a request from both consumers and general practitioners to understand what is going on at a point in time. That is the exact purpose of that data—we publish operational data at a point in time. Operational data changes over time and is published to provide an indication to consumers and general practitioners of what is

going on at that point in time. That is the entire purpose of the CHS operational data.

If you want to look backwards at what has been occurring: the data that is published on the ACT health data dashboard is now available; there are quarterly performance reports going back; there are Australian Institute of Health and Welfare reports going back; MyHospitals on the Australian Institute of Health and Welfare website is live; and the Australian Institute of Health and Welfare cleansed data set is available. So that is how you look backwards. This CHS data that Ms Castley is talking about is specifically and deliberately point in time, because that is what consumers and other clinicians were asking for.

**MR HANSON:** Minister, will you take responsibility if you do not meet elective surgery targets and rule out coming in here with yet more excuses?

**MS STEPHEN-SMITH:** I have consistently taken responsibility for my portfolio in the five and a half years I have had it.

### **Justice—mandatory minimum sentencing**

**MR RATTENBURY:** My question is to the Attorney-General. Attorney, last night we saw federal Labor, with its Criminal Code Amendment (Hate Crimes) Bill, abandon its official platform of opposing mandatory minimum sentencing. Attorney, what assurance can you provide to Canberrans who are worried this shift in the federal sphere might lead to mandatory minimum sentences being introduced in the ACT?

**MS CHEYNE:** I regret that I did not follow what occurred in the federal parliament last night. So, to provide the best answer I can, I will take that on notice and seek to come back as soon as possible.

**MR RATTENBURY:** Attorney, what is the ACT government position on mandatory minimum sentences and how can Canberrans be comforted that this will not reverse on a dime like we saw overnight with your federal counterparts?

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

**MR BRADDOCK:** Minister, would legislation like the hate crimes bill be consistent with the ACT Human Rights Act?

**MS CHEYNE:** I think that is asking for an expression of opinion—and I am not a lawyer.

*Opposition members interjecting—*

**MR SPEAKER:** Attorney, I am not sure that he is asking for an opinion. But, given that you have taken the first two on notice, would you like to take that question on notice as well?

**MS CHEYNE:** Sure.

### **Taxation—registration fees**

**MR COCKS:** My question is to the Minister for City and Government Services. Minister, the ACT has some of the most expensive licence and vehicle registration fees in the country. For example, a vehicle that would cost \$649 to register in New South Wales costs more than \$1,300 in the ACT. It is the same for all sorts of licences and fees, contributing to Canberra's high cost of living and encouraging many Canberrans, in fact, to register their cars, trailers and caravans elsewhere. Minister, why are ACT government fees and charges so much higher than the rest of the country?

**MS CHEYNE:** I thank Mr Cocks for the question. I reject the commentary that our fees and charges are so much higher than the rest of the country. I think Mr Cocks was selective in the fees and charges that he referenced. I am happy to take those ones on notice and to come back with a detailed explanation about what informs that fee. I would note that there are other fees and charges where we have been incredibly progressive, where we have, in fact, removed the fee, such as for hawker licenses—

**Mr Hanson:** It costs less to have heroin, that's for sure!

**MS CHEYNE:** It is not always about drugs, Mr Hanson. We have removed the fees for hawker licenses, and we are flexible in the offering of other things. I would note and point to the election commitment regarding the registration fees for caravans and trailers and refer Mr Cocks to that.

**MR COCKS:** Why does the government choose to penalise people who have low incomes and who cannot afford to register their vehicle interstate or to achieve your rebates on electric vehicles?

**MS CHEYNE:** We do not. We are not penalising any particular person. In fact, through multiple enquiries in this place, and through the government's consideration, we adopt many different policies and strategies to support people who are vulnerable, including through the payment of infringement notices, for example, where there is great flexibility in entering a payment plan, in addition to getting financial advice provided through Care Financial. So, in fact, Mr Speaker, I would say that the government does all it can to be supportive of people who are vulnerable in our community, but these things, or some of the things at least, that Mr Cox has referred to do come at a cost, and they are a privilege to use or to have, and the government does have a cost in terms of the processing of them. We are looking at ways of improving our own efficiencies all the time, and certainly when it comes to Access Canberra's service centres, they are incredibly efficient, and I thank them for their service.

**MR MILLIGAN:** Minister, will you adjust the registration fees to align with New South Wales?

**MS CHEYNE:** Mr Speaker, that is technically out of order as well, because that is asking me to announce government policy; however, I would note that we already have ongoing support for households when it comes to cost of living. Motor vehicle registration concessions in the ACT can be up to a 100 per cent discount on motor vehicle registration fees. We expect the estimated take-up in this financial year alone to be 66,750 registrations. If that is not supporting the community, I am not sure what is. Of course, we also have public transport concessions, driver licence concessions, the

Taxi Subsidy Scheme and numerous other concessions available to the community.

