



**DEBATES**  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**DAILY HANSARD**

Edited proof transcript

27 August 2020

This is an **EDITED PROOF TRANSCRIPT** of proceedings that is subject to further checking. Members' suggested corrections for the official *Weekly Hansard* should be lodged in writing with the Hansard office (facsimile 02 6205 0025) no later than **Tuesday, 8 September 2020**. Answers to questions on notice will appear in the *Weekly Hansard*.

**Thursday, 27 August 2020**

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**Thursday, 27 August 2020**

**MADAM SPEAKER** (Ms J Burch) (9.31): 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.

## **Legislative Assembly Convening notice**

**MADAM SPEAKER:** In accordance with the terms of the resolution of the Assembly of 22 August 2019, which set the sitting pattern for the Assembly for 2020, I have received a request in writing from an absolute majority of members to amend the pattern by setting the commencement time for the 27 August 2020 sitting of the Assembly to 9.30 am. I therefore table the following papers:

Notice amending the time for commencement of the 27 August 2020 sitting of the Legislative Assembly for the Australian Capital Territory—Special Gazette No S5, Tuesday 25 August 2020.

Copies of email requests to the Speaker, requesting an amendment to the 2020 sitting pattern, from the following Members:

Mr Barr	Ms Lee	Mr Ramsay
Ms Cheyne	Mr Milligan	Mr Rattenbury
Ms Cody	Ms Orr	Ms Stephen-Smith
Mr Hanson	Mr Parton	Mr Wall
Ms Lawder	Mr Pettersson	

## **Petitions**

*The following petitions were lodged for presentation:*

### **Transport Canberra—bus terminus—petition 18-20**

*By Mrs Kikkert, from 175 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:

The Fraser West Bus Terminus is located in a solely residential area, only a few metres away from houses in Shakespeare Cres. Other streets – Carrodus St, Champion Pl, Dowthwaite St and Dunbar St – are also impacted. For many years, this minor terminus has provided space for a small number of buses to stop before resuming service.

Since April 2019, there has been a large increase in the number of buses that wait at this terminus, for more than the original facility would allow. To accommodate these buses, the government has laid gravel on former greenspaces and cut back trees.

The engines of these buses are often left idling, creating both noise and air pollution for nearby residents.

The decision to dramatically expand the usage of this terminus was made without any consultation with nearby residents.

The ACT Government plans to keep this terminus at its current location and to make some of the changes more permanent.

Your petitioners, therefore, request the Assembly to:

Call upon the ACT Government either to reduce the number of buses using this terminus to pre-existing levels or to move the terminus to a more suitable location away from residential properties.

### **Transport Canberra—proposed Turner bus layover—petition 11-20**

*By Miss C Burch, from 393 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 there has been inadequate community consultation on the current proposal to relocate the City West Bus Layover on Marcus Clarke Street to the corner of Barry Drive and Watson St in Turner, and to make it bigger.

The proposal for 25 buses and staff facilities would replace a temporary gravel carpark and extend into green space to the west and north in the Turner Parklands, further up Watson Street. We are concerned about:

- the loss of parklands and visual amenity;
- traffic management and safety; and
- the noise and fumes.

Residents, businesses and workers, a childcare centre, seniors' centre, commuters, ANU North Oval, bike skills track, churches, and pedestrians and cyclists using the popular shared pathways would be impacted, and amenity lost once construction commenced.

Canberra is one of the world's most liveable cities. This urban open space connects to other green corridors in the inner north and should remain protected.

The Griffins' vision was for a garden city, defined by sustainability and democracy.

Your petitioners, therefore, request the Assembly to request a community consultation process that reviews the loss of parklands and visual amenity, traffic management and safety, noise and fumes associated with the proposed bus layover in Turner Parklands.

### **Parking—disabled access—petition 20-20**

*By Ms Lee, from 140 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the Watson shops have only two disability parking bays and one of them is angled parking. This creates difficulties for people with limited mobility who need to access the shops, including pharmacy, particularly if unloading mobility scooters.

Your Petitioners therefore request the Assembly to call upon the ACT Government to provide at least two kerbside disability parking bays near the pharmacy on Gwynne Street, to allow easier access for those with limited mobility.

### **Traffic—management—petition 19-20**

*By Ms Lee, from 193 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the Watson shops are a popular destination for many Canberrans. Crossing Windeyer Street to get to the shops is often dangerous given the number of cars that travel along that street.

Your Petitioners therefore request the Assembly to call upon the ACT Government to undertake an assessment of traffic flows in the area with a view to constructing a pedestrian crossing across Windeyer Street opposite the Watson Shops.

### **Arts—Live in Ya Lounge—petition 21-20**

*By Ms Lee, from 1 resident:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

Producers within the creative industries in Canberra have received limited government funding during the COVID-19 crisis. Live in Ya Lounge, the COVID-19 live stream music program, has been forced to cease due to lack of support. For five months the event organisers have covered the base costs for 65 acts including musicians and actors for 32 live streamed shows. Revenue raising efforts included sponsorship, donations, live attendance tickets and a small festival grant, all of which have not covered the program costs.

Your petitioners therefore request the Assembly to call on the ACT Government to financially support Live In Ya Lounge by covering the venue and staffing costs to the value of \$5,500 per show. This support includes a hire fee for artists and will make the program financially viable.

### **Waste—proposed Fyshwick facility—petition 22-20**

*By Ms Lee, from 12 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the ACT Waste Management Strategy 2011-2025 outlines the benefits arising from co-locating waste facilities in the Hume Resource Recovery Estate, including increasing resource recovery and reducing costs and traffic. We support this initiative, but it is being threatened by large waste facilities proposed in locations other than the Recovery Estate, and less than one kilometre from homes, childcare centres, food markets, cafes, retail shops, and environmentally-sensitive wetlands in Canberra's Inner South.

Allowing these facilities to be located in Fyshwick will see waste processed too close for comfort and safety to where Canberrans live, work and play, including heightened risks of odour, dust, noise, and fire from:

- putrescent organic waste,
- asbestos-containing material,
- shredding car bodies,
- crushing construction and demolition waste,
- grease trap, drilling mud and oily water liquid waste.

The waste proposed across the two Fyshwick locations is 1.4 million tonnes annually - 40% more than the total currently going to Mugga Lane (around one million tonnes). The potential impact on the well-being and safety of thousands of people who visit Fyshwick daily is affecting business confidence and threatening the jobs of 13,000 workers.

Your petitioners, therefore, request the Assembly to call upon the ACT Government to reject any proposals for waste processing facilities in Fyshwick and work with the proponents to find more suitable alternate sites.

### **Waste—Belconnen facility proposed closure—petition 23-20**

*By Ms Le Couteur, from 887 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that it is proposed to close the West Belconnen Waste Facility and that no replacement site within Belconnen has been identified by the ACT Government.

Your petitioners therefore request the Assembly 1. To review the decision to close the current facility, 2. if the facility is to close, then identify an alternative place in Belconnen and 3. ensure that a new facility is operational before the current facility is closed.

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Environment and Transport and City Services.*

*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.*

**Motion to take note of petitions**

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

That the petitions and responses so lodged be noted.

**Transport Canberra—bus terminus—petition 18-20**

**MRS KIKKERT** (Ginninderra) (9.35): I have presented a petition signed by 175 Canberra residents who want this government to understand how deeply frustrated they are with the recent changes to the bus terminus located near their homes in Fraser. We often hear the Minister for Transport assure us that the new transport network is better for almost everyone. However, those who have signed this petition disagree, and I am pleased to make sure that their voices can be heard.

Sadly, they would like to have been heard before waking up one day to the noisy idling and coming and going of not 40 buses a day, but a staggering 173 buses per day. Their voices have been literally silenced by the deafening reality of the life-disrupting noise that has come from the dramatic expansion of the bus terminus in their previously quiet suburban street, all of which happened without any warning or consultation whatsoever.

The government's weak attempt at trying to reduce the noise has been to put up signs at the terminus. The signs state that drivers must turn off the bus engines if they are parking for more than five minutes. However, there is an exception. If the vehicle's operating manual specifies a longer period, the engine can be allowed to idle for more than five minutes. I have recently been made aware that the new buses, all 40 of them, require 10 minutes to warm up the engine, so drivers of the new buses are unable to switch off the engine because they are exempt from the signs that the government have put up.

The noise level of a single bus is less than 70 decibels. A lawnmower at 15 metres is 70 decibels. Because of this noise, we have a policy to encourage people to show respect for their neighbours' sleep and peace by not using the lawnmower before 7 am. Yet the Labor government have done the opposite. Instead of showing respect to these residents, they have ignored them. Before 7 am, 18 buses leave from the Fraser bus terminus within a 90-minute window. Buses are idling, keeping the bus drivers warm, and some new buses cannot be switched off due to their specific vehicle operation. What the government has done is like bringing in eight lawnmowers and beginning to mow the grass before 7 am every single day for many long, disruptive months. This is why the residents are fed up with this situation, and they do not want to have this as a permanent place for up to eight idling buses at the terminus.

The terminus is located in the middle of a residential neighbourhood in a previously quiet suburban street. Let us talk about the street—a street that was not designed to carry this amount of weight on a daily basis. The road has cracked many times. Authorities have fixed it, but it is a temporary fix, as it will crack again due to the daily weight this street now has to carry.

The bus terminus was designed for two or three buses, yet, because of the increase in buses, an open green area has been removed and trees have been cut down to make way for extra buses to drive onto a nature strip to park. This lovely green space is now a pile of dirt road. When buses turn into the gravel-filled driveway, over time the gravel is slowly removed and the dirt reappears. The gravel has been pushed onto the footpath, creating a slippery and hazardous place to walk for nearby residents. This area needs to be swept regularly to prevent injuries.

Buses are now turning into a dirt road and causing clouds of dirt to rise. The wind picks up the dust and it lands in people's yards, on their washing, and in their pools. A resident has had to vacuum his pool to reduce the dirt five times within two weeks. When the gravel was added, it did not help either. In fact, it was worse for him: his pool was black from the gravel.

A temporary solution to this, residents have suggested, is to close the driveway onto the dirt road to the buses and open up a driveway further down. This will be more affordable than the regular maintenance of the dirt road and constantly needing to resurface it.

This is a huge mess that the government have created, and they did it without any consultation with residents prior to this change.

**MADAM SPEAKER:** Mrs Kikkert, your time has expired.

**MRS KIKKERT:** I seek leave to finish my speech, please.

Leave not granted.

*(Time expired.)*

**MS CHEYNE** (Ginninderra) (9.41): I appreciate Mrs Kikkert's efforts in bringing this petition—

**Mrs Kikkert:** Then why did you not extend my speech?

**MADAM SPEAKER:** Mrs Kikkert, that is enough.

**MS CHEYNE:** I note that, under the standing orders, everyone has five minutes maximum, for a maximum of 30 minutes.

Madam Speaker, the bus terminus expansion in Fraser has, it appears, been necessary with the increase in buses and the increase in routes and the number of services that the government has put on with the new network that began in 2019.

I appreciate that while this terminus, in its smaller form, has existed for many years, the expansion does appear to be imperfect, including the noise from the idling of the buses; the dust that has been created with the expansion; and, as Mrs Kikkert touched on, how the buses enter and exit the expanded terminus.

It is certainly not lost on me—or, I think, the other members of Ginninderra—that this is having an impact on residents, not just in Shakespeare Crescent, but in the surrounding streets. I am very grateful that they have been engaging with their local members, including me and Mrs Kikkert. In turn, I have been pleased to work with the minister's office, especially in the last week, so let me give an update for members.

Millings, which I think are ground up asphalt, were dropped off yesterday to help with the dust. The millings will be spread and compacted.

*Mrs Kikkert interjecting—*

**MADAM SPEAKER:** Mrs Kikkert, enough.

**MS CHEYNE:** The millings will be spread and compacted. I was there yesterday; and I am sure that more millings will be coming so that they can be spread and compacted in the area.

On Friday, the team from TCCS will be on site consulting with residents, not just opposite the terminus, but adjacent to it and, hopefully, in the surrounding streets. I am also advised by the minister's office that there is planning underway for a drop-in session at the site for other residents in the coming week.

I appreciate that this is very much having an impact on residents—

**Mrs Kikkert:** Your time is up.

**MS CHEYNE:** It is not. I very much appreciate that this is having an impact on residents and their lives. I hope that with these efforts, and with the government working in a genuine way with the community, there is an outcome that can be reached here that is suitable for everybody.

**Waste—Belconnen facility proposed closure—petition 23-20**

**MS LE COUTEUR** (Murrumbidgee) (9.44): I seek leave to table an out-of-order petition along the same lines as the in-order petition I just presented.

Leave granted.

**MS LE COUTEUR**: I table the following out-of-order petition:

Petition which does not conform with the standing orders—West Belconnen Resource Management Centre (19 signatures).

I became aware of this petition only yesterday. It is a petition for waste facilities from Belconnen, and, clearly, I am not a member for that area. However, I am very pleased to use my position here as a member to table the petition because I think that petitions are incredibly useful for communities. In the debate today we have just heard about another Belconnen issue. Petitions are an important way in which the community can tell all of us here what they would like to see happen.

The petition is about waste facilities. Without knowing the ins and outs of the particular issues in Belconnen, I and the Greens are in favour of very good waste-processing facilities for Belconnen and everywhere.

**Parking—disabled access—petition 20-20****Traffic—management—petition 19-20****Arts—Live in Ya Lounge—petition 21-20****Waste—proposed Fyshwick facility—petition 22-20**

**MS LEE** (Kurrajong) (9.45): Each of the four petitions that I tabled this morning has great merit, but apart from the fact that they have the word “petition” at the top, they have something else in common: each demonstrates a failure of this Labor-Greens government—a failure to act, to listen, to plan, to do.

The two Watson petitions are pleas from a local community who have seen their suburb grow and seen their local shops get busier but without a safe crossing on Windeyer Street to get to the shops or sufficient disability parking for those who need it. I thank the Watson pharmacist, Grace Kang, for raising the concerns of her patients with mobility issues impacted by the lack of disability parking outside the pharmacy and for raising with me her and her neighbours’ need for a safe crossing to get to the shops. I also thank the team at the Knox for hosting the petition.

The Live in Ya Lounge petition is one that impacts every ACT electorate and every Canberran. It was started by a very talented Canberra actor, Lexi Sekules, who wanted to do something to keep Canberrans engaged and upbeat during the COVID-19 crisis—and, of course, her team. Live in Ya Lounge was created in March by a local audiovisual company, Event AV Services. They created a livestreamed music program to keep events happening safely in Canberra to support the live music industry.

For five months, Event AV Services have covered the base costs of 65 acts, including musicians and actors, for 32 live-streamed shows. Over 250 individual artists have benefited from Live in Ya Lounge; but they can no longer do it without support. At last count, the change.org petition in the same terms attracted over 600 signatures, so it is evident that Canberrans want to support local artists and enterprise.

On that basis, Madam Speaker, I seek leave to table the out-of-order petition.

Leave granted.

**MS LEE:** I table the following out-of-order petition:

Petition which does not conform with the standing orders—Live In Ya Lounge—  
Financial support.

Madam Speaker, this government claims to support the arts. It is time to show it by listening to the petitioners and walking the walk. I know that Mrs Dunne will also be speaking on this.

The last petition is from over 1,000 concerned Canberrans who have been stalled, and stalled again, on what might eventually be built on the old Shell site in Fyshwick. The government took three years to consider the EIS, and the project has changed, giving rise to uncertainty and suspicion within the community about what might actually go there.

Whilst the paper petition has only 12 signatures, the e-petition version has garnered over 1,000 signatures. My constituents want the government to say what it will do and do what it will say.

This government wants to be known as a national, if not world, leader in waste management. We have lots of glossy publications saying so; there is a government waste management strategy; and there is an identified waste management hub. It is not unreasonable to expect a government to follow its own policy blueprint, but it has not and does not. This issue will live on longer than this government and this Assembly. The community wants and deserves answers.

In each of these petitions the community are speaking. They deserve to be listened to, they deserve to be taken seriously, and they deserve action.

### **Arts—Live in Ya Lounge—petition 21-20**

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (9.49): I want to provide some context in relation to the Live in Ya Lounge petition.

The Canberra events industry has been hit very hard by COVID-19, which is why the government has been strong and quick in its response both to the arts and the broader

creative sector. We are saddened to hear that Event AV Services has made the decision to stop running Live in Ya Lounge, but the context of what has been happening is that there has been some significant level of support for that event.

Live in Ya Lounge received \$15,000 as one of the successful applicants for part of the Where You Are Festival. The Live in Ya Lounge team also benefited from opportunities to work with fellow successful applicants, such as Lakespeare, which streamed Rockspeare, as well as Hands Like Houses, who will appear in the very significant Live in Ya Lounge local event this Saturday night. I encourage people to be part of it.

In addition, Venues Canberra entered into a venue hire agreement with Event AV Services, EAVS, the founders of Live in Ya Lounge, for the operation of a virtual event space. That agreement includes EAVS receiving all revenue from the ticket sales—the ticket price of \$27.46—from any of the ticketed events. There was also an agreement that the EAVS would not be billed from 2 May through to 17 May to help with the start-up costs. Effectively, from 18 May EAVS were receiving discounts of \$500 per event or 20 per cent of gross revenue, whichever was the greater. Ordinarily the government grant pay rate is \$900 per event, so this is a significant increase.

EAVS has also been given permission to keep their equipment set up in the venue since 29 April without any charge for non-event days, rehearsals or sound checks. All of the chairs, tables and lounges are supplied free of charge by EPIC and Venues ACT. In addition, EAVS were charged no venue hire for the launch of the Rise Up Festival. They are required to pay operational costs such as for electricity, site wardens and wi-fi.

EAVS signed this agreement on 2 May, with a review on 18 May in accordance with the agreement. The agreement ended on 31 July and is now on a week-to-week arrangement. To date, EAVS has not sought any amendments or raised any concerns with Venues Canberra in regard to the agreement.

To again make sure that people are aware of the context, to date, the total waived or revenue that has been available as part of the government's support has been \$78,000. The Where You Are Festival has a fixed end date of 11 September.

The government will continue to look at the innovative ways that we can continue to support our events sector in a COVID-safe manner as the environment changes from now into the future. We look forward to the ongoing ways that our creative sector will be strong and assist Canberra as a whole to move through and beyond this pandemic.

**MRS DUNNE** (Ginninderra) (9.52): I want to take the opportunity to speak on the petition tabled by Ms Lee in relation to Live in Ya Lounge and to congratulate the local community who has got behind it, especially Lexi Sekules, who has done the legwork for this petition.

It is interesting that the minister has responded to the barbs about Live in Ya Lounge. This is an extraordinarily successful and popular event, but it does not happen with no money. The event is trying to support people who would otherwise have gig fees

elsewhere and to provide them with an opportunity to still ply their trade and earn some money in this very difficult time.

The COVID committee discussed Live in Ya Lounge back in June, as I recollect. There was a recommendation in, I think, the most recent report, calling for assistance with hiring fees for the events. The government said that they would do that but there are still hiring fees for the event.

The event does take time and money to put on. This petition is calling for a modest \$5,500 per show, which will cover people's wages and keep bread on the table of people across Canberra while they are providing services.

There is a lot of money in the arts budget that is not as well directed as it could be, and I have spoken about that in the past. The minister really tried to take the acclaim for Live in Ya Lounge. It is part of a wider event which has some government leadership, but Live in Ya Lounge was essentially the stand-out star of that event and was set up beforehand. It became part of the Where You Are Festival.

Live in Ya Lounge provides a service for the people of Canberra during difficult times. It provides an opportunity for artists to strut their stuff during difficult times. If this government was interested in supporting groups, individuals and businesses in this town, which they are not, they would be behind Live in Ya Lounge and this \$5,500 of pandemic assistance would be very easily forthcoming.

I commend the people involved in the petition and I commend Ms Lee for bringing it forward today.

Question resolved in the affirmative.

### **Standing orders—suspension**

Motion (by **Mr Gentleman**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent the adjournment debate for this sitting extending beyond the 30 minute time limit.

### **Leave of absence**

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

That leave of absence be granted to Mrs Jones for today due to sickness.

### **COVID-19 pandemic response—Select Committee Reporting date**

**MR WALL** (Brindabella) (9.56): I seek leave to move a motion to alter the reporting date for the select committee inquiry into the COVID-19 response.

Leave granted.

**MR WALL:** I move:

That the resolution of the Assembly of 2 April 2020, as amended 7 May and 18 June 2020, which established the Select Committee on the COVID-19 Pandemic Response be amended by omitting paragraph (6) and substituting:

“(6) the Committee shall deliver its final report no later than 16 October 2020. Should the Committee determine not to prepare a final report, the Chair shall advise the Speaker in writing prior to 16 October 2020.”.

This is a decision that has been discussed between the three parties in the Assembly. It is being moved by the opposition, as we believe that there is still a need for a scrutiny mechanism beyond today’s sitting of the Assembly to be established to continue to examine the government’s response to the COVID-19 emergency in the ACT. This decision is also justified by the government’s action last week when they extended the emergency declaration by another three months, taking it through to November. They believe that there is still a need for the extraordinary powers to be enabled for the executive to make decisions during the caretaker period. We think that it is appropriate that the Assembly, as an arm of scrutiny, continue to have an oversight function in that. I will leave it to Mr Coe, as the chair of the committee, to explain it a bit more.

**MR COE** (Yerrabi—Leader of the Opposition) (9.58): The role of the committee is to provide scrutiny in a period when the government has extraordinary powers. I envisage that if extraordinary events or extraordinary activities take place over the coming seven weeks then that would warrant the committee asking questions. I do not see the committee’s activities continuing in their current form; I see them more as enabling us to shed further light on any extraordinary decision, especially during the caretaker period, that otherwise could not be scrutinised by this place. I may be mistaken, but I think that the caretaker convention sent around by the government also makes mention of this committee, so I think there is merit in ensuring that we have this mechanism.

It is unlikely that we will need to conduct public hearings. The committee might choose to write a letter or seek further information, but I think it unlikely that public hearings would need to be conducted over the coming seven weeks, especially in the caretaker period. However, we do need to make sure that, if extraordinary powers are exercised, we have appropriate scrutiny up to 17 October.

**MR RATTENBURY** (Kurrajong) (9.59): The ACT Greens also support this amendment. We supported the initial establishment of the committee. Given the extraordinary circumstances of the year—the words Mr Coe has used are right—and the additional powers passed in various pieces of legislation, we considered that it was appropriate to have a committee that could oversee those circumstances. We were operating in places no-one had anticipated government would need to operate in, in some regards.

It has been important, as we have gone through this period, for the Assembly to have the committee as an oversight mechanism. We support the extension. I welcome the

comments that Mr Coe has just made as the chair. I think that is right; it is the spirit in which we expect this committee will continue.

As we move into the caretaker period, it is the convention, of course, that government will not take significant decisions. That is a convention that we are very firmly committed to. The reflection of it in Mr Coe's comments is that if there are extraordinary events and the government needs to use powers that would not normally be used in a caretaker period, it is appropriate that the committee be able to convene if necessary. Otherwise the committee will simply sit there with that opportunity up its sleeve and not need to use it. On that basis, we are pleased to support the extension through to 16 October.

**MS CHEYNE** (Ginninderra) (10.01): I echo Minister Rattenbury's comments. The government also supported the establishment of this committee. We will speak more on the report. The committee has met, I think, 51 times since its establishment. I welcome the comments from Mr Coe in explaining this motion today.

On the basis of this explanation, the committee will exist but perhaps not work—hopefully not—at the rapid pace it has been working at. That affects not just those who will be in caretaker mode but also the committee staff. If there are extraordinary events that require extraordinary power and therefore scrutiny, I think it is reasonable that the committee continues to exist.

I appreciate that there is a final date by when the committee will report and that if it does not report, it will advise the Speaker that there is no report and it will end. I hope that we will not have to hold hearings or meet, but the government supports this motion.

Question resolved in the affirmative.

## **Electricity Feed-in (Large-scale Renewable Energy Generation) Amendment Bill 2020**

**Mr Rattenbury**, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (10.03): I move:

That this bill be agreed to in principle.

This is a bill to urgently address an administrative error that would affect the reverse auctions for renewable electricity capacity, which are close to being finalised. I will first explain the background to this, before explaining the error and how this bill seeks to resolve it.

The ACT government has delivered the legislated 100 per cent renewable electricity target in 2020. Most renewable electricity is delivered through deeds of entitlement with 10 renewable electricity generators. These deeds were the result of previous renewable electricity auctions that provided renewable energy at lowest cost, and with a range of innovations in renewable technology, business development, skills training, and research and development in the ACT.

On 6 June 2019, this Assembly passed the Climate Change and Greenhouse Gas Reduction (Renewable Electricity Target) Amendment Bill 2019. That legislated an ongoing 100 per cent renewable electricity target post 2020, ensuring that the ACT will maintain delivery of 100 per cent renewable electricity in perpetuity. That bill received unanimous support.

On 24 October 2019, this Assembly passed the Electricity Feed-in (Large-scale Renewable Energy Generation) Amendment Bill 2019. That bill was amended to include in the act the limit for future capacity releases at 900 megawatts. The increase in capacity ensured that future renewable energy auctions could be held to meet our 100 per cent renewable electricity target over time. That bill also received unanimous support.

Following that decision, I signed a determination to release 250 megawatts of capacity to allow for capacity to be granted under a further auction. This auction was to secure enough renewable electricity supply as the ACT economy grows and we switch from fossil fuel based to more sustainable energy options.

This auction was held over 2019 and 2020 and was well received by the renewable energy industry. Through that auction, two preferred proponents have been identified. We are in negotiations with these proponents, and we are now ready to sign agreements with them after that negotiation process. These agreements will bring to fruition the process we embarked on together back in June 2019 to secure the ACT's renewable electricity future.

Unfortunately, late last week, when preparing the necessary instruments, it was discovered that the instrument I signed in November 2019 granting a capacity release was never notified or tabled in the Assembly. This is an unfortunate and regrettable administrative error. People are only human, and sometimes mistakes are made. I am sorry that this has occurred and that the Assembly now has to consider this urgent correction.

On this occasion, a small error has large consequences. The import of this error is that, under the existing legislation, I will not be able to sign feed-in tariff entitlements for the two preferred proponents at this time. The legislation generally calls for the FIT entitlements to be signed only after six sitting days have passed following presentation to the Legislative Assembly of the capacity release.

Given the current situation of an election, a continuing health emergency and no more sitting days, this delay could be significant. It is likely that this would mean that a minister would not be in a position to sign entitlements until sometime in 2021. Such delays run two major risks.

First, it is possible that the proponents would find alternative ways to proceed with their projects, with the ACT failing to secure the rights to their renewable electricity output. In this case, the ACT community would also lose the additional benefits of these projects in terms of technology, training, research and development, and business development support. Such a delay would be a loss to the companies that have negotiated with the government in good faith in anticipation of a decision in the near term.

The second risk is that, if these delays are extended, and especially if the current proponents decide to withdraw from the process, the auction outcomes for the ACT are considerably weaker. We may need to run a further auction or return to less attractive proposals from the recently completed auction.

Either way, the results are less attractive. If the delays are very long, there would start to be some risk that future 100 per cent renewable electricity targets would need to be met in less efficient ways.

The current bill is the proposed solution. It offers a once-only solution to the administrative error. It seeks to remove the requirement to wait before agreeing to FIT entitlements. The bill also makes the instruments granting a capacity release not subject to disallowance. This ensures that grants of FIT entitlements made under the act are not later made invalid.

This is not a solution arrived at easily. In normal circumstances I would seek an alternative, either through time or through a different parliamentary solution. Neither is available in our circumstances.

The bill makes it crystal clear that this is a special, one-off solution to a special, one-off situation. It is due to the combination of an administrative error, election timing, our current health emergency, and the special circumstances of the legislation affected. I do not anticipate that we will ever see this combination of issues in future.

I remind all members that this is done to ensure the outcomes that we have all anticipated and that have been supported by this Assembly since at least last June. There is no change to the outcome we are seeking; this is just a change to the way that we will achieve it.

In the normal course of events, the Assembly would have seen the capacity release instrument much earlier. Members would have seen that it was the embodiment of decisions already made. There is no new direction in it. Indeed, the very public auction was the process to enact the directions this Assembly had clearly agreed to.

I believe that, through this process, the scrutiny of the Legislative Assembly is maintained. If anyone does not want the results of the auction to be realised, they can vote against this current bill. I do not think that that would be consistent with the previous decisions of the Assembly, but it would be an appropriate point of scrutiny by this chamber.

Agreeing to this bill ensures that the ACT gets the benefits of continued 100 per cent renewable electricity at the lowest cost. It also assures us that the innovation, training, technology development and business growth from the auction that underpin future growth of the territory can occur.

I look forward to support for continued ACT leadership in building the sustainable future that generations to come will deserve and expect. As has been flagged with members, we intend to bring this bill on for debate later in the day. In the meantime, I commend the bill to the Assembly.

Debate (on motion by Ms Lee) adjourned to a later hour.

### **COVID-19 pandemic response—Select Committee Interim report 4**

**MR COE** (Yerrabi—Leader of the Opposition) (10.11): I present the following report:

COVID-19 Pandemic Response—Select Committee—*Interim Report 4*, dated 26 August 2020, together with a copy of the relevant minutes of proceedings.

I move:

That the report be noted.

Today the Select Committee on the COVID-19 pandemic response is tabling its fourth report. The committee has been in operation for just a few months and, as Ms Cheyne just said, we have had in excess of 50 meetings. To have four reports is a pretty good effort by the committee. I would like to thank my colleagues Mrs Dunne, Ms Cheyne—the deputy chair—Ms Le Couteur and Mr Pettersson for their collaborative approach.

This report is consistent with the previous three reports in that a collegiate approach was used. I think it is fair to say that some members of the committee have concerns or slightly different perspectives about some of the recommendations, but we have erred on the side of including recommendations rather than the opposite. We think it is important that as many voices as possible are heard during this time, and that is what has been encompassed in this report.

In an Assembly first, the inquiry has been held exclusively with hearings and private meetings by video link. That has been very successful, and I hope that it becomes the norm for future committees, especially for private meetings. For public hearings, being in a committee room is preferable, but for private meetings there is no reason why we cannot in the future continue with Zoom.

The committee received 23 submissions and held 21 public hearings, at which we heard from 188 witnesses. These included representatives from the ACT government,

community groups, industry bodies, advocacy groups, and individuals from across the ACT community. I would like to thank the ministers for making themselves available and for answering our questions.

It was clear to all members of the committee that the pandemic has had a very significant impact on this city, and there are some cohorts and some sectors of our community that have done it very tough. Some of these groups have obviously done it tough, but others have been below the radar. I hope that the committee has been able to expose and shine a light on some of these issues.

I hope that the government have already taken on board some of our suggestions and continue to take on board the recommendations of this report and the previous recommendations. An important recommendation in this report is to reiterate the significance and currency of the previous recommendations. I am very grateful to all those that contributed to the inquiry. This interim report has 40 additional recommendations. In total, we have over 60 recommendations.

I would like to extend my thanks to everybody in the committee office and in the Assembly for making this a reality. To the committee secretary, Annemieke Jongsma, Hamish Finlay, Danton Leary, Frieda Scott, Lydia Chung, Dennis London and Paul Crowley, thank you very much for all that you have done to make this very important scrutiny process a reality. It was a first to have such extraordinary powers, and it was a first to have a committee that acted in this way. I again reiterate my thanks to the committee members for the very collaborative and professional way in which the committee conducted its business.

**MS CHEYNE** (Ginninderra) (10.16): Hopefully this will be the last time that there are comments on this committee, depending on what happens over the next few weeks. I, too, want to not only commend our fourth interim report to the Assembly—perhaps final, but at this stage interim—but also put on the record my thanks to the ministers who appeared—I think almost every minister appeared—and the committee staff who, and I know we have said this before, really did go above and beyond in their establishment of the committee; in enabling us to meet, whether it was via Zoom or Webex; and in maintaining the pace at which we have been meeting for many weeks now. We have met about twice a week, with a private meeting and a hearing, if not more.

The committee secretariat has been constantly available and made things work and happen for us. It all went quite smoothly when you consider the extraordinary number of people that we have had appear before us, including individuals and community groups, not to mention the many public servants and the ministers. I want to put on the record my thanks to those public servants and ministers, particularly those who appeared very regularly, including Minister Stephen-Smith, Dr Kerryn Coleman and the Chief Minister, who willingly made that time available.

There was a collegiate and collaborative approach by the committee and by those who appeared. Very candid observations were given by those who appeared, and that helped the committee very much in its scrutiny and oversight role.

I want to echo Mr Coe's comments about the collaborative and collegiate nature of the committee. It has never met in person; it has all been via video. It has worked very well indeed. Politics was put aside for this extraordinary time that required a lot of effort by everybody to get through it. There was a lot of effort in that scrutiny. We have been able to get to the nub of some of the issues that have been presented.

I especially thank Mr Coe as chair. He was very fair in the way that he operated, even if sometimes he did skip over Ms Le Couteur when going to questions and went straight to Mrs Dunne—though I know it was an accident! I appreciate that we all got through it, even though, I think, each of us was on mute at some point, and that is recorded for all people to see.

I commend this interim—hopefully, final—report. There are 40 recommendations in addition to the many other recommendations that we have put forward that I believe are meaningful. Again, I appreciate the good faith with which the government have previously dealt with the recommendations and I am confident that they will do that with this report too.

Question resolved in the affirmative.

## **Justice and Community Safety—Standing Committee Scrutiny report 50**

**MS CODY** (Murrumbidgee) (10.21): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 50, dated 25 August 2020, together with a copy of the extracts of the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

**MS CODY**: Scrutiny report 50 contains the committee's comments on one bill, one piece of subordinate legislation, one national regulation, seven government responses and one private member's response. The report was circulated to members when the Assembly was not sitting. I thank the committee staff for helping us undertake our scrutiny role over this term and our legal advisers whose tireless work has helped us achieve this. I commend the report to the Assembly.

## **Health, Ageing and Community Services—Standing Committee Report 12**

**MS CODY** (Murrumbidgee) (10.22): I present the following report:

Health, Ageing and Community Services—Standing Committee—Report 12—*Final Report on Child and Youth Protection Services (Part 1)*, dated 25 August 2020, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

I would like to thank members for the opportunity to speak on the Standing Committee on Health, Ageing and Community Services' final report on the committee's inquiry into child and youth protection services, part 1.

Sadly, the matter of the subject of part 1 of the committee's inquiry into child and youth protection services involved the removal of five children from the care of their mother. In that context, the committee was asked by the Assembly to analyse the 2008 court of appeal decision related to this specific case, to identify potential systemic issues that may need to be addressed, and to report these to the Assembly.

The committee presented an interim report on part 1 of the inquiry in March 2020. In the interim report, the committee set out, firstly, the overarching and inquiry-specific authorities and guiding principles that the committee needed to be cognisant of in managing this inquiry. The committee restated these principles in its final report, as they are integral to how it determined to progress this inquiry. Secondly, the committee set out how it would transition from the specific case to a broad public interest mandate in its systemic analysis of the court of appeal decision. Thirdly, it set out that its systemic analysis of the court of appeal decision would focus on two elements: matters relating to (1) the legislative framework for protecting and safeguarding children, legislation and related policies; and (2) the implementation and administration of the legislative framework, structures, systems and individual practice. Fourthly, it set out a detailed analysis of potential systemic issues that it considered may need to be addressed, along with 10 recommendations.

After receipt of outstanding information that was not available at the time, the committee presented its interim report. The final report today concludes the committee's consideration of the matter referred to it by the Assembly. The committee thanks the minister and the directorate officials for making this information available and for meeting with it, in camera, to discuss the information.

After reviewing and considering the outstanding information, the committee is of the view that the interim report sets out a detailed and thorough examination of the extent to which the specific case might raise systemic issues.

In considering the systemic issues set out in its interim report, in its final report, the committee emphasises three concepts related to the implementation and administration of the legislative framework for protecting and safeguarding children. These are: matters related to decisions to recommence care proceedings; the concept of cumulative harm in child protection and the importance of defining, identifying, assessing and understanding this critical systemic concept; and reports to the public advocate under section 507 of the Children and Young People Act 2008.

The committee also reported on part 2 of its inquiry into child and youth protection services, examining information sharing under the Children and Young People Act 2008 on 30 July 2020. In that report, the committee made 44 recommendations,

focused on the ability to share information in the care and protection system in accordance with the Children and Young People Act.

The committee is of the view that several of the recommendations made in its report on part 2 of this inquiry are relevant to addressing the potential systemic issues it has raised in relation to part 1.

The committee has approached the remit given to it by the Assembly with great care and empathy and with a deeply held concern to ensure that any potential systemic issue arising is identified and addressed.

In its examination of the referred matter, the committee has applied careful, rigorous and thoughtful consideration and has been acutely aware of and alert to the sensitivity of the issues raised by this inquiry.

The committee thanks all those who contributed to its inquiry. The committee is acutely aware that decision-making in the care and protection space affects the rights of individuals in profound and life-changing ways. The committee acknowledges that questions about, and decision-making surrounding, the care and protection of children and young people in Canberra are often controversial and complex and require a balancing of rights. In that context, those working in the care and protection space work in a challenging, tough and complex environment. Equally important is that all in the Canberra community have a role to play in the wellbeing and safety of children and young people in our community.

The committee wishes to thank all of those who have contributed to this inquiry. The contributions assisted the committee in its understanding of the many issues it considered during this part of the inquiry.

As chair, I would like to thank my fellow committee members, Mrs Vicki Dunne and Ms Caroline Le Couteur, for their time, their contributions and the collaborative way the committee has worked through some wide-ranging and challenging issues in this profoundly important inquiry. Through these collaborative efforts, we have been able to deliver a unanimous report.

I would also like to thank Andréa Cullen for her help, assistance and ongoing ability to guide the committee through this very difficult and sometimes harrowing process for this report and inquiry. I commend the report to the Assembly.

**MRS DUNNE** (Ginninderra) (10.28): I want to augment what Ms Cody has said rather than replicate it. This was a very challenging inquiry because of its nature, in that it related in a quite unprecedented way to an individual case—committees, generally speaking, do not inquire into those—and the way in which it had to be handled because of the sensitivity of that. I want to compliment the committee and the people who participated.

In saying that, we have to put on the record that this committee could have reported finally back in March if there had been more willingness from officials and the minister to participate openly. At the outset, I found it extraordinarily frustrating that

barriers were put up to the committee and that the committee was treated as though it was an information sharer under the act. It took a fair amount of cajoling, with a considerable delay and cost to the Assembly, for us to obtain advice on procedural matters that allowed us to proceed with hearing evidence from officials about this matter. The fact that we had to do this showed a startling lack of understanding of the role of the committee.

I am grateful in a way that we now have definitive advice from Professor Richard Herr OAM about the precedence that committees have, the way information going to committees has precedence over other legislation, and the primacy of the Assembly over the executive in seeking information. There is a recommendation in the committee report that relates to the executive and officials obtaining a better understanding of how the committee system works and its right to obtain information. That is succinctly put in Professor Herr's seven-page opinion, which is appended to the report. It is an important piece of work for this Assembly and for other parliaments and the way that committees work.

Although it was frustrating, I am now glad that we have gone through the process of finding someone who could give us accurate procedural advice. It should be taken on board and become essential reading for incoming ministers and officials who are coming to committees and be a primer for committee members. The advice empowers committees to act appropriately.

The two inquiries and three reports, taken together, are, in many ways, an extraordinarily important piece of work. Ms Le Couteur characterised the health committee as a mothers' club. Over the past year or so, we have almost exclusively dealt with mothers and family issues. As a group of mothers, we are well positioned to do that.

The 50-plus recommendations from these three reports are very important. I commend them to the government and to those to whom the recommendations are directed for action. I hope that in the Tenth Assembly we will see a better operating Children and Young People Act and better operating care and protection system. I thank everyone involved in the committee for the important work that was done here.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families and Minister for Health) (10.32): I want to speak briefly on this report and this inquiry, acknowledging again that the government will not have time to respond in a formal way.

