



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**TENTH ASSEMBLY**

**20 October 2022**

[www.hansard.act.gov.au](http://www.hansard.act.gov.au)

## Thursday, 20 October 2022

|   |      |
|---|------|
| Leave of absence .....  | 3389 |
| Background Checking Legislation Amendment Bill 2022 .....   | 3389 |
| Work Health and Safety Amendment Bill 2022 .....  | 3391 |
| Legislative Assembly—sitting pattern 2023 .....   | 3393 |
| Justice and Community Safety—Standing Committee .....   | 3395 |
| Standing orders—suspension .....  | 3396 |
| Drugs of Dependence (Personal Use) Amendment Bill 2021 .....  | 3400 |
| Ministerial arrangements .....  | 3421 |
| Leave of absence .....  | 3422 |
| Questions without notice:   |      |
| ACT Policing—staffing .....   | 3422 |
| ACT Policing—resourcing .....   | 3423 |
| Crime—offences while on bail .....  | 3424 |
| Drugs—pill testing .....  | 3424 |
| Dickson—nurse-led walk-in centre .....  | 3426 |
| Economy—employment .....  | 3427 |
| Health—funding .....  | 3429 |
| Housing—build-to-rent scheme .....  | 3430 |
| Emergency services—workers compensation .....   | 3431 |
| Planning—ACT Planning System Review and Reform Project .....  | 3432 |
| ACT Heritage Council—independent review .....   | 3433 |
| Roads—Jabanungga Avenue .....   | 3433 |
| ACT Ambulance Service—fees .....  | 3435 |
| Health—drug and alcohol programs .....  | 3436 |
| Supplementary answer to a question without notice:  |      |
| Work health and safety—wall shoring collapses .....   | 3438 |
| Papers .....  | 3439 |
| Procurement—reform program .....  | 3439 |
| Justice and Community Safety Committee—report 7—<br>government response .....                         | 3443 |
| Canberra Health Services—Department of Paediatrics Organisational<br>and Service Plan 2021-2023 ..... | 3446 |
| Integrity Commission Amendment Bill 2022 (No 2) .....   | 3449 |
| ACT Policing—acknowledgement .....  | 3451 |
| Stromlo Forest Park—mountain biking .....   | 3460 |
| Standing orders—suspension .....  | 3471 |
| Climate change—public health .....  | 3471 |
| Drugs of Dependence (Personal Use) Amendment Bill 2021 .....  | 3479 |
| Personal explanation .....  | 3496 |
| Adjournment:  |      |
| Multicultural events—African Australians Awards 2022 .....  | 3496 |
| Canberra Urban and Regional Futures .....   | 3497 |
| Tuggeranong Community Council .....   | 3498 |
| Indoor Cricket World Cup 2022 .....   | 3498 |
| Schedules of amendments:  |      |
| Schedule 1: Drugs Of Dependence (Personal Use) Amendment<br>Bill 2021 .....                           | 3500 |
| Schedule 2: Drugs Of Dependence (Personal Use) Amendment  |      |