### **City and government services—trees**

**MR MILLIGAN:** My question is to the Minister for City and Government Services. Given the high level of local taxes, Canberrans expect a reasonable level of service from this government, but they are continually let down. Two years ago, a resident of Kaleen lodged an issue about a dangerous tree on public land, behind their back fence. It took 12 months for the government to note that it was dangerous and should be removed. Twelve months after that, the tree fell, damaging the property. Thankfully, no-one was injured. Minister, if a dangerous tree is marked for removal, how soon can a resident reasonably expect it to be removed?

**MS CHEYNE:** I thank Mr Milligan for the question. I believe this information is publicly available, regarding what someone can expect. Tree removal and the time frames for that are based on the risk that our arborists assess at the time. I am not saying that the risk profile of a tree cannot change; of course, it can, depending on the circumstances—storm activity and other things. In terms of removing trees, it is undertaken through that risk assessment, and they prioritise and schedule work accordingly.

**MR MILLIGAN:** Minister, what are you doing to improve this level of service to ensure residents feel safe in their own homes?

**MS CHEYNE:** For starters, I trust our teams. I trust our arborists; I trust our City Services crews. They do a remarkable job. I have seen them in action. I have even climbed a tree with them, and that was hard work. They do an incredible job in cleaning up.

I acknowledge that, just after speaking about the storm season yesterday, we had another storm. Again, our crews have been out overnight, supporting the clean-up effort. All of these things necessarily create issues in terms of the scheduling of trees that have been identified for removal, when we are responding to issues of greatest need—where there are safety issues, where there are trees down on roads or on powerlines, for example.

In terms of further support for our crews, after meeting with them last year on several occasions, they made it clear to me just how much the articulated loader was helping them to get into some hard-to-reach areas, particularly when soil was very damp. As a result, with the support of the ACT government, they have acquired another loader. I have seen plenty of pictures of it, hard at work. Indeed, there was a naming competition for it last year.

**MS CASTLEY:** Minister, does the government accept responsibility to cover the cost of any damage caused by your failure to act?

**MS CHEYNE:** I would not describe it as a failure to act. Regarding insurance, I cannot comment on this particular case, and I will not comment on individual cases.

### **Lake Tuggeranong—water quality**

**MISS NUTTALL:** My question is to the minister for water.

Minister, yesterday Lake Tuggeranong was closed to all water activities due to the discovery of sewage and oil contamination. This is unfortunately not the first time in the last few months that Lake Tuggeranong has been closed for similar reasons. I did have constituents reach out to me who were concerned that, contrary to listings on the government website, they were unable to find signage along the lake between the skatepark and the library.

Minister, what measures, both physical and digital, were taken to alert people to the lake's closures yesterday?

**MS CHEYNE:** I thank Miss Nuttall for the question. So you are correct. Under Section 22 of the Lakes Act 1976, there was a decision to close all areas of Lake Tuggeranong yesterday, based on advice from – or Tuesday, based on advice from Health Protection Services. This is due to the presence of sewage as well as the presence of oil, which does appear to have come through a pipe that had been damaged and has now been repaired. Regardless, those contaminants are still there, but it should not be an ongoing issue due to this being a particularly damaged area.

In terms of the signage that was available, I do need to probably take that on notice to learn exactly where signage was established. But I do know that the crews across EPA, Health Protection Services and others were working to remove contaminants from across the lake network and to provide as much advice as possible. Of course, nothing is as good as seeing a sign when you are in the location, but members would be aware that there were a very large amount of communications issued right across social media and government channels, and through the media as well. So our advice remains the same: please do not enter the water for any reason, primary or secondary contact.

**MISS NUTTALL:** Is there any more information you can share on the source of the contamination and when you expect it to be addressed?

**MS CHEYNE:** Potentially. I will take it on notice, Mr Speaker; I just cannot see it in my notes. I should be able to come back at the end of question time to clarify.

Effectively, the test results of sampling of the water will inform the steps that need to be taken for Lake Tuggeranong to be reopened. But, for the moment, it remains closed. And I will see what further advice I can get you by the end of question time.

**MR RATTENBURY:** Minister, has there been any follow-up to the previous incident of contamination back in January, including possible fines or prosecution?