I want to acknowledge the work of the members of the committee: Ms Cody, Mrs Dunne and Ms Le Couteur. This was, indeed, a challenging piece of work and a challenging inquiry. I want to echo the committee members' thanks to the secretariat. Andréa not only worked very closely with the committee but also was extremely helpful in working with officials to work through the complexities of information sharing, as well as making arrangements for officials and me to appear before the inquiry. I also acknowledge the way that the very sensitive information that related to this inquiry was handled.

I note Mrs Dunne's comments in relation to the provision of information to the committee. I want to say, as I did to the committee on a number of occasions, that it was always our absolute commitment that the committee be provided with significant information; but we needed to do that in a way that was going to protect officials and protect the best interests of the children and the family involved in this circumstance. That was a complex matter. I would not want members of the Assembly to think that we were, in any way, trying to not provide the information to the committee; we were trying to find a way in which we could do that in line with the advice that had been provided to the executive and to officials on the barriers to that information sharing.

In the end, the committee did use its formal powers to seek information from the executive in relation to this inquiry. We all agree that that was an appropriate thing to do in light of our inability to reach agreement between the committee and officials on an information sharing protocol. I am pleased that we reached a point where we could provide that substantial information to the committee; it clearly informed their consideration.

As well as thanking the committee for their work in examining these issues, I want to thank them for the thoughtfulness and sensitivity shown during the whole inquiry; and I want to thank all of those who shared their experiences with the committee.

As Ms Cody has indicated, child and youth protection is incredibly complex. It covers a range of incredibly complex and emotional issues, and it is a difficult subject matter. There is not a perfect child protection system anywhere in the world; but we are absolutely committed to continuing our work to improve our child protection system, to make it more therapeutic and more restorative, and to hear the voices of parents, children, families and carers, as well as experts who work across the legal and community parts of the system. We will continue to do that should we have the opportunity.

I again thank the committee. Their work will contribute to ongoing reform in the child protection system. It has been an important inquiry.

Question resolved in the affirmative.

## **Public Accounts—Standing Committee Report 13**

**MRS DUNNE** (Ginninderra) (10.36): I present the following report:

Public Accounts—Standing Committee—Report 13—*Inquiry into Auditor-General Report No 8 of 2018: Assembly of rural land west of Canberra*, dated 27 August 2020, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This is the final report of the Standing Committee on Public Accounts which will be tabled in this Assembly and the final report that I will ever table in this place. Before I launch into this, I want to make some comments in relation to the committees. I think that there has been a tone in this place this morning that emphasises how important committees are and how important the work of committees is. I want to reinforce that today and also to reinforce the notion of just how collegial committees in this Assembly have been. I think that there was a rough patch in the last Assembly, where committees were not operating in a very collegial way, and I think that that time has come to an end and that committees have really hit their straps across the board for the quality of the reports and the thoughtfulness of the issues that have been raised across the board.

I commend members and the secretariat for the work that is done in committees and I take this little opportunity to note the recommendations of the Standing Committee on Administration and Procedure about committees in the Tenth Assembly. Unfortunately, I will not be here to see that happen. A lot of those recommendations have been things that I have been banging on about for so long. I think that under a Coe Liberal government the committee system in this Assembly will work a lot better than it has in the past because of the innovations that have been suggested in that report.

The Standing Committee on Public Accounts report on the Auditor-General's report No 8 of 2018, *Assembly of rural land west of Canberra*, is a notable report. It is an extraordinary tale. Early in 2014, as a result of discussions of a planning day, the Land Development Agency became concerned that there was not enough land in the greenfield development pipeline. It was expected that if nothing were done, supply would be exhausted by 2031.

There were two main concerns: first, that there would be no more land to be made available to meet the demand for greenfield residential development; and second, that there would be a significant hit to the ACT government's bottom line because the LDA would not be in a position to pay the dividend it was obliged to pay to the government.

At that planning day Colliers International was represented and they made a proposal to the LDA that it acquire several parcels of land in the rural area of Stromlo for future residential development. The LDA accepted this proposal and ran with it, putting up papers to the strategic board and cabinet. However, cabinet did not give a green light but asked the LDA to do more work and come back to it at a later time. The LDA never did that. Instead, without explicit authorisation, the LDA began a significant campaign of acquiring rural leases which, in the end, amounted to \$43 million of expenditure. Some acquisitions were intended solely for residential development, while others were for infrastructure and some were for a combination of the two.

In so doing, the LDA often did not meet its obligations imposed on it by the land acquisition policy framework. That is a framework that the public accounts committee is all too familiar with, probably more familiar than was the board of the LDA. This

allowed the LDA some autonomy in making acquisitions in return for satisfying criteria set out in the framework. Notably, the framework required the LDA for each acquisition to state a linkage between the acquisition and a relevant planning document or policy. The LDA was not able to do this because the western edge study flagged in the ACT planning strategy for 2012 has never been done.

The unelected officials were making acquisition decisions without the authority of cabinet, without meeting legislative requirements, and, at the same time, they were allowing their decision-making processes to be captured by a private firm with significant interests in the ACT property market.

But it does not stop there. For one of the properties, the LDA supported a process to divide the property. One part of it was acquired by the LDA and the other by a private buyer. The proportion acquired by the LDA has significantly smaller road frontage to Cotter Road, which is one of the strategic aims of acquisition in that area. This decision seems to fly in the face of all conventional wisdom on what makes the property valuable. Moreover, other sellers asked if they could divide their properties and were rebuffed by the LDA. It seems that the LDA had the ability to decide who could and could not divide their properties.

I think it is worth noting that there is a significant amount of discussion in the early part of this report about the underpinning rural policy and I suppose, to some extent, that that is a legacy of my involvement in rural policy even before I became a member of this place. Before I was a member of this place, I was an adviser and advised the then planning minister on rural issues. I was involved in the establishment of the rural task force in 1988 and have had an abiding interest in rural leasing issues in the ACT ever since.

I brought to the committee inquiry an insight that not many other people would have had because of the privileged position that I have had. I think that it is worth putting on the record my long-standing commitment to this. This is why it became quite clear to me, and to others, that the issues related to the division of the property known as Fairvale was probably illegal.

The ongoing rural policy for the ACT has been anti division of property and, rather, has gone to consolidating. There are lots of reasons for that, the principal ones being that the rural backdrop of the ACT is an important part of our planning structure and the beautification of the bush capital; but, also for sustainability terms, larger properties are, in many ways, easier and more efficient to manage. There has been a consistent approach that that is contrary to the subdivision of land.

In fact, what we saw with the subdivision of Fairvale was pretty much a sleight of hand. Eventually, officials said, "We did not actually subdivide it. What happened was that the owner surrendered the lease and then we issued two leases in its place." But I think, as the old expression potato-potato goes, it was a subdivision. It looks like a subdivision, it walks like a subdivision, it quacks like a subdivision; and I think that it is a matter of considerable concern that this was allowed to happen by unrepresentative, unelected officials in a very important and significant way. The whole process has been clouded in many ways. In the case of Milapuru, the LDA sent

a clear signal that it wanted first right of refusal to prevent its acquisition by a private buyer who had already entered into negotiations with the seller.

There are many irregularities that are highlighted in this report. To summarise them, the LDA had all the cards. It was the dominant player in the ACT property market. It could determine whether a lessee could sell a rural lease to a private buyer or not and it could, in effect, determine who could or could not subdivide their lease. At the same time, it failed to comply with its legislative framework expressly to regulate the agency's operation in acquiring land where no planning studies had been done. This meant that there was no guarantee that the land would in future be zoned for residential use. While this undoubtedly made the acquisition less expensive for the LDA, it meant that the public was denied the opportunity to consider and comment on significant acquisitions and significant policy initiatives.

During the process, the Chief Minister signed off on two individual acquisitions which had a greater value than \$5 million. Under the framework, the LDA needed to have his express permission to purchase such properties. In hearings, Mr Barr told the committee that he did not think that there was anything out of the ordinary; but he must have been aware, based on treasury briefs that would have been included with the paperwork, that this was part of a larger series of acquisitions and that the relevant planning documents were not in place to support them.

There are a number of unanswered questions arising from this inquiry. There is a whole chapter devoted to the very extraordinary means by which an invoice was paid to a private company without authorisation. It is unclear to this day who the person was who initiated the payment of that invoice and approved it, but it certainly did not have the usual sign-offs around it. In addition to the commentary in the Auditor-General's report, there is significant commentary in this report in relation to the payment of that invoice.

The committee made eight findings, seven of which are unanimous, and there is some dissent from the eighth finding. The committee makes six recommendations. The sixth recommendation is for this report to be referred to the Integrity Commission. It is disappointing that at the last minute the government members of the committee resiled from this recommendation. I think that the narrative of the report clearly points to the fact that there are many unanswered questions.

The committee took the same view in relation to certain land acquisitions conducted by the LDA, which was unanimously agreed should be referred to the commission. The committee does not have the investigatory powers that it needs to delve into the fine detail. That is why we have created another integrity arm, the Integrity Commission.

Notwithstanding the fact that this is not a unanimous recommendation, I did make the point to the committee members, and I will make the point here, that irrespective of whether the letter is signed off by the chair of the public accounts committee or by Vicki Dunne, a member for Ginninderra, there will be a letter going to the Integrity Commission referring this report and our deliberations to the Integrity Commission. I think that it is appropriate that it is referred to the Integrity Commission. There are

so many unanswered questions, there is so much opacity and there are a lot of people who are relying on the justification.

It was a long time ago—and I do not have access to my diary—but, at the same time, there were a lot of people that had very clear recollections of what was going on. The owners of properties have a very clear understanding of the amount of power that was exercised by the Land Development Agency and their agents in the private market over the acquisition of land. I think that that is why it is appropriate that this matter is referred to the Integrity Commission.

With that, I commend the recommendations in this report to, presumably, an incoming government. I think that people take the view, “It is the LDA, it was a long time ago. Most of those people have moved on or they are doing something else and the agencies that have replaced them are doing a lot better job, so we should not worry about it.” Yes; we should worry about it because what happened under the Land Development Agency was dodgy. Quite simply, it was dodgy. The arrangement that they went into in relation to Fairvale in particular was dodgy, the arrangement whereby they paid an invoice was dodgy. Some people would say that there may be corruption involved.

I put on the record, just in case there is any doubt, I think that it was perfectly reasonable for someone who had an interest in buying part of the property of Fairvale to ask, “Could I buy a section of the property?” I think that the outcome was not reasonable. It was not reasonable for the LDA to acquiesce to that. It was not reasonable for the LDA to have this sleight of hand of handing in one lease and issuing two and giving one to one person and the LDA keeping the other one. All those things smack of corruption, and I think that it is time that the Integrity Commission looked at what was really happening in the LDA. (*Time expired.*)

**MS LAWDER** (Brindabella) (10.51): I extend my thanks to other members of the committee, especially Mrs Dunne as the chair, for the large amount of work on this particular inquiry which started from the Auditor-General’s report No 8 of 2018. I thank all the witnesses who appeared—government officials, owners of various properties, former owners of properties et cetera—and give a huge thankyou to the committee secretary, Dr Brian Lloyd, as always, a powerhouse in terms of workload and research. Thank you so much.

The committee findings were very much collegiate and collaborative for the most part and were consensus findings. For example, the committee found that the LDA did not adhere to established planning policies in its assembly of rural land west of Canberra. The committee found that the LDA did not follow all the tests required et cetera. The committee found issues with the board’s understanding of the legislation. The committee found that the LDA proceeded with acquisitions without the explicit authorisation of cabinet. I am paraphrasing slightly in the interests of time. People will be able to read these findings for themselves.

Finding 5 was:

The Committee finds that the LDA’s approach to the acquisition of Fairvale was highly unusual and contrary to its policy.

Finding 6 was:

The Committee finds that Colliers International had a considerable degree of access to the LDA.

Finding 7 was:

The Committee finds the LDA did not meet its public interest and probity imperatives equally, resulting in poor practice.

Unfortunately, when we get to finding 8, this was not a consensus finding, in the same way as when we got to recommendation 6 it was not a consensus recommendation. Yet, throughout the deliberations on the report, we had many, many amendments proposed and accepted in the interests of achieving a consensus report. Yet, once again, at the last minute, some members of the committee reverted to party lines in dissenting from the finding and the recommendation. Not all members of the committee, in the end, at the last minute, agreed to finding 6, which was:

Some members of the Committee find that the Chief Minister and Treasurer, Mr Andrew Barr MLA, then the Minister for Economic Development and minister responsible for the Land Development Agency, was on two occasions involved in the approval of the acquisition of rural leases during this period but there is no evidence before the Committee to suggest that he considered whether the Land Development Agency's acquisition of rural leases to the west of Canberra was consistent with existing ACT Government policy or in alignment with the Land Acquisition Policy Framework.

We made considerable changes to that finding, expecting a consensus. Yet, at the last minute, no, there was no consensus.

It is the same with recommendation 6, which was about referral to the Integrity Commission. Throughout our discussions and the hearings and when we had our meetings and talked with each other, we talked about things that appeared quite clearly to be dodgy, irregular, unusual, unauthorised, over and over. Was it corruption? As Mrs Dunne has already said, this committee did not have the power to determine if there was corruption; but, to continue the analogy of Mrs Dunne, if it walks like a duck and it quacks like a duck, it is probably a duck, and that is why Mrs Dunne and I will be writing to the Integrity Commission to refer this report to them.

Having been on the public accounts committee for a number of years—it is one of my favourite committees that I have been on; I have been on a number of others; in fact, at one point I was the Chair of PAC—I am once again disappointed, deeply, deeply disappointed, although not surprised, that the Labor members of this committee resiled from these last two, one finding and one recommendation, and went with their party lines rather than a bipartisan approach to the issue at hand. I am deeply disappointed, because so much of the work of committees is done in such a collaborative and collegiate way, that at the last minute, after accepting so many changes to try to make the report palatable to everyone, it did not happen. I think it is such a shame.

Apart from that, I commend the report to the Assembly, and whether I am in the Assembly or not in the future, I will be looking forward to a government response to this report.

**MS CHEYNE** (Ginninderra) (10.57): I certainly echo the comments today about the importance of committees and what they can provide and, while it is through committees that we can certainly get to understand and really appreciate issues and find recommendations, it is also through committees that we get to know and understand other members, including, in particular, members who might not be from our party.

Because time is short, later this evening I just want to put on the record, through you, Madam Speaker, that I never, ever thought that Mrs Dunne and I would get along, ever, simply due to just how diametrically opposed we are on some very deeply personal issues that are key to who we are as people. But it has been through committees that I have got to know Mrs Dunne, through you, Madam Speaker, and indeed respect her. I think people would be very surprised just how closely we have worked together, not just in PAC but also in another committee. I think that we have found things that we do have in common, including a mutual appreciation of process, of the standing orders and of word smithing as well.

That is certainly not to say that we agree on everything, but I have got to know her as someone who is thoughtful, genuinely open to suggestions and working together, and she has taken a collaborative approach as chair, including on some very difficult or complicated issues. I put on the record my thanks for that. I do think that Mrs Dunne has summarised the report well. I will not repeat that.

As other members have highlighted, there is a finding and a recommendation that the government members dissent from. Ms Lawder, I do think, has grossly misrepresented the deliberations of the committee on that finding and that recommendation. I never, ever agreed with that finding 8, nor do I think, ever, did Ms Cody—the same with recommendation 6—simply because it is not something that there is any evidence for. Absence of evidence is not evidence. For all the very positive comments that I have for Mrs Dunne, I do find this a really strange finding and one that simply has no basis. This is what I said in every meeting where we discussed it. Despite what Ms Lawder said, this was not a last-minute thing; it was not a last-minute change.

Yes, the finding was amended but the amendments were not put forward by me; they were put forward by the chair to try to get to a point where we might all be able to agree. While I was very open to considering amendments, just as Mrs Dunne had always been very open to considering other suggestions put forward by other committee members, this was not something that I could put my name to. I will speak for Ms Cody. I do not think that Ms Cody felt that she could put her name to this either, simply because it has no basis; and it is very unusual to have included it.

Equally, recommendation 6, which was, again, not a last-minute flip-flop or anything like that, was something that we rarely discussed because we said that we would keep

coming back to it. Indeed, there was some consideration given to it and, ultimately, the government members did not come to a position where they felt that this was a recommendation that could be agreed to. I hope that clears up the record of what actually happened, rather than what Ms Lawder is pretending happened, for political purposes only I assume.

Importantly, I again thank most members of the committee for the way in which this has been approached and, indeed, all PAC reports. I came to PAC midway through the term and walked into a whole lot of complex inquiries. I reiterate that Mrs Dunne, I think, has done a very good job as chair in helping the committee navigate these complex inquiries.

I very much appreciate the efforts of Dr Lloyd, who has had to keep up with us as we have worked through reports. You can see just how thick this report is and I think it is unusual for our PAC reports to be this thick.

**Mrs Dunne:** I took about 20 pages out of it.

**MS CHEYNE:** Yes. This is not to say that we did not try to cut it down; and we did cut it down. He does an extraordinary job in keeping up and making sure that those changes, as we go through them, are taken on board. On these very complex issues, I do think that these reports, by and large, do help make sense of them and, yes, I think that the findings do show that there were some departures from practice and that there was one acquisition in particular that certainly does raise questions. I think that the committee, as a whole, went to extraordinary efforts to try to understand things and could not. I am not sure that anyone ever will.

With that, I think that there are very meaningful recommendations here, apart from recommendation 6, and recommendations 1 to 5, I hope, are some things that the government will look at in good faith.

Question resolved in the affirmative.

## **Economic Development and Tourism—Standing Committee Statement by chair**

**MR HANSON** (Murrumbidgee) (11.05): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economic Development and Tourism relating to report 9: *Inquiry into Building Quality*. I wish to advise of a corrigendum to report 9 of the Standing Committee on Economic Development and Tourism. The corrigendum replaces the respective text in the published report. I therefore seek leave to table a corrigendum to report 9 of the Standing Committee on Economic Development and Tourism.

Leave granted.

**MR HANSON:** I table the following paper:

Economic Development and Tourism—Standing Committee—Report 9—  
*Inquiry into Building Quality—Corrigenda.*

## **Integrity Commission—Standing Committee Statement by chair**

**MS LEE** (Kurrajong) (11.06): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on the Integrity Commission. The committee was established by resolution on 29 November 2018. Among other matters, the terms of resolution (1) (d) require the committee to “monitor, review and report on the performance of the Integrity Commission”.

The Integrity Commission Act 2018 commenced in stages, and by 1 December 2019 had commenced in full. Although the committee has not conducted an inquiry this term under its resolution of appointment and terms of reference, it has monitored, and continues to closely monitor, the Integrity Commission’s operations as a key anticorruption body in the territory. On 9 August 2019, the committee was formally briefed by the Integrity Commissioner. On 25 November 2019, the committee had discussions with both the commissioner and the newly appointed CEO of the commission, and on 15 July 2020 the committee was again formally briefed by the commissioner and the CEO. The committee is able to report the following additional matters as at 15 July 2020, based on those briefings.

The commission has filled a number of senior positions and is continuing in its recruitment of investigative, legal and other essential staff. The commission has also secured a suitable site for its ongoing operations, and work is under way to equip the site to meet the commission’s particular needs under a 10-year lease. The commission has received 79 reports of corruption, conducted eight preliminary inquiries and is conducting two investigations. The commission has identified amendments needed to the Integrity Commission Act 2018 and also to commonwealth legislation. The amendments sought are considered necessary to further clarify the commission’s jurisdiction and support it in its investigative functions. The commission is currently working towards achieving the needed reforms.

Lastly, the commission has begun liaising with other ACT government entities—such as the ACT Judicial Council, the Auditor-General’s Office, the Public Sector Standards Commissioner, the Solicitor-General, the Director of Public Prosecutions, Elections ACT, the Inspector of Corrections—and the AFP to establish memoranda of understanding between the commission and the entities.

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

**MS CODY** (Murrumbidgee) (11.08): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety for the Ninth Assembly relating to statutory appointments in accordance with continuing resolution 5A. Continuing resolution 5A requires standing committees which consider statutory appointments to report on a six-monthly basis and present a schedule, listing appointments considered during the applicable period. The schedule is required to include the statutory appointments considered, and, for each appointment, the date the request from the responsible minister for consultation was received, and the date the committee’s feedback was provided.

For the first applicable reporting period—1 January 2019 to 30 June 2019—the committee considered a total of 19 appointments to three statutory bodies. In those cases, the committee advised the responsible minister that it had no comment to make on the appointments proposed. For the second applicable reporting period—1 January 2019 to 30 June 2019—the committee considered a total of 22 appointments to six statutory bodies. In those cases, the committee advised the responsible minister that it had no comment to make on the appointments proposed.

I accordingly table the following papers, in accordance with continuing resolution 5A:

Justice and Community Safety—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period—

1 January to 30 June 2019.

1 January to 30 June 2020.

## **Public Accounts—Standing Committee Statement by chair**

**MRS DUNNE** (Ginninderra) (11.10): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Public Accounts. I note that although the public accounts committee is the queen of committees, we always come last alphabetically. I wish to advise the Assembly of statutory appointments considered by the Standing Committee on Public Accounts in 2018, 2019 and 2020 under continuing resolution 5A, and table a schedule of the appointments considered.

In total, the committee considered five statutory appointments in 2018 to the position of ACT Auditor-General, the Territory Records Advisory Council and the board of Icon Water; one statutory appointment in 2019 to the board of Icon Water; and five statutory appointments in 2020, to the Board of Icon Water.

I table the schedule of statutory appointments, in accordance with continuing resolution 5A:

Public Accounts—Standing Committee—Schedule of Statutory Appointments—  
9th Assembly—Period 2018, 2019 and 2020.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **City Renewal Authority and Suburban Land Agency Amendment Bill 2020**

Debate resumed from 13 August 2020, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR COE** (Yerrabi—Leader of the Opposition) (11.12): The Canberra Liberals are supportive of measures to help maintain the Sydney and Melbourne buildings. We

recognise their significance to Canberra and believe the ACT government has a role to play in ensuring that they are enjoyed by future generations. We have concerns about the way the City Renewal Authority has dealt with some businesses during this period. With regard to this legislation, the concern is also mentioned in the scrutiny report:

It is not clear to the committee why building owners should be required to meet the costs of revitalisation works which are not reflected in an increase in the value of buildings themselves but provide a broader public amenity or add to the value of proximate public works.

The businesses are already buckling from high rates, taxes, fees and charges, including a city centre marketing and improvement levy. Owners are essentially being asked to pay twice—once for the levy that is supposed to cover capital works, then a second time for all the works themselves. In 2018-19 nearly \$600,000 of the levy was spent on building waste enclosures for the Sydney and Melbourne buildings. Surely money can be found to ensure that the building is painted consistently and that minor repairs can be carried out if \$600,000 can be found for those waste enclosures. We do not believe that the ACT government should be burdening businesses with another expense while they are struggling to keep the doors open.

I note that the implementation of this policy and the revitalisation plan is still some time away. I also understand that, despite the fact that a particular paint colour has been recommended by the Heritage Council for years, the City Renewal Authority has now changed that recommended paint colour. This, of course, causes some frustration to people who have spent money complying with the Heritage Council paint colour and are now being told that there is a new preferred historic paint colour for that building.

The devil is going to be in the detail. It is also going to be in how much money the ACT government contributes to this public amenity. We also need to recognise that there are many property owners and businesses that are doing it tough and may not be able to afford additional works. There are other property owners and businesses that have already invested significantly in amenity upgrades to the Sydney and Melbourne buildings. We have to respect the investments that these people have made already. We do not want to see a heavy-handed tactic by the City Renewal Authority forcing people to spend more money when the ACT government is not necessarily willing to put money in. This has to be a collaborative approach. That is why we support the principle of this, but we need to make sure that it is undertaken in a very reasonable way.

I note that the management plan is a disallowable instrument and therefore will be subject to scrutiny of this place if we so choose. I encourage all members of this place, particularly the opposition and any crossbench members of the future Assembly, to consider whether these management plans are correct and, if not, to consider moving disallowance of such a plan. Let me reiterate that we support the intentions, but we have to make sure that a wise approach is taken by this government and future governments.

**MS LE COUTEUR** (Murrumbidgee) (11.16): The Greens support this bill. The Canberra community has been debating the futures of the Sydney and Melbourne

buildings for decades. When I was a child, the main issue was, “Wow, they’ve happened,” but since then the main topic has been that some owners are just not maintaining their parts of it. It has been a perennial issue, making an appearance in the *Canberra Times* or the RiotACT at least once a year.

This level of interest shows two things—firstly, that the community really cares about these buildings; and, secondly, that the problem has not yet been resolved. Why hasn’t it been resolved? Whatever you say, it is not due to lack of effort by both the government and private sector. The ACT government has had several goes at this, dating back at least to the Canberra central planning team, which I am told was about 15 years ago. In the days when the city centre marketing and improvements levy was administered by CBD Ltd—a property owners’ group—it also had a go at it; but after all these years of trying, it is clear that the voluntary approach is not working.

I suspect that what is going on is that the buildings are trapped in a cycle of neglect. This is a common problem that occurs in cities around the world. A building, or even a whole area, gets a bit run down. Because of that, a few tenants move out and land values and rents fall. Less income and lower land values mean that landlords have less money to invest back into their properties, so the neglect gets worse. This cycle can run for decades, and it usually takes government action to snap the cycle. Once the cycle is halted, it can start to run the other way. More customers come, rents rise, investment rises, property values rise, and all of this brings even more customers. We have actually seen this positive cycle operate in parts of the Melbourne Building, where the West Row and Alinga Street sides have gone from rundown to thriving over a 20-year period.

This brings us back to why the community cares about these buildings. For people like me, they are a landmark and an important part of our city’s heritage. While city businesses and landowners they may well feel the same—that the buildings form an important part of our heritage—they also have very significant financial concerns. Having the Sydney Building, in particular, as a neighbour is a significant problem. Its neglect weighs down the entire area.

I acknowledge that some in the city business community are very nervous and conflicted about this legislation. That was certainly the case for one landowner in the buildings, who spent a substantial amount of his time with my staff helping us understand the problem. On the one hand, the idea of government having intrusive control over his property in the way this act allows is troubling, but on the other hand, he cannot see any other easy way out of the spiral of neglect.

The situation places a clear responsibility on the City Renewal Authority, and this bill gives intrusive but, I fear, necessary powers. The authority should use them carefully. For example, the revitalisation plan to be made under section 36B needs to be written in close consultation with landowners. It must include enough flexibility for landowners to manage the sometimes-complicated practicalities of renovating old buildings, but at the same time protecting the buildings’ heritage. It also needs to be reasonable in terms of cost. It will, of course, be difficult to make this work in the middle of the ACT’s first recession for decades, when shops and entertainment venues are under extreme financial pressure and commercial rents are falling.

In conclusion, while this act includes intrusive powers, I fear that these powers are necessary to break the cycle that has seen much of the Sydney and Melbourne buildings fall into decline. Breaking that cycle of decline and neglect will be welcomed by the community. It will, of course, also be of benefit—and, I believe, of net financial benefit—to the city’s business community and landowners. The Greens support the bill.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (11.21), in reply: I thank members for their support of the legislation. It provides the territory with a rare opportunity to return some of Canberra’s most recognisable and valued heritage assets back to a condition that the community expects. The buildings are a vital part of the physical and social fabric of the city. The instantly recognisable colonnades, which were designed to provide shelter in winter and shade in summer to the first businesses, workers and patrons in the city, still stand today as a strong link to the early commercial origins of the city.

As members have alluded to, there is a very strong level of interest and support from the community in seeing action to improve the appearance of the buildings. Responses to community engagement were overwhelmingly in favour of taking action to ensure that the buildings were improved. A high level of care and attention has gone into the preparation of this legislation, and the City Renewal Authority has undertaken extensive consultation with the owners of the buildings—one-on-one meetings, phone discussions and correspondence—to listen to the views of owners and work with them to commence the drafting of a revitalisation plan to renew and restore the leased public areas of the buildings.

The leased public areas are those defined in the bill as the facades and other external parts of the buildings that are accessible or visible to the public. It is these areas that the bill is restricted to. It allows us to achieve the desired revitalisation to the highly visible building elements without involving areas such as interiors or the rear section of the properties. Cities are partly defined by their heritage assets and how they care and support them. So, in summary, this bill provides a framework to see the revitalisation of these landmark buildings so that they return to a state that the community supports and expects. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Public Interest Disclosure Amendment Bill 2020**

Debate resumed from 20 February 2020, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR RATTENBURY** (Kurrajong) (11.23): I am pleased to start the debate today on this bill and to reflect on what an important section of our legislation public interest disclosure law is. We welcome the amendments to the Public Interest Disclosure Act that seek to further embed a pro-disclosure environment for our public servants and the wider public.

As members are aware, we have certainly sought to improve the integrity, oversight and transparency of government operations for many years. We have campaigned on freedom of information reforms and the creation of an independent integrity commission, and we have been proud to support the successful implementation of these reforms in the fabric of government.

We believe that a healthy democracy requires probity, transparency and accountability in all aspects of government, including government departments, government-owned entities and statutory authorities, and we will continue to seek open and transparent access to government information, including a clear presumption of proactive disclosure as part of a robust freedom of information system. Today's amendments are an ongoing evolution of this approach, and we will be supporting them.

The bill and revised supplementary amendments are the result of close observation of the existing scheme, a dedicated and professional review, and of course a response to the creation of the Integrity Commission. Central to these amendments is the requirement that all disclosures under the Public Interest Disclosure Act be forwarded to the Integrity Commissioner, creating a single point of oversight for serious wrongdoing disclosures and recognising the Integrity Commission as the pre-eminent integrity body in the ACT.

In essence, the Integrity Commissioner would determine if they wished to deal with a matter, dismiss it or refer it to another body. This should provide greater comfort to the community that, similar to the reportable conduct scheme, issues of concern are being considered in a systematic fashion as well as on the merits of each individual complaint or disclosure. The amendments will also provide a greater level of clarity and certainty for the public service in defining roles and responsibilities, as well as terms.

The meaning of the term "disclosable conduct" in section 8 of the PID Act has been amended to remove overlap with the definition of "corrupt conduct" as set out in the Integrity Commission Act. The focus of disclosable conduct is now on maladministration and substantial and specific dangers to public health or safety, or the environment. This is sensible and ensures that the right pathways for review and complaint resolution are utilised to avoid, wherever possible, inappropriate referrals.

A new clause clearly identifies that disclosure officers will receive disclosures of disclosable conduct rather than public interest disclosures, reflecting again the important role of the Integrity Commissioner in determining the threshold for an actual public interest disclosure.

The bill also has an amendment that will see heads of public sector entities now nominate a disclosure officer or officers for their entity and publish the disclosure officer's or officers' contact details on the entity's website. Details of disclosure officers must also be given to the Integrity Commissioner. There is a requirement for the Integrity Commissioner to publish disclosure officers' details on their website, removing the need for this to be a notifiable instrument. I am advised that this will reduce administrative burden while also increasing transparency for both applicants and respondents.

I am aware of significant consultation and discussion regarding the roles, governance and authorised environment around the Office of the Legislative Assembly, members and their staff. As a former Speaker, I do respect and understand some of the complexities and sensitivities that arise when the parliament seeks to legislate its own operations. I have received positive feedback regarding the role that staff from the Chief Minister's office have had in facilitating these discussions with members and officials. Certainly, having looked at a bit of the detail of this part of the bill in particular, and having had some discussions in both the administration and procedure committee and with the Clerk directly, I am appreciative of the effort that has gone into resolving some of the subtle but important details in this part of the legislation.

The final government amendments that have been circulated today have removed the previous provision that enabled the Integrity Commissioner to refer a disclosure relating to a Legislative Assembly entity to the Legislative Assembly Commissioner for Standards, formerly referred to as the parliamentary standards commissioner. The amendment to section 19(2) provides clarification that if a disclosure relates to a Legislative Assembly entity, it must only be investigated by the Integrity Commissioner and must not be referred.

I would like to acknowledge further government amendments that have arisen from consultations with the opposition and that relate to guidance material for members of the Legislative Assembly. Firstly, it is another example of the benefits of open debate and engagement with all parties in this place that can see productive discussion leading to tangible outcomes. Secondly, those of us that have had dealings with PIDs in our respective offices will agree that there have been complexities and some vagaries to date, and I look forward to increased guidance directly from the Integrity Commission on these new arrangements.

With those few remarks, I indicate that we support this bill today and believe that the amendments will improve not only the process but also, for the parties involved in the process, their understanding of how it works.

**MRS DUNNE** (Ginninderra) (11.29): The opposition will give in-principle support for the Public Interest Disclosure Amendment Bill 2020. The bill seeks to update, simplify and clarify the public interest disclosure—PID—process, including strengthening protections for disclosers. It also wants to create a pro-disclosure culture and to clarify the role of the Integrity Commissioner, including differentiating conduct that falls within the scope of the PID Act versus the Integrity Commission Act.

The bill will introduce a new definition of “disclosable conduct” to include maladministration or substantial and specific danger to public health or safety, or the environment. The new definition will exclude personal work-related grievances and will make the assessment of maladministration more objective and less subjective.

A key element of this bill is that all complaints, once they are determined to be a disclosure, will be funnelled through the Integrity Commission. The commission will decide whether a disclosure is a public interest disclosure or not; and, if so, whether the commission should investigate it, refer it to another entity for investigation or dismiss it. The ability of an investigating entity to refuse to investigate a matter will be quite limited. The Integrity Commission will have the power to prevent and remedy retaliatory action against disclosers and provide protection for witnesses.

There is a clause requiring a review of the PID Act and the Integrity Commission Act together, and a report to the Assembly. The first review starts after 1 December 2022 and will then be every five years.

This bill is the result of recommendations from two Assembly inquiries into the establishment of the Integrity Commission and a motion from the Canberra Liberals calling for a review of the public interest disclosure legislation. The Canberra Liberals made a submission to that review. I am pleased that much of the spirit of what was said in the submission is reflected in this bill.

The bill wants the process to look like this: a person discloses disclosable conduct to someone. It ends up in the hands of a disclosure officer. The disclosure officer decides whether the disclosure is made on reasonable grounds. If so, it goes to the Integrity Commission, unless the disclosure is about the commissioner. The commissioner decides, against some legislative tests, including a public interest test, whether this is a public interest disclosure. The commissioner investigates it, refers it to a nominated entity for investigation or dismisses it.

Unless the disclosure is made anonymously, which is acceptable, the discloser is kept informed as to what is happening at each step of the process and, in any case, at least once every three months. The Integrity Commissioner is not immune from being subject to the PID, and the bill sets out a path to be followed in this case.

In the briefing I took, for which I thank the Chief Minister, I pointed out what I saw as some flaws or shortcomings in the bill. I am pleased that two of these issues are picked up in the amendments that the government will put forward in the detail stage. I will address both of those issues then.

For now, I want to say that the bill does improve the process. Importantly, it improves the protection for disclosers and witnesses. To some extent, at least, it improves the independence and confidentiality of disclosers.

Where it fundamentally falls short is in the initial process. Whilst disclosures can be made directly to the Integrity Commission, it is generally expected that they would pass through the process with a disclosure officer within an agency before they are

referred or not to the Integrity Commission. There is potential, albeit small, for this process to create a conflict of interest. There is potential for retaliatory action to be taken against the discloser before the matter gets into the hands of the Integrity Commission.

There should be a provision requiring the disclosure officer, in cases where there is an actual, potential or perceived conflict of interest, to send the disclosure directly to the Integrity Commission without first deciding the reasonable grounds, or perhaps with a statement about their opinion on whether the disclosure was made on reasonable grounds. This is a matter that should be considered in the review process contained in the bill.

There are other matters that could be included in the 2020 review process as well. The measures in the bill that are designed to protect the discloser still do not prevent under-the-counter retaliatory action, such as passive bullying. The review should consider making these measures stronger.

Proposed new section 20 should be reviewed to determine if the provisions allowing an investigating entity to end an investigation are working as intended. Section 20(2)(d) especially leaves open the way for quite loose and subjective decision-making.

In its reports numbered 40, 41, and 44, the Assembly's legislative scrutiny committee expressed the view that decisions of the Integrity Commissioner on whether a disclosure is or is not a public interest disclosure should be reviewable. The committee is of the view that such decisions are different to decisions under the integrity act, but the government disagrees. The uncertainty about this issue warrants it being reviewed in 2022.

Another area for review, or potential review, is the definition and exclusion of personal work-related issues. The examples listed in proposed replacement section 8(2) exclude a decision related to the employment, transfer or promotion of a person. There have been significant PIDs related to employment and promotion, including the recruitment of a senior official in the Canberra Hospital, that I have spoken of in the past. In that case the person making the disclosure did not stand to make any personal gain, so it is not clear whether such a disclosure qualifies for a PID under the current provisions of this bill.

Part 7 of the bill provides absolute privilege to a discloser when a disclosure is declared to be a PID. That protection, however, does not apply if the Integrity Commission decides that the disclosure is not a PID. That then raises the issue of whether the discloser faces a risk of action for damages by making the disclosure in good faith in the first place. This matter also needs to be reviewed.

This bill makes quite a deal of progress in making the public interest disclosure system more effective. For too long, people who have made disclosures have themselves become victims. For too long, the system has been used to protect rather than investigate. And for too long every excuse possible has been used to avoid, delay or even refuse investigations. However, it is the view of the opposition that this bill

does not go far enough. That is why the 2022 review process is very important. Indeed, the government's amendments, which came out of the briefing I took some weeks ago, already serve to improve this process.

In the interim, I hope that this bill, and the amendments to come in the detail stage, will help to iron out at least some of the creases in the system and that there will be better protection for people in the future.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (11.37), in reply: I thank members for their comments on the bill. The bill is the result of an independent review of the act and responds to the report's 35 recommendations, all of which have been accepted.

As I outlined in my presentation speech, the bill reduces the complexity of the current whistleblowing arrangements, increases protections for those making disclosures and extends those protections to witnesses. It clarifies the role of the ACT Integrity Commission and the Integrity Commissioner.

In the detail stage I will be moving several government amendments that go to the interaction of this bill and the public interest disclosure scheme generally with the Legislative Assembly. I will speak to those amendments now, in the interests of time.

The government recognises the unique position of the Assembly within the public sector. We are committed to ensuring that the Assembly and officers created by continuing resolutions retain their independence from the executive. At the same time, however, there must be consistency and coherence in the integrity regime across the public sector, including the Legislative Assembly.

The amendments that I will move in the detail stage clarify the arrangements for referrals of public interest disclosures where a PID has been made to the Integrity Commissioner, removing the potential for the commissioner to refer a public interest disclosure relating to a member of the Legislative Assembly and/or their staff to another entity within the ACT public sector for investigation. The effect of these amendments is that the Integrity Commissioner remains the only entity able to investigate such public interest disclosures.

Further government amendments will also introduce the requirement for guidelines to be developed for the way members of the Assembly are to deal with disclosures of disclosable conduct made under section 27 of the act and consequential amendments.

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

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

Question resolved in the affirmative.

Bill agreed to in principle.

### **Detail stage**

Bill, by leave, taken as a whole.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (11.40), by leave: I move amendments Nos 1 to 7 circulated in my name together and table a supplementary explanatory statement to the amendments [*see schedule 1 at page 2320*].

**MRS DUNNE** (Ginninderra) (11.41): I will speak briefly. These amendments boil down to two issues which, as I said in my earlier speech, I raised with officials in the briefing I took on this bill. The bill, as it currently stands, provides that the Integrity Commissioner can refer a public interest disclosure about a Legislative Assembly member to the parliamentary standards commissioner for investigation. The standards commissioner is not a statutory entity, so it is not appropriate for the commissioner to be investigating a public interest disclosure.

The first of the government's amendments is to remove the commissioner from the list of entities to which the Integrity Commission can refer a PID for investigation, and I am glad that the government has heard my concerns. I think that I was not the only person who expressed concerns on this issue. Instead, the amendment will provide that the Integrity Commissioner must undertake the investigation into any PID about an Assembly entity and may not refer it to anyone else. Further, the standards commissioner is included in the list of Assembly entities.

