



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**4 AUGUST 2022**

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**Thursday, 4 August 2022**

**MADAM SPEAKER** (Ms Burch) (10.00): 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.

**Residential Tenancies Legislation Amendment Bill 2022—  
public exposure draft  
Ministerial statement**

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.02): I rise today to update the Assembly on the progress of reforms to the Residential Tenancies Act 1997. In recent years the ACT government has undertaken an ambitious reform agenda to improve the rights of renters in the ACT. In this term of government, we have committed under the parliamentary and governing agreement for the Tenth Assembly to remove without-cause terminations from our tenancy laws. This is an important change which will mean tenants are no longer able to be removed from their homes without a legitimate reason being provided as to why their tenancy is being terminated.

Whilst the ACT government has made clear its commitment to remove without-cause terminations from our tenancy laws, we have also committed to implementing this important change in consultation with the ACT community.

Last year the ACT government undertook public consultation on the proposed reforms by releasing a community consultation paper and community survey via the YourSay website. I am pleased to report that the community has been very engaged in this reform project, with the government receiving 256 survey responses and 49 written submissions on the proposed reforms. I released a listening report earlier this year which detailed the feedback we received. This report is available for viewing on the YourSay website.

Feedback received in response to that consultation has also informed the development of a draft bill, the Residential Tenancies Legislation Amendment Bill 2022, and it is

my pleasure to table the public exposure draft of the bill in the Legislative Assembly today. This public exposure draft allows us to further consult with the community to seek the community's feedback on the specific proposals developed following last year's consultation.

In addition to the removal of the without-cause termination provision, the bill proposes changes in three other areas of tenancy law: firstly, increasing a tenant's ability to grow food and to compost; secondly, preventing rent bidding; and, finally, introducing changes to the act to support the introduction of minimum housing standards for rental properties. I will speak to the details of each of these reform areas in turn.

The removal of without-cause terminations will give tenants a greater sense of security as they will no longer be faced with the possibility of being arbitrarily removed from their homes. Tenants will need to be given a reason if they are asked to leave their home and the only permitted reasons will be those identified in the Residential Tenancies Act. This is a change that has been long called for by tenants.

However, in making this important change to support tenants, we also need to ensure private landlords can continue to manage their properties effectively and that social and community landlords can continue to target accommodation support programs to those most in need.

There are several legitimate reasons why a landlord may need to end a tenancy. Many of these situations, such as where a landlord may want to sell, renovate or move into their property, are already recognised as legitimate reasons to end a tenancy in the Residential Tenancies Act. There are, however, a few additional reasons why a landlord may need to end a tenancy which were previously covered by the no-cause termination ground.

With the removal of the without-cause termination provision, the bill proposes the introduction of new tenancy termination grounds. These new termination provisions will ensure landlords can continue to manage their properties effectively.

Under the bill a new ground for termination will be where the landlord wants to use the premises for a non-residential purpose. This will allow landlords to convert the use of the property to a non-residential purpose where that purpose is permitted by zoning laws and, where applicable, the owners corporation rules. For example, this will allow landlords to end a tenancy if they want to convert the use of the property to allow them to operate a business.

A new termination provision that will be available to both landlords and tenants is also proposed for circumstances where one party to the tenancy agreement threatens, harasses, intimidates or abuses the other party to the agreement. In the event of these behaviours, the aggrieved party will be able to apply to the ACT Civil and Administrative Tribunal for an order to end the tenancy. The tribunal will be able to make this order where they consider the conduct justifies the termination of the tenancy.

Additionally, new termination grounds to support the Commissioner for Social Housing to continue to target our social housing program to those most in need in our community are required. These grounds will cover scenarios where housing assistance has been withdrawn from those who are no longer eligible for assistance, termination of the original tenancy after the tenant has transferred to another tenancy, termination where the commission requires a transfer and an alternative property offer has been made available, and termination at the end of a temporary period of housing assistance following a tenancy breakdown.

Similarly, new termination provisions will be introduced to support community housing providers, such as those providing affordable housing, to terminate a tenancy where the tenant is no longer eligible for the accommodation assistance being provided to them. An additional provision will also allow community housing providers who manage property on behalf of the commissioner to terminate a tenancy where they are required to return the property to the commissioner to allow it to be used for another purpose.

In addition to removing no-cause evictions, additional protections for tenants have been included which amend the way in which the retaliatory eviction provision operates and to introduce new evidentiary requirements for lessors who wish to terminate a periodic tenancy because they want to sell, renovate or reconstruct the premises to ensure that when these grounds are relied on there is evidence that the reliance is genuine.

Rent bidding is a practice whereby prospective tenants offer more than the advertised price for a rental property. In some circumstances rent bids are invited by agents or landlords and in others it is offered voluntarily. In developing this reform the ACT government considered arguments from the community both for and against the regulation of rent bidding. What was clear was that there is strong community support for the premise that landlords and agents should not be permitted to ask a prospective tenant to offer more than the price advertised for the premises. In this respect the proposed amendments will make it an offence for a landlord or agent to solicit rent bids from prospective tenants.

Madam Speaker, another commitment in the parliamentary and governing agreement was to amend tenancy legislation to create a presumption that landlords will permit tenants to compost and grow food. I am pleased to say that the bill that is before you would meet this commitment.

The proposed amendments achieve this by clarifying that planting vegetables, fruits, flowers, herbs or shrubs without removing existing vegetation or installing or placing an above-ground composting tumbler or bin constitute minor modifications to which the landlord cannot unreasonably object. In making these minor modifications, a tenant will be able to grow their own food and compost provided they apply in writing to their landlord for consent. The landlord may only refuse consent if they have obtained the ACAT's prior approval and they must not unreasonably refuse consent. A landlord may, however, impose a reasonable condition on providing their consent.

At the end of the tenancy, the tenant will be required to restore the garden to substantially the same condition as at the start of the tenancy, taking into account fair wear and tear. This approach strikes an appropriate balance between the tenant's ability to use the property as a home, growing food to nourish themselves and their family, whilst also ensuring landlords retain some say in the modifications made to the property.

Finally, the bill will make changes to support the introduction of minimum housing standards for rental properties in the ACT. It will do this by ensuring landlords have a right of access to the property to undertake any changes required to ensure the property complies with minimum standards, by creating mandatory disclosure requirements so that prospective tenants are aware of the property's compliance with minimum standards before deciding whether to rent the property, and giving tenants remedies where the property does not meet required minimum standards. These remedies include allowing tenants to apply to the ACAT for a rent reduction or other compensation or to end the tenancy.

Creating this framework for the implementation of minimum housing standards in the ACT will help to ensure that all properties for rent in the ACT are able to meet minimum standards as they are introduced. More work is required to be undertaken to determine which minimum standards are introduced as a priority and will form a further tranche of reforms.

Tenancy reforms can have very direct impacts on people's lives. For tenants, these laws affect their rights in relation to the property they call home. For landlords, these laws affect the ways in which they can manage their investment. While tenancy reforms are important, they can at times be technical, and the specific way in which a provision is worded can impact on how the changes operate in practice.

In acknowledgement of the widespread impact of these changes, as well as the desire expressed by many stakeholders to see the specific details of proposed changes, the government has released a public exposure draft of the bill to allow the community to provide further feedback.

For Canberrans interested in participating in this important conversation, the bill that I am tabling today is also available on the Your Say website, along with details on how feedback can be provided. The consultation period on these reforms will close on 26 August this year.

I would like to take this opportunity to thank those who have provided input so far and those who will provide a submission in response to the public exposure draft of the bill. Your feedback is vital in ensuring that these important changes operate fairly and effectively in practice.

I would also like to take this opportunity to address an issue separate to the reforms in the bill being tabled today. As members may recall, as a result of a motion moved by Mr Pettersson, this Assembly passed a resolution on 23 March this year which called on the ACT government to review the information imbalance that exists between tenants and landlords, and consider whether prospective tenants should have the right

to ask for references from a landlord's previous tenants. The resolution also called on the government to report back on this matter before November this year. I am responding to this resolution today.

The nature of our current rental market and the tenancy application process create a situation whereby landlords are able to request significant information from the tenant as part of the application process for a rental property. This may include personal or sensitive information, such as information on their income, bank statements, current and previous employment details, rental history, including rent ledgers, and references from past landlords, employers and personal friends. While some of this information may be appropriate to request, in some cases the documentation asked for may go beyond what is reasonably necessary to assess a tenant's suitability for a property.

Tenants, on the other hand, are often given little to no information at all on their prospective landlords. This may make it difficult for a tenant to know whether their prospective landlord has been found to have breached previous tenancy agreements or how quickly they have responded to maintenance requests.

While introducing a framework allowing prospective tenants to ask for a landlord reference from a previous tenant could potentially enable tenants to obtain more information on their prospective landlord, it may not facilitate the intent of increasing tenants' rights, and in fact create inadvertent and negative consequences for tenants. Outgoing tenants, worried about their own future rental references, may be extremely reluctant to provide a negative rental reference for their previous landlord, particularly in circumstances where there are end-of-tenancy matters, such as the amount of bond owing, that are still to be determined at the time the reference is requested. Such a right also does not consider the burden placed on previous tenants, who may not otherwise have consented to being contacted once their tenancy has ended.

Another complication associated with landlord references is that many landlords employ a real estate agent to manage their rental property. Where this is the case, tenants may not have any contact whatsoever with their landlord, as all interactions are with the agent directly. When an agent is involved it may be difficult for a tenant to determine the true source of their concerns. Any reference about either the landlord or agent may therefore be inaccurate, particularly where the managing agent for the property changes between tenancies.

While landlord references may not be the solution to the information imbalance between tenants and landlords, the ACT government is committed to the ongoing improvement of tenants' rights and is currently exploring how the issue could be appropriately addressed in other ways.

The Residential Tenancies Act already contains some protections for tenants by limiting what information can be held on a tenancy database—sometimes referred to as a tenancy blacklist. The act limits the information that can be listed to circumstances where the tenancy was ended by the tribunal due to a breach by the tenant or where more than the amount of bond paid is owed by the tenant. Tenants also have the right to review the information that is listed about them and to object to the listing if they consider it to be inaccurate.



These tenancy database laws are currently consistent across Australia; however, with the modern trend towards online tenancy application and tenancy management software, it may be that further consideration needs to be given to whether these laws are still fit for purpose.

Another approach to this issue which has been adopted in Victoria is to limit the information that landlords can request from tenants at the time a tenancy application is made. Victoria now prevents landlords from asking certain questions, such as whether the tenant has ever taken legal action against their landlord, requests for bank statements showing transactions made by the prospective tenant, and questions about previous bond claims. It also prevents landlords from requesting sensitive personal information, such as the tenant's ethnicity, disability status or gender identity.

Another approach could be a standard form tenancy application document. Limiting the information that landlords can request from tenants to only that which is legitimately required to assess suitability could be one way to diminish the information disparity between landlords and tenants.

Accordingly, I have asked the Justice and Community Safety Directorate to consider these possible approaches further to identify the most appropriate and balanced way forward on this issue.

An alternative method of approaching the information imbalance between parties to a residential tenancy is to require mandatory disclosure of certain information by landlords when they offer a property for rent. The Residential Tenancies Act already contains some mandatory disclosure obligations, including disclosure of the energy efficiency report for the property and whether the property is an adaptable dwelling.

The public exposure draft of the bill that I have tabled today progresses additional mandatory disclosure obligations related to whether the property offered for rent complies with minimum standards. These mandatory disclosure requirements provide prospective tenants with additional information to help inform their decision about whether to apply for a particular rental property.

The government will continue to explore issues with current tenancy arrangements, including information imbalances between tenants and landlords, and will consult with the community on any proposed future tenancy reforms.

I would like to finish by noting that the changes to end no-cause tenancy terminations proposed in the exposure draft of the bill that I am tabling today will take a significant step towards addressing the power imbalance between landlords and tenants. In our consultation process last year, tenants told us that one of the most significant reasons they wanted no-cause terminations removed from our tenancy legislation is that the very existence of the no-cause termination provisions causes tenants to self-censor when it comes to asserting their tenancy rights.

Many tenants feel reluctant to request repairs, challenge a proposed rent increase or assert their rights in other ways due to a fear it will lead to a retaliatory eviction through the no-cause termination provision. Removing no-cause terminations will

give tenants greater confidence in asserting their rights, as they will know their tenancy can only be ended on legitimate grounds.

This is an important step towards increasing tenants' rights in the ACT. I present the following papers:

Residential Tenancies Legislation Amendment Bill 2022—Exposure draft.

Residential Tenancies Legislation Amendment Bill 2022—Public exposure draft, and Tenancy Rights—Response to Resolution of the Assembly—Ministerial Statement, 4 August 2022.

I move:

That the Assembly take note of the ministerial statement.

**MR DAVIS** (Brindabella) (10.19): I rise to commend the work done by the Attorney-General. In particular, I commend the exposure draft of the Residential Tenancies Amendment Bill 2022—a bill designed to shift the power imbalance between landlord and tenant which has existed not just in this city but in our country for far too long.

I rise to speak on this ministerial statement and this exposure draft as somebody who, in my relatively short life, has experienced all parts of the housing crisis that we are in at the moment—homelessness, living as a tenant, buying my first home, now as a landlord, as a legislator in this place and as somebody with 12 years experience as a property manager and a real estate salesperson in the ACT.

It is based on that cumulative experience and knowledge that I can assure Canberrans and, in particular, landlords that this is a positive, progressive reform that is good for landlords and good for tenants—in particular, Madam Speaker, the more than 20 per cent of our constituents that we serve in this place who are currently tenants, and the more than 100,000 Canberrans who are tenants in this city.

I appreciate the Attorney-General's comments. Given representations I have received from constituents, including some landlords over recent days, some of the Attorney's comments are important to note and bear repeating,. In fact, I met a particularly concerned constituent last weekend at my mobile electorate office in Lanyon, who was a landlord and who was very concerned about what he had heard in media reporting about this reform and the potential infringement of some of his rights as a landlord. I want to underline and emphasise a few points that the Attorney-General made in his speech. If you do not pay your rent, your tenancy agreement provides ways for the landlord to seek that rent. If you damage the property, you remain in breach of your tenancy agreement. If you sublet, you will be in breach of your tenancy agreement.

These modest amendments are necessary to protect the growing—I suspect ever-growing—proportion of Canberrans who rent now and will rent into the future. We have heard it put by some in the real estate industry that these progressive reforms are leading to landlords flooding out of the market. First of all, that assumes that that is a bad thing. With respect to modest, progressive reforms that seek to obligate landlords

to provide safe, clean, healthy homes, and that allow tenants who are paying a huge amount of money to have some security of tenure for their home, if these kinds of reforms are so scary to landlords, I say the same thing now in this place as a legislator that I have said for the last 12 years, as someone who worked for landlords: you should not be a landlord. You should sell your property. You should look at stocks, bonds, the market and other investments. Consider investing in renewable energy. The market is only going up there. You will make good money in solar panels.

It is not unreasonable for people, when they have excess capital, to seek to invest it—to protect themselves economically, protect their families and protect the people they love. Indeed, people in this very chamber have chosen to make those decisions. They are not unreasonable decisions, and they are not decisions that I would ask anybody not to make.

But with every right comes responsibilities. I just cannot fathom how it is so challenging for some in our community to see that when you invest excess capital above and beyond what you need to live a good life—assuming you have your own home, you have a secondary home on your books, and you are providing it to other people—with that comes some minimum expectations and obligations on you to provide good, safe, healthy homes for your tenants. It is so shocking to me that that is unreasonable!

It is also shocking to me that some nefarious characters in this debate have chosen to pretend that this has been something thrust upon them, as if it has been a surprise. The ACT Greens have been for decades leading the debate in this city and in this chamber on progressive tenancy reforms and on renters' rights. Indeed we ran on a platform where we made it very clear to the Canberra community what our values were—that is, we thought every single Canberran deserved a home. That resulted in me and five of my colleagues sitting in this chamber. That suggests to me that most Canberrans share those values, share those views and want people in this place to do all that they can to protect tenants.

One thing that has quite concerned me—and it has actually motivated my need to speak today; after all, this is an exposure draft that has already had very deep consultation and will continue to have deep consultation, so we are only at a point in time on these reforms—relates to the very concerning emails that I have started to receive from constituents through the Real Estate Institute of the ACT. As someone who worked in the real estate industry for 12 years, it was my understanding that the Real Estate Institute of the ACT existed to represent the interests of licensed real estate agents, auctioneers and property managers. It would appear that they have chosen to take a pretty different tack, and now they seek to act as a lobby group for landlords. I want to pick up one line in the proforma email about which the mind boggled:

I understand the government provides over \$500,000 of taxpayers' money every year to fund an organisation that represents tenants with their disputes with landlords. However, not a solitary penny is provided to assist landlords.

Cry me a river! If you own more properties than the one that you need, not only the property you live in but your excess properties, your surplus properties, what a

statement! Insane capital growth has been accrued over the last couple of years—huge capital, which can be tapped into for renovations, for a family holiday now that the borders are open, and for all sorts of things, such as a new Tesla. Most people who own investment properties in this city now have the capital, given how much the market has taken off in the last couple of years, to make some of these choices.

What is implied in that letter is that the government should either not provide supports to tenants through advocacy bodies and Legal Aid supports or it should spend ratepayers' money on helping landlords advocate for their interests. It is a ludicrous proposition, a laughable proposition and one which I think the majority of Canberrans will find offensive—particularly those forking out well in excess of 20 per cent of their weekly income, which is what is deemed to be affordable housing, to pay rent in one of the most expensive cities in the country in which to rent.

I would strongly counsel the industry which used to represent me for 12 years, the organisation that used to represent me and my industry for the last 12 years, to consider whether or not they really have the social licence in this city to be running these sorts of arguments—whether they want to be consigned to the dustbin of history or whether they want to work with government to provide progressive reforms that are good for tenants and ultimately will be good for landlords.

It has been a really hard time over the last couple of years to be a tenant in this city. We in the ACT Greens understand that, we hear that, and we will continue to advocate for you and for your interests in this place and other similar places. We will continue to work hard in government, and from these benches, to increase the stock of social and affordable housing.

The PAGA, in fact, commits the government to 400 more properties over the course of this term—substantially more than was committed by other parties in this place prior to the election. That is testament to how seriously the Greens take this issue.

I look forward to continuing to work with the Attorney-General having regard to my experience, both prior to my election to this place and in this place, to get these reforms right and to get the balance right. I would encourage every landlord in this city who finds these reforms concerning to consider deeply whether or not property investment is the right investment strategy for them, and whether now is the right time to pull their capital and find a good real estate agent—after 12 years doing this, I know a few; call my office for a referral! Perhaps they should put their property on the market and move into other forms of investment. They have chosen to invest in people's homes. They have chosen to invest in people's families and in people's lives. They have obligations to them. Please honour them and be good landlords.

Question resolved in the affirmative.

## **Building—combustible cladding Ministerial statement**

**MS VASSAROTTI** (Kurrajong—Minister for the Environment, Minister for Heritage, Minister for Homelessness and Housing Services and Minister for Sustainable Building and Construction) (10.29): I am pleased to update the Assembly

on measures taken as part of this government's plan for supporting the testing, assessment and remediation of combustible cladding on privately owned buildings, along with the assessment and removal of cladding from ACT government owned buildings.

I recognise that this issue has been a challenging one for apartment owners, who have a responsibility to ensure the safety of their premises and face an unanticipated cost to remediate their buildings. The government has sought to assist owners by providing a package of both practical and financial assistance.

The Private Buildings Cladding Scheme is designed to encourage and assist in the replacement of higher risk combustible cladding on privately owned buildings where their multi-owner nature might otherwise present a practical impediment to replacing such cladding.

The scheme is being delivered in two phases. Phase 1 is a testing and assessment phase, and phase 2 is the cladding remediation. Applications for phase 1 of the scheme opened on 21 July 2021 and closed on 21 July 2022. Phase 1 offered owners corporations a 50 per cent rebate on the cost of undertaking testing and assessment of cladding on their buildings to determine what risk, if any, the cladding posed. A maximum rebate of \$20,000, excluding GST, was offered under the scheme.

In total, the scheme received 74 applications to access the rebate. Sixty-two of these applications have been approved, six were deemed ineligible, two applications were withdrawn, and four are still being assessed. To date we have received 20 testing and assessment reports, and the remaining applicants have until 21 December this year to submit their testing and assessment report to receive their rebate.

The original kerbside survey undertaken by ACT Fire & Rescue indicated that around 90 private buildings might need to undertake remediation work. Further investigation found that some of these buildings were commercial buildings or did not have cladding. Fifty-three owners corporations, some of which own complexes made up of multiple buildings, were identified as eligible and potentially requiring remediation. We received applications from 37 of these owners corporations, and the remaining 16 owners corporations have self-assessed as not having combustible cladding.

To raise awareness of the scheme, eligible owners corporations were kept informed through ongoing guidance, stakeholder engagement and consultation with related peak bodies. This included working with the Owners Corporation Network, Strata Communities Australia and ACT Fire & Rescue to host a series of presentations about the scheme and to provide fire safety education. The Major Projects Canberra team also provided one-on-one engagement to support individual owners corporations and strata managers throughout the testing and assessment process. This support will continue through the concessional loan phase.

To support owners to locate service providers who have qualifications, experience and insurances to undertake specialised cladding remediation assessment work in the ACT, Major Projects Canberra is maintaining a register of suppliers on its website. The register includes all service providers that may be needed to test, assess and

remediate cladding, such as fire engineers, architects, facade engineers, project managers and builders.

The assistance provided by the government in phase 1 has resulted in apartment owners receiving advice on the level of risk posed by the cladding on their building, the remediation works they can take to better manage fire safety in the building, the estimated cost of these remediation works, and any interim risk mitigation measures that they can take while waiting for rectification to be completed.

This week I announced phase 2 of the scheme, which offers a concessional loan to eligible owners corporations to remove and replace potentially combustible cladding from their buildings. The government has committed \$50 million to the scheme. This means that we are providing assistance for the entirety of the remediation process.

The key elements of the concessional loan includes a fixed interest rate, initially set at 4.2 per cent, a loan repayment period of 10 years, which starts after works are completed, no application or other loan fees, individual loans, generally up to \$15 million per owners corporation, and no penalties for repaying the loan early.

Owners corporations who have obtained a through the scheme testing and assessment report which indicates that cladding on their building poses a moderate or higher risk will be eligible to apply for a concessional loan. Applications will open on 29 August.

Costs covered under the concessional loan will include the cladding remediation design and works, any “make good” works necessary due to cladding remediation, and regulatory fees such as building approvals. I am pleased to advise that we have engaged a loan administrator to administer the loan on the government’s behalf and provide quality strata loan services to Canberrans. This loan administrator brings extensive experience in providing strata loans and will assist the ACT government to provide a stable and reliable financial loan so that Canberrans can get on with the good work of remediating their cladding.

We understand that cladding remediation and loan administration will be a significant undertaking for owners corporations and executive committees. Under the loan, owners corporations can access up to \$10,000 on their loan for administration costs, such as administration support services, tools or additional strata management services related to loan administration.

We have engaged with the community and found that many owners corporations have been proactive in the removal of cladding products from their buildings. We understand that owners corporations have obtained commercial loans at high interest rates, which can place unnecessary stress on unit owners. These owners corporations will be able to apply to transfer those high interest loans to the concessional loan at the low interest fixed rate. This will provide relief to owners corporations and individual unit owners who have been proactive in remediating their buildings.

Hardship provisions for individual owner-occupied units have been developed and will provide relief to unit owners who may not be able to service their loan repayments. This will provide relief to these individuals and provide certainty that the

cladding can be replaced, reducing the risk while ensuring they are not financially pressured to do so.

Unlike other jurisdictions, the ACT government has elected not to mandate how owners corporations should remediate their cladding, or how they fund these works. It remains their choice to find the funding option that is right for them, which could be a levy or up-front payment from each owner. The government's concessional loan is there for those that would prefer a loan option.

As with any scheme initiated by this government, we will continue to provide education and information to the ACT community on combustible cladding. I have engaged with peak body organisations, including Strata Communities Australia, the Owners Corporation Network ACT and the Insurance Council of Australia. I thank those groups for their ongoing engagement with these issues.

I will continue to engage with our constituents and other stakeholders to offer this support to make the ACT community safer. I wish to thank the owners corporations who have chosen to participate in the Private Buildings Cladding Scheme so that they can make an informed decision about potentially combustible cladding on their buildings.

Finally, as the owner of various buildings, the ACT government undertook detailed investigation of its own buildings which contained combustible cladding in 2020. These investigations involved a multistage process that identified, reviewed and assessed ACT government owned buildings, taking into consideration the type of occupant, the use of the building, nearby ignition sources, and firefighting challenges in the event of a fire.

The Government Cladding Scheme identified 23 government-owned buildings that contained cladding that needed replacing. These sites included schools, health facilities and public housing across the ACT. Of these buildings, 17 have had their cladding replaced under the scheme by Major Projects Canberra and two buildings have been remediated by the Education Directorate. Of the four buildings that comprise the remaining program of work, they are all underway and scheduled to be completed in 2022. The government is well on the way to ensuring the safety of its buildings by removing combustible cladding.

Further details on the financial and practical assistance available to owners of eligible apartment buildings to address potentially combustible cladding is available on the Major Projects Canberra website. Finally, I would like to acknowledge the hard work of a small and dedicated team within Major Projects Canberra who are administering the ACT cladding program. I present the following paper:

Combustible Cladding Scheme—Update—Ministerial statement, 4 August 2022.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

**Residential Tenancies Legislation Amendment Bill 2022—  
public exposure draft  
Statement by member**

**MR DAVIS** (Brindabella) (10.40), by leave: I believe that, in my comments before, I described housing stress as households that spend more than 20 per cent of their income on their rent. According to the Australian Institute of Health and Welfare, it is in fact 30 per cent.

**Climate Change and Greenhouse Gas Reduction (Natural Gas Transition) Amendment Bill 2022**

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

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (10.41): I move:

That this bill be agreed to in principle.

I am pleased to present the Climate Change and Greenhouse Gas Reduction (Natural Gas Transition) Amendment Bill 2022. This amendment bill inserts a new regulation-making power into the Climate Change and Greenhouse Gas Reduction Act 2010 that will allow a future regulation to be developed to prevent new fossil fuel gas network connections in greenfield estates and infill development.

As Minister for Water, Energy and Emissions Reduction, I am responsible for overseeing the greenhouse gas reduction targets set under the Climate Change and Greenhouse Gas Reduction Act 2010. Natural gas is a fossil fuel and accounts for approximately 20 per cent of the ACT's current greenhouse gas emissions. Natural gas, or fossil fuel gas, is no longer the clean, green and cheap energy alternative that was touted in the 1990s. Electric technology has improved significantly, and clean, renewable electricity and storage is now a reality.

Research has shown that electricity is the most efficient and readily available technology to move away from fossil fuel gas use. The Grattan Institute's *Flame out* report noted that a moratorium on new gas connections was a "no regrets" pathway to decarbonisation. Canberra's own suburb of Ginninderry has proven that living in a cold climate without gas mains connections is not only possible but is the way of the future.

The ACT government has committed to phasing out new natural gas or fossil fuel gas connections. These commitments are outlined in the Parliamentary and Governing Agreement for the Tenth Assembly of the Australian Capital Territory and in the ACT Climate Change Strategy 2019-2025. The introduction of this bill ensures that a future regulation to prevent new natural gas connections will not conflict with the gas



distributor's obligations to provide connections under national energy laws that apply in the ACT.

In summary, this bill will partially achieve our commitments to phasing out new natural gas or fossil fuel gas connections set out in the current parliamentary agreement and climate change strategy. A future regulation that will be the subject of public consultation will deliver the commitments. This in turn will assist the territory to meet its emissions reduction targets.

This amendment bill will amend the act in the following key ways. It will, firstly, create a regulation-making power to limit new natural gas connections in prescribed circumstances. This power is limited to regulations for new natural gas connections. It does not extend to or impact on gas connections that already exist. Any new regulations would only apply to natural gas and would not impinge on connections for a future 100 per cent renewable gas network, if it became available.

Secondly, it will provide a mechanism to modify the national energy laws, but only to the extent that they give effect to preventing new natural gas connections. This mechanism is crucial to ensure that the ACT's gas distributor will not be in breach of its current obligations to provide gas connections under the National Gas Rules.

Thirdly, it will require that the chief planning executive's advice is sought and considered before making a regulation. This will ensure that all planning implications are considered and integrated prior to making a regulation. Fourthly, it will make compliance with the legislation a condition of the gas distributor's utility licence. This inclusion provides scope for monitoring and enforcement by the Independent Competition and Regulatory Commission through the Utilities Act 2000 and the utility licence annual reporting process.

The bill represents an important step for the territory in its progress towards achieving its legislated net zero emissions target. Having fully decarbonised the ACT's electricity supply, addressing greenhouse gas emissions from the combustion of gas is the next important step. I commend the bill to the Assembly.

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

## **Senior Practitioner Amendment Bill 2022**

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

Title read by Clerk.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (10.46): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Senior Practitioner Amendment Bill 2022. The Senior Practitioner Act, which was passed in 2018, created the role of the senior practitioner,

as well as providing a formal framework for the overall reduction of restrictive practices in the ACT. The act defines a restrictive practice as one which is used to restrict the rights or freedom of movement of a person for the primary purpose of protecting the person or others from harm. Restrictive practices are most likely to be used on some of the most vulnerable people in our community: people with disability, older people, and children and young people.

As a human rights jurisdiction, the ACT government is committed to the reduction and elimination of restrictive practices in the ACT. This bill contains two amendments—firstly, the removal of verbal directions or gestural conduct of a coercive nature as a definition of restrictive practice; and, secondly, an amendment to strengthen the authority of regulations made under the act. Although the amendments are not significant, they are important in furthering our commitment to reducing and eliminating the use of restrictive practices and in ensuring that legislative compliance aligns with the intent of the act.

The inclusion of coercion as a restrictive practice has caused significant confusion for stakeholders, primarily because it gives the impression that it could be used. In reality, coercion would never be approved as part of an authorised positive behaviour support plan or be reasonably referred to as part of an emergency response in a duty of care situation. The use of coercion would be unlikely to constitute an action of last resort or be the least restrictive way of ensuring the safety of a person as required under the act. Removing this subsection makes clear that coercion is not a restrictive practice that could ever be part of a positive behaviour support plan.

Additionally, because the provision is not mirrored by other jurisdictions, its removal provides consistency with other quality and safeguarding frameworks. Whilst the act currently allows for the making of regulations by the minister, this bill further strengthens the authority of these regulations. The amendment will better enable the senior practitioner's ability to enforce regulations, through specifying that a regulation may create offences, and to fix penalties. Importantly, the ability to create offences and fix penalties is intended to confer the seriousness and unacceptable nature of certain practices or actions as they may be defined.

The act supports the ACT government's commitment to improving the lives of all people who are at risk and potentially subject to restrictive practices, as well as upholding their human rights. As detailed in the explanatory statement, through removing coercion and clarifying that it is not a restrictive practice and increasing the authority of regulations, the Senior Practitioner Amendment Bill 2022 promotes the right to protection from torture and cruel, inhuman or degrading treatment and the right to protection of family and children.

I take this opportunity to thank our community and our sector partners for their participation in the consultation process, and the Office of the Senior Practitioner for their ongoing commitment to raising awareness and supporting constant improvements in this area. I commend the bill to the Assembly.

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

## **Committees—Standing Amendment to resolution**

**DR PATERSON** (Murrumbidgee) (10.50): I move:

That the resolution of the Assembly of 2 December 2020, as amended, that established general purpose standing committees, be amended by:

- (1) in the table at 1. Planning, Transport and City Services—Areas of Responsibility, after the words “Planning and Land Management”, insert “(excluding parks and conservation)”; and
- (2) in the table at 2. Environment, Climate Change and Biodiversity—Areas of Responsibility, add “Parks and Conservation”.

The motion for consideration by the Assembly asks for a committee area responsibility, namely parks and conservation, to be transferred from one committee to a different committee. At its meeting of 8 March 2022, the Standing Committee on Environment, Climate Change and Biodiversity wrote to the Standing Committee on Planning, Transport and City Services in relation to its area of responsibility under the 2 December 2020 resolution of establishment of standing committees.

Pursuant to the resolution of establishment, all land management matters, including parks and conservation, are the responsibility of the Standing Committee on Planning, Transport and City Services. Following consideration of its own areas of responsibility, the Standing Committee on Environment, Climate Change and Biodiversity is of the view that parks and conservation is integral to its ability to inquire into areas that are covered by this portfolio.

Consequently, on 9 March 2022, as chair, I wrote to the Chair of the Standing Committee on Planning, Transport and City Services, asking if they would consider a change to the committee resolution of establishment which would reallocate parks and conservation from the Standing Committee on Planning, Transport and City Services to the Standing Committee on Environment, Climate Change and Biodiversity. On 18 July 2022 the Chair of the Standing Committee on Planning, Transport and City Services replied to the letter, stating that the committee agreed to the transfer of parks and conservation to the Standing Committee on Environment, Climate Change and Biodiversity. I commend the motion to the Assembly.

Question resolved in the affirmative.

## **Committees—Standing Establishment**

**MS LEE** (Kurrajong—Leader of the Opposition) (10.52): I move:

That this Assembly:

- (1) notes that:
  - (a) integrity in the Canberra’s public institutions is essential;
  - (b) there are opportunities to continuously improve Canberra’s integrity system; and

- (c) the Australian Capital Territory is the only state or territory jurisdiction in Australia without a dedicated parliamentary committee on integrity;
- (2) amends the resolution of the Assembly of 2 December 2020, as amended, which established general purpose standing committees, by omitting “ACT Integrity Commission” from the Standing Committee on Justice and Community Safety’s area of responsibility; and
- (3) establishes a Standing Committee on Integrity, with the following terms of reference:
  - (a) monitor and report on the performance of the Integrity Commission and the Inspector of the Integrity Commission, or the exercise of the powers and functions of the Integrity Commission and the Inspector of the Integrity Commission, including examining the annual reports of the Integrity Commission and the Inspector of the Integrity Commission and any other reports they make;
  - (b) inquire into and report on integrity matters referred to it by the Assembly or that are considered by the Committee to be of concern to the community;
  - (c) examine matters related to integrity in public administration;
  - (d) perform all functions required of it pursuant to the *Integrity Commission Act 2018*;
  - (e) the Committee be composed of:
    - (i) two Members to be nominated by the Coalition Government; and
    - (ii) two Members to be nominated by the Opposition;
 to be notified in writing to the Speaker within two hours of this motion passing; and
  - (f) the chair shall be an Opposition Member.