**MS CHEYNE:** I will take that on notice, Mr Speaker.

### **Transport Canberra—MyWay+**

**MS CASTLEY:** My question is to the Minister for Transport. It has now been 10 weeks since the launch of MyWay+ and the system continues to be plagued by problems. Could you please update the chamber about when the system will be fully functional?



**MR STEEL:** I thank the member for her question. The system is functional. It is providing what was intended as part of our contract over 10 years with NEC Australia to provide contactless payments—payments through credit and debit cards—which around half of the people using our public transport system have been taking up really successfully and seamlessly across the system. People have also been taking up the travel card option that was traditionally provided under the old MyWay system and are also using the new account functionality that exists to be able to tie different payment methods to one account.

We have been working through planned updates for the system, including current testing that is going on of group functionality, to enable parents in particular to support their children's accounts. We are looking forward to rolling that out later this month so that we can support more functionality on the system compared to what was ever available under MyWay.

**MS CASTLEY:** Minister, can you confirm whether the QR codes will ever be fully functional and wholly reliable?

**MR STEEL:** I thank the member for her question. The QR codes are only one payment option available to Canberrans using our public transport system. Since the launch, we have worked closely with NEC to improve the functionality of the QR codes, in particular reducing the size of the QR codes to make them easier to scan on the MyWay+ validators, and we have been working to provide communications to Canberrans using public transport on how to use the QR code functionality. That is not just on the MyWay+ app but also through the paper tickets that people can buy from the TVMs that are being installed at the moment. People will be able to top up their MyWay+ cards as well on those machines. That is one way to pay. It does take slightly longer than the contactless payment options, like the credit and debit card and travel card options, which we are now providing Canberrans through MyWay+. We have been encouraging Canberrans to use the method of payment that is simplest for them to use.

We have not yet, during this transition period—as I mentioned in question time earlier in the week—switched on the penalty fares for not tapping off, because we want to give Canberrans the opportunity to try out the different payment methods that are available. We will continue to monitor the use of those. By far, the greatest methods being utilised are the debit and credit card options, the travel card options that are available, and indeed using a credit or debit card on a smartphone device—a contactless payment—which is, of course, an option that was not available under the old MyWay system.

**MS BARRY:** Minister, is it still your position that it was appropriate to launch on 27 November and that adequate testing was undertaken?

**MR STEEL:** I thank the member for her question. I made clear that we made the decision to go live in November based on advice that had been provided—that there was a high level of confidence in the system and the testing that had been done prior. Obviously, issues arose immediately following implementation in November. Many of those issues have been addressed. The system is functioning and Canberrans are tapping on and off public transport using their credit and debit cards, which was the major feature of this system that we wanted to introduce to Canberra. It has been embraced

by many people who are having a seamless experience using public transport.

Other updates are being made and we are certainly interested in hearing feedback about improvements to the user experience of the MyWay+ app, the MyWay+ portal and the broader system. We will continue to make those improvements over time to make sure that this system is even better.

### **Disability—government support**

**MR WERNER-GIBBINGS:** My question is to the Minister for Disability, Carers and Community Services. Minister, how is the ACT government working with the commonwealth to support people with disabilities?

**MS ORR:** I thank the member for their question. The ACT government has been working with our counterparts in every state and territory and with the commonwealth on our co-governance responsibilities for the National Disability Insurance Scheme and on the early work required to build new foundational support services, the improved service system navigation for people with disability generally and targeted responses for early intervention.

Recently the commonwealth released the Australian Disability Strategy update and the first National Autism Strategy. The community consultation that informed these set a clear articulation of the work the commonwealth will be undertaking and provides the ACT government with the opportunity to align our own priorities to ensure reform at all levels of government is aligned. I deeply appreciate the engagement and advocacy that disabled peoples' organisations, advocacy groups and the disability support services sector; mainstream health, education and community services providers; and all officials working on this; have contributed to progressing the reforms in this agenda. We know the community wants to see a service system within and outside the National Disability Insurance Scheme that is responsive to, and meets, their needs. That is the message the ACT government will continue to make as we progress through these reforms.

**MR WERNER-GIBBINGS:** Minister, what does the release of the National Autism Strategy mean for Canberrans?

**MS ORR:** The recent release of the National Autism Strategy represents a new and important step in national policy that acknowledges autistic peoples needs have not always been well accounted for in service access and design, and that our understanding of autism and neurodiversity has a way to go. The implementation of the strategy and the learnings and supports from the actions will be of benefit to all Australians, including Canberrans. As members in this place may be aware, the ACT government has a commitment to develop an ACT neurodiversity strategy. The release of the National Autism Strategy provides a valuable example of tested ways to approach co-design and policy priorities, which will aid the early thinking on this piece of policy reform.