The second area of amendment relates to PIDs that are referred to members of the Legislative Assembly. The act currently allows a discloser to make a referral of this nature also to a journalist if a disclosure that they have made has not been dealt with in accordance with the act.

Indeed, this happened to me during the term of this Assembly. My problem was that there was no guidance on how I should deal with it or what I should do with it. I had to get advice, which boiled down to, "Be very careful, Mrs Dunne; make sure that if and when you say anything about a PID, or do anything about it, you do it under privilege." There probably needs to be a little more guidance for members than that. That advice was obvious and appreciated, if not particularly helpful.

The government's second area of amendment will require the Integrity Commission to write some guidelines for MLAs to follow in the event that they face the same situation. The amendment does not go as far as to give guidance to journalists, but I am satisfied that their internal resources will provide all the necessary support and advice that they need.

These two amendments will cover off two shortcomings in the bill and provide some improvement to it immediately. In my in-principle speech I outlined a range of other issues which I hope will be picked up in the 2022 review and which might serve to further improve this important legislation. I commend the amendments to the Assembly.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

## **Emergencies Amendment Bill 2020**

Debate resumed from 20 August 2020, on motion by **Mr Gentleman**:

That this bill be agreed to in principle.

**MR HANSON** (Murrumbidgee) (11.44): The Canberra Liberals will be supporting this bill, which makes amendments relating to the appointment of an emergency controller, as well as creating a new position of deputy emergency controller. Mrs Jones has been engaged in this, as the shadow minister, but is not here today, so she has asked me to speak on her behalf to explain the Canberra Liberals' position.

The need for a deputy emergency controller became apparent during the 2019-2020 bushfire season. As our men and women worked tirelessly on the front line, so did our ESA commissioner and emergency controller, Georgeina Whelan, who, I understand, only had a few nights sleep at home during this entire period. This new deputy role will help the emergency controller manage the oversize burden in future emergencies, and this is an initiative that we welcome. The Canberra Liberals fully support the men and women of our Emergency Services Agency and will do whatever we can to back them as they keep our city safe.

**MR RATTENBURY** (Kurrajong) (11.45): The ACT Greens will be supporting this bill. While the amendments primarily relate to the appointment of an emergency controller, this bill is representative of a much broader and deeper body of work that the ACT government and the emergency services agencies will continue beyond today's debate.

While the word "unprecedented" has almost become a cliché in the course of 2020 and the world has changed so much in recent months, we cannot easily forget the "black summer" and its impacts on the ACT. The scale, breadth and duration of the

fires in eastern Australia over the summer tested us like never before. Our emergency services and first responder agencies were again challenged and required a new level of cooperation and collaboration.

As we know from the time, and from the report that led to this bill's introduction, the efforts to protect our city and natural environment required the deployment of the Defence Force for the first time in this context, and became the shared responsibility of Parks and Conservation, rural bushfire brigades, metropolitan firefighters, the Emergency Services Agency more broadly, and required the consideration and combined efforts of nearly every government directorate.

To borrow a phrase, we came through these times not by luck or chance. The ACT emergency services worked tirelessly over an extended period of time and protected us well through dedication, professionalism and commitment. I add my thanks to all of those who helped. It is and has been for some time normal practice to review critical events such as these, and it would be very unusual indeed for any such review to not offer up learnings and opportunities for improvement.

Learning under such circumstances should never be considered an implicit or explicit criticism. Without doubt, people more qualified and experienced than most of us in this place will argue the merits of certain decisions or arrangements that occurred over the summer, but for myself today I am content to see such practical and straightforward governance changes brought forward as would support the ESA if we were to face another such emergency in the near future.

I do, however, unfortunately believe that we will see the ACT challenged in this way again, if not this coming year then in the years ahead. The sobering realities of multi-complex crises are not contingency planning or far-fetched drills anymore. We are living through it now. The fire season we just saw highlighted issues of cross-border and national interactions, of supply chains and logistics—in fact, matters even of constitutional significance.

As the Emergency Leaders for Climate Action found in their recent Australian bushfire and climate plan, more must be done at every level of government and across state and political borders to protect Australian communities from increasingly frequent and damaging extreme weather events.

Australia's black summer fires over 2019 and 2020 were absolutely unprecedented in scale and levels of destruction. Fuelled by climate change, the hottest and driest year ever recorded resulted in fires in the ACT that destroyed 80 per cent of Namadgi National Park, triggered a state of emergency and, it is estimated, caused 31 additional deaths due to excessive smoke pollution as air quality in Canberra reached more than 23 times the hazardous level.

Looking forward, the Emergency Leaders for Climate Action recommend that we should work in partnership with the federal government to increase the resourcing of emergency services so that they can provide the early detection and extinguishing of fires, including through an automated network of sensors, and the immediate deployment of aerial and ground firefighting crews on days of very high fire danger.

This eminent group of 33 former emergency services and firefighting commanders call on us to have integrated and longer term approaches to landscape management and hazard reduction that include substantial and long-term resourcing of forestry and national parks agencies; year-round Indigenous-led cultural and fire management programs; and more support for community-led initiatives.

Many of these matters are already in hand in the ACT, and I thank my colleague Minister Gentleman for both his awareness of and his advocacy on these issues, from the environmental to the emergency management. But, as all of us who have experienced such things know, and those of us who have read the science and listened to the experts, things are, tragically, going to get worse before they get better.

I know that if the ACT Greens have members in the chamber come November we will continue to support and advocate for climate change action, strong environmental stewardship and recognition of the challenges that lie ahead of us, as have been identified by the Emergency Leaders for Climate Action.

We will listen to the reports and recommendations that arise from the review of our local service responses to these catastrophes, and we will do likewise to the scientists who have been warning of these dangers for many years now. We are pleased to support this bill today as the first step in what will be a series of steps we will need to take over the coming years to address the challenges that confront us.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (11.51), in reply: In closing, I thank members for their considered remarks in this debate.

These changes build on a strong legislative framework for managing emergencies in our territory. The bill implements the findings from the report on the review of the whole-of-ACT-government coordination and response during the 2019-20 bushfire season. The recommended amendments to the Emergencies Act make enhancements and equip us to deal with future challenges that may arise.

I thank again our volunteers and staff across the ACT government who helped keep our city safe during this year's challenging bushfire and storm season. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Residential Tenancies Amendment Bill 2020**

### **Detail stage**

Debate resumed from 13 February 2020.

Clause 1.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.52): There are a number of government amendments and I will be talking through them. I take the opportunity at this stage to introduce what has happened with them and hopefully streamline the debate during the detail stage.

The amendments that I will be proposing throughout this detail stage have arisen from very close and positive contact and consultation with the housing sector, with housing providers and with ACAT. They make a number of technical amendments that I understand are all agreed. I will be brief in my introduction and very brief in my explanation of each of the clauses. I commend clause 1 to the chamber.

Clause 1 agreed to.

Clause 2.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.53): I move that, pursuant to standing order 185, consideration of clause 2 be postponed.

Question resolved in the affirmative.

Clause 3.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.54): I move amendment No 2, set A, circulated in my name, and table a supplementary explanatory statement to the government amendments. I also table a revised explanatory statement to the bill [*see schedule 2 at page 2321*]. This amendment introduces a new schedule.

Amendment agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 16, by leave, taken together and agreed to.

Clause 17.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.55): I move amendment No 3, set A, circulated in my name [*see schedule 2 at page 2321*]. This removes a now redundant provision.

Amendment agreed to.

Clause 17, as amended, agreed to.

Proposed new clause 17A.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.55): I seek leave to move an amendment to this bill that has not been considered by the scrutiny committee.

Leave granted.

**MR RAMSAY**: I move amendment No 2, set B, circulated in my name, which inserts a new clause 17A, and I table a supplementary explanatory statement to the government amendments [*see schedule 3 at page 2327*]. This is a minor and technical amendment that clarifies the operation of payment orders.

Amendment agreed to.

Proposed new clause 17A agreed to.

Clauses 18 to 21, by leave, taken together and agreed to.

Clause 22.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.57), by leave: I move amendments Nos 4 and 5, set A, circulated in my name together [*see schedule 2 at page 2321*]. These omit a new section that is now to be included in a schedule and add a new note for clarification.

Amendments agreed to.

Clause 22, as amended, agreed to.

Clauses 23 to 26, by leave, taken together and agreed to.

Clause 27.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.58), by leave: I move amendments Nos 6 to 16, set A, circulated in my name together [*see schedule 2 at page 2322*]. These amendments clarify the occupancy principles in relation to existing agreements.

Amendments agreed to.

Clause 27, as amended, agreed to.

Clauses 28 to 30, by leave, taken together and agreed to.

Clause 31.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.59): I will be opposing this clause, as a follow-on from other amendments that are being made.

Clause 31 negatived.

Clauses 32 to 34, by leave, taken together and agreed to.

Proposed new clauses 34A and 34B.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (12.00): I move amendment No 18, set A, circulated in my name, which inserts new clauses 34A and 34B [*see schedule 2 at page 2323*]. These new clauses contain a clarification of the language that is used by ACAT regarding occupancy and tenancy agreements.

Amendment agreed to.

Proposed new clauses 34A and 34B agreed to.

Clauses 35 to 38, by leave, taken together and agreed to.

Proposed new clause 38A.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (12.01): I move amendment No 3, set B, circulated in my name, which includes a new clause 38A [*see schedule 3 at page 2327*]. These are transitional provisions regarding education housing providers in relation to occupancy agreements.

Amendment agreed to.

Proposed new clause 38A agreed to.

Clauses 39 to 41, by leave, taken together and agreed to.

Clause 42.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (12.01): I move amendment No 20, set A, circulated in my name [*see schedule 2 at page 2324*]. This relates to the definition of education housing providers which will be included in the schedule.

Amendment agreed to.

Clause 42, as amended, agreed to.

Clauses 43 to 46, by leave, taken together and agreed to.

Schedule 1 agreed to.

Proposed new schedule 2.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (12.03): I move amendment No 21, set A, circulated in my name, which inserts a proposed new schedule 2 [*see schedule 2 at page 2325*].

Amendment agreed to.

Proposed new schedule 2 agreed to.

Clause 2.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (12.03): I move amendment No 1, set B, circulated in my name [*see schedule 3 at page 2327*]. These are consequential and clarification amendments based on other amendments that we have passed today.

Amendment agreed to.

Clause 2, as amended, agreed to.

Title.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (12.04): Noting that this is drawing to a close substantial reforms in the residential tenancies work over the course of this government, I want to place on record again my thanks to the many people who have worked on this, including our wonderful team in our Justice and Community Safety Directorate, who have been working extremely hard on this for many years, bringing excellent expertise to this, and also to the many people across the community sector, the housing providers, who have contributed so positively. We know that we now have more effective and fair residential tenancies legislation because of that work.

Title agreed to.

Bill, as amended, agreed to.

### **Sexuality and Gender Identity Conversion Practices Bill 2020**

Debate resumed from 13 August 2020, on motion by **Mr Barr** and **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR COE** (Yerrabi—Leader of the Opposition) (12.05): Harmful conversion practices are abhorrent and are opposed by me personally and every Liberal member in this chamber. Some terrible things have been done to people under the banner of conversion therapy. Such practices are wrong, and these harmful practices we condemn without hesitation. This bill from the ACT government extends much further than these practices, much further than the practices that Mr Barr and Mr Rattenbury have said it was intended to address.

These were concerns expressed by the ACT Law Society as recently as yesterday. They said this bill's definition about sexuality or gender identity conversation practice is simply too broad and vague to be a proper basis for a criminal offence. This definition means that anyone who does these things will have committed a criminal offence and face criminal charges. This includes a \$24,000 fine and/or up to 12 months in prison. They can also be sued for unlimited damages—that is, kids could sue their parents, with unlimited damages.

The lack of clarity has serious consequences. It risks criminalising ordinary Canberrans who act with love and compassion. The government says this legislation is about criminalising abhorrent behaviour. We support criminalising abhorrent behaviour. The Australian Medical Association ACT President, Dr Antonio Di Dio, was reported in the *Canberra Times* on Saturday as saying that, despite the best intentions of all concerned, we will not know how successful this balancing act has been until the new law is tested in operation. In other words, until someone is charged with these offences, it is difficult to know how this law will be interpreted in the courts. This could well be a teacher or a parent.

This Labor-Greens bill has the potential to send well-meaning parents and teachers to jail. The Labor Party and the Greens should not be using their majority in the Assembly to push through the criminalisation of parents and teachers. This legislation is far too important to ram through the Assembly in just 14 days. Other jurisdictions have contemplated and considered these issues for many, many months.

Growing up presents many challenges. Children and adolescents face confusion about who they are and their place in the world. This often includes asking questions about their sexuality. Children and adolescents depend on the care and support of trusted adults, especially parents, teachers and others, to help them in this journey. Under this legislation there is no room for a child to safely question or explore their identity with their parents unless it is in just one direction.

In addition to the regular challenges of childhood and adolescence, gender dysphoria is a condition some Canberrans face. This bill will mean the only support they can receive from parents and teachers is active encouragement to pursue a transition. If a parent attempts to take the child outside the ACT for support, they could be charged with an offence for that too.

Despite what the co-sponsors of the bill have said, the bill affects the ability of religious organisations or schools to teach the tenets of their faith. Again, we come back to the problem of the vague definition and who will decide what constitutes a prohibited act.

The Canberra Liberals support the stated aims of this bill—to protect children and vulnerable members of our community from harmful conversion practices. We support that in principle. We do not support criminalising parents and teachers who have loving and compassionate conversations with kids going through challenging times. Families need support, not sanctions.

The Canberra Liberals will be moving reasonable amendments to include in the legislation the comments made by the bill's co-sponsor about religious freedom and support for parents and teachers. We will also seek to refer this bill to a committee of the next Assembly so that it can be thoughtfully considered. We are happy to do that after the vote in-principle so that the intentions of this place are clear—that we of course stand united against harmful conversion practices.

Sending it to a committee, where expert advice can be sought, will mean we can all have a much better informed discussion about the best way forward. I very much hope Labor and the Greens will support these important amendments. I reiterate: the Canberra Liberals stand against harmful conversion practices. They are abhorrent and we stand in unity with the government on that.

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel, Minister for Tertiary Education and Minister for Transport) (12.12): This bill introduces a prohibition on sexuality or gender identity conversion practices. Conversion practices are based in the ideology that LGBTIQ+ people are broken or unnatural, and these practices purport or seek to fix people to become or express

a heterosexual or cisgender identity. These conversion practices can be incredibly damaging to a person who is simply trying to be themselves the way they were born—not broken, just themselves.

These damaging practices undermine a person's identity and sense of self-worth, with links to depression, self-harm and even suicide. Aside from being incredibly damaging, because people cannot be changed from who they fundamentally are, conversion practices are also ineffective.

The bill defines conversion practices to mean a treatment or other practice the purpose or purported purpose of which is to change a person's sexuality or gender identity. There are also a number of exceptions to the definition which I will touch on in a minute.

The bill is directed at particular practices and not particular ideologies. The bill clarifies that practices that operate to support or affirm an individual's identity and choices are not included. The bill also clarifies that practices aimed at providing acceptance, support or understanding of a person are not conversion practices. The prohibition covers all people who undertake conversion practices with criminal penalties attached to undertaking these practices in specific circumstances. Civil liability is attached to all people who undertake conversion practices.

This bill does not restrict religions preaching the tenets of their faith but restricts practices that objectively cause harm by actively trying to change an individual's sexuality or gender identity. Prohibition of conversion practices is to be enforced through the ACT Human Rights Commission, which will be able to consider complaints and undertake conciliation of issues where appropriate.

An individual who has chosen to be subject to conversion practice can make their own choice as to whether to make a complaint about the practice. Only a person aggrieved, or their agent, can bring a complaint, or the commission may conduct a commission-initiated consideration into a matter.

The complaints mechanism through the ACT Human Rights Commission is designed to help build understanding between those undertaking conversion practices and those that are subject to them and help to educate on the harm caused by conversion practices. This approach recognises that many who practise conversion practices have also been the subject of them in the past and that individuals the subject of them live and practise within the same faith communities.

The ACT government recognises that preventing conversion practices requires more than just legal change; it is necessary to help create cultural change through improving broader education and understanding that these practices are wrong and cause great harm. In recent years there has been greater community awareness of conversion practices, particularly as inclusivity has flourished. In a place like Canberra it makes sense that we would seek to ensure that these practices can never happen in our inclusive city.

Conversion practices gained greater awareness through the 2018 film *Boy Erased*, directed by Australian Joel Edgerton and based on the book by Garrard Conley, which depicts the abhorrent nature of these practices. In recent years legislated bans on conversion practices have occurred in many countries, thanks to the increase in awareness about these damaging practices.

The ACT government will continue to work with community organisations over the coming period to ensure that the implementation of the bill is understood by organisations impacted and to help ensure that community organisations have the capacity to support affected individuals. The ACT government will also continue to work with organisations to determine what other needs and supports need to be in place to prevent this harm from occurring.

The bill also includes a review after two years of operation. This will allow for a period of time to consider how effective the bill is in addressing the harms caused by conversion practices and will allow any changes to be made to ensure that the bill is fit for purpose.

With this bill our government values people for who they are—LGBTIQ+—and stands against damaging, non-evidence-based practices employed by those who seek to change other people. I commend the bill to the Assembly.

**MS ORR** (Yerrabi—Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement) (12.17): I rise today in support of the Sexuality and Gender Identity Conversion Practices Bill 2020. ACT Labor is proudly committed to protecting the rights of LGBTIQ+ Canberrans and ensuring that our city is an inclusive place for everyone to live. Discrimination in all its forms must not be accepted in our society, and this government has a strong track record in making the necessary legislative reforms to ensure that diversity is respected and celebrated in the ACT.

Sexuality and gender identity conversion practices harm LGBTIQ+ people. We have seen across the world and here in Australia how detrimental these practices are to the health and wellbeing of those who experience them. The bill before us today will ensure that these harmful conversion practices do not take place in the ACT, with criminal penalties to apply to any person who undertakes such a practice.

The bill will also deliver a new complaints jurisdiction within the Human Rights Commission to deal with complaints related to conversion practices, providing an independent and supportive avenue for any person to raise their concerns. Overall, this legislation is measured and will deliver the simple yet important outcome to protect the lives of LGBTIQ+ Canberrans.

Members would be aware of a range of misinformation that has been circulating in the past few weeks, and I know that the Canberra community have expressed their concerns with some of the assertions that have been made. It is important in debating this issue that we stick to the facts and remember the emotional toll that these discussions can have on LGBTIQ+ people and their families.

A 2018 joint report conducted by the Human Rights Law Centre, La Trobe University and Gay and Lesbian Health Victoria notes that at least 10 organisations in Australia and New Zealand were advertising the provision of conversion practices. This proves that conversion practices occur in Australia and that our entire population may be exposed to advertising and messaging related to them.

We also know that thousands of people have been harmed by these practices for decades, and many of those who have survived have shared their experiences to inform the public discourse on this matter. A total of 15 LGBTIQ+ people participated in the 2018 study I mentioned, bravely sharing their experiences in the first academic study of its kind in Australia. It is thanks to people like these participants that legislation is now making its way into parliaments across the country to protect the lives of LGBTIQ+ Australians.

We know conversion practices are not based on improving health outcomes for LGBTIQ+ people, and it is not just the ACT government that believes conversion practices should be banned. The Australian Medical Association, the Australian Psychological Society and the Royal Australian and New Zealand College of Psychologists have all condemned conversion practices.

While there is concern among some people that this bill may impact their freedom of religion, the simple fact is that conversion practices have no place in our society. While everyone deserves the right to express their religion, no-one has the right to cause harm based on their religion.

I acknowledge the many organisations and individuals who engaged in the consultation on this bill and recognise the Chief Minister and the Office for LGBTIQ Affairs for undertaking a process that ensured all views were heard and responded to accordingly. It is important for everyone in our community to have the opportunity to express their views on legislation before the Assembly and I am confident that this bill reflects our community's expectation while ensuring that every Canberran can still practise their faith and religion.

As a minister in the ACT government and a member of Canberra's LGBTIQ+ community, I am proud that we are delivering this important protection for Canberrans which delivers on a key commitment in the capital of equality first action plan 2019-20. Today we have the opportunity to pass legislation that will protect and save the lives of thousands of Canberrans, including children and young people.

Our community expects us, as their representatives, to pass laws that make our city a better place. and Canberrans are rightly proud to live in the most inclusive jurisdiction in Australia. This legislation delivers on our longstanding commitment to support every Canberran from harm based on their gender or sexuality. I am hopeful that, as a parliament, we can all come together in support of this bill and continue to lead the way in promoting inclusion for all. I commend the bill to the Assembly.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister

for Business and Regulatory Services and Minister for Seniors and Veterans) (12.22): Earlier this week I signed the instrument which commences the operations of the fifth bill passed during this term of government that responded to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The pieces of legislation have been core to the work of this government over the past four years. They have not been without controversy; they have not been without opposition from people or institutions in this Assembly, across the ACT and in other parts of Australia. But each one has been the right action for us to take.

Each one has weighed a range of rights and practices, including practices held by people of faith. They have each considered human rights and the values and the compassion held by the people of Canberra. Additionally and importantly, they have given weight, additional priority, to those who are most vulnerable—our children.

Those bills arose from the fact that we have grown as a society. We realise now that things that were done in the past have had a devastating impact on young people. That has not simply lasted a few days or months, or even years; it has impacted, and continues to do so, for decades.

In considering those bills in the face of some of the individual and institutional opposition, we affirmed in this place that we have grown in our understanding of humanity. We have grown in our understanding of the way lives can be traumatised. We have grown in our commitment and our resolve to say, “No more.” That is why this bill is so important.

Like all government bills in the ACT, today’s bill has been subject to a careful process of scrutiny to ensure that it is compatible with the ACT Human Rights Act. This process requires that any limitations on human rights must be reasonable and demonstrably justifiable in a free and democratic society. In this case, human rights have been a key consideration from the outset.

Importantly, the core aim of prohibiting conversion practices is to protect the human rights of LGBTIQ individuals to equality and non-discrimination to ensure that they are not subject to practices that cause long-lasting harm, simply because of their sexuality or gender identity.

In developing the current bill, careful attention was given to the approach taken in Queensland, which bans a broader scope of practices but focuses on conversion practices conducted as part of a health service. We have narrowed the scope of practices in this bill, but it is clear from the evidence in the accounts of survivors that conversion practices now occur largely outside formal health settings and are more likely to occur in informal contexts. It was not appropriate for us to ignore this dimension.

Prohibiting conversion practices necessarily engages the right to freedom of thought, conscience, religion and belief. This right is protected in section 14 of the Human Rights Act and is drawn from article 18 of the International Covenant on Civil and Political Rights. The right is fundamental in our democratic society, and engaging this right must be rigorously justified.

Careful attention has been given to ensuring that any limitation on the right to religious freedom is proportionate and is the least restrictive approach reasonably available to achieve the legitimate objective of preventing the known harms of conversion practices. Importantly, the definition of conversion practices reflected in this bill is focused. It is targeted in its scope and it catches only those practices conducted with the aim of changing an individual's sexuality or gender identity.

It is naive to suggest, as some have done, that these dangerous practices could be stopped through a civil regime, such as a working with vulnerable people card or health regulations. There is an insidious and clandestine manner in which these practices are carried out, mostly against children. It is a form of abuse; it is a profound violation of human rights. Abuse of young people is not appropriately best covered by civil regulation, and that is why criminal sanctions ought to apply.

As a final element, I want to touch on an aspect that, generally, I have deliberately avoided doing so over the past four years. Members would be aware that I am a person of faith and I remain a minister in a Christian denomination. I am by no means the only person of faith here—there are people of different faiths and of no particular faith on both sides of this chamber. But my experience brings a particular perspective—I have led congregations and communities of faith where people have sought refuge after being subjected to conversion therapies done in the name of the church and even, at times, in the name of God.

These stories are not mine to tell, but I assure members that they are painful and they are traumatic. Needless to say, they are experiences that we as a society—and faith institutions comprise an important part of this society—must strive to avoid in the future. It is self-evident that Christian faiths and other faiths do not require an understanding of sexuality and gender that leads to simplistic binary perspectives. People of faith can and do hold the view that their values and their faith lead them to an opposition of conversion practices and support of this bill.

Members of the Assembly will have received, as I did, an articulation of this position earlier this week that drew on faith understandings from here and overseas, the ancient writings affirmed as scripture across the church, as well as drawing on medical and psychiatric evidence. I note not only that it drew support from local church leaders but also that the Uniting Kingdom Church of England called for the banning of conversion therapy in 2017.

For people to claim, as some have done publicly and some have done particularly aggressively that holding a faith should lead us to oppose this bill is particularly disingenuous. I certainly hope that no-one in this place has done anything that has supported or fostered such an inaccurate and abusive position.

This bill is about protecting our most vulnerable. It is carefully considered and it is a human rights compatible bill. I believe it affirms the rights and values that this community upholds and wishes to embed even more now and into the future. I commend the bill to the Assembly.

*Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.*

**Sitting suspended from 12.30 to 2.00 pm.**

## **Questions without notice**

### **Taxation—Tax Reform Advisory Group**

**MR COE:** Not surprisingly, my final question for the term is to the Chief Minister and Treasurer. In a public accounts hearing on 28 February this year, you admitted that you did not go out to tender and that you and your office hand-picked who would be invited to be part of the Tax Reform Advisory Group. It was also confirmed that you received a draft report related to this in February but that there needed to be revisions to make sure that the Barr government was “completely comfortable” with what was in it. Treasurer, what findings didn’t you like in the original draft, and what was changed to make sure you were “completely comfortable” with what the experts recommended?

**MR BARR:** There were no changes to anything that the experts recommended.

**MR COE:** Treasurer, if there were no changes, when did you receive the report, and why haven’t you tabled it prior to today?

**MR BARR:** The draft report was received earlier in the year and finalised reports were received this month.

**MR WALL:** Treasurer, how can Canberrans trust what you say, given that you have admitted to stacking the Tax Reform Advisory Group, potentially reworking the final report to ensure that you were “completely comfortable” with it, and then continuing to keep this report hidden and secret from Canberrans for months?

**MR BARR:** Casting aspersions on the integrity of the National Centre for Social and Economic Modelling, the Tax and Transfer Policy Institute of the ANU and Victoria University shows just how duplicitous and hopeless this opposition is.

### **Planning—development**

**MS LE COUTEUR:** My question is to the Minister for Planning and Land Management and relates to development in the ACT. Minister, why has the government largely failed to address concerns about consultation and poor quality development over the last four years, despite constant pressure from the Greens and the community?

**MR GENTLEMAN:** I do not agree with the premise of Ms Le Couteur’s question. We have, indeed, improved the aspects of development across the city. The statement of intent for future development was very clear in the way that we will mix 70-30 into the future. But then there are outcomes in building design and quality, as well, that are being addressed by Minister Ramsay at the same time. What we have seen in the last

four years, when I have been the planning minister, has been a better planning system and a future that Canberrans can be proud of as we look for opportunities for planning into the future. Of course, the planning review is in process now, and that will be completed next year.

**MS LE COUTEUR:** Minister, is the lack of real action, as distinct from a planning review or a statement of intent, due to the ALP not wishing to upset the development lobby?

**MR GENTLEMAN:** No.

**MR COE:** Minister, is the planning system in need of reform, according to the government?

**MR GENTLEMAN:** The planning system is being reviewed. It is a learning process as we go through. We understand that Canberrans want to live, and we want to provide choices for Canberrans into the future. That is why we have supported the current statement of intent for opportunities for people to live in single residential and multi-unit developments, close to parks and transport corridors. It is about choice. That is what the government has put forward, and Canberrans are enjoying those choices.

## **Land—valuations**

*Members interjecting—*

**MADAM SPEAKER:** Members, I will call for questions without notice, not comments from the floor.

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. Minister, you have previously indicated that the basis for the high pricing and low sales rates of residential land is that it must be sold at or above valuation. Can the minister point to any SLA or other government documentation that directly and unambiguously says that sale prices achieved must be at or above valuation?

**MS BERRY:** It is actually the planning minister that is responsible for the pricing of land. It is in his portfolio area. The valuation process within the SLA is making sure that the price of land reflects the market that exists in the ACT before a piece of land can be sold. That is the case for all sales of land in the ACT, including private developers like Denman Prospect, to consider the market before they can put the land—

**Mr Parton:** On a point of order, Madam Speaker, I do not think the minister is being relevant to the question. The question was very, very clear: can the minister point to any SLA or other government documentation that directly and unambiguously says that sale prices achieved must be at or above valuation? That is the question.

**MADAM SPEAKER:** She has made reference to the responsibilities of the planning minister and is talking about the SLA documentation.

**MS BERRY:** The document under the planning minister's remit is the Planning and Development Act. That is where it sits. There is my answer.

**MR PARTON:** Minister—whichever one—have any residential blocks of land been sold for prices below valuation, the reserve or the list price? Again: have any residential blocks of land been sold for prices below valuation, the reserve or the list price?

**MS BERRY:** I will take that question on notice to find out exactly if that is the case. If it is the case then I can provide that response back to Mr Parton.

**MR WALL:** Minister, have there been any instances where Mr Fluffy blocks have sold for prices below their valuation, their reserve or their list price?

**MS BERRY:** Again I will have to take that question on notice. It sits with Minister Suzanne Orr. I can get that advice and, if that is the case, I can provide that information from Ms Orr.

### **Housing—affordability**

**MR WALL:** My question is to the Minister for Housing and Suburban Development. Minister, during the last five years the Barr Labor government has overseen a near 30 per cent increase in the median house rental price in Canberra, to now \$575 per week. Rates, taxes, fees and charges have also increased dramatically through the same period. Minister, is paying \$575 a week in rent affordable for Canberra families?

**MS BERRY:** I would say that the country is experiencing a rental crisis; that is for sure. The ACT is not alone in that issue and the effect that it is having on members of our community. So the ACT government is working hard to ensure that people get into homes that they can afford to stay in, spending millions of dollars on public, affordable and community housing over the next six years and over the last five years. More than just selling off public housing or making promises that you cannot keep, the ACT government is working very hard to make sure that people have support for rental properties, public housing and affordable housing, and making sure that they have choices about where they live across our beautiful city.

**MR WALL:** Minister, why has the Barr government driven up rental prices to a nation-leading \$575 a week when Canberrans are already struggling with cost of living pressures?

**MS BERRY:** It has not.

**MR PARTON:** Minister, what do you have to say to Canberra families who are struggling with your legacy of a \$575 a week rent?

**MS BERRY:** As I said, the government is committed to making sure that everybody in the ACT community has access to a home of their own, whether that is an affordable rental property, whether that is a home in the suburbs or whether that is in a high-rise in the city. The ACT government will continue to work to make sure that everybody, regardless of their income, gets to call a home their own.

### **Access Canberra—traffic infringement notices**

**MISS C BURCH:** My question is to the Minister for Business and Regulatory Services. Minister, the relative of a constituent was recently advised by Access Canberra of a speeding infringement alleged to have occurred on a date when the relative was in fact at another location. When they denied the charge and queried this, ACT Policing advised that there was a system error that resulted in an incorrect date on the infringement notice caused by the leap year. Minister, what was or is the extent of this error? For example, did it affect the speed camera system as well as the infringement notice system?

**MR RAMSAY:** Given the detail in the question, I will take it on notice.

**MISS C BURCH:** Minister, how many infringement notices will also have been issued with incorrect dates?

**MR RAMSAY:** Again, noting not only the detail but also the crossover between the portfolio of the minister for police and my portfolio, I will take that on notice.

*Mr Rattenbury interjecting—*

**MR PARTON:** Yes, I am getting my steps up, Mr Rattenbury. Minister, will you ask Access Canberra to issue a written apology to those impacted by these errors?

**MR RAMSAY:** Given the fact that I am still clarifying what errors may or may not have occurred and whether they are within Access Canberra or Policing, I will take that on notice.

### **Parking—Greenway**

**MS LAWDER:** My question is to the Minister for City Services. On 24 June this year I asked you about the parking issues in Greenway near Lake Tuggeranong. Following this, a business owner and residents were advised that there was a gentlemen's agreement and that the building company was to send a parking plan to TCCS to provide alternative parking on Mortimer Lewis Drive. As recently as this week, due to the parking chaos, people still cannot get a car park and there has been at least one accident this week. Why are there still parking and traffic issues plaguing this area, such that visitors to the learn-to-ride park cannot get a car park?

**MR STEEL:** I thank the member for her question. It is because the construction vehicles associated with buildings in the area have been parking in the car park. That is the reason. We have been working with the developers, and it was my

understanding, based on the latest advice that was provided to me, that, as a result of them completing a number of streets as part of those developments, those construction vehicles would then be able to park in those streets rather than in the learn-to-ride car park.

**MS LAWDER:** Minister, why have you not taken any action to try to resolve these parking and traffic issues?

**MR STEEL:** I refer the member to the answer to the last question.

**MR PARTON:** Minister, tell me: where else in the government do we rely on gentlemen's agreements?

**MR STEEL:** I thank the member for his question and the use of an ironical expression—which I am not sure is actually allowed under the standing orders. But certainly we have been working with the developers, and that is what we do with the community. We try and educate and work with our community to deliver the outcomes that we want to see—in this case, freeing up some of the parking there that has been an issue. We have acknowledged that and have taken action.

### **Education—IT security**

**MS LEE:** My question is to the Minister for Education and Early Childhood Development. Minister, following the IT breach on 14 August, the Education director-general wrote to all parents on 25 August outlining steps since taken, including loss of emails, security enhancements, limiting access to global groups, and working to ensure that consistent and appropriate action is taken for those involved. Minister, how was this email distributed? Did it involve the creation of a new global parent email list and, if so, how much more secure is this list than the lists that a student or students were able to hack into?

**MS BERRY:** There are quite a number of questions there from Ms Lee. I have provided a lot of information to Ms Lee about this issue and will continue to do so. She is welcome to contact my office for details at any time.

I do not think “hack” is the word that I would use for access to the addresses that were then shared amongst the public schools communities, but that has been resolved now and protections have been put in place, under the advice of experts, to ensure that it cannot happen again. There are additional security measures, including the inability of students to share beyond 30 emails at a time. More than that and they will not be able to send an email.

Additional protections have been put in place on the advice of Foresight, who have been overseeing the work that the Education Directorate has been doing to ensure that the site is secure and that children can continue to learn online in this new world that we are in, where remote access to education is so important.

**MS LEE:** Minister, what consistent and appropriate action has been taken to identify and counsel the students involved in the breach?

**MS BERRY:** The Education Directorate and the AFP are working together on that process.

**MRS KIKKERT:** Minister, how can parents of our schoolchildren have confidence that what you are doing will protect their kids in the future?

**MS BERRY:** A number of communications have gone out to our parent and school communities to reassure them that the appropriate action has been taken to secure the email networks within our Google systems across our schools. I am a parent of children in the public school system as well and have children who were affected by this email issue. I am assured that the process that has been followed by the Education Directorate, with support and advice from Foresight, is ensuring that this system remains accessible but is also secure so that students can continue to get on with technology-based learning.

### **Government—schools policy**

**MR GUPTA:** My question is to the Minister for Education and Early Childhood Development. Minister, how has the ACT government delivered new and better schools over the last four years?

**MS BERRY:** I thank Mr Gupta for the question. Last year the ACT government opened Margaret Hendry School in Taylor. Margaret Hendry was one of the ACT's first carbon-neutral schools, and it is catering for a growing young community in our city's north, with around 600 students. Last year the government completed the \$25.7 million upgrade at Belconnen High School, transforming it into something that is nearly unrecognisable from the school that it was in the past. These staged modernisation works include refurbished classrooms as well as admin areas and roof replacements.

Over this term the government has delivered two future skills academies, Mungga-iri Jingee for the south side and Dhawura Ngadjung for the north side. These academies are high quality facilities where both students and teachers can develop skills that are transferrable across many of our fastest growing occupations.

We have not just been building new schools; we have been upgrading our schools. Just this year alone, a new roof was installed at Calwell High. There is a new outdoor hard court for Weetangera Primary. There is a new outdoor play area and shade sails for Cranleigh, and there is a new evaporative cooling system in the gym at Gungahlin College. Namadgi has a car park upgrade, with improved classroom spaces and new paint on the gym and front sign. Duffy Primary School saw new turf and irrigation. There are new admin and support areas at Lanyon High. There are roof upgrades at Charnwood-Dunlop Primary School as well as a new outdoor garden play space.

They are just a small number of the upgrades and programs that have been occurring across our schools across the ACT. In addition to that, there is the investment that the ACT government has made in our schools during COVID-19 to ensure that people remain employed but that our schools get the repairs and maintenance that they need.

**MR GUPTA:** Minister, how is the government making sure that there is a local public school in areas of high population growth?

**MS BERRY:** The ACT government continues to invest in Canberra's future by building on its election commitments to build new public schools and expand schools in areas of growth. This week I announced that the government would build a new public high school in Kenny as well as expand Amaroo school and provide additional transportable classrooms for schools all across the ACT.

The number of Canberra public school students continues to grow by about three per cent each year, as the population grows and as more families are choosing public education. Gungahlin continues to be one of the fastest growing regions in the country. That is why the government has invested more than \$12 million to expand Amaroo's senior campus by an additional 200 places and provide new specialist learning facilities for the 2022 year. The government has also committed to deliver a new high school for Gungahlin, with over \$72 million to deliver a new high school in the suburb of Kenny, in east Gungahlin. Across Gungahlin, the government is also expanding Franklin school for 600 students from kindergarten to year 6 as well as increasing capacity at Gold Creek senior campus by 200 places. In 2022 Canberra will also see its 90th public school, in Throsby.

**MS CODY:** Minister, how is the government ensuring access to public education throughout our city?

**MS BERRY:** This week I announced an additional \$17 million investment in high quality modern transportable classrooms for public schools across the ACT. Transportable schools are great these days and nothing like the old demountables many of us would be familiar with. They are spacious, comfortable, insulated, air-conditioned and designed to meet current energy targets. They meet all the same standards as normal permanent buildings and have the same comforts and technology. As student numbers increase and decrease and as suburbs go through their demographic cycles, transportables help to meet the changing demand and can be moved around as different schools go through their peaks. This week's announcements will see an additional 750 places in public schools across the city to meet the projected enrolment growth where it is needed most.

Madam Speaker, this is not a new way that governments manage change in demographics across suburbs in the ACT. Every state and territory manages these changes to demographics in the city and across the states and territories to make sure that every child in their local area has access to their local school. The government will also continue detailed planning for future school needs in the city and gateway region, including areas of growth like west Belconnen, Molonglo, Belconnen and Woden town centre.

### **Municipal services—footpaths**

**MR MILLIGAN:** My question is to the Minister for City Services. In this week's *CityNews* Paul Costigan said—

*Members interjecting—*

**MR MILLIGAN:** You may not like it, but he speaks truthfully here. He said:

My electorate are keen to know if Minister Steel is working hard to lose or just doesn't care about maintaining our city's parks, green space and paths.

Just this week I have been contacted by two constituents, Ian from Amaroo and Ana from Franklin, who have tripped and fallen on badly maintained and broken footpaths. Both have received injuries from these falls. The response from your government was to send "one of those patronising and useless letters that this Labor-Greens government is now infamous for", as Costigan put it. Minister, why can't your government get the basics right and give the ratepayers of our city safe and well-maintained footpaths?

**MR STEEL:** I thank the member for his question. Our government has invested a significant amount of money over the last four years and the last few months, and has built over 50 new footpaths just over the period of the pandemic, to protect and create jobs and to make our city more accessible for people from all walks of life, including older people in our community.

When those issues are raised with me and with Transport Canberra and City Services, we take them seriously. We go out and assess those issues and we look at how we can repair those paths, as part of our community footpath priority list. We do that over a period of time. Our government has been investing in that footpath maintenance because we want to protect and create local jobs and make our city more accessible, and we will continue to do that.

**MR MILLIGAN:** Minister, will you commit to acknowledging to Ian and Ana from Yerrabi the failure of your government to maintain footpaths?

**MR STEEL:** Our government will continue our approach of taking residents' concerns seriously, investigating those concerns and keeping up maintenance of our footpaths and all other services across our city.