Today, and not for the first time, I am calling on all members in the chamber to stand up for transparency, accountability and integrity in government. Today I am calling on all members of this chamber to support my motion to establish a standing committee on integrity. Integrity in our public institutions is essential. I do not think anyone could disagree with that.

Now, more than ever, at a time of political uncertainty around the world, it is our duty to provide Canberrans with confidence in the integrity of what is happening in the ACT government. Now, more than ever, with Labor having been in power for more than 20 years, it is our duty to provide Canberrans with trust in the integrity of what is happening in the ACT government. Now, more than ever, with serious issues being raised about ACT government procurement, it is our duty to provide Canberrans with faith in the integrity of what is happening in the ACT government.

At the best of times, decisions made by government are beyond the reach of the vast majority of our community—whether it is the unfamiliarity of process, the layers of bureaucracy, the bubble of jargon that is known to a privileged few, barriers through culture, language or disability, or the simple fact that most Canberrans are busy working hard and have put trust in their government to make decisions that are in their best interests. Many in our community do and should expect that decisions made for

and on behalf of them are done with the highest levels of integrity, transparency, accountability and probity.

In May of this year, I released an exposure draft calling for cabinet documents to be released after 30 days. As a unicameral parliament we do not have the benefit of an upper house that acts as a house of review. The New Zealand national parliament has instituted this policy. And if New Zealand, with issues of national security at play, is committed to this, surely the ACT parliament can do the same. In June we saw the release of the Coaldrake review into the Queensland government. I welcome the Queensland Labor Premier's commitment to accept all 14 recommendations from that review, including the release of cabinet documents after 30 days.

As members in this chamber know, my bill is currently open for public consultation. I implore the Labor-Greens government to support it, and today I call on the Labor-Greens government to support my call to establish a standing committee on integrity. Members here in the last term may remember that we did have a standing committee overseeing the Integrity Commission in the last term, established at the same time as the Integrity Commission opened its doors. Understandably, in the first few years, whilst the commission was setting up, it was difficult for the committee to have much of a role. It is a vastly different situation now.

The ACT is the only state or territory in Australia without a dedicated parliamentary committee on integrity. A committee like this would be charged with examining ways to continuously improve integrity in public administration in the territory. It would monitor and report on the work of the Integrity Commission and the Inspector of the Integrity Commission, including examining the annual reports, and it would be empowered to inquire into and report on integrity matters of concern to the community.

I know that many people in this place may say that this role already sits with the Standing Committee on Justice and Community Safety. But, as members past and present of that committee know, their workload is heavy and they must divide their time across a huge range of matters. Let us not forget also that this committee plays a significant role in the scrutiny of bills. Stretching thin the JACS committee, with its significant subject matter workload, in addition to its scrutiny of bills function, means that it is not properly or adequately able to provide scrutiny and oversight on integrity as any parliament should.

Integrity is just too important to be looked at part time. I know there might be some who will say that this is a duplication or overlap of the Integrity Commission's work. That is simply not the case. A standing committee on integrity would communicate regularly with the Integrity Commission to ensure that their work was complementary. I remind members again that we are the only jurisdiction in Australia that does not have a standalone parliamentary committee on integrity.

This committee would also enhance the independence of funding arrangements for the Integrity Commission and ensure that legislative amendments proposed by the commissioner are given due and proper attention. The committee would send a strong signal to the community that we, as parliamentarians, take integrity seriously and will

dedicate proper resources and time to it. I urge all members in this chamber to support my motion today.

**MR BRADDOCK** (Yerrabi) (10.58): I would like to thank the Leader of the Opposition for the opportunity to talk today about integrity matters. The Greens were the first party to announce an election commitment to the Integrity Commission in the lead-up to the 2016 election. We strongly support the commission and its operations to ensure that integrity is maintained here in the ACT. We have supported all parts of the ACT integrity framework, including the Commissioner for Standards, the code of conduct, the Integrity Commission and other entities that help to maintain integrity across all our public bodies here in the ACT.

Ms Lee's motion goes to matters which I wholeheartedly support. This includes the statement that integrity in Canberra's public institutions is essential. I could not agree more. There are opportunities to continuously improve Canberra's integrity system. I note that the review of the Integrity Commission Act is underway and there are proposals to amend the Integrity Commission's legislation, which I look forward to reviewing.

I must admit that some of its other contents were a surprise, because I sit on the Standing Committee on Justice and Community Safety, which Mr Cain and Dr Paterson, who are here today, also do. It is a committee which is chaired in accordance with the Latimer House principles, in the form of, formerly, Mr Hanson, and now Mr Cain, on behalf of the Canberra Liberals. I am surprised because I have heard no feedback before now that the committee has been in any way remiss or falling short in its oversight of integrity matters. I invite the Leader of the Opposition, or indeed any member of this Assembly who has a view that the JACS committee is not adequately fulfilling its functions, to please let us know so that we may review, reflect and remedy any shortfalls that may have occurred.

As Ms Lee noted, JACS does have responsibility for the oversight of many other bodies, many of which relate to integrity matters. These include the ACT Ombudsman, policing, gaming, the Attorney-General, human rights, and the Public Trustee and Guardian. So this gives the committee a comprehensive view of integrity matters across the ACT. I acknowledge that the Auditor-General reports to PAC and the Commissioner for Standards reports to admin and procedure, so I will say that it is not a complete or perfect position. But I do say that any further dilution of integrity matters to yet another committee will not assist it.

I heard the Leader of the Opposition's proposal for a standalone committee, which has a simple allure to it. But what I have not heard is what this standalone committee will do that is not currently being performed by the JACS committee.

**Ms Lee:** Were you listening to my speech?

**MR BRADDOCK:** I was listening, Leader of the Opposition.

**Ms Lee:** Clearly not.

**MR BRADDOCK:** And did you articulate exactly what JACS is not doing that it

should be doing right now? Unless anything can be identified, diluting the remit of JACS is not necessarily the answer.

What I would like to consider is the name of the JACS committee itself, because the remit of the committee is broader than just the JACS Directorate. It is broader than the constituents of its name, being Justice and Community Safety. It covers integrity, as the Leader of the Opposition has been saying; it covers elections, gaming, consumer affairs, and the Public Trustee and Guardian. I have not settled on what I would like to propose as a name, but it is a conversation I would like to start within the committee itself. If anyone has any contributions, I invite them to please come forward with those. Thank you.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (11.02): The government supports integrity, of course. The government established the Integrity Commission and has been strengthening probity and integrity. I do not agree with Ms Lee’s attacks on the Standing Committee on Justice and Community Safety. The committee does excellent work and the amendment that I have circulated supports its work. I move the amendment now:

Omit paragraphs (1)(b) to (3)(f), substitute:

- “(b) Canberra’s integrity system has been continuously improved, most recently with the establishment of the ACT Integrity Commission;
  - (c) all jurisdictions in Australia have a parliamentary committee which provides oversight of integrity matters and, where applicable, meets all legislative requirements under that jurisdictions integrity legislation;
  - (d) the standing committees in other parliaments which consider integrity can, and in some instances do, have oversight responsibilities for matters in addition to integrity; and
  - (e) at the start of the Tenth Assembly, the Legislative Assembly committee structure for the parliamentary term was established by a tripartisan resolution of the Assembly;
  - (f) under the motion establishing the standing committees of the Tenth Assembly, the Legislative Assembly Standing Committee on Justice and Community Safety has responsibility for the ACT Integrity Commission and related matters; and
- (2) calls on members to support the Standing Committee on Justice and Community Safety in their role overseeing integrity in the ACT and the ACT Integrity Commission.”.

Regarding JACS’s work, very similar to other jurisdictions, this committee does an excellent job, as we have heard from both the Leader of the Opposition and Mr Braddock this morning. All other jurisdictions do have integrity committees; however, they are not always standalone committees. In WA the committee covers integrity and police. The JACS committee includes integrity in its scope, as agreed by tripartisan motion at the commencement of the Tenth Assembly. I believe it was the Canberra Liberals that specifically asked for JACS to have oversight of the

Integrity Commission, so I think we should let the JACS committee continue to do its excellent work.

**MS LEE** (Kurrajong—Leader of the Opposition) (11.04): This is disappointing, incredibly disappointing, but of course not surprising. It is typical of the Greens. They know how to talk the talk, but—as we know and as we have seen time and time and time and time and time again—they always fail to walk the walk. It is all good for Mr Braddock to come into this place and profess to find integrity important, but of course when it comes to the vote, when it comes to actually taking action, he once again fails, and fails badly.

The Labor-Greens government have been entrenched for 21 years and have fostered a culture of secrecy that has completely eroded the trust of the public in what we do in this place! They are government that have a massive stench about them! No wonder they are opposing my motion today, because of course they have no interest in being truly transparent, in being truly accountable, and they have no interest in strengthening what we see could be done to ensure the utmost confidence of the public in these public institutions.

We do not even have to go into detail, but let us just list a couple of examples of some of the issues that we have seen arising out of this stinking government. The Campbell Primary School procurement led to an extraordinary public statement by the Integrity Commissioner to say that he was going to be conducting an investigation into ACT government procurement across the board, because, in his words, “They are rarely a one-off and it is more likely that they are endemic.” Those were extraordinary words by the Integrity Commissioner.

I turn to CIT contracts. Almost \$9 million was spent on contracts to one contractor to provide services and, to this day, no-one, including the responsible minister, has been able to tell the public what they are and how they provide value for money. This government is all about spin, as we have seen only this week in the budget, and the Greens are all about talk and always and consistently fail to deliver.

*Mr Gentleman interjecting—*

Integrity is too important for it to be a part-time gig. To put it in context, as Minister Gentleman continues to verbal me, the JACS committee has responsibility for these areas: the ACT Electoral Commission, the ACT Integrity Commission, the ACT Ombudsman, gaming, the Special Minister of State, the Justice and Community Safety reporting areas, emergency management and the Emergency Services Agency, policing and ACT Policing, Corrective Services, the Attorney-General—I need to take a breath here—consumer affairs, human rights, victims of crime, access to justice, restorative practices, and the Public Trustee and Guardian.

On any objective measure, this is a massive workload. Let us not forget that, in addition to that long list of subject matter material, this committee also is responsible for scrutiny of all bills that come into this place—scrutiny of all bills. We are a unicameral parliament and we know that this government takes every measure, every step, to ensure that there is a lack of transparency, a lack of accountability, a lack of probity and a lack of integrity. Today, by voting against my motion to establish a



standalone committee on integrity, they have once again confirmed that they have no interest in providing more scrutiny, more accountability,.

So I say, through you, Mr Assistant Speaker Cain, to every single member of Labor and the Greens here: you are on notice. You are on notice that you are about to vote against providing the public with more scrutiny, more transparency and more accountability. Through you, Mr Assistant Speaker, to every single member of Labor and the Greens: you are on notice today that, despite the talk, you have failed at every hurdle to take any serious action to look at integrity. Through you, Mr Assistant Speaker, to every member of Labor and the Greens here today: you are on notice.

**Mr Pettersson:** Point of order.

**MR ASSISTANT SPEAKER (Mr Cain):** Yes, Mr Pettersson.

**Mr Pettersson:** Mr Assistant Speaker, I understand that Ms Lee is trying to speak through the chair, but she is clearly not and is referring across the chamber to “you”. I would ask that you direct her to speak through the chair.

**MS LEE:** Excuse me. I am speaking through the chair. I do not think there is a point of order.

**MR ASSISTANT SPEAKER:** I think Ms Lee can continue to speak and address the chair. Thank you.

**MS LEE:** Thank you, Mr Assistant Speaker. Perhaps Mr Pettersson should read up on the standing orders.

Through you, Mr Assistant Speaker: I say to every single member of the Labor and Greens government that they are on notice and the public will not forget. It is a shame but unsurprising that once again the Labor-Greens government show their true colours by hiding behind and hiding away. Integrity, transparency, accountability and probity matter. The Canberra Liberals are the only party that will stand up for integrity and that is a real, real shame, so shame on you.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 14

Noes 7

Mr Braddock  
Ms Burch  
Ms Cheyne  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Gentleman  
Ms Orr

Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith  
Ms Vassarotti

Mr Cain  
Ms Castley  
Mr Cocks  
Mr Hanson  
Ms Lawder  
Ms Lee  
Mr Parton

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Drugs of Dependence (Personal Use) Amendment Bill 2021**

### **Statement by member**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.15), by leave: In the debate yesterday on the Drugs of Dependence (Personal Use) Amendment Bill 2021, I indicated that government amendments had been circulated that included the regulation that outlines the quantity of drugs that the government was proposing to include in that regulation.

This morning Mr Hanson's office drew to my attention that those amendments have not, in fact, been circulated. I can assure the Assembly that this was an inadvertent misleading of the Assembly. My office sent the amendments to the Clerk at 3.08 pm on Monday for circulation to members. I understand that the Clerk's office sent an email at 11.06 this morning, acknowledging their oversight in circulating the amendments.

I apologise to members that the debate was conducted yesterday without that additional information, but it was a genuine oversight.

## **Canberra Institute of Technology—board**

### **Statement by member**

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (11.16), by leave: Yesterday I was asked by Ms Lee in question time about the appointment of Natalie Howson. I want to clarify a comment that I made in answer to Ms Lee's question. I said that Ms Howson had joined the board for the first time. I meant that she had joined for the first time in her new capacity as an ordinary member. There was no continuity regarding her role on the board. She had previously served on the board in her capacity as an official in the ACT government, as the Director-General of the Education Directorate. She has now re-joined the board as a new member in a new capacity, and has also joined as the new deputy chair.

## **Education and Community Inclusion—Standing Committee**

### **Report 5**

**MR PETTERSSON** (Yerrabi) (11.17): I present the following report:

Education and Community Inclusion—Standing Committee—Report 5—*Inquiry into ACT Auditor-General's Report No. 6 of 2021: Teaching Quality in ACT Public Schools*, dated 29 July 2022, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Today, I have the pleasure of tabling the fifth report of the Standing Committee on Education and Community Inclusion. The ACT Auditor-General's report No 6 of 2021 aimed to assess the Education Directorate's strategies and activities to improve the quality of teaching practices in ACT public schools.

The terms of reference for the committee's inquiry were the Auditor-General's report itself, which notes that teaching quality is acknowledged as the single most important factor influencing student performance within the control of education systems.

The inquiry's report tabled today makes a total of 19 recommendations that the committee believes would improve teaching quality in our jurisdiction. The recommendations cover teaching quality strategies, resources and conditions that would empower teachers and administrators to improve student performance, alongside their own wellbeing in the workplace.

On behalf of the committee, I thank everyone who contributed to this inquiry. I would also like to thank the other members of the committee, Mr Davis and Ms Lawder. I commend the report to the Assembly.

Question resolved in the affirmative.

## **Environment, Climate Change and Biodiversity—Standing Committee**

### **Statement by chair**

**DR PATERSON** (Murrumbidgee) (11.18): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Environment, Climate Change and Biodiversity relating to statutory appointments in accordance with continuing resolution 5A. I wish to inform the Assembly that during the reporting period 1 January to 30 June 2022, the committee considered four appointments to the ACT Climate Change Council. I present the following paper:

Environment, Climate Change and Biodiversity—Standing Committee—  
Schedule of Statutory Appointments—10th Assembly—Period 1 January to  
30 June 2022.

### **Statement by chair**

**DR PATERSON** (Murrumbidgee) (11.19): Pursuant to standing order 246A, I wish to make a statement on behalf of the Ninth Assembly Standing Committee on Environment and Transport and City Services, and the Tenth Assembly Standing Committee on Environment, Climate Change and Biodiversity relating to statutory appointments in accordance with continuing resolution 5A. I wish to inform the Assembly that during the reporting period 1 July 2020 to 31 December 2020, the committee considered a total of two reappointments to the Tree Advisory Panel. I present the following paper:

Environment, Transport and City Services—Standing Committee (Ninth Assembly)—Environment, Climate Change and Biodiversity—Standing Committee—Schedule of Statutory Appointments—9th Assembly and 10th Assembly—Period 1 July to 31 December 2020.

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

**MR DAVIS** (Brindabella) (11.20): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health and Community Wellbeing.

On 1 July 2022 the ACT Legislative Assembly Standing Committee on Health and Community Wellbeing resolved to conduct an inquiry into abortion and reproductive choice in the ACT. In response to what our community is seeing unfold overseas, now is the right time to reflect on the accessibility, affordability and legal protections for abortion and reproductive health services for people here in the ACT. The terms of reference are to inquire into and report on the following matters:

- (1) accessibility of abortion and reproductive choice for people in the ACT, including abortion medication, and taking into consideration barriers for:
  - (a) non-English speakers;
  - (b) victims of domestic and family violence, including coercive control;
  - (c) people with a disability;
  - (d) young people and minors; and
  - (e) other vulnerable demographics;
- (2) affordability of abortion and reproductive choice in the ACT, including:
  - (a) access to bulk billing general practitioners;
  - (b) indirect costs such as transport, leave from work, childcare; and
  - (c) options for low-income patients;
- (3) legal protections for abortion rights in the ACT, including:
  - (a) comparison with other Australian jurisdictions;
  - (b) interactions with non-ACT legislative instruments (e.g. with Commonwealth law);
  - (c) potential implications for IVF providers; and
  - (d) effectiveness of exclusion zones around abortion facilities;
- (4) access to information to support a variety of possible reproductive choices, including choosing to give birth; and
- (5) any other related matters.

The committee has publicly called for submissions to the inquiry, and the closing date for submissions is 5 pm on Monday, 15 August 2022. The committee expects to hold a number of public hearings soon after this date, and will report to the Assembly by Tuesday, 18 October 2022.

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

**MR CAIN** (Ginninderra) (11.22): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety.

At a private meeting on 27 July 2022, the committee resolved to conduct an inquiry into dangerous driving. The committee will inquire into and report on dangerous driving, with particular reference to:

- (a) criminal justice response to dangerous driver offending in the ACT;
- (b) police response to dangerous driving in the ACT, both in prevention and in post-crash response;
- (c) capacity of trauma services and support services to respond to the post-crash event;
- (d) prison sentences, fines and vehicle sanctions legislated for dangerous driver offences in the ACT;
- (e) support for victims of dangerous driving offences through the justice system;
- (f) corrections responses and sentencing regime for dangerous driving in the ACT;
- (g) the effectiveness of rehabilitation and driver re-education at reducing recidivism; (h) police and other related technological advances to identify and prevent dangerous driving;
- (i) any other related measure with respect to the administration of corrections, courts and sentences in the ACT with respect to dangerous driving.

The committee will today call for public submissions.

## **Planning, Transport and City Services—Standing Committee Statement by chair**

**MS CLAY** (Ginninderra) (11.24): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petition 28-21, concerning Manor House, was received by the Assembly on 3 August 2021 and was referred to the committee under standing order 99A. As signatories to petition 28-21, 516 residents of the ACT requested the Assembly to reject draft variation 375 so as to maintain the character and amenity of Griffith.

The committee notes that Manor House is a demonstration housing model, and the draft variation conforms with the policy intent. The committee also notes that DV375, demonstration housing, Manor House, has been through a public consultation process, with a total of 535 written submissions being received by the government in relation to the DV. The committee considers that it is important to test the concepts of this housing model, and an inquiry at this point in time would add nothing new in the absence of information from an existing demonstration housing model test case.

In his response to the petition, the Minister for Planning and Land Management advised that the draft variation would not rezone the site in question, which had been carefully selected to enable a demonstration housing project to showcase best practice in an innovative housing product and topography. For these reasons the committee will not be inquiring further into the matters raised in petition 28-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.25): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petition 49-21, concerning Moncrieff drying pad, was received by the Assembly on 10 February 2022 and referred to the committee under standing order 99A. As signatories to petition 49-21, 508 residents of the ACT requested the Assembly to call upon the government to temporarily effectively encase the pit so that it contains the rubbish dumped into it, and commission removal of the pit to an area that is away from residential areas and closer to the landfill.

The committee notes that, in his response to the petition, the Minister for Transport and City Services said:

TCCS will be installing chain wire fencing around the perimeter of the drying pad including heavy duty shade cloth to contain the dry material. TCCS have also developed a planting design for new trees around the pad site to improve its aesthetics and are coordinating with the Ginninderra Catchment Group to deliver this. TCCS is regularly monitoring and maintaining the site and removing material, and are also planning to incorporate small, scented plants to assist with odour control.

The Minister further noted:

TCCS has developed suitable containment, treatment and aesthetic improvements to the Gross Pollutant Trap as a permanent solution.

At present there are no plans to remove this trap, nor move the drying pad closer to the Mugga Lane landfill. This is because there is a shortage of viable alternative locations which can accommodate this drying infrastructure at necessary and strategic points in Canberra's waterways.

In light of the minister's commitments, the committee will not be inquiring further into the matters raised in petition 49-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.27): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petitions 26-21 and 43-21 concerning lighting of the Waramanga playing fields were received by the Assembly on 9 November 2021 and referred to the committee under standing order 99A. As signatories to petitions 26-21 and 43-21, 555 residents of the ACT requested the Assembly to call upon the ACT government to install an LED lighting system on the two irrigated fields at the bottom of Waramanga—between Arawang primary and Mount Stromlo basketball courts—allocate sufficient funding

for this project as soon as possible, and provide assistance in coordinating the various government stakeholders, ensuring swift approval of works.

The committee notes that, in her response to the petition, the Minister for Sport and Recreation advised that the ACT government undertook an upgrade of existing lights at Waramanga ovals and a full refurbishment of the pavilion in 2018. Future works will establish the Stromlo district playing fields with surfaces and lighting suitable for football use. The minister has noted the request for additional lighting at Waramanga ovals and it will be considered for future upgrade programs.

Given the minister's commitments, the committee will not be inquiring further into the matters raised in petitions 26-21 and 43-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.28): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petitions 42-21 and 47-21, concerning Phillip pool, were received by the Assembly on 30 November 2021 and referred to the committee by leave. As signatories to petitions 42-21 and 47-21, 489 residents of the ACT requested the Assembly to call upon the ACT government to provide a grant to fix the Phillip pool and assist in ensuring it occurs, and keep the Phillip pool open until it, or another outdoor pool, is available and open for the people of Woden for the long term.

In her response to the petition, the Minister for Sport and Recreation noted that, in accordance with the existing lease provisions for the Phillip Swimming and Ice Skating Centre site, the ACT government expects that the pool facilities will reopen and be available for public use for the 2022-23 summer and beyond.

In light of the minister's response, the committee will not be inquiring further into the matters raised in petitions 42-21 and 47-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.29): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petitions 23-21 and 48-21, concerning a multipurpose sports stadium in Woden, were received by the Assembly on 30 November and 1 December 2021 respectively, and referred to the committee under standing order 99A. As signatories to petitions 23-21 and 48-21, 1,965 residents of the ACT requested the Assembly to call upon the ACT government to build and own a multipurpose indoor sports stadium in the Woden town centre that can be hired at a reasonable cost by local community sports groups.

The committee notes that, in her response to the petition, the Minister for Sport and Recreation advised that the ACT government does not own dedicated indoor sport

court facilities, but is progressing a number of ACT government school projects in Woden Valley which will see additional indoor sporting infrastructure made available for community use outside school hours.

In light of the minister's response, the committee will not be inquiring further into the matters raised in petitions 23-21 and 48-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.30): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petitions 15-21 and two out of order petitions, concerning an upgrade to recreational space next to Melba High School on Conley Drive, were received by the Assembly on 9 November 2021 and referred to the committee by leave. As signatories to petition 15-21, 251 residents of the ACT requested the Assembly to call on the ACT government to upgrade the recreational space next to Melba Copland Secondary School on Conley Drive, Melba.

The committee notes that, in his response to the petition, the Minister for Transport and City Services advised that while there are currently no plans to upgrade the area adjacent to Melba Copland Secondary School, consultation will be undertaken to ensure community needs and priorities are identified and incorporated into any upgrades in the future.

Given the minister's response, the committee will not be inquiring further into the matters raised in petition 15-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.31): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to referred petitions.

Petition 35-21, concerning public space advertising, was received by the Assembly on 22 March 2022 and referred to the committee under standing order 99A. As signatories to petition 35-21, 523 residents of the ACT requested the Assembly to call on the ACT government to direct Transport Canberra and Access Canberra to remove all existing illegal advertisements, introduce specific offences for roadside advertising, remove public transport advertisements, review and update advertising rules, end bus shelter advertisements, and undertake consultation on the community support for replacing all public transport advertisements with locally commissioned artwork.

The committee notes that the Standing Committee on Planning and Urban Renewal of the Ninth Assembly conducted a self-referred inquiry into billboards in October 2017. The committee further notes that, in his response to the petition, the Minister for Transport and City Services advised that the ACT government will clarify ACT government advertising standards as they relate to payday lending institutions in the ACT government guidelines.



In light of the previous inquiry and the minister's response, the committee will not be inquiring further into the matters raised in petition 35-21.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.33): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to statutory appointments, in accordance with continuing resolution 5A.

During the reporting period 1 July to 31 December 2020, covered by the Ninth Assembly Standing Committee on Planning and Urban Renewal and the Tenth Assembly Standing Committee on Planning, Transport and City Services, the two committees considered a total of three appointments and reappointments to the ACT Architects Board.

For the reporting period 1 July to 31 December 2021, the committee tabled its return on 22 March 2022. I wish to advise of an addendum to that return; specifically, that the committee considered 20 statutory appointments, not six, as previously stated. These appointments and reappointments were to the following bodies: the Suburban Land Agency Board; Animal Welfare Advisory Committee; Cemeteries and Crematoria Authority governing board; Tree Advisory Panel; and the ACT Veterinary Practitioners Board.

I present the following papers:

Planning and Urban Renewal—Standing Committee (Ninth Assembly)—  
Planning, Transport and City Services—Standing Committee—Schedule of  
Statutory Appointments—9th Assembly and 10th Assembly—Period 1 July to  
31 December 2020.

Planning, Transport and City Services—Standing Committee—Schedule of  
Statutory Appointments—Period 1 July to 31 December 2021.

### **Statement by chair**

**MS CLAY** (Ginninderra) (11.34): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to statutory appointments, in accordance with continuing resolution 5A.

During the reporting period 1 January to 30 June 2022, the committee considered a total of 12 appointments and reappointments to the following bodies: the ACT Veterinary Practitioners Board; the Suburban Land Agency board; the Animal Welfare Advisory Committee; and the City Renewal Authority board.

I present the following paper:

Planning, Transport and City Services—Standing Committee—Schedule of  
Statutory Appointments—10th Assembly—Period 1 January to 30 June 2022.

## Statement by chair

**MS CLAY** (Ginninderra) (11.35): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning, Transport and City Services relating to the inquiry into electric vehicle adoption in the ACT.

At its meeting of 28 July 2022, the committee agreed that it would extend the deadline for submissions to this inquiry to the close of business on 26 August 2022. So if you have not put your submissions in, you still have time to do so. This extension of time will allow industry and community more opportunity to provide input to the committee on the challenges facing Canberrans as the EV market expands in the ACT.

I would like to thank our very hardworking secretariat on the planning, transport and city services committee, and my colleagues Mr Mark Parton and Ms Suzanne Orr. We have had a bit going on. It is good to see that there is so much democracy going on, and it is great to see so many petitions coming through.

## Environment, Climate Change and Biodiversity—Standing Committee Membership

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

That Ms Castley be discharged from the Standing Committee on Environment, Climate Change and Biodiversity and Mr Cocks be appointed in her place.

## Leave of absence

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

That leave of absence be granted to Mrs Kikkert and Mr Milligan for today's sitting for personal reasons.

## Health—abortion rights

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.37): I move:

That this Assembly:

(1) recognises that:

- (a) safe and accessible abortion is healthcare and a fundamental reproductive and human right;
- (b) there is a long history of women and people who can become pregnant being denied the right to have control over decisions concerning their own bodies;

- (c) for generations the feminist movement has fought hard to have the right to bodily autonomy enshrined in law; and
  - (d) a threat to this right is an undoing of generations of struggle for gender equality and a woman's right to choose;
- (2) notes:
- (a) following the United States of America Supreme Court decision in *Dobbs v Jackson Women's Health Organization* finding that there is no constitutional right to abortion, overruling the 1973 *Roe v Wade* decision, people around the world have felt the personal impact of this ruling to strip away rights that generations before them had fought for;
  - (b) in the ACT a local solidarity protest was held in support of people impacted by the United States Supreme Court decision;
  - (c) in the ACT there has long been an agenda led by the ACT Labor Government to ensure abortion is decriminalised, and no one is subjected to abuse or discrimination when accessing an abortion;
  - (d) abortion was decriminalised in the ACT in 2002;
  - (e) exclusion zones preventing anti-abortion protesters from engaging in prohibited behaviour, such as protests, outside clinics in the ACT were introduced in 2016 to prevent patients from being harassed and intimidated;
  - (f) different definitions for medical and surgical abortions were legislated from 1 July 2019, to improve accessibility of abortions by allowing specially trained general practitioners and telehealth services to prescribe medical abortion medications, and specially trained pharmacists to dispense these medications;
  - (g) the ACT Government expanded access and provided more choice to people seeking abortion services through the *Health (Improving Abortion Access) Amendment Act 2018*; and
  - (h) the 2022-23 ACT Budget will continue the ACT Government's commitment to increasing accessibility by investing \$4.6 million over four years to remove out-of-pocket costs of abortion services, improving abortion affordability and access for both medical and surgical abortions. The provision of Long-Acting Reversible Contraceptives following an abortion will also be funded, as well as a communications package to improve accessibility of abortion services for people in the ACT; and
- (3) states the following as a joint message and call for support:
- (a) strong solidarity with women and people impacted by the United States Supreme Court decision to overturn *Roe v Wade*;
  - (b) acknowledges that the discrimination and injustice felt by women and people in the United States is felt globally; and
  - (c) upholds hope that change can happen, rights to abortion can be upheld and fundamental human rights protected

Safe and accessible abortion is a fundamental reproductive and human right. This motion that I am moving today is about recognising the unjust and unbelievable impact of the recent decision by the Supreme Court of the United States in overturning *Roe v Wade*.

Following this decision, which results in no constitutional rights to abortion, people in Canberra and around the world felt the impact of this ruling. It strips away rights that generations before them and trailblazers of the feminist movement had fought for. It is an unbelievable, giant step backwards for women in our fight for gender equality.

The ACT government hold the fundamental belief that it is a person's right to choose, because seeking an abortion is a health matter, not a criminal one. ACT Labor stand by that, and I will always stand by that.

Sadly, there is a long history of women and people who can become pregnant being denied the right to have control over decisions concerning their own bodies. In the ACT there has been a long and progressive agenda, led by ACT Labor, to ensure that abortion is decriminalised, stays available and accessible, is safe, legal and free, and that no-one is subject to abuse or discrimination when accessing an abortion.

I am so proud that my dad, former Labor minister and feminist Wayne Berry, initiated that work to decriminalise abortion in the ACT back in 2002. He did this on behalf of feminists who had been fighting long and hard for decades. That was 20 years ago this month.

ACT Labor made its first attempt to decriminalise abortion in the ACT in 1994. However, the numbers were not there to support that at the time. My dad only just had the numbers in 2002, and it was with the support of then Canberra Liberals member Helen Cross, who crossed the floor to support the bill, that decriminalising abortion was successful. It was a brave and courageous move by Helen to cross the floor, and women can be grateful today for her stance on that day, 20 years ago this month.

My dad said during the debate:

What pains me the most about the legislation as it exists in the ACT is that it attempts to create the impression that a woman is a lesser person if she has an abortion. This is unacceptable. It is unacceptable to any right-minded person in the ACT. It is particularly unacceptable to those of us who have progressive views on this issue and for those who have been fighting the campaign for such a long time.

Those words continue to ring true today. We continue in the ACT to build even more protections and support for women who are seeking this health service.

In the ACT, whilst abortion had been decriminalised for over a decade, at the time there remained a small group of people who would gather outside a health facility in an attempt to shame and alarm people who were seeking an abortion. At the time I wrote to the Right to Life Association in the ACT and to Archbishop Prowse and asked them to move their protest to the Legislative Assembly, to protest to the people who actually make the laws, and to not target women at a time when they would be feeling most vulnerable. Unfortunately, my approach fell on deaf ears. So to prevent anti-abortion protestors from holding these so-called vigils outside clinics, exclusion zones were introduced by the ACT government to prevent patients from being harassed and intimidated.

Most recently, the ACT government legislated to improve access to safe and legal abortions. The Health Act has been changed to allow specially trained GPs and telehealth services to prescribe medical abortion medications, and specially trained pharmacists to dispense these medications. These changes promote a person's choice in determining where and how they access safe abortions.

I am happy to inform members of the Assembly and the broader community that, in this year's budget, ACT Labor is continuing to deliver for women and has made a commitment to significantly reduce the up-front cost of abortion in the ACT. Minister Stephen-Smith and I announced this morning that we are delivering on that promise that we made and took to the 2020 election. Our commitment will improve affordability and access for both medical and surgical abortions, making both services free for people seeking an abortion up to 16 weeks in the ACT, and we will provide funding for long-acting, reversible contraceptives at the time of an abortion.

We also committed funding for a communications package which will improve accessibility for abortion services. This will make a significant difference for women and people with a uterus who need to access an abortion here in the ACT.