**MS TOUGH:** Minister, what additional work for the disability community will the ACT government be undertaking this term?

**MS ORR:** I thank the member for her question. The ACT government is committed to working with the community through the “nothing about us without us” principle to continue making our city the most inclusive it can be. In addition to developing the ACT neurodiversity strategy, we will continue to progress our own ACT Disability Strategy, and in addition to that, key policy work will also be working across government to realise the ambitions and the potential of the Disability Inclusion Act, and improve everyday accessibility for Canberrans with disability.

### **Transport Canberra—MyWay+**

**MR COCKS:** My question is to the Minister for Transport. The 10 weeks since the launch of MyWay+ have been plagued by problems, with drivers and passengers often forced to give up on payments. How much fare revenue will be lost because of this fiasco?

**MR STEEL:** I thank the member for his question. Obviously there was a period where we did not have any fares collected ahead of the launch, between the time that we switched off the old MyWay system and started to put in place the final hardware validators on the buses, and that was factored into the budget. Of course, we are still within the financial year, and we will be looking at what the outcome is for public transport revenue overall closer towards the end of the financial year and as part of the budget process.

But we are seeing really strong use of the MyWay+ system, with people getting on board and using the seamless contactless payment options that are available that simply were not available before. We have seen the benefit of that at major events, where people who have not typically used public transport in the past have not had to find a way to get a MyWay travel card; they have simply been able to tap on and off with their debit card to access public transport to get to and from those events—which is great to see. Obviously, this is a benefit for visitors to the ACT as well who may not have had a MyWay card in the past. So there will be significant benefits from this.

At the moment, as I explained earlier in the week, there is a small number of buses that still have not had the hardware installed. Those final installations are occurring. So there will be a—

**Mr Cocks:** Point of order on relevance. The question was about the quantum of funds that have been lost rather than the reasons for.

**MR SPEAKER:** Minister—

**MR STEEL:** I have answered the question.

**MR COCKS:** Minister, how much extra has it cost to sort out the problems with MyWay+ since its launch in terms of ACT government expenditure, including the cost to the public service?

**MR STEEL:** That is within appropriation, in terms of the cost of the public servant resources attached to the project. Of course, we have a 10-year contract with NEC Australia over the roll out of the system and ongoing operations and maintenance of the

system. That is part of the \$64 million contract that we have with them. We have been working really closely with them on making updates, both planned and unplanned, to MyWay+ to improve the benefits of the system for Canberrans, and we are continuing to provide updates to the community about that on a weekly or twice weekly basis. We will also be providing a very detailed submission through to the committee inquiry that is underway into MyWay+ which will provide a range of information that we can make available to the committee for it to consider the roll-out.

But we have a system that is functional. It is providing the contactless payments options that we promised the people of Canberra. There are improvements that we can make to the system for user experience, and we are open to listening to that feedback and making updates with NEC Australia to improve the user experience.

**MS MORRIS:** Minister, what is the total cost, in terms of all ACT government expenditure, of the ACT's efforts to get an updated ticketing system since the need for a new system was identified nearly a decade ago?

**MR STEEL:** I thank the member for her question. I am happy to take that question on notice. But, when we employ people to do this work, it is within the existing appropriation, in most circumstances. There may be some agency costs for project management, but we have the outcome of a 10-year contract with NEC Australia for \$64 million to deliver this project. If what the member is suggesting is that we should have gone ahead and procured a system that was not value for money in a previous procurement, we disagree.

*Opposition members interjecting—*

**Mr Cocks:** Point of order: the minister has gone on to debate the question.

**MR SPEAKER:** I would agree. But, Minister, I get the sense that you have finished answering the question.

**MR STEEL:** I have.

### **Aboriginal and Torres Strait Islander Peoples—incarceration**

**MR EMERSON:** My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. In response to a question about Indigenous incarceration rates that was taken on notice in the last sitting period, the minister indicated that the government had committed to setting a target to reduce the rate of Indigenous incarceration in the ACT to achieve parity with the non-Indigenous population by 2031.

The Productivity Commission's latest *Report on government services*, released this week, shows our Indigenous incarceration gap increased in the last year, remaining the highest in Australia. Further, while the non-Indigenous repeat offending rate dropped slightly, at 58.5 per cent in the ACT, which is great, the Indigenous reoffending rate increased, with the ACT now taking New South Wales's place as the jurisdiction with the highest Indigenous reoffending rate in the country. Is the minister aware of these alarming figures, and what would she say to members of our First Nations community who might be concerned that a policy of setting a target for 2031 will not be enough to

address our shameful Indigenous incarceration gap?