**MS LAWDER:** Minister, should we just change your title to "minister for city disservices"?

**Mr Steel:** A point of order, Madam Speaker. It is another ironical expression.

**MADAM SPEAKER:** It was probably an ill-informed question, but I think you can dismiss it, if you choose to answer it, minister.

**MR STEEL:** Thank you, Madam Speaker. I will take your advice.

### **Health—specialist services**

**MRS KIKKERT:** My question is to the Minister for Health. I refer to your answer to a question on notice regarding waiting times for children to see specialists in our

health system. For example, more than 1,000 kids are waiting up to 606 days to see an ear, nose and throat specialist, with 3,700 children facing long waits to see a specialist. The median wait time to see a dermatologist was four years, while it was three years to see a urologist. Why are some 3,700 children waiting so long to see a specialist?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for the question. Some of the wait times across paediatric services certainly are concerning and disappointing, and that is why Canberra Health Services is working very hard on several initiatives and plans to improve those. That includes additional resources, recruitment and implementing new processes and strategies to better meet demand for paediatric services.

As you would be aware, Madam Speaker, the delivery of paediatric services is a complex mix of public and private and local and interstate services, but some of those wait times are actually the result of the introduction of new services. For example, in gastroenterology, Canberra Health Services put on a new paediatric gastroenterologist about 12 months ago. That service is taking demand that would have previously been referred interstate, which is good for Canberra kids, but it does mean that there is then a demand for a service that did not previously come under those wait times because those would have been services previously provided interstate.

It is a challenge for our community that, with a population base of fewer than 450,000 people, not all paediatric specialist services can be provided in the ACT. For those that are, it is sometimes a challenge to recruit paediatric specialists. We know that, with the retirement of a couple of paediatricians, there is some recruitment going on, and that will continue.

**MRS KIKKERT:** Minister, why does the ACT health system so severely disadvantage low income families?

**MS STEPHEN-SMITH:** I am not quite sure to what Mrs Kikkert is referring or whether she has any evidence in relation to that.

**MRS DUNNE:** Minister, what is the risk that children on the waiting list, waiting a long time to see a specialist, will face worse health outcomes as a result of their wait?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for the supplementary but, as she well knows, there is a triage system for both outpatients and surgery. People who are on the wait list are advised that if their condition appears to be worsening, or if they are concerned, to go back to their general practitioner and to seek a new referral, if that is looking like a threat for those people and their condition.

We are also working with general practitioners and through the Capital Health Network to improve referral pathways between general practitioners. As you would be aware, Madam Speaker, some general practitioners have sub-specialties, so there is work going on across primary practice to enable general practitioners to refer to one another as well as to refer to specialists and also to better understand what the referral pathways might look like in using allied health as well as specialist appointments. So there is a wide range of work going on to address these issues.

**Health—specialist services**

**MR HANSON:** My question is to the Minister for Health. Minister, in the media, on 25 August, you said about specialists:

We know for example that ear, nose and throat is an issue across paediatric and adult services and there are other areas where it is quite hard to attract specialists to the ACT.

Minister, why is it hard to attract ear, nose and throat specialists and specialists in other areas of high demand to work in the ACT?

**MS STEPHEN-SMITH:** There are a combination of reasons. Sometimes it is because there is actually a national shortage of specialists in those particular areas and sometimes, as I have indicated, it is because of our population base of fewer than 450,000 people. Specialists want to work in areas where they are going to be able to actually treat people in their speciality every day of the week and get a wide range of cases. That is much easier to do when you have a large population base. That is one of the reasons that it is difficult.

What we are doing is working on a child and adolescent health services plan to do what we can to expand the availability of specialist paediatric services here in the ACT, as we have done with gastroenterology and as we also have done with ophthalmology, where, without actually recruiting a specialist full time here in the ACT, we now have two visiting paediatric ophthalmologist specialists one day a month each from Sydney and from Melbourne. This is also a service that did not exist before, which has created some built-up demand. That is another example of how we are trying to work through some of those issues to ensure that Canberrans can get the health care that they need closer to home.

**MR HANSON:** Minister, to what extent has the poor culture and failing infrastructure in our public health system made it difficult to attract specialists to the ACT?

**MS STEPHEN-SMITH:** I completely reject that this has anything to do with infrastructure, but I will take the opportunity to remind the Assembly that we are of course making the largest single investment in healthcare infrastructure since self-government, in the Canberra Hospital expansion. We have of course just this week opened the new nurse-led walk-in centre in the inner north, in Dickson, and reopened the maternal and child health facilities at the Dickson Community Health Centre as well as the podiatry and foot care that has returned to that centre. We continue to renew our health infrastructure.

I also point out that in the most recent culture survey conducted in November last year across Canberra Health Services—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, you will withdraw that. There is an implication that the minister has been lying about service delivery. I ask you to withdraw.

**Mr Hanson:** It was actually a lie about the delivery of the hospital but—

**MADAM SPEAKER:** You will withdraw or you will sit down and you will be warned.

**Mr Hanson:** I will withdraw.

**MADAM SPEAKER:** Did you withdraw?

**Mr Hanson:** I will withdraw again if you like.

**MADAM SPEAKER:** You are now warned, just to wind up the last sitting day.

**MS STEPHEN-SMITH:** Thank you, Madam Speaker. As I was saying, the culture survey conducted at Canberra Health Services late last year actually has the best outcome in terms of culture that has ever been seen across ACT Health Services. Was it where we want it to be? Absolutely not, but that is why we had the independent review into the culture of health services across the public health system. Calvary, Canberra Hospital, the University of Canberra Hospital and our Health Directorate—all of those were covered. We are responding to the 20 recommendations but we are also going beyond that. Minister Rattenbury and I had a really good meeting with the culture review oversight group earlier this week.

**MRS DUNNE:** Minister, to what extent does poor treatment of junior doctors, such as underpayment for long hours that they have worked, give the ACT a poor reputation?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for the supplementary. The CEO of Canberra Health Services, Bernadette McDonald—and, in fact, the AMA—have rejected Mrs Dunne's claims in relation to this matter. There is a lot of work going on in Canberra Health Services, as there is in Calvary, to support our junior doctors and to ensure that in fact we can address the longstanding culture of people being expected to work long hours.

Last week we spoke about the payroll issue, and I have addressed that issue comprehensively.

### **Canberra Health Services—wages**

**MADAM SPEAKER:** I welcome you for your last question, Mrs Dunne.

**MRS DUNNE:** Thank you, Madam Speaker. My question is, surprisingly enough, to the Minister for Health. Minister, it is my understanding that the ACT government has been aware of systemic underpayment of employees of the Canberra health service since July 2018 at the latest. When did you first become aware?

**MS STEPHEN-SMITH:** If it were not Mrs Dunne's last day I would request that she provide some more information in a question on notice so that I can understand the context of her question better, but in this case I will just take it on notice.

**MRS DUNNE:** Minister, on what date will the junior doctors at the Canberra Hospital who have not received their full entitlement receive their full entitlement in their bank accounts?

**MS STEPHEN-SMITH:** As we discussed last week, there is an investigation going on between Canberra Health Services and Shared Services payroll, who do an absolutely outstanding job of managing the very complex payroll across the ACT government, with a range of different rosters and enterprise agreements. I will take the detail of that question on notice, but that investigation is well underway and junior doctors were further informed of that process last week.

**MISS C BURCH:** How much money in total is owed to Canberra Health Services staff?

**MS STEPHEN-SMITH:** I do not know that we will be able to answer that question. I will take the detail on notice. But I also point out that Mrs Dunne noted last week that it looked, from the work that one of the junior doctors had done, like there was some underpayment, some overpayment and some people who were paid exactly as they should have been. That is all being investigated. So it is probably impossible to provide an answer to that question at this time.

### **Government—environmental protection**

**MS CODY:** My question is to the Minister for the Environment and Heritage. How is the ACT government protecting the environment?

**MR GENTLEMAN:** I thank Ms Cody for her interest in protecting the environment. I am immensely proud of the efforts this government has undertaken to protect the environment during this term of government—from the investment in solar and renewables to the mammoth task that has been the bushfire recovery to date. We have protected our bush capital and the parks and wildlife that Canberrans enjoy.

This government has prioritised the protection of our ACT woodlands, reserves and urban green spaces. We have added well over 2,000 hectares to our lowland grassy woodland reserves since the commencement of our woodland conservation strategy. We have taken steps to protect important species in our reserves through innovative restoration practices and diligent management. We have funded award-winning citizen science programs, such as Waterwatch and FrogWatch, which enhance our vibrant environment.

We know Canberrans value their green spaces, and I am proud to have been able to ensure that all Canberrans have close and easy access to local nature reserves, national parks, grasslands and pine forests. Protecting and preserving these areas requires measured strategies and careful planning. This has been a sustained commitment by

our government, such as in Throsby, where we have prioritised creating a new nature reserve ahead of urban sprawl. I thank the staff of the Environment, Planning and Sustainable Development Directorate for their tireless work in this area.

The government has also protected the environment through strategies supporting the living infrastructure in our region, particularly through the healthy waterways project, national resource management and the Parks and Conservation Service. This government has remained committed to protecting our environment and doing so through responsible long-term strategies and funding.

**MS CODY:** Minister, how is this reflected in the recovery of Namadgi National Park after this year's bushfires?

**MR GENTLEMAN:** I thank Ms Cody for the supplementary. The devastating bushfires earlier this year burnt about 80 per cent of Namadgi National Park and 22 per cent of Tidbinbilla Nature Reserve, significantly impacting our local environment. Namadgi is one of our most iconic and botanically diverse parks and the road to recovery there will be a long one. We know that many Canberrans cherish visiting the park and we remain committed to supporting the recovery work in the years ahead.

We have effectively responded to the most immediate threats to our natural and cultural landscape caused by the bushfires. Our rapid response assessment team, which included fauna ecologists, hydrologists, archaeologists and infrastructure experts, released their report early in the year, outlining their recommendations for immediate and future recovery action in response to bushfires and flooding in Namadgi and Tidbinbilla Natural Reserve.

The bushfire recovery plan being developed by the government addresses the immediate fire-impacted areas as well as the broader impacts, including ecosystem trends and issues such as climate change and adaption, continuing dry conditions and the safeguarding of Canberra's water supply.

Across government, our teams have worked tirelessly to assess and address significant impacts to wildlife and ecosystems, heritage, hill slope erosion, ACT water catchments and community safety. The COVID-19 public health emergency has provided challenges to progressing some of this work. However, I am immensely proud of the work that has been done so far.

**MR GUPTA:** Minister, how has the government added to our parks and reserves?

**MR GENTLEMAN:** I thank Mr Gupta for his interest too. Our city is blessed, of course, with parks and reserves. According to the most recent *State of the Environment* report, we have the most green space per capita of any capital city, with 98 per cent of Canberrans living within 400 metres of a green space.

I am proud that we have added to this since that report came out. In the past few years we have created the Franklin grassland nature reserve and the Molonglo River nature reserve. Our reserves contribute to health and wellbeing in the ACT by providing a

destination for morning runs, dog walking and generally connecting with nature. These spaces have been more vital to the wellbeing of Canberrans than ever during the COVID-19 restrictions.

The reserves also play a vital role in conserving the natural environment through protecting endangered woodlands, grasslands and animals and providing important wildlife corridors through the ACT and into New South Wales.

The Franklin grasslands have been important in protecting flora and fauna and support both the natural temperate grassland and the golden sun moth, along with the small patch of yellow box and red gum grassy woodland. It is also home to populations of the threatened striped legless lizard, the perunga grasshopper and Ginninderra peppercress and provides a foraging habitat for the superb parrot.

The Molonglo River reserve contains some of Canberra's best river landscapes and is home to many native plants and animals, including the threatened pink-tailed worm-lizard, the superb parrot, natural temperate grassland and box gum grassy woodland habitat. The rich biodiversity contained within the nature reserve provides a variety of conservation, research, recreational and educational experiences for all to benefit from.

The government respects the value Canberrans place on nature reserves and green spaces and is committed to continuing this work for all ACT residents to enjoy.

**Mr Barr:** That's the end. All further questions can be placed on the notice paper.

**MADAM SPEAKER:** I agree with that, Mr Barr.

## Papers

**Madam Speaker** presented the following papers:

Assembly Budget Protocols—Agreement between the Speaker and the Chief Minister on budget and funding arrangements for the Office of the Legislative Assembly and Officers of the Assembly, dated 20 August 2020.

Standing order 191—Amendments to:

Justice Legislation Amendment Bill 2020, dated 26 and 27 August 2020.

Planning Legislation Amendment Bill 2020, dated 26 and 27 August 2020.

**Mr Gentleman** presented the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Reports—

No 3/2020—Data Security—Government response.

No 6/2020—Transfer of workers' compensation arrangements from Comcare—Ministerial response, dated August 2020.

Commercial waste reduction—Mixed-use areas—Response to the resolution of the Assembly of 4 June 2020—Statement, dated August 2020.

COVID-19 Emergency Response Act, pursuant to subsection 3(3)—COVID-19 Measures—Report No 4—Reporting period 1-31 July 2020, dated August 2020.

Education, Employment and Youth Affairs—Standing Committee—Report 9—*Youth Mental Health in the ACT*—

Recommendation 19—Timeline for completion of the Adolescent Mental Health Unit at the Centenary Hospital for Women and Children, dated 27 August 2020.

Recommendation 48—Update on the 2018 position statement on eating disorders, dated August 2020.

Estimates 2019-2020—Select Committee—Report—*Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020*—Recommendation 56—Update to Government response, and Health, Ageing and Community Services—Standing Committee—Report 10—*Report on Inquiry into Maternity Services in the ACT*—Recommendation 3—Canberra Maternity Options Service—Implementation Progress Report—

Report.

Statement, dated 27 August 2020.

Estimates 2019-2020—Select Committee—Report—*Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020*—Recommendation 99—Centre for Eating Disorders—Update to the Government response, dated 27 August 2020.

Financial Management Act—

Pursuant to section 26—Consolidated Financial Report—2019-20 Interim result—Financial quarter ending 30 June 2020.

Pursuant to subsection 30F(3)—2019-20 Capital Works Program—Progress report—Year-to-date 30 June 2020.

Functional Family Therapy—Child Welfare—Implementation update, dated August 2020.

Out of Home Care Strategy 2015-2020—*A Step Up for Our Kids—One Step Can Make a Lifetime of Difference*—Update.

Rail Safety National Law—Rail Safety National Law National Regulations (Fees and Other Measures) Variation Regulations 2020 (2020 No 322), together with an explanatory statement.

Smoke and air quality—Development of a strategy—Government response to the resolution of the Assembly of 13 February 2020—Statement, dated 27 August 2020.

Workplace Culture within ACT Public Health Services—Independent Review—Final Report—Biannual update on implementation of the recommendations—Statement, dated 27 August 2020.

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

Legislation Act, pursuant to section 64—

Cemeteries and Crematoria Act and Financial Management Act—Cemeteries and Crematoria (Governing Board) Appointment 2020 (No 1)—Disallowable Instrument DI2020-226 (LR, 30 July 2020).

Electricity Feed-in (Large-scale Renewable Energy Generation) Act—

Electricity Feed-in (Large-scale Renewable Energy Generation) FiT Capacity Release Determination 2020 (No 1)—Disallowable Instrument DI2020-250 (LR, 24 August 2020).

Electricity Feed-in (Large-scale Renewable Energy Generation) Renewable Energy Source Declaration 2020—Disallowable Instrument DI2020-249 (LR, 24 August 2020).

Energy Efficiency (Cost of Living) Improvement Act—

Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Determination 2020 (No 2)—Disallowable Instrument DI2020-218 (LR, 27 July 2020).

Energy Efficiency (Cost of Living) Improvement (Energy Savings Contribution) Determination 2020 (No 1), including a regulatory impact statement—Disallowable Instrument DI2020-220 (LR, 27 July 2020).

Energy Efficiency (Cost of Living) Improvement (Energy Savings Target) Determination 2020 (No 1), including a regulatory impact statement.—Disallowable Instrument DI2020-219 (LR, 27 July 2020).

Energy Efficiency (Cost of Living) Improvement (Penalties for Noncompliance) Determination 2020 (No 1), including a regulatory impact statement.—Disallowable Instrument DI2020-221 (LR, 27 July 2020).

Energy Efficiency (Cost of Living) Improvement (Priority Household Target) Determination 2020, including a regulatory impact statement—Disallowable Instrument DI2020-222 (LR, 27 July 2020).

Gaming Machine Act—Gaming Machine (Emergency Community Purpose Contribution—Local Live Performance Industry) Declaration 2020—Disallowable Instrument DI2020-252 (LR, 26 August 2020).

Long Service Leave (Portable Schemes) Act—Long Service Leave (Portable Schemes) Interest Rate Guidelines 2020—Disallowable Instrument DI2020-217 (LR, 23 July 2020).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2020 (No 2)—Disallowable Instrument DI2020-223 (LR, 27 July 2020).

Planning and Development Act—

Planning and Development (Lease Variation Charge Deferred Payment Scheme) Determination 2020—Disallowable Instrument DI2020-225 (LR, 30 July 2020).

Planning and Development (Remission of Lease Variation Charges—Construction Sector Recovery) Determination 2020—Disallowable Instrument DI2020-224 (LR, 30 July 2020).

## **Air quality**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and

Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (2.44): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Smoke and air quality—Development of strategy—Government response to the resolution of the Assembly of 13 February 2020, dated 27 August 2020.

**MR RATTENBURY** (Kurrajong) (2.44): This is a response to a motion that I moved earlier in the year after we experienced a period of unprecedented bushfire smoke across the summer. It highlighted many challenges that our city faced. At the time of moving the motion, I spoke about that in some detail, and I do not intend to repeat it today.

As this report back to the Assembly notes, due to a number of factors, there has been a delay in the progress on that work. That has been as a result of the health department being heavily involved in the COVID response, as well as the response to the royal commission into bushfires. In light of that, I think that the response we are seeing today is quite reasonable, but it does highlight the fact that the Tenth Assembly will need to come back to this issue. We can expect these sorts of problems to arise again in the future.

I spoke earlier today about the scenarios that we see for future bushfire emergencies, and the predictions from the group of 33 eminent former emergency services officers about the challenges Australia faces, going forward. It is important that we continue to prepare ourselves for future circumstances where we might see the repeat of smoke events that, unfortunately, we saw over the summer.

Question resolved in the affirmative.

## **Supplementary answers to questions without notice**

### **Canberra Health Services—staff wages**

**MS STEPHEN-SMITH:** In response to a question from Mrs Dunne in relation to systematic underpayment of staff in Canberra Health Services from 2018, I am advised by Canberra Health Services that no-one in the human resources team is aware of anything systemic or systematic from 2018.

### **Land—valuations**

**MR GENTLEMAN:** Further to the answer by the Minister for Housing and Suburban Development regarding valuations, I can confirm that the requirement that land be sold at market value is found in section 246 of the Planning and Development Act 2007.

## **Economic and fiscal update**

### **Ministerial statement**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry

and Investment) (2.47): The economic and fiscal update and jobs and economic recovery package that I announce today are structured with two goals in mind: to protect and create local jobs and ensure Canberra recovers from this once-in-a-century economic downturn.

I thank Canberrans for their strength and community spirit through these exceptionally difficult times. We have truly been stronger together. By working together, we have reduced the risk of the coronavirus spreading in our community, avoiding the terrible repercussions we have seen around the world and in states and territories closer to home.

We have changed the way that we work and live. Our public health response has, and always will, take precedence in how the ACT government continues to support the community. It is our effective health response to the pandemic that gives every employer and employee confidence in our steps toward economic recovery. Now we need to display resilience and agility in how we rebuild our economy to restore growth and to protect jobs.

The government's initial economic survival measures have helped the territory manage the first stages of the pandemic and have kept many in work. We have bolstered our health system and stepped in to provide hundreds of millions of dollars of direct financial support to households and local businesses. However, the next stage of economic recovery has to go further, it has to be bigger. We have determined to align our fiscal policy—that is, the territory budget—with the monetary policy settings of the Reserve Bank of Australia—that is, record low interest rates.

These two policy settings combined will boost aggregate demand in our economy and create jobs. Our plan demonstrates how the government will drive a strong economic recovery over the next five years and sets an ambitious target for the territory of having over 250,000 people in work by 2025. We do so because we understand that stable, secure employment means more than affording the groceries and being able to pay the rent or mortgage. It provides meaning, structure, connection and opportunity in people's lives. So our job, as a Labor government, is to protect local jobs.

Last week the Reserve Bank Governor called on all states and territories to collectively invest another \$40 billion over the next two years in the infrastructure and jobs essential for our national recovery. For the ACT, that would amount to around \$800 million of additional infrastructure and business investment. Today, through this update and the plan that I have released, the government is announcing that we will exceed this expectation and maintain that level of funding into the middle of the decade through a \$4.9 billion jobs and economic recovery package. This pandemic is not over and we understand that. In these uncertain times, the government is delivering the right plan to support our economic recovery and protect local jobs.

Through record low interest rates, monetary policy has played an important role at the national level to support the economy. The Reserve Bank Governor, Philip Lowe, has been clear that this approach will continue for many years into the future. Governor Lowe has indicated very clearly that the Reserve Bank will do what it takes with its policy instruments to support the journey back to full employment.

Complementing this is expansionary fiscal policy that will accelerate the recovery of the territory and national economies. This is a change to how fiscal policy has operated in Australia over recent decades. This requirement to exercise expansionary fiscal policy represents a new phase of economic management in our country. In this context, we are acting on the principles that by investing today to support the economy, we are avoiding an even bigger loss of economic output and jobs that would damage our economy and community for years to come, which would put a larger ongoing strain on the territory's budget.

The territory's public finances are in strong shape and public debt here is much lower than in most other states and territories and considerably lower than at the commonwealth level. Overall, the territory balance sheet is also in a strong position after decades of good economic performance. The ACT government's financing costs have never been lower, with interest rates being the lowest since the Australian colonies federated to form this nation.

The message from the Reserve Bank is clear and the right thing to do now is to use our borrowing capacity to help people during this once-in-a-century crisis, to keep them in jobs and boost public investment at a time when private investment is very weak. Interest rates are the lowest since federation, which will allow all states and territories to use our balance sheets to build sustainable, productivity-improving and growth-enabling infrastructure to prepare our communities for the future.

Through this plan we are sending a very clear message. Our decision to invest in Canberra will give businesses the confidence to invest and keep employees working. The role of every government in Australia at every level of government will be to drive aggregate demand through increased expenditure. It requires us to be bold and it requires us to take on more risk. Locally, we will continue to create and shape markets to encourage job creation in emerging industries.

In June I presented to the Assembly the ACT economic response to COVID-19, noting that at this time I would have generally presented the budget and the appropriation bills for this fiscal year. So 2020 has not been the year that any of us expected—we have endured extreme bushfires, a catastrophic hailstorm and we are still facing the very real threat from the COVID-19 global pandemic.

Through the government's rapid steps and the community's actions to keep each other safe, we have so far managed to avoid the overwhelmed health and aged-care systems that we have seen in many other parts the world. This has meant that at this early stage of the pandemic our community has handled things well and our economic recovery has been stronger than in other jurisdictions.

In Australia and across the globe there continues to be a deterioration in economic circumstances and associated impacts on consumer confidence and on the public finances of all governments around the world; but what is clear is the absolute correlation between the quality of the health response and the impact on the jurisdiction's economy.

Throughout this period the ACT government has maintained its commitment to ensuring transparency and accountability by providing financial information and regularly reporting on the measures we have taken. So today we are the first government in Australia to release forward estimates forecasts across the entirety of a four-year forward estimates period. I note, though, that forecasting is a difficult task at the best of times but particularly in the current environment. What we have done is to show the long-term impacts of COVID-19 on the territory economy and budget based on the information that we have available to us at this time.

The economic and fiscal update details the territory's current economic and fiscal environment and forecast projections through to 2023-24 and includes the policy decisions made by government to implement critical economic survival and recovery measures. It also outlines our support for local businesses, families and the community during the pandemic and details the territory's 2020-21 infrastructure investment program and indicative land release program.

The magnitude of the current fiscal shock is easily the most significant faced in the territory's history. These are a set of forecasts that will be repeated around the nation and around the world as all governments face rapid writedowns in revenue and increased expenditure to support their communities. For 2020-21 the headline net operating balance is forecast to be in deficit at \$909.6 million. Across the forward estimates the government is projecting reduced deficits of \$670.2 million in 2021-22, \$452 million in 2022-23 and \$399.8 million in 2023-24.

These are not the eye-watering numbers that we have seen in other jurisdictions, but they reflect significant reductions in GST revenue, primarily due to a reduced GST pool. They also reflect further reductions in the territory's own-source taxation revenue resulting from the downturn in overall economic activity and they reflect the significant impacts on expenditure to support the COVID response, including the government's economic survival package.

Over the comparable period from when we issued the 2019-20 budget review in February, total GST revenue for the territory is forecast to decline by nearly \$1 billion—\$974 million to be precise—while our own-source taxation revenue is expected to decline by \$563.9 million over four years as a result of the public health and economic measures implemented by governments to address the pandemic.

Our economic outlook shows that, under the baseline scenario, the ACT's gross state product is expected to slow to 1.5 per cent in the 2019-20 fiscal year, and economic activity measured by state final demand is expected to have fallen by around six per cent in the June quarter 2020.

Importantly, however, the ACT entered this global public health economic crisis with a very strong local economy. We had the lowest unemployment rate in the nation, at just 2.9 per cent in February of this year, and the territory has significant fiscal capacity to respond to the crisis. The impact of restrictions in the ACT has been less severe than what has been experienced nationally.

So it is from this strong foundation that we drive the ACT's economic recovery. So today I am releasing our \$4.9 billion ACT jobs and economic recovery plan. To maximise immediate employment benefits, it includes an infrastructure investment program that is varied in financial size and in the nature of the work and projects. The plan prioritises building health, education, public transport, public housing, sustainable energy and urban renewal projects for the long-term benefit of Canberrans.

We will invest more than \$1 billion in transport and active travel projects, including over \$300 million in the forward estimates extending light rail; more than \$900 million on health-care infrastructure, including the \$624 million Canberra Hospital expansion; more than \$400 million to build and upgrade our public schools; and between \$250 million and \$300 million in building the new CIT Woden and Woden public transport interchange.

The package also includes an additional investment of \$61 million, topping up our public housing renewal program to over \$1 billion over 10 years. We are now halfway through the delivery of that most significant public housing renewal program in the territory's self-governing history. We are supporting local jobs and confidence in the construction sector, with a clear pipeline of work over the next decade.

The plan also includes more immediate support to businesses and Canberra households. Having already injected \$159 million in 2019-20 in the initial economic survival measures to protect jobs and support businesses and households, we will invest a further \$724 million to support and create more jobs and continue to deliver essential services. This includes a \$200 million investment into our health system so that it is ready for whatever the pandemic brings and whatever lies ahead for public health.

We are providing \$108 million in fee relief for households and the community and another \$65 million in fee relief for businesses, in addition to the \$40 million that was provided in the last quarter of 2019-20. Some \$23 million is being allocated to community support programs, additional mental health services and food relief. The government is stepping in to protect jobs in our local community sector when commonwealth payments for the equal remuneration order end in November of 2021.

We are setting an ambitious target for jobs because it is essential for all Canberrans to know that our focus is on protecting their jobs and creating new jobs as our city grows and recovers. Our policies and investments will support over 250,000 people being employed by 2025.

While public investment at this time is absolutely critical, maintaining confidence in non-government sectors is equally important to Canberra's future, and the plan outlines how the government intends to support employment growth in a wide variety of industry sectors from tertiary education, renewable energy, innovation and the arts to defence, space, national security and cyber industries.

Before the pandemic and the associated global economic crisis, we had reached a record level of employment in the territory—238,300 Canberrans were employed. In

April and May 2020 the pandemic swept away 10,500 jobs in our city, taking total employment to around 227,800. By July the recovery was underway and total employment had increased again above 230,000 jobs to 233,400.

While the ACT economy has shown resilience and performed better than most other jurisdictions across Australia, almost all industries in the territory have been negatively affected by the pandemic to some degree. Our plan will keep Canberrans employed in the industries that are most affected by the pandemic; for example, hospitality. It invests in creating more jobs for these sectors by addressing skills shortages, and focusing on youth employment measures.

We will also establish a Canberra economic recovery advisory group. Priorities for the group will be to identify areas of regulatory reform that will stimulate economic activity and provide advice on how the ACT government can continue to protect and create local jobs. The group will be made up of economists, public policy professionals and representatives from industry groups, unions, community sector partners and small business representatives.

We will support businesses to start and grow, through better regulation and easy interactions with government through Access Canberra. We will continue our significant investment in skills development and education. We will engage with industries that will create secure jobs in the future whilst maintaining high employment standards and protecting workers' rights.

Today I am also releasing four separate reports following a review into our tax reform program to date—a program that other jurisdictions around the country, particularly New South Wales and Victoria, are now considering. The key findings of the review are that under a scenario where tax reform did not occur, there would have been a lower level of economic activity in the ACT, a lower level of employment, lower investment and lower consumption. If we had not undertaken tax reform, our economy, investment levels and employment rate would have been in worse shape. So these reforms have delivered economic benefits for our community.

Through the reforms we have been able to abolish insurance duty, saving Canberrans hundreds of dollars a year. We have been able to reduce stamp duty so significantly that more low income and lower wealth households now own their own home. Our stamp duty concessions for pensioners and first homebuyers further support increased property activity by removing one of the most significant barriers to home ownership.

The reforms have been independently confirmed as revenue neutral. In fact, the government has collected slightly less tax than if it had left the system as it was. The tax reform program has provided greater certainty to the ACT budget in a time of crisis, and while the impacts are still severe, they would have been far worse had a greater percentage of our own-source revenue still relied on inefficient and volatile taxes like stamp duty and insurance duty. We need only look at New South Wales and Victoria to see what damage an historic over-reliance on stamp duty can do to a state budget.

Today I also announce that in order to provide certainty for business and households, we will bring stage 3 of tax reform forward by one year to commence in 2021-22 and set average general rates increases for households and over 90 per cent of commercial properties in the territory at 3.75 per cent.

This follows from the government's decision to set average rates at zero for the current fiscal year 2020-21, which, along with our \$150 pandemic rates rebate to every household delivered in this quarter, means that around 110,000 households will see an actual rates reduction this year.

We will continue to reduce stamp duty in every budget. The next round of reductions will be targeted at affordable owner-occupier purchases and at stimulating affordable housing construction by reducing stamp duty on lower value land, off-the-plan units and lower value properties.

This economic and fiscal update, and the economic recovery and jobs plan that I release today, demonstrate the government's determination to protect Canberra jobs as we recover from the pandemic. We have a long way to go, but this is another essential step as Canberra emerges from this once-in-a-century public health and economic shock stronger and more together as a community. I commend the plan and update to the Assembly.

I present the following papers:

ACT Jobs and Economic Recovery Plan.

Economic and Fiscal Update—

August 2020.

Ministerial statement, 27 August 2020.

Financial Management Act—Supply Instrument and Authorisation of Payments—Explanatory Notes—2020-2021, dated 24 August 2020, made pursuant to sections 7 and 37.

I move:

That the Assembly take note of the ministerial statement.

**MR COE** (Yerrabi—Leader of the Opposition) (3.09): We have just witnessed a blatant re-announcement of projects already committed to but not delivered by Labor. It is a re-announcement dressed up as vision. Worse, there are some things, like the Canberra Hospital upgrade, that have been on the cards for a decade and still will not be delivered for years to come, if at all, under ACT Labor. In the 10 years since he became Treasurer, Mr Barr's economic management has taken the ACT from \$473 million in the black to a projected \$4 billion in the red; and all this before COVID hit.

The ACT should have been in a very strong position to weather an economic storm. Every year this Labor-Greens government takes more and more from Canberrans

from staggeringly high increases to rates. Every year Canberrans are shocked to receive astronomical rates bills. At the very least, you would think that just some of this money would have been put away for a rainy day to help Canberrans when they need it most. That is what responsible economic management would look like.

For all the government's re-announcements today, you simply need to look at their record. What is this Chief Minister's legacy? Rates that have tripled; rents and cost of living amongst the highest in Australia; health and hospital waiting times the longest in the country; education outcomes going backwards; hundreds of bus stops closed, and school buses abolished; and Canberra is unfortunately the worst place in the country to do business. After 19 years of hard Labor we have been left with higher taxes and declining services.

But in just 50 days Canberrans will make an important decision about the future of this city, and this election is close. My Liberal team and I are out every single day showing Canberrans that there is a better way because we want to make Canberra the best place to live, work and raise a family. What motivates me and what motivates my team is making Canberra more affordable for everyone, it is taking the pressure off Canberra families, it is maintaining the bush capital, it is making sure that people can afford to buy a house in the city that they grew up in, it is making sure people can actually afford to rent a house.

Canberrans care about these things, and that is what my team and I are committed to delivering for this great city. We are committed to providing Canberrans with a world-class health system. We are committed to ensuring that our kids finish year 12 with a high standard of numeracy and literacy. We are committed to backing up our teachers. We are committed to supporting families when they are doing it tough. We are committed to supporting the nurses, doctors, and other staff who do a wonderful job, and we support our public servants and the great people in our private sector.

We are proud of our commitment to freeze rates for four years so that families can get ahead. We are proud of our commitment to plant and care for a million trees over the next decade. We are proud of our commitment to protect greenspace right across the city, including places like West Basin and the Curtin horse paddocks. We are committed to bolstering school maintenance so the kids in our schools have the infrastructure they deserve, regardless of whether it is an old or a new building. We are committed to making this the best place to do business for every single Canberran.

Canberra is a great place and we are determined to do everything that we can to make it even better. Only a Canberra Liberals government will deliver lower taxes and better services so that everyone can get ahead.

Question resolved in the affirmative.

## **Residential Tenancies Amendment Bill 2020**

### **Rescission and reconsideration**

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister

for Business and Regulatory Services and Minister for Seniors and Veterans) (3.14): I seek leave to move a motion to reconsider the Residential Tenancies Amendment Bill 2020 to correct an omission.

Leave granted.

**MR RAMSAY:** I move:

That, in relation to the Residential Tenancies Amendment Bill 2020, the Assembly:

- (1) rescind the resolution agreeing to the question that the Bill, as amended, be agreed to; and
- (2) recommit the Bill at the detail stage.

Question resolved in the affirmative.

### **Detail stage**

Proposed new clause 38A.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (3.14): I move amendment No 19, set A, circulated in my name, which inserts a new clause 38A [*see schedule 2 at page 2324*].

Amendment agreed to.

Proposed new clause 38A agreed to.

Bill, as amended, agreed to.

## **Sexuality and Gender Identity Conversion Practices Bill 2020**

Debate resumed.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.15), in reply: I will close the debate ahead of the Chief Minister speaking. By prohibiting conversion practices in our community, this government is sending a clear message of support for and solidarity with gay, lesbian, bisexual, transgender and gender diverse people in our Canberra community.

Today, more than ever after the hurtful and damaging vitriol from a small but loud crowd, I say to the LGBTIQ community, “We recognise you, we support you and we value you for who you are and for what you contribute to our vibrant city.” There is nothing—nothing about your sexuality or gender identity—that is broken or needs to be changed.

One of the strongest responses that we heard after introducing this bill was surprise and disbelief that such practices were not already outlawed here in the ACT. We know that practices that purport to change sexuality and gender identity do not work and that they do so much harm.

Many survivors of these practices have struggled to overcome the legacy of these failed attempts to, so called, cure them. They have to fight to overcome the damage in self-hatred that these practices instil and to develop real and meaningful intimate relationships. Conversion practices are harmful and have no place in our inclusive and accepting community.

It is clear that the tide is turning on these outdated practices and we are proud to be at the forefront of these reforms. Queensland has also just passed laws prohibiting conversion practices in the context of health services. This was an important step. I am proud to say that our laws go further and address the broader context in which these practices can occur. That does not, however, mean to say that we do not believe that further work can and should occur for us in the ACT beyond today's passage of this important bill.

Survivors have told us that it is less common these days that conversion practices occur in the context of professional health services. Most professional registration bodies recognise the harm that these practices cause, and it would be a violation of many professional standards to claim to be able to change someone's sexuality or gender identity. These practices can easily occur in less formal contexts outside mainstream health services, and that is why our laws are not limited to regulating conversion practices in those services.

In considering how to best address conversion practices, we looked at models elsewhere. We took advice from survivors about their experiences and about where these practices are occurring. We were also very conscious to ensure that our laws would not unreasonably limit religious freedom, which is protected under our ACT Human Rights Act, or impinge on the ability for our community to access legitimate health services that support individuals with issues relating to their sexuality and gender. That is why the government will be proposing amendments to the bill to explicitly note that this legislation does not impinge on existing rights to religious belief.

One of the ways that we can make sure that our laws are sensible and targeted is by focusing on practices that try actively to change sexuality or gender identity rather than a broader scope of practices or teachings that might relate to how an individual expresses their sexuality or identity, particularly in a religious context. As the Chief Minister has reported to the scrutiny committee, the definition of conversion practices is intended to cover practices that actively seek to change the sexuality or gender identity of a person. It is not intended that mere expression of religious tenets or beliefs relating to sexuality or gender identity would constitute a conversion practice, nor would failing to provide support to a person, although we recognise the harm that may arise from this if the support is to suppress or deny sexuality or gender identity.

This means that the laws will not prevent religious leaders and schools teaching the tenets of their faith or providing pastoral care to people who are gay or lesbian or gender diverse and talking with them about religious teachings. The ability to share and discuss religious teachings and counsel is an important aspect of religious freedom. However, this does not extend to harmful practices based on false and misleading promises that purport to be able to change a person's sexuality or gender identity.

In grappling with these difficult issues, we have adopted a nuanced scheme that offers different pathways to address harmful practices. Firstly, we have criminalised conversion practices conducted on children under 18 and other protected people who have impaired decision-making ability. These groups are particularly vulnerable and may have no choice or control over practices that they are being subjected to. We want to make sure that every young person in Canberra grows up to be proud of who they are and free from practices that would shame and harm them. We need the strongest level of protection for our most vulnerable people. The criminal law will also apply to people taking a child or protected person outside the ACT for the purposes of conversion practices, to prevent our laws being circumvented.

Many advocates have told the government that they want avenues to have these issues investigated and stopped but do not necessarily want to go through a criminal prosecution. We have listened to that feedback as well and we have provided an accessible forum for complaints about conversion practices. Any adult or child who has been subject to a conversion practice or harmed by such a practice will be able to make a complaint to the ACT Human Rights Commission.

The commission already has considerable expertise in discrimination matters and understands the issues faced by the LGBTIQ community. The commission can consider and investigate allegations of conversion practices and can provide a forum for conciliation where the complainant can have their concerns heard and a resolution can be sought. In those situations where a complaint cannot be resolved by the commission, a complaint can be referred to the ACT Civil and Administrative Tribunal, which can make a binding determination and make orders appropriate in the individual case, including compensation and orders for the practice to be ceased. The Human Rights Commission can also initiate its own complaint process and investigate systemic issues, if these are occurring in our community.

These measures have been carefully considered to take account of the complexities of these situations and to provide ways to prevent harmful practices without unduly limiting religious freedom or legitimate services. I particularly note that, given some of the public commentary we have seen, it is important to recognise that, whilst there is the potential for criminal matters, in this case it is not the starting point, except potentially in the most egregious of cases. I think that it is important to reflect that there are a range of pathways here. While a lot of the commentary has focused on certain aspects of this legislation, I encourage people who are concerned about the detail to look at the full spectrum of the legislation and the care that has gone into drafting it and the way that the government has discussed it in introducing it in this place.

Let me again make it very clear that this government will always stand with our LGBTIQ community. This legislation is about prevention of harm. We see you and we support you and we will continue to fight inequality and prejudice against you wherever it occurs. A city where everyone is respected and valued, free from discrimination, means that we can all make the most of our potential and contribute to a thriving community. Equality benefits us all. I commend the bill to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.23), in reply: I would like to thank all those who have spoken in the debate on the principle stage of this legislation. The quality of the debate and the tone in which it has been conducted is a credit to this Assembly. It is a reflection of just how far this Assembly has come on these issues of sexuality and gender matters that this debate has been, to date, free of inflammatory language and wild, inaccurate assertions. It has not always been the case when these matters have been debated in this place in the past, so I think that it is important to acknowledge that this afternoon.