Sadly, in America, the Supreme Court decision will have a disproportionate impact on women and people and put them at a disadvantage. This will particularly include victims of domestic and family violence, sexual violence, people from multicultural communities, people living with a disability, LGBTIQ+ communities, as well as people living well below the poverty line. It may also mean that states that will be able to continue to provide an abortion will need to provide this service to women from across the country.

The breaking of hearts across the world was deeply felt here in Australia, including in the ACT, with this move by the Supreme Court, which is why I joined with thousands of others in Civic and rallied in solidarity. It sparked global protests, and we joined people in countries around the world to express our opposition to this undoing of these human rights.

In addition to rallies of support, I have written to advocates and experts in the United States expressing my strong solidarity with their cause, and acknowledging their commitment to and work for human and abortion rights. I present the following papers:

Abortion rights in the USA—Expression of solidarity—

Copy of letter from the Minister for Women to Planned Parenthood Federation of America, NARAL Pro-Choice America, and American Civil Liberties Union, undated.

Copy of letter from the Deputy Chief Minister to the Speaker of the United States House of Representatives, undated.

I have also tabled a letter to Congresswoman Nancy Pelosi, Speaker of the United States House of Representatives, expressing the ACT government's solidarity with women and people who can become pregnant and support for upholding their right to choose.

I continue to maintain hope that change can happen in the US and around the world, that rights to abortion can be upheld as fundamental human rights, and that these fundamental human rights continue to be protected and maintained.

As a feminist, it is hard to come to terms with the reopening of these debates that intersect with so many people's lived experiences of discrimination and pain—a debate in the ACT that my parents' generation engaged in 20 years ago.

It is important to remember that the journey to equality and autonomy is long and ongoing, but we can feel strong from the solidarity that so many of us have shown. I invite members to join with me in reaffirming this ongoing solidarity and support my motion in the Assembly today.

**MS LAWDER** (Brindabella) (11.45): I thank Minister Berry for bringing forward this motion today. I would like to start by acknowledging that abortion is a deeply personal issue. It is a very personal matter for many in our community, in this place and certainly within the Canberra Liberals. We have a range of views, and we have to respect those views.

I am sure you will all be aware that the Canberra Liberals normally treat matters of life and death, such as abortion, as a conscience matter; so we have discussed this motion in terms of whether it evoked people's conscience. Also, as Liberals, we do believe in personal choice and personal responsibility, and people have the right to live their lives how they deem appropriate.

As a proud feminist, I personally believe that women should have full autonomy over their bodies and not be dictated to by others on what they can and cannot do. I believe that, for far too many years in our history, laws relating to women were made for them and not by them. It is decisions like this reversal of *Roe v Wade* in the USA that are a stark reminder of how easily things can go backwards.

I am proud that here in the ACT Legislative Assembly we have such strong female representation. I believe that this female representation will contribute positively to support for this motion today. I note that this motion comes just days after we reflected on the life and achievements of Helen Cross, and I acknowledge her contribution to women's access to abortion in the ACT.

The overturning of *Roe v Wade* also highlights the differences in how the United States governs as opposed to Australia. Through the politicisation of judicial appointments to the Supreme Court of the United States, this is what can happen in the end.

I am also grappling in my own mind with what appears to be an apparent contradiction in terms, in this week, when we have seen what I believe is a very positive result, in terms of the House of Reps passing the territory rights bill for the ACT and the Northern Territory. We support state and territory rights. We fought for these territory rights. Again, not everyone is of the same view. On the other hand, the overturning of *Roe v Wade* has given the states in the United States the power to legislate in these areas. So on one hand we are saying that we want the states to have

these rights; on the other hand we are criticising the United States for having a similar approach. I am just trying to work through that in my own mind as to how that would work.

It is important to note that this motion is about supporting women and people affected by the overturning of *Roe v Wade*. It is not proposing any changes here in the ACT. It is an expression of support.

Today, I want to share a personal story about how *Roe v Wade* has touched my life. This is my own story. It does not necessarily reflect the views of others in this place, in my own party room. It is my story, and I acknowledge that my experience and views may not be shared by all.

Many years ago, as a young woman—I know to some it may be hard to believe that I was once a young woman—I lived in the United States for a few years. During that time I was married with young children, and I found out that I was pregnant again. For a variety of reasons, my gynaecologist and I decided that a surgical termination was the best course of action for me.

At this time *Roe v Wade* was in place. Abortion in the US was perfectly legal. Sadly, this did not mean that the process was at all sensitive, considerate or easy for those going through it. There were processes to go through. There was counselling, it included being shown photos of aborted fetuses in buckets and on floors in clinics. It included questionnaires and mental health assessments. It included a cooling-off period.

After going through all of this, on the day of the appointment I drove myself downtown, parked my car a few blocks away and walked towards the clinic. But as I approached the building, I found that my steps slowed right down, and I was experiencing a lot of fear.

I would like to be quite clear on this point, Mr Assistant Speaker. This was not about regretting or changing my mind. It was not about changing my decision to have an abortion. It was because, outside the clinic, I could see a large crowd—an angry, noisy, ugly crowd of about 100 people; a crowd with placards who were chanting slogans, screaming obscenities, and throwing things at the windows of the clinic, including buckets of blood. Possibly it was paint; possibly it was pigs' blood. I really did not know. I had to go through this crowd. I was jostled, jeered, grabbed and pushed, with people screaming and spitting in my face.

Hours later, I had to go out through the same crowd. Perhaps it was not exactly the same people, but it was the same ugly, noisy, hateful people. When I say “hateful”, I mean that they were full of hate, not that I hated them. They were full of hate. It was a violent atmosphere, and I feared for my life and for my personal safety. I feared for my personal safety because at that time in the United States there were many instances of car bombings, murders and arson attacks on clinics. It was a horrific time.

I would like to reiterate that I was a married woman with a family. It was a very difficult decision. Just imagine, if you were a young woman with no other support going through that, how traumatic that would be. These people, though, knew nothing

about me and my circumstances. They were not there praying for me. If they wanted to pray for me, that was their choice, but I would have preferred them to do it somewhere else, and preferably not while they were throwing buckets of blood over me. I was afraid, and that fear has stayed with me. It is not that I am fearful all of the time, but I remember that visceral fear. They were terrible, dark times for women seeking what should have been a perfectly legal abortion. Some of that intimidation and fear have continued until this day.

I have never spoken about this abortion before, publicly or privately—never. In fact, last night I had to ring my children and tell them I was going to speak about it, because they did not know about it. It was not because I felt ashamed of my decision or regretted it, but because it was a private matter. It is not something that comes up all of the time in the general course of conversation. When I did decide to talk about it today, it was because I wanted young women and people to know that this is their body and their choice, and I will support that.

I am telling my story today, even though it was quite a long time ago, because I know it can still be really difficult to go through this process. Having an abortion is never an easy decision. I believe, and I still believe, that it was my decision to make, and I have never regretted that decision. Sure, on occasion, I have reflected; and, in a way, I have mourned for what might have been. For many years, on the anniversary of that abortion, I thought about it. For many years, on what would have been the birth date of that baby, I wondered about that baby and what would have happened with that baby. Would they have started school? Maybe they would have gone on to find a cure for cancer if they were here today. They never did.

A lot of time has passed since then, and it has been years since I have thought about it in that way. Now I could not even tell you what those dates were; it is in the past. What I have never forgotten, and I think I will never forget, is the ugliness of the protests and the fear that they created. This has fuelled my commitment to try to make sure that these kinds of protests cannot take place.

I have never regretted my decision to have that abortion. I would not be the person I am today without having made that decision. It is unlikely that I would even be in this place today without having made that decision. Having an abortion is not an easy decision to make, anywhere, anytime, for anyone. I personally believe that it is a woman's right to choose, and I will fight for that.

I also understand, respect and acknowledge that that view is not held by everyone, including those in my own party, and we have to respect that. For me, as one of my own kids said to me last night, "It's your body, and it's your choice."

**DR PATERSON** (Murrumbidgee) (11.56): I would like to begin by thanking Ms Lawder for sharing that deeply personal story. It was incredibly brave of her, and I thank her.

I welcome and provide my wholehearted support for this important executive motion in respect of abortion rights in the ACT. I welcome the ACT government's announcement this morning of free abortion services for Canberrans. I am proud to be



part of the ACT Labor Party that, as Minister Berry outlined, has a long history of championing women's rights and will continue to do so into the future.

I want to start by paying respect to anyone in the ACT who has had any experience of or is affected by any matter relating to abortion. It is something that is highly individualised, traumatic, emotional, sensitive and personal. I want to acknowledge that I do not believe it is possible for anyone other than the person or people involved in their own decision about abortion to understand or comprehend the gravitas of any situation involving the termination of a pregnancy.

I also want to start by saying that abortion care is a basic human right. In 2020 the World Health Organisation included comprehensive abortion care in its list of essential healthcare services. It is well known that there are very dire consequences in countries and contexts where illegal abortions are carried out.

Amnesty International, a leading global human rights organisation, notes that "criminalising abortions does not stop abortions, it just makes abortion less safe". According to the World Health Organisation, unsafe abortions are the third leading cause of maternal deaths worldwide, and lead to an additional five million largely preventable disabilities each year.

The World Health Organisation further notes that, globally, six out of 10 unintended pregnancies, and three out of 10 of all pregnancies, end in induced abortion. Of these abortions, around 46 per cent are unsafe, primarily because those are undertaken in developing countries and places where abortion is criminalised.

I fear that unsafe abortions in the US will rise as a result of the Supreme Court decision to overthrow *Roe v Wade*, and there is evidence to suggest that this will be the case. The World Health Organisation reports:

Evidence shows that restricting access to abortions does not reduce the number of abortions. However, it does affect whether the abortions that women and girls attain are safe and dignified. The proportion of unsafe abortions are significantly higher in countries with highly restrictive abortion laws than in countries with less restrictive laws.

Amnesty International notes that the debate is "clouded by misinformation about the true ramifications of restricting access to this basic healthcare service". I despair for women, girls and others in the US and globally.

Over the last 25 years, Amnesty International reports that more than 50 countries have changed their laws to allow for greater access to abortion, largely in recognition of the vital role that access to safe abortion plays in protecting women's lives and health.

It staggers me that, in this context, a country like the US—one that we often consider ourselves to be aligned with and akin to, in the quality of life and values that we hold—has reverted its laws and taken such a significant step backwards, by about 50 years, to such draconian and discriminatory measures. They are laws which, inherently and unfortunately, discriminate primarily against women and girls, as well as gender-diverse people.

The outcome of the recent *Roe v Wade* decision by the Supreme Court is something which has sent shockwaves across the globe. It is something which has, quite rightly, forced us to look inwardly and assess what it might mean for our local Canberra community and, more broadly, across Australia.

The decision in the US is not likely to immediately impact Australia, but it does highlight how important it is that we continue pushing for universal, affordable access to abortion and for local rights. Within Australia, people in all states and territories can have abortions without risk of criminal prosecution or proceedings, and I am intent on keeping it this way.

I welcome and commend the Assembly's swift action to convene an inquiry into abortion and reproductive choice in the ACT. The inquiry's terms of reference are comprehensive. I encourage all members of the Canberra community to provide a submission by 15 August and have your say on this important matter.

I want to ensure that we not only have safe, affordable and accessible abortion procedures available in the ACT—or free, as of today—but also that appropriate support services are in place. I am proud to be a part of the ACT Labor Party who, in the lead-up to the 2020 election, made a commitment to reduce the up-front cost of surgical abortions.

I am pleased to end on a positive note, with a quote from Marie Stopes Australia's Head of Policy, Bonney Corbin, who has expressed confidence that Australia is tracking well in access to abortion. I quote:

We are in such a good place to keep moving forward with reproductive rights in Australia. We could be leading the world in 2030 if we stick to that trajectory.

**MS VASSAROTTI** (Kurrajong) (12.02): I wish to speak briefly in support of the executive motion, brought forward by the Minister for Women, to stand in solidarity on abortion rights in the United States. I, too, would like to start by thanking Ms Lawder for sharing her story. Many of us carry our own lived experiences of fertility and pregnancy journeys, both planned and unplanned, and the decisions that individuals make about their bodies are often difficult, deeply personal and have deep implications on a person's life, no matter what decision is made in relation to an unplanned pregnancy.

What is key is that people have options and determination over their own bodies and their own lives. While the decision to no longer recognise the constitutional right to abortion in the United States had been foreshadowed, it was still a shock, both in the United States and here in Australia. While women all over the world have always struggled to access their rights, particularly when facing intersectionality because of their race, disability or socio-economic status, this decision provided a pathway for the state to withdraw access to safe and accessible abortion at an institutional scale. It is horrifying. It starkly highlights how the fight for the human rights of women is never over. It shows the continued fight to ensure that everyone's human rights can be accessed and that we also need to vigorously protect hard-fought rights that were won by our mothers and our grandmothers.

Sadly, this is something that I have witnessed firsthand and at a global level. In my previous role as a gender advocate, over a number of years, from 2010, I had the privilege of attending and participating in the annual United Nations Commission on the Status of Women meeting. That first meeting was the 15th anniversary of the historic agreement flowing from the Fourth World Conference on Women, negotiated in Beijing. At that time it became clear that the global agreements made in 1995 were the high watermark for women's rights as human rights. Just like the women who had come before us, we expended significant effort in defending the rights that had already been agreed.

Year after year, we saw a collective of conservative state players seeking to undermine those rights. What happened in the United States last month is the result of efforts to roll back those fundamental human rights. As the US decision reverberated across the world, there was an understanding here in Australia of the significance of this. We gathered in our thousands to stand in solidarity, to stand in anger and to stand in determination of the need to ensure that we all have control over our bodies and our destinies.

We gathered to affirm the rights of individuals to be who they are, to access the health care they need and to recognise that once one group is targeted it is not long before other marginalised groups are left vulnerable. I was really proud to speak at the Canberra rally and reflect on what this means for us here in Canberra and in Australia. It did provide pause for thought about the journey we have gone through in Canberra and across Australia.

In this Assembly there have been high points and there have been low points in relation to the journey to ensure access to reproductive health rights, including access to safe abortion. As a young woman, I remember a time when the decisions of previous members meant that women were subjected to highly emotive material that, in practice, sought to shame and distress women. I then saw the mobilisation of groups and individuals to reverse this and to decriminalise abortion in the ACT. As others before me have done, I really want to commend the bravery of particular members, such as Helen Cross, who we have recognised this week, to cross the floor on this issue to ensure the bill's success. We know that that came at significant personal political cost for her.

On this issue, more than many others, we have seen the practical outcomes of having female representation across party lines in order to support sensible reform and better access to reproductive health services. This has happened in this parliament, as well as in federal parliament. Here in the ACT we should be really proud of the work we have done to ensure that people who need access to safe abortions can access them—the work to decriminalise abortion, to create safe environments to enable people to enter a health facility without harassment or intimidation, and to increase access to telehealth and medical abortion.

The announcement today that the ACT government will cover the out-of-pocket costs for residents who require terminations is really significant. This has been an issue raised here and across Australia, and I am really proud to be part of a government that prioritises safe access to sexual and reproductive health rights. We know that, even now, for some, access to terminations can still be challenging. Whether it be another

cost, the conscientious objections of health professionals or publicly funded health facilities, there is still more that we can do.

I welcome the announcement, as noted by Dr Paterson, of the Standing Committee on Health and Community Wellbeing to conduct an inquiry into abortion and reproductive choice in the ACT. I also encourage people to provide submissions by 15 August. As noted, we stand in solidarity. While we are shocked, angry and distressed, we also stand in determination that we will continue to be a parliament that prioritises the human rights of all people, provides them with the services and the care they need and supports them to be who they are, to live the lives that they need to live. Thank you.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (12.09): Can I also start by acknowledging the very powerful contribution to the debate today from Ms Lawder—very powerful and very personal. I really want to applaud the decision that you have taken today, particularly considering that you have never spoken publicly or privately about the conversations that you have had about giving this contribution today. It has been such a vital contribution to this debate.

I think it underlines some points in my speech—perhaps not all but certainly some—and particularly that our lives are shaped by our choices: the big choices and the little ones, the choices about our education, where we live, our jobs, our health care and our families. Being able to make meaningful choices about how we steer our lives is fundamental to our equality, our freedom and our human rights. Safe and accessible abortion is exactly that. It is about making sure that women can access the health care that they need to shape their lives and their family. There are myriad reasons why a woman may choose to terminate a pregnancy or choose not to terminate. It is not our place to judge her reasons or her choice. That is what all of this is fundamentally about: the choice about our bodies and the right to make choices about our bodies, for ourselves.

It was 20 years ago this month that Wayne Berry introduced that landmark legislation to decriminalise abortion, which passed with the notable vote of Helen Cross, whose memory we honoured this week. Mr Berry's speech was powerful and sobering then, and it remains powerful and sobering now. I am also struck at just how prescient it was. In commenting on the legislation potentially passing, Mr Berry said:

Even if it passes tonight, this campaign will continue. We have to be vigilant about protecting well into the future any gains that are made. The campaign will not be over.

How right he was, Mr Deputy Speaker. Sadly, how right he was.

It is true that our abortion rights have been hard fought for, and hard won. But, sadly, we have also known all of this time that there are some forces, and indeed some individuals, who seek to remove those rights, who seek to control women's bodies and their autonomy. That is why ACT Labor have been so strong and so clear in our support for women's rights and choice. This has been reflected ever since 2002,

in further advancements that we have made in regulations and actions that we have led: exclusion zones outside clinics and improvements to access to surgical and medical abortions. It is why we have also taken the next step in supporting women, their bodies and their choices, through this budget, by removing financial barriers to abortion. I truly commend Ministers Berry and Stephen-Smith for their leadership in this area.

It is also why we, as a party but more broadly as women and as a Canberra community, are absolutely reeling from the United States Supreme Court decision and the actions which then flowed, in many cases immediately, across jurisdictions in that country. We are reeling because we feel the impact globally. And we are reeling because it shows just how easily and how quickly women's rights can be eroded. While we are 10,000 kilometres away, Mr Berry's words still ring true. We must remain vigilant. It is part of the reason that we are standing in solidarity today and it is why we are seeking to express a joint message of that solidarity.

This past Tuesday marked five years since we had a concerning debate in this place on abortion. It followed an exchange that I had had with the then shadow health minister, Mrs Dunne, who described abortion decriminalisation in New South Wales as bad law and, shockingly and disturbingly, went so far as to describe me as pro-abortion for the votes. Necessarily, we called on the Canberra Liberals to clarify their policy on abortion. The then leader, Mr Coe, responded:

... the motion is redundant because I can confirm that the Canberra Liberals do not have a policy view on this issue.

Their policy was a conscience vote. Rightly, we were shocked and concerned at this response. What did this mean? Would their policy then depend on whomever was the minister at the time? The lack of clarity rightly raised questions on what the Canberra Liberals would do if in government.

I raise this now because the recent experiences in the US reflect just how serious an issue it is and just how important it is for all parties to have a clear position, wherever we are. This motion today is not asking for a policy position, but I would ask the Canberra Liberals to reflect on that. I also reflect with regret that, just like in 2017, today we do have Canberra Liberals members who we know have a different view, who are not only not putting it on the record but have absented themselves from the chamber. This does make me worry.

On an uplifting note to finish, can I sincerely thank Minister Berry. She has been tireless in continuing her father's legacy. She has been absolutely relentless to ensure that women's rights are not only upheld but promoted and advanced. It is an honour for me to serve in cabinet and in government with her. Thank you. I commend the motion to the chamber.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (12.16): Of course I rise today in support of the Deputy Chief Minister and Minister for Women's motion, because we know that abortion is a health service and choice is a fundamental human right. I also want to acknowledge Ms Lawder's

contribution to this debate and the contribution that she has made in sharing her own story. As others have said, it is one that powerfully illustrates why we are having this debate today.

I am proud to stand with other members in solidarity with the people of the United States, following the huge step backwards in fundamental human rights that the overturning of *Roe v Wade* in the United States Supreme Court represents. As someone who lived in the United States for almost four years, I am conscious that this decision will potentially affect the young people with whom I shared a classroom and the families I worked alongside. I worked alongside advocates and community organisers to support in Washington DC.

We also know that this decision has, as others have said, reverberated around the world. Feminists everywhere have been horrified that fundamental healthcare rights have been stripped away and that American women and people who can become pregnant will once again be criminalised and their health and lives put at risk, with the inevitable continuation of people seeking to end an unwanted pregnancy but being unable to do so safely.

However, we know that the progressive side of politics, the side of the feminists and campaigners that achieved this freedom across many countries, will continue the fight to restore this right, undo this injustice and ensure once again that women and people who can get pregnant do not have to run the extraordinary risks to themselves of unsafe, unregulated services. Sometimes moments like these that occur on the other side of the world provide the opportunity to reflect on local arrangements and local values and to ensure that we, as a government and as representatives of our community, are living up to them.

The ACT government believes that it is a person's right to choose. This position was formalised in law 20 years ago by Labor minister Wayne Berry, as the Deputy Chief Minister has spoken about with such pride. Decriminalising abortion was an important ratification of women's rights. I am really proud that the ACT was one of the first jurisdictions to remove abortion from criminal law and that this change was driven by ACT Labor. As Ms Cheyne has noted, however, other jurisdictions have taken much longer to reach this point and the debate has not concluded in some.

I am also proud that successive ACT Labor governments have continued the reform to improve the accessibility and affordability of abortion services. To further minimise barriers to accessing abortions in the ACT, in 2016 the ACT Labor government introduced legislation to ensure patient privacy by implementing protected areas, commonly known as exclusion zones, outside abortion clinics. This was designed to protect the people who are seeking an abortion from harassment and intimidation. Ms Lawder has eloquently described why this was so important.

The legislation prohibits anti-abortion protesters from engaging in prohibited behaviour, such as protests or capturing visual data, that may otherwise prevent a person from entering a facility or having an abortion. The changes were made because we know that people who have made the very difficult decision to have an abortion have the right to access the required services without being forced to endure the

judgement of others, even where that does not involve physical intimidation or the throwing of blood, real or fake.

On 1 July 2019 legislation commenced that provides different definitions for medical and surgical abortions. Prior to this change, all abortions were required to be carried out in an approved medical facility. While surgical abortions must still be carried out in an approved medical facility, this change was designed to make medical abortions more accessible to Canberrans. These legislative updates allow specially trained general practitioners and telehealth services to prescribe abortifacients, the medication used for a medical abortion, and to train pharmacists to dispense these medications.

So we have largely delivered on two of the three calls on the bumper sticker that was proudly displayed on my first car, more than 30 years ago: “Make abortion safe, free and legal.” Abortion is legal and it is safe. But I was shocked a few years ago when a group of Young Labor activists, through Labor for Choice, started talking about how expensive abortion is and the barrier that this creates to accessing the safe and legal abortions that our laws enable. These young activists highlighted that the most significant barrier to accessing abortions for people in the ACT is the cost.

Labor for Choice succeeded in their advocacy for federal Labor to commit, at the 2019 election, to ensuring that abortion would be available for free across Australia. Unfortunately, Labor was not elected in 2019 and the very welcome Albanese government has not repeated this commitment. So in an early letter to the incoming minister, Mark Butler, I called on the new commonwealth government to revisit and take action on this earlier commitment.

In the meantime, the 2022-23 budget includes a \$4.6 million investment that will make medical and surgical abortions free for Canberrans who need them. We have made this change because we know that, across Australia, estimates suggest that one in three women experience unintended pregnancy in their lifetime, with half of these being terminated. Ensuring that Canberrans can access this service, no matter their financial circumstances, is critical to an equitable healthcare system. This means that individuals will be supported to make a choice about having an abortion without being influenced by financial barriers. It also means that an abortion can occur in a timely way, without being delayed due to the inability to pay.

I am proud to be a member of the Labor Party that has driven these reforms, and of being able to help push the ACT further forward in the next step that we have delivered today. There is always more work to do, and the decisions taken in the United States only reinforce the need to continue this fight. I commend the Deputy Chief Minister for bringing this motion to the Assembly. I look forward to continuing to work with her and for all of us continuing the work that her father, Wayne Berry, led in this place. I commend her leadership on this issue and I commend the motion 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 12.23 to 2.00 pm.**

## **Ministerial arrangements**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (2.00): Madam Speaker, Minister Steel is absent from question time today in order to attend a ministerial council meeting. I will endeavour to assist members in Minister's Steel's portfolios.

## **Questions without notice**

### **Rental properties—minimum energy standards**

**MS LEE:** My question is to the Attorney-General. Attorney-General, yesterday in question time, when I asked you whether any economic analysis had been done on the effect of rental reforms on the market, you referenced the regulation impact statement in relation to the energy efficiency standards. On page 53, that document says:

The full extent of the impacts on the rental market is beyond the scope of this report.

It goes on to say on page 54:

More research would be required to properly analyse and predict impacts on the ACT's rental market.

With respect to this advice, did you or your directorate undertake any detailed economic analysis of the effect that energy standards would have on the rental market? If so, will you table it for the Assembly?

**MR RATTENBURY:** The observation I made to Ms Lee yesterday was that a range of economic had been work done. She has obviously gone off and read that document. It speaks particularly to the elements on which I gave commentary yesterday, on our expectations of the economic impact, and in response to Mr Parton's question in particular. I indicated that we expect a range of impacts, and that is the advice that the government has.

**MS LEE:** Minister, did you or your directorate undertake any economic analysis of the effect of the overall reform policy changes and what impact they would have on the rental market? If so, will you table it in the Assembly?

**MR RATTENBURY:** I will check the details of what work we do have available, and I will provide that on notice to Ms Lee.

**MR PARTON:** Minister, regarding energy efficiency standards, did you give any consideration to rental providers' feedback that they would pass costs through to tenants or take their properties, as was advised by Mr Davis this morning, out of the rental market?

**MR RATTENBURY:** We have, of course, considered those factors.

*Opposition members interjecting—*



**MADAM SPEAKER:** Members!

**MR RATTENBURY:** Mr Hanson is just doing his needling thing, that he so relishes. We did consider those factors. We had a public consultation process. I have received analysis from the directorate on that. The directorate, as I explained to Ms Lee yesterday, is now finalising and taking into account all of that feedback, and thinking about the most effective way to implement this scheme. We have considered those views. We are working through them at the moment. When the government announces its final position on these matters, those factors will have been considered.

### **Hospitals—staffing**

**MS CASTLEY:** My question is addressed to the Minister for Health. Minister, the *Canberra Times* today reports that an ED nurse yesterday spoke at the rally and said that nurses had resorted to wearing incontinence pads as they did not have time to go to the bathroom. The protesting nurses outside the building also said:

We're tired. We're sick and we're burnt out, in every sense of that term ...

Exhausted nurses not having the time to go to the toilet during their shift.  
Bullying and harassment [is] rife ...

Minister, is it acceptable to you, as health minister, that your nurses are so overworked that they do not have time to go to the toilet and must wear incontinence pads?

**MS STEPHEN-SMITH:** Of course that situation is not acceptable. Any of those reports would of course be followed up. I listened to a lot of what the nurses and midwives had to say at the rally yesterday, and I went out and talked with some of the nurses and midwives after the rally to hear from them firsthand about their experiences. Some of those are really quite distressing. We are doing a lot of work in relation to recruitment and retention. I talked to some of them about some of the conversations I have had with Calvary, which are not necessarily mine to share.

I can share some good news from Canberra Hospital, in relation to the emergency department there. There will be an additional 14 nurses joining the team at the Canberra Hospital emergency department, with 10 of those coming from outside Canberra Health Services' current workforce. That work on recruitment continues to bolster our frontline nursing and midwifery workforce and we continue to invest in wellbeing. We held a symposium on Monday to consider what more can be done to support nurses' and midwives' wellbeing. We know it has been really difficult over recent times, not just in the ACT but across the country. Certainly, I would expect that if hospitals themselves are hearing this they should be doing something to address the challenges that those nurses and midwives are facing.

**MS CASTLEY:** Minister, would you describe these workplace conditions as family friendly, like we have here at the Assembly?

**MS STEPHEN-SMITH:** Having recently had reason to read through the ACT nurses' and midwives' enterprise agreement, I can say that there are certainly a lot of

things in there that reflect the ACT government's commitment to safe and supportive workplaces. Obviously, a 24/7 environment requires people to do shiftwork. That is part of the nature of working as a nurse or midwife—that it is a 24/7 environment in a hospital. That can create real challenges for people.

That is one of the reasons that our hospitals also have been working to ensure that people who have leave booked, for example, are able to take that. In fact, I was in the hospital just the other day, talking to a nurse on one of the wards who was about to go on leave and really looking forward to that opportunity.

**MR COCKS:** Minister, what action are you taking right now to ensure that nurses have proper breaks?

**MS STEPHEN-SMITH:** I thank Mr Cocks for the supplementary question. This is a regular conversation with both Canberra Health Services and Calvary Public Hospital around the wellbeing of our nurses and midwives, ensuring that those requirements in the workplace are met. They have regular consultative committees with their union representatives as well. We certainly encourage staff, if they are experiencing these kinds of challenges, to escalate that to their manager, and through their manager, so that those issues can be addressed. As I said, it is a regular conversation.

I can give you one example. Canberra Health Services has been working very closely with the Chief Minister's directorate to look at how we can streamline recruitment processes so that we can recruit more quickly to those frontline positions. We also have made a massive investment in new allied health staff. We made a massive investment in the healthcare workforce through the budget, but one of those areas in particular is allied health staff. We know we have challenges in recruiting nurses, midwives and sometimes doctors. In allied health we are very confident that we can get these staff into the hospital. We can improve their capacity to support not only patients and their experience but also the other staff, as part of a multidisciplinary team.

### **Budget—sport and recreation**

**MR DAVIS:** My question is to the Minister for Sports and Recreation. Minister, I was delighted to see that \$64,000 was allocated for early indoor sports centre planning in the recent budget. While I welcome this investment, I do remain concerned that, without a proper infrastructure plan for sports and recreation in the ACT, this money will not go where it is needed the most. Does the ACT government intend to finish developing a detailed facilities management plan as agreed to by the Assembly in my motion of last April?

**MS BERRY:** Yes.

**MR DAVIS:** When can the community expect the release of the finalised facilities management plan?

**MS BERRY:** When it is completed. But, of course, we are working with sports organisations on the sports strategy, and we are continuing that work. We will have a draft available soon to work through with sports—

**Mr Davis:** I raise a point of order, Madam Speaker. I am remiss to take a point of order. I will not hold the minister to specificity, but at least some date range would be useful. My question was specific: when can we expect the release of the report?

**MADAM SPEAKER:** There is no point of order. She is saying that there is a draft out soon and she is working with the community.

**MS BERRY:** We are looking at having a plan out by the end of the year. Of course, we want to make sure that we have a plan that has been appropriately consulted on with sports organisations, and we are going through that process right now.

**MR BRADDOCK:** Minister, will the plan cover existing infrastructure such as the Nicholls Enclosed Oval, which is in need of an upgrade?

**MS BERRY:** We are working that through with sports organisations, as we speak.

### **Canberra Health Services—workplace culture**

**MS CASTLEY:** Thank you Madam Speaker. My question is to the Health Minister. In the 2019-2020 budget you allocated \$12 million to improve the toxic culture at the Canberra Health Services, following a workplace review. Sadly the situation has not improved but worsened. The staff rating for CHS being a good place to work has gone backwards, from -6.2 to -16.5. Yesterday protesting nurses spoke about violence in the workplace and said bullying and harassment were rife. How will you guarantee \$7.2 million in this budget will result in a safer culture, when you have already spent \$12 million and conditions are worse?

**MS STEPHEN-SMITH:** Thank you Madam Speaker. I thank Ms Castley for the question, but she is wrong. In workplace culture surveys over that period of time there has been an improvement in what we have seen, including particularly from nurses and midwives.

I will talk about Canberra Health Services because they all have different surveys. When you look at the nurses and midwives element of that culture survey, Canberra Health Services benchmarks are either in line with, or above, their charts for other nursing and midwifery workforces at other health systems across the country.

Now there are some challenges there, and occupational violence has been a particular challenge. This is why, over some years, we have been working with the Australian Nursing and Midwifery Federation for the *Towards a Safer Culture Strategy*, and we invested \$1.2 million in that in the 2019-20 budget.

In this budget we have tripled funding for the *Towards a Safer Culture Strategy*, continuing to work with the ANMF. This specifically addresses both issues of occupational violence and psychological safety, and to broaden that out, to nurse and midwife wellbeing, specifically responding to the recommendations and calls from the union.

I will give one more piece of evidence, Madam Speaker, that things have changed at Canberra Hospital. Everyone will recall in 2018 that during the accreditation process

by independent accreditors a number of challenges were identified. In this year's accreditation, very recently, in the past few weeks, 11 assessors, 400 hours spent across all the services; the assessment revealed a workforce culture that is closely aligned with the CHS vision, values, clinical governance framework and exceptional care framework. Many staff commented on the significant improvement in communications and staff morale since the last onsite organisational-wide accreditation in 2018.

**MR DAVIS:** Supplementary

**MS CASTLEY:** It is my supplementary first.

**MR DAVIS:** Oh, right.

**MS CASTLEY:** Thanks, anyway.

**MADAM SPEAKER:** Your enthusiasm is recommended.

**MS CASTLEY:** Appreciate your enthusiasm though.

*Members and Opposition members interjecting, with laughter from all in the Chamber.*

**MS CASTLEY:** Thank you Madam Speaker. Minister, can you table the report that you referenced in your last answer.

**MS STEPHEN-SMITH:** Thank you Madam Speaker. Ms Castley received this report through FOI but I would be very happy to table it.

**MR DAVIS:** Thank you very much Madam Speaker. Minister, in the last financial year, how many staff have been terminated from Canberra Health Services due to being perpetrators of workplace bullying?

**MS STEPHEN-SMITH:** Thank you Madam Speaker. I seem to recall that I have in fact answered a question on notice in relation to this matter. Very recently. So, I will get my staff to send through that response and I will provide that response on notice at the end of question time.