**MS ORR:** I thank the member for his question. The government has a range of targets through a range of agreements with different timeframes, and certainly I am kept updated against those targets as we progress. There is nothing easy, quick or simple about the reform in this area and making sure that we are starting to respond to and right injustices of the past.

The member has quoted a number of statistics. I will take the detail on notice, and I will get some advice, given that we do have a number of commitments there and a lot of work underway, as to how best to go through the detail of what the member has asked. But I would make the observation that as we work through these reforms, it is not necessarily going to be straightforward. It is not necessarily going to be easy, and we are not necessarily going to be on a continuum of progress. There will be times when we might go back, but we are also going to go forward. That is why we set these targets out so that we can work towards going through what are very complex reforms and changes. What I will say is that we do remain committed to realising the change that we need to make to start to work towards righting the injustices of the past that have led us here.

**MR EMERSON:** Will the minister commit to reducing the Indigenous incarceration gap in this term of government?

**MS ORR:** The government has made a number of commitments, and we remain committed to seeing those through.

**MR RATTENBURY:** What steps do you propose to take to deliver on that commitment?

**MS CHEYNE:** I will take that question. As the former Attorney-General would know, there was the commissioning of the review into over representation of First Nations people in the ACT justice system, which is concluding its second phase of analysis. We will be receiving the report for that very soon, and that report will feed into the steps that the ACT government will be taking to reduce the rates of incarceration and the over-representation of First Nations people in the ACT justice system at all levels of the ACT justice system.

In addition to that, Minister Paterson and I will be working closely together with Minister Orr about options, practical initiatives that we can undertake, that support detainees on their release and that support detainees who might be on bail, or who might be on remand, and may need some extra support—so that we can reduce those recidivism rates. We do take that data very seriously and look forward to updating the Assembly when we have more to say.

### **Lake Ginninderra—water management**

**MS CLAY:** My question is to the Minister for Climate Change, Environment, Energy and Water. Minister, water is currently making its way from Lake Ginninderra towards Ginninderra Falls, for the purposes of filming a Netflix series, *Apex*, starring Charlize Theron. What volume of water was released by the ACT government on each instance

last Friday, 31 January and this Tuesday, 4 February, and on what basis was each volume approved?

**MS ORR:** I believe I have already covered quite a bit about the approval process in answer to previous questioning on this. The actual amounts were based on what capacity could be released, and minimising any impacts that might come from that, which is the central question to be considered under the act.

**MS CLAY:** How often does the ACT government release water from public waterways through private property for the purpose of for-profit enterprises?

**MS ORR:** I reject the premise of Ms Clay's question. We had a request to release water. That is what we looked at. The decision was based on whether we were in a position to release the water.

I make the observation that the last question I was asked around this was: will you override everything and unilaterally release water for this particular reason? Now I am getting a question from the other side. We can start to see here the two sides of the argument, and what I had to grapple with in looking at this question. What was put to me was that we had a request; we had the ability to consider that request, and I had to consider that request under a certain legislative regulatory framework, which is what I did. As I pointed out during the previous line of questioning on this, the request as to who it came from, which movie stars were involved, whether we liked the movie, whether we had a subscription to the subscription service—all of that was not actually part of the request and the consideration.

**Ms Clay:** A point of order.

**MR SPEAKER:** Could we stop the clock there? What is your point of order, Ms Clay?

**Ms Clay:** It is on relevance. The question was: how often have you—and the answer might be, "I will take that on notice." It was about how often; it was not about the premise or the basis. It was about how often.

**MR SPEAKER:** Minister, I sort of agree with Ms Clay that, in the first instance, you have rejected the premise of the question, but then you have gone on to answer it. If it is possible for you to answer the question—

**MS ORR:** Certainly. While I can appreciate Ms Clay's point of order that the question was about how often it was opened, it was for a specific purpose. That is certainly what I have gone back to in my point. If the question is: how often is the valve opened? I would have to take that on notice and come back to you. It is opened for a range of reasons many times and across different areas. I would have to find out.

**MISS NUTTALL:** What are the impacts of each water release on Lake Ginninderra and the ACT's natural environment, including on aquatic life and water quality?

**MS ORR:** Decisions have to be made on a case-by-case basis. The impacts, as Miss Nuttall has phrased it, or the impacts of doing a release, will change, depending on the circumstances at the time. But they will go to things that you have to consider—

the lake area, the surrounding lake area, the aquatic life, the downstream flows and how that will affect the water system. All of these were considered in the advice that was put to me in making the decision.