The origins of this legislation date back many years. A former Minister for Health, Meegan Fitzharris, indicated in 2018 that the government would be pursuing legislation in this area, and I reinforced that last year when I made it very clear that by the end of 2020, the government would legislate in this area.

The lead-up to this bill has seen significant engagement with survivors and with the broader community, and there has been detailed engagement with faith leaders and religious school leaders. This has been stepped up in recent times since the legislation was introduced to the Assembly, and my office has engaged again with survivors and a wide variety of faith leaders and religious school leaders. Those meetings have taken place both face to face and in a virtual context, as the times demand. There has been a range of views expressed to the government on the bill. Those views have been listened to by the government and analysed. As Minister Rattenbury alluded to, I will move some amendments in the detail stage that address some concerns that have been raised about what this bill does, but, perhaps, more importantly to be very clear about what the bill does not do.

Some of the more inflammatory examples that have been raised with me and my office do not originate in organisations within the territory. We have witnessed some very misguided advertising campaigns by organisations from outside the ACT, which are seeking to influence this debate and, it would seem, seeking to influence the territory election. They are individuals and organisations with quite easily accessible pasts. Just google them and you will get a very clear understanding of where they come from, the sorts of views that they hold and just how out of touch those views are with the values of this community. That will be what it will be, though.

I need to be clear that we will address and respond to valid concerns, but we are not going to spend the coming weeks and months responding to outrageous, over-the-top and hysterical claims made by organisations who have no connection to the Australian Capital Territory. So let me be very clear on one thing—one claim that has been put forward: this bill does not legally permit under 18-year-olds to pursue radical means

of gender transitioning, free from parental control. That claim is wrong, it is abject nonsense, and it does no credit to the individual who has put that forward. This bill does not create any new rights for anyone, nor does it restrict other human rights such as freedom of religion. Of course, parents and teachers can lovingly talk with their children, and children in their care, about the full range of issues that come with growing up and discovering who you are as a person.

This bill bans incredibly harmful practices that seek to change a person's sexuality or gender identity. I am pleased that all who have spoken in this debate support that principle. That is an advance on where this territory and this country has been in my lifetime. I will repeat that: it is an advance on where this territory and this country has been in my lifetime. Even in debates in this place, this century, those issues have been contested.

As we have heard, the bill is very specific in what it seeks to achieve. It does not override or criminalise the preferences of parents—preferences they have to raise their children in whatever religious faith they choose. It does not seek to mandate that parents must be nothing but accepting of their child's stated sexuality or gender identity. These are matters for parents and their children. No piece of legislation can mandate parental acceptance of a child. No piece of legislation can do that; only common decency would suggest that parents do not disown their children because of their sexuality or gender identity. Sadly, in the history of this city and in this nation, there are too many tragic stories where that has occurred, but there is nothing we can do in legislation that will prevent that from happening. Fortunately, because societal attitudes have changed, that is increasingly rare, and that is a great thing. That that has occurred only because people have pushed for reform.

In this place, that started nearly two decades ago with Jon Stanhope's government. We have been bitterly opposed along the way but we arrive in 2020 in a much better position. That the Leader of the Opposition in this place can get up and support this in principle is a great step forward, and I am delighted to hear it. We are going to disagree on some elements of detail but the principle that we are agreeing on today is a powerful one and it is a powerful message to send to the community.

Feedback from survivors of conversion practices will have a key role in the implementation of this legislation. I want to put clearly on the public record that the views of those who have bravely come forward have been so valuable in this process. I pay tribute to the Brave Network of survivors for sharing their experiences and their expertise with the government. I encourage others to engage with Brave Network to educate themselves on the forms that these practices take and why the approach in this legislation will go some way towards addressing the terrible harm, grief, anxiety and destruction of lives that has been caused by these practices.

The aim of the bill is very clear. It targets practices that are abhorrent, that are outright quackery and that belong in the distant past. They should never have happened and should never have been part of any modern society. I refer to practices that are aimed at changing, fixing or curing someone—however you characterise it—to change someone's sexuality or gender identity. It is coercive behaviour that is abhorrent. These are very specific practices. Fortunately, now they are very rare, but they do still

occur, and they have occurred in our community. So it is time for us to take this important action today to ban these harmful practices and to send the strongest possible social message to protect vulnerable Canberrans and to promote inclusion across our community. These practices are child abuse. Child abuse is criminalised.

The Attorney-General, in his most eloquent, powerful and passionate speech before the lunch break was absolutely spot on and I commend him for his courage and for his support of this legislation. I have to say, Minister Ramsay, being in tears listening to your speech before I did a press conference on the budget was a difficult thing, but so powerful were your words and it was so important that you said them in this place. So let me be clear, the government will not be supporting any further delays. The government will not be supporting any proposals to punt this off to a committee in some future parliament. It is time to be clear about where we stand on these issues.

The opposition needs to be clear about backing up its in-principle statement, and not send two messages. Let me assure the opposition that every single one of their private emails that are sent out to these groups gets shared with us. We have seen them all, and most of them find their way into the paper anyway, before they get to us. All the people the opposition has been sending these double messages to have been sharing them. They have become very public, and everyone knows. Every meeting you go to that you think is private—just ask Marcus Bastiaan—someone will be recording it, and it will be shared. So there should be no more double messages. Opposition members should stand by the very clear principles that they have set out today, and which I have commended them for. They should not try to run different arguments with different groups, and they should not present themselves publicly in one way and then privately run campaigns, as has been going on. We have been seeing them; the media has been seeing them. Everyone knows what is going on. Stand by the principle. I commend this bill to the Assembly.

Question agreed to.

Bill agreed to in principle

### **Detail stage**

Clauses 1 to 6, by leave, taken together.

**MR COE** (Yerrabi—Leader of the Opposition) (3.36): I seek leave to refer this bill to the incoming Chief Minister of the Tenth Assembly for referral to an appropriate committee of that Tenth Assembly for inquiry and report.

Leave granted.

**MR COE**: I move the motion circulated in my name:

That this Assembly refers the bill to the incoming Chief Minister of the 10th Assembly for referral to an appropriate committee of the 10th Assembly for inquiry and report.

I think that this is a prudent way forward. It is also a way of addressing some of the concerns raised by the Law Society and others, and I think it is possible that this can

be achieved before the implementation date which is stated in this very legislation. The legislation kicks in in six months' time. Therefore, I think that there is plenty of time to undertake such an inquiry and to do so without any delay for the principle of banning harmful conversion practices.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.38): As I indicated in my closing remarks and the in-principle stage, the government will not be supporting any referrals to committees.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.38): The Greens will not be supporting this proposal for referral to committee, either.

Question resolved in the negative.

Clauses 1 to 6 agreed to.

Proposed new clause 6A.

**MR COE** (Yerrabi—Leader of the Opposition) (3.38): I seek leave to move amendments to this bill that have not been considered by the scrutiny committee or circulated in accordance with standing order 178A.

Leave granted.

**MR COE**: I move amendment No 1 circulated in my name, which inserts a new clause 6A [*see schedule 4 at page 2328*]. Because of the haste in which this has been introduced and debated, it was not possible for these amendments to go through to the scrutiny committee. The amendments I move today are about supporting families and teachers in their support of kids and vulnerable Canberrans. I seek to put in the legislation Mr Rattenbury's comment in his speech that this act will not affect the ability of religious organisations or schools to teach the tenets of their faith. Given that Mr Rattenbury said this in his speech, I hope that he has got no objection to including this in the legislation.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.39): This amendment seeks to introduce a further object into the act. The government will not support doing this in this way. Rather than put a substantive clause into the bill, the amendment that I will move shortly will specifically state the bill's intent that a mere expression of religious tenet or belief would not constitute a sexuality or gender identity conversion practice. This is very clear in the amendment that I move, and it is the government's preference to support this way of achieving the same objective.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs

and Road Safety and Minister for Mental Health) (3.40): The Greens support the approach that the Chief Minister has outlined. We believe that is the better way to proceed with it. There has been quite some discussion with a range of organisations over recent weeks since the bill has been tabled, and there has been advice from the lawyers within the government about the best way to proceed on this. We believe the pathway proposed by the Chief Minister is a better path.

I note that the amendments from the Canberra Liberals were circulated shortly before midday today, and so there has been limited opportunity to consider those. I think that Mr Coe has made a comment that this has been rushed through, but given that the bill has been tabled for at least two weeks, I am surprised at the lateness with which these proposed amendments arrived at the Assembly.

**MR COE** (Yerrabi—Leader of the Opposition) (3.41): Firstly, in response to Mr Rattenbury, given the government circulated an amendment only yesterday, it is a bit rich to have a go at us for the late circulation of amendments. We disagree with the government's approach. I am concerned that it is not going to have the same effect as it would inserting what Mr Rattenbury said in his speech in the legislation.

Amendment negatived.

Clause 7.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.42): I seek leave to move amendments to this bill that have not been considered by the scrutiny committee.

Leave granted.

**MR BARR:** I move amendment No 1 circulated in my name [*see schedule 5 at page 2329*] and table a supplementary explanatory statement. This amendment introduces a new example under section 7 exemptions on the definition of sexuality and gender identity conversion, and it inserts a further note under the same section. The note references the right of every Canberran to freely exercise and express their religious beliefs, as is guaranteed under the territory's Human Rights Act. The note also highlights that it is not intended that mere expressions of religious tenets or beliefs relating to sexuality or gender identity would constitute a conversion practice; nor would failing to provide support to a person.

The definition of conversion practices is intended to cover practices that actively seek to change the sexuality or gender identity of a person, and instances where someone purports to change the sexuality or gender identity of a person. It is not intended that mere expressions of religious beliefs or tenets relating to sexuality or gender identity would constitute a conversion practice, and nor would failing to provide support to a person.

Many stakeholders have requested a specific exemption in the bill for religious teaching and guidance. The government does not believe that the definition as drafted

captures religious teaching or guidance on matters of sexuality and gender identity. It is therefore difficult to create an exemption for a practice that is not covered by the definition originally. This creates the risk of inference by someone interpreting the legislation that it is intended to capture practices adjacent to the specific exemption.

We believe that the inclusion of the note is more helpful in aiding the reader of the bill, to highlight that the bill is to be interpreted in light of the territory's Human Rights Act, and to clarify that the bill is not intended to interfere with religious teachings more broadly or to prevent religious schools from teaching the tenets of their faith, including teachings on sexuality or gender identity.

I note that there may be some religious groups who feel that this amendment does not go far enough to address their concerns. However, as I have indicated throughout the process, we are not going to water down protections for vulnerable LGBTIQ Canberrans to address concerns that are, in fact, not issues under this legislation.

I commend my amendment to the Assembly.

Amendment agreed to.

**MR COE** (Yerrabi—Leader of the Opposition) (3.46), by leave: I move amendments Nos 2 to 4 circulated in my name together [*see schedule 4 at page 2328*]. As I have already said, the amendments I move today are about supporting families and teachers to support kids and vulnerable Canberrans. Families need support, not sanctions. Conversations around the dinner table or the professional judgement of licensed teachers in the ACT should not be criminalised. We need to be encouraging kids and vulnerable people to have conversations, not shutting them down.

If the government claims that parents and teachers are not being targeted by this legislation, then they should accept these very reasonable amendments. We very much urge all Labor and Greens members to support this amendment in support of teachers and parents to support kids who are going through challenging times.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.47): In discussions on this bill with various religious groups in the ACT, there have been genuine questions asked that touch upon some of the issues that Mr Coe's amendments seek to address. Many of the people we have spoken with understand the government's view that the general conversations between a parent or guardian and child or a teacher and student about sexuality and gender identity are not conversion practices.

Most, by looking at the legislation and actually reading it themselves and having that conversation, clearly understand that. Indeed, already in the bill there are several exemptions where a person is offering acceptance, support or understanding, or facilitating a person's coping skills, social support, identity exploration and development. They are clear. These exemptions are more appropriate and achieve the same objective, I think, that the Canberra Liberals are attempting to achieve through this amendment.

The definition of conversion practice is clear. It is a treatment or other practice that purports, or the purported purpose of which is, to change a person's sexuality or gender identity. It is clear that normal conversations with a child, for example, about their sexuality or gender identity are not captured by this definition.

Once people read the legislation, most reasonable people reach exactly the same conclusion. It is only if you have a particular view, you are determined not to read the legislation and you are determined to have your views informed by a group outside of the ACT that you appear to have difficulty understanding that.

Inserting examples of scenarios that are not captured by the definition anyway will have unintended consequences and effects on the scope of the definition, effects which I am not sure the groups pushing for these amendments would be appreciative of.

The bill has been before this Assembly for the last fortnight. It has been in development and consideration—publicly expressed that it was coming—for years. The definition in the bill does not go near the matters that the Canberra Liberals are seeking to insert into the bill. For the avoidance of any further doubt, the government has inserted very similar language into the supplementary explanatory statement that I tabled a short while ago, to again address any possible misconception. So it is now in the explanatory statement. With the amendments that the Assembly has just supported, that conclusively draws a line under this issue.

So, for these reasons, we do not need to support the amendment Mr Coe put forward. It is covered in the explanatory statement and by the amendment that we have just passed.

Question put:

That the amendments be agreed to.

The Assembly voted—

Ayes 9

Miss C Burch	Mr Parton
Mr Coe	Mr Wall
Mrs Dunne	
Mr Hanson	
Mrs Kikkert	
Ms Lee	
Mr Milligan	

Noes 12

Mr Barr	Mr Pettersson
Ms J Burch	Mr Ramsay
Ms Cheyne	Mr Rattenbury
Ms Cody	Mr Steel
Mr Gentleman	Ms Stephen-Smith
Ms Le Couteur	
Ms Orr	

Amendments negatived.

Clause 7, as amended, agreed to.

Remainder of bill, by leave, taken as a whole.

**MR COE** (Yerrabi—Leader of the Opposition) (3.55): The Canberra Liberals support banning harmful conversion practices. We want kids and vulnerable Canberrans to be supported. That is why we, in principle, support the intent of the legislation.

There are issues with the specific details of the legislation. This legislation is being rushed through the Assembly in just two weeks. While the Chief Minister says that this has been on the drawing board for a long time, it has only been in the Assembly for two weeks. The first that we saw it in the Assembly was just 14 days ago. The opposition has had no visibility of it prior to this.

As has already been stated, we owe it to all involved to carefully consider all the issues and to get this legislation right. That is why we pushed for a committee inquiry, so that we, as legislators, can hear from experts about the proposed legislation.

Today, the Canberra Liberals introduced reasonable and considered amendments to support parents and teachers in support of kids and vulnerable Canberrans. Parents who love their children do not need sanctions; they need support. Parents know that growing up is difficult. For kids it is difficult. Moving from childhood to adolescence and into adulthood can be confusing and challenging. People need to be on that journey with them. Parents need support in this important responsibility, not the threat of government actions.

I call on Labor and the Greens to support teachers and parents and the children who need the support of their parents.

While I note the comments that Mr Barr has made, they are still at odds with what the Law Society and the Medical Association have said. We cannot support criminalising parents. It is just not right.

Remainder of bill agreed to.

Question put:

That this bill, as amended, be agreed to.

The Assembly voted—

Ayes 12

Noes 9

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

Question resolved in the affirmative.

Bill, as amended, agreed to.

## Visitor

**MADAM SPEAKER:** I acknowledge the presence in the gallery of Senator Zed Seselja. Welcome back to your old stomping ground, Senator Seselja.

## Valedictory

**MRS DUNNE** (Ginninderra) (4.00), by leave: At the beginning of the Fifth Assembly, in December 2001, I concluded my maiden speech with the following words:

The best way I can thank these people—that is, the people who helped me get to the Legislative Assembly—and the thousands of electors whom I do not know personally yet but who put their faith in me, is by dedicating myself to their service with an unflinching determination that the small part I play in the history of this city and the lives of those who cherish it as their home will be to their ultimate and demonstrable benefit.

Now, almost 19 years on, it will be for others to judge whether I have lived up to those aspirations. Also in that speech I said:

I come into this place with an abiding belief in the primacy of the family in our society, and the pressing need to elevate the idea of family, to make it a prism through which policy can be viewed and evaluated ... As long as I am here, I will work to ensure that the family is at the centre, not the periphery, of the political process.

It does complete the circle, in that the principal debate today went to the very heart of the thing that I spoke about that day—that the family should be at the centre of our deliberations, not marginalised, and especially that its members not be threatened with jail for doing their job. Also, one of the last committee reports that I participated in addressed improvements in the way we treat troubled families who confront our care and protection system.

Today, however, is a day for reflection and thanks. I thank the Clerk and all of the Assembly staff whose job it is to make us look good, especially if we follow the script. I also thank the people who pay us and collect our mail, the education office and the Art Advisory Committee. I give a special shout-out to Hansard. I apologise for rarely staying on script. I give a special thankyou to the troop of attendants who have opened doors to us cheerily and greeted me every morning for the best part of 25 years, in an evolving style, as Vicki the staffer became Mrs Dunne, the member, then Madam Speaker, and back to Mrs Dunne; soon they will be able to call me Vicki again.

I thank a whole cohort of committee staff. I want particularly to thank the two committee secretaries that I have worked with most in this Assembly—Dr Andréa Cullen and Dr Brian Lloyd. Their work is an adornment to this place.

I thank my stellar staff, starting with Norm, who helped me to find my feet; and Kate and Olivia, who, with young, fresh minds, reframed the way I communicated with constituents by ensuring that my letters did not sound like the public servant I had been. I thank Lyle, Anthony—one of the FOI legends—Amanda, Mark, Jeremy,

Belinda, Katie, George, Chris and Tio, who always aimed big. I am proud that for the most part staff stayed for a long time, and in the time that they were with me they were able to develop skills and attributes that took them to better places. Words cannot express the gratitude I have for the service and collaboration of these fine people.

My especial thanks go to my present staff. Maria worked on the corridor for almost 13 years as assistant to two leaders before she was promoted to the Speaker's office. Keith, the other FOI legend, is a Liberal Party institution, cutting his teeth on the Hare-Clark campaign before coming to work for Kate Carnell a couple of weeks before I began working for Gary Humphries, in the previous century. Assuredly, Madam Assistant Speaker, Keith and I do know where the bodies are buried!

Clinton is also in his second decade on the Liberal corridor and is about to clock up 12 years as my senior adviser. Clinton, who is also retiring at this election, has been a stellar worker for me and the party. Frankly, Madam Assistant Speaker, you get less for murder in the ACT! Clinton is held in high regard, not just in my office but along the Liberal corridor and way beyond, for his compassion, empathy, eye for detail and analytical skills. For an accountant and actuary, he makes a fine drafter and interpreter of legislation. His eye for detail and his insistence on doing things right stood him and me in good stead when we occupied the Speaker's office, especially as we bedded in innovations like budget protocols and officers of the Assembly. It is true to say that Clinton hardly spoke to me in the days after the 2016 election when I told him that I had asked to be the shadow minister for health. I think that the only thing that stopped him packing his bags on that day was that I said I had also asked for arts. However, he has warmed to the role.

Overall, my three part-time staffers have risen to the occasion and have given subsequent health ministers, their staff and officials a fair run for their money. I have noticed that the current minister has got into the habit of saying things like, "If Mrs Dunne were across her portfolio." I remind members once again that what she achieves with a myriad of advisers and bureaucrats, whom she has on speed-dial during question time, I do with three part-time staffers and a shared media adviser.

I thank other staff who have not worked directly for me but who have been so influential in all that I have done. I need to point out our small but perfectly formed media team that has included Deb, Emily, Joe, Jodie, Hannah, Adam and Dinah over the years. Over that time our finance gurus have included Daniel, Nick, Juliet and David. I want also to reflect on the fact that, just because they are finance gurus, they are not colourless people. Juliet in particular used to confound people in treasury because such a tiny, diminutive woman was a formidable opponent.

I also remember the controversy over the gas-fired power station. I was thinking about this, and I think there is hardly anyone left except Zed and me who remembers that. We found mention in some papers about another possible site for a gas-fired power station in Parkwood, in my electorate. Daniel, the extremely sartorial finance guru, and I took off to Parkwood with a camera to get some snaps of what turned out to be an empty paddock. It was not easy to get into that empty paddock but we did want the photographs. In the process Daniel, the extremely sartorial finance guru, ripped a

perfect three-cornered tear in a very snazzy pair of suit pants. We never did use the pictures but they did seem like a good idea at the time.

There have been some outstanding staff along the way. I want to mention Ian and Steve. They, along with Tio, made a formidable campaigning trio. It is a shame that, because of COVID and other things, we have not got that band back together.

With respect to my Liberal colleagues with whom I have served, as is always the case in politics, we did not always see eye to eye. Once I managed to get myself suspended from the party room, but, as Wayne Berry and I can both attest, being suspended from party room or caucus meetings is not actually a punishment. These disagreements did not lead to ongoing enmity. They were all put behind us a long time ago, and especially after what I have been known to call the “outbreak of love” which still bears fruit today. Whether we were factional allies or we agreed to disagree on social policy, I can say that I have learnt something from all of them. Sometimes it was about tactics or campaigning; at other times it was about how to be compassionate, from Doszy, or it may just have been Pratty’s superior line in argot. I am sure Kate Davis will know of which I speak.

I need to thank the Liberal Party. I know that I am not in this place on the strength of my sparkling personality and my own, individual work. It has been magnified and augmented by the hundreds of volunteers who hand out, raise money and turn up. We, the Liberal members, might be their standard bearers, but we would not get very far without the foot soldiers. To the current president, John Czesla, and former outstanding presidents Arthur Potter, Peter Collins and Tio Faulkner, and also our senator and my friend Zed Seselja, I thank you for your leadership and commitment.

The people of Ginninderra not once but five times have sent me to this place. I thank them all for their ongoing faith in me. I thank the hundreds of people who over the past few months have contacted me or spoken to me in restaurants, coffee shops and supermarkets and thanked me for representing them. I hope that they are satisfied and that they consider that I have lived up to their expectations. It has been an honour to serve them.

I have to turn to family. I want to begin by paying tribute to my father, Frank Scarrabelotti, who, at the ripe old age of 98, still does not understand my politics. But I think that is mainly because he does not recognise that the party that he supports parted company with him years ago, perhaps at about the time that Labor took the “u” out of their spelling. I want to thank my brother, Gary, for all of his support. Gary is not here today because our Dad is not well, and he has gone to be with him. Nineteen years ago, I spoke of my family in the following terms:

Nothing would be possible without my friend, my soul mate, my love, Lyle Dunne. Lyle’s wit and wisdom, his patience and poetry, have enriched me for half my life.

Now that has become over 40 years, so the time has passed. I said at the time:

Lyle and our splendid children, Olivia, Thomas, Julia, Isabella and Conor are an entirely unmerited gift and the depth of my pride in them is truly immeasurable.

Now their ranks have been augmented by Simon and Elynor, Callum and Clodagh, Matilda and baby Finn. Our joy is enlarged by these relative newcomers, but it is still the case that “mere words of thanks seem hopelessly inadequate”.

There must always be regrets. I never got to speak in the discussion of an MPI on “the importance of being earnest”. I could never quite work out how to get it through the standing orders, even when I was the Speaker. Clinton has had a version of the speech in his bottom drawer for some time; he regaled us with it on a bus trip on one occasion. It was not so much a speech as a collection of bons mots and clangers derived from briefings, meetings and *Hansard*, all strung together in a Kafkaesque riff. But the dominos have never “been in my court”, in this matter. Madam Speaker, who is not here, will be saved from once again covering her ears and saying, “La, la, la, la!”

Seriously, there would be very few people who have served nearly 20 years in parliament and spent all of that time in opposition. Of course, it is disappointing not to have served on the government benches, because I would have been awesome.

There have been changes to our laws here in the ACT that I very much regret. Having amongst the most liberal abortion laws in the country does not give me joy. I still cleave to the view that abortion is a surgical or chemical solution to a social problem, and our inability or unwillingness to address a woman’s problems in a more holistic and loving way is a matter of profound regret. I salute those who support pregnant women, especially the beautiful women—well, mostly women—at Karinya House, and I salute the brave women in countless troubling and frightening circumstances who are encouraged to stand by their babies no matter what.

There is a saying about the mark of a society being the way we treat our most vulnerable. Regrettably, we in Canberra have a long way to go to improve the way we treat the troubled, the ill, the disabled, the frail and the marginalised. The growth in the number of children in care and protection, our rates of Indigenous incarceration, homelessness, people with a disability without the right services, the growth in public hospital waiting lists, and the failure to address the recent recommendations out of the end of life committee on palliative care all show that we have a long way to go to become a truly inclusive and caring society.

But there have been good bits. On the up side, Canberra has been so far saved from the scourge of euthanasia. This is thanks to the hard work of countless people in the community. I thank them for their work, and I have been proud to stand with them.

Being a member of this place for nearly 19 years has afforded me many opportunities. Apart from the sheer honour of serving, you get the opportunity to meet and discuss important issues with the best and brightest in their fields—environmentalists, pastors, doctors, scientists, musicians, actors, lawyers, teachers, community advocates and public servants. I have been privileged to know many whose names I will not record here because the list would be too long.

In 2012 I had the privilege of becoming the Speaker of this Assembly. It was not a position I had ever looked for, but it was a singular honour. I thank the Assembly for the great honour it bestowed upon me. To be a member of the opposition as well as the Speaker was a novelty that caused many to scratch their heads. I consider the fact that I served a full term as Speaker a testament to my endeavours to be scrupulously fair, if demanding. I do not apologise that my appointment caused considerable discomfort to many, especially Mr Corbell and Mr Barr, but I am sure they got over it.

The speakership put me in the way of many things parliamentary. The fellowship of presiding officers was a great opportunity for sharing and learning in equal measure. The speakership also put me on the path to six years of service with the Commonwealth Parliamentary Association, as a director and then as its treasurer. While the CPA role caused some dismay and even a little envy, it afforded me a huge opportunity to define my views on governance and put many of my theories into practice. Again, the opportunities I received were as unlooked for as they were rewarding and frustrating.

The opportunities offered by the CPA and the wider commonwealth family could improve governance and democratic institutions in so many places for the betterment of so many people, but there is so much work that can be done. The CPA offered me many opportunities, but it was not all about tropical paradises. Having meetings where you are locked in a compound for your own safety or escorted to Sunday mass by an armed policeman does make you appreciate the freedoms we enjoy in Australia.

Without the CPA I would never have met a youngish member of the Lok Sabha for the BJP, Varun Feroze Gandhi, who, after a very fiery CPA meeting, took me aside and said—I will not do the Indian accent—“Madam, you remind me of my grandmother.” Coming from a Gandhi, I took that as very high praise indeed.

I made so many friendships, even unlikely ones. I particularly want to take this opportunity to thank Dr Shirin Chaudhury, Dr Roberta Blackman-Woods, the Hon Niki Rattle, the Rt Hon David Carter, Paul Foster-Bell, Alexandra Mendes and Akbar Khan for their fellowship, friendship and support.

Through the CPA and other fora, I have had the privilege of meeting and getting to know some very inspiring political leaders—some just a bit and some very well. Entry into the Vicki Dunne hall of fame for political leadership is quite difficult. The people there—like John Anderson, our former Deputy Prime Minister; Jason Kenney, the former Canadian defence minister and now Premier of Alberta; David, Lord Alton of Liverpool, one of Britain’s foremost human rights campaigners; former PM of New Zealand Bill English; and senator and activist Ronan Mullen—are all in my hall of fame because I have learned from them that erudition, faith and conviction are the best tools that you will ever have in politics. Even though they are all, in their very different ways, very competitive, they know, in the words of the great Australian poet James McAuley:

It is not said we shall succeed,  
Save as His Cross prevails:

The good we choose and mean to do  
Prosper if he wills it to,  
And if not, then it fails.

Nor is failure our disgrace:  
By ways we cannot know  
He keeps the merit in his hand,  
And suddenly, as no-one planned,  
Behold the kingdom grow!

I thank them for their leadership, for their example and in some cases for their friendship. I hope that after this phase of my career, I will be able to use what I have learned from them to forge new paths. On the subject of James McAuley, I thank Catherine and Michael for introducing me to that poem at a very dark time. It has been a constant comfort since.

There is a lot of unfinished business. As I move into a new phase of life, I will be drawing on my nerdiness for things electoral and procedural, and a desire to build democratic institutions. With that combination there will be plenty of post-parliamentary callings to take up my time.

There are other issues that occupy me: Australia and the ACT have unenlightened and oppressive prostitution laws; human trafficking is rife; and religious and political liberty are still issues of profound concern. In Hong Kong people are groaning under the renewed and active oppression of the Chinese Communist Party. Across Africa and the Middle East, Christians face oppression and death. Uighurs and Tibetans are suppressed. There is a lot for us to do.

In addressing this Assembly in this way today, I am drawing to a close a long career, and in some ways drawing to a close the Ninth Assembly. It is said that most parliamentarians are either bundled out by their electorate or carried out in a box. I wanted to be in the select group who chose the time and the manner of their departure.

As I leave, I am conscious that all of you—except Ms Le Couteur—are absorbed in electoral campaigning. I have spent more than half a lifetime campaigning for things, and I will continue, but in a different way. To my Assembly colleagues in the Liberal Party—Alistair, Nicole, Andrew, Giulia, Kikko, James, Candice, Elizabeth, Parto and Jeremy—thank you for your love and friendship. Good luck and campaign hard. Canberra needs you to succeed so much.

To my adversaries across the chamber—and that includes the Greens—I wish you joy, which should not be confused with electoral success.

To companions, colleagues, collaborators, constituents and confreres, thank you for the past 19 years. It has been an honour.

**MR COE** (Yerrabi—Leader of the Opposition) (4.21), by leave: Rarely do you get to work with someone who is respected by all, has impeccable integrity, is extraordinarily trustworthy, is good humoured and is a wonderful friend and

counsellor. That has been my experience with Vicki Dunne over the last 12 years in this place. Vicki is a giant of the Legislative Assembly. For 19 years she has been a considered voice in the chamber, in the party room and in the community. She is someone that I have turned to for advice and, let us be frank, someone who has given me advice whether I wanted it or not.

For eight years I was a fellow member for Ginninderra, and I think we were a pretty good team. As we all know, the Hare-Clark system can sometimes promote some internal competition. But I can say with honesty, and I think complete accuracy, that Vicki was a complete team player. We often had different approaches to campaigning but we complemented each other. Vicki is a team player. We co-hosted meetings in car parks in Holt, at Hawker shops, about DAs in Jamison, in car parks in Nicholls and many other places. We campaigned hard, and I am proud of the six per cent swing we got in Ginninderra from 2008 to 2012.

Vicki is someone that commands respect. Even people who disagree with her respect her for her convictions and her principles. She has been a champion for Belconnen for decades. Since 2001 she has been the go-to person for thousands of people.

I do want recorded in this place the significance of her electoral achievements. To be elected five times to parliament is extraordinary. To be elected in 2001, 2004, 2008, 2012 and 2016 is a mighty achievement. I do not know what the percentages are across Australian parliaments but I am guessing you would be in the top 10 or so per cent of people that have been elected consecutively on five occasions.

Madam Speaker, as you know, Mrs Dunne made a wonderful contribution to the Assembly as the Speaker of the Eighth Assembly. In this role she acted with impartiality and professionalism. In fact, from our point of view she acted with too much impartiality, it has to be said. She was professional and she made a significant contribution to the Commonwealth Parliamentary Association.

Vicki has made many passionate and powerful speeches. When she speaks, people listen. Of course it is not uncommon for a tear or two to develop in some of her speeches, and I am not breaking room party room confidentiality, I do not think, when I say that Mrs Dunne does cop a bit of stick for her emotion, but all in jest. Her passion is extraordinary.

The Canberra Liberals are proud of the way our party room operates. We have a diversity of views and our discussions can be robust but they are always respectful and things always come out the other side in a better place. Vicki has been a stalwart of the Liberal Party in Canberra but particularly in the Liberal Party party room. She makes detailed party room contributions. She engages in discussion. She listens to input and is open to changing her position, based on what she has heard. She is a team player. She and her team are the custodians of an enormous amount of corporate knowledge and her departure will be a significant loss to our party room. Her influence and her presence will be missed. While she has very strong convictions, she has always been open to hearing other ideas.

The early years of her time in the Assembly, I know, were pretty turbulent and I know at times they were difficult and there were some personal setbacks, but she remained strong because faith is central to who Vicki is. As a committed Catholic she has provided a voice to thousands of Canberrans who share her faith but also to others who share her values. For this faith she has often been criticised but she has stood strong. She has fought the good fight.

What is perhaps the most defining aspect of Mrs Dunne is her family. It is evident to all of us that words cannot describe the love that she has for them all. To the children—Olivia, Tom, Julia, Isabella and Conor—and partners and grandchildren, thank you for sharing your mum with the people of Canberra. Thank you for giving up time with your mum so that she could serve here. Thank you for the support that you gave her. And of course, to Vicki’s dad in Lismore, thank you. There is still time for all of you to convince him, at the age of 98, to vote Liberal.

Of course Lyle has been such an instrumental member of team Dunne. He is regularly seen at events with Vicki, helping on the campaign trail, providing Vicki with additional policy firepower. Lyle has been a wonderful asset for our team as well. Thanks for being on this journey.

I record some comments I have received from Senator Seselja, a past colleague, friend and, of course, Leader of the Opposition with Vicki as a member of that team. He said:

“Conviction politician” will be the public epitaph and rightly so. Vicki has strong beliefs about the inherent dignity of every human person, no matter their age or stage, and of the importance of family and looking after those who are most vulnerable in our community, which she refused to depart from regardless of the personal cost, and this will be to her eternal credit.

She is a wonderful mum and art lover, a traveller, a loving wife, a volunteer, someone who enjoys life and lives it to the full. Her wicked sense of humour is not to be discussed publicly as it would no doubt get us in trouble. On the flipside, her compassion always shone through. In all these things, laughing or crying, fighting, working or caring, Vicki has always been unique and authentic. She will be a loss to the Assembly and the Liberal team and to public life. But that loss will be Lyle and her family’s gain as she and they are able to join the next phase of life together.

Those words were from Zed.

The Vicki that you see in her public life is the same as the Vicki that you see in her private life—loving, compassionate and committed. I am disappointed that she was never a minister, and I know that is a point of disappointment for her. However, at least cabinet submissions from public servants will be spared of her grammatical corrections.

She can be proud of a huge amount of work that she has done across so many different portfolios, most notably in planning, health and community services. I am

always amazed by the number of people, often very vulnerable people, sometimes unlikely people, who confidentially reach out to her because of the trust that Vicki has earned. Vicki is staying in Canberra and, I am sure, will be available as a mentor and sounding board for me and for others. I think she has much more to contribute to Canberra. It just will not be as a legislator.

Vicki, thank you for the sacrifices you have made. Thank you for your advocacy for democracy, for liberal values, for faith communities, for families, for Belconnen and for Canberra at large. I will miss you. We will miss you.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.31), by leave: Mrs Dunne, I was thinking about what I would say today. We have almost nothing in common. We have disagreed on nearly every issue that has emerged.

**Mrs Dunne:** The Brumbies?

**MR BARR:** Yes, I am coming to that. You have shadowed me in many portfolios from when I started in this place and Jon Stanhope made me education minister, during that infamous era. I almost thought at times you might have even felt sorry for me on a couple of occasion, but you quickly disabused me of that.

You have been this Assembly's longest serving member in this term of the parliament. You have held many important positions within your own party and within this place. Yes, you were a very demanding Speaker. I can confirm that. But I am pleased that Jon Stanhope remains the only Chief Minister who has been suspended from the service of this house. I think we all know why.

**Mrs Dunne:** Didn't Doszy kick you out?

**MR BARR:** No. I do not think I was kicked out.

**Mrs Dunne:** I thought you were.

**MR BARR:** No. I draw on the very important and authoritative document, "The long and the short of it", that the Clerk has prepared on this Assembly.

In contemplating those areas where we have agreed I think you were right the first time on light rail. You were ahead of your time in that regard.

Throughout your time in this place you have been a compassionate contributor for the conservative side of politics. I have never doubted, on any issue, where you stand. I think all of us, even though we have disagreed with you on many occasions, sometimes bitterly, sometimes very passionately on the floor of this place, all respect where you are coming from and why you hold the positions you do.

We do not always agree. At times that disagreement, on reflection, over the last 15 years has got more personal than it perhaps should have. I have reflected on that

over my time in this place. But I think we have both been on a journey. As I reflect on the speeches that you gave 10 or 15 years ago and some of the speeches I gave, we are, I think, more mature parliamentarians at this point in our careers.

You have always had a commanding grasp of the standing orders of this place and used them to devastating effect at times—when we were least expecting it. You are head and shoulders above most parliamentarians that I have encountered in this place because of your knowledge of the standing orders and knowing what needed to be done from opposition, utilising those rare opportunities that you might have had.

But you leave this place with our respect as a very effective and diligent parliamentarian, an advocate for your side of politics and someone from whom your colleagues draw great strength. That is very clear. You are a very effective parliamentary performer. On one level I am not sad that you are leaving. You have been a formidable political opponent.

To your family, I am sure they are grateful to have more time with you. I know you love travelling. We hope that the ban on international travel will soon end and it will be safe for you to explore more of the world, which I know is a great passion.

I asked my colleagues to provide some further thoughts. Those who have worked with you on committees were unanimous in their views about your diligence to those tasks, your willingness to form friendships across the aisle, sometimes unlikely friendships on issues, clearly, where committee members have approached things from very different perspectives. Ms Cheyne, in particular, wanted me to acknowledge that. She made some comments this morning to that effect.

In closing, on behalf of the Labor Party, congratulations on your career in this place. We are not so sorry that you did not get to be a minister, but you will understand why. In concluding, on a positive note, and something we do have in common, we are both from Lismore. It is a great part of the world. My best regards to your father and to all your family and friends who have gathered here today to acknowledge your very significant contribution to territory politics. This place will not be the same without you. I am glad you did not throw me out when you were Speaker. Best wishes for the future.

**MR RATTENBURY** (Kurrajong) (4.36), by leave: On behalf of the Greens I pay tribute to Mrs Dunne as she leaves the Assembly today and reflect on her valedictory remarks and the observations we have made about Mrs Dunne. As has been noted, Mrs Dunne has had a long career in the Assembly, and that is reflected in the knowledge she has across a broad range of issues, seemingly having an ability to join in any debate with some history of reflection on previous debates in this place or simply an experience of having spoken to a constituent or asked questions in estimates about it on a whole range of matters. That has made her one of the very significant contributors in the Liberal Party. The only other person I can think of like that is Mr Smyth, who had a similar length of service in the place and was able to jump in in a similar way.

I have always appreciated Mrs Dunne's attention to detail and depth of analysis, traits which were very valuable when we were dealing with complex pieces of legislation like the freedom of information reforms completed during the Eighth Assembly. Mrs Dunne and her team were very significant contributors to that piece of legislation, and I think it is better for her contribution to it.

That experience and those traits were also why we supported Mrs Dunne to become Speaker of the Eighth Assembly. As she noted in her remarks, while some saw it as unconventional, we were firmly of the view that the Assembly should be willing to contemplate an opposition member as Speaker and choose the person with the requisite skills. There was no doubt that through her experience in this place Mrs Dunne had the right skills.

A long career also means you clock up some records. Members will have seen that the Clerk yesterday circulated updated statistics on certain elements of the Assembly, and you may have noticed that Mrs Dunne ranks second on the list for members suspended most often, trailing a fellow member from Ginninderra, Wayne Berry. It was no surprise that Wayne was the leader of that pack. But, given that Mrs Dunne has somewhat of a reputation for dishing out a fierce tongue-lashing on occasion, it is perhaps not surprising. The good news for Mr Hanson is that he is not far behind, in third place. Assuming that he is re-elected, it only seems a matter of time until he catches up.