I would also say to Mr Davis that in many instances it won't necessarily be clear around the termination of staff in those instances. Often those IR matters are not necessarily discussed in a way that he has phrased his question.

### **Education—Gungahlin College**

**MR HANSON:** My question is to the minister for education. Minister, you have announced \$1 million funding for planning and design work for a new public college in Gungahlin; however, the Gungahlin College P&C has said that the college is already full and at capacity and may not be able to manage until the new college is ready. They said, and I quote:

The ACT government has known about our enrolment pressures for years so we're disappointed to hear that planning is only just starting ... Parents are concerned about the quality of teaching and learning that will be possible for college students while we wait for this one to open.

Minister, how will the existing college in Gungahlin cope while they wait for the new school to open?

**MS BERRY:** I thank Mr Hanson for the question, and I am always very pleased to hear feedback from our school P&Cs. Their reflections and feedback to the government from their own personal experiences on the ground are really important to the way the government works on planning to ensure that we meet the needs of our school communities.

Gungahlin College is going through its enrolment right now, as all public schools are, and those enrolments are being completed as we speak, so we will understand the full capacity of Gungahlin College once that enrolment process is completed. Of course, Gungahlin College has the capacity to meet the needs right now; however, we have heard from the Gungahlin community that there is a requirement and need for an additional college in Gungahlin, and so we have put forward the \$1 million in funding as part of our budget commitment this year to do that investigation work.

A site for a new college in Gungahlin has been identified at Gold Creek. Some of that feasibility work will occur as part of that planning funding that is in the ACT government's budget. We have had really good feedback, more broadly, from the Gungahlin community, and particularly Yerrabi members Suzanne Orr and Michael Pettersson who have also said—

**Mr Hanson:** Madam Speaker I wish to raise a point of order on relevance. The question is quite clear, and it is about how the existing college is going to cope whilst that planning process takes place and we are waiting for a new college. The minister has not answered that question at all.

**MADAM SPEAKER:** Mr Hanson, without verballing the minister, I think she has made a comment that the school has got the capacity at the moment.

**MS BERRY:** I have answered that question. I am looking forward to seeing the work completed on a new college for Gungahlin. (*Time expired.*)

**MR HANSON:** Minister, why are you only starting to plan for a new college now, when the P&C says that they are at full capacity, and you have been aware of the pressure for years?

**MS BERRY:** Well, because we have been working with the Gungahlin College school—with teachers and school principals, as well as the P&Cs in the past—to ensure that the college can meet the needs of the Gungahlin community. However, we know, as Gungahlin grows and continues to be one of the highest population growth areas in the country, that we need to provide more facilities. A new Gungahlin college is one of those facilities, including upgrades and increasing capacity, and new primary schools, high schools and colleges for that area.

**MS CASTLEY:** Minister, can you guarantee this school will be big enough given Margaret Hendry School had to expand less than four years after opening?

**MS BERRY:** Margaret Hendry School was always going to be expanding. It was always a school that had been built with land available for future expansion, because of the growth we know that is happening in the Gungahlin community. That is exactly why the planning work is happening now on the new college for Gungahlin, with a proposed site in Gold Creek. We have had very good feedback—very positive feedback—from the Gungahlin community, and I look forward to those continued consultations with the Gungahlin community on the future of that school.

### **Government—greenhouse gas emissions reduction**

**MS CLAY:** My question is to the Minister for Water, Energy and Emissions Reduction. Minister, I was pleased to hear earlier today your announcement about Canberra's pathway to electrification. It was great to be part of the Greens campaign calling for an EV policy and a policy to get off gas. I remember that we were the only major party that took those to the last election. There has been a lot of commentary and confusion about whether Australia needs green hydrogen, whether we need biofuel, whether methane gas is a transition fuel, whether we need fossil fuel hydrogen, or whether we can go straight to 100 per cent renewable energy at this stage. Can you talk me through how we got to today's announcement and what it means?

**MR RATTENBURY:** Ms Clay's question highlights the complexity of some of these discussions. It touches on the fundamental importance of it; that is, to get to net zero emissions we need to systematically work our way through each of these sources of emissions and eliminate them from our day-to-day lives.

I am very pleased to have worked with the Chief Minister on today's announcement, which is to signal to our community that the era of fossil fuel gas use in the ACT is coming to an end. We have been very clear that this will be an orderly transition over the coming decades. To get to net zero emissions by 2045, we will need to cut 20 per cent of greenhouse gas emissions that currently come from fossil fuel gas use out of our system.

We have decided, as a government, on an electrification pathway. Over the last 12 to 18 months there has been extensive analysis done on what is the right pathway. It has made it clear that neither hydrogen nor biogas are viable alternatives for the ACT. Electrification has been identified as the most cost-effective and technically feasible pathway.

A lot of people in the community think that maybe hydrogen will be the answer. We do see roles for hydrogen and biogas, but we see them as niche applications. They will be used for particular industrial purposes, possibly transport purposes, but we will not see them being piped out across the suburbs in the way that fossil fuel gas, natural gas, currently is.

What is not understood by many people is that if we were to do that, we actually have to change over the whole system. The devices at the other end, be it your hot-water

system or your cooktop, cannot burn hydrogen in the way they burn natural gas. So there would have to be a very significant changeover, anyway. That is simply one of the factors, let alone the cost and the inefficiency of the energy conversion, as to why hydrogen will not be distributed in large scale across the city, and why electrification will be the pathway for Canberrans in the future.

**MS CLAY:** Minister, will this be a sudden transition for the fossil fuel gas industry and for other energy industries?

**MR RATTENBURY:** No, we have been very clear that this will be a gradual transition. I think it is important that we give the community a clear indication now of where we are headed, so that people can start to make choices and plan for the future. We are already seeing a decline in gas use in the ACT, in the order of two to 2½ per cent a year. That is picking up pace, from the data that I have seen.

Canberrans are already making their choices, and they are making them for a number of reasons. One is because they are committed to reducing their own carbon footprint. But people are also doing it simply from a cost point of view. They understand clearly that new electric devices are more efficient and more cost effective to run. If they are able to remove the gas connection from their swathe of energy bills, that is several hundred dollars a year that they do not have to spend. People are already voting with their feet for a range of reasons, and they will continue to do that.

In making this policy position, we have been very clear that we will start with the legislation I introduced this morning, which will stop making the problem worse—not rolling out further gas infrastructure—and making sure that we do not end up with obsolete investment. We will then work with our businesses and our households here in Canberra to make that transition over the coming decades.

Our advice to households is: you do not need to suddenly pull out your gas devices today. That is not what we are asking you to do. But prepare for the changeover. When you replace your gas hot-water system at the end of its life, or when you go to purchase a new cooktop, choose electric. Go for an electric one, because that is the pathway in the future. It is environmentally friendly, it is better for your bank balance and it is the direction that the government is heading in, on behalf of our city and our community.

**MR DAVIS:** Minister, how will this transition impact household energy costs and business bottom lines?

**MR RATTENBURY:** Our advice is that this will produce savings for both households and businesses over time. Of course, people's energy use and energy profiles are different, but it is clear that, with a like-for-like replacement—a gas-powered house versus the same electric-powered house—we will see significant electricity savings. I know people are concerned about the up-front cost, and that is a factor. That is why the government is putting in place a range of programs to support that. But we should not lose sight of the fact that if your hot-water system reaches the end of its life, and it blows up, you have to buy a new one, anyway, and there is a cost to that.

Our job is to make sure that we help households with that. The Sustainable Household Scheme, for which the Chief Minister has lead responsibility, is an example of that, where the government helps people with the up-front cost with an interest-free loan. For government, our particular role needs to be with respect to the lower income households, to ensure that there is a just transition, so that people are not left behind.

Those who cannot afford the upgrades are those likely to be in rental properties—those who will struggle to find that quantum of capital to get new equipment and get the support they need. There will be plenty of people who will do this as a matter of course, as part of renovating their house and making upgrades. Those people will do their job. Government's particular role here is to provide clarity and to provide support for those who will need help to make that transition. In doing so, we will actually leave them better off in the long run, just as our solar for low income program helps people to get into solar with no up-front costs; it saves them, on average, \$1,000 a year in electricity bills. These are the sort of things we can do to help people to reduce their energy bills and do the right thing by the planet.

### **Budget—domestic, family and sexual violence**

**DR PATERSON:** My question is to the Minister for the Prevention of Domestic and Family Violence. Minister, what investments does the 2022-23 budget make to address domestic, family and sexual violence in the ACT?

**MS BERRY:** I thank Dr Paterson for her question. The ACT government is committed to preventing and responding to domestic and family violence in the ACT. Everyone has the right to be safe. Addressing domestic, family and sexual violence is everyone's business. In the 2022-23 budget there is an investment of \$71.6 million across a broad range of measures; of this there is \$24 million in new spending.

Frontline services are critical in responding to incidents of domestic and family violence. The budget also extends the successful Family Violence Safety Action Pilot program. The health justice partnerships, successful in supporting women in maternal care settings, will also continue. The budget also invests in Aboriginal and Torres Strait Islander communities, including commitments to continue to consult with communities and implement an Aboriginal and Torres Strait Islander community-led response.

The budget also recognises a need to invest in the prevention of domestic and family violence in the longer term. The government will develop an enduring prevention strategy and implement culture change activities. Violence is always the responsibility of the perpetrator. The budget continues the Room4Change behaviour change program in 2022-23. The budget also delivers training and capability building in the specialist sector and beyond.

Finally, the budget delivers on the ACT government's commitment to implement the recommendations of the *Listen. Take Action to Prevent, Believe and Heal* report on sexual violence. This includes new supports for victim-survivors, as well as ongoing consultation with victim-survivors and a pilot of co-located services and reviews of existing systems.



**DR PATERSON:** Minister, how will these investments support victim-survivors of domestic, family and sexual violence?

**MS BERRY:** The act government is committed to supporting victim-survivors of domestic, family and sexual violence to take steps to keep themselves safe, to access services, to leave violent situations if they choose, and to heal and recover. The budget supports these commitments and ensures that victim-survivors will continue to have a voice in government policy in this space. The ACT government is investing over \$1.4 million over four years to establish an ongoing consultation model for victim-survivors. This implements the first recommendation of the *Listen. Take Action to Prevent, Believe and Heal* report on sexual violence prevention and responses.

The 2022-23 budget also provides \$935,000 over two years for specific consultation with Aboriginal and Torres Strait Islander communities, including victim-survivors. The budget delivers new and reformed supports for victim-survivors of sexual violence across the ACT response system. These investments include \$515,000 over four years to re-establish a wraparound service to connect supports for victim-survivors; \$1.5 million over four years for independent sexual violence advisers to help victim-survivors to navigate services; and \$4.4 million over four years to pilot a multidisciplinary centre to create a single, integrated access point for victim-survivors.

The budget also continues and expands existing services for victim-survivors of domestic, family and sexual violence. This includes \$5.9 million over three years for family violence safety action programs to continue integrated case management and information-sharing for people at higher risk of lethality as a result of domestic and family violence. It also includes \$620,000 to boost crisis accommodation and supports through the Domestic Violence Crisis Service and the Canberra Rape Crisis Centre.

**MS ORR:** Minister, how do these investments support Aboriginal and Torres Strait Islander people, families and communities, as part of the ACT's response to domestic, family and sexual violence?

**MS BERRY:** I thank Ms Orr for the supplementary question. The ACT government recognises that Aboriginal and Torres Strait Islander people disproportionately face barriers to accessing safe and appropriate services for domestic, family and sexual violence. This is directly linked to racism and the ongoing violence of colonisation, which must be acknowledged. As a result, it is especially important that domestic, family and sexual violence services are designed and delivered with Aboriginal and Torres Strait Islander people's voices at the centre. This goes for all services. All services need to be culturally safe.

In this budget the ACT government is committing \$935,000 over two years to continue consulting with the Aboriginal and Torres Strait Islander communities about the implementation of the *Listen. Take Action to Prevent, Believe and Heal* report on sexual violence prevention and responses. The budget also commits \$1.9 million over four years to scope, design and implement community-led responses to domestic and family violence in Aboriginal and Torres Strait Islander communities in the ACT.

This will include implementing priority recommendations from the *We don't shoot our wounded* report identified by the Aboriginal and Torres Strait Islander Reference Group of the Domestic Violence Prevention Council.

The funding in this budget builds on investment from previous years. That investment is already being used to co-design and deliver training to support Aboriginal and Torres Strait Islander community responses to domestic and family violence and to trial responses supporting Aboriginal and Torres Strait Islander women with legal, advocacy and practical and healing services.

### **Budget—seniors**

**MS LAWDER:** My question is to the Assistant Minister for Families and Community Services. Minister why have you again failed to deliver any new or innovative initiatives in this year's budget but instead we see more of the same for seniors?

**MS DAVIDSON:** I thank you for the question. This budget continues our work on the Age-Friendly City Plan, including a number of initiatives that will make our city more accessible and easier for people to get around, as well as continuing some of those initiatives that I have talked about in this place previously around making our city a more dementia-friendly city.

There are also a number of initiatives in areas of health and community services that will particularly benefit older people in our community. Some of the work being done in the Social Recovery framework will be particularly important for older Canberrans, who are often disproportionately impacted by things like natural disasters that might cause, say, power outages or the inability to access services that they would normally need to access, as well as the impacts of the pandemic, which are ongoing. There is quite a bit of work still to be done, but we are continuing to get on with that work.

**MS LAWDER:** Minister, why does your Labor-Green government continue to neglect seniors and treat them as second-class citizens by failing to include any new initiatives for them in the budget?

**MS DAVIDSON:** I thank you for the question. There are a number of new initiatives in this budget that will support a number of people in our community who experience increased social isolation and are living on lower incomes, and that includes older people in our community, as well as initiatives that support the health and wellbeing of older people in our community. I provide regular updates on how we are progressing this work through the Age-Friendly City Plan and will continue to do so.

I would particularly like to thank COTA ACT for the ongoing work they do in things such as the Silver is Gold Festival and the Seniors Expo and in making sure that people can get access to seniors cards in the ACT. I look forward to progressing further initiatives that will make it easier for older people in our community to access the services that they need.

**MR CAIN:** Minister, when will you start prioritising some of our most vulnerable Canberrans, and just when are these 'wonderful' plans and policies that you are working on going to be rolled out?

**MS DAVIDSON:** Thank you for the question, Mr Cain. I will continue to provide updates to the Assembly on the Age-Friendly City Plan progress, which is where a large amount of this work is discussed in more detail. I will also continue to participate in and support the work of our seniors' organisations in Canberra, including ADACAS and COTA ACT in the work that they are doing, such as reducing abuse of older people in our community, raising awareness of how we can support older people in our community and in making sure that they are able to continue staying connected to their community.

*Opposition members interjecting—*

**Ms Clay:** I raise a point of order, Madam Speaker. I really cannot hear the minister talking, with so many interjections from the floor. It is also extremely rude. I would really like to hear the answer.

**Mr Parton:** She is not saying anything of any consequence.

**MADAM SPEAKER:** Mr Parton, resume your seat. She has a valid point of order and there is no need for you to interject on that point of order.

**MS DAVIDSON:** I will continue to participate in and support the work of COTA ACT, ADACAS and other community sector organisations in initiatives such as reducing abuse of older people in our community, raising awareness of how we can support older people in our community and in making sure that they are able to engage as fully as possible in our community.

### **Budget—health infrastructure**

**MS ORR:** Thank you Madam Speaker. My question is to the Minister for Health. Minister, health infrastructure investment is being a major component of the 2022-23 budget. Can you please provide further details about this investment?

**MS STEPHEN-SMITH:** Thank you Madam Speaker and I thank Ms Orr for the question.

The 2022-23 budget will invest an additional \$390 million in health, which will deliver a total investment of more than \$10 billion over four years.

We are investing more than \$820 million in health infrastructure over the next four years, building on our record health infrastructure investments over the past decade. This continues our pipeline of health infrastructure delivery to expand the Canberra Hospital and to deliver on the master plan to develop the north side hospital and to grow community health facilities.

This budget invests more than \$91 million to continue to transform the Canberra Hospital campus, including delivering the next steps of the master plan that was launched in December 2021. This investment in the Canberra Hospital will also include site selection and early design of a new 12-bed, integrated palliative care ward at Canberra Hospital. This commences delivery of this election commitment which was strongly advocated for by consumers.

This budget will also deliver new and upgraded state-of-the-art clinical equipment to Canberra Hospital, including medical linear accelerator, PET scanner, CT scanner, nuclear medicine gamma camera, and nuclear medicine spec CT. Further equipment upgrades are also funded at Calvary Public Hospital Bruce, through more than \$4.6 million investment in replacing and enhancing critical equipment, including a new ultrasound and mobile x-ray unit.

We are also investing, Madam Speaker, in community health facilities to progress, design and upgrade facilities. We are making health services safer for the health workforce across acute and community services through upgrades to nurse call and duress alarms.

Through the budget we are also funding the delivery of the south side hydrotherapy pool at Tuggeranong Lakeside Leisure Centre. This was an important election commitment from the government.

Madam Speaker, we are delivering more beds, more buildings, more state-of-the-art equipment and even better health care facilities for the ACT community.

**MS ORR:** Thank you Madam Speaker. Minister, how will these health infrastructure investments benefit the Canberra community and its access to health?

**MS STEPHEN-SMITH:** Thank you Madam Speaker and I thank Ms Orr for the supplementary question.

The investments we have made in health infrastructure through the 2022-23 budget are considered and important next steps.

They continue expanding ACT's health services as our community grows, support our community in accessing even better care, and support our workforce to deliver exceptional services across the ACT. This record investment, of more than \$820 million over the next four years, will mean we can continue to build new facilities and upgrade existing areas of our health services. So Canberrans can access the right treatment, in the right place, at the right time.

The next steps of the Canberra Hospital master plan will facilitate further in-patient beds, design costing and demolition for a new pathology building and in-patient buildings, and particularly important for consumers, improve public way finding at Canberra Hospital. This last was a significant issue we heard from consumers through the Canberra Hospital master plan consultations.

Building on the work we have already completed, and is currently underway, the next steps of the masterplan will mean we can deliver a sustainable health service to meet our demand into the future. The new and upgraded state-of-the-art clinical equipment at both Canberra Hospital and Calvary Public Hospital will enhance delivery of a range of treatments, including radiation therapy treatment for cancer.

Through all of this funding we are delivering on ACT Labor's election commitments, and we are improving access to health care now and into the future. That is what Labor governments do.

**MR PETTERSSON:** Thank you Madam Speaker. Minister, how do all these investments link with the current health infrastructure across the Territory?

**MS STEPHEN-SMITH:** Thank you Madam Speaker. I thank Mr Pettersson for the supplementary.

These investments build on the \$624 million Canberra Hospital expansion project, the biggest health infrastructure investment since self-government. This project has already delivered new facilities across the Canberra Hospital campus including Building 8, which houses the new clinic for the Canberra Sexual Health Centre, and expanded staff facilities.

The project is also delivering at pace the new critical services building, with state-of-the-art facilities that deliver more operating theatres, more speciality services, and more in-patient beds. In the 2021-22 mid-year budget review, we invested almost \$12 million in expenses and \$6.3 million in capital to ensure that we could continue to support the planning and operational commissioning activities required to open this new facility in 2024.

This work is just part of a number of projects that we have delivered, such as the ICU expansion; and all that we are delivering right now, such as the expansion of the Centenary Hospital for women and children, the Yamba Drive carpark, the new community based facilities, and planning for the north side hospital.

Madam Speaker, anyone driving past the Canberra Hospital will see how the campus is being transformed. This work is supporting our commitment to continue expanding health services to support local businesses and of course, it will be the first all-electric hospital building, powered by 100% renewable electricity, in the country.

### **Budget—schools**

**MR HANSON:** My question is to the minister for education. Minister, in response to the ACT budget, the ACT Council of Parents & Citizens Associations said that the territory was, and I will quote, “only funding what was urgently needed, not what will be required in the long term”. They further said:

... parents want quality school expansions where needed, not just the addition of transportable classrooms. We are concerned that this is not forward thinking enough.

Minister, how long will transportable classrooms—or modular learning centres, I think you called them—be used in ACT schools as a stopgap for long-term solutions?

**MS BERRY:** Modular learning units, which is how they are described online and from the companies that build them—

**Mr Hanson:** Not by the P&C they’re not.

**MS BERRY:** Those units are described as modern learning units. That is the

description that I have chosen to use. They have been used for decades and decades, well before self-government, to ensure there is—

*Opposition members interjecting—*

**MADAM SPEAKER:** Mr Hanson, enough!

**MS BERRY:** On a point of order. It is very difficult to talk, Madam Speaker, with the constant interruptions. He asked a question; he could politely just listen to the answer.

**MADAM SPEAKER:** You have the call Ms Berry.

*Members interjecting—*

**MADAM SPEAKER:** Members will stop the exchange! Mr Hanson, you will not interject, and Ms Berry will get the floor.

**MS BERRY:** Thank you, Madam Speaker. We have used these units across the ACT, as every other state or territory uses them, to meet the needs within our schools as capacity fluctuates. Fortunately, they are transportable, and they can be used at other schools for different purposes as well—for ordinary classrooms, for art spaces, sometimes even for music halls and dance rooms for people who need to use them over the weekends. They are a really great way to meet the needs of our school communities for a particular time, and they are well built. They are often appreciated so much by the P&Cs and the school communities as new learning spaces that they look forward to receiving them, and we know that is a way we can meet the needs of those school communities now and into the future.

For schools that need permanent buildings, we also do planning for that. We have announced—in the ACT government—work with the Majura Primary school community to put permanent—*(Time expired.)*

**MR HANSON:** Minister, why are you, in the words of the P&C, “only funding what was urgently needed, not what will be required in the long term”?

**MS BERRY:** We are not. We will continually work with the parents and citizens and school communities about their needs as we work towards making sure that we meet the needs of every child who wants to attend their local school—that those local schools are available for any child and family who needs them. And we will continue to work with our school communities, parents, carers, teachers and school principals to ensure that we meet the needs of each individual school now and into the future.

**MS LEE:** Minister, how did closing 23 schools—by your government previously—impact the current situation in ACT schools now?

*Members interjecting—*

**MADAM SPEAKER:** Members, enough!

**MS BERRY:** They have not.

### **Children and young people—mental health services**

**MR BRADDOCK:** My question is to the Minister for Mental Health. Minister, I was pleased to see, in the mental health budget announcement, that it included a childhood early intervention team in Gungahlin. Can you please provide some details of that announcement?

**MS DAVIDSON:** I thank Mr Braddock for the question. We announced \$14½ million in funding for child and youth mental health services, including investment in bringing childhood early intervention programs to the child and family centre in Gungahlin. This is really important because making sure that people can get access to care at an earlier stage in their mental health journey and closer to home is a key part of supporting children and their families into a recovery space with their mental health and wellbeing. That is why we have invested \$4 million in that CAMHS expansion into Gungahlin. This will help a large number of families to get access to appointments without having to go to Belconnen or Woden. They will be able to go somewhere a little bit closer to home. That will make an enormous difference for them.

**MR BRADDOCK:** Minister, can you also give details of other mental health budget announcements that you have made in the last week?

**MS DAVIDSON:** Another important thing, while we are talking about child and family mental health, is the establishment of mother and infant dialectical behavioural therapy. We had a couple of different dialectical behaviour therapy programs in our budget announcements. This is really important because it is a particular type of therapy that has often been very hard to get access to in the ACT. Being able to provide more people with access to this therapy will make a huge difference, not just for those people that are accessing this therapy now, for mother and baby dialectical behaviour therapy, but also for generations to come. It can make a real difference in changing people's lives and being able to support them in good parenting. That will have an impact on the next generation as well.

### **Budget—sports infrastructure**

**MR CAIN:** My question is to the Minister for Sport and Recreation. Minister, while the Canberra Liberals welcome the \$9.43 million allocated to the new Gungahlin tennis centre in this year's budget, why is existing sporting infrastructure in Ginninderra—for example, the Hawker tennis centre—being allowed to fall into significant disuse and disrepair?

**MS BERRY:** It is a privately owned facility.

**MR CAIN:** Despite this, acknowledging what you have said, an important element of the facility in Hawker is that it is surrounded by a wonderful softball centre and soccer grounds. Why isn't the government doing something about this neglected site in disrepair?

**MS BERRY:** It is a privately owned site, so it really is up to the owner of that site as to what their plans are for that. What I can say is that the ACT government has

invested significantly in the Hawker soccer fields, and previously in the Hawker softball centre. They are great places that are used by sports communities from across the ACT. I am pleased to be able to say that those communities have been working very closely with government on the need for future improvements to their facilities, like all our sports communities do across the ACT. We will continue to work closely with them on how we can make those improvements.

Regarding the softball facility, Mr Cain will recall that we went and watched some softball there at the same time—we weren't together. The shade sails that had been funded by the ACT government had been constructed and were being completed. The softball community were very appreciative of those shade sails and what a difference they made for spectators at that sport.

I suggest that Mr Cain needs to do a more thorough investigation of the sites that he is referring to. We will definitely do the spending and work with our colleagues across sports, where there are government-owned facilities. Private facilities are of course another thing.

**MR PARTON:** Minister, why is Belconnen, the largest district in the ACT by population, not a priority area for sporting infrastructure for community use?

**MS BERRY:** Every area across the ACT is a priority area for sporting infrastructure. In the ACT we have the highest sports and recreation participation in the country, so we take very seriously working with our friends in the sport and recreation space, wherever those sports are, to ensure that those needs can be met across the ACT.

### **ACT Ambulance Service—funding**

**MR PETTERSSON:** My question is to the Minister for Police and Emergency Services. Minister, how is the ACT government supporting paramedics and the ACT Ambulance Service?

**MR GENTLEMAN:** I thank Mr Pettersson for his interest in our ACT Ambulance Service. I would like to begin by commending our paramedics for their ongoing efforts to serve our community while facing unprecedented challenges over the last few years. The ACT Ambulance Service remains a high-performing community-focused service with the fastest response times in the country and high levels of patient satisfaction. Last week I was pleased to announce extra funding and support for our paramedics to ensure that this remains the case.

The ACT government has committed more than \$30 million in the 2022-23 ACT budget to boost support for our ACT Ambulance Service. This is great for our community, our city and, importantly, our paramedics. The core of our service is our frontline ambulance officers, who have worked so tirelessly throughout the pandemic, which continues to impact us today. Through this investment, 30 new staff will be employed, including paramedics, communication centre staff who take the triple 0 calls, and support staff. This will increase support to our road crews, increase the opportunity for our paramedics to undertake professional development, and enable us to better support the health and wellbeing of our frontline staff. It will help ACTAS to continue to meet the growing needs of its workforce and the community while



innovating to improve ambulance services in the territory, ensuring that ACTAS remains a nation-leading ambulance service.

Our government has always and will always support our paramedics. I thank them for their ongoing dedication and commitment to our community and I look forward to continuing to work with them to further improve and modernise our ambulance service into the future.

**MR PETTERSSON:** Minister, how does this year's investment build on previous investments?

**MR GENTLEMAN:** That is an excellent question, Mr Pettersson. Your continued support of our frontline responders is much appreciated. Unlike those opposite, this government has a proud record of investing in our ambulance service and police and emergency services more broadly. While we hear the Canberra Liberals continue to prioritise budget cuts and slashing of frontline responders, we are continuing to invest in our frontline responders and emergency services, and we always will.

The more than \$30 million announced in this budget will fund the next phase of implementation of the ACTAS modernisation and sustainable service plan, which will improve service delivery to the community, operational performance and staff wellbeing. It will support our community through the delivery of patient-centred care models and enable both low and high priority cases to see improved response times and provide alternate treatment options that will ultimately reduce the demand on our hospital system. The funding builds on our significant investments in ACTAS over the last term, including \$15.2 million in the last budget and previous funding packages that delivered 53 new paramedics, seven additional ambulances and powered stretchers in all emergency ambulance vehicles.

While those opposite play politics and repeatedly vote against our budgets that provide for our emergency services, we are getting on with the job of delivering the support and funding that our frontline responders need. This government's ongoing investment will ensure that our community continues to be supported by the most effective ambulance service in the nation.

**DR PATERSON:** Minister, how are you working with paramedics and their union, the Transport Workers Union, to support these workers in the service?

**MR GENTLEMAN:** I thank Dr Paterson for her important question. Our paramedics and other ambulance staff have been fundamental in responding to emergencies through the challenging environment that we have experienced over the last two years. We have seen record callouts, stressful situations and ongoing challenges through the pandemic. We see our paramedics on our roads daily putting themselves into situations to support the most vulnerable members of our community and being there for when things go wrong. Our paramedics respond to horrific and stressful emergency events and care for the wounded and injured as well as the family and friends of those.

Our budget commitments this year continue to demonstrate how, with the support of and engagement through the TWU, we are listening to and acting on the feedback we

have received from our paramedics. We are working with them to ensure that they have what they need to continue to deliver their critical work to our community. We are increasing the number of paramedics within the ACT Ambulance Service and growing the skills that they hold. These initiatives improve the response to Canberrans in need and support our ambulance service in recruiting and growing the skills of their people. We know that the health and wellbeing of our first responders is supported by professional opportunities, comfort and safety in the workplace and opportunities to rest and recover. I look forward to continuing to work with our paramedics and the TWU to ensure that our ambulance service remains well resourced and supported now and into the future.

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

### **Supplementary answers to questions without notice Canberra Health Services—workplace culture**

**MS STEPHEN-SMITH:** In response to Mr Davis's question about whether staff had been dismissed in relation to bullying and harassment, while I will not be able to answer that question specifically, what I can say from previous responses to questions on notice is that question on notice 834, from 10 June, indicated that since October 2019, when these things started being recorded electronically, ten staff have been identified as being dismissed, to June 2022. Obviously, the reasons for that dismissal are not necessarily those that Mr Davis was touching on.

In relation to a question that I took on notice from question time on 8 June, I indicated that, while investigations are currently underway, no senior staff from any classification employed at Canberra Health Services have had their permanent employment terminated in the past six months. But for contracted specialists, contracts may be discontinued or not renewed for various reasons. So, again, I am not going to be able to specifically respond to the question that Mr Davis asked. That is the best information I am going to be able to get in relation to those issues.

Madam Speaker, I table the report that I thought I was referring to in relation to Ms Castley's question:

The BPA Top Drawer Report—2021 Workplace Culture Survey—Canberra Health Services, undated.

This is the top drawer report from BPA Analytics on the culture survey relating to nursing and midwifery. If Ms Castley was referring to another report that I was quoting from, I am not going to be able to table that at this point in time, but the final report from accreditation will be made available pretty shortly and will be released.

### **Dickson College—safety**

**MS BERRY:** On Tuesday I was asked by Mr Hanson about WorkSafe notices at Dickson College. I just wanted to provide some further clarity on those. There were two notices at Dickson College. There were priority improvement notices and a prohibition notice. The prohibition notice has been lifted and two of the three

improvement notices have been lifted. One has work that is continuing over the next three weeks, with regard to air monitoring.

## Papers

**Mr Gentleman** presented the following papers:

Closed Circuit Television (CCTV) Policy, dated August 2022.

Co-designing an Aboriginal and Torres Strait Islander Children's Commissioner for the ACT—Jumbunna Institute of Indigenous Education and Research—

Report, dated March 2022.

Report Summary, dated May 2022.

Government response, dated July 2022.

Freedom of Information Act, pursuant to section 39—Copies of notices provided to the Ombudsman—Freedom of Information requests—Decisions not made in time—

ACT Government Solicitor, dated 29 July 2022.

Environment, Planning and Sustainable Development Directorate (FOI 22/43004 and FOI 22/52495), dated 26 July 2022.

Future of Education: An ACT Education Strategy for the Next Ten Years—Phase 2 Implementation Plan—1 March 2022.

Inspector of Correctional Services Act—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—A serious fire at the Alexander Maconochie Centre on 12 May 2021 (CIR 02/22)—Government response, dated August 2022.

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Quarterly report—1 January to 30 June 2022.

*Mental Health (Security Facilities) Act 2016*—Review, prepared by Angeline True on behalf of the ACT Health Directorate, dated March 2022.

Planning and Development Act—

Pursuant to subsection 79(1)—Approval—Variation to the Territory Plan No 357—End-of-Trip Facilities General Code, including associated documents, dated 9 August 2022.

Pursuant to subsection 242(2)—Statement of Leases granted for the period 1 April to 30 June 2022, dated August 2022.

Rail Safety National Law—

Rail Safety National Law National Regulations (Fees and FOI) Amendment Regulations 2022 (2022 No 317 South Australia), together with an explanatory statement.

Rail Safety National Law National Regulations (Reporting Requirements) Amendment Regulations 2022 (2022 No 269 South Australia), together with an explanatory statement.

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations together with accompanying statements for:

Head of Service, Directors-General and Executives—Determination 2 of 2022, dated July 2022.

Full-Time Statutory Office Holders—Determination 4 of 2022, dated July 2022.

Full-time Statutory Office Holders:—

Auditor-General, Clerk of the Legislative Assembly, Electoral Commissioner—Determination 3 of 2022, dated July 2022.

Chief Executive Officer, City Renewal Authority and Chief Executive Officer, Suburban Land Agency—Determination 5 of 2022, dated July 2022.

Members of the ACT Legislative Assembly—Determination 6 of 2022, dated July 2022.

Set up for Success: An Early Childhood Strategy for the ACT—Phase One Implementation Plan—25 March 2022.

Territory-owned Corporations Act—

Pursuant to subsection 16(3)—Icon Water Limited—Proposed demerger with the AGL Australia entity—Correspondence between the ACT Government and Managing Director, Icon Water Limited, dated 25 March and 3 August 2022, together with accompanying statement.

Pursuant to subsection 19(3)—Icon Water Limited—Statement of Corporate Intent—2022-23 to 2025-26 Business Strategy.

University of Canberra Act, pursuant to section 36—University of Canberra—Annual Report 2021, dated April 2022.