### **Sport and recreation—Amaroo Tennis Centre**

**MR MILLIGAN:** My question is to the Minister for Sport and Recreation.

Labor first promised the Amaroo Tennis Centre ahead of the 2020 election, with a three-year completion timeframe. It later extended this to September 2024, but the development application was only approved in July 2024. Given the expected, 18-month construction timeframe, the centre is now expected to be completed in late 2025 or early 2026.

Minister, why does it take the ACT government five or six years to build something this simple?

**MS BERRY:** Well, actually building things like this just is not that simple. It is quite a major infrastructure project. And so there are a number of due diligence activities that need to occur before the project can go ahead. There are certain timeframes in place for that work to occur. There is work involving getting expressions of interest, getting the funding through the budget process and then making sure that the project can be delivered in a timely and safe manner.

We have also been engaging very closely with Tennis ACT, who have been very supportive of this project, understandably, frustrated because, of course, everybody would want this to have happened six years ago. But they understand that there are processes in place for major infrastructure projects like this one.

**MR MILLIGAN:** Minister, can you guarantee that the centre will open and in use in early 2026?

**MS BERRY:** Well that is definitely the plan.

**MS CASTLEY:** Minister, can you provide the Assembly with an updated forecast of the total project cost?

**MS BERRY:** Look probably not at this time. But as soon as that figure is available then I will be able to do that.

### **Apprenticeships—enrolment and completion rates**

**MR HANSON:** My question is to the Minister for Skills, Training and Industrial Relations. Minister, data released by the National Centre for Vocational Education and Training shows that the ACT is the worst-performing jurisdiction in the country for commencements, completions and those in training. We are the only jurisdiction to have had a drop in these categories between 2020 and 2024, with commencements down 7.5 per cent, completions down 13 per cent and those in training down more than 25 per cent. Minister, why has the ACT gone backwards while the rest of the country is moving forwards?

**MR PETTERSSON:** I thank Mr Hanson for the question. The answer to that question is broad and varied. The ACT is, of course, experiencing a very tight labour market, which has made entering the workforce in general more appealing than ever before. The ACT government recognises the challenges in this space, which is why the ACT government has committed to introducing two apprentice payments of \$250 and the federal Labor government has committed to a similar scheme, but much larger, of \$10,000.

**MR HANSON:** Minister, what do you say to the local industries that depend on a pipeline of new apprentices and trained staff?

**MR PETTERSSON:** What I would say to them, very loudly and clearly, is: “We want to work alongside you to deliver the skills and training mix that will deliver the workforce that you need.” The ACT is a fast-growing economy, and to deliver those skills requires investment in the training and skills that are required, which is why the ACT government is proud to invest in a new CIT campus in Woden and rejuvenated facilities in Bruce.

**MR MILLIGAN:** Minister, can you guarantee that apprentice numbers will increase this year?

**MR PETTERSSON:** The ACT government takes very seriously our commitment to support the skills needs of our economy. The fluctuations in numbers are, of course, hard to predict but largely respond to the economic climate. The ACT is experiencing a very tight labour market which has made the ACT a jurisdiction in which getting people into training is more challenging than in others. We do acknowledge those challenges, which is why we have a range of programs in place to respond to that.

**Mr Hanson:** Mr Speaker, on relevance: the question was very clear on whether the minister can guarantee numbers will improve. It is a simple yes or no answer. He did not really get to the point.

**MR SPEAKER:** Mr Hanson, I am not sure that I can direct the minister in the specific way to answer. I think he did address the core of the question. I am sorry that his answer did not appease you, but I think it was answered generally.

**Mr Hanson:** Fair enough.

### **Hospitals—performance**

**MS TOUGH:** My question is for the Minister for Health. Minister, the Productivity Commission’s *Report on government services* to be released today will provide more information about the improvements seen in the ACT’s public health system’s performance. Can you update members on the improvements across our hospitals and emergency departments?

**MS STEPHEN-SMITH:** I thank Ms Tough for the question. She is right, the latest *Report on government services* will indeed highlight important improvements we have been making in health, confirming the ACT-level data that has been released over recent



months through annual reports, Australian Institute of Health and Welfare MyHospitals data, and most recently the ACT health services data dashboard, which went live yesterday. All of these sources show we are treating people faster in our emergency departments, and through our hospital-wide improvements, including the integrated operations centre, supporting more efficient patient flow.

In 2023-24, the number of patients seen on time in the ACT's emergency departments grew by 11 percentage points to 62 per cent. Category 3 and 4 seen on time have improved considerably by 10 and 14 percentage points respectively. Length of stay of four hours or less in our emergency department has increased to 56.2 per cent. When compared to peer hospitals, the ACT's hospitals are leading Australia on this performance measure. On length of stay of four hours or less for presentations ending in admission, the ACT is leading all jurisdictions. In 2022-23 the ACT also had the lowest rate of separations for potentially preventable hospitalisations, with a rate of just under 21 per 1,000 population compared to a national rate of around 25.