It is worth reflecting on Mrs Dunne's contribution to the ACT's electoral system through her involvement in the Hare-Clark campaign. Given the way Hare-Clark has turned out for this Assembly on some occasions, there may be some tinge of regret in that, but you can actually point back to the fact that it is an incredibly fair electoral system. It invites members to stand on their own merits in terms of being elected to this place, and not just the party ticket, but also ensures that the Assembly is reflective of the votes that are cast in an election far beyond what single member electorates would have produced in this place.

I know Mrs Dunne has always been very proud of the role she played in that campaign, and we join her as people who are committed to improving democratic processes in supporting that reform and thanking her for her contribution to that campaign.

I conclude my remarks by wishing Mrs Dunne well in her retirement. I hope you get to spend more time on the things we know you enjoy—the arts, travel and, of course, your family. All the best, Vicki.

**Members:** Hear, hear!

## **Valedictory**

**MS LE COUTEUR** (Murrumbidgee) (4.40), by leave: I start by saying thank you to the thousands of people who voted for me over the four ACT elections I have contested. It is an incredible honour to twice be elected as a member of the Legislative

Assembly. I spent my 20s in a community in Nimbin—it was not quite Lismore, Mrs Dunne, but my daughter was born in Lismore Base Hospital, so I am nearly there—where we tried to build a better world. When I moved back to Canberra I became involved in lots of groups and then was a founding director of Australian Ethical Investment. So, for me, becoming a Greens member of the Legislative Assembly was simply a continuation of working for a better world.

I am retiring now because I am getting older and more cynical and, sadly, more despairing about the future. Emma Davidson, who will hopefully replace me as the Greens member for Murrumbidgee, represents generational change and new enthusiasm for the fight for a better world.

I have certainly had some successes here in the Assembly. I am most proud of my part in the Assembly passing world-leading legislation that has led to the ACT meeting a 40 per cent reduction in our greenhouse gas emissions from 1990 levels this year. This is because we purchase 100 per cent renewable electricity for the ACT, and the legislation means there are more reductions to come towards the aim of becoming a net zero emissions community.

Canberra has a very progressive community which has elected Greens for about 25 years now. We have been part of the balance of power for many of these years, and this has meant the Assembly has agreed to things that would be radical ideas in other places. We recently passed a motion to plant a million or more trees in the ACT and to work towards 30 per cent tree canopy coverage. All parties here support 100 per cent renewable electricity, despite both the federal Liberal and Labor parties supporting fossil fuels to various extents.

The Greens have campaigned on these issues for years and it is really great to see them being acted on. As a Green I am both resigned to and pleased that one of our functions seems to be policy development for other parties. As my mother used to tell me, imitation is the sincerest form of flattery.

As a result of this, in the Seventh Assembly I was able to encourage the government to roll out water fountains across Canberra's group centres, shops, parks and playing fields; ensure better protection of solar access of buildings; get poster bollards installed at group centres across Canberra so that live music and events could get better promotion; and support natural burials, which are now offered by the Gungahlin cemetery.

I believe my advocacy has led to increased consultation and notification in the planning system, although there is still a long way to go on that issue. I also raised issues which were not acted on at the time but were later legislated for, such as a ban on cage egg production and puppy and kitten farms in the ACT.

In this term I am really pleased my efforts have led to a commitment from all parties for more tree planting, establishing an integrity commission, more rights for tenants, more land being allocated to social and affordable housing through legislated targets, increased women's rights, including medical abortions, and fairer fines legislation.

I am hopeful that after I have finished my valedictory we might be about to pass legislation to stop misleading political advertising.

I will not go through the whole laundry list of Greens achievements, but I am very pleased to have been part of making the Greens agenda happen.

There are a few, possibly smaller, achievements that I am particularly proud of because it is unlikely they would have happened without me being here. I am thinking of the land tax exemption for affordable rentals, which I started work on in the Seventh Assembly; stopping the Federal Golf Club expanding at the top of its land, which, I know as an ex-Garran resident has been on the agenda for about 20 years; an extension of seniors' rates deferral to the average older Canberran and not just those in the more expensive parts of town.

Two of those items were in areas where I was able to co-operate with the Liberal Party. One of the frustrations of my time here is that there has not been much co-operation with the Liberals, due, I would have to say, to reservations on both sides. In the Seventh Assembly I was one of four Greens in an Assembly of 17 and now I am one of, unfortunately, only two Greens in an Assembly of 25. For me, this has been frustrating in many ways.

I sincerely thank my fellow Greens MLA, Shane Rattenbury, for his support and his work on behalf of the people of Canberra and the Greens. I have no doubt that his and his staff's work as part of the ACT government has led to many improvements in the ACT government's actions and policies. I equally have no doubt that much of that work has been either unacknowledged by or in fact claimed by the ALP.

Moving onto to my more major frustrations, I, and even more my office and the women of Canberra, put a lot of effort into trying to improve ACT legislation to require a positive definition of "sexual consent". It is fair enough that people should say yes to sex if they want it or no if they don't. Despite me presenting two bills on the subject to the Assembly, this remains important unfinished business for the ACT, as witnessed by continuing reports of sexual violence in the ACT.

The government's reluctance to provide information to the community is high on my mental list of frustrations. As you all know, as a backbencher I can ask questions in the chamber and on notice. I tell people that is my one superpower—I can ask questions and the government must answer me, although sometimes the answer is effectively content-free. I am still frustrated that the Assembly does not have an accessible, searchable database of responses to questions on notice, and I hope this will be addressed soon.

Last year I asked a series of questions about public transport patronage with network 19 because the government was not telling anyone how the new network was going. Even worse was the consultation on the route for light rail from Civic to Woden. During this consultation the government refused to even tell us how long it would take to travel between Civic and Woden on the planned routes, even though they surely knew.

Public transport, in particular light rail, is an issue that has dogged ACT politics for the last eight years. I asked the government if it had compared the greenhouse gas emissions for light rail with those of bus rapid transit or if it had done a life cycle analysis for light rail. I was stunned to find that the answer was no. I also asked about operational greenhouse gas emissions for the light rail and I was told that it was commercial-in-confidence. Not what I expected.

This lack of basic information on the greenhouse gas effects of our major public transport infrastructure is one of the reasons for the climate change trigger in my planning legislation last week. What was passed will not give us all the information we need to make the right decisions for the long term, but at least it is a start. We actually need to know about the life cycle analysis of all of our major projects if we are to make decisions which will result in a more sustainable Canberra for the future.

I have some reservations about the cost of light rail as well as the time for which it is projected to take to get to Woden from Civic, especially compared to the current rapid bus services. One solution could be to ensure that there are express services to Woden. That could provide an attractive alternative to driving. I would like the government to think harder about how these express services could be delivered.

As I think will surprise no-one, the area I am most frustrated with is planning. We can do better. We have wasted the four years of this Assembly. What we are building in Canberra is unaffordable now for many Canberra residents, as well as unaffordable for our environment. What we are building will be here for the changed, hotter climate that is coming, and I am concerned that it just will not work well enough for the needs of our future and add to the destruction of our environment.

The parliamentary agreement included a commitment to an inquiry into housing by the planning committee. However, when the committee started, the other members of the committee wanted to first inquire into billboard advertising. When the planning committee finally began to inquire into housing, the government launched the housing choices citizens jury process, which covered many of the same topics of the planning committee inquiry, so the planning committee stopped its inquiry.

The citizens jury reported in mid-2018 and the government agreed in principle to all of the recommendations. It then did nothing with them. This was a waste of the community's time, in my opinion, and a waste of an opportunity to build Canberra better. Along with many Canberrans, I have been frustrated to watch this kind of consultation, or non-consultation. It is disrespectful to the public to involve them in consultation but disregard their feedback.

As I said, we are not building a more sustainable Canberra. I probably will not go on about this because you all know what I am going to say. We need to build a Canberra that is affordable for the people of Canberra and is sustainable for our environment. We are pretty much building the biggest new houses in the world. I will leave it at that.

Income inequality has been rising, not just in the ACT but everywhere. The poor are getting poorer. I and my Greens colleagues have tried to do something about this with

more affordable housing and a fairer fine system. I believe that one reason for this issue is that politicians here and elsewhere are usually paid more than the average wage in our communities. I appreciate the reasons for this—the Remuneration Tribunal works out our wages—but it means we tend to lose track of how tough some in our community are doing.

I have one radical proposal for my last speech: I think we should say that two or maybe three terms should be the maximum anyone can serve as an MLA. In this we would emulate one of the better features of the American system, which is a limit of two terms for presidents. Hopefully that will keep us more in touch with life outside here.

As members will have heard me say many times, I stood for the Assembly because I desperately want to do something to reduce climate change. This is an area where I am just overwhelmed by the lack of action worldwide. Right now the annual global average temperature is about 1.1 degrees more than pre-industrial levels, and it is on track to be 1.5 degrees hotter by 2030. It is no accident that last summer was dominated by bushfires and that last week there was an out of control fire in northern New South Wales, despite it being officially winter.

Surveys tell us that most Australians think we should address climate change, and I do not know why we do not. Hopefully, our young people will lead the way here. I have for many years said that the Australian Youth Climate Coalition is the hope for us all, and they have been joined internationally by the school climate strikers. I hope to do what I can to help them in my life after the Assembly. I look forward to seeing more Greens elected to the Assembly and other parliaments to help achieve the changes we need.

In conclusion I thank my staff—Allison, Adriana, Eddy, Veronica and Jason, as well as Travis, Lily, Georgie and Emily, who worked with me earlier in this term, and Lisa, John and Indra, who I share with Shane Rattenbury. I thank the other Greens staff, both in the Assembly and our office, the Greens volunteers, and all the Assembly staff who keep this place running. I thank the Canberra community that I have worked with while I have been here. Most of all, I thank my husband, Guy, because without his love and support there is no way I could be here today. I wish my fellow MLAs all the best for the election, wisdom in your decisions and good luck in the future.

**MR RATTENBURY** (Kurrajong) (4.54), by leave: I welcome this chance to make remarks about the wonderful legacy of my colleague Caroline Le Couteur. Caroline and I joined the Assembly together in the class of 2008 and we have been here together for two quite different terms of the Assembly. There was some mirth in our team meeting this morning when someone pointed out that Caroline was scheduled to deliver her valedictory at 4.20.

Caroline has been an activist, an ethical investment founder and a crossbencher extraordinaire, representing everything the Greens stand for, both on the political stage and in her own life. She has thoroughly disproved the glib assumptions by carping critics that we Greens are long in ideology and short on practicality. On this and many other points her record speaks for itself.

She has served as Assistant Speaker in the Assembly and as Greens spokesperson for planning, territory and municipal services, business and economic development, housing, city services, community services and so much more. She has been on eight different estimates committees, for which we can only offer our sympathy, and five different standing committees, two of them as chair and one as deputy chair.

There are so many things to say about Caroline, but time allows for only a few. I think we all know how much she understands the realities of the climate crisis and ecological destruction. She has spoken today about feeling overwhelmed by the lack of action worldwide to address the climate emergency, a feeling that many others share. Yet in the face of the climate crisis Caroline has never wavered in her commitment to make a difference. We are immensely proud of the role she has played in the Assembly in helping to spearhead our world-leading legislation on renewable electricity and emissions reduction.

She understands that, although there is an immense need to change business as usual on our planet, we have to fight bit by bit, making progress step by step. The world is generally not changed in a day. She understands that a functioning modern planning system must account for climate readiness and that it should serve Canberra residents. Caroline has consistently been the member of the Assembly who has pointed out the flaws in the planning system, as well as the solutions needed to fix it.

Caroline understands the importance of reaching decisions in step with our community and the best evidence before us. She has worked tirelessly to improve planning consultation processes here in the territory. Time and again she has lobbied on behalf of the community for local issues such as Curtin shops, Cooleman Court, Red Hill and Downer shops.

She understands the importance of women's rights. Many of us here today will never forget the day that Caroline stood in this place and bravely spoke to her personal experiences of sexual assault and how this informs her empathy and appreciation for victims of these terrible crimes. Caroline took this experience and delivered real outcomes, including laws against intimate images abuse, or revenge porn. I know that consent stands on her list, and it is something that we will continue to fight for in this place.

Caroline understands that successful, plentiful public, community and social housing benefits everyone. Thanks to her advocacy we have more accessible and affordable housing options than there were four years ago and, importantly, targets for public, community and affordable land release.

In her time in this place Caroline has played an important role as a crossbencher. Holding governments and departments to account requires real resilience and real integrity. She has achieved this while always playing the ball, not the person. Despite facing a regular barrage from others in this place, Caroline has never resorted to petty politics and her continuing integrity has been a shining light in this place.

Of course, you cannot get through eight years in this Assembly without experiencing some funny and strange moments. One of my favourite visions of Caroline is of her late-night tour of the rowdy nightclubs of Brisbane as part of a select committee on live music, along with her fellow live music committee members Alistair Coe and Mary Porter.

**Mr Coe:** What happens in the valley stays in the valley.

**MR RATTENBURY:** It is an imposing clubbing trio if ever I have seen one.

A busy woman and a fast typist, Caroline has occasionally been plagued by some amusing typos. There was the lunch break when she apparently went to Florida rather than our annual spring flower show. Perhaps the most famous is the tweet Caroline posted as she returned from an animal rights rally, when she tweeted that the Greens will “never support anal cruelty”. It is true, and it was retweeted so quickly that there was no chance to change it. It may still be her most popular tweet.

She lives her life the way she wants others to live: simply and sustainably. As part of meeting goals that contribute to the future of our planet, she catches buses to the Assembly each day and is strongly committed to a plant-based diet and bringing her own lunch each day to save packaging. One of Caroline’s penchants is always to make her own lunch. It is vegetarian and sustainable and it is the same every day: microwaved broccoli and tofu. That means there is a daily smell of cooking broccoli wafting through the office, often lingering for the afternoon’s meeting and occasionally permeating the whole floor. For many Greens staff the smell of broccoli will forever evoke memories of their favourite MLA.

These are just some of the quirks that make us love Caroline even more—a unique member who will leave her idiosyncratic legacy in the Assembly’s annals, or anals, of history.

Today marks the end of a chapter, ending a productive run of two separate four-year stints representing the residents of the Murrumbidgee and former Molonglo electorates. She has not yet fully decided on her next step, but we are in no doubt that it will involve an ongoing commitment to her lifelong environmental and social justice vision.

She has managed to keep in simultaneous view both the wider landscape of the Greens’ vision and the day-to-day detail that brings this vision into being. We will miss her unwavering commitment to the Greens and to making Canberra a better place for many years to come.

Caroline, you have done the Greens and our community proud. It has been a privilege to work beside you as we continue to work hard to deliver a better future for all Canberrans. I wish you well in your retirement and I hope that the COVID situation allows you to actually enjoy some well-earned family time soon enough.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (5.02), by leave: It has certainly been an afternoon for the Northern Rivers, although I think we have very clearly established a Nimbin-Lismore divide that we are all well aware of. I was born in Lismore Base Hospital as well, Ms Le Couteur, so there is a sort of strange symmetry around this afternoon's—

**Mr Hanson:** Is there something you are not telling us?

**MR BARR:** That is the best interjection of the parliamentary term from Mr Hanson.

Caroline, you are the Assembly's greatest planning nerd. That is a title I might once have held, behind perhaps Simon Corbell, but you have certainly been, through your two terms in this place, very much into the fine detail of the territory's planning legislation. In fact, I am not sure there is another member who has contributed so much to the detail and who has desired so much to achieve what many believe to be the impossible: the perfect planning system. We have not always agreed on what constitutes the perfect planning system, but I have never doubted your integrity and desire and intent to get closer to that seemingly elusive goal.

I also want to acknowledge your great passion for all matters environmental. I understand and acknowledge your anxiety and concern around global responses to climate change. I hope that you see your time in this place and the work that our two parties have been able to achieve together as being nation leading and in many instances world leading. You have contributed so much to achieving those outcomes.

Where we have had shared goals, we have been able to work well together to implement them. I know I speak on behalf of all of my colleagues in that regard. We have never doubted where you have been coming from. We have sometimes disagreed on the path to get from point A to point B, and sometimes we have disagreed on where we think we are going. But we have always understood your passion and your commitment and that you do live those values.

On a personal note, I want to acknowledge your support every time it has mattered on a matter of social inclusion for the LGBTIQ communities in this city—every time, without fail, and at times when you have been pressured by others, I know. I want to acknowledge that. That has been really important for those communities and was demonstrated again today.

While we have not agreed on everything in this time, we have probably agreed on more than we have disagreed on. I know that that is the view held by my colleagues as well. Those who have worked on committees with you have acknowledged to you, and I know would like me to say again today, that they valued working with you. They found it at times to be challenging and that you pushed them on issues. I am sure Mr Parton, who is laughing, would agree on this as well.

I want to acknowledge the particular examples that you mentioned in your valedictory speech. They are worthy achievements across many different policy fields, and you should be very proud of them.

On behalf of all of my ACT Labor colleagues, we wish you well for the future. I am sure we will be hearing from you again. I do not encourage you to become a columnist for *CityNews*, although I suspect that you would add to their diversity, because old white men—former members of the Assembly—commenting on these things have got plenty of air. I guess you would provide some form of counterbalance in that regard.

**Mr Hanson:** Be careful what you wish for.

**MR BARR:** Indeed. Thank you for being a signatory to two parliamentary agreements. Thank you for holding everyone to account. Thank you for being the person you are and for the contributions you have made to this place. We will miss you. I note that Mr Coe leaned across to me at the beginning of this term, when you gave your first speech on the way back, and said, “Yep, she’s back.” All the very best, on behalf of all of us, and congratulations on all you have achieved in this place.

**MR COE** (Yerrabi—Leader of the Opposition) (5.07), by leave: It may be some surprise to Canberrans—probably less so to people here—but I have quite a friendship with Caroline. She is an easy person to like. I and my colleagues have a lot of affection for you and we have respect for what you stand for and for what you have achieved. It is fair to say that we have been very frustrated by some votes in this place. I have a feeling that you have been frustrated by some of those votes as well. But you are a team player and, like all of us, know that we are stronger when we are in a team.

The infamous journey up to Fortitude Valley has been remarked upon—Mary, Caroline and me at Cloudland. After 11 years of trauma counselling, I have almost recovered. It was a memorable experience and not something that is leaving my mind any time soon.

There was another experience, in that same Assembly—it must have been about 2009 or 2010. We used to have lots of meetings in that Assembly with the seven, six, four arrangement—lots and lots of meetings. Caroline was in my office and she was making a pitch about intensive pig farming. It was a pretty compelling pitch. She went into some detail about the practice and about the need to ban it. I said to her, “Do we have any pigs in the ACT?” She said, “No, but we could.” I said, “That’s true.” I said, “Would you support a ban on commercial harpooning in Lake Burley Griffin?” Her eyes lit up and she said, “Would you support that amendment?” She is a person of conviction and her environmental credentials are legendary.

Your analysis of finances as well as economic costs is significant. I note your input and the discussions we have had about whole-of-life costs, about IT systems, about hybrid cars, about light rail and buses and numerous other things. You have a learned perspective that you pass on, either in committee or in the public sphere.

The Assembly is a worse place with you not in it. You have contributed a lot to this place. I wish you and Guy all the very best for the next stage of your lives. I am sure there is still much to contribute. I thank you for the many sincere and honest conversations we have had over the years and I look forward to more to come.

**Members:** Hear, hear!

## Standing orders—suspension

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

That so much of the standing orders be suspended as would prevent the Electricity Feed-in (Large-scale Renewable Energy Generation) Amendment Bill 2020 being called on and debated forthwith.

## Electricity Feed-in (Large-scale Renewable Energy Generation) Amendment Bill 2020

Debate resumed.

**MS LEE** (Kurrajong) (5.12): I do not intend to delay the Assembly long on this legislation. It is obviously an embarrassment for this government, but I think that the workaround that this amendment bill outlines is testimony to the experience and the expertise we have in the Parliamentary Counsel's Office and the culmination of, no doubt, a lot of sleepless nights of our public servants in the directorate who have worked extremely hard in the last few days to reach this outcome.

On this last sitting day of the Ninth Assembly, I think it is appropriate that we take time to remember the numerous people, including the legislative drafting team and public servants, working behind the scenes, over weekends and through the night at times, who make our work easier each sitting day and bring legal sense to policy whims and wishes of the government of the day.

We were assured in our urgent briefing that this bill is necessary to ensure that we do not jeopardise our reverse auction process to secure our ongoing commitment to 100 per cent renewable electricity. We were also assured that this is the only way to achieve this outcome, given the circumstances. On that basis, the Canberra Liberals support the bill.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (5.13), in reply: I thank Ms Lee for her comments and I particularly echo her remarks about the role of the public service. It would be fair to say that someone somewhere is feeling quite mortified about how this happened, but we are human and these things do happen.

I particularly appreciate the efforts of my directorate. When they came to tell me that there had been this error, they had also worked out a way to find a solution to it. I thank them for their quick work on that, their professionalism. I appreciate the support of the Canberra Liberals in helping us resolve this matter quickly and effectively. I look forward to being able to report to members on the outcomes of the reverse auctions quite shortly, once we have passed this legislation.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Electoral Amendment Bill 2018**

### **Detail stage**

Debate resumed from 20 August 2020.

Clause 11.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.14), by leave: I move amendments Nos 7 and 8 circulated in my name together [*see schedule 7 at page 2333*]. These amendments insert a new note under section 222G(2) to remind the receivers of gifts that the disclosure obligations under section 216A of the Electoral Act apply to all gifts.

The amendments reflect the intention that for a larger gift a political entity should have a higher degree of certainty that the giver is not a property developer or a close associate. It is based on the notion that the larger the gift received, the higher the risk of the undue influence.

The amendment also provides that subsection (2)(a) does not limit the matters to which the court may have regard in its determination whether a receiver has taken reasonable steps.

**MR COE** (Yerrabi—Leader of the Opposition) (5.15): Madam Speaker, the Canberra Liberals support these amendments. We support the technical note and we agree that the size of the donation should be considered by the courts in relation to reasonable steps.

**MS LE COUTEUR** (Murrumbidgee) (5.16): The Greens also support the amendments, for basically the same reasons as the Liberals’.

Amendments agreed to.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.16): I move amendment No 9 circulated in my name [*see schedule 7 at page 2333*]. This is a technical amendment to the heading of the new section 222H. The bill currently includes the heading “Repayment of other gifts from property developers”; this will rename the heading to “Gifts from people that become property developers”.

Amendment agreed to.

**MS LE COUTEUR** (Murrumbidgee) (5.17): I move amendment No 38 circulated in my name [*see schedule 6 at page 2330*]. This is around limits of moneys for prohibited donors. If it is less than \$250, then it becomes a civil offence and a debt to the property, but if it is more than that, it becomes a criminal offence and there are the associated penalties. There is a bunch of sections in that, but that is basically what it is on about.

Amendment agreed to.

Clause 11, as amended, agreed to.

Proposed new clauses 11A and 11B.

**MS LE COUTEUR** (Murrumbidgee) (5.18): I move amendment No 39 circulated in my name [*see schedule 6 at page 2332*], which inserts new clauses 11A and 11B. These amendments will establish a new offence for misleading electoral advertising. They are based on a similar provision that has operated in South Australia since 1985.

Unfortunately, in Australia there is no shortage of examples of false or misleading electoral advertising. While not perfect, the South Australian system has worked well there for decades and has been upheld as constitutionally sound by the full bench of the South Australian Supreme Court.

This amendment is not designed to stamp out political debate. Further, it relates only to statements of fact that are inaccurate and misleading to a material extent. For example, if a candidate claimed that their opponent wanted to introduce a specific policy or tax when there was no evidence that their opponent had ever indicated that, they would breach the new offence.

Also, it applies only to electoral material of the kind that is already required to be authorised. It will not apply to, for example, an opinion piece published in a newspaper or a social media post from an individual, provided the post is not authorised for political advertising.

As per the normal requirements for electoral advertising, the offence is intended to apply only to people, or political entities, who post an advertisement, not the publisher. It does not extend the existing burden placed on publishers with regard to defamation or publishing offensive material.

Proposed new section 297A establishes an offence for misleading political advertising. Importantly, it also provides the Electoral Commissioner with the power to request that the person who placed the advertisement do one or more of the following: not disseminate the advertisement again, or publish a retraction in the stated terms and a stated way.

This would mean, for example, that the commissioner could request that an ad posted on a particular social media platform be retracted on the same platform. This is what in fact happens in South Australia, in general. The commissioner makes a determination and a retraction is published. Of course, if there is a disagreement, the matter can be decided by the courts. In other words, the Electoral Commissioner is not the sole arbiter.

One of the really good features of how it is done in South Australia, and will be done here, is that the turnaround is quick enough that it is relevant to the election. It is not something that should be determined six months after the election. The idea is that the people of the ACT should be able to be sure that there are no actually misleading advertisements or falsehoods in the electoral advertisements.

This has been an effective system in South Australia. I hope that the Assembly will support this amendment.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.22): The government will be supporting this amendment today.

The amendment, as Ms Le Couteur has outlined, produces a scheme for dealing with misleading electoral advertising. Certainly, as a matter of principle, we believe that political debate should always be based on facts.

I do note that there have been some occasions recently when I have had to draw to the attention of the Greens some reflections on things that have happened in this Chamber. We want to make sure that we base things on facts from here on.

I also note that, even though this provision will not be commencing prior to this election, I hope that the commitment of all three parties in support of this particular provision will at least morally and ethically bind each of the parties to support it.

We do have some concerns about the workability of the scheme. If we are returned, we will be working closely with the Electoral Commissioner to address some of the practical issues that the commission may face in the running of the scheme; but we support the amendment.

**MR COE** (Yerrabi—Leader of the Opposition) (5.23): The Canberra Liberals will be supporting this amendment. We agree that there is a need for truth in electoral advertising. I understand the need for this legislation, from personal experience; that is, I and others have been the victims of fake social media posts and many other issues along the way. There should be a level of accountability when something demonstrably false is disseminated. It severely undermines public confidence in the Assembly and its members.

The Canberra Liberals look forward to engaging with the Electoral Commissioner on how this will be rolled out. We do not want this offence to be used to inhibit the

expression of opinion. We understand that there are constitutional concerns that have been raised by Labor; however, we believe that they can be reasonably managed when this legislation comes in next year. There is still time to make any refinements, if need be.

I note that Elections ACT have launched their “Check the source” campaign to raise awareness of the need to consider the sources of communication, to ensure that they are both credible and reliable.

Amendment agreed to.

Proposed new clauses 11A and 11B agreed to.

Clause 12.

**MR COE** (Yerrabi—Leader of the Opposition) (5.24): If I might seek, with your indulgence, Madam Speaker, some clarity on the status of amendment No 38, which was moved by Ms Le Couteur. Are you able to advise—

**MADAM SPEAKER:** I called the ayes on that.

**Mr Ramsay:** Madam Speaker, I think the noes had it. I would be happy to open that up again.

**MADAM SPEAKER:** Members, do we need to reconsider? Can I take a moment, members, to get some advice about how to progress?

Members, perhaps to progress this, we will leave it to the very end and then we will come back with a reconsideration. Can we mark that to come back to as a reconsideration? I do not think that it is consequential to the rest of your work. We will come back to that, members. We will get back to clause 12.

**MR COE** (Yerrabi—Leader of the Opposition) (5.26): I move amendment No 2 circulated in my name [*see schedule 8 at page 2334*]. This amendment makes changes to the transitional arraignment. I understand that there is tripartisan agreement on changing the transitional period to 18 October 2020 until commencement on 1 July 2021. This amendment also inserts a refund provision that mirrors section 222A of the bill, where the receiver does not incur a penalty if the gift is returned within 30 days. As the bill currently stands, political entities would incur a penalty if one receipted a gift, regardless of whether it was returned or not. We believe that it is reasonable to allow an opportunity for the gift to be returned before any penalty is imposed, as will occur under the current agreement.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.26): The government supports this amendment. It is a commonsense provision to ensure that, during the transitional period before the commencement of the bill, if a property developer or close associate donates to a political party but the donation is returned, a

debt is not then raised against that political party. We support the approach, noting that it fulfils the intent of the government's amendment to this clause, as well.

Amendment agreed to.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.27): I move amendment No 11 circulated in my name [*see schedule 7 at page 2333*].

This amendment is in relation to clause 518 of the bill, which provides for the making of transitional regulations to deal with unexpected transitional issues that support the commencement and the operation of the amendments to this bill.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clause 13.

**MS LE COUTEUR** (Murrumbidgee) (5.28): Given the earlier votes, I am not going to be moving any more of my amendments because they would possibly—

**Mr Ramsay:** There is still one, No 41.

**MS LE COUTEUR:** I take advice from my colleague. I move amendment No 41 circulated in my name [*see schedule 6 at page 2333*]. It is a dictionary dot point that will make it a lot easier for the application to actually have the things defined. I thank you, Mr Ramsay, for pointing it out.

Amendment agreed to.

Clause 13, as amended, agreed to.

Clause 14 agreed to.

Clause 15 agreed to.

Clause 16 agreed to.

Title.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.31): Just very briefly, we are pleased to have this bill going through the Assembly tonight. The bill better protects democracy in establishing a ban on entities making political donations that have been known in the past to have sought to influence government decisions through such donations.

I do note that there have been no donations that have been received by the Labor Party from property developers for some time, and this ban was a key election commitment and item in the parliamentary agreement. We are very pleased that it has been achieved today.

I place on record again my thanks to members across the parties who have negotiated very cooperatively and in good faith, members of the OLA staff; the ACT Greens advisers, Eddy and Adriana; Ausilia from the Canberra Liberals; and Tom from the Chief Minister's office who has led the work on behalf of ACT Labor. It has been very strong and cooperative work done in good faith and I thank all people involved.

**MR COE** (Yerrabi—Leader of the Opposition) (5.32): I thank all members for the cooperative way that everybody has dealt with this. It has at times been a little ad hoc and at times a little stop-start and a little slow to get going; but, by all accounts, it has been a pretty collaborative effort.

I express my thanks to Janice for her excellent programming work with the cheat sheet today and throughout this term. You have done an exceptional job and this is another great example.

I also extend my thanks to PCO for their considerable efforts on our amendments and, indeed, all the work that they do. When this bill looked to be debated in early 2019, they provided us with multiple versions of amendments that frantically went before scrutiny to allow for flexibility in our discussions. They were working under very tight time frames with all parties to ensure that everyone had what they needed. As it turned out, the time frame was not quite as tight as what we had anticipated. It was not quite as frantic as perhaps we had thought. As always, PCO undertakes their work and advice with a very high degree of quality. I particularly thank Margaret, Lyndall, Mary and Daniella who assisted with our amendments.

Electoral amendment bills are always complex and there have been ongoing negotiations since the legislation was introduced in late 2018. I thank the JACS officials who worked on the government's amendments and Tom from the Chief Minister's office for his contributions. I also extend my thanks to the Greens and to recognise the considerable work that was put into the amendments by Eddy and Adriana in Ms Le Couteur's office.

While the Canberra Liberals still have some practical concerns with elements of the bill, we are happy to support the increased efforts towards transparency and accountability in the electoral process.

Finally, thank you very much to Ausilia for all that you have done on this bill and numerous others. Your diligence, professionalism and expertise are really admired.

**MS LE COUTEUR** (Murrumbidgee) (5.34): I also put on the record my thanks to PCO who, I guess, get an electoral bill at least every term of the Assembly. They must be used to this sort of stuff; but still, thank you very much to them. Thank you to Janice for doing the scripts for us. Thank you to Eddy and Adriana and Ausilia and

Tom, and Ron before Tom. Yes; it has taken us a while, as Mr Coe said. I am very pleased that we finally have a step forward in terms of some degree of truth in electoral advertising.

It is the least, I think, that we can do for the voters of the ACT, and I hope that this, as in so many other things, will be something where the ACT leads and the rest of Australia follows.

Title agreed to.

Clause 11, as amended—reconsideration.

**MS LE COUTEUR** (Murrumbidgee) (5.17): I move amendment No 38 circulated in my name [*see schedule 6 at page 2330*].

Amendment negatived.

Clause 11, as amended, agreed to.

Bill, as amended, agreed to.

**Sitting suspended from 5.37 to 6.37 pm.**

## **Adjournment**

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

That the Assembly do now adjourn.

## **Valedictory**

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel, Minister for Tertiary Education and Minister for Transport) (6.45): On the last sitting day of the term, I would like to, in this very short time, run through some of the key achievements I have been proud to work on as part of the Labor team in the last four years in Murrumbidgee.

Woden is my home town, and from my first speech in the Assembly through to the last in this term Woden town centre's regeneration has been a real focus. I started with campaigning against the 1,726 job cuts, relocations and decentralisation of staff by the federal Liberal government in Woden which have contributed so much to the problems that the town centre faces.

Further achievements are hosting a Woden roundtable; building the Woden experiment in Woden town square; getting on with the Woden town centre masterplan so that we can support the regeneration of the town centre; working with local businesses; moving over 1,000 staff from Health, Access Canberra and Major Projects Canberra into the refurbished Callam Offices so that we can deliver the major

infrastructure that Woden needs—community facilities, health, transport and education—and protecting and creating jobs in the process.

I am proud to be part of a government that has been delivering major projects like progressing light rail stage 2 to Woden to extend to the south side the benefits of the success we have seen with light rail stage 1. I remind Ms Le Couteur that it runs on 100 per cent renewable electricity and moves far more people than buses ever did along the Northbourne Avenue corridor.

I am very pleased to have approved the new public transport interchange for Woden, which will start construction in the new year, to renew ageing but much-needed infrastructure. We are delivering on the expansion of the Canberra Hospital to provide a new emergency department, operating theatres and acute capacity for our whole region in Woden. There are upgrades to the Woden Library. They are lesser known, but they will be really fantastic. We will potentially see the return of the reading kit at Woden Library and fantastic spaces for young people to use after hours as well.

Early work is underway on the feasibility and design of the new Woden community centre as a new home for Woden Community Service, which will provide flexible community spaces for the whole of the Woden Valley. The Hyacinth Street bike path is under construction, connecting Woden and Weston Creek across all three stages. We also have work starting on Corinna Street as part of the wider focus our government has been taking on active travel.

It has been fantastic to work with the vibrant communities in Torrens, Farrer and Waramanga on new play spaces for our younger citizens and to support them to get a good education, with upgrades to our local schools as well as our government's work on rolling out three-year-old preschool to give them the best start at life.

In Weston Creek I have been pleased to work with some of our older citizens, with the fellas from the Weston Creek Men's Shed to find them a new home in Rivett. Our Labor team did what we promised in building a new Weston Creek walk-in centre, which has been such a great asset during the pandemic over these past few months in providing respiratory assessment function.

To test out the lungs of our canines we have built the Duffy dog park, now to be irrigated. That will be a fantastic facility. In Kambah we have improved safety around Mount Taylor to provide better recreational amenity along Sulwood Drive. We delivered upgrades to Kambah village, which will be complemented by further private upgrades come Christmas.

There is so much more we have achieved right across our city, from making green bins available to every household in Canberra, rolling out bulky waste, getting the upgrades to our MRF underway, with the best organised jurisdictional response to the China sword program the country. We have delivered 10 rapid routes across Canberra as part of our transport system. We have made major reforms to our animal welfare laws to recognise animal sentience, an Australian first, and we have reformed our litter laws through policy. We will reform single-use plastics; we have introduced the policy and we will continue that work in the next Assembly.

I have been very pleased to advocate on many issues across this term, including fighting for marriage equality because we were forced by the conservatives to fight to get it done—and we did. We advocated for energy providers to accommodate battery storage, including making distributed battery power available through the grid through virtual power plants. We have advocated to the TGA to act on unjustified discrimination against gay men donating blood and it looks finally the RCBDS and the deferral period will be lowered.

We have ensured that P-platers will not be subject to unfair curfews and we have highlighted the issue of disability employment through the inquiry held by the HACS committee. (*Time expired.*) I table the rest of my statement, Madam Speaker:

Minister Steel—Conclusion of adjournment debate speech.

**MR PARTON** (Brindabella) (6.50): I cannot believe we have reached the end of the term. To me, it feels like yesterday that I was in the chamber giving my inaugural speech. It has been such a great honour for me to serve the people of Tuggeranong and the people of Canberra. I have lived the last four years of my life based on the assumption that I am not being re-elected because I think it would be wrong to assume otherwise. As such, this may be the last speech that I deliver in this parliament.

It has been a great privilege. Sometimes I have got to pinch myself—is this really my life? I have enjoyed every single minute of it. I do love the chamber stuff, I have got to say. If you are going to speak in this chamber, I figure you should say something worthwhile that people will remember. If you are going to jump into the pool, you may as well make a splash. Say something that is memorable or do not speak at all. I know my Labor colleague Ms Cody follows the same edict, but not so much Ms Orr or Mr Steel. That is not to say that Ms Orr and Mr Steel have not made a swag of scintillating speeches in this chamber; it is just that I cannot remember any of them.

Madam Speaker, you have no idea how much I want to sit on the other side. I have sat through so many debates in this chamber and mused at, dare I say it, the meaninglessness of the theatrics in this one-house parliament with a crossbench that has only voted with us five per cent of the time. It is clear to me that we are no good to anyone sitting on this side and that the only battle that really counts is the battle for those two extra seats.

I say thanks to my wife, Luisa, my family and my mum, Jacqui. My family and the kelpies help to keep me sane and support me in so many ways. My staff have done some hard yards for me, including the amazing Rob Lovett. I recall on the Saturday morning after I was preselected in 2016 I had breakfast with John Barilaro, George Lemon and Rowan Carter in Manuka, where we sat down to try to plot a way forward. I remember George said to me, “Who’s your campaign manager?” I said, “I don’t know.” I did not have one.

Mr Lovett’s name came up as a hardworking party man who would have run Brendan Smyth’s campaign. I think I had only met the bloke once. We caught up the following day and I installed Rob as my campaign manager. After we secured a seat he became

an integral part of my office. I have so much admiration and genuine love for this man. He has done so much for me, and I can never truly repay him. I hope he will agree to have some role in my office should I be re-elected in October.

Thanks to Brad Clark, who was part of my original team, with a lot of political nous and a great sense of humour. This year we have added Chelsea Dempster to the team and she has been a breath of fresh air. She has just knuckled down and got on with it.

Thank you, Mr Duncan, and your amazing team. Thank you, Mr Duckworth, and your business support group, the hardworking committee team, including Annemieke. I also acknowledge the assistance from Gordon Ramsay, Mick Gentleman, Caroline Le Couteur and their staff, who generously assisted with briefings and clarifications on legislation because that is very important.

To all those opposite, I know we rant and rave and carry on at each other, but I think you all know that I love you all as individuals—even you, Steelo. It often gives me pain that we have to go so hard. It has been a pleasure being a member of the team on this side of the chamber. The support from Alistair and his staff has been topnotch and I look forward to serving Alistair as Chief Minister.

Mrs Dunne—who is not with us, but it will get back—has been amazing. I wish so much that she was going around. I still say to Mrs Dunne, “If you’d stuck around you might have been this election’s Brendan Smyth or Bill Stefaniak.” I still think maybe a role as commissioner for the South Coast might have been the go for Mrs Dunne. It could have been, but unfortunately it is not to be.

To the people of Tuggeranong, I hope that soon we will be in a position to do so much more for you. Thank you for putting your trust in me. I will be quiet now and let others get on with it. But thank you, and maybe I will see you soon.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (6.55): Nearly four years ago, in my first speech here, I said:

I have been shaped and changed by the stories and the lived experiences of people who have shared their lives with me over these 20 years.

I have another four years to add, and it has been a great privilege to have had those extra four years as well.

The work that I have had the privilege to undertake so often impacts on the lives of the most vulnerable and the disadvantaged in the community. As I have said before, it is our responsibility to ensure that the perspectives of those who might not otherwise be seen are seen.

Amongst other areas of work, this has meant that I have presented 57 bills to the Assembly this term, over 50 of them as Attorney-General. They have come from a restorative and relational perspective. We now have better protection for children,

after the royal commission, and fairer renting for tenants. We have reduced the number of poker machines in the ACT from 5,000 to 3,800. We have established the Drug and Alcohol Court. We have made directors of building companies personally liable for preventing building defects; and much more.