### **Closed circuit television—policy**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.59): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Closed Circuit Television (CCTV) Policy.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (2.59): I am pleased to present the ACT government closed-circuit television, or CCTV, policy to the Assembly today. The CCTV policy supersedes and replaces the ACT government Code of Practice for Closed Circuit Television Systems 2009 and establishes a single policy position to achieve greater consistency in the management and operation of CCTV systems across government.

The policy will strengthen how ACT government CCTV systems are operated, to enhance public safety but in a manner that protects an individual's privacy and human rights. Additionally, the policy provides an improved framework for CCTV systems, with new requirements to enhance the governance, installation and operation of CCTV infrastructure. These requirements will support and improve public safety

monitoring, resource management, emergency response and criminal investigations and prosecutions.

As part of implementing the policy, directorates and territory authorities who operate CCTV systems must develop and maintain plans and procedures that align with the policy and are specific to the needs and use of CCTV systems under their control. The ACT government uses CCTV to monitor its operations and protect its assets, as well as to support the safe delivery of major public events. The policy supports the ACT government's ongoing work that ensures CCTV capabilities across government keep pace with emerging technology and our city's evolving public safety needs.

All Canberrans have the right to feel safe as they move about and engage with the ACT's public spaces, venues and events. That is why it is important to ensure that the ACT government's network of CCTV systems is robust and fit for purpose. Investment in CCTV technology is one way to enhance the safety and security of public places whilst also supporting law enforcement with a faster means of investigation and prosecution of crime.

In 2020-21 the ACT's public safety CCTV network was utilised on 939 occasions that resulted in 471 ACT Policing dispatches from CCTV monitoring, up 222 per cent on the previous period. These statistics reassure government that there is an ongoing need to maintain a comprehensive CCTV network that aligns with the government's commitment to ensure that Canberra remains a safe, vibrant and cohesive society.

The Justice and Community Safety Directorate operates the public safety CCTV network, which is a network of interconnected CCTV systems located in public areas and venues across Canberra. The network provides live and recorded footage for the purposes of making Canberra a safer place and bringing those responsible for crime to justice. Through the CCTV policy, the ACT government is prioritising the governance and transparency of the use of CCTV camera systems, in line with the growth of the network's capability and connectiveness.

Under the policy, where a CCTV system is connected to the network, directorates must develop project proposals for new CCTV installations that clearly articulate the purpose of each CCTV system, prior to installation. In addition, the project proposal must identify ongoing and maintenance costs and demonstrate the consideration of privacy and human rights obligations.

Directorates may install and operate a CCTV system for a variety of reasons, including crime deterrence; investigation and evidence to support criminal proceedings; asset monitoring and security; access control monitoring; public safety and/or event monitoring; enhancing the response to and management of incidents and emergencies; regulatory enforcement and evidence for use in court proceedings; training, education and community engagement purposes; and traffic, vehicle and parking management.

There are some CCTV systems in operation that are exempt from the policy. For directorates and territory authorities that are exempt, their CCTV systems are managed under independent jurisdiction or under legislation specific to their

operations. In developing the policy, the ACT government undertook rigorous consultation across government and with key stakeholders such as the ACT Human Rights Commission, to ensure that the policy upholds our strong commitment to robust privacy and human rights protections. The ACT government recognises the potential privacy implications of the use of this technology and has prioritised the importance of balancing the need and purpose for CCTV with the right to privacy.

Under the policy, all ACT government CCTV systems must be operated with proper consideration of privacy and human rights legislation. Directorates that operate CCTV systems must have appropriate policies and procedures in place for the use, collection and disclosure of personal information and ensure that the operation and installation of new CCTV systems considers and complies with the Human Rights Act. The policy provides robust guidance to directorates on undertaking the use, collection and disclosure of CCTV footage in accordance with the Information Privacy Act 2014.

Directorates will be required to ensure that privacy statements identify how the directorate will manage personal information captured through CCTV footage; how the directorate will notify a person that their personal information has been captured; whether the directorate will provide live and recorded CCTV footage to ACT Policing; and where there is routine disclosure of CCTV footage to another agency.

These new requirements reflect the ACT government's commitment to ensuring that the use of CCTV across the network is transparent and accountable. The policy requires directorates to establish and maintain a register of all CCTV systems under their control. The register must include, at a minimum, information on the manufacturer and system type; the purposes of the system; the location of the system; the number of cameras on the system; the signage used to notify persons of the system; and, if the recorded information is disclosed to another entity, the name of that entity.

Through strong governance measures, the community can have confidence in the ACT government's collection, use and disclosure of CCTV footage. Another important aspect that the policy covers is the need for directorates to ensure that employees responsible for the operation of CCTV systems undertake appropriate training. The training must include awareness of their obligations under this policy and understanding of handling requests for disclosure of CCTV footage.

Finally, the policy includes a requirement that a review be conducted two years after the implementation of this policy, or earlier, should there be changes that affect the operation of the policy. The policy itself has been developed in consultation with internal stakeholders, and I take this opportunity to thank those stakeholders for their contributions.

The government is committed to maintaining a safe environment for every member of our community, and this policy contributes to that commitment. The policy will provide improved transparency and effectiveness in reporting information about CCTV systems in operation and will assist public sector agencies to maintain the appropriate governance and administration of CCTV systems while meeting privacy

and information obligations in the collection, use and disclosure of personal information captured by CCTV. I commend the CCTV policy to the Assembly.

Question resolved in the affirmative.

### **Aboriginals and Torres Strait Islanders—Children and Young People’s Commissioner**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.07): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Co-designing an Aboriginal and Torres Strait Islander Children’s Commissioner for the ACT—Jumbunna Institute of Indigenous Education and Research—Report—Government response.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (3.07): Today is National Aboriginal and Torres Strait Islander Children’s Day, a time for Aboriginal and Torres Strait Islander families and communities to celebrate the strength and culture of their children.

I am pleased, on this day, given its significance and importance, to be presenting Jumbunna Institute’s report, *Co-designing an Aboriginal and Torres Strait Islander Children’s Commissioner for the ACT*, together with the ACT government response. The ACT government agreed to all recommendations made by the Our Booris, Our Way review, and I am proud to progress this particular commitment to establish an Aboriginal and Torres Strait Islander children’s commissioner for the ACT in partnership with Minister Stephen-Smith.

It is imperative that this commissioner promotes the principle of self-determination and meets the needs of the community. To support this end, the ACT government undertook a co-design process with community to consider the commissioner’s functions, powers, physical location and a culturally appropriate recruitment process. The co-design process was facilitated by distinguished Professor Larissa Behrendt and team at the Jumbunna Institute for Indigenous Education and Research at the University of Technology, Sydney.

Jumbunna undertook a staged approach to engage with stakeholders. The team began by developing and presenting a community discussion paper and facilitating a series of community dialogues and stakeholder engagements, one of which I was able to attend. They then undertook a final refinement session with representatives from the Our Booris, Our Way Implementation Oversight Committee, the Aboriginal and Torres Strait Islander elected body and local Aboriginal community-controlled organisations.

The final report summarises the key considerations discussed during the co-design process and sets out a proposed model for the new commissioner, arising from the process, providing a clear direction and road map for this important reform. I am pleased to confirm that the government response agrees to all aspects of the proposed legislative model developed by co-design participants.

The government will establish an Aboriginal and Torres Strait Islander children's commissioner as an independent statutory authority who will work in collaboration with existing human rights oversight mechanisms in the ACT. The new commissioner and their team will have a broad mandate to promote the rights of Aboriginal and Torres Strait Islander children and to provide oversight of service systems affecting them. The commissioner will have a mix of individual and systemic advocacy functions and powers to undertake this role.

The Jumbunna report also recommended a range of non-legislative enablers to assist the commissioner to achieve effective outcomes for the community. The government will work with and support the commissioner in considering these recommendations.

In the tabling of this report and the government response today, I am pleased that this year's budget has committed to fully fund the commissioner. Over \$3.5 million will go to establish and staff the commissioner and their office so that there is a team dedicated to improving the services and outcomes for Aboriginal and Torres Strait Islander children and young people.

I would like to warmly thank all co-design participants who have generously shared their knowledge and experience to inform the design of the Aboriginal and Torres Strait Islander children's commissioner. I would also like to thank the Jumbunna Institute, and particularly Professor Behrendt and Associate Professor Paul Gray, for their support and their deep expertise in facilitating this process with the ACT Aboriginal and Torres Strait Islander community. I am grateful for their report, which captures so well the views and aspirations of our community for this important statutory office.

The government is now developing legislation to establish the Aboriginal and Torres Strait Islander Children's Commissioner, which I anticipate introducing to the Legislative Assembly later this year. I look forward to continuing to work with the community on this commitment. I commend the government response to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.12): I also want to rise on this National Aboriginal and Torres Strait Islander Children's Day to acknowledge the tabling of Jumbunna Institute's report on the co-design of the Aboriginal and Torres Strait Islander Children Commissioner's position and role.

I want to thank Minister Cheyne for the work she has done in supporting this process and everyone involved in the co-design process. It genuinely was a co-design and a very closely engaged process with the community. I am very pleased that we will soon see the commissioner established, and that we have been able to agree to all of



the recommendations put forward to us about how that will work. The advocacy role will be particularly important in supporting the intent of the other Our Booris, Our Way recommendations and its findings over the course of its important inquiry.

I also want to take a moment to acknowledge that the Our Booris, Our Way Implementation Oversight Committee today released a statement expressing their frustration at the lack of speed of response to the Our Booris, Our Way committee recommendations. I met with the committee on Monday, and I understand absolutely their frustration and that of the community in relation to this. I am confident that there are many people working very hard to deliver the recommendations and their broader intent; but I know that this is not happening as fast as people would like. I want to thank very much the Our Booris, Our Way Implementation Oversight Committee for continuing to undertake its important role and the broader Aboriginal and Torres Strait Islander community for continuing to work with us through these co-design processes, including the process to establish new Aboriginal community-controlled organisations and expand the functions of existing ones.

With that, thank you to Minister Cheyne for tabling this report. I hope people take the opportunity to read it, because it is a really important piece of work.

**MS DAVIDSON** (Murrumbidgee) (3.14): I rise as an ACT Greens member of this Assembly to speak in support of the ACT government's commitment to establish an Aboriginal and Torres Strait Islander Children's Commissioner as an independent statutory authority.

I thank the Jumbunna Institute and distinguished Professor Larissa Behrendt and Associate Professor Paul Gray for their work in facilitating the co-design process to design the role of the new commissioner in 2021, including hearing from young people at Bimberi Youth Justice Centre. True co-design work takes time and it required significant commitment from the community members who were part of the process. I am always thankful for the time they take to inform ACT government about the work that we need to do. Listening to and supporting our First Nations community is the best way to achieve the right outcome in designing the role of the new commissioner.

The ACT Greens support the full implementation of the recommendations in the Our Booris, Our Way review. This Aboriginal and Torres Strait Islander Children's Commissioner is an important part of those recommendations. The role of the commissioner includes both systemic advocacy as well as individual advocacy for Aboriginal and Torres Strait Islander children and their families.

I am pleased to see that the ACT government will work with community on the recruitment process for the new commissioner, providing a level of transparency that is important in such a fundamentally important new office being established. The right of First Nations people to self-determination underpins the way in which the Aboriginal and Torres Strait Islander Children's Commissioner will work, including its framework, powers and functions.

I would like the final word on this to be from Archie Roach, whose loss is being felt across this country:

The welfare and the policeman  
Said you've got to understand  
We'll give them what you can't give  
Teach them how to really live  
Teach them how to live they said  
Humiliated them instead

Having this commissioner co-designed with community to advocate for children and their families to raise awareness of what Aboriginal and Torres Strait Islander children need, and how we can best support them, is an important part of the work that we as a community must do. I am glad to see that Minister Cheyne is walking with community to progress this work.

Question resolved in the affirmative.

### **Remuneration Tribunal Act—determinations**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.16): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations together with accompanying statements for:

Head of Service, Directors-General and Executives—Determination 2 of 2022.

Full-Time Statutory Office Holders—Determination 4 of 2022.

Full-time Statutory Office Holders:—

Auditor-General, Clerk of the Legislative Assembly, Electoral Commissioner—Determination 3 of 2022.

Chief Executive Officer, City Renewal Authority and Chief Executive Officer, Suburban Land Agency—Determination 5 of 2022.

Members of ACT Legislative Assembly—Determination 6 of 2022.

Question resolved in the affirmative.

### **Icon Water—statement of corporate intent**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.17): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Territory-owned Corporations Act, pursuant to subsection 19(3)—Icon Water Limited—Statement of Corporate Intent—2022-23 to 2025-26 Business Strategy.

Question resolved in the affirmative.

### **Territory-owned Corporations Act—Icon Water Ltd**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.17): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Territory-owned Corporations Act—Pursuant to subsection 16(3)—Icon Water Limited—Proposed demerger with the AGL Australia entity—Correspondence between the ACT Government and Managing Director, Icon Water Limited.

Question resolved in the affirmative.

### **University of Canberra—annual report 2021**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.17): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

University of Canberra Act, pursuant to section 36—University of Canberra—Annual Report 2021.

Question resolved in the affirmative.

### **Education—Set up for Success early learning program**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.18): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Set up for Success: An Early Childhood Strategy for the ACT—Phase One Implementation Plan.

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

### **Education—Future of Education implementation plan**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.18): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Future of Education: An ACT Education Strategy for the Next Ten Years—  
Phase 2 Implementation Plan.

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

### **Planning and Development Act—statement of leases granted**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.19): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Development Act, pursuant to subsection 242(2)—Statement of Leases granted for the period 1 April to 30 June 2022.

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

### **Planning and Development Act—variation no 357 to the Territory Plan**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.19): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Planning and Development Act, pursuant to subsection 79(1)—Approval—Variation to the Territory Plan No 357—End-of-Trip Facilities General Code, including associated documents.

**MS CLAY** (Ginninderra) (3.19): I just wanted to pause and welcome variation 357, which is our end-of-trip facilities variation. We have been waiting for this one for a long time and it is great to see it progress. Improving end-of-trip facilities is going to increase the uptake of active travel, particularly to and from work. Quite a few of us in here ride, and we understand how important it is to have really, really good facilities such as lockers and showers—very simple things—if we are serious about encouraging people to use active travel. It is the crucial piece of the puzzle in getting more people active and getting more people to use exercise for their commute. This variation was out for public consultation in 2017 and again in 2021, and a lot of things have changed. It now includes scooting as well as cycling and walking, which is great. A lot of community members have been calling for this for a long time. Pedal Power and Public Transport Canberra have been calling for this. I called for this in my active travel paper earlier in the year, and it is really, really, good to see that that is progressing. It is also a starting point for active travel, and I am looking forward to more in this space.

Question resolved in the affirmative.

### **Inspector of Correctional Services—critical incident report—government response**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.21): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Inspector of Correctional Services Act—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—A serious fire at the Alexander Maconochie Centre on 12 May 2021 (CIR 02/22)—Government response.

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

### **Freedom of Information Act—decision not made in time**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.21): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—ACT Government Solicitor.

Question resolved in the affirmative.

### **Rail Safety National Law—national regulations**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.22): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

Rail Safety National Law—

Rail Safety National Law National Regulations (Fees and FOI) Amendment Regulations 2022 (2022 No 317 South Australia), together with an explanatory statement.

Rail Safety National Law National Regulations (Reporting Requirements) Amendment Regulations 2022 (2022 No 269 South Australia), together with an explanatory statement.

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

### **Loose Fill Asbestos Insulation Eradication Scheme—report**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.22): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Quarterly report—1 January to 30 June 2022.

Question resolved in the affirmative.

### **Freedom of Information Act—decision not made in time**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.23): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Freedom of Information request—Decision not made in time—Environment, Planning and Sustainable Development Directorate (FOI 22/43004 and FOI 22/52495).

Question resolved in the affirmative.

### **Mental Health (Security Facilities) Act—review**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.23): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

*Mental Health (Security Facilities) Act 2016*—Review, prepared by Angeline True on behalf of the ACT Health Directorate.

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

### **Period Products and Facilities (Access) Bill 2022**

**Ms Orr**, pursuant to notice, presented the bill, together with its explanatory statement.

Title read by Clerk.

**MS ORR** (Yerrabi) (3.24): I move:

That this bill be agreed to in principle.

I am pleased to present this bill to the Assembly. The bill is the culmination of over a year of work, during which I have had the absolute pleasure to work on with many people, including Labor Party members, community members, not-for-profit organisations, workers and their representatives, and my Assembly colleagues.

The genesis for working to tackle period poverty came when a member of my Labor sub-branch, fellow Gungahlin resident and friend Pradeep Sornaraj, raised the issue with me in 2020. Pradeep originally hails from southern India. He told me about the severe issues that people often face in India when it comes to period poverty. These issues in India are linked to not only the general poverty that a large proportion of the population experience but also strong cultural taboo and stigma.

Several years ago, Pradeep, who was living in Ngunnawal at the time, approached the Ngunnawal street pantries as a volunteer. This led to him learning how in demand period products are through the pantry, and deciding to run a Christmas collection drive at his workplace for the Ngunnawal street pantries. Pradeep explained that he was surprised that, in a wealthy city, these issues still existed, even if not to the same extent as they might in India. The demand for period products is still present and it is growing, as noted by the good work of the Ngunnawal street pantries.

I would also like to acknowledge that Pradeep and the many people who have worked on this bill are here today to see it introduced.

Share the Dignity reports in their “bloody big survey” that 15 per cent of those who menstruate in the ACT have experienced period poverty at some point in their lives. I note that this is also reflected in the submissions that I received through the consultation on this bill. I had a number of submission from younger people who were experiencing issues with period poverty, and a number of older women wrote to me or spoke to me, explaining that this had been an issue for them when they were younger and that they did not want others to have to experience it.

In 2021 the ACT Labor conference passed a resolution changing our party platform and calling on Labor MLAs to tackle period poverty through our work here in the Assembly. I decided that legislation could be a good mechanism to take this forward, and that is what I have brought forward today.

The bill was influenced by the world-first Period Products (Free Provision) Act that was passed unanimously by the Scottish parliament in 2020. That bill mandates provision of products at public buildings in Scotland administered by local counties.

While this has been a really significant step forward, I would also like to acknowledge that there have been decades of activism by many individuals within our community, including those that I have already mentioned, to make sure that women have access to menstrual products, including fighting to have GST removed from period products and now looking at how we can make products more accessible to everyone in our community who needs them.

Looking at the Scottish example, obviously, our legislative and administrative systems are different from those in Scotland, but the basic premise of the bill was inspired by Scotland's model. My bill, the Period Products and Facilities (Access) Bill 2022, has five parts, which I will now explain.

Part 1 of the bill includes the standard items for a bill, plus the meaning of period poverty. The act is to commence on a day fixed by the minister, no later than six months from the notification date. The object of the act is to reduce and prevent period poverty in the ACT by the provision of free access to period products, improvement of access to facilities, and provision of information about menstruation and menstrual hygiene to different sections of the community.

Period poverty is defined as being prevented from accessing period products, menstrual hygiene information, toilets, handwashing facilities or sanitary waste facilities because of different circumstances, including financial, social, cultural or physical circumstances.

Part 2 of the bill sets out ways that period products are to be provided and where they are to be provided. It can be broken down into three sections: suitable public places; approved suitable non-government sector places, such as an NGO who provides homelessness services, for example; and education settings.

The bill sets out a requirement for the minister to maintain a list of public places which are suitable for distribution of period products for those who need them. The list must include a range of geographical locations which will allow for reasonable access for those experiencing period poverty. Non-government entities which have been approved through an approval process to receive and distribute period products will also be included on this list.

The bill sets out that it will then be the director-general's responsibility to ensure that this provision is undertaken according to access arrangements to be written for each suitable place. It will be the responsibility of each non-government entity approved to distribute products to comply with their own access arrangements.

Access arrangements must be made by the director-general responsible for administration of the suitable place in writing for each of the suitable places. For example, access arrangements for libraries would be the responsibility of the Director-General of Transport Canberra and City Services. The access arrangements must provide for access in a way that respects the dignity of the person accessing the product and for a reasonable range of products being available.

Private entities can apply to be on the suitable places list and be permitted to distribute period products if they provide services to people who are likely to be experiencing period poverty and if they meet any additional requirements of approval guidelines. The responsible entity for an approved suitable place must report to the director-general regarding their compliance each year. The director-general can remove an approved entity from the list for failure to comply. The approval guidelines must be made by the director-general. An education provider must ensure period products are made available on the provider's premises free of charge for students of the provider experiencing period poverty.



The dictionary of the bill defines education providers as a government school, a registered training organisation under the National Vocational Education and Training Regulator Act, a registered training organisation under the Tertiary Education Quality and Standards Agency Act, and any other entity prescribed by regulation.

It will be incumbent upon private schools, universities and vocational training providers to provide period products to students in need on their premises. The director-general will be responsible for making publicly available access arrangements for government schools, and private institutions will be responsible for making access arrangements available to the students of the institution.

Period poverty can come about due to financial worries and issues with accessing products; also, problems with access to facilities, both at home or at work, can cause someone to experience period poverty. I have expanded the scope of the bill that was originally drafted to begin to help to prevent some of these issues.

Through the extensive consultation that I undertook with my office on the crafting of this bill, several female workers who have previously undertaken or are currently doing territory-funded work informed me that, in some circumstances, there can be issues with facilities at the sites where they work. This ranged from having been to a worksite with no facilities to going onsite and women's toilets being locked, meaning that the employee needed to ask the manager for a key every time they needed to use the bathroom. That is why the requirements in the bill for workers has included not only access but dignified access to facilities. You should not have to ask for a key to use the bathroom at work, whether you are managing your period or not.

Part 3 of the bill explicitly mandates that ACT public service employees and workers who are undertaking territory-funded work must have access to adequate facilities. Additionally, this part of the bill provides a specific clause for reporting issues by ACT public service employees.

Part 4 of the bill outlines a requirement for the director-general to write guidelines in compliance with the act for any industry or sector which is deemed to need them. The guidelines can outline procedures for providing these facilities with a reasonable amount of privacy, for those accessing the facility, and procedures for protecting the personal information of those people.

While overcoming the physical barriers which can cause period poverty is possible, it is also important to work to reduce the less tangible barriers which exist. Another significant cause of period poverty, cultural stigma and the behaviours that go with it, can cause shame and silence when it comes to menstruation. This cultural stigma has been, and is still, present in all cultures, ranging from mild discomfort in discussing this natural bodily process to ostracism of those menstruating or expressions of disgust.

Talking about periods and providing more education material are important steps in reducing this stigma so that learning the necessary information about period management is easier for everyone.

While some of this information is already, and will continue to be, available through formal education, for those who might not have been educated in Australia or need different or additional information, it is particularly important that they have access to it.

Part 4 of this bill outlines requirements around the provision of publicly accessible information about menstruation. This information must be available in the community, including publishing it on an ACT government website. The director-general must take reasonable steps to make sure this information is published in languages other than English, and specifically for people who might be at risk of period poverty in the ACT, and ensuring that there is also age-appropriate information available.

Part 5, which is the final part of the bill, sets out a statement about the operation of the act and must be included in each administering directorate's annual report. This statement must also include information about any reports made regarding a lack of access to facilities reported by ACT public service employees, as per section 17 of the act. A standard review period of three years has been included in this part of the act, including requiring a report for presentation to the Assembly. Finally, the bill gives regulation-making power for the act to the executive.

While it is important to provide colleagues with a run-through of the bill that is being presented to this place, it is also important to examine the impact that this bill will have within our community. Period poverty can present real and devastating problems for those experiencing it. Those who do not have access to period products are often left to improvise in any way that they can. This can involve using household items like newspaper, paper towel or toilet paper, for example, instead of sanitary pads.

This can lead to infection through contaminants on those improvised items or leaking and other accidents due to those items not being fit for purpose. There can be cases where period products are used for too long—generally, for more than four hours—due to a lack of access to fresh product. Again this can lead to infection and health implications. This is particularly a problem with tampons. Infections like this can cause long-term discomfort and health issues, including sepsis, which can be fatal if left untreated.

A lack of access to period products can also impact a person's social life, education and work life. If you are having issues with managing your period due to product access problems, you are more likely to miss social events, school, university or other classes, and even need to take time off work. As I noted earlier, a lack of education or information about period management can have similar effects. Within our society there is still a large amount of stigma about a process that around half of us experience every month for most of our adult lives.

In some segments of the community, cultural influences mean that this taboo and stigma are greatly heightened. This can lead to isolation, a lack of confidence, improvisation of period management and the subsequent social, professional and educational impacts that I have already mentioned.

Periods happen no matter where you might be. They happen at home, at school and while you are out or at work. Having the facilities to manage your period at those

times is vital to your health and wellbeing. I hope that, with the support of members in this place, the Period Products and Facilities (Access) Bill 2022 will begin to alleviate some of the issues that I have outlined.

I am very pleased to present my bill to this place today. I commend the bill to the Assembly.

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

## **Government—fuel pricing**

**MR CAIN** (Ginninderra) (3.38): I move:

That this Assembly:

(1) notes that the:

- (a) ACT has some of the highest fuel prices of any Australian capital city;
- (b) ACT has one of the least competitive fuel retail markets in the country;
- (c) ACT Labor/Greens Government has ignored advice from the ACT Legislative Assembly Select Committee on Fuel Pricing in 2019, to initiate a real time, mandatory price-monitoring scheme similar to the FuelCheck app in NSW;
- (d) ACT Labor/Greens Government stated they believe that there is already a high degree of retail fuel price transparency in the ACT; and
- (e) price of fuel is a significant impact on Canberrans' cost of living; and

(2) calls on the ACT Government to introduce the FuelCheck app in the ACT.

My motion today proposes a simple and effective solution to a growing concern for many Canberrans. Today I propose that this Labor-Greens government introduce a FuelCheck app that would support the transparency of fuel prices in the ACT by providing accurate, real-time information, and more transparency and choice for Canberra's consumers and drivers.

The introduction of a FuelCheck app—a digital app and website, which we propose to be administered by the ACT government, which compares prices for all registered retail fuel providers in the ACT—intends to, firstly, increase competitiveness among fuel retailers by implementing price transparency; secondly, provide ACT residents with choice and transparency; and, thirdly, provide accessible, customer-oriented government services. From the perspective of reducing red tape and regulatory burden and supporting a more robust market and better outcomes for consumers, the FuelCheck app makes sense.

This proposal is not just a political move on the part of the Canberra Liberals. As my colleagues across the chamber would realise, just a few weeks ago the NRMA urged the ACT government to consider a fuel price monitoring app “now more than ever”. The “now more than ever” quote is to do with the cost-of-living pressure that Canberrans are under at the moment.

The recommendation also comes from a select committee inquiry into ACT fuel prices in 2019. The committee heard from a range of stakeholders, constituents, industry groups and even the New South Wales government, who, by the way, have introduced a similar app. The committee heard significant evidence that real-time pricing monitoring did not currently exist in the ACT to a satisfactory standard. And, yes, I am aware that there are two private providers of this service at the moment, and more will be said about that later.

The Canberra Liberals believe that ACT residents pay some of the highest fuel prices in the country, due in part to the lack of transparency around fuel prices and barriers to entry for independent operators considering entering our market.

The Canberra Liberals believe there are three main factors informing the ACT's fuel prices which provide clear support for the need for a FuelCheck app, as currently used in New South Wales. Firstly, the committee heard in 2019 consistent evidence that one of the reasons fuel prices are higher is that it is more difficult to physically see prices in the ACT. As members would be aware, we do not see in the ACT, generally speaking, service stations in a line, so that you can see their prices on boards or anything like that, in part due to our disparate town centre structure and connecting roads.

Secondly, the inquiry found that there are considerable barriers faced by independent operators considering entering the ACT fuel market. The inquiry also found that there is a need for mandatory real-time pricing monitoring. Currently, this is available through MotorMouth and Petrol Spy, both independent providers, which, while of value, do not give the assurance of a government-required collection of information. While these sources are useful for consumers, they do not need to be comprehensive and there may well be gaps in information. The government stated that they believe the two websites generally provide sufficient information on fuel prices, but the point of my motion is to ask: can we do better, and can we do better for Canberrans?

There is something that we could do—and I note that the Chief Minister has an amendment to my motion, which I will address later. We could take a leaf out of the New South Wales book—a very customer-service-centred, service delivery jurisdiction. The FuelCheck app in New South Wales has proved to be a safe, trusted and comprehensive model and has a prerogative to be as comprehensive as possible. It receives an average of 3,600 updates a month from businesses, and the interface from a business perspective seems to be fairly simple and user-friendly.

Here we are today, after the 2019 select inquiry, and even after recent recommendations from the NRMA, and we still do not have a comprehensive, government-mandated approach to checking fuel prices in the ACT.

On reflection, of course, there is an increasing number of electric vehicles in the ACT, and that trend will no doubt continue. But we are a long way away from the majority of cars in Canberra being electric vehicles. This FuelCheck app on fuel prices still has validity and currency in Canberra today and, I suspect, for quite a while.

As a result Canberra has some of the highest average fuel prices of any metro city in Australia, which clearly affects the cost of living of Canberrans. If the government has

not already noticed, we are in the midst of a cost-of-living crisis, and the budget does not provide assurance to the Canberra Liberals or many Canberrans that their territory government is using levers and actions within its control to improve these pressures for so many ACT residents. A FuelCheck app is one such lever.

If the Labor-Greens government want to get serious about supporting the cost of living crisis, I would encourage them to support my motion—and I will speak to the Chief Minister’s amendment later—and get on with providing real-time solutions to real-time problems. I commend my motion to the Assembly.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (3.44): I thank Mr Cain for his motion. I move the amendment circulated in my name:

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

“(1) notes that:

- (a) over recent months fuel prices have significantly increased across Australia, including in Canberra;
- (b) the price of fuel impacts many Australians’ cost of living, including Canberra road users;
- (c) historically, Canberra has unfairly experienced higher fuel prices compared to other metropolitan markets and many regions of NSW;
- (d) in 2019, the Chief Minister proposed, and the Assembly supported, the establishment of a Select Committee on Fuel Pricing to combat high fuel prices in Canberra that were not seen elsewhere. The Committee recommended the ACT Government investigate the feasibility of extending the NSW FuelCheck scheme to the ACT;
- (e) in 2020, the Chief Minister twice wrote to every major fuel operating retailer in the ACT, outlining the ACT Government’s concerns that retailer margins were unnecessarily high, and indicating the Government was considering using powers under the *Fair Trading (Fuel Prices) Act 1991* to introduce price regulation, if these concerns were not addressed;
  - (i) since then, ACT prices have mostly been in line with the national metropolitan average price; and
  - (ii) however, in light of a recent trend divergence between the national metropolitan price average and ACT price average, I have again written to retailers reminding them of their pricing policy obligations to the Canberra community;
- (f) there is already a high degree of retail fuel price transparency in the ACT, available via free, publicly-accessible apps such as MotorMouth and Petrol Spy, and associated fuel price monitoring by the ACT Independent Competition and Regulatory Commission; and
- (g) given the prohibitive cost of creating a stand-alone fuel monitoring scheme in a small jurisdiction, the ACT Government is continuing to actively work with the NSW Government to explore the possible extension of the mandatory NSW FuelCheck scheme to the ACT;

- (2) notes that the ACT Government will continue negotiating with NSW on extending NSW FuelCheck to the ACT so that the high proposed cost of expanding the scheme can be appropriately addressed; and
- (3) calls on the Commonwealth Government to adopt Euro VI standards and emissions standards for new vehicles that would reduce fuel costs and save motorists \$8500 over the life of a light vehicle.”.

For reasons that I think have been well canvassed, fuel prices have increased across the nation—and they have here in the ACT—and this does place a significant cost of living expense on many road users, businesses and families. We are not immune to rising fuel costs. As a nation, obviously, we are perhaps more prone than many others to international market conditions. We are an island within New South Wales. There are, of course, many people who cross the ACT-New South Wales border on a frequent basis and many drive past multiple service stations.

The government has a multi-pronged approach to addressing above national average increases and consistently above national average prices in the ACT. Members may recall that, following the 2019 committee inquiry, I wrote to every major fuel retailer in the ACT more than once to put them on notice that the government was closely monitoring fuel prices in a weekly cycle, that we considered that retail margins were unnecessarily high in the territory and that we could use powers under the Fair Trading (Fuel Prices) Act 1991 to introduce price regulation if our concerns were not addressed.

The response from retailers at that time, in the midst of the pandemic, was to see petrol prices fall quite dramatically. At one point they were below a dollar a litre. That has obviously changed now, in different global circumstances. We have called out the retailers and the fuel companies on price gouging before and we will do it again. It would appear that prices, although starting a downward trend in Canberra in recent weeks, have been slower in that trend than in some other cities.

So I have again written to all of the major fuel retailers operating in the ACT, pointing out that fact and requiring them to explain. I indicated, as I have done before, that they should reduce their prices in line with what are acceptable retail margins in the market—and the benchmark that we are looking at here is the average price in Australia, which takes into account all of the different transport variables, in terms of moving fuel from one part of the country to another—and that Canberra prices should be at or below the national average.

In the deliberation of the select committee, the issue of apps did come up, and the committee recommended that the ACT government investigate the feasibility of extending the FuelCheck scheme. So we have been doing that. We have engaged with the New South Wales government to explore the possible extension of the New South Wales FuelCheck scheme, and that app and the existing architecture. To add another 50-odd service stations to that makes the most sense, particularly given that it is quite expensive to create a standalone fuel monitoring scheme for a jurisdiction of our size. Expanding FuelCheck would have some potential benefits for Canberrans. It would make a third app available for people to check prices.

It is interesting; on any given day I can almost guarantee you that the cheapest fuel in Canberra will be around the airport precinct. Because of Costco's business model, its fuel is always cheaper there, and it is always cheaper in some of the adjacent areas to the south, in Fyshwick. Fuel is the most expensive, it would seem, the further west you go. So the further away from the discount retailers, the more expensive it is. There are the occasional outliers. Some of them are found in Tuggeranong, in your electorate, Mr Assistant Speaker Davis.