Elective surgery, of course, continues to be a key focus. In 2023-24, there were more than 18,400 additions to the public waiting list and we achieved a waitlist turnover of 95.9 per cent, a five percentage point increase on 2022-23. We will continue to focus on improving the performance of our ACT health system and supporting Canberrans to continue to enjoy the best health status amongst all jurisdictions.

**MS TOUGH:** Minister, how are ACT government investments ensuring these improvements are sustained across our vital public health services?

**MS STEPHEN-SMITH:** I thank Ms Tough for the supplementary. In the 2024-25 budget the ACT Labor government reached funding investment of \$2.6 billion into the health portfolio an increase of more than \$700 million compared to the 2019-20 budget. Our 2024-25 budget investments included expanded delivery of emergency and elective surgery, expansion of the Canberra Hospital campus, more paediatric and neo-natal services, additional beds at the University of Canberra Hospital, improvements to patient flow, and more services for older Canberrans.

This built on the investments we have made over successive budgets in expanding our emergency departments, intensive care units, medical and surgical beds, sub-acute and community services, paediatric services, and of course, the infrastructure our health services need for the future. Opening the Critical Services Building in August 2024 was, of course, a vital step in future-proofing the Canberra Hospital campus and we have been expanding services going into this state-of-the-art building to ensure we can maintain the improvements and innovations we have put in place.

To respond to increased demand, we are now investing a further \$227 million in our public services because, unlike those opposite, ACT Labor understands that we need to preserve public health care and embed the improvements we have been making in our hospital system performance. Funding this initiative will support Canberra Health Services to continue providing high-quality services to our growing population, including the additional frontline health workers we have recruited to meet this increased activity across our health services. ACT Labor will always back public health services and will continue investing in an accessible, accountable and sustainable public health system for the Canberra community.

**MR WERNER-GIBBINGS:** Minister, can you provide further information about the ACT government's commitments in this term that will further support improvements in performance and continued high-quality care for Canberrans?

**MS STEPHEN-SMITH:** I thank Mr Werner-Gibbings for his supplementary question. ACT Labor, of course, did take a comprehensive plan to the election, unlike any other party or independent in this place, and that is exactly what we will deliver. We will recruit 800 health workers—more nurses, doctors and support staff—and we will ensure Canberra Health Services continues to be a great place to work by building our wellbeing supports and research and training opportunities for our staff.

We will deliver further public health service reforms including in planned care and improved access to specialist outpatient services. In the mental health portfolio we will deliver a mental health services plan by the end of 2026 and focus our efforts on practical improvements to the system. We will work with general practitioners to provide opportunities for trainee and junior doctor placements in general practice; lift bulk-billing, especially for children; and support the general practice workforce with their wellbeing and professional development.

We are committed to delivering on our commitments under the National Agreement on Closing the Gap and the ACT Aboriginal and Torres Strait Islander Agreement as well. Further improvements to our health services will include establishing a Birthing on Country model and improving wraparound antenatal and postnatal supports for Aboriginal and Torres Strait Islander women and their families.

We will continue to deliver on key strategies reflecting our priorities for health service delivery over this decade, including the delivery of the more than \$1 billion Northside Hospital, the ACT Health Services Plan and the critical Child and Adolescent Clinical Services Plan, to name just a few elements of our comprehensive policy platform.

### **Planning—Phillip**

**MS CARRICK:** My question is to the Minister for Planning and Sustainable Development. There is confusion about the future of the Phillip trades precinct because the Woden District Strategy says that the Phillip trades precinct will be protected in land use planning; however, the zoning in the Woden District Policy provides for housing developments of up to six storeys in this area. As Braddon has been redeveloped, many services have been forced to leave the area as high-value residential developments were approved. The Phillip trades precinct is an important part of the Woden Town Centre and services a large catchment across Canberra's south. While the current laws allow for residential development, how will you ensure that the service trades are protected from the impact of residential development in the Phillip trades precinct?

**MR STEEL:** I thank the member for her question. As I noted in some detail in question time yesterday, we intend to have a conversation with the community, with traders and with landowners in the Phillip services and trades area about what the future zoning requirements should be in that area. So it's a future-looking discussion.

The district strategies for each district in the ACT were not set in stone through the planning system review. They were developed and introduced as a document that was proposed to be a living document, where it would be amended from time to time based on the needs of the community and, indeed, based on consultation with the community. That is what I am intending to do with the roundtable with the Phillip area and the broader Woden Valley community, to make sure that we have the balance right when it comes to what might be permitted in that area and the various competing land uses in that particular precinct.