Access Canberra has recently celebrated its fifth birthday. It has now served almost 2.2 million customers face to face, answered more than 3.2 million customer calls and had more than 29 million visits to its website. The staff of Access Canberra are amazing. They have been vital during the many challenges that have faced our territory this year—supplementing the emergency services phone lines during the bushfires, helping those affected by January’s hailstorm and assisting Canberra’s businesses to survive the COVID emergency through an amazing range of initiatives.

In the arts I have overseen increased funding each year, going directly to ACT artists, culminating in a record investment in the arts, quite separate from our \$6 million nation-leading support to keep the arts alive during this ongoing pandemic. We have funded arts grants to individual artists of just under \$1 million, over \$6 million to arts organisations, over \$2 million to arts community outreach and support in arts events, around three-quarters of a million dollars in events grants, and \$15 million to stage 2 of the Belconnen Arts Centre, which I was absolutely delighted to open last week.

With building quality improvement, we have more than doubled the number of building inspectors, strengthened the testing and licensing of builders and certifiers, and begun the work on licensing developers, establishing public certifiers and registering engineers.

As minister for seniors, I have led the work on addressing elder abuse, including through establishing an older person’s legal service and creating a criminal offence for those who abuse older and vulnerable people. In the words of Sue Salthouse, that legislation is a “game changer”. I have established a national ministerial roundtable for seniors ministers and introduced the age-friendly city plan that will guide us over the next five years in this city.

With our veterans, I have worked with our large and diverse current and ex-service community, improving employment opportunities and negotiating with the federal government for a feasibility study into a national veterans’ mental health hub here. We have doubled the grant funding that is going to veterans’ groups and contributed to a greater recognition of our veterans locally, such as through the veterans’ day at Floriade and the veterans’ community day.

Of course, none of that is possible without the wonderfully talented, hardworking ACT public servants—those who develop policy, draft legislation, provide advice, answer phones, serve at counters, administer grants, arrange events, support businesses and do so much more. We in Canberra are extremely in their debt.

I am also deeply thankful to my amazing advisory staff throughout this term—Brooke, Michael, Sharyn, Anton, Amy, David, Alex, Laura and Sukanya—and the many excellent DLOs who have been part of my office along the way.

To the people of my electorate of Ginninderra, that beautiful, varied and vibrant part of the ACT that I have been delighted to call home for over 20 years, I say thank you for your trust in me. Thank you for sharing the values of community inclusion, and thank you for giving me the privilege of allowing me to represent you.

I say to my wonderful family, who have been so patient and have staunchly supported me throughout this time in the ups and the downs of politics—because there are occasional downs in there as well—to Lyndelle, Joel, Justine and JJ, I love you very much.

The next government will have the opportunity to continue to show the type of leadership that is so needed to achieve transformational change, to understand and respond to our most vulnerable people and to play a role in restoring fractured community systems, and I would be honoured to have the privilege again.

**MS LAWDER** (Brindabella) (7.00): I am very pleased to stand tonight and finish off my term in the Ninth Assembly. I would like to start by acknowledging the contribution of my staff, past and present, who have been an enormous asset to me. I would very much like to thank them for putting up with my high blood pressure moments, when I need something done urgently, right now, immediately, if not earlier, and they usually come through for me. Thank you so much.

I would also like to put on the record my thanks and best wishes to my colleague Vicki Dunne, as she leaves the Assembly after a long and stellar career as a local MLA. I have a lot of respect for Vicki. She is, as we have talked about today, a conviction politician. It may not be a surprise that Vicki and I do not always agree on some issues within our basic liberal values that we all share. There are some issues on which we do have different views, but I have the utmost respect for her views because she can put her argument well, she will listen to other people's arguments and we generally get a good decision at the end of that. I would like to thank her for all of her advice to me, including when I was an Assistant Speaker in this place in the last term. She was very helpful to me. She is a genuinely lovely person—lovely to know, nice to be around, friendly, approachable and with a great sense of humour. She will be missed in this place.

Over the past few years it has been my honour to take on the mantle of some of the work previously started by Steve Doszpot, who, sadly, passed away early in this term. In that regard I have taken on some of the portfolios that Steve previously had. I am pleased to have continued some of his work, including that relating to dangerous dogs, and advocating for better local services, including women's safety through better lighting.

I have been pleased to represent, talk with and advocate on behalf of the seniors community. Most importantly, I have been pleased to represent my community of Tuggeranong. Thank you so much to the voters of Tuggeranong for entrusting me to be their member during the Ninth Assembly.

It has been an honour this term to be the deputy leader of our party. I would like to thank my colleagues for their support and assistance, and especially Alistair, as the leader. I have learnt a lot during this term. It is always good to learn new things, and I am always keen to learn new things.

I have lived in Tuggeranong for over 32 years. I raised my children here and now my 12 grandchildren all call the valley home. It is because of that that I want to make Tuggeranong, and Canberra, the best place to live, work and raise a family—not feel, as they currently do, that Tuggeranong is neglected and ignored. I find it amusing that my grandchildren are growing up thinking it is normal to see a giant photo of their nanna in public places and on a car. They think it is quite usual. They go around saying, “There’s Nanna; there’s Nanna.”

I would like to thank all of my family for their forbearance and their assistance—especially my lovely husband, Peter, who continues to bring me breakfast in bed every morning because he knows that I would not get out of bed if he did not.

If I had one regret in this term, it is actually about my family. I would like to apologise to them for the many family events that I have either missed or been late to because of work commitments. It is a constant struggle to try to work out which is the more important thing to attend. It is one that I am sure will continue in the future. If I am returned to this place I will continue to try to be the best local member that I can be. I would be honoured to come back once again as a member for Brindabella, in whatever form that might take.

As usually happens in a Christmas adjournment speech—of course, you will all be very relieved that I am not singing or paraphrasing a poem this time, but there is still Christmas to come, if I get re-elected—I would like to finish by saying thank you so much to everyone who has helped me, and, to those people who have not helped me at all, thanks for nothing. (*Time expired.*)

**MS LEE** (Kurrajong) (7.05): As we draw to a close in the Ninth Assembly, the end of my first and, hopefully, not only term, I take the opportunity to revisit my inaugural speech. I spoke about thousands of hardworking Canberrans who have been forgotten, Canberrans whose voices have not been and continue not to be heard by this government. I spoke of Mary of O’Connor, Lisa of Narrabundah, Geoff of Hackett, Elizabeth of Griffith and Gay of Ainslie facing skyrocketing rates and developments going up around them with no consultation, the scourge of domestic and family violence in our society, our education and health systems failing them and their families, their dreams of home ownership for their children slipping further and further away.

This side of the chamber is not where we wanted to be. But even in opposition I believe that we have made a genuine difference to the lives of those who entrusted us with the privilege of being their voice. I am proud of what I have achieved in my first term.

I have highlighted this government's failures in education, with shocking incidents of bullying and violence, our continuing decline in academic outcomes, ageing and dangerous infrastructure issues, and the absolute fiasco that was the extremely ill-conceived hub schools train wreck; our continuing support for a nation-leading position on tackling climate change; our strong advocacy for our local community groups that support Canberrans living with a disability that were let down so badly by this government in the transition to the NDIS; my committee work in establishing the ACT's Integrity Commission; my involvement with inquiries into consent laws, domestic and family violence and youth mental health; and even stepping up for duty in the chair as Assistant Speaker.

I have fought hard for my constituents, whether it be on planning issues, on maintenance of basic local amenities or to save West Basin. Madam Speaker, I will not shy away from the impact that I have had, and continue to have, as one of the very few visible Asian faces in Australian politics. It is the kind of thing that means nothing to anyone else unless you are that invisible Asian face that can see very starkly that Australian politics is not for someone like you. It is the kind of thing that means the world, when you can see that someone who looks like you does have a place and can make a difference in that way.

I am humbled to be standing here today, giving a valedictory at the end of my first term as an elected member. This, of course, would not be possible on my own. To all the OLA staff who keep this place ticking over every day, thank you. To all the staff of all members here, for everything you do, thank you. To all members in this chamber, across all parties, it has been everything from infuriating to exhilarating to work with you. Caroline, best wishes on your retirement. Whilst we may have had fierce disagreements on some issues, I know that you hold a true commitment to serving our community and you will be missed in this place.

To my colleagues—Alistair, Nicole, Andrew, Jeremy, Giulia, Candice, James, Mark and Kikko—thank you for being by my side as we fight the good fight each and every day.

Vicki, what a year, what a decade, what a career. We might not always see eye to eye on every issue, but what we do share is our commitment to serving our constituents, our belief in the rule of law and our desire to create and leave a better Canberra for the next generation. From your knowledge of the rules that try to keep us in check in this place, your unhealthy love of grammar and your unusually watery eyes, to your uncanny ability to Zoom into the party room no matter where you are in the world, thank you for your years of dedication to Ginninderra and its people, thank you for your commitment to the Liberal Party and our beliefs, thank you for your wise counsel on all matters of parliamentary procedure and process, and, most importantly, thank you for your friendship, which I know will be ongoing.

To my constituents, thank you for putting your faith in me. It has been an enormous privilege to represent you in this term. I hope that I will be returned to continue to do so. I have previously said, and I say again: it was, it is and it will always be about you.

To my staff throughout the term—Paddy, Josh, Sue, Anton, David, Dan, Brendan, Lauren, Albert and Tom—you believe in what we do every day and I could not do what I do each and every day without you. Thank you.

I go to my family. To my amazing parents, my sisters, Rosa and Sara, who have always had my back no matter what, thank you. To Nathan, I know it is not easy being by my side when much of my time, my energy and my duty does not belong to you. To my darling daughter, Mia, every day I am inspired to be a better representative, a better Canberran, a better person, because of you. Every day I am inspired to make Canberra a better place for you. Thank you for being the light of my life.

**MR MILLIGAN** (Yerrabi) (7.10): It is hard to believe that this term has come to an end. I came into this place with no agenda or pet issues. I pretty much came to this place based on a set of values I wanted to implement in this Assembly: common sense, personal responsibility, believing in the individual, support for families, and the contest of ideas.

I would like to start off by thanking my dear wife, Katrina, for all her support and commitment for my career. I also thank Blake, my son, for his energy and contribution to everything that I have done.

I have been fortunate enough to create a good team around me, a team that has the same ambition to develop policies that will better the whole community. Thank you to all the staff that I have had over the term: Ewan, Karin, Chris, Brandon, Ben, Cath, and Bella.

Ewan, also known as the old man, has been with me for the whole term. He may say it was against his will, but we all know that he loves his role and retirement is still a long way off for him. Ewan has played an integral role in the research and development of all our policies and initiatives.

Bella, also known as Bellstar, has brought a fresh viewpoint on issues and contributed to a high standard as to how we respond to constituents and also policy development.

Cath, also known as Mother Hen, as my senior adviser has managed me—a difficult task in itself—and in fact the whole office in such a professional way that we continue to build momentum as we tick-box our achievements. We also had a lot of fun and made a lot of noise. I would like to thank Cath and my current team for the hard work that they have done during this term. It has put us in a great position going forward.

Thank you also to my dedicated team of volunteers, many of whom have been with me for over 10 years. I would also like to thank the Assembly staff and the support team that help make this Assembly run.

We have done politics differently. We have held community barbecues and sporting days, produced videos promoting local businesses, and made efforts to engage with a full range of groups, no matter what their views. We have developed a suite of

policies for Aboriginal and Torres Strait Islander communities to improve the outcomes for the whole community. We have developed over 30 initiatives to get every Canberran active in whatever sport or recreation pursuit they choose. For Yerrabi, we have developed a suite of initiatives to make our community the best place to live, work and raise a family.

I thank all stakeholders for their faith and contribution to our policy work, their honesty and the ideas that have helped shape solutions that we have put forward. Throughout this process, I have ensured that my core values, the things that I was elected to represent, have formed the basis for all our initiatives.

To my supporters, the voters of Yerrabi—the local businesses, the sporting clubs, our religious communities, the hardworking mums and dads, our emerging youth, and seniors—thank you for putting your trust in me. I have taken the responsibility and privilege of being your local member very seriously. I hope to continue in that capacity and take it further again.

I want Canberra to be the place of opportunity where individuals can discover themselves, find their unique strengths and talents, and reach their full potential. As a Liberal, I firmly believe in the empowerment of the individual, but I also understand how together, as a team, we can increase outcomes and benefits.

I would like to also thank my colleagues from our parliamentary team and their staff for the journey we have taken together this term. I thank Alistair Coe and Nicole Lawder for their leadership of our team. I thank the class of 2016—Elizabeth Kikkert, Elizabeth Lee, Mark Parton—and Candice Burch, following the sad passing of our former colleague Steve Doszpot. I have appreciated the experienced hands of Jeremy Hanson, Andrew Wall and Giulia Jones, who have shared their insights very freely. And I thank a local Liberal legend, Vicki Dunne, a fierce competitor in the chamber who understands this place and how it runs better than anyone else. Vicki, it has been a privilege to learn from you, to have your support and guidance. I want to thank you on behalf of all Canberrans for being such a strong advocate, for shining a light on issues for Canberrans. *(Time expired.)*

**MR PETTERSSON (Yerrabi) (7.15):** I, similarly, have no idea how on earth we got here. It has been four years, and that went way too quickly. It has truly been the honour of my life to have been a member of this place. Each and every day I am still shocked and amazed that I am a member of this place. I think back to those cold, wintry days in 2016, knocking on doors. I had this strange, almost unfounded belief that I was going to win, but, to be honest, I did not really believe it. So each day in this place I come to work shocked. I watch the news at night, and I am similarly surprised that the people who sit around me are the people on TV. Each and every time, I am shocked that I sit amongst them as their equal.

Mr Parton made the observation that he lives every day as if he is not going to be re-elected. I must confess, I live my life in a very similar way. I was shocked in 2016 when I was elected. Going into 2020, I am hopeful to be re-elected but I live my life as if I am not going to be. That drives me forward to push for things—to make change now. Let's not wait. That being said, I hold a deep fear that I have not really paced my

political career too well. I would describe the epitome of one's political career as getting interviewed by Kochie on *Sunrise*. Unfortunately, I have ticked that one off, and seemingly you can only go down from there! I think in the future I am going to need to reacclimatise to ABC local radio, which does not really have the same pizzazz.

I want to thank, most importantly, my staff. They have been with me through this journey. As much as it has been a learning experience for me, similarly it has been a learning experience for many of them. I want to make particular note of my adviser, Joshua Orchard. He is soon off to bigger and better things. I have always liked to describe him as the most popular member of the Pettersson office. There is always a steady stream of people popping by the office to visit—never for me; always for him, which has always given me some cause for consternation. But I do not begrudge him.

I want to thank my Labor colleagues, from the old hands who have offered guidance in moments of need, to the newer members who have been on a similar journey to me. I am very proud of the work we have done this term, and I am very much looking forward to the work that we will do next term. Whilst there have been many disagreements with my colleagues in the Greens and the Liberals, I have enjoyed getting to know them, whether it be in the committee room or in the hallway. There is something about a long chat in the hallway that glides over partisan differences, even if it comes right after some silly committee recommendation.

I think it is also important that we take a moment to truly thank the people that make this place work. It is not us, the politicians, that make this place work; it is the working people in the OLA—the cleaners, the attendants, the people in HR and the education office. All of them make this place work, so I want to make sure that they know that they are appreciated. I appreciate them. They are fundamentally important to our democracy.

For me, one of the great pleasures of this term has been chairing the Standing Committee on Education, Employment and Youth Affairs. I want to make particular note to thank all of the committee secretaries that I have had the pleasure to work closely with this term—Andrew, Nicola, Kristy, Kate and Sarah—a few of them twice. They are all absolutely wonderful to work with. I am sure the turnover in that committee had nothing to do with us and all to do with their life circumstances! I have considered EEYA the coolest little committee in this place, and I hope that my fellow committee members can attest to that.

In closing, I am genuinely excited about the coming weeks. I have always considered myself to be someone who is inclined towards the campaigning side of politics. I am greatly excited that we will get to hit the hustings again, knock on some doors, make some phone calls and hold some street stalls. We will be doing it in strange times. As no doubt all members have experienced, COVID-19 has made our normal celebration of democracy a strange and distant affair. I have no doubt that, amidst all of the uncertainty and stress, we will all do a good job of putting forward our vision for Canberra. I just hope our vision comes out on top. With that, I thank you, and will hopefully see you all soon.

**MS ORR** (Yerrabi—Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement) (7.20): It is hard to believe that it has been almost four years since I stood in this place for the first time as a member for Yerrabi. It has been an immense honour to represent my community in this Assembly, and on the last sitting day of the term I would like to recognise the many highlights of this last term for me.

I am proud to have served as a member in this government that has delivered record investment in health care, education and infrastructure for my electorate. We have delivered free public health care to our community, with the delivery of the Gungahlin nurse-led walk-in centre and upgrades to Calvary Public Hospital. We have built new schools, expanded existing schools and made essential upgrades to meet the needs of Yerrabi's growing community. Thanks to this record, every student across Canberra will be able to learn at a great public local school.

With the delivery of light rail stage 1, we have improved our public transport system and made it easier across Gungahlin to commute. In working with Yerrabi community members, I am proud to have delivered on the commitments I have made to them. I have delivered a new community park for Giralang and more green spaces in the Gungahlin town centre. We have made progress on the Giralang shops, although it is a mission not yet finished and one I have not given up on. We have undertaken planning for a new community and arts centre for Gungahlin, conducted an important inquiry into building quality, which has impacted so many people across my electorate, and introduced Canberra's first ever re-usable coffee cup scheme, which continues to divert waste from landfill and help us reduce our impact on our local environment.

I am proud to have delivered all of these by working together with my community to make a difference for everyone. In addition to serving as a member for Yerrabi, it has, of course, been my great honour to serve as a minister in the ACT government—for one year and a day, to be exact. As Minister for Disability I am grateful to all of the peak organisations and people living with a disability whom I have had the privilege of working with. Most recently, overseeing the delivery of the ACT's COVID-19 disability strategy has been an important part of my responsibilities. The strategy is a living document that will continue responding to the emerging needs of people living with a disability by providing targeted communication and necessary supports through a coordinated approach.

As the Minister for Community Services and Facilities I would like to convey my heartfelt thanks and appreciation to all of the carers, volunteers and community service providers across the ACT for the vital support and contributions they provide to the Canberra community. I would like to thank them for the work they have done during this difficult time to make sure that every Canberran feels connected, valued and included. As Minister for Employment and Workplace Safety, I would like to thank WorkSafe ACT, unions and industry representatives for coming together to improve workplace safety in the ACT. There is still much more work we need to do to protect Canberrans; however, our government will continue to take strong action to protect Canberrans from harm at work.

As Minister for Government Services and Procurement, I am incredibly proud of the continuity of government services and government activity achieved as part of the ACT government's response to the public health emergency—in particular, the successful transition to having a significant portion of the ACT public service operate remotely. I would like to thank all of the ACT public service staff who have supported me and my office. I recognise their tireless work in supporting the government to serve the people of the ACT. I would also like to thank the members of the Disability Reference Group, the Secure Local Jobs Code Advisory Council, the Work, Health and Safety Council and the Government Procurement Board for their ongoing advice to me in my relevant portfolios and for representing their industries and members.

I would like to thank my staff for their ongoing hard work and support. I said at the beginning of the day that I was going to wing this speech, and an hour ago Patrick put a copy of a written speech in front of me and said, "Do not forget anything." So I would like to take a moment to thank Patrick for always being there. He has been with me since the start. I also thank Natalie Duthie and Sariel, who we have a few names for—the public service still does not know quite what to call her—and Ryan, Dave, Ciara, Martin and everyone. I also send a shout-out to our other David and Grace, who were here at the start but have moved on to other jobs.

I also send a big thankyou to all of the Assembly support staff, particularly in those early days, when we were all a bit new and did not quite know what we were doing. We were told, "You now have an office budget to manage and this is how you do it." It has been a long ride. I thank all the committee staff and the committee secretaries I have worked with. It is a long line, but they have all been fantastic and wonderful. I thank all of my colleagues in the Assembly too. Working on committees you get to know people. Caroline, I will miss you and I will miss talking about planning with you. It has been a joy.

I just thank everyone. It has been great. Being a newer member of the Assembly, it has been fantastic to learn with so many new people. Even though we come from different sides of politics, the support has been fantastic. I think it is fair to say that whatever the theatrics may or may not be in the Assembly—sorry, Mr Parton—outside of the Assembly chamber we actually all get along quite well.

**MR WALL (Brindabella) (7.25):** I begin by putting on the record again my heartfelt thanks to the people of Brindabella for giving me this privilege to represent them over the last four years. I was overwhelmed by the level of support that I received from the electorate at the last election, receiving the highest vote there. I know that no-one voted for me to be in opposition and that was something I did struggle to reconcile for quite some time, feeling that I had let thousands of people down by being on the opposition benches again. To those people who have supported me and the Liberal team in Brindabella in the past, I hope that we have not let you down over the past four years and that you will continue to support us into this next election and bring about the change that so many of you hope to see.

I also thank the members of the Liberal Party, particularly the Brindabella branch, who do a great deal of the thankless and unseen tasks that go into supporting us, as

members of the Assembly, and getting us here. The work that we do is not possible without the time that you give to the cause.

Opposition certainly has its ups and downs, from the work we do on committees to the issues that we often battle out in here. One of the more interesting times this term for me—and I do not recommend anyone else try this—was chairing an estimates committee when all of your staff go down sick and you have a four-week-old baby at home. Not the wisest choice I have ever made, but you do live and learn!

It is probably right here to again pay tribute to Steve Doszpot, who, when I first joined the party, was my local member and then became a great friend and colleague in this place. He continues to be missed to this day.

I have had the humbling opportunity to represent my colleagues as the party whip over the last four years. At times it is an interesting challenge, taking what can be sometimes unreasonable expectations into negotiation with the government. That is second only to having to come and broker the unreasonable expectations of the government back to you.

I must say, though, that the role of whip has certainly helped me forge some interesting relationships. Certainly, Madam Speaker, you and I have grown a little fonder of each other than we once were. At least we can talk when we are at a shopping centre these days, which is a far cry from where we were four years ago. Likewise, Mr Rattenbury, I must admit, despite our probably not agreeing on much in politics, you are probably one of the few people I would be happy to sit down and have a beer with one day. We do get on, on a certain level.

The person I have had the most to do with in my role as whip has been Ms Cheyne. I must say thank you for what have been the fun and games we have often had to deal with as we have sought to make sure that this place operates effectively. I also acknowledge the work that Nick in your office has done in often brokering pairs at very short notice.

To my staff, those that have been with me through this term, Sally, Jenna, Brandon, Felicity, Tommy, Michael, Kerry-Ann and Laura, thank you for the work that you have done to contribute to the office over the term. Likewise to my current team of Jack, Jess, Brendan, and Julie, thank you. As well, I need to pay special tribute to Kate Davis, who has been with me since the very beginning and has been by my side at every step of what I have done in the Assembly. It is often a commitment that she makes to me at her own personal detriment and I am dearly grateful for what she sacrifices not just to help me succeed in my career but also for the Liberal cause.

None of this, though, is possible without the support of my family. I know a number of us have touched on that support. As I mentioned before, there was a new addition to my family this term. We are now a family of four, with Piper and Sophia, and Christine bearing the biggest brunt of raising those girls in what is often the absence that we have from family. I thank you, Christine, for everything that you have done in standing by me as I continue this harebrained idea of a political career.

I will, in the remaining time, pay tribute to Vicki. I first got to know Vicki not as Mrs Dunne or a member of the Assembly but just as Tom's mum. Tom, her eldest son, and I were in the same year at school together. Tom and I were on the ski team and when Vicki got elected I just knew that Tom's mum had run for some election and, big deal, life went on. But as I got into the workforce, joined the party and then got to know Vicki, she has gone from being Tom's mum to a great friend and someone whom I consider a great mentor. She is going to be dearly missed by all of us, particularly me. She has provided unwavering guidance to me as whip, with her uncanny knowledge of our standing orders.

Likewise, thank you to Caroline. We have not had a great deal to do with each other this term but the occasional conversations have been valued and you will be missed.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families and Minister for Health) (7.30): I start this end of term speech with an acknowledgement of Mrs Dunne and Ms Le Couteur. Like the Chief Minister, there are a lot of things that Mrs Dunne and I are going to disagree on, but she has indeed stood firm and strong in representing her views and her beliefs throughout her time in the Assembly. There is indeed, as everyone has said, no doubt what Mrs Dunne stands for. I also acknowledge that she has represented the people of her electorate strongly as well. She has been a real advocate for individuals in her electorate, as well as on the issues that are being raised with her.

Ms Le Couteur reminds me of my mum, who was a Greens councillor on the Huon Valley Council in Tasmania. She is a little older than Ms Le Couteur, but when Ms Le Couteur spoke so movingly of the passing of Deb Foskey I was absolutely reminded of the commitment of women in our community who want to make a difference in the world, who care about the environment and care about their local community and sit down and listen to what people on the ground are experiencing and then come in and, with no filter sometimes, speak from the heart about the change that they want to see in the world. And that is Ms Le Couteur. You will be missed. Again, we do not agree on everything, but I know that every time that you open your mouth you are trying to make a positive difference for your community. I thank you for that.

While I had the honour of going straight into the ministry when I was elected in 2016 and I have not sat on committees with other members of the Assembly, I have had the opportunity of seeing both Mrs Dunne and Ms Le Couteur on the health and community services committee, not only in public hearings but in private, in-camera, hearings, where there are some very difficult conversations about very difficult issues. Everyone is human in those conversations and everybody shares the same objective of making life in Canberra better for some of the most vulnerable people in our community. I have seen that in both Mrs Dunne and Ms Le Couteur in those opportunities.

More broadly, I thank everybody in the chamber. I reflect on Ms Le Couteur's comments about the state of the world. Sometimes I, too, despair about the state of the wider world. But that is why local politics is so good—not the politics part but the

opportunity to make a difference to the members of your own community and to see that difference on the ground, one person, one family, one neighbourhood at a time.

I thank the voters of Kurrajong for electing me in 2016. It has been an absolute privilege to serve and I hope that they will see fit to return me to the Assembly. The electorate is certainly my home and I love representing it.

To all the public servants that I have worked with over the last four years, far too many to mention by name, thank you. We always talk about the frontline workers. Health obviously has been talked about a lot over the last few months. I then always talk about child protection and youth justice workers. But across the board our public servants have absolutely stepped up this year. That includes the DLOs that have worked in my office: Ella, Chadia, Chris, Angie, Alex and Karen.

I also acknowledge our non-government and community partners, those who push us to keep making our systems better right across the board, the consumers who provide their feedback and the carers as well. To the staff of the Legislative Assembly who enable us to do our jobs here, thank you so much.

To my own staff, Johnny, Ash, Caitlin, Tim and Ben, who I acknowledged last year and who have stayed with me all year, I have been incredibly lucky to have a stable staff. To Cath, who joined my office at the end of last year, thank you. “Come to the ACT government,” we said. “We have family friendly hours,” as she walked into bushfire smoke and pandemic. Thank you, Cath; you have been an absolute rock.

To Mel James and the team at party office, thank you. I thanked Mel very inarticulately last year as she left as my chief of staff. Now I thank her as the new party secretary. She stepped into a very difficult role this year and has handled it amazingly. Thank you to the Labor Party members and those across the labour movement, the unions who stand up for workers across our economy and community every day and who do not hesitate to hold us to account.

To my colleagues and former colleagues, Meegan, Joy, Yvette, Mick, Gordon, Chris, Suzanne, Beck, Michael, Tara and Deepak, thank you. Most of all, to the Chief Minister, who has had such faith in me and has supported me in the roles that he has given me, thank you very much. You are an amazing leader and I hope that you are returned as Chief Minister.

**MR RATTENBURY** (Kurrajong) (7.35): The end of term is a funny time, and it is a point of reflection. It feels like the term started both yesterday and a lifetime ago. At the end of term we tend to reflect on the things we did, the things that we did not get around to doing and the things that we might have done differently. I think that is an interesting moment as well, when one goes into an election campaign where you are trying to come back to this place. It is a point where we probably seek to renew ourselves a little bit and focus on what we want to do in the next term.

In the Greens we tend to talk about ourselves as being unapologetically ambitious. We have this broad, connected agenda. There is always more to do, and it makes us restless and impatient. Coming from an activist background—almost all of us, to a

person—many of us have been arrested and many of us have been in a lot of protests and bailed friends out of jail. You bring this certain mongrel to it, and I think that is always understood by everybody else. You will forgive us sometimes for the way we conduct ourselves because it is how we were trained.

It is a privilege to have this role. It is great to be able to come here and try to get things done for the community, try to get things done for the party members and the people who voted for us. That is also very challenging because sometimes there is so much expectation that comes with being here on behalf of those communities. That in itself can be a very challenging thing. It is something that I am very grateful to do. That is why I put my hand up to do it again. I hope to see many of you back here next term as we continue to bring to this place our vision for this city that we all call home. I think that, to a person, we all think it is a great city; we just have some slightly different views on what is great about it.

I want to use this moment as it is the one chance we get each term to say thank you. I do have a bit of a list. I would like to thank the staff of the Legislative Assembly. As a former Speaker, I have some insight into the real machinations that go on behind the scenes. Between your professionalism and your friendliness, you make this place a great place to work.

With respect to the directorates, I have been fortunate this term to hold the same portfolios right through the term, so you actually get to know people quite well. The tremendous support they provide to us, the feedback they give, the research and the hard work they put in so that the minister can come out and represent things, are things I am always really grateful for. It is hard to work out how to say it to them because they are trying to maintain a professional distance as public servants, but I am always very grateful to them.

I would like to acknowledge my ministerial colleagues, the members of the Labor Party, and particularly the Chief Minister and his staff. We have this relationship that a lot of people do not understand. I thought about it. I thought, “Should I describe it as an arranged marriage?” I have now! I think it is kind of accurate because you sometimes think, “I’m not really sure about this,” but actually we manage to make it work very well. I think we have found a way to operate together that is effective. We push each other and sometimes it is uncomfortable, but mostly I think we have done a good job for Canberra. I thank you for that partnership that I think has delivered for us.

With respect to the DLOs, it is an interesting role, being a DLO. You are in the public service but you sit in the minister’s office. They do a great job. I have had a bit of a run in this term. I say to Sam, Morgan, Elizabeth, Vanessa and Andrew from JACS; Karen, Cathy, Jon, Chadia, Chris, Alex and Angeline from Health, Kim and Karley over at EPSDD, and Gez and Kim over at Access, you have all been terrific and have really helped us to do our jobs as well as possible.

I spoke before at some length about Caroline, and I do not intend to repeat any of that. It is perhaps better that I do not. I say to Caroline and her staff that it has been great. As we said earlier, Caroline, we will miss you. I particularly thank you and your team. You have been a lot of fun to work with.

We have had some great volunteers this term—Melissa, who also brings the home-grown free-range eggs every week, and Anthony. Of course, there are my staff—those who have left and those who are still with us. I thank Christian, Fiona, Hal, Jarrah and Jarrah. It is an unusual name; we had a male and a female Jarrah with us this term. We also had two Lisas. I thank Lisa and Lisa. I thank John, Anna, Sandra, Matt and the one and only indomitable Indra, who so many people know because of her corporate knowledge, her fierce determination and her drive. She is quite a figure in this place, and probably one of the well-known figures who is not one of the members of the Assembly. I cannot imagine where this party would be without Indra.

I would like to finish by thanking my stunning and rock-solid partner, Louise, who puts up with it all, as all of our partners do. We are very grateful to all of them for it.

I wish everybody luck in the election. We will all see how it goes in eight weeks time. However it turns out, we will all have done our best.

**MR COE** (Yerrabi—Leader of the Opposition) (7.40): It has, of course, been an honour to lead the Canberra Liberals in the ACT Legislative Assembly. The Canberra Liberals are a strong team with diverse experience and different perspectives but a common purpose and a joint philosophy.

At times politics can be a lonely journey. You never know what is going to happen tomorrow. You never know what the next person who enters your office is going to say, and you never know what that call at 6.15 am really has in store when you answer it.

Some people have said that being the Leader of the Opposition is the toughest job in politics. I am not sure; I have only been on this side. But in my experience it has been the toughest job in my 12 years in this place. It has been rewarding, but it is tough; there is no doubt about that. I have enjoyed it, but I have a feeling I would enjoy the other side a bit more. It has been a rewarding time. They say you can achieve in a day in government what you can do in a term in opposition. It is slow going on this side, and I am looking forward to the seven weeks ahead.

To the team in my office, I want to thank them for their steadfast loyalty, their good humour, their expertise, their professionalism and their commitment. It really is a wonderful team. They support me, they support the cause and they support everyone in the corridor. To Steve, David, Deborah, Ausilia, Emily, Sarah, Elysse, Ollie and Jol, thank you so much for all that you do to support me and to support our democracy.

It has been a privilege to represent Yerrabi for the last four years. I changed electorates in a way, albeit pretty much staying in the same spot. For the previous eight years I was in Ginninderra with Vicki. As I touched on earlier, the work of a local member is always humbling, always rewarding and always something that is a good anchor and a good platform from which everything else should launch. It has been great to be there with my colleague James Milligan, who is absolutely dedicated to all things Yerrabi. He is a great person to be walking alongside.

I thank my colleagues, particularly Nicole; thank you for your advice, support and friendship. It is very much appreciated. I thank Andrew, Mark, James, Giulia, Jeremy, Elizabeth, Candice, Elizabeth, Vicki, and of course our late colleague Steve Doszpot.

I thank those in the wonderful committee office—in particular, Brian, Annemieke and Andréa. I thank the wonderful Clerk's office, the wonderful attendants, who always give us such a warm greeting, the underrated library and Hansard team, education, IT, HR and all of the other areas. I thank the PCO, the unsung heroes of this place. I thank all of the cleaners, especially, of late, Femi, who is always so warm when he comes by.

To Yasmin, Angus and Annabel, thank you for putting up with me. I thank my parents and parents-in-law. It is a team effort; I am out a fair bit. It is wonderful knowing that they are just as motivated and dedicated as I am to this cause. It is not forever. Politics cannot be forever, but when you are in it, you play hard.

We have a wonderful opportunity in 50 days time. There is a clear path to victory for the Canberra Liberals. It is tough—it is always tough—but it is very achievable. We are pleased to have Josh and John in the party, and all of the wonderful branches, including Yerrabi, who support us. On 17 October, every vote matters—every vote in every electorate. We will be doing everything we can to Hoover up every last one of them. Canberra needs us to do well. Canberra needs a change of government and we can make that happen.

**MRS KIKKERT** (Ginninderra) (7.46): I first want to thank the residents of the Ginninderra electorate. Four years ago they made me their representative in this place and in doing so they gave me an implicit charge to make sure that their concerns, their hopes and their ideas would be heard. I was deeply honoured to be given this responsibility by the people of Belconnen, and my gratitude for their trust has only grown. My desire to live up to that trust has guided every word I have spoken, every motion I have moved, every petition I have tabled, every question I have asked and every letter I have written on their behalf.

I rise as well to thank my family. When I became a member of this Assembly, in many ways it turned our established routines upside down and sometimes inside out. My devoted husband has been my rock, and I am grateful for the individual sacrifices that each of my five children has made. I doubt they fully understood back in 2016 that helping mum deliver campaign flyers before school on frosty mornings would be just the beginning of their contributions.

I, likewise, thank the staff who keep this place running. I am grateful for the support provided to the committees I have served on, for the attendants, the librarians, those in the Hansard office, those in chamber support and so on. Their competence and cheerfulness have certainly made taking on this role much easier than it otherwise would have been.

I thank my own staff as well—Brett, Sylvia, Joe and Tahi. Their unwavering loyalty has strengthened me. Their collective talents have made the impossible somehow

possible and their hard work and big hearts have more than compensated for their lack of political experience before I asked them to come and help me serve the people of Belconnen. Just last Friday one of them spoke with an older resident who did not have heating. On his way home from the office he dropped off the electric heater he has been using to keep himself warm in our office, because it is very cold.

I am very grateful that Canberrans know my office is a safe and effective place to seek help. Over the past four years I have spoken with hundreds of ACT residents who are desperate for assistance. I have listened to them and cried with them many, many times. I have personally delivered food and other necessities to their homes, and I have done my very best to seek redress from this government. I sincerely wish to thank each minister who has responded to my representations with respect and genuine concern. Together we have been able to help dozens of families and individuals.

Lastly, I thank my Liberal colleagues. It has been a pleasure to be part of such a diverse, capable and genuinely amazing team. Their love of this city and their commitment to the wellbeing of all Canberrans are unmatched. I thank them for mentoring me and respecting me as an individual who is just growing and learning so much from them.

I am grateful for the unified leadership of the opposition leader, Alistair Coe, and deputy leader, Nicole Lawder, and for the passion and capacity of my fellow Liberal MLAs: Jeremy, Giulia, Vicki, Elizabeth, James, Mark and Candice. The groundswell of support from the everyday Canberrans whom I meet each week has made this a very good time to be one of the Canberra Liberals.

It is with both sadness and deep fondness that I take this opportunity to bid farewell to Vicki Dunne. It has been a privilege to serve alongside Vicki in the Ginninderra electorate. I have loved our mobile offices together and our community barbecues. To me, she is an angel dressed up as a politician on earth. She is a skilful politician, an ardent advocate for the territory's most vulnerable, a mentor, an example and a dear friend. Whilst our personal association will continue, her absence from this place will be acutely felt.

Lastly, I sincerely wish those opposite all the best for the campaign season. We look forward to having a robust opposition to keep a Liberal government laser-focused on what the people of this territory need most.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (7.51): I begin by thanking my friends, and my neighbours in the electorate of Ginninderra who bring my bins in and mow my lawns when it just gets beyond my ability. To all of the residents in Ginninderra, I have been so happy to represent you in this place.

To all the staff in my office over the last four years—Josh, Steve, Tom, Jess, Grace, Bec, Megs, Karen, Angie, Jared, Gabriella, Abby and especially Brooke—you have

all been amazing. The workload you have carried over these last four years and particularly this year has been significant. Through your kindness and support for me during work but also when things were not always so great in my personal life, you lifted me more than you will ever know—thank you all so much for your support.

Thank you to the department liaison officers, our link to the directorates we work with—Amy, Blake, Kate, Karley, Alyssa, Ella, and many more. Ash, I know this was your last question time today and your last sitting, and we will miss you dearly. We will miss you singing *Angels* in the hallway and we will miss your stories and good jokes. We have thoroughly enjoyed your company in my office.

To all the ACT government public servants but especially those that I have worked most closely with in my portfolios, thank you for your patience. We have done incredible things over the last four years and I want to thank you and acknowledge the hard work you have all done.

All the teachers and early childhood educators, you all rock every day, but especially this year, which has been an incredibly challenging one. To the women's sector, homelessness services, sports organisations, and the domestic violence crisis services, all of you have been absolutely amazing to work with. I have been so proud to be able to work alongside you.

To all the unions—United Workers, CPSU, CFMEU and AEU—it has not always been laughs, but it has been an interesting ride together. Thank you for your robust representations for your members.

Thank you to all my Assembly Labor Party colleagues. Andrew Barr has been a fantastic leader for all of us and we look forward to working with him to bring the Labor team back to the ACT government.

Thank you to the opposition members, but particularly Giulia and Mark, I do not know how it has happened but I have somehow formed more than just a colleague relationship with you both. I have appreciated the honesty and thoughtfulness you have both come to me with when things have not been so great in my own life.

I also say a big shout-out to the invisible workers. To all of Canberra's cleaners, you are so important right now and you are so recognised for everything you have done to keep us all safe this year. Thank you all so much; you are much loved.

To Tom and all the Office of the Legislative Assembly team, to all the attendants, thank you for your warm smiles and welcomes into the Assembly building. It is a lovely way to start the day with all of your lovely smiling faces.

To everybody in this place, I sincerely wish you all the very best of luck. Democracy is about opposing views and it is an important time of the year for everybody to be engaged in that. Australia is very lucky that we all get to have that vote, and I know everybody here works very hard to represent their constituents in this place every day. I look forward to seeing you out on the campaign trail and I really do wish you all the best.