We do see a very consistent pattern that where there are independent retailers in the market or independently owned stations there are some price differences. I note that the information is available and that that trend has not really changed, in fact, for decades. It is available on Petrol Spy and MotorMouth. But, as I say, I have no concerns about there being another app; it is just that you should not pay over the odds for it. It does not take long to figure out where the consistently cheapest petrol is in the ACT. Motorists obviously make an assessment about the amount of fuel it would cost to drive to that point and whether filling up at that lower price would justify the time and expense of making the journey to the cheapest fuel outlet.

One company, as I have mentioned, provides petrol as part of an overall wholesale offering. You take out a membership and, clearly, you get a discount. I do note that, in response to increased demand and some of the work of the standing committee and the government, that particular outlet significantly expanded the number of pumps available, to reduce queues. I know many people do their weekly shop at that outlet and get fuel at the same time. It is a very sensible and practical use of time and a way to save money.

As I have indicated, in light of a recent trend, in the last few weeks, of the average price in Canberra being higher than the national metropolitan average, I have again written to retailers, reminding them of their pricing policy obligations to the community and the existing powers available to the government if this unexplained divergence continues. This of course is particularly important as we recognise that the temporary reduction in the fuel excise tax is due to expire next month.

My amendment, I think, also points to an opportunity to in fact save even more, potentially, and that is if the commonwealth government were to adopt the Euro VI fuel standards and emissions standards for new vehicles. I know this is something that Minister Steel has pursued. It is a very effective way to reduce fuel costs. The reality of the situation under the former commonwealth government, and their refusal to move on this, meant that manufacturers were treating Australia as a dumping ground for the least efficient internal combustion engine vehicles in the world. So a fuel or emissions standard would open Australian markets to much more efficient vehicles at a cheaper price.

As has been outlined in recent times, the ACT government has put in place a range of policies and initiatives to support more Canberra households to transition to zero emissions vehicles and to never again have to use Petrol Spy, or another app, in order to find out where the cheapest fuel is because they will be able to power their vehicles in a much more cost-effective way, using electricity. I agree with Mr Cain that it will be some time before even the majority of the vehicles on the road are EVs. But I suspect it might be quicker than many of the sceptics and cynics think.

It will be a gradual transition, though. But I do want to assure the Assembly that both myself and Minister Rattenbury are working very hard with the manufacturers—in fact, I met with Hyundai at lunchtime today—to get more and cheaper EVs into the Canberra market as soon as possible. This, I think, will be an important way to ensure that, in time, in a future Assembly, when I am in retirement, members will not have to debate fuel prices anymore because we will have moved beyond internal combustion engines.

Amongst the many measures in our zero emissions vehicle action plan is to provide access to interest-free loans—

**Mr Parton:** When is the retirement date?

**MR BARR:** to support the purchase of electric vehicles and EV charging infrastructure. We are certainly looking for a phase-out. I imagine it will take about 20 to 25 years, Mr Parton, before most—

**Mr Parton:** No, I was talking about your retirement. I thought you were making an announcement today.

**MR BARR:** My retirement. Right. Okay. No, no, no. I made an announcement yesterday. You might have seen it. Anyway, these measures on zero emissions vehicles are for the medium term. We acknowledge that. But, as zero emissions vehicles become a more affordable option in the years to come, I think we will see a significant lessening in demand for petrol and diesel vehicles and that will of course lead to more affordability for motorists.

But I do acknowledge, Mr Cain, that that time is not now, so what I have done is write to the New South Wales Premier, seeking a waiver of some of the licence and other fees that come with the New South Wales FuelCheck app, in order to make it cost-effective. There are obviously thousands of service stations under the New South Wales scheme. Adding an extra 50 or 60 in the ACT should not be too onerous.

I did point out to the New South Wales Premier that of course there are tens of thousands of motorists from New South Wales who come into the ACT every day, so they would be his own residents who would benefit from extending the application of that app into the territory. So I hope we will have a positive response from the Premier on that point. He is a good cross-border collaborator, Premier Perrottet. We work well together, so I look forward to a positive response on that matter.

In the meantime, of course, as I have indicated, there is information available. It should come as no surprise to anyone, given the business models and locations, where the cheapest petrol is in Canberra. Adding another app may make a marginal difference, but I do not want to oversell the benefit. Let's be frank about this: another app is not going to suddenly mean that petrol prices in Canberra become the cheapest in Australia. That is not going to happen. So let's not oversell it. But, equally, another app is not going to hurt, so that is why I have pursued the matter with the New South Wales Premier. I commend my amendment to the Assembly.



**MR RATTENBURY** (Kurrajong) (3.56): Mr Cain certainly raises a good point about the pressure that increasing fuel prices have put on household budgets. I think, compared to where we were not so long ago, fuel prices have gone up a lot. As the Chief Minister touched on, we know why that has happened. The international energy price shocks have had a very significant impact on our community and, in fact, on fuel prices. Many of the points I intended make have already been canvassed in this debate, so I do not intend to speak for too long. But we do recognise that this is a significant part of household budgets. I think these international events underline Australia's vulnerability to the international fossil fuel supply chain and highlight the value of energy independence.

I was pleased that Mr Cain and the Chief Minister just talked about the potential role that electric vehicles will play over time in freeing us from that international risk point. Clearly, as more and more people are able to get their hands on EVs, we will better insulate them from those price shocks. But, here and now, we do have an issue.

Our intent is to support the Chief Minister's amendment. This issue has obviously been around for a while. There have been a range of discussions on it in the Assembly over the years and, of course, we had the inquiry. The ACT government has approached the New South Wales government. I think this does come down to a question of: "What is the cost and what is the value of that cost?" Mr Cain has expressed it as "we can do better". That may well be true. The question is: what price should we pay to do that little bit better?

I have, during the debate, just jumped on and had a look at some of the sites that are readily available for free, right now. And it is a fascinating thing. The Chief Minister talked about the geographical spread of petrol prices in Canberra. Within a six or seven-kilometre radius of where we are sitting, there is a variance of 45 cents a litre in petrol prices! It is quite extraordinary when you think about it. The difference between the inner south, the inner north and the airport precinct is a 45 cent range in those prices. If you are doing it tough with the budget, putting that into even a 40-litre car, you are talking about a \$16 to \$17 difference, so it is really material. But that information is available right now.

The nub of this discussion—whilst I do not disagree with Mr Cain about having this information available—is how much should the ACT government pay to get an extra app when Canberra motorists can get that information now? I think the Chief Minister's approach is the correct one. He has acknowledged the history in his remarks, but I think that the crunch point, the conclusion, is that we certainly should continue to work with the New South Wales government. Given that they have the system up and running, the marginal cost of adding the ACT should be almost nothing. If we can get a good price on that, I think that is something we can have a look at. But if it is a significant cost, I am just not sure that it is a great use of ACT taxpayers' money.

I am open-minded. I am not privy to those detailed discussions of what the actual cost is, and that is where I am supportive of the Chief Minister's approach. I do note the comment about Euro VI standards as well. I certainly think that would assist. An interesting debate that is emerging now is whether we should go to Euro VI or

whether we should just look to go past that, but I think most players in the space think that Euro VI is a good start.

I was just reading an article last night about the fact that Australia runs the risk of becoming a dumping ground, and we have all heard this theory before. Even petrol-hybrid electric vehicles now in the UK are increasingly being pushed out of the system. They are removed from beneficial tax and other treatments. The observation was that these vehicles were probably being sent to Australia because, frankly, you can get rid of anything over here. That is currently pretty much a true state of affairs.

I welcome the addition of that point because, after years of stonewalling on this issue, it would be great to see some serious consideration on better fuel efficiency standards in Australia for new vehicles as well. This will drive improved environmental performance and improved economic outcomes for motorists. I think it is well worth exploring and looking at what is the right standard for Australia, so I welcome the opportunity to discuss this matter today and indicate that we will be supporting the amendment.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.01): I will speak very briefly. I want to do so noting that I was actually the chair of that Select Committee on Fuel Pricing, together with members Mr Parton and former MLA Mr Wall, which made the recommendation from which Mr Cain has drawn. I thought it was important to provide some further context to the recommendations, all of which are publicly available but worth underlining.

It was evidence from the NRMA to the committee, first, that was perhaps enamoured with the idea of the New South Wales FuelCheck app. The NRMA spoke very highly of its value, and this was particularly because FuelCheck is not selective about the data that is reported. The private companies' apps do have a level of business interest behind them, which is understandable. Nevertheless, they are still very accurate and have good coverage. But FuelCheck requires all service stations' data to be reported and published, so it takes it from 99 per cent coverage to 100 per cent. So that is the difference there—that FuelCheck is not selective about the data that is reported.

The NRMA did advise that it had seen an average reportable price fall in Sydney prices, compared to other capital cities, of a few cents. The NRMA advised that it was keen to expand the FuelCheck application into the ACT so that all motorists could gain that access to real-time fuel prices. On the back of this evidence, the committee then wrote to FuelCheck, run by the New South Wales government, about the cost of establishing their scheme. They advised that the design and development alone had been considerable: \$600,000.

We also asked about the ease of including the ACT in the scheme and they advised that the ACT could be included in the scheme. The literal quote was: "Yes, we can expand FuelCheck to the ACT." That was the advice. But, importantly, they did not advise at what cost or what would be required. So it was on that basis that the committee recommended that the ACT government explore the feasibility of the New South Wales FuelCheck scheme being adapted to incorporate the ACT market.

I appreciate that the engagement with New South Wales is ongoing, but there has been, as the Chief Minister flagged in his amendment, a high proposed cost of expanding the scheme, at least in those negotiations so far. As the Chief Minister rightly pointed out in his speech, there is a prohibitive cost of establishing our own scheme and a high proposed cost of expanding the scheme, at least at the moment, and those private apps that do exist are providing 99 per cent coverage. They are not perfect, but they are still pretty good indicators. I think this does all need to be factored in with the negotiations.

So it is not that the ACT government ignored the advice, as Mr Cain's motion claims. In fact, they have carefully considered it and done so in a very responsible way, and I thank them for that. To conclude, I look forward to the engagement with New South Wales continuing and to a positive response, I hope, from the New South Wales Premier. I thank the Chief Minister for his considerable public and very effective engagement with retailers, which has seen action and prices come down. I commend the Chief Minister's amendment. Thank you.

**MR COCKS** (Murrumbidgee) (4.05): I rise to speak in support of Mr Cain's original motion, calling for the implementation of a FuelCheck app for the ACT—a positive solution which will improve competition and help to lower the cost of living for Canberrans. For many Canberrans, life without a car is not realistic and fuel is a necessity, not a luxury. It was good to hear the government acknowledge that today. But while so many of us need to drive in Canberra to get the kids to school, to get to work, to participate in community life, fuel is quickly becoming unaffordable.

In recent years, global events have helped to drive fuel prices way up, but Canberrans reasonably feel that something is a bit off with petrol prices here in our territory. An Independent Competition and Regulatory Commission report into ACT petrol prices did conclude that the higher prices in the ACT are primarily due to retail margins. It has been the case for a long time.

On our side of the Assembly, we believe in a competitive market to set fair prices and we believe in the consumer's right to choose the best price. For that to occur, consumers need to know what their options are. Prices need to be visible. Consumers need to know when they are getting ripped off and when they are getting a good deal. When consumers have informed choice, competition can drive down prices. But Canberra's fuel market does not work this way; it is opaque, it is limited and it is uncompetitive. That 45 cent per litre cost variation mentioned by Mr Rattenbury would not be the case if those prices were easily visible to Canberrans.

Without stumbling across one of these apps or one of these websites that you have mentioned, the only way for Canberrans to discover the difference in prices is by driving around to see exactly what the prices are. The Chief Minister says he has taken action. He tells us that he has written a sternly worded letter; in fact, he says he has written sternly worded letters three times! If this chamber actually wants to fix the deficiency, to help improve the lives of Canberrans and take the pressure off fuel costs for Canberra families, then there is a practical step we can take that does not rely on stern letters, and consumers will have more power.

A simple FuelCheck app, such as the approach taken just over the border in New South Wales, is a quick and proven way to improve this. A FuelCheck app for the ACT will show road users the price of fuel at all registered retail fuel providers across the ACT. This would provide ACT residents with choice, transparency and visibility. It would stimulate competition and empower the consumer to make informed decisions on fuel prices.

The committee inquiry into ACT fuel prices heard consistent evidence that one of the reasons fuel prices can be so much higher in Canberra is that it is more difficult to see the prices in the ACT. The industry believes that, now more than ever, a fuel price app is necessary for the Canberra market. The NRMA, in April, called for the ACT to introduce a government-mandated fuel price monitoring app. This differs from one of those private websites that you have referred to.

We know that Canberra motorists are in the dark on prices and that, in times of volatile pricing like we are in now, transparency is needed more now than ever. After 21 years of inaction by the government on well-known issues like this, Canberrans deserve better. Canberrans deserve government services which treat them as valued customers and give them the tools that they need to make good decisions.

It is really important that governments embrace innovation that makes people's lives better. Reducing the cost of fuel for Canberra families through a simple app would be a positive, low cost, low burden way to do that. New South Wales has done it and it makes a difference. Mr Assistant Speaker, is it really that unreasonable to give Canberrans the information they need to find and chose the best value provider for the fuel they need? I commend Mr Cain's original motion to the Assembly.

**MR CAIN** (Ginninderra) (4.10): It seems that there are similar sentiments being expressed here on both sides of the chamber. Canberrans are feeling the pressure of the cost of living. Fuel prices are a significant part of their cost-of-living expenses. And the fuel that is used in the majority of vehicles will stay that way for some time.

But I will just make a few comments. I really cannot accept the Chief Minister's amendments as they are presented to us today. We heard some statements about the prohibitive cost of creating a standalone fuel monitoring scheme. We heard as well that the Chief Minister has been engaged with the New South Wales government on a possible extension of their FuelCheck app. But can I point out that this has all been happening since 2019!

The government was given a recommendation by a select committee to improve fuel price transparency in the territory in 2019. And I do wonder: when was this last letter to the New South Wales government written by the Chief Minister? How serious are they really about innovating for the sake of Canberrans, in particular to take the pressure off them from fuel prices and to give them more transparent information on the price of fuel?

*Government members interjecting—*

I do note that there is a call on the commonwealth government to adopt the Euro VI standards. But, again, we are talking about what the ACT could actually have done

quite a while ago—a government-mandated collection of information to give the consumer confidence about the quality and correctness of that information, rather than private websites. We could have had that ages ago.

And now we are hearing, “I have written to the New South Wales government.” Why have we not got something in place from quite a while ago? Since 2019—with the same Chief Minister, by the way—we have had basically a lack of initiative and an inability to contemplate innovation for the sake of Canberrans, to deal with their cost-of-living pressure. Why have they been waiting so long? It is so disappointing and, frankly, Mr Deputy Speaker, so typical.

*Government members interjecting—*

I will not be supporting the amendments to my motion proposed by the Chief Minister. I commend my motion to the Assembly. Again, my motion simply says—not that far from what the Chief Minister seems to be suggesting—introduce a FuelCheck app in the ACT. Whether that is an ACT designed application or by licensing the New South Wales one is something to be worked out. But let us get this done. Let us get this done. The government has been sitting on its hands for too long and it is typical of this—

*Government members interjecting—*

**Mr Hanson:** Mr Deputy Speaker, I ask that there be some consistency applied when it comes to interjections. Certainly, when members of this side interject, we are pulled up. We are pulled up. That is the way this place works. It seems to be that on that side of the chamber interjections carry on with impunity. So I just ask that there be some kind of balance.

**Mr Rattenbury:** Can I just seek clarification, Mr Deputy Speaker: is Mr Hanson accusing you of bias?

**MR DEPUTY SPEAKER:** I am not sure, Mr Rattenbury. But you can be seated and members on this side can please allow Mr Cain to conclude without too much more noise. Mr Cain.

**MR CAIN:** I was coming to a close. I do note that when the Chief Minister and the Attorney-General and Minister for Business and Better Regulation were speaking, I did not interrupt them once. I did not interrupt them once.

**Ms Cheyne:** Unusual.

**MR CAIN:** Here we have Minister Cheyne interrupting me on making a very obvious observation. It is very disappointing. Even though I think the spirit of what the motion is about is being supported by the government, what I am concerned about is their lack of initiative and action. That is typical of this lazy Labor-Greens government. I commend my motion and I reject the amendment by the Chief Minister.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 6

Mr Braddock  
Ms Burch  
Ms Cheyne  
Ms Clay  
Ms Davidson  
Mr Davis  
Mr Gentleman

Ms Orr  
Dr Paterson  
Mr Pettersson  
Mr Rattenbury  
Ms Stephen-Smith  
Ms Vassarotti

Mr Cain  
Mr Castley  
Mr Cocks  
Mr Hanson  
Ms Lawder  
Mr Parton

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Multicultural communities—data collection**

**MR BRADDOCK** (Yerrabi) (4.19): I move:

That this Assembly:

(1) notes:

- (a) diversity should be reflected in all aspects of public life;
- (b) that meaningful, evidence-based data collection practices are an important tool to expose potential discrimination and inequalities, and help us to make our city a better place for all Canberrans;
- (c) in June 2022, new Immigration Minister, Andrew Giles MP, said “Australia does not effectively measure our diversity”, and that Australia’s failure to collect data on ethnicity or race—unlike the United States, Canada and New Zealand—was a “fundamental barrier to understanding the issues that face multicultural Australians”;
- (d) while the ACT Government collects data about Culturally and Linguistically Diverse (CALD) representation in the ACT Public Service (ACTPS), the ACT’s diversity data collection reflects these national issues;
- (e) the Federal Government is establishing a CALD data collection working group with representatives from peak multicultural bodies, along with data collection and demography experts to develop national standards for diversity data collection to address the gaps and shortfalls of current practices; and
- (f) while the ACTPS policy and recruitment guidelines include the use of targeted recruitment strategies to encourage diversity, there are disparities in practice across the directorates, including whether CALD applicants are encouraged to apply; and

(2) calls on the Government to:

- (a) monitor, and if appropriate, contribute to and apply, national standards for diversity data collection;

- (b) create an evidence-based best practice guideline that can be used in the recruitment, retention and promotion of ethnically and racially diverse people;
- (c) consider for inclusion in the guidelines measures such as the de-identification of applications, unconscious bias and anti-racism training, and explicit encouragement of CALD applicants to apply for ACTPS jobs;
- (d) make the best practice guideline available to all directorates and agencies as a guide and resource to inform their practices;
- (e) use the guideline to inform the next available review of the ACTPS Recruitment Policy and Guidelines, with a particular focus on strategies to ensure management and executive levels reflect the wider population;
- (f) encourage CALD applicants on ACTPS employment communication; and
- (g) report back to the Assembly by the August 2023 sitting period on progress.

Here in the ACT, we take great pride in our cultural diversity. We are a welcoming city. We love to showcase our numerous cultures that call Canberra home. We love to break bread together and share cultural heritage. But, as wonderful as it is to celebrate diversity, with all of its food, colour and movement, these celebrations would be rendered shallow and tokenistic if we did not also take concrete steps to ensure equality for Canberrans of all backgrounds. One of the most tangible measures towards equality is employment, to which this motion is going to today.

If any organisation would be the standard bearer for inclusion and equality as an employer in Canberra, it would be the ACT government. We have a duty as a model employer. The ACT government provides so many important services to the residents of the ACT, in particular to those experiencing the highest levels of disadvantage and need. In accessing those services, the residents of the ACT should be able to look at the ACT public service and see in it a reflection of themselves, because this is the way to build connection, trust and collaboration between the government and those that it serves.

As the 2020 *State of the Service* report states, culturally and linguistically diverse employees make up 21.5 per cent of the ACTPS workforce. But behind this very simple statistic there is a more complex story at play. This figure does not even consider the difference in workforce representation between European and non-European CALD communities. Nor does it accurately reflect the number of CALD people in senior levels of the service. Conversations with many current and former ACTPS employees indicate that non-European CALD employees are glaringly under-represented in the ACTPS, and most especially in the senior positions.

The first step in addressing this problem is to understand the scope of it. You cannot manage what you do not measure. So we need better data collection. Let me be clear: this is not just an ACT government specific issue; this is an Australia-wide issue. Like most states and territories in Australia, the ACT has followed the national government's lead by using CALD as a catch-all to measure cultural, ethnic and racial diversity.

The Australian Bureau of Statistics defines CALD people as people born overseas in countries other than those classified as main English-speaking countries—that is, the United Kingdom, the Republic of Ireland, New Zealand, Canada, the United States of America and South Africa. As you can imagine, there are difficulties in this definition. The lived experience of a Native American might be very different from an Anglo Saxon or Celtic descendent of the same country. As another example, the Australian Public Service defines CALD people as “those who were born overseas, have a parent born overseas or speak a variety of languages”.

So you can see, the problem is that CALD has a variety of different meanings at the national level and there is no uniformity in the application of the term. The only consistent feature is the inclusion of those born overseas, which leads to another issue. According to a 2018 working paper titled *Diversity Statistics in the OECD: How do OECD countries collect data on ethnic, racial and indigenous identity?* “collecting migration-related information on the foreign-born population and their children is a crude method for capturing diversity”. The report points out that the use of such data as:

... proxy for ethnicity or race is problematic. The country of birth of a person neither takes account of the diversity of the country of origin of the individual or the parents ... nor does it capture cultural affiliation, the inherently self-perceived aspect of belonging to an ethnic group.

So not only is the term CALD vague, but it also goes against best practice for diversity data collection.

But you do not have to take my word for it. The current federal immigration minister, Andrew Giles MP, has admitted that Australia does not effectively measure our diversity and that Australia’s failure to collect data on ethnicity or race—unlike the United States, Canada and New Zealand—is a fundamental barrier to understanding the issues that face multicultural Australians.

It is absolutely crucial that we change our data collection practices, because when it is done right, the consequences are profound. A 2018 report from the Australian Human Rights Commission, which classified groups as Anglo-Celtic, European, non-European and Indigenous, found that Anglo-Celtic Australians are 17.9 per cent over-represented in senior leadership positions, while non-European Australians are 16.3 per cent under-represented. When measured properly, the disadvantage is clear and the policy implications are significant. But our current CALD classification does not accurately measure these differences, allowing us to ignore or to simply be in ignorance of an issue that deeply effects the lives of so many Canberrans.

I have spoken to many multicultural Canberrans about their experiences, both within the ACT public service and other industries, and the personal accounts they have shared are harrowing. Allow me to share some of their stories, and I quote:

Having completed my bachelor’s in engineering and a Master’s in Business Administration from the top business schools in Australia (Australian Graduate School of Management, ranked number 2 within Australia) and having previously served as a Section Manager (EL2 role), I have applied for several



roles within the Senior Executive Service without success. I have spent hours addressing selection criteria and updating resumes only to be rejected. Far from winning a job, I haven't even received a single interview call. It is frustrating to the extent that I have almost given up applying these days, because, why bother!

Another example was:

Many friends pointed out that they sit at one level for a long period of time whereas their Australian counterparts rise quickly in ranks. Most of them are also denied acting roles even though they are more qualified and suitable for the role.

Or another one:

A cursory look at the resumes of the CALD community members applying for SES equivalent roles within the ACT public service will reveal that the applicants are highly skilled, qualified and educated, often possessing multiple post graduate degrees and diplomas.

Or yet another example:

Most [of the] CALD community is sitting at lower to medium levels in public service and very few make it to the top. Women in particular feel grateful that they have a job and hardly ever speak up.

Or yet another:

It's very difficult for members of the CALD community to be successful in winning the senior executive service roles. CALD community members are thus excluded from key strategic decision making and forming exercise within the public service, leading to a sense of frustration and being left out.

I have to say that this is a disgrace. For too long we have justified our inaction and engaged in self-satisfied braggadocio about our so-called successes in diversity. Meanwhile, ethnically and racially diverse Canberrans have been suffering a systemic exclusion, only to be told that the injustices they are experiencing are not real! And yet they are trotted out for show during multicultural festivals. I say enough is enough. Yes, these issues are not unique to the ACT or the ACT Public Service. Yes, the national standards can and should be improved. But we Canberrans have a proud tradition of leading the way on reforms that make Australian society more equitable, and I am calling on the ACT government to do so once again.

The federal government has committed to developing national standards for CALD data collection. It is absolutely imperative that we monitor and, if appropriate, contribute to and apply these national standards for diversity data collection. In the meantime, there are some concrete steps we can take at the territory level. As Sandra Wright, Chief Executive Officer of the Settlement Council of Australia, said:

We don't need to wait for the data to be collected to start making changes. Good practice in hiring people from minority cultures should be implemented no matter what the statistics are.

We need to create an evidence-based best practice guideline that can be used in recruitment, retention and promotion of ethnically and racially diverse people. This

guideline should include measures such as the de-identification of applications, unconscious bias and anti-racism training and explicit encouragement of CALD applicants to apply for the ACT Public Service jobs. It should be made available to all directorates and agencies as a guide and resource to inform their practices, and it should be used to inform the next available review of the ACT Public Service recruitment policy and guidelines, with a particular focus on strategies to ensure the management and executive levels reflect the Canberra community.

This guideline can also be disseminated to the private sector and the NGOs, as we know from the Australian Human Rights Commission report these inequalities are not unique to the public service. By taking the initiative to set a high standard of hiring practices for the ACT Public Service, this government has the opportunity to improve employment practices and representation in workplaces all across the territory.

Finally, I would like to offer my sincerest thanks to all those who contributed to my thinking on this topic and to the development of this motion. I would like to offer my particular thanks to: Nishi Puri of the Multicultural Association of Canberra, Chin Wong of the Canberra Multicultural Forum, Sandra Wright of the Settlement Council of Australia, and all those who shared their personal accounts of navigating employment with the ACT Public Service.

I will also speak now to the amendments and contribution that Mr Cain has circulated, and state that I would be happy to support those amendments because for me it is more important for a good thing to happen. I would also say that the amendments moved by Ms Cheyne in terms of the time frame are realistic in terms of achieving what is listed out in Mr Cain's amendments to my motion and what can be achieved by the small Office for Multicultural Affairs. Thank you.

**MR CAIN** (Ginninderra) (4.31): It is a privilege as shadow minister for multicultural affairs to support the spirit and intent behind this motion. As Mr Braddock has alluded, I have made some suggestions—friendly ones, I believe—to amend his motion, and he has, speaking just now, supported those proposed amendments. I would also note that I am very comfortable with the amendment to be proposed by the Minister for Multicultural Affairs, Minister Cheyne.

The Canberra Liberals support calls for better understanding the footprint of our CALD community. With immigration going to be an increasingly important part of Australia's and Canberra's population growth, we should have the CALD community, the newly arrived community, the multicultural community, at the front of our minds when thinking of government policy to make sure that there is no sense of them feeling alienated or treated differently in any way whatsoever.

The Canberra Liberals also know that there is community and stakeholder agreement that the way the federal government currently collects data is perhaps not as adequate as it should be. I would certainly encourage the ACT government to cooperate with the federal government in effectively improving its data collection approach.

I note that the ACT Public Service collects data on CALD representation for their own staff, and there are currently ACT Public Service policy and recruitment

guidelines. I note as well from my own time in the ACT government that one thing that was considered when recruitment was undertaken was to consider whether a department was adequately reflecting the diversity within the ACT community, and I believe that is a healthy approach.

It is good to see tri-partisan support for the intent of what will be an amended motion. As much as we can, I think the Labor-Green and Canberra Liberal parties should be working together to improve the accessibility of services for the CALD community, for their sense of belonging and being accepted. There is much that we gain from the multicultural community, as I am sure all the members of this place have experienced.

So, obviously, I do support the motion, and I move:

Omit paragraph (2), substitute:

“(2) calls on the ACT Government to:

- (a) once the new Commonwealth Government diversity collection standards have been finalised, consider any relevant updates to align ACTPS data collection policy and practice with the National standards;
- (b) update the currently existing ACT Public Service Recruitment Policy and Guidelines to include best practice guidelines that specifically support the recruitment, retention and promotion of CALD people into and across the ACT Public Service;
- (c) consider including in the best practice guidelines:
  - (i) deidentification of applications;
  - (ii) unconscious bias and anti-racism training;
  - (iii) encouragement of applications from people who identify in the CALD community;
  - (iv) any relevant changes or inclusions gathered from the Commonwealth Government’s recently announced diversity data collection reform;
- (d) report back to the Assembly by the August 2023 sitting period on progress; and
- (e) review the effectiveness of the new best practice guidelines in the ACT Public Service Recruitment Policy and Guidelines one financial year after implementation.”.

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (4.35): I move an amendment to Mr Cain’s amendments:

Omit paragraph (2)(d), substitute: “report back to the Assembly by the last sitting week of 2023;”.

The government will be supporting the motion and amendments put today. As Minister for Multicultural Affairs, I certainly welcome the intent of Mr Braddock’s original motion and the collaboration we have had with Mr Braddock’s office as he sought to bring this today—and, indeed, the intent of Mr Cain’s amendments.

I will say at the outset that my amendment simply seeks to extend the report-back date that Mr Cain had included and Mr Braddock had included, which was originally August 2023. Noting that Mr Cain's amendment added in a little bit more effort, we wanted to keep timelines realistic here—noting that these are very small teams—with already very big agendas—that will be doing the work. So we want to work in a way that is achievable but certainly realistic, noting their pressures. I thank both members for their agreement to that.

In making my comments today, I also want to make some important observations about the matters raised in the motion and particularly in Mr Braddock's speech, including taking the opportunity to share some of the significant work and progress which is already ongoing in these areas. This is not braggadocio, but some facts and context while recognising there is more we can do.

We wholeheartedly agree with Mr Braddock that diversity should be reflected in all aspects of public life. That goes without saying. The ACT public service is proud to be a progressive and inclusive employer. Workforce diversity and respectful workplace culture are essential to our employee value proposition, and data collection is key to realising those values.

Indeed, the most recent data shows that 23 per cent of the ACT public service workforce identify as culturally and linguistically diverse, which I will hereby refer to as CALD, which includes those born overseas or have a parent born overseas and those who speak a language other than English at home. This does not quite reflect the census population data, which we have just learned in recent weeks is higher, but it is not wildly divergent, either.

This percentage has been steadily increasing over time, and I think it does demonstrate the ACT government's continuing commitment to CALD diversity. The highest number of CALD staff work as nurses, followed by administrative officers and general service officers working across a wide range of areas within the service. A deep-dive analysis of the 2021 staff survey revealed that people from CALD backgrounds had the highest levels of employee engagement, commitment and loyalty of any workforce group. The survey also showed that culturally diverse staff have a more positive sentiment towards inclusivity, with above average numbers of respondents agreeing that their organisation supports and actively promotes a safe and inclusive workplace culture. The survey found that, after Australian, the most common cultures in the ACT public service workforce are English, Indian, Chinese and Irish, with a total of 19 per cent of survey respondents who speak a language other than English.

As many members will know, CALD data is also collected for the purposes of the ACT Wellbeing Framework. Support for multiculturalism is a key indicator under the wellbeing domain of identity and belonging. The findings for this indicator, as part of the 2020 Living Well in the ACT Region survey undertaken by the University of Canberra, suggest that most ACT residents feel that Canberra is a welcoming city, including those from non-English speaking backgrounds. In fact, respondents from non-English speaking countries returned the highest response, with 88 per cent agreeing that Canberra accepts people from different cultures, which was

higher than the result returned by those born in an English-speaking country, including Australia.

These results demonstrate the commitment of the ACT government to ensure that Canberra is a welcoming and vibrant city, shaped by the cultural diversity of those who live here. But, of course, there is more that we can do, and I think that is something that has been reflected across the chamber today.

Mr Braddock's motion references the announcement by the Australian Minister for Immigration, Citizenship and Multicultural Affairs, the Hon Andrew Giles MP on the development of the national standards for diversity data collection, supported by the establishment of a working group representing peak multicultural bodies and experts in the field.

In my recent letter welcoming Minister Giles, I applauded this announcement and recognised the important value that a national working group and national standard for CALD data collection would bring to the work of our ACT government, including any proposals to collect racial and ethnic information. A national standard for the collection of culturally and linguistically diverse data will be invaluable to understanding our current position and supporting effective policy design, resource allocation and program delivery into the future.

As this nationwide work begins, here in the ACT government we will continue to implement recruitment and employment practices that promote the inclusion of CALD people. Over the next four years \$3.3 million in funding will be provided to strengthen and expand diversity and inclusion programs within the ACT public service.

Among these new programs will be a dedicated mentorship program for aspiring senior executives from CALD backgrounds. The Community Services Directorate operates the Work Experience and Support Program, the WESP, providing professionals who have recently arrived in Australia from overseas with the opportunity to gain Australian workplace experience, especially CALD community members who might have had difficulty gaining meaningful employment. Importantly, WESP supports participants to gain the confidence to enter the paid workforce and develop important networks within the ACT public service.

As a result of the extensive review of the Respect, Equity, and Diversity Framework, the ACT public service will also strengthen workforce diversity outcomes, including through improvements in evaluation and measurement of actions designed to address inclusion barriers. The ACT public service has recently committed to improving the collection, discoverability and sharing of diversity data in line with the Australian Bureau of Statistics standards, as part of outcomes from the Beyond RED review.

The project will encompass reforms to diversity data collection for the ACT public service workforce, and work is underway to understand appropriate data variables and the complex implementation pathway for ACT government workforce data systems. A broader strategic base, which encompasses multicultural elements of workforce diversity, will also be a focus in the future. There is a lot of work going on in these areas.

I am acutely aware of some of the concerns of migrant and refugee communities regarding diversity and inclusion in the workforce. And I am pleased to say that I recently worked with Dr Paterson, who advocated on behalf of representations made to her, for the improvement of government communications to better include and promote people from CALD backgrounds as a target employment group for the ACT public service. The need was clear and the fix was achievable. I will let Dr Paterson share her own remarks on this motion, including any updates on this joint work.