**Ms Carrick:** Mr Speaker?

**MR SPEAKER:** Ms Carrick, you have a point of order?

**Ms Carrick:** A point of order on relevance. The question was about the zoning allowing for housing now. If DAs go in now, how do you protect the trades? It is not about the future; it is about now.

**MR SPEAKER:** I think the minister is going to finish his answer.

**MR STEEL:** I am happy to add that what we have seen is that residential development specifically within the Phillip trades area is generally not permitted. So there will not be applications under the new system that I expect that would come forward that would be approved. There were some allowances under the old Territory Plan that might have permitted some development applications to come forward, and they have been assessed under the old system. Indeed, some of them have been rejected.

**MS CARRICK:** Will the Southern Gateway Planning and Design Framework include holistic land use planning for housing, jobs, services, public spaces and community facilities across the whole Woden Town Centre, including the Phillip trades precinct?

**MR STEEL:** The scope of that project is being developed and I am open to that—and I have had that discussion with Ms Carrick about what the potential scope might be in terms of the footprint of the project. But, yes, it is intended to be a broad land use plan, particularly associated with some of the transport planning that we want to bring together on stage 2 of light rail and potential future extensions as well. That may include the Philip trades area as well. But the first point of discussion on that will be directly with the Phillip trading community and the broader Woden community as part of a roundtable. That discussion may then feed into the southern gateway planning work if there is a desire for change in that area.

**MISS NUTTALL:** Minister, what will the government do to ensure that the Philip trades precinct better meets the needs of community, such as by encouraging the return of lost services such as hardware and garden supply retailers? What will it do other than the roundtable?

**MR STEEL:** I thank the member for her question. Certainly we will get an understanding about what sorts of services the community wants to access through that process and indeed potentially through a broader planning process with the Southern Gateway Planning and Design Framework. We cannot dictate which businesses establish themselves with particular services within an area. But the broad land use

planning may permit a range of different uses within a land use zone.

The discussion will be more about whether the existing zoning is what people desire; whether people want a different type of zoning and planning controls being available in that area to permit other land uses and mixed-use development; the compatibility of those land uses; and whether there are particular areas that people think should be changed and others that should stay the same. I do not have a particular view on whether there should be change or, indeed, whether it should remain the same. I am open to that discussing taking place. There may be a variety of different views, but I am keen to have that roundtable with the community to find out what their views are.

### **Municipal services—libraries**

**MR BRADDOCK:** My question is to Minister for City and Government Services. Minister, I refer to correspondence between us concerning the opening hours of ACT libraries over summer, which are significantly reduced compared to previous years due to, as you advised me, issues of workforce availability and staff burnout.

Minister, why are our libraries suffering such significant staff shortages and staff burnout issues so as to force reduced operating hours over the summer for one of Canberra's significant public services?

**MS CHEYNE:** I thank Mr Braddock for the question, and I would like to particularly recognise the staff at our libraries. I have visited each and every one of our libraries in the ACT, and their commitment to their work is admirable. To the substance of Mr Braddock's question, summer hours for Libraries ACT are due to several reasons. It is about increasing staffing capacity at branches throughout the summer and giving our Libraries ACT staff time to undertake administrative and planning tasks when libraries are closed. It also provided for increased leave opportunities for Libraries ACT staff. When reviewing the opening hours over the summer period against other ACT government services, particularly over what is usually referred to as the "shutdown period", Libraries ACT was not consistent with the service offering from across government, so we sought to keep that more consistent.

We also wanted to improve service reliability by helping keep unplanned branch closures to a minimum. We certainly notice, generally, that December and January are quieter times for our libraries. There is a general decline in loans, returns and visitors to libraries, so the closure days were chosen in accordance with the low-demand days. There were a number of requests for leave that we wanted to make sure that we were able to fulfil, but there have also been a considerable number of unplanned absences which has— (*Time expired.*)

**MR BRADDOCK:** Minister, why does it look like the bilingual story time program has been cut from the library's programs, and has this any relationship to the staff shortages in libraries?

**MS CHEYNE:** I will come back if I am incorrect, but generally over this period we have had reduced programming. Bilingual story time, in fact, is going to be tomorrow night for adults at the National Multicultural Festival and then for children on Saturday. I certainly would expect that it has not been ramped up to the usual extent over the

January and early February period, but I am not aware if there have been any changes to the scheduling of it overall.

**MISS NUTTALL:** Minister, how soon can the bilingual story time program be reinstated consistently in libraries in support of our linguistically diverse communities?

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

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