To all of Canberra now, I want to say to all of you that this has been an incredibly tough year for everyone. I acknowledge the hard work that everybody has done. We have all stuck together incredibly well. We have stayed strong. I want to pass on my thoughts and wishes to everybody in what has been a difficult year. I particularly want to say that to the students and young people across our school system who have found it particularly challenging. They have worked so hard and I wish them all the best. My message to them is that they will all be okay and things will get better from here. There is so much to look forward to.

Thank you all again. Good luck, and have a great election campaign. See you all back here soon.

**MISS C BURCH (Kurrajong) (7.56):**

Government has a duty to ensure that ACT taxpayers are receiving value for money, and at the moment we are not. In fact, it often seems that ACT taxpayers are receiving far less value for money than any other state or territory.

In our schools we are spending more per student than most other states, yet our NAPLAN results are worse than similar schools in similar areas. In our hospitals we are spending more per person than any other jurisdiction, yet our emergency waiting times remain second worst in the country. In our prisons we are spending 50 per cent more per inmate per day than the national average. In homelessness services we are spending more per person than all other states—

and territories—

yet last year a third of people seeking services were turned away.

If these words sound familiar that is because I spoke them 926 days ago in this place, when I was privileged to give my inaugural speech. Disappointingly, they ring just as true today as they did then. You could have been mistaken, Madam Speaker, for expecting that a government that just loves to throw around words like “progressive” and “nation-leading” may have actually tried to achieve something in the past 2½ years. Disappointingly, they have not. Disappointingly, those opposite have made it worse.

Our education system is still the most expensive per capita in the country, and our children’s results have not improved. Our health system is still among the most expensive but our hospital waiting times have now become the worst in the country. Our doctors are being chronically underpaid, and endemic cultural issues within our public health system remain.

We have fewer police per capita than we did in 2018, and our jail is at capacity. The ACT has the highest proportion of lower income families paying more than 30 per cent of their income on housing. We now have the highest median rents in the country and among the least affordable land to purchase. The number of Canberrans living on the poverty line has grown to over 36,000 and we have the highest rate of repeat homelessness in Australia.

Our roads and footpaths have deteriorated. Our tree canopy has been reduced by 30 per cent. School buses have been cut, and the overall satisfaction with our public transport network has hit a three-year low.

The government continues to bring in record revenue. Yet they have sunk us into \$4 billion worth of debt, with absolutely no plan to pay it off. Residential rates bills have almost doubled and rates revenue has almost tripled since Andrew Barr became Treasurer. Despite his promises, stamp duty is yet to be abolished. As if that were not bad enough, just today he has announced further rates increases of 20 per cent.

This old and tired Labor-Greens government continues to let Canberrans down every single day. Canberra deserves better. In less than two months, I am confident, Canberrans will vote for better and elect a Canberra Liberal government.

It is with heavy hearts today that we farewell Mrs Dunne. The party room will most certainly miss her wit, wisdom and wealth of knowledge. Vicki, you said earlier that you owe an awful lot to the Liberal Party, but I know that I can speak on behalf of party members when I say that the Canberra Liberals owe an awful lot to you and an awful lot to Lyle. You have both made an enormous contribution to our great party over many decades now and you continue to do so through this election campaign. For that, we are forever grateful.

Caroline, we have a shared passion for public transport and Canberra's public transport network. However, I am sorry to say that we never did manage to get your vote. I do, however, wish you all the best in whatever you choose to do next.

I would like to thank everyone who has helped me over this term, including all of my current and former staff: James, Georgia, Isaac, Lizzie, Samuel, James, Adam, Nicola, Chanelle, Elizabeth, Max and Liam—there have been a few of them. To all of the staff at our divisional office, who help and support us to do our jobs, thank you—Josh, Tamara, Amanda, Yasmina and Max in particular.

Thanks to Steve, Deb, Ausilia and the rest of the Coe team for all that you do to support us every day; to my many dedicated, committed friends and volunteers, including Duncan, Adam, Jen, Lauren, Steve, Nathan, Johnno, Gareth, Alex, Adam, Gracie, Mary, Simon, Mehmet, Ian, Alyssa, Steve, Luke, Jade, Alessia, Jackie, Andrew, Ellen and Rob for all that you continue to do; and to the many other Canberra Liberal Party members who are working tirelessly to end this government's reign.

I thank all of the Legislative Assembly staff, who go above and beyond to help us and serve our community by facilitating democracy.

Finally, to all of my party room colleagues, I certainly never imagined that I would regularly be leaving party room meetings with sore ribs from laughing so hard. Opposition may be absolutely rubbish but you guys have made it bearable.

**MS CHEYNE** (Ginninderra) (8.01): In my first speech I promised to be committed, available and accessible, to be energetic and hardworking and to get things done. It is for others to judge these things in the coming weeks, but I can promise that I have not taken a day for granted.

In that inaugural speech I spoke with pride about issues I had championed and was excited to get done: kerbside bulky waste pick-up, green bins, the completion of the Belconnen Arts Centre and the implementation of ideas in the Belconnen town centre master plan, like the Belco bikeway. There is now a firm tick against each of these.

But that was just the beginning. From bins and bags at Palmerville Heritage Park to the demolition of the old Bupa site in Aranda, small or large, these things have mattered and I am proud to have got them done.

Then there are the things that you cannot see or touch: the absolute elation when the poll on marriage equality came through and then when the legislation passed; the pride I felt at the graduations of people who I have supported to retrain in different professions; the feeling of camaraderie and hard work over the hours on the barbecue at a school fete or at Bunnings, or with the Belconnen Lions; the trust people have given me with their stories, some deeply personal and confronting; the honour I have had to speak in this place about the achievements of constituents and community groups; and the special privilege to place on the territory's permanent record the contributions of people who have died, many my friends.

Not many people become whip with no parliamentary experience. I have been very lucky to be in the company of other whips and a Speaker who work collegiately. To Mr Wall, and Kate Davis: we have an understanding and appreciation of each other in this role that I cannot quite put into words.

In four years I have had a stint on 13 committees. I finish in this place on five and have been deputy chair of six and chair of two. The numbers do not speak for what has been achieved across all of those. I thank everyone I have worked with, especially all those behind the scenes.

In this chamber I have spoken about issues I deeply care about. I certainly did not expect to make national news about having an STI a decade ago. There is no shame in being honest about sexual health. I reiterate now just how important sexual health is. It meant a great deal to me that the very first piece of legislation I introduced, and had passed unanimously, meant so much to so many families.

I am proud that in this term we have spoken more about territory rights and voluntary assisted dying than ever before. I will continue to back this 100 per cent because I know how much it means to Canberrans. And we will make it mean something to those federal parliamentarians too.

To Mrs Dunne and to Ms Le Couteur, I will genuinely miss you, however frustrated I have been at times. We have spent a lot of time together and I have got to know you well and deeply respect you both. This place just will not be the same without you.

To my incredible staff, Jemma, Emma and Nick, thank you for being my friends, my confidants and just so very capable at getting things done. I am also so grateful for the many volunteers. My special thanks go to Carolyn Kidd for her friendship, her belief in me and her time.

To the Assembly staff, you do so much. I know I am very annoying. This year especially you have had to pivot several times, not just for me but with the pandemic. Thank you for constantly making things happen smoothly and to you all for your cheer and your kindness.

To every single person in the ACT government, thank you sincerely for the work that you do every single day—and a special shout-out to the crew at TCCS, including at the Belconnen depot, who I spent some time with, including working alongside and understanding what you do.

To my friends and family, how lucky I am to have you. Thank you for having my back every single step of the way. To the people of Ginninderra, you are just the most generous bunch around. It has been such a privilege to bring your stories and your voices with me every day to this Assembly.

I do have unfinished business. There is so much more that I want to achieve, together with my Labor colleagues—the most committed, progressive people I have been humbled to spend four years with. But, whatever happens, the last four years have been an absolute honour and I am grateful for every single day.

**MR HANSON** (Murrumbidgee) (8.06): I must say, it was not a great start to this term. We had just lost an election and I got dumped as leader. Anyway, it can't get any worse than that, can it? Then poor old Steve got diagnosed with terminal cancer. It was not a great start. But what that did enable me to do was have time to do things like spend time with Steve in those last few months, which was, I must, say very inspiring. It helped me to stop feeling sorry for myself and refocus on what really matters in life. I think that that process culminated in that great trivia night that we had, that many of you from all sides attended, where we raised \$45,000 for the Cancer Council.

Certainly the whole process revitalised me. In many ways, it was not just about politics but about life in general, about spending time with family, with friends, what really matters, reconnecting with a whole bunch of things that, as Mr Coe has probably found over the last four years, are difficult to stay in touch with. I am sure it is the case with ministers as well, as you get consumed by this place. Things are looking up. I certainly am revitalised and I am looking forward to working hard over the next six or seven weeks to achieve a Liberal victory. We shall see.

To my colleagues Caroline Le Couteur and Vicki Dunne, farewell. These are two women who are true believers in their cause, at either end of the political spectrum, it is fair to say, but they share this desire to make the world a better place, particularly for the downtrodden. They are both committed to that. Caroline, I will miss busking out on the hustings. We would sing Bob Dylan songs together, when we stole some poor busker's guitar. We made him \$40, though; so he should not complain.

Vicki, if you saw her last week when she was talking about the wage theft from the hospital and the poor doctors and Mr Rattenbury interjected, as he often does, he wound her up into full flight—Vicki Dunne in full flight in this place, with all her passion, her knowledge and her great parliamentary performance—you saw what we are going to miss about Vicki.

To my adversary over there, Gordon Ramsay: 50 bills! All I would say is that you had a whole department to manage 50 bills. I have got the very hardworking Ian Hagan, and he has had to do a lot of work. He has got to read through all those bits of legislation, consult on them and form a position. I would like to say that it has been made easier by the cooperative relationship that we have had at our level. I know that Ian has enjoyed that with your staff. I think that the collaboration that we have had has been a good one. We have had some barneys. Consorting laws was one. No doubt you will vote against them when we are in government.

The other issue that has been good one is the veterans. As I have spoken about before, I am very happy with where we are at now as a community in servicing and looking after our veterans in this town. I think it is a good thing that has been achieved by this Assembly.

Jess, in my office, is a bit disappointed because as my kids have grown older there is less babysitting for her to do, which is how she was able to afford a house. Jess has stuck on. She has now worked for more than a third of her life in my office. Maybe she is hoping for grandchildren or something that she can babysit in the future.

I have also enjoyed really good collaboration with the Jones office this term, with Giulia and her staff: Liam Develin, who is a great guy, Elli and Dan. I think that it is an unusual thing in here, Clerk, for members to work as collaboratively as Giulia and I do. It has been a real delight, I would have to say.

To my committee secretary, Hamish Finlay, who has now gone overseas, and the fellow members of my committee, thank you. We have achieved some good stuff. I think particularly of the building quality report. I have enjoyed those corridor conversations with Mr Pettersson that he talked about.

To my colleagues, thank you for all your comradeship. I look forward to rejoining you, on the other side, in but a few weeks time. Madam Speaker, I know you have enjoyed the time that we have spent together over the last four years. To you, the Clerk and all the staff, thank you very much for everything that you do.

Most importantly, thank you to my family for their support. To the great people of Murrumbidgee, thank you very much for the continued honour, which I hope will come in a few weeks time, to continue advocating and working on your behalf.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry, and Investment) (8.11): Thank you to everyone for their very thoughtful contributions in this adjournment debate. I am struck by the shared and collective passions that

people bring to this place and the fact that our families and our supporters are so important to all of us, regardless of which side of politics we represent. In listening to the speeches tonight, if you were from another planet you might think that we were talking about two very different cities. But we are, what, seven weeks from the festival of democracy, so it is to be expected.

I thank all my colleagues for their very strong support during this parliamentary term. I found something in Mr Coe's speech that I agree with. This is and can be a very lonely job and you are only as good in these roles as the people around you, the support that they provide, the advice that they give you—good, bad and indifferent—the sharp poke in the ribs when you need it. I particularly acknowledge and thank all my Labor colleagues for that support, for that reassurance and for, whenever I pose the questions that I regularly do to you all, your frank and fearless advice on those matters. It has been a real pleasure to work with you all this term.

I also thank all the Labor staff. I am sure it is true across all political parties, but we are only ever as good as our staff. They are the ones who do hours and hours of tireless work behind the scenes to support our cause and what we are seeking to do for our community. I thank each and every one of them across my office and across every Labor member's office. I acknowledge that across other political parties. We have reflected on and people have named and spoken about their staff and how important they are. That is very true and worthy of acknowledgement at the end of a four-year term.

I thank Minister Rattenbury and Ms Le Couteur for their constructive work as signatories to an ambitious and successful parliamentary agreement and for their commitment to their constituents. But I have to say, Mr Rattenbury, that I am not sure about the arranged marriage analogy. I prefer to think of us as allies. A good ally is someone who knows how to speak, how to be heard but also how to listen. I think that has been the basis of our success as allies in government for this city.

I acknowledge the work of colleagues across the chamber. We do not often agree. Nevertheless, you all dedicate yourselves to serving your constituents and the people who vote for you, just as we do on our side. I do reflect on and acknowledge the wonderful democracy that we have in this city. Often this parliament is disparaged but I think, head to head, given that there are only 25 of us, we get through a volume of work. The contributions that are made by individuals in this place, across all political parties, are equal to and often much better than the representation in other parliaments around this country. We should be proud of the work that we do.

The upcoming election will of course be significant in charting our city's course through the pandemic and through our recovery. I am looking forward to the campaign. I hope this place continues to be served by passionate and hardworking representatives who will serve with our city's best interests at heart.

I thank the hardworking Canberrans across the ACT public service and all the staff here in the Assembly for ensuring that our parliament continues to run so effectively. I thank all my staff for all their hard work during this term and all Canberrans for their perseverance in what has been an incredibly difficult year.

To my niece and nephew, Zoe and Angus, who have seen more of me on TV than they do in person, I certainly hope to spend more time with you, maybe not during the campaign but immediately after. Thank you, Madam Speaker, and thank you, everyone, for a very constructive four years in this parliament.

**MADAM SPEAKER** (Ms Burch) (8.16): I start by thanking the Clerk, the Deputy Clerk and the OLA staff, both front of house and back of house. Our days would be much more chaotic, and we would be here until 10 o'clock most nights if we did not have OLA to support us.

To the good folk of Brindabella, I want to thank them for having faith in me over the last couple of terms. I will always keep on working for them on a variety of things—from knocking down the gazebo, getting on with the laneway projects—I refuse to call it anything else but the laneway projects—a STEM centre in Caroline Chisholm School, to even fixing a local storm drain. It is all important for our community.

I thank my staff, Mel and Emma, who have been with me since my first term. The Clerk put out a long and short of MLAs; I think we should have a second volume—the long and short of MLA staffers. Indra has been here since the first term of the class of 2008, and so have Mel and Emma. I want to thank James, Frances, Eliza, Lauren and Tom.

Since 2008 I have had many roles—I have been on the backbench, I have been a whip, I have been Assistant Speaker, I have been a minister, I have been Deputy Speaker and I have been Speaker. I have enjoyed every role. One role I have never wished for and will never seek is sitting on that side of the chamber. I am just saying: I am going to do all I can over the next eight weeks to make sure that we get over the line, so to speak. It is character building. The other thing I will never do is start putting “O” on people’s names. I cannot imagine having a Burcho, a Gentlemano, a Barro or a Berryo; it just does not quite work.

A final thanks to my family. My husband and sons—Cam, Kain, Tom and Lloyd—have stood by me each and every day. Thanks to my grandsons—Hunter, Kade and Fletcher—and to the very newest addition in July this year, Loup Henry, who I have not yet seen because COVID prevents interstate visits. The sooner we can resolve that the happier I will be. My car is packed for 18 October, just in case you want to know. Quarantine—I do not care. I am getting there, all legally, members!

Just on COVID, I put my hand out and say a big thankyou to all the health workers, and whoever is involved in keeping our community safe and strong. We would not be where we are as Canberrans without them, so thank you for that.

I was speaking to my grandkids this afternoon and I asked them for funny words, what were their words. Kade offered “lemonade”, Fletcher offered “potato” and Hunter offered “peristalsis”, and I refuse to make a sentence out of those three words.

With that, I wish all my colleagues well. We will go out and contest the coming election with energy and conviction, as we always do. I end with a quote:

Build your life on your dreams, because dreams never have bad endings.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister for Urban Renewal) (8.20): It is an honour to rise as the last speaker of the Ninth Assembly. Thank you, first, to the good people of Brindabella for their support. Madam Speaker, over the past four years you and I have worked tirelessly for our constituents of Brindabella. Together we have made Tuggeranong an even better place to live. Our valley amongst the Brindabellas is truly a special part of the world.

We have upgraded roads, improved our town centre and waterways, invested in our sporting clubs and made our schools even better. We have achieved this while protecting and growing jobs. There is a clear choice—Labor, who stand by workers, or the Liberals, who cut and slash jobs. We just look at what the Liberals have done today—cutting jobs from the federal public service and hurting our city.

We cannot make our city the best place in Australia to live without the hard work of our public service. I have had the privilege of working with many of our public servants over the last four years. These people care deeply about our city and work tirelessly for every Canberran.

This year has been a year like no other and our public servants have ensured that we have remained safe. Whether it is on the front line—our doctors, nurses, paramedics, teachers, firefighters, police officers, rangers, ecologists, EPA officers—or working in less visible roles—our planners, administrative and policy staff—our public servants have made us all proud.

I want to thank all public servants, particularly those that work closely with me—staff in EPSDD, JACS, CMTEDD and Access Canberra. It has been a pleasure working with you all. I cannot mention all of you by name or some, like Ash, might feel a bit left out.

To our men and women in uniform—ACTAS, ACT Fire & Rescue and ACT Policing—thank you for being there for Canberrans in need. It has been an honour to be your minister. It is very important that these services have operational independence and a minister that respects and stands up for them.

To our volunteers—our Rural Fire Service and State Emergency Service—thank you. Without you we could not keep the city safe. Come what may, in October I will keep working hard to ensure that we keep investing in you and your equipment.

We also could not do our roles without the support of our Assembly attendants and staff. It has been a pleasure working with them, particularly in my role as Manager of Government Business.

Thank you to all of my staff over the last four years. We have achieved much in this time. Our record investment in ACT Policing, ACT Fire & Rescue, the ACT Ambulance Service, the Rural Fire Service and the SES would not have been possible without your efforts.

The improvements to our planning system and the ongoing work to ensure that we keep building the best city in Australia in which to live and develop projects that enhance our natural environment have come about because of the passion and dedication of my team.

It has been a privilege to serve as a minister and a member for Brindabella. Each and every day I work hard to stand up for our workers and vulnerable people. This is what the Labor movement has taught me. I am proud of our union movement and proud of their work in supporting workers and those that need help.

Thanks to my colleagues on this side of the chamber for the work they have done to make Canberrans safe. You have done an amazing job.

I look forward to spending the time between now and October talking to south-siders, hoping to earn their trust to be elected again as their member.

I bid farewell to the Ninth Assembly and look forward to doing this all over again with you, Madam Speaker, in the Tenth.

Question resolved in the affirmative.

**The Assembly adjourned at 8.24 pm until a date and time to be fixed.**

## Schedules of amendments

### Schedule 1

#### Public Interest Disclosure Amendment Bill 2020

##### Amendments moved by the Chief Minister

1

##### Clause 13

Proposed new section 18, definition of *investigating entity*, paragraph (a)

Page 11, line 8—

*omit*

section 19 (2) (b)

*substitute*

section 19 (2)

2

##### Clause 13

Proposed new section 18, definition of *investigating entity*, paragraph (b)

Page 11, line 11—

*omit*

section 19 (2) (b)

*substitute*

section 19 (2)

3

##### Clause 13

Proposed new section 19 (2)

Page 11, line 20—

*omit proposed new section 19 (2), substitute*

(2) If the public interest disclosure relates to a public sector entity other than a Legislative Assembly entity, the integrity commissioner must investigate the disclosure or refer it to 1 of the following entities for investigation:

- (a) the head of a public sector entity;
- (b) the head of service;
- (c) the ombudsman;
- (d) the public sector standards commissioner.

(2A) If the public interest disclosure relates to a Legislative Assembly entity, the integrity commissioner must investigate the disclosure.

4

##### Clause 13

Proposed new section 19A (2) (c)

Page 12, line 25—

*omit*

section 19 (2) (b)

*substitute*

section 19 (2)

5

**Clause 43****Proposed new section 32 (1) (c)**

Page 24, line 23—

*insert*

- (c) the way members of the Legislative Assembly are to deal with—
- (i) disclosures of disclosable conduct made under section 27 (Giving disclosure of disclosable conduct to Legislative Assembly or journalist); and
  - (ii) public interest disclosures made under section 27A (Giving public interest disclosure to Legislative Assembly or journalist).

6

**Clause 44****Proposed new section 34 (1) (c)**

Page 25, line 22—

*omit*

7

**Proposed new clause 60A**

Page 32, line 23—

*insert***60A Dictionary, note 2***insert*

- public sector standards commissioner

**Schedule 2****Residential Tenancies Amendment Bill 2020**Amendments moved by the Attorney-General

2

**Clause 3, note**

Page 2, line 17—

*omit the note, substitute**Note* This Act also amends other legislation (see sch 1 and sch 2).

3

**Clause 17****Proposed new section 35G (2)**

Page 16, line 7—

*omit proposed new section 35G (2), substitute*

- (2) On application by a lessor under a residential tenancy agreement, the ACAT may order that the lessor may refuse consent for a co tenant to stop being a party to the agreement under section 35A (4) (b).

4

**Clause 22****Proposed new section 71C (1) (b) (ii)**

Page 18, line 14—

*omit*

5

**Clause 22**

**Proposed new section 71C (1), new note**

**Page 19, line 20—**

*insert*

*Note 2* This part and other provisions relating to occupancy agreements in this Act and the *Human Rights Commission Act 2005*, made by the *Residential Tenancies Amendment Act 2020 (No 2)* do not apply in relation to education provider occupancy agreements until 30 January 2022 (see pt 17).

6

**Clause 27**

**Proposed new section 71E (1) (a)**

**Page 22, line 18—**

*after*

occupancy principles

*insert*

as in force from time to time

7

**Clause 27**

**Proposed new section 71EA (1) (j)**

**Page 24, line 13—**

*after*

section 71EJ

*insert*

or section 71EM

8

**Clause 27**

**Proposed new section 71EA (2)**

**Page 25, line 1—**

*omit*

9

**Clause 27**

**Proposed new section 71EA (5), definition of *university disciplinary requirement***

**Page 25, line 19—**

*omit*

10

**Clause 27**

**Proposed new section 71EB (1)**

**Page 25, line 24—**

*omit*

occupancy agreement starts

*substitute*

occupant takes possession of the premises

11

Clause 27

Proposed new section 71ED (1)

Page 27, line 12—

*omit*

, other than an exempt agreement,

12

Clause 27

Proposed new section 71ED (5), definition of *exempt agreement* and note

Page 28, line 13—

*omit*

13

Clause 27

Proposed new section 71EJ (2), example 1

Page 33, line 5—

*omit*

14

Clause 27

Proposed new section 71EJ (3)

Page 33, line 17—

*omit*

only

15

Clause 27

Proposed new section 71EK (4)

Page 34, line 20—

*omit*

16

Clause 27

Proposed new section 71EK (6)

Page 35, line 5—

*omit*

17

Clause 31

Page 41, line 7—

*[oppose the clause]*

18

Proposed new clauses 34A and 34B

Page 42, line 14—

*insert*

**34A Orders by ACAT  
Section 83 (d)**

*after*

loss of rent

*insert*

, occupancy fees

**34B Section 83 (e)***substitute*

- (e) an order stating that an amount (not more than the amount of bond or security deposit paid into the trust account in relation to the relevant residential tenancy agreement or occupancy agreement, as the case requires) be paid to the lessor or grantor from the trust account;

19

**Proposed new clause 38A****Page 44, line 15—***insert***38A New part 17***insert***Part 17****Transitional—Residential  
Tenancies Amendment Act 2020 (No 2)****158 Education provider occupancy agreements**

- (1) The occupancy agreement amendments do not apply in relation to an education provider occupancy agreement until 30 January 2022.
- (2) Until 30 January 2022, the existing occupancy agreement provisions continue to apply in relation to an education provider occupancy agreement.
- (3) However, a regulation may provide that—
  - (a) an occupancy agreement amendment applies to an education provider occupancy agreement; or
  - (b) an existing occupancy agreement provision does not apply to an education provider occupancy agreement.
- (4) To remove any doubt, an education provider occupancy agreement is taken not to be a residential tenancy agreement under the existing occupancy agreement provisions.
- (5) In this section:

*existing occupancy agreement provisions* means this Act, part 5A, and other provisions of the Act that relate to occupancy agreements, as in force immediately before the commencement of the *Residential Tenancies Amendment Act 2020 (No 2)*, section 3.

*occupancy agreement amendments* means the amendments of this Act, part 5A, and any other amendments relating to occupancy agreements, made by the *Residential Tenancies Amendment Act 2020 (No 2)*.

**159 Expiry—pt 17**

This part and section 71C (1), note 2 expire on 29 January 2022.

*Note* Transitional provisions are kept in the Act for a limited time. A transitional provision is repealed on its expiry but continues to have effect after its repeal (see Legislation Act, s 88).

20

**Clause 42****Proposed new dictionary definition of *education provider*****Page 47, line 1—***omit*

21

Proposed new schedule 2

Page 59, line 10—

*insert***Schedule 2****Delayed amendments**

(see s 3)

**Part 2.1****Human Rights Commission Act 2005****[2.1] New section 53U (2) and (3)***insert*

- (2) To remove any doubt, the *Residential Tenancies Act 1997*, section 73 (2) does not require a party to an occupancy agreement to attempt to resolve a dispute under a university dispute resolution procedure before the ACAT deals with a complaint referred to it under this division.
- (3) In this section:  
*university dispute resolution procedure*—see the *Residential Tenancies Act 1997*, section 73 (3).

**Part 2.2****Residential Tenancies Act 1997****[2.2] New section 71C (1) (b) (ia)***insert*

- (ia) except if section 6B applies, an agreement to occupy premises in a residential facility associated with, or on the campus of, or provided under an arrangement with, an education provider;

**[2.3] New section 71EA (1A)***insert*

- (1A) However, subsection (1) (g) does not apply to a penalty or consequence under a university requirement.

**[2.4] Section 71EA (5), new definition of *university requirement****insert*

*university requirement* means a statute, rule or policy about student discipline or medical leave made under, or authorised by, the *Australian National University Act 1991 (Cwlth)* or the *University of Canberra Act 1989*.

**[2.5] Section 71ED (1)***after*

occupancy agreement

*insert*

, other than an education provider occupancy agreement,

**[2.6] Section 71ED (5), new definition of *education provider occupancy agreement****insert*

*education provider occupancy agreement* means an occupancy agreement in relation to premises in a residential facility associated with, or on the campus of, or provided under an arrangement with, an education provider.

**[2.7] Section 71EJ (2), new example***insert*

- 3 A student accommodation provider states in an occupancy agreement that if the student welfare officer has reasonable concerns about the welfare of an occupant, the officer may give notice by knocking 3 times on the occupant's door and, if there is no answer, may enter the room to check on the occupant's welfare. If the occupant is not in the room, the agreement states the officer will leave a written note telling the occupant when and why the officer entered the room and the officer's contact details.

**[2.8] Section 71EK (2), new example***insert*

- 4 whether the accommodation is provided for a particular group of people such as students studying at a university

**[2.9] New section 71EK (3A)***insert*

- (3A) However, if an occupancy agreement may be terminated under a university requirement—
- (a) subsection (2) does not apply; and
  - (b) for subsection (3)—the parties may also terminate the agreement as permitted or required under the university requirement.

**[2.10] New section 71EK (6)***insert*

- (6) In this section:  
*university requirement*—see section 71EA (5).

**[2.11] New section 73 (2) and (3)***insert*

- (2) However, for an occupancy agreement to which a university dispute resolution procedure applies, a dispute is an occupancy dispute only if the parties have been unable to resolve the dispute within a reasonable time under the university dispute resolution procedure.
- (3) In this section:  
*university dispute resolution procedure* means a dispute resolution procedure authorised under the *Australian National University Act 1991 (Cwlth)* or the *University of Canberra Act 1989*.

**[2.12] New section 74 (2) and (3)***insert*

- (2) To remove any doubt, section 73 (2) does not require an occupant to attempt to resolve an occupancy dispute under a university dispute resolution procedure before making a complaint under the *Human Rights Commission Act 2005*.
- (3) In this section:  
*university dispute resolution procedure*—see section 73 (3).

**[2.13] Dictionary, new definition of *education provider****insert*

*education provider*—means an entity mentioned in the *Education Act 2004*, table 9A, column 3.

## Schedule 3

### Residential Tenancies Amendment Bill 2020

#### Amendments moved by the Attorney-General

1

Clause 2

Page 2, line 4—

*omit clause 2, substitute*

2

#### **Commencement**

- (1) This Act (other than the following provisions) commences on a day fixed by the Minister by written notice:

- section 17A
- section 38A
- schedule 2.

*Note 1* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

*Note 2* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

*Note 3* If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

- (2) Sections 17A and 38A commence on the day after this Act's notification day.
- (3) Schedule 2 commences on 30 January 2022.

2

Proposed new clause 17A

Page 17, line 3—

*insert*

17A

#### **Failure to pay rent—payment order Section 49A (3) (b)**

*substitute*

- (b) if the payment order does not include a requirement to pay rent, or a stated part of rent, that has become payable as mentioned in subsection (2) (a)—
- (i) the lessor has made more than 2 applications for a termination and possession order under section 49 (2) in the 12 month period immediately before the day the ACAT makes the order; and
  - (ii) it is in the interests of justice to do so.

3

Proposed new clause 38A

Page 44, line 15—

*insert*

**38A New part 17***insert***Part 17 Transitional—Residential Tenancies Amendment Act 2020 (No 2)****158 Meaning of commencement day—pt 17**

In this part:

*commencement day* means the day the *Residential Tenancies Amendment Act 2020 (No 2)*, section 38A commences.**159 Payment orders in relation to applications for termination and possession orders undecided before commencement**

- (1) This section applies in relation to an application for a termination and possession order—
- (a) made under section 49 (2) on or after 25 August 2020 but before the commencement day; and
- (b) that is not decided before the commencement day.
- (2) Despite section 49A (3) (b) as in force immediately before the commencement day, the defined provision applies in relation to the application.
- (3) In this section:
- defined provision* means section 49A (3) (b) as in force on the commencement day.

**160 Expiry—pt 17**

This part expires 30 days after the commencement day.

*Note* Transitional provisions are kept in the Act for a limited time. A transitional provision is repealed on its expiry but continues to have effect after its repeal (see Legislation Act, s 88).

**Schedule 4****Sexuality And Gender Identity Conversion Practices Bill 2020**Amendments moved by Mr Coe (Leader of the Opposition)**1****Proposed new clause 6A**

Page 3, line 25—

*insert***6A Religious freedom not affected**

This Act will not affect the ability of religious organisations or schools to teach the tenets of their faith.

**2****Clause 7 (3)**

Page 5, line 1—

*omit clause 7 (3), substitute*

- (3) Also, ***sexuality or gender identity conversion practice*** does not include the following:
- (a) a conversation between a parent or guardian and a protected person in their care about the protected person’s sexuality or gender identity;
  - (b) a practice by a teacher at a government or non-government school in the course of the teacher’s duties at the school that, in the teacher’s reasonable professional judgment, is necessary to—
    - (i) provide a service in a manner that is safe and appropriate; or
    - (ii) comply with the teacher’s legal or professional obligations;
  - (c) a practice by a health service provider that, in the provider’s reasonable professional judgment, is necessary to—
    - (i) provide a health service in a manner that is safe and appropriate; or
    - (ii) comply with the provider’s legal or professional obligations.

3

**Clause 7 (4), proposed new definition of *government school***

Page 5, line 7—

*insert*

***government school***—see the *Education Act 2004*, dictionary.

4

**Clause 7 (4), proposed new definition of *non-government school***

Page 5, line 9—

*insert*

***non-government school***—see the *Education Act 2004*, dictionary.

## Schedule 5

### Sexuality And Gender Identity Conversion Practices Bill 2020

Amendment moved by the Minister for Social Inclusion and Equality

1

**Clause 7 (2), proposed new example and note**

Page 4, line 25—

*insert*

- support for a person exploring and expressing their sexuality

*Note* Under the *Human Rights Act 2004*, s 14, a person has the right to freedom of thought, conscience and religion, including the freedom to demonstrate their religion or belief in worship, observance, practice and teaching, either individually or as part of a community and whether in public or private. It is not intended that a mere expression of a religious tenet or belief would constitute a sexuality or gender identity conversion practice.

**Schedule 6****Electoral Amendment Bill 2018**Amendments moved by Ms Le Couteur

38

**Clause 11****Proposed new subdivision 14.4A.3**

Page 14, line 26—

*insert***Subdivision 14.4A.3 Gifts from gambling businesses****222J Ban on gifts from gambling businesses etc—less than \$250**

- (1) This section applies if—
  - (a) a gambling business, a close associate of the gambling business or a person on behalf of the gambling business or close associate, gives 1 or more gifts to a political entity in a financial year; and
  - (b) the gift, together with any other gift made by the person in the financial year, is less than \$250.
- (2) The giver of the gift must pay to the Territory an amount equal to the amount of the gift.
- (3) The amount payable under subsection (2) is a debt payable to the Territory by the giver of the gift and may be recovered by a proceeding in a court of competent jurisdiction.

**222K Ban on gifts from gambling businesses etc—\$250 or more**

- (1) A gambling business commits an offence if—
    - (a) the business gives a gift to a political entity; and
    - (b) the gift, together with any other gift made by the gambling business in the financial year, is \$250 or more.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.
  - (2) A close associate of a gambling business commits an offence if—
    - (a) the close associate gives a gift to a political entity; and
    - (b) the gift, together with any other gift made by the close associate in the financial year, is \$250 or more.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.
  - (3) A person commits an offence if—
    - (a) the person gives a gift to a political entity; and
    - (b) the gift is given on behalf of a gambling business or a close associate of a gambling business; and
    - (c) the gift, together with any other gift made by the person on behalf of the gambling business or close associate in the financial year, is \$250 or more.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.
  - (4) A person commits an offence if the person asks another person to give a gift to a political entity on behalf of a gambling business or a close associate of a gambling business.
- Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (5) In this section:  
*asks* includes cause, induce or solicit.

**222L Ban on acceptance of gifts from gambling businesses etc—less than \$250**

- (1) This section applies if—
- (a) a political entity accepts a gift made by, or on behalf of, a gambling business or a close associate of a gambling business; and
  - (b) the gift, together with any other gift made by the person in the financial year, is less than \$250; and
  - (c) the political entity has not taken reasonable steps to ensure that the person giving the gift, or the person on behalf of whom the gift is given, is not a gambling business or a close associate of a gambling business.

**Examples—reasonable steps**

- 1 giving potential donors written notice that donations from gambling businesses or close associates of gambling businesses are prohibited
  - 2 asking the person who gives the gift about whether the person is a gambling business or a close associate of a gambling business
- (2) The financial representative of the entity must pay to the Territory an amount equal to the amount of the gift.
- (3) The amount payable under subsection (2) is a debt payable to the Territory by the financial representative for the political entity and may be recovered by a proceeding in a court of competent jurisdiction.

**222M Ban on acceptance of gifts from gambling businesses etc—\$250 or more**

- (1) A political entity commits an offence if—
- (a) the entity accepts a gift made by, or on behalf of, a gambling business or a close associate of a gambling business; and
  - (b) the gift, together with any other gift made by the person in the financial year, is \$250 or more.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) Subsection (1) does not apply if the political entity takes reasonable steps to ensure that the person giving the gift, or the person on behalf of whom the gift is given, is not a gambling business or a close associate of a gambling business.

**Example—reasonable steps**

obtaining a written statement from the person who gives the gift about whether the person is a gambling business or a close associate of a gambling business

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2) (see Criminal Code, s 58).

- (3) If the political entity contravenes subsection (1), the financial representative of the entity must pay to the Territory an amount equal to the amount of the gift.
- (4) The amount payable under subsection (3) is a debt payable to the Territory by the financial representative for the political entity and may be recovered by a proceeding in a court of competent jurisdiction.

**222N Gifts from people that become gambling businesses etc**

- (1) This section applies if—
- (a) a political entity accepts a gift made by, or on behalf of, a person; and

- (b) at the time the gift is given, the person is not a gambling business or a close associate of a gambling business; and
  - (c) within 12 months after the gift is given, the person becomes a gambling business or a close associate of a gambling business.
- (2) The giver of the gift must pay to the Territory an amount equal to the amount of the gift.
  - (3) The amount payable under subsection (2) is a debt payable to the Territory by the giver of the gift and may be recovered by a proceeding in a court of competent jurisdiction.

**39****Proposed new clauses 11A and 11B**

Page 14, line 26—

*insert***11A Section 297 heading***substitute***297 Misleading electoral matter affecting casting of vote****11B New section 297A***insert***297A Misleading electoral advertising**

- (1) A person commits an offence if—
  - (a) the person disseminates, or authorises the dissemination of, an advertisement containing electoral matter; and
  - (b) the advertisement contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent.

Maximum penalty: 50 penalty units.

- (2) It is a defence to a prosecution for an offence against subsection (1) if it is proved by the defendant that the defendant—
  - (a) took no part in deciding the content of the advertisement; and
  - (b) could not reasonably be expected to have known that the statement was inaccurate and misleading.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2) (see Criminal Code, s 58).

- (3) If the commissioner is satisfied that subsection (1) (a) and (b) apply, the commissioner may ask the person, in writing, to do 1 or more of the following:
  - (a) not disseminate the advertisement again;
  - (b) publish a retraction in stated terms and in a stated way.
- (4) If a person is found guilty of an offence against this section, the court must take the person's response to any request under subsection (3) into account in deciding the penalty for the offence.
- (5) On application by the commissioner, the Supreme Court may, if satisfied that subsection (1) (a) and (b) apply, order the person to do 1 or more of the following:
  - (a) not disseminate the advertisement again;
  - (b) publish a retraction in stated terms and in a stated way.

41

**Clause 13**

**Dictionary, note 2, proposed new dot points**

**Page 17, line 2—**

*insert the following dot points in alphabetical order*

- Legislative Assembly
- Minister (see s 162)
- territory law

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**Schedule 7**

**Electoral Amendment Bill 2018**

Amendments moved by the Attorney-General

7

**Clause 11**

**Proposed new section 222G (2), new note**

**Page 12, line 29—**

*insert*

*Note 2* For recording and disclosure requirements in relation to the receipt of gifts by political entities—see s 216A.

8

**Clause 11**

**Proposed new section 222G (2A) and (2B)**

**Page 12, line 29—**

*insert*

(2A) In deciding whether a political entity takes reasonable steps under subsection (2), a court must have regard to the amount of the gift accepted by the political entity.

(2B) Subsection (2A) does not limit the matters to which the court may have regard.

9

**Clause 11**

**Proposed new section 222H heading**

**Page 13, line 8—**

*omit the heading, substitute*

**222H Gifts from people that become property developers etc**

11

**Clause 12**

**Proposed new section 518 (2) and (3)**

**Page 16, line 14—**

*omit*

## Schedule 8

### Electoral Amendment Bill 2018

#### Amendments moved by Mr Coe (Leader of the Opposition)

2

#### Clause 12

#### Proposed new section 517 (1)

Page 15, line 7—

*substitute*

- (1) This section applies if—
    - (a) after the day the election, due to be held in October 2020, happens and before 1 July 2021, a political entity accepts a gift made by, or on behalf of, a property developer or a close associate of a property developer; and
    - (b) the gift is not returned to the giver within 30 days after its receipt; and
    - (c) either—
      - (i) at the time the gift is given, the property developer, or a close associate of the property developer, has made 1 or more relevant planning applications that have not been decided; or
      - (ii) in the 7-year period before the gift is given, the property developer, or a close associate of the property developer, has made 3 or more relevant planning applications.
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