It is clear that improving diversity and inclusion is a journey. It is not a destination. The ACT government will continue its significant work to encourage diversity in all aspects of public life, including as a progressive and inclusive employer through the ACT public service.

I, and I am sure all members here, look forward to seeing this work progress. Again, I thank Mr Braddock for bringing this motion to the Assembly. I am pleased to support it in its amended form.

**DR PATERSON** (Murrumbidgee) (4.44): I stand in support today of Ms Cheyne's amendment to Mr Cain's amendment to Mr Braddock's motion. I am sorry that I do not have anything to contribute amendment-wise! But I would like to thank Mr Braddock for this motion today and Minister Cheyne for her words.

I wish to note my support for the employment of people from culturally and linguistically diverse walks of life and representing all groups of our Canberra community within the ACT government.

I note that the ACT government has a relatively high proportion—around or more than one-fifth—of ACT public servants who are from culturally and linguistically diverse backgrounds. It is great to see and reflects our diverse community and the many different skills, experience, and talent from many different multicultural groups who make up the great tapestry of life in our wonderful city.

I had previously made representations on this matter on behalf of constituents to Minister Cheyne. I have been really pleased with her response, which I have been able to provide back to constituents. The minister responded to my advocacy to revisit the importance of cultural and linguistic diversity as a relevant target employment group on employment websites and in the marketing relating to the ACT public service. I understand that further work in this space is already underway and that there will be a change in wording to that effect on employment websites in the near future.

I also understand that the ACT government will be developing an internal whole-of-government inclusion intranet site to support inclusive workplaces. The site will be a central information hub for shared resources, including bite-sized learning, accessible information and inclusion reference materials. I understand that employees will be able to find information through this intranet on networks that they may like to join and on how they can take practical steps to create inclusive workplace cultures.

Long-running programs, such as the government's Work Experience and Support Program, are examples of the ways in which the ACT government already supports a diverse and inclusive workplace, including the employment of recent arrivals to the

ACT. I had the great pleasure of recently attending the graduation ceremony of the Work Experience and Support Program.

I also welcome the ACT government's commitment to improving the collection, discoverability and sharing of workplace diversity and inclusion data, and making this data more accessible for Canberrans.

I commend the minister for her prompt and meaningful response, as well as for her detailed speech this afternoon.

I support the government's continued initiatives for best practice recruitment and employment opportunities for all Canberrans, particularly in representing minority groups, including those who are most often disadvantaged and the vulnerable members of our community.

I am encouraged by the results of a 2021 ACT public service staff survey, indicating that CALD employees in the ACT public service have some of the highest levels of employee engagement, commitment and loyalty of any workforce group. I look forward to further initiatives by the ACT government to continue to attract and retain culturally and linguistically diverse members of our community to this workplace, and to continue to offer career pathways, meaningful employment opportunities and necessary support and training services.

I also welcome the government's commitment to a further \$3.3 million in funding through this year's budget to strengthen and expand diversity and inclusion programs within the ACT public service. I hope that this also helps support both new and longer-term migrants and refugees in our community.

I support Mr Braddock's motion today.

**MR BRADDOCK** (Yerrabi) (4.48): I would like to thank everyone here for the tri-partisan support and coming together to support the equality of employment for all our communities here in Canberra. Let us come together to make Canberra not only a welcoming city but a just and equitable city, where everyone, regardless of their race or ethnicity, can prosper.

Question put:

That **Ms Cheyne's** amendment to **Mr Cain's** proposed amendment be agreed to.

Amendment agreed to.

Question put:

That **Mr Cain's** amendment as amended be agreed to.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Health—abortion rights

Debate resumed.

**MS CLAY** (Ginninderra) (4.49): I want to say a few words as the ACT Greens spokesperson for women. I am really glad to see this motion today. I am quite horrified by what has prompted this motion.

I caught up with a friend recently who was visiting from America, and she was really worried about *Roe v Wade*. She did not want to go home, and we did not know what to tell her. It is absolutely terrifying to watch this happening in a country that has had rights for quite some time. What she actually said was that she did not want to go back home to Gilead. Most people probably know that Gilead is the fictional city in the dystopian novel *The Handmaid's Tale*. We were not joking about this; she was speaking with genuine fear and anxiety.

I remember reading that book for the first time when I was at university. There is now a popular TV series based on Margaret Atwood's *The Handmaid's Tale*. I found that I was not able to bring myself to watch the TV series. It came out in a wave of fairly close to truth apocalyptic fiction, and I find I have lost my appetite for that kind of television at the moment.

*The Handmaid's Tale* is a really powerful story. It is as powerful now as it was in 1985, when Margaret Atwood wrote it. The reason is that she did not actually make up any of that story. She took different elements from different cultures in different time periods and strung them together into a clear narrative in a story that we are now seeing unfolding in America.

In the book women are enslaved as breeding stock. They do not get to make decisions about their bodies. They do not get to consent to what happens to their bodies. They do not have their own names. The hero in the story is called Offred. She is “of Fred”; she is the property of Fred. Most people probably know where that naming convention comes from in historical times. It has been a long time since I have read that book, but I should probably force myself to pick it up and look at it again.

It is utterly baffling that we are talking about this in 2022. I appreciate that everyone in here has told their personal stories—some really touching personal stories—and given us the history of these rights in the ACT. I understand the distress and the anger of people watching their rights getting eroded. It is horrifying that we are talking about a world in which abortion is no longer health care. Having brought about a world in which abortion is simply health care, to watch that being eroded is terrible.

I am glad that this is not up for debate. I will not say I am grateful. This is just what we should expect here. I am genuinely delighted to see the ACT government announcements today. We know that abortion is health care. We know that we have a legal right to it. We understand that this is just a normal way of being for women and for pregnant people, and I am really pleased that we will now have free abortion that will be much easier to access and that will come along with free contraception. That will remove some of the remaining barriers, and that is great. I want to shout out to the women and pregnant people who are really worried. We will guard it here.



We need to make sure that we do not lose what has been won.

I welcome the committee inquiry that will look at any remaining barriers to this. I would encourage anyone who would like to submit to that inquiry to do so. There is a parliamentary inquiry looking at the issue of reproductive rights and barriers to access. Put in your views and your experiences, if you can. That will help us to work out how to do it better. I am really sorry about what is happening so close to us, culturally and contemporaneously.

**MS DAVIDSON** (Murrumbidgee) (4.53): I rise to speak in solidarity with advocates in the United States who are having a really hard time in the wake of what has happened. I thank Ms Lawder. Sharing personal experience can be very difficult, and I thank her for her courage in sharing that with us earlier today.

Knowing our history is important if we are to continue to enjoy those freedoms into the future. When it comes to reproductive choice for Canberrans, the ability to access this health service is the result of decades of work by local women's organisations and non-government health services.

In 1994, the Family Planning Association clinic began offering abortion services in Canberra, including financial options for those who could not afford a large up-front cost for health services that need to be accessed within a short time frame. But in 1998, when laws in the ACT restricted access to abortion and required women to attend three appointments within a 10-day period to complete the process, many people started using a private clinic across the state border in Queanbeyan, where those restrictions did not exist. This impacted on the viability of the Canberra clinic.

The reaction to those 1998 changes in our community was visceral. As the Women's Centre for Health Matters described it in their November 1998 newsletter:

Many in the Canberra community are outraged at the draconian changes the Bill proposes. Community organisations were immediately galvanised into action with a media blitz, forming an action group and organising public rallies.

The murder of a security guard at a Melbourne clinic in 2001 created additional stress and security concerns for the ACT Family Planning Association. While the decriminalisation of abortion in the ACT in 2002 was a great relief for everyone who had rallied, lobbied and campaigned to shift termination of pregnancy from being a criminal issue to a health issue, as it should be, the ACT Family Planning Association's clinic continued to struggle with costs. In 2004, Marie Stopes took over the provision of abortion services in the ACT, and they continue to provide quality care to people in the Canberra community and surrounding New South Wales.

The establishment of exclusion zones in 2015 resulted from the combined efforts of the ACT Greens, with a bill introduced by Shane Rattenbury, and campaigning and advocacy from local community sector groups to help the community to understand the impact that it has when people are harassed just for accessing health services. The stories that women submitted through the Right of Way website, run by Women's Centre for Health Matters and Sexual Health and Family Planning ACT, are an important part of the history of this health rights issue, and should not be forgotten.

2015 also saw an expansion of the medical options available for termination of pregnancy, in addition to surgical termination. It was one of the last acts of our first female Prime Minister to overturn a law introduced by Tony Abbott, for ideological rather than health reasons, that prevented prescription medication for termination of pregnancy from being available in Australia. But for Canberrans, medical termination could only be accessed via telehealth or a clinic over the border in New South Wales. It was not until 2018, when my Murrumbidgee Greens predecessor Caroline Le Couteur passed amendments to health regulations to allow for medical termination of pregnancy to be prescribed by local GPs, that we were able to access this option more easily within the ACT.

Today, the barriers to accessing pregnancy termination services in the ACT are not legal but financial. In 2018, Women's Centre for Health Matters published a report, *Improving choices and options: the views of ACT women about their sexual and reproductive health needs*. This report included detailed research, through surveys, focus groups and one-on-one interviews, with over 500 Canberra women, including women who had had an abortion in the past three years.

Over 24 per cent of respondents in the Women's Centre for Health Matters research said they did not know the difference between medical and surgical termination of pregnancy. In theory, with a health care card for the prescription and a bulk-billing GP, it should cost under \$50 to access medical termination of pregnancy, but in 2018 the average cost in the ACT was around \$500, whether medical or surgical. More than 23 per cent of respondents said that cost would impact their ability to access an abortion. Some women said this meant they would need to seek less safe options to terminate a pregnancy.

The experiences of women and health service workers who shared their stories with us at the women's centre during this research highlight the impact when they are unable to access their legal healthcare rights because of cost. Women talked about paying cash so that it would not appear on their Medicare record which their partner could access. I quote from a woman who participated in the research:

I struggled to get time off work and save up the \$400 in time. I barely ate and walked the 6 km to work for 4 weeks to save the money in time to have the termination before it was too late to proceed.

To see that access to termination of pregnancy is being expanded in this ACT budget is good news. I look forward to seeing the report from the currently open inquiry into abortion and reproductive choice in the ACT from the Standing Committee on Health and Community Wellbeing, regarding any further action we can take to ensure access in the ACT. Submissions are open until Monday, 15 August.

I want to again thank the individuals and organisations in our Canberra community who, over the decades, have rallied, written, lobbied and supported those who needed to access abortion services for their part in ensuring that we are now in a position to reiterate our commitment to the legal rights we have here in Canberra and work to make those rights accessible and affordable. I thank Women's Health Matters, where I was Deputy CEO until 2020, Sexual Health and Family Planning ACT, Marie Stopes, ACT Women's Health Service, Equality Rights Alliance—another previous

employer, and I especially thank their Young Women's Advisory Group, YWCA, where I first got to work with Minister Vassarotti, Women's Liberation, Women's Electoral Lobby, of which I was national convenor until my election to this place, Canberra Rape Crisis Centre, and so many more.

I also particularly want to express my thanks to Marcia Williams, Tim Bavinton, Eva Cox and many other people whose leadership on this issue I have learned from over the years. The work to support a woman's right to make decisions about her own body is something I will always feel honoured to have been part of, and will continue to do so. I am proud to support this motion.

*It being 5 pm, the debate was interrupted pursuant to the order of the Assembly.*

### **Appropriation Bill 2022-2023**

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2022-2023]

Debate resumed from 2 August 2022, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MS LEE** (Kurrajong—Leader of the Opposition) (5.00): Canberra is our nation's capital city, a city of natural beauty, open spaces and spectacular scenery. We are the seat of Australia's government and the home of Australia's national landmarks. We are the bedrock of Australia's public service, the cornerstone of Australia's world-class universities, and the heart of an innovative, exciting private sector.

Most importantly, we are a city of clever, generous and aspirational people, which is why I think Canberra can be so much more. Canberra should be a city of opportunity—a city where anyone has the opportunity to buy or rent a home, start a business, access quality health care, and send their children to schools that bring out the best in every child; a city where we can enjoy well-maintained parks and community facilities, drive on roads free of potholes, easily access public transport, and live in safe neighbourhoods.

Given our circumstances, Canberrans should have the best of everything, and Canberra should be the best of everything. But the reality of what Canberrans are getting from this tired, out-of-touch Labor-Greens government is anything but the best.

We saw earlier this week a budget that does exactly what this Labor-Greens government always does—a budget that is big on spin, big on promises and big on announcements, but we know from past performance that this is a government that fails on delivery each and every time.

What we see is a Labor Party beholden to the Greens. Just this week a senior cabinet minister threatened to vote against an expenditure item in their own budget! This budget does not even enjoy the full support of this cabinet, let alone the Canberra community. This government is a financially, morally and socially bankrupt farce. This government is out of touch, out of ideas and out of energy.

The ACT is in the worst financial position since self-government. The years of mismanagement under this Chief Minister will impose enormous hardship on future generations of Canberrans. Our net debt is now forecast to be \$6½ billion this financial year, and almost \$10 billion in the forward estimates. To service this debt, Canberrans will be paying half a billion dollars each year. Let me say that again, Madam Speaker: by 2024-25, Canberrans will be paying half a billion dollars a year on interest repayments alone.

The Chief Minister is failing to listen to his own directorate regarding having a plan for sensible, responsible economic management. And he is failing to listen to the Canberra community on the government services they need.

On budget day, the *Canberra Times* quoted the Chief Minister as saying that the extra money from GST distributions to the territory were not needed to deliver more services because the government was already meeting demand. For all of his deflecting and fearmongering, he still has not answered a crucial question: for all of the spending, for all of the debt, what is our community getting? Where has all of that money gone?

Our health system is in crisis. It was already mismanaged and under-resourced long before COVID. Labor and the Greens are responsible for the worst emergency department and elective surgery waiting times in Australia. Patients are being treated in the corridors of the emergency department. Doctors and nurses are at breaking point, and the ageing infrastructure is falling apart. These issues are not new.

This is the result of deliberate long-term neglect and under-resourcing by Labor and the Greens. Year after year, hospital upgrades have been promised, abandoned, promised, re-scoped, promised and delayed. By the time patients are treated in the Canberra Hospital redevelopment, it will have been more than 15 years in the making. COVID added significant pressure to a health system that was already struggling. Does the Chief Minister honestly believe that Canberra's health services are meeting demand?

Labor and the Greens talk the talk when it comes to education, but the reality is that academic standards are going backwards, violence and bullying are so bad that WorkSafe ACT banned students from coming to school, and we have crumbling infrastructure and hazardous materials in our learning spaces.

We also have a massive shortage of teachers. Only a few months ago, under persistent pressure from the community, the teachers union and the Canberra Liberals, Labor and the Greens were brought kicking and screaming to plan for recruitment and retention of more teachers. Does the Chief Minister honestly believe that our education system is meeting demand?

The frontline staff shortage is not limited to our health professionals and our teachers. Under this Labor-Greens government, we are seeing the lowest number of police per capita and the lowest clearance rates for property crimes. Does the Chief Minister honestly believe that police services are meeting demand?

Delivery of basic city services should be bread and butter for the ACT government. We should have a local government that treats our city with the respect that is befitting of the nation's capital. But what we see under Labor and the Greens is our city being neglected. What we see under Labor and the Greens is grass not mown, cracked footpaths not fixed, potholes not filled and now garbage not even being collected weekly. All the while our rates go up alarmingly each and every year. Does the Chief Minister honestly believe that basic city services are meeting demand?

The very real hardship faced by some of our most vulnerable Canberrans as a direct result of this Labor-Greens government is shameful. We are a privileged city with a local government that will do nothing about the almost 40,000 Canberrans living in poverty, including nearly 9,000 children.

The utter disregard for Canberrans living in public housing—from the debacle that is the heartless implementation of relocating vulnerable tenants through to the years and years of neglect of basic maintenance—is astonishing. Does the Chief Minister honestly think that having over 3,000 people on the public housing waiting list is meeting demand?

Ultimately, the core of all of this rot comes from a government that is long past its use-by date, completely lacking integrity and not governing in the best interest of Canberrans.

This term alone, we have seen Labor and the Greens embroiled in serious issues of probity over the Campbell Primary School modernisation project. This issue triggered an Integrity Commission inquiry into procurement across the entire ACT government because, in the Integrity Commissioner's own words, these issues rarely happen only once and are more likely to be endemic.

We have seen the CIT contracts scandal, with almost \$9 million in taxpayer funds being paid to a single contractor to provide services that are so unintelligible and jargon filled that, to this day, no-one, not even the responsible minister, has been able to explain to the Canberra public what they are for and how they represent value for money. The minister's way of addressing the problem was to promote the deputy chair to chair of the CIT board, despite the fact that she oversaw many of these contracts. If that was not bad enough, the minister flat out refused to answer questions on notice or respond to FOI requests. The arrogance, the delusion and the lack of accountability are breathtaking.

Only a few weeks ago, the Coaldrake review delivered its scathing findings to the Queensland Labor government, saying their entire public accountability culture needed a do-over. Imagine, Madam Speaker, what a similar review in the ACT would find, after 21 years of this Labor-Greens government that is well beyond its use-by date, 21 years of this Labor-Greens government that has long stopped governing for the people of Canberra, and 21 years of this Labor-Greens government that has fostered a culture of secrecy and has completely eroded the trust of the community.

That is why I have proposed amendments to our FOI legislation to publish cabinet documents within 30 days. As a unicameral parliament, we do not have the benefit of

an upper house to provide additional scrutiny. The lukewarm response from this Labor-Greens government seems to indicate that they are only interested in talking the talk when it comes to integrity. But as we all know, and as we saw only this morning, actions speak louder than words. It is imperative for all of us in this place to ensure the highest levels of integrity, transparency, accountability and probity.

That is why today I am calling on Labor and the Greens to take integrity in government seriously and commit to commissioning a review similar to Queensland's. There is so much murkiness and so many closed-door decisions that a wholesale review of integrity in government will go some way to restoring much-needed confidence and trust for the Canberra community—trust that has been eroded to its lowest ebb under this Labor-Greens government. This situation must change.

I believe everyone should have the opportunity to live in Canberra. For years I would always hear friends, colleagues and constituents tell me that they moved to Canberra for many reasons—mostly for work or to raise a family and because housing was affordable, neighbourhoods were welcoming and our schools were the best in Australia. They moved to Canberra because commute times were short, we had access to green spaces and the cost of living was manageable.

Sadly, many have told me in recent times that those reasons are fast disappearing. The main reason, the reason that I hear the most, is Canberra's housing crisis. For months, this Labor-Greens government have rejected every single one of the Canberra Liberals' calls to improve housing affordability and choice. They told us repeatedly that we were deluded, that we did not understand and that we were flat out wrong.

Only days ago, the Chief Minister did a stunning backflip in finally conceding that, yes, the ACT government does have a significant role to play in housing supply. He did not quite stick the landing, though; his grand pronouncement that there would be 30,000 new dwellings is baseless.

While there was some optimism at first, once we started looking at the "detail" in the new land release program—and I have to put "detail" in quotation marks here—it became clear that blocks to be released for standalone housing will actually be reduced by 51 this year. Over the next five years, the Chief Minister is actually planning to deliver an overall reduction of 17 dwellings. Is this the best effort of the Labor-Greens government in providing Canberrans with genuine choice when it comes to housing? Does the Chief Minister honestly believe that this will meet housing demand?

For all of the spending, for all of the debt, what is our community getting? Where has all of the money gone?

The Canberra Liberals believe in the opportunity for every Canberran to own their own home, if that is their wish, whether it is in a multi-unit apartment tower, a mid-density option like a townhouse, or a standalone house on a block with their own backyard. The Canberra Liberals believe that the ACT government should, and must, do everything in its power to support every Canberran to realise that opportunity if they want to strive for it.

The Canberra Liberals also understand that renting is preferable for some and a necessity for others. That is why today I am announcing a new shadow portfolio of housing affordability and choice, which I, as leader, will take responsibility for. I commit to doing everything that I can to ensure that housing affordability and choice are within the reach of every Canberran.

The five key priorities for me in this new portfolio will be: a sustainable and measured approach to land release; a review of the impacts of the rates regime on affordability; adequate support for Canberra's skilled workforce who will build the homes that Canberrans need; ensuring that the planning system is working for the community; and boosting community and public housing.

There is much to do in this space, and I look forward to initiating further discussions on this in the coming months.

The creation of a shadow portfolio alone will not fix the huge problems we face in housing—the huge problems created by over 20 years of this Labor-Greens government. But it is an important signal to the Canberra community that we, the Canberra Liberals, are absolutely committed to addressing the housing affordability crisis and supporting every Canberran to buy or rent a home. The Canberra Liberals are the only party in this place committed to addressing housing affordability and choice.

As I come to close my budget reply, I say this: every election is about choice, and it is incumbent on the Chief Minister to not take his position for granted. To be elected by your community, to be their voice in representative democracy, is an enormous privilege. And to be elected by your colleagues in the party room to be leader is an extraordinary additional privilege. It comes with responsibility, humility and the will to serve.

Although we do not face an election for another two years, my message to Canberrans from all walks of life is clear: Labor and the Greens have taken you for granted. Labor and the Greens do not respect you, nor do they care about governing in your best interest. Labor and the Greens are out of touch, out of ideas and out of energy.

A Canberra Liberals government that I lead will always respect you, and will always value the enormous trust you place in us to be your voice. A Canberra Liberals government that I lead will govern for every Canberran and make sure that our vulnerable are not left behind. A Canberra Liberals government that I lead will govern with integrity, and it will always be about you—our community.

**MR RATTENBURY** (Kurrajong) (5.18): On behalf of the ACT Greens, I rise to respond to the 2022-23 budget. With your indulgence, I would like to start this budget reply with a brief but exciting tale about a Greens policy. Once, many years ago, before the 2016 election, the ACT Greens proposed a policy to begin the phase-out of fossil fuel gas in the ACT. We said at the time, “The perils of climate change demand that we start phasing out gas and we need to begin this phase-out in an equitable way.”

At that time, our Labor and Liberal colleagues did not support that policy. One of them, who I will not name, as they are still in the Assembly, said the idea was ridiculous. Then, prior to the 2020 election, the ACT Greens again put forward our policy to begin the phase-out of fossil fuel gas. We said, “It is a bold but necessary policy, and we need to go through this journey with the community.” Our Labor and Liberal colleagues did not support that policy. A different colleague, who again I will not name, as they are also in the Assembly, dismissed the policy as crazy.

The most recent chapter in this dramatic tale is set right here in the Assembly today. In a jaw-dropping twist, this 2022-23 budget contains significant funding to support the ACT’s phase-out of fossil fuel gas, as we commit to replacing this expensive and polluting fuel with clean, renewable electricity. Members will have seen today’s announcement about the electrification pathway the ACT government is pursuing. It is a policy to which this government, made up of both Greens and Labor members, is now committed. Our government partners have joined the project and we are implementing this electrification pathway together.

I mention this story because, in many ways, it is the quintessential story of the Greens and our efforts in the ACT Assembly. We are not afraid to campaign for these progressive, evidence-based, long-term, necessary policies, with courage and with conviction and persistence. Others will sometimes ignore, ridicule or attempt to stymie these efforts. But then, even if it is years later, we see that these policies are adopted. Sometimes they are adopted; sometimes they are co-opted.

More often now we achieve them through hard work, as part of government. But the important thing is that the policies are increasingly implemented. The gas transition is one of several significant environmental and social policies that have, over the years, been ignored or scorned by various politicians, by vested interests, and, yes, even sometimes by our colleagues here in the Assembly. But we continue to see them realised in government policy, and in government budgets, just like in this year’s budget.

That is because the Greens are working hard, both as part of government and as an engaged crossbench, to see these policies realised. And it is because the policies are not ridiculous or crazy at all. They are progressive, nation-leading policies that advance social justice and respond to climate change. When we implement them in a thoughtful, evidence based and compassionate way, they are widely beneficial.

I say they are progressive and nation-leading, but I should not have to label them as such, because this is the work that governments should be prioritising all around the nation. It is noticeable that the place where we see this leadership is here in the ACT. And it has been this way for over a decade. Look at the long list of issues on which we are breaking new ground: from 100 per cent renewable electricity to leading harm minimisation drug policies like pill testing. The ACT is leading the way on these issues because of the key fact that in the ACT we have Greens in government and Greens in the balance of power.

Let me return again to the gas transition, because it is a central part of this budget’s response to climate change. As the Greens have said in the past, climate change cannot just be a token part of ACT budgets. Every ACT budget must be a climate



change budget. And this Assembly agrees; it declared in a resolution from all three parties that we are in a climate emergency.

So-called natural gas is responsible for around a fifth of the ACT's greenhouse gas emissions. The gas transition is one of many changes we need to make for our future, in response to the existential threat of climate change. As with all our policies, climate change or otherwise, people must remain front and centre. This is a critical element of these initiatives. We will ensure that the transition is fair and just, and that we look after our most vulnerable as the transition unfolds.

Gas is expensive. Right now, living in an all-electric home can deliver residents significant financial savings. I am pleased to say that this budget supports its big transition plans with a range of supportive household energy support projects, like the \$50 million Vulnerable Household Energy Support Scheme, covering both public and private housing. This is another of our key election commitments, and it is important to advance this in conjunction with the broader gas transition. The government, too, has committed to the transition in its own actions, reflected in the new project funding to ensure that its own facilities transition to renewable electricity.

In a similar fashion, the ACT is transitioning away from polluting internal combustion engine vehicles to clean zero emission vehicles. The same transition is happening in heavy vehicles like buses and garbage trucks. Transport makes up around 60 per cent of the ACT's greenhouse gas emissions. This transition will occur in the ACT over the next decade, supported by government targets and investment and bolstered by incentives for purchasers of these vehicles.

Not only are EVs zero emissions, as they recharge using our 100 per cent renewable electricity supply; they are also significantly cheaper to own and operate, compared to a petrol vehicle. Just like the gas transition, this is a transition that we need to commence now, that will occur over time and that has at its heart care for the environment and concern for people and the community.

Let me reiterate this point. This budget continues to invest in bold transitions that are forward-thinking, that put people and the environment at their centre and that are key policy goals and election commitments of the Greens. The Greens here in the Assembly are proud to be pushing our government partners to be leaders on these significant issues.

Having said that, and as I have noted in previous years, this is not the exact budget that would be delivered if the Greens were leading the government. We work in a power-sharing, collaborative government, and that involves debate and compromise. We cannot expect the budget to reflect everything that we would want. We respect and appreciate our Labor partners. But, also, we consistently strive to move to improve government policies and to reflect these in the ACT budget.

We are making progress. Instead of the ship chugging relentlessly in the same direction, we are pulling on the steering wheel, turning its course toward sustainability, community wellbeing, long-term policy thinking and bold climate change action. We are keeping the focus on critical challenges like climate change, the biodiversity and extinction crisis, the housing crisis and the plight of our most vulnerable.

We have heard from the Chief Minister about the key features in this budget, the lens through which he sees it, and the issues that he sees as key. This is a budget, he says, focused on housing, health and infrastructure. It is a budget designed to gradually erode the deficit and return to surplus. The Greens agree that these issues are important, and we value them. We appreciate the Chief Minister's perspective and agree with it. However, I do want to add some additional thoughts from a Greens perspective on these key themes.

The Greens believe that budgets must be about supporting the community, supporting people and investing in the future. But budgets are frequently discussed in terms of deficits and surpluses, with surpluses supposedly being good and deficits inherently bad. Looking through this narrow fiscal lens distorts one's priorities. The Canberra Liberals' Assembly motion just this week, insisting on returning the budget to surplus, took this approach. The budget is not just numbers in a ledger. It is also the repository of government policies, of the community's needs and values, and of our collective future.

Some might find this view controversial, but a budget deficit is not necessarily bad. A deficit can be a good thing when it is supporting investment in the community, the environment, the future and indeed measures that will support economic productivity down the line. And governments can, if it is done prudently, reasonably afford to remain in debt. I make this point not to encourage flagrant spending or debt but merely to say that we should not blindly focus on deficits and surpluses when critical investment in the community is at stake. It is about making smart investments.

When people need help and assistance, when we need to prepare for climate change, when we need to invest in the future wellbeing of the community, it can be bad policy to instead grasp at a meaningless number just to try and achieve a surplus. We support the long-term investments that this budget makes in issues like housing and climate change and in community infrastructure projects like light rail for the future of our city and our citizens.

If budgets are about people, nothing is more important than ensuring that our community members have a decent home. This is a critical issue for the Canberra community, who are facing an affordability and accommodation crisis. The Greens have been clear that this is a crucial focus for us. We know that it is an issue across this nation and it is an issue affecting our community. We are committed to ensuring that everyone has a decent home.

Again, we are proud to see longstanding Greens' policies shaping this budget. For example, the reform to establish minimum energy efficiency standards in rental properties is another chapter in Greens policy efforts that has taken over a decade of effort. These standards have been finalised and are becoming government policy. We expect to commence them later this year. It is a critical reform, to stop people freezing in Canberra winters and boiling in summers. Houses that are too cold contribute to six per cent of all deaths in Australia every year. That is a shocking figure. I was reminded of this fact, and the exposure of Canberrans that are renting, as yesterday the Liberal Party aggressively questioned this reform in the Assembly.

The Greens will do everything that we can to eliminate homelessness. Improving housing options is a major part of the parliamentary agreement, requiring 400 additional public housing dwellings by 2025, an expansion of specialist homelessness services and an increase in affordable housing and build-to-rent opportunities. While we know that housing affordability is a wicked problem, one that is complex and difficult to solve, and that we do not have all the levers, there is more that we can and must do to ensure that everyone has a decent home. This budget funds a range of initiatives to improve housing affordability, including to ensure that those who are struggling the most can find a safe place to call home.

These initiatives include the release of the build-to-rent prospectus. This exciting initiative can be used as a way to build affordable rental stock. The community housing sector has a key role to play in growing affordable housing stock. We look forward to seeing innovative proposals that will create additional rental stock and, most importantly, affordable rental stock.

The budget provides a further \$30 million investment to support the growing and renewing public housing program, adding a further 140 new public housing dwellings. This will ensure that the ACT government delivers its commitment to grow our public housing stock by 400 properties. This will see hundreds more families with a safe and secure home. There is \$57 million in investment to increase repairs and maintenance for public housing. As our public housing stock ages and as the needs of our tenants change, the need to ensure that homes are fit for purpose, contemporary and climate-wise is more important than ever.

The \$2.21 million to further support our specialist homelessness services will enable more capacity to deliver emergency accommodation and crisis support. Importantly, there is also funding to better understand the needs of Canberrans facing homelessness and ensure that our direct responses, as community and government, best support them on their pathway to stable accommodation. The budget also includes a range of initiatives to increase overall housing supply in Canberra and improve affordability. These are good and important measures to help Canberrans who are looking for their own home and struggling in this heightened market. Lastly, I want to note the important raising of the household energy concession to \$800, a necessary increase to help the people most struggling to pay their energy bills.

There is also a large investment in health in the budget. As we continue into our third year of the COVID-19 pandemic and the economic and mental wellbeing impacts that result, we must remember that a community is about its people. Investing in infrastructure is important so that we have buildings and equipment for our healthcare workers to deliver the best quality care for the community. But the most important part of our health system is our people.

On a similar note, I mention that we welcome investment in the arts, particularly the 10 per cent increase in arts spending, but are concerned that so much of this money is spent on buildings rather than people. We need to foster the careers of our artists and ensure that they are viable and paid to produce excellent work if we are to achieve our statement of ambition for the arts. The point is: buildings can be great, but don't forget about the people.

Returning to health, our committed and caring health and community service workers provide care for people not only in our hospitals but in a range of community settings. Providing that care in wellbeing and prevention and early intervention when a health issue emerges means that we can support people closer to home and to recover sooner. It means reducing wait times for treatment and making it easier for people to access quality, affordable health care.

The budget funds important health initiatives, which I want to emphasise: 170 additional full-time positions for health care this year and next; \$16.4 million to expand the allied health workforce and to support more services after hours; \$3 million to expand the nurse practitioner workforce, including at walk-in centres; \$7 million to support the health workforce with psychosocial wellbeing, address occupational violence and embed a positive safety culture across our health services; and \$37.5 million to expand mental health services that we know work well, provide services in locations closer to home and introduce new services that will help fill gaps. These are all important investments, investing in the people that are at the heart of our community.

As the Greens always say: we are for people and for the planet. I have talked about the climate change emergency, the biggest threat facing our planet today. In the midst of this emergency, it can be easy to overlook its twin challenge, the extinction crisis. The recent ACT *State of the Environment* report has sharpened our focus on the need to solve the twin climate and nature crises together, rather than in isolation. That is why it is so critical that this budget delivers \$3 million over the next two years to protect, connect and restore nature in the city and to maximise habitat connectivity and wildlife corridors. While some of this work will shape our city's future development, it also includes the restoration of 20 sites across the city vital for habitat connectivity and climate cooling.

A strong and enduring theme for the ACT Greens has been supporting the contributions of our local environment volunteers and our citizen scientists, people who know and love their patch of our bush capital like no-one else. In this vein, the Connecting People, Connecting Nature initiative also enhances the Canberra Nature Map platform to better listen to and integrate citizen science contributions to identifying important species and habitat. This builds on our work last year, expanding the ACT environment grants and delivering long-term funding to our hardworking environment groups. Some people might overlook these investments or see them as insignificant in the grander scheme of the budget. They are not. They are a critical response to the environmental challenges we face.

I do want to draw attention to some specific elements of this budget that people might not notice at first glance, but they are vital investments that signal the government's intent to help turn around disadvantage in a positive and collaborative way. In the justice space, our mantra is to build communities not prisons. The ACT Greens say that we must approach justice in an evidence-based and people-centric way. More reliance on prisons makes our communities less safe and creates unnecessary suffering. We want to keep people out of incarceration and help treat the problems that are seeing people enter the justice system in the first place. It is another ambitious and long-term Greens policy that strives for a reimagined society. And it is again

reflected in this budget, in part through the \$11.5 million to help address the over-representation of Indigenous people in the justice system.

The programs included in this package respond to calls from the community to help address structural issues that First Nations people in the ACT face. For example, we know and understand that we need to address the social determinants of crime, and that is why we are expanding funding to the Yarrabi Bamirr program, to help families stay together and develop good mutual support for each other. And we understand that sentencing and bail decisions need an enhanced cultural lens, so we are increasing funding for the Galambany circle sentencing court. It is a comprehensive suite of programs, which makes me optimistic about the government's ambitious commitment to reach parity in incarceration rates by 2031.

I also want to single out the funding that is going to develop a social recovery framework for Canberra. This is to ensure that we have a plan for community recovery from COVID, as well as the 2019-20 bushfires. It will also help the community to be prepared for the increased storms, fires, droughts and other impacts of climate change in our future. This is investment that acknowledges the reality of our future. Support for resilience and recovery will need to be ongoing. This is the paradigm we exist in, as our national leaders still fail to take the action on climate change that is necessary and where, as my federal colleagues have said, our federal Labor government is wedded to an insufficient 43 per cent emissions reduction target that is, to quote their razor-sharp analysis, akin to throwing a bucket of water at a house fire.

These investments to help the vulnerable and struggling in our society, never seem enough. There is always more that we can do to help. This leads me to a particular element of this budget that the Greens do not support. I signal now that there is a spending proposal that the Greens will vote against. This is the proposal in the budget to provide an almost \$40 million subsidy to the horseracing industry over the next five years. The \$40 million is proposed despite the fact that the Independent Competition and Regulatory Commission recommended 11 years ago that the ACT industry should be self-sufficient within in a decade. Yet there does seem to be a majority view in this place to continue paying the industry tens of millions of dollars—or even more if, Mr Parton had his way!—at a time when that money could be spent so well elsewhere.

My colleague Jo Clay has brought this issue to the public's attention and has received a great deal of public support. The budget is supposed to reflect what we value as a community and the future we want to build together. I am confident that the community would prefer this \$40 million to go to public housing and homelessness or mental health support or climate change adaptation or public transport or a hundred other things. We should be using this money to invest in issues that will help Canberrans now and into the future.

In conclusion, I reiterate that the Greens support this budget. Even if there are some elements we would do differently, and even though we will explicitly vote against one element, we support its important investments. We need budgets that courageously make long-term investments that care for people, address inequalities and injustices and respond to climate change—policies like the transition to a society that uses clean and affordable renewable energy; the transition to clean electric vehicles; record investment in addressing homelessness and growing housing; expanded mental

health services; a determined and thoughtful approach to justice that builds communities and reduces incarceration; and investment in our local environment.

This budget does all those things, and the Greens are proud of our role in steering it to these outcomes. In government, and on the crossbench, we will keep striving to build a caring, compassionate, sustainable future for Canberrans.

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

## **Estimates 2022-2023—Select Committee Reference**

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

That the Appropriation Bill 2022-2023 and the Appropriation (Office of the Legislative Assembly) Bill 2022-2023 be referred to the Select Committee on Estimates for inquiry and report by 9 September 2022.

## **Health—abortion rights**

Debate resumed.

**MS ORR** (Yerrabi) (5.42): I would like to thank Minister Berry for bringing this motion and for the opportunity to speak in support of it. I would also like to take a second to thank and commend Ms Lawder for sharing her powerful story in this place earlier today, which cannot have been easy, but it definitely showed how important this topic is and how important it is to make sure we are working towards improvements for everyone.

I think quite a few people would question why we need to discuss Roe v Wade in the ACT Legislative Assembly, given that we are not in America and US law does not cover us. I know from my own personal experience, when Roe v Wade was announced in Australia, every female that I knew was asking, “What are the implications for me?” It was not a question of how the law applies to them, but it was a question of how society views a woman’s right to choose, and how they are going to enshrine that within the institutional responses. There was a huge amount of discussion at the time: though we might have access in Australia to these services, they can be improved, and healthcare provision can be improved. A lot of barriers were identified and many people I know personally discussed that, though we have it good, it is far from perfect.

The discussion also took in a lot of consideration as to how fast one decision in the US, although quite significant, changed the whole landscape there. Let us consider just how fast access to abortion has changed in the USA since Roe v Wade. Late last year, a bill was introduced by North Carolina state legislators that would legalise violence against anyone undergoing or performing an abortion. It has been reported that the bill proposes for abortion to be considered first degree murder and thus allow private citizens to use deadly force to prevent someone from ending a pregnancy. Reports have also cautioned that the bill received limited support from legislators due to its extreme nature, but how do we even define and tackle extremity when much of what the codified post-Roe legislation was considered extreme only months ago?

Members should be familiar with the Indiana abortion doctor who raised alarms after treating a 10-year-old rape victim. That same doctor has received kidnapping threats against her own daughter and a vague notice from the state's Attorney-General that she is "under investigation". Bizarrely, we have also seen an Australian woman questioned by the US border force on her way to Canada, asking if she had recently had an abortion. She was deported back to Australia. We have also recently seen Republican lawmakers send legal threats to Texas organisations offering funding for out-of-state travel for abortions. That is just scratching the surface of what has changed in the US.

By contrast, we are indeed doing a lot better here in Australia, but that is not to say that we are beyond reproach. Our laws, which are strong, are still statutory but vary from state and territory. Indeed, the system in this country has been described as a postcard lottery in terms of access, and there are still issues with organisations receiving public funding but not providing contraception or abortion services.

Additionally, different gestational limits and requirements apply depending on the jurisdiction. A medical abortion is only allowed under federal regulation up to nine weeks of gestation, when the World Health Organisation says it can be safely used up to 12 weeks of gestation. Australians cannot rely on a bill of rights or constitutional protections to keep abortion safe and accessible, and while access is comparatively good in Australia compared to other places, vigilance is still required.

There are many current and aspiring politicians in this country who would remove the right to abortion altogether if they had their way, and we have already seen a significant amount of lobbying attempts within Australia to change our views.

I was most pleased to see state and federal women's safety ministers meet for the first time since our new federal government was elected to discuss a specific plan for ending gender equity issues and violence against women and children. I am also encouraged that this motion will be supported within this chamber and by the incredible turnout at protests by Australians for Americans one month ago in solidarity with those affected by the loss of *Roe v Wade*.

Recently, we have also seen abortion in certain Australian states and territories become more accessible due to what has been described as a wave of liberalisation that contrasts with the recent moves in the United States. Part of this liberalisation includes the announcement that the ACT government will be expanding publicly available, free abortion services. This is an excellent development and I commend the decision to move in this direction, as one of the greatest barriers we have had here in Australia has been cost in accessing abortions.

Canberrans are really privileged to live in a reliably progressive jurisdiction and under a government which will always protect and cultivate their autonomy. I also feel extremely proud to be a member of this government, elected by those Canberrans for the same reason, and I will take this opportunity to remind Canberrans that for as long as I am here, I will act in the interests of protecting the fundamental human right of bodily autonomy and a woman's right to choose.

While this is a personal matter, there remains the question of why one person's view should prevent another person from making decisions over their own body. While I respect the right for every individual to make the decision that is right for them, I think our law should enshrine the ability for every individual to make that decision, by themselves, of their own choosing.

As I have mentioned in my speech, there is a lot of work still to be done on making abortion accessible within Australia. While the gains that we have had in the past should be celebrated, they are far from perfect in providing healthcare for women when they need it, and we should look to the future and ways we can continue to improve.

That is the genesis that has brought *Roe v Wade* into the conversations I have had with many people. It has made us all go back and look and ask:

While we've assumed we have had it good, how good do we actually have it?  
What do we do to make sure we continue to have access to healthcare that does not discriminate against women?

I commend the motion to the Assembly and look forward to voting in favour of it.

**MR RATTENBURY** (Kurrajong) (5.49): I am pleased to rise and speak in support of the motion from the Minister for Women, expressing solidarity with women and people who can become pregnant in the United States, and supporting their right to safe and accessible abortion. I, like many members of this chamber, as we have heard, was shocked when the Supreme Court of the United States delivered the decision to overturn the important precedent of *Roe v Wade*.

Legal commentary aside, it is shocking that a country like the United States, which is supposed to be developed and advanced, could have such a medical right torn away after almost 50 years of protection. I am glad that in the ACT it is uncontroversial to support the right of a person who can become pregnant to decide what to do with their own body. I am glad that in the ACT it is uncontroversial to say that abortion is health care.

It is very heartening to live in the progressive jurisdiction that we do, where the focus is on wellbeing and good health policy rather than ideological control over our citizens' bodies. Clearly, this is an issue to do with the fundamental freedoms that women and people who can become pregnant ought to be able to have, unencumbered. Proper healthcare should never be an instrument of sexist oppression. Lives and physical and mental wellbeing are at stake.

The ACT Greens are clear about our support for abortion rights in the territory. We have taken a range of specific and practical measures to protect and improve those rights as part of our role in this Assembly.

In 2015 I introduced the Health (Patient Privacy) Amendment Bill, so that people accessing abortion in the ACT could do so without fear of harassment. In light of the experience some patients were having when accessing abortions at the clinic in the



city, it was important that we created an exclusion zone around that facility to avoid them having to run the gauntlet of direct personal confrontation. My colleague at the time, Caroline Le Couteur, brought the Health (Improving Abortion Access) Amendment Bill 2018, which further bolstered abortion rights in the territory.

These are just two examples of the steps we have taken. We must remain vigilant—not only in ensuring legal barriers are removed, but in taking positive action to ensure proper access to abortion services. It is in this vein that I would draw the attention of members, and anyone else watching, to the inquiry being conducted by the Standing Committee on Health and Community Wellbeing, which has submissions open until 15 August.

Unfortunately, it seems that rights that may seem secure and beyond reproach one day can then be eroded the next. I do not think this is likely in the ACT, but we must make sure that such important rights are guarded jealously and with great vigilance. I affirm my commitment to always ensuring appropriate abortion access.

I am conscious that I have spoken in this debate when all the other speakers have been female members of the Assembly. I think it is important that men also contribute to this debate. This issue is most relevant to women, but men must stand alongside women and indicate our clear support for this right. I accept it is a much more personal issue for my female colleagues. I do not seek to diminish that but to simply indicate that this is not something that is solidly the responsibility of women to fight for.

As with the minister's motion, I express our solidarity with our experts in the United States who continue to fight for this simple premise. It is disappointing that it needs to be fought for at all, but it is extremely heartening to see passionate advocates in the US standing up in the face of extremely difficult circumstances. It is important we continue to discuss these issues and reaffirm our commitments to safety and security for women and people who can become pregnant.

The ACT Greens will always be part of this fight to protect these rights. I am very pleased to support the motion. I thank the minister for bringing it forward to provide this opportunity for us all to discuss these matters.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (5.53), in reply: I begin by thanking everybody for their contributions to this motion. It is a very important motion, and it sends a very strong message of solidarity to our friends in America who have been impacted by this decision.

I note that Ms Lawder was the only member of the Canberra Liberals to speak in support of this motion today. I thank her for it. Standing up for your convictions, even in this place, sends a really strong message across our community to women and people who can be pregnant. I really do thank her for sharing her own very personal lived experience of the nastiness, violence and hatred she felt and that was directed at her for having an abortion.

I thank her because it is important to remember and reflect that it really was not that long ago. It might feel like a long time ago, but it was not, when in this country, women and people who could be pregnant were put through that kind of shameful nastiness. Now, with this decision in America, it is important we share these kinds of stories and we share the experience of hatred, nastiness and judgement that others felt and that was put on women who were seeking an abortion—that we all maintain our rage around that and our constant vigilance. Because we know that there are conservative individuals, not very far away, who want to make that change and take that fundamental right away from women and people who can become pregnant.

We need to stand firm and in solidarity, arm in arm together, and we cannot allow that to happen. I was listening to and reflecting on what Ms Lawder was saying in her experience, and it literally sent a chill down my spine to think that in America women and people who can be pregnant are now going to be put through those experiences again.

I do not want to make light of it and suggest that it could be possible in this country for that to happen. I am damn sure I will be standing up to make sure that it does not—for the young people in my life, so they do not have to have those kinds of experiences if they need to make the decision to seek out a health service like that. That is a terrifying place that we never want to return to in this city and in this country, which is why this motion is so important. I thank everybody who has spoken on it for their support, because we must show strength and we must be steadfast in our support for American women.

We show this through our words and our collective action. We have seen for decades in this country and across the world where women have stood together to support each other. We stand on the shoulders of the giants before us who took action: all of the women, the activists, the feminists, and those most recently who have taken action and lobbied and advocated for this change on behalf of all of us and the young people who come after us.

I want to also go back to the important announcements that we made today—Minister Stephen-Smith and I—because this is a positive story. Whilst we are sending messages of solidarity overseas to American women and people who can be pregnant, we are coming a long way here in the ACT. We have an excellent announcement today about improving the affordability of abortion in the ACT, making sure that it is legal, safe, and free. Because we know that one of the main barriers in seeking an abortion is the cost, and that cost should not be one of the barriers for people who are seeking a safe abortion in the ACT.

We know that one in three women experience an unexpected pregnancy in their lifetime, and it is essential for those women that they are able to access safe, affordable, and accessible abortion services, regardless of how much money they have. This should not be a barrier.

Finally, again, I want to thank and acknowledge all of the women and feminists in our community, even the male ones. My dad is a true feminist, and I am enormously proud to follow in his footsteps and continue the work of improving these kinds of services across our community for women and people who can become pregnant,

and to ensure that they remain accessible, legal, safe and free. I will continue to do that for all my time in this place and for all the time when I am not here. It is something I have fought for pretty much all my life. I will continue to make sure that those rights are protected and that the appropriate gains are made to improve on what we have now.

I commend my motion to the Assembly and thank everybody for their contributions to the motion.

Question resolved in the affirmative.

## **COVID-19 pandemic—government response**

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (5.58): I move:

That this Assembly:

(1) recognises that:

- (a) COVID-19 continues to affect every member of the Canberra community to varying degrees—from our health outcomes to changes in the way we work and live;
- (b) the pandemic is far from over, and with the height of the winter months now upon us, including a sharp increase in COVID-19 case numbers, enduring support for Canberrans at most risk is imperative;
- (c) reducing the spread of COVID-19 and other respiratory illnesses where possible is critical for protecting people at high risk of severe health outcomes;
- (d) the combined impact of years of natural disasters, in addition to the ongoing pressures of COVID-19 on our essential workers, young people having to study at home, and throughout our community who may be impacted economically by reduced income or increased social isolation, means that large numbers of Canberrans are physically and mentally exhausted; and
- (e) Commonwealth Government measures, such as pandemic leave payments, provide support for people who are unable to access paid leave due to being COVID-positive or isolating as a close contact, which helps reduce transmission and reduces the economic impact of COVID-19 for those who can least afford it;

(2) notes:

- (a) clear and open lines of communication remain between all ACT Government Directorates—especially ACT Health and the Community Services Directorate—to ensure sharing of information on how the COVID-19 situation is impacting the disability sector;
- (b) targeted communications continue through the ACT Government’s extensive network of service providers and our community organisation partners, and social and traditional media platforms, about the ways we can best protect those most at risk;

- (c) continued provision by the ACT Government of vital personal protective equipment and rapid antigen tests (RATs), on demand during the winter months, to disability and in-home aged care workers, people with self-managed National Disability Insurance Scheme (NDIS) plans who do not access care via a provider organisation, non-government organisation frontline service workers, and youth detention centre and prison staff, is an important safety measure in high-risk settings;
  - (d) the ACT Government continues to work with the National Disability Insurance Agency, and the NDIS Commission, to support individuals with NDIS plans with COVID-19 preventative measures;
  - (e) provision of RATs, on demand during the winter months, to schools so that students and educators are able to reduce the risk of transmitting COVID-19;
  - (f) additional measures at health facilities, including our hospitals, to reduce the risk of COVID-19 transmission by visitors or our healthcare workforce;
  - (g) ongoing support to our community sector food relief providers through development of a database and sector network support to better meet localised needs for households experiencing economic impacts of COVID-19;
  - (h) encouraging work from home where possible, and wearing masks indoors where it is not possible to be at a COVID-safe distance from other people; and
  - (i) continuing to support easy access to vaccination and boosters for those most at risk through the Weston Creek Walk-In Clinic with flexibility to meet individual needs for those whose clinical risks for vaccination require additional care. Individuals with further support requirements can access COVID testing through the access and sensory clinic located at the Garran Surge Centre; and
- (3) calls on all Members of the Assembly to:
- (a) support these measures to protect those most at risk in our community this winter; and
  - (b) work collaboratively towards community recovery, including mental wellbeing and economic impacts, once this peak period of risk to our community has passed.

I rise today to share with this Assembly an important update about our ongoing support for Canberrans as we continue to navigate the challenges of winter and high COVID-19 case numbers.

Since the declaration of the ACT public health emergency in March 2020, everyone in our community has felt the impacts of COVID-19. From our schoolchildren adjusting to at-home learning and staff working off laptops remotely, or not at all, amid community wide lockdowns and restrictions, to the devastating loss of life and on the present threat of coronavirus swirling through the community, COVID-19 has changed each of our lives.

The fact is that the global pandemic is far from over and we have more work to do. While some of us are relaxing on the weekend with friends, there are many Canberrans who need to physically isolate to protect their health. With the height of the winter months now upon us, it is imperative that we continue to support all Canberrans through continued public health and safety measures to reduce transmission and protect those most at risk.

Epidemiological data for the ACT predicts high daily case numbers throughout this winter. Seeing case numbers in the hundreds and regularly over a thousand per day can feel incongruous with being able to go to work or school every day or visit a supermarket without wearing a face mask. During the more than two years COVID-19 has impacted and disrupted life across the globe, we have learnt that those who are most at risk during waves and in general are those experiencing vulnerabilities with underlying health conditions.

Here in the capital, navigating the impact has been particularly complex for older Canberrans, people with disability or chronic health conditions, and carers. With case numbers increasing, the subsequent effect on our community and community sector organisations providing essential health, care and wellbeing services and coordination means that we must act to support those who are also supporting our most at risk.

In this regard, the ACT government remains committed to reducing the spread of COVID as well as seasonal influenza, through the provision of personal protective equipment, such as masks and hand sanitiser, and the distribution of rapid antigen tests. Knowing that the people coming into your home to provide care are COVID-free gives those most at risk the reassurance that they need to continue accessing services that keep them well and able to engage in their regular activities.

Our program of distribution of vital PPE and RATs on demand during the winter months means that disability and in-home aged-care workers, people with self-managed NDIS plans, frontline service workers in our community sector and youth detention centre and prison staff have ready access to important safety measures in protecting our community. Indeed, to date, our government has been at the forefront of PPE supply to support community organisations and Canberrans. When the previous federal government programs to provide RATs and PPE left out the vast majority of disability support and in-home aged care-workers as well as frontline workers in services such as homelessness and domestic violence crisis services, the ACT government was there to ensure continuity of access to this vital testing tool.

The ACT scheme was developed as a cross-ACT government initiative, with policy responsibility led by ACT Health and the Community Services Directorate supporting logistics and distribution. In March 2022, the scheme was expanded to include ACT government funded community organisations unable to access RATs through other sources, to maintain essential services by managing potential exposures, consistent with health advice. For the period 4 February to 30 June 2022, I am proud to say, a total of 284 applications were received, resulting in the provision of more than 69,000 RATs. Additionally, for the period 1 July 2021 to 30 June 2022, a total of 127 applications for PPE were approved, resulting in extensive distribution of hand sanitiser, masks and other material aid to the community sector.

While vaccinations, PPE and RATs have been and remain our strongest line of defence in halting the spread of COVID-19, in order to reach peak effectiveness, they must be coupled with targeted communications featuring information and advice on COVID, specific services, supports and how these can be accessed. We do this through a range of traditional and social media sources, government networks, community partner connections, webinars and newsletters to the sector.

I would like to particularly thank COTA ACT, ADACAS, Advocacy for Inclusion, Carers ACT, the members of the Disability Reference Group, Ministerial Advisory Council on Ageing, and Ministerial Advisory Council for Veterans and their Families, and many others in our community sector for all they do to support accurate and accessible information being shared throughout their networks. Direct and appropriate communications to those most at risk from COVID and their carers about testing and accessing medical treatment, including antivirals—early, if required—including to older Canberrans and those with underlying health conditions, is making a real difference.

We also continue to work with the commonwealth government in support of NDIS clients, including supporting people to get home from hospital faster with appropriate supports in place. The work we have done in the ACT so far has helped both the ACT and the commonwealth government to better understand what is needed to get NDIS plans in place quickly for people who are clinically ready to leave hospital. I am hopeful that we will continue to see improvement in NDIA processes and their ability to work with CHS and the ACT Office for Disability. I particularly note the difference it has made when our ACT Health and Community Services staff have been able to provide complex case management support, and that this is more often about navigating bureaucracy than specialist housing options.

It is when there are people in our community going through a difficult time that we see what it really means to be a Canberran. There are things that all of us can do to protect the ones we love, our neighbours and those most at risk. Getting fully boosted for both COVID and influenza is a superpower that we can use like an invisible shield to reduce transmission of the virus.

I thank the hardworking staff at the access and sensory clinic in Weston for their continued efforts to make it as easy as possible for people with disability and their carers to be vaccinated, and the hardworking staff at Winnunga for their work in making sure people know how to access antivirals, as well as being vaccinated and getting tested.

Not all superheroes wear capes, but everyone who wears a mask is a superhero. Working from home where we can and catching up with friends and family in outdoor settings—hopefully, on days with better weather than today—is a great way to stay engaged with work and connected to our community without increasing COVID risk.

On a final note, I would like to reflect on the “we” I have mentioned in speaking to this Assembly on our approaches to provision and safety and testing materials. By “we”, I mean ACT government directorates and staff working in unison with our incredible network of community partners. I know every member of this Assembly is

grateful and truly values the efforts of our community service providers and health professionals who have helped to keep safe and assured those Canberrans at the most risk.

We know that supporting our community must come through supporting our sector. It has been our duty and honour to serve the Canberra community through delivery of programs such as the provision of PPE and RATs to the sector as we continue to emerge from one of the most distressing periods in human history. It is when we work together as a community that we not only survive but thrive.

**MS CASTLEY** (Yerrabi) (6.06): I am pleased to say a few words in response to Minister Davidson's motions about COVID-19. The pandemic has affected our lives in many different ways and for many people it has transformed their lives. Sickness has invaded our homes over the past few years in a way we have never been used to. It has been confronting, particularly for Canberrans caring for older parents and older parents in aged-care homes.

What Canberrans need during a heightened time of concern and anxiety about their health and wellbeing is clear and timely information. People look to government to know what is going on, what the current health guidelines are, and how they affect them and their family. Government has a big responsibility to get it right, to share facts and to communicate well, meaning clear advice and guidance that does not leave people feeling confused and concerned.

Minister Davidson referred to large numbers of Canberrans feeling physically and mentally exhausted. Yes, Minister; they are. My particular concern is our nurses and healthcare staff. Just yesterday we had nurses protesting outside this building, saying "We are tired, we are sick; we are burnt out in every sense of that term. This is an emergency. How much more are we expected to take?"

When we talk about large numbers of Canberrans feeling physically and mentally exhausted, our nurses and healthcare workforce must be front and centre. Yet, their government has let them down so badly, so very badly, at this time, which is appalling. The fact that exhausted nurses are forced to rally outside the ACT Legislative Assembly speaks volumes about how this government has turned its back on our nursing profession at a time they most need support, during this pandemic when our health system is in crisis.

This motion calls on all members to work towards community recovery and protect those Canberrans who are most at risk. The Canberra Liberals agree that community recovery must be a priority and implores the government to do its job properly and start valuing our hardworking yet exhausted nurses and treating them with the respect they deserve.

**MS DAVIDSON** (Murrumbidgee—Assistant Minister for Families and Community Services, Minister for Disability, Minister for Justice Health, Minister for Mental Health, Minister for Veterans and Seniors) (6.09), in reply: In closing, I thank Ms Castley for her ongoing support of healthcare workers. The ACT government absolutely acknowledges the particularly difficult time that our healthcare workers

have been having recently, and we are doing everything that we can to try and improve that situation. I look forward to talking with their union representatives soon about the things that we can do to make sure that we are doing everything that we can to support them during this very difficult time.

It also helps when all of us are able to reduce transmission of COVID in the community and support each other to stay well to reduce the impact that this has on our health services. So I thank Ms Castley for her support of the nurses, and I hope that we will be able to get through this winter safely and well and be a well-connected and supportive community who are kind to each other, connected and looking out for each other.

Question resolved in the affirmative.

### **Ms Anne Shannon and Mrs Devika Nair—retirements Statement by Speaker**

**MADAM SPEAKER:** Members, before I give the minister the call for adjournment, I would bring to your attention some remarks about the retirement of two members of the Office of the Legislative Assembly's long-serving staff.

Anne Shannon commenced working with the Assembly in March 2002—20 years, Anne—initially taking the role of the clerk's personal assistant before being promoted to the minutes/legislation officer, a position she held until her retirement a few weeks ago. In addition to compiling 763 editions of the Assembly's *Minutes of Proceedings* and assisting with the production of all the acts the Assembly passed during those 20 years, Anne has also been the Assistant Secretary to the Scrutiny Committee for many years. She also produces a range of other documents, including the *Business of the Assembly*, the Speaker's ruling and the very popular and ever-growing list of unparliamentary language and words!

Anne has an eagle eye and can detect an error in a member's motion or a proposed amendment almost immediately it has been circulated. On many occasions, members would have noticed Anne coming into the chamber and having a chat with the Clerk, and that being tidied up. We have now put a bit of a fix into that with standing order 147A, which is known around the office as the Anne Shannon standing order. On behalf of all members, I want to thank Anne for all her hard work and to her dedication to the Assembly over the last 20 years.

Also, I would like to recognise the contribution of Devika Nair, the Hansard Publishing and Web Support Officer in the Hansard Office. Devika commenced working in the Assembly in March 2004, and in the last 18 years she has helped to ensure that all the words spoken by us here in the Assembly are accurately and faithfully recorded. And thank goodness she does not record actually every word that is uttered in this place or that would be a different read indeed!

On an indulgent note, I have been inclined to make up words and mess up words, but Devika and the Hansard team always seem to come through and make us sound very, very well worded and engaged.



On behalf of all members, I want to thank Devika for her hard work here at the Assembly and wish her well in her retirement.

On behalf of all members here, Anne and Devika, well done and thank you for your service.

## **Adjournment**

Motion (by **Ms Cheyne**) proposed:

That the Assembly do now adjourn.

## **Brindabella electorate—community engagement**

**MR DAVIS** (Brindabella) (6.13): Madam Speaker, Like you, and like everybody else in this place, I wear a few hats in this place. I have spoken today in my capacity as the ACT Greens spokesperson for housing affordability. I spoke yesterday in my capacity as the Greens spokesperson for drug harm reduction. Indeed, I spoke to WIN News earlier today in my capacity as the Chair of the Standing Committee on Health and Community Wellbeing. As privileged and delighted as I am to have all of those titles, none brings me more joy than simply being the member for Brindabella, serving the 82,954 people who live in Tuggeranong. Every single day in this office brings me great joy.

It is why, prior to my election to this place, I made a commitment to my electorate that I would be available and accessible to them regularly with consistency to work with them and for them on all manner of issues that they may face. Indeed, my commitment was to open an electorate office, a fixed place, day and time, where I would always be, where you could chew my ear off, talk to me about any issue and put me and my team to work for you.

As of last Friday, I am delighted to say that we have clocked up the 250th hour of the Brindabella Greens electorate office in Tuggeranong. In those 250 hours, I have learnt an awful lot. It is amazing what people are willing to come and share with you, teach you and work with you on, when you make yourself available with such regularity at a fixed time people can plan around. I have spoken to whole families about experiences that were less than ideal with suspension in an ACT public school. Last week I spoke to an older lady who has been waiting for more than a year for an endoscopy on the public health waiting list.

But it is not always the challenging situations. About four weeks ago, while I was unfortunately interstate for a conference—but my colleagues took over the electorate office—we had a lovely young couple who came just to introduce themselves. They had bought an apartment in Greenway, were brand new constituents, and had heard from over yonder about the regular electorate office and thought they would just come down and say g'day.

I would be remiss if I did not thank, and put on the public record, my appreciation for Darryl and Lisa, who own Jindebah Cafe. I am embarrassed to tell this story—and

Lisa might clip me over the ears—because it might make us all sound older than we are, but when I was a little bit younger and I was a student at the Lake Tuggeranong College, I was not a great student, if I am being entirely honest. Madam Speaker, you would know that there was a nasty old, rotted gazebo there in the middle of the Laneways Project, and I was definitely one of those teenagers that spent way too many of my lunchbreaks there.

I got to know Lisa then, as a student. Then later as the federal Greens candidate for Bean, and subsequent to my coming to this office, and trying to jump through the processes and rigmarole of this place—the Clerk can you some advice on the conversations we have had—we were able to come up with this great electorate office solution inside their very own cafe. It is great, because it means when you come down and have a chat with me you do not have to worry about some nasty old teabag and a kettle that I would have to bring in myself. You actually get a really, really, good coffee and a breakfast. So it is a good two for one.

I get up and speak about this only to really thank my constituents for the generosity that they have offered in that space over what is now a long period of time—250 hours; the milestone. I thank them for making me better at this job because of what they have shared with me. I thank them for the informed contributions I have been able to make to party room discussions, to legislative debates, to committee work and to question time because of the representations they have made to me at that electorate office.

It is very easy, particularly during sitting weeks, for my relatively small team to consume ourselves with the number of different policy challenges we are looking at contributing to at any given time. And it is wonderful every Friday morning, at 9 am, to return back to what is actually the most important thing about my job—the reason that I am here—and indeed remind myself of the reason why I joined a political party and ran in the first place. And that is because I love Tuggeranong; I love living in Tuggeranong; I love Tuggeranong people; and I love that, when I am not in this building, I am in Tuggeranong with my constituents, learning better how to serve them in this place. So, 250 hours—I will come back to you when we clock up an even 500!

### **Development—Hawker tennis centre**

**MS CHEYNE** (Ginninderra—Assistant Minister for Economic Development, Minister for the Arts, Minister for Business and Better Regulation, Minister for Human Rights and Minister for Multicultural Affairs) (6.18): I had the most bemusing experience in the chamber yesterday. I could not quite believe what I was hearing. In fact, I so distrusted my ears that I waited to review the proof transcript. And can I please just give a shout out to the excellent Hansard team in doing so, given they stay as late as we do—and I am sorry for extending that tonight by a few minutes!

What I heard was of course Mr Cain's adjournment speech; his lament on the ACT budget and what it does not deliver for Belconnen. Having now reviewed it—and I was here and heard it—there were several extraordinary elements to it which I cannot leave untouched. I was not mishearing.

The first is that the bulk of the speech was about the lack of government investment through this budget in the Hawker Tennis Centre. The Hawker Centre is privately owned. It has been privately owned for decades. That is well understood. Nothing has changed. It is not an ACT government asset. Secondly, there is an approved development application associated with the site right now. It was approved in 2020. This means that the private owner already has intentions with the site—to turn it into a childcare centre, actually. With an approval decision of August 2020, the private owner has until August 2023, a year from now, to begin development. It would be wholly unprecedented and absolutely inappropriate for the ACT government to have provided funding in this budget, and I was shocked that it was called for!

That was bad enough, but then Mr Cain asked about it in question time today. That probably did not seem like much, but Mr Cain actually asked about the same site in question time in April 2021, after Ms Berry had already advised him that there was an approved development application for the private owner, and this is reflected in the question he asked, and Minister Berry had stressed again that this was not an ACT government site. I do not know what Mr Cain's intentions are, whether it is wilful ignorance or he wants to make a habit of recycling questions he knows the answer to, but it is wasting time—his own, his constituents', this chamber's and the government's.

This was enough, but there is more. Mr Cain's lament of the budget revealed that he seemingly had not opened the budget papers, this year's or last year's, nor paid attention to any recent announcements, including those in the last few weeks. He mentioned the need for the upgrade of Evatt shops; where was that? Well, the budget funding was appropriated in the last budget over the term of this government. It is on page 206 of the budget outlook. And the tender for the delivery of this went to market just a few months ago. It is on its way.

He mentioned the dry ovals in Holt, Macgregor and Florey, ignoring that Minister Steel has announced the work he is doing on urban open space land management plans, and ignoring that Minister Berry opened consultation on Florey oval just last Friday. He asked where the Charnwood shopping upgrades are. Well, Mr Cain, they are on page 195 of this year's budget papers—over a million dollars' worth. I hope that helps.

Literally, everything Mr Cain specifically lamented inaction in his speech is being done—and plenty more, too: funding for Calvary Public Hospital to increase beds and upgrade equipment; more nurse practitioners at walk-in centres, including Belconnen's; more than \$3 million to replace existing playing fields and fund detailed design for a community hub and skate park at Kippax; funding to relocate West Belconnen's green waste drop off; increased operational funding for Belconnen Arts Centre; funding to replace three timber bridges at Umbagog District Park; turf replacement at GIO Stadium; ongoing funding for Roundabout Canberra; expanding the Belco Bikeway; and grants for initiatives to support vulnerable or disadvantaged children to participate in sport or recreation, including at Pegasus Riding School.

These are just a handful of new initiatives that directly benefit Belconnen residents, in addition to more that of course have a population-wide impact, not least the absolutely fantastic announcement from Ministers Stephen-Smith and Berry today about abortion access.

Finally, Mr Cain concluded his speech by asking the ACT government to invest more, in a week where his leader was asking us to cut! I do not doubt that Mr Cain does care about Ginninderra, but I simply ask that he does the bare minimum homework in his asks, laments and demands—for all our sakes.

Question resolved in the affirmative.

**The Assembly adjourned at 6.24 pm until Monday, 15 August 2022 at 9 am.**