|  |      |
|--|------|
| Bill 2021.....   | 3507 |
| Schedule 3: Drugs Of Dependence (Personal Use) Amendment               |      |
| Bill 2021.....   | 3507 |
| Schedule 4: Drugs Of Dependence (Personal Use) Amendment               |      |
| Bill 2021.....   | 3509 |
| Answers to questions:  |      |
| Health—birthing and maternity services (Question No 805).....          | 3511 |
| Hospitals—National Disability Insurance Scheme patients                |      |
| (Question No 894).....   | 3513 |
| Canberra Health Services—staff welfare (Question No 895) .....         | 3514 |
| Health—National Bowel Cancer Screening Program (Question No 904) ...   | 3516 |
| Health—paediatric early warning system review (Question No 905).....   | 3517 |
| Housing—new housing strategy (Question No 907).....                    | 3518 |
| ACT Health—employee counselling services (Question No 916).....        | 3519 |
| Small business—portable long service leave schemes (Question No 921).. | 3521 |
| Children and young people—eating disorder support services             |      |
| (Question No 926).....   | 3522 |
| Waste—household recycling bins (Question No 928) .....                 | 3524 |
| Roads—maintenance (Question No 932) .....                              | 3525 |
| Sport and recreation—Florey Oval (Question No 933).....                | 3525 |
| Municipal services—Florey shops (Question No 934) .....                | 3526 |
| Waste—green waste collection services (Question No 935).....           | 3526 |
| Healthy Waterways project—Belconnen Oval subsurface wetland            |      |
| (Question No 936).....   | 3527 |
| Crime—victim-survivor support (Question No 938) .....                  | 3527 |
| Justice—community service work (Question No 940).....                  | 3528 |
| ACT Community Services—Community Service Work unit staffing            |      |
| (Question No 941).....   | 3529 |
| Planning—Belconnen Lakeshore land release (Question No 943) .....      | 3529 |
| Ginninderra electorate—wood heater survey (Question No 944) .....      | 3530 |
| Municipal services—graffiti (Question No 945).....                     | 3531 |
| Suburban Land agency—staffing (Question No 947) .....                  | 3532 |
| Transport—Woden bus depot (Question No 948).....                       | 3533 |
| Housing—rateable dwellings (Question No 950) .....                     | 3534 |
| Government—skilled migration (Question No 952) .....                   | 3540 |
| Transport—public transport strategy development study                  |      |
| (Question No 953).....   | 3541 |
| Transport Canberra—bus network resourcing (Question No 955).....       | 3541 |
| Government—skilled migration (Question No 956) .....                   | 3542 |
| Government—revenue (Question No 958).....                              | 3543 |
| Budget 2022-2023—borrowings (Question No 959) .....                    | 3554 |
| Transport Canberra—bus drivers (Question No 961) .....                 | 3555 |
| Roads—accident black spots (Question No 962) .....                     | 3555 |
| Light rail stage 2A—active travel plan (Question No 963).....          | 3556 |
| Government—skilled migration (Question No 965) .....                   | 3557 |
| Government—skilled migration (Question No 966) .....                   | 3557 |
| Questions without notice taken on notice:                              |      |
| Schools—traffic management .....                                       | 3558 |
| Alexander Maconochie Centre—forensic psychology services .....         | 3559 |
| Alexander Maconochie Centre—human rights breach .....                  | 3559 |

|   |      |
|---|------|
| ACT Health—elective surgery .....             | 3559 |
| ACT Health—dermatology unit .....             | 3560 |
| ACT Policing—Operation TORIC .....            | 3560 |
| ACT Policing—response times .....             | 3560 |
| Health—eating disorder support services ..... | 3561 |
| ACT Heritage Council—independent review ..... | 3561 |
| Drugs—pill testing .....                      | 3561 |
| Roads—Jabanungga Avenue .....                 | 3562 |
| Emergency services—workers compensation ..... | 3562 |
| ACT Ambulance Service—fees .....              | 3563 |
| Crime—offences while on bail .....            | 3564 |

**Thursday, 20 October 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.

## **Leave of absence**

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

That leave of absence be granted to Mr Gentleman for this sitting due to illness.

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

That leave of absence be granted to Ms Vassarotti and Ms Davidson for this sitting due to ministerial business.

## **Background Checking Legislation Amendment Bill 2022**

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

Title read by Clerk.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.03): I move:

That this bill be agreed to in principle.

I rise to speak in support of the introduction of the Background Checking Legislation Amendment Bill 2022. I have tabled its explanatory statement. The Working with Vulnerable People Scheme is an important part of the ACT's system for keeping children and vulnerable people safe in our community. The scheme aims to reduce the risk of harm or neglect to vulnerable people in the ACT and requires those who work or volunteer with vulnerable people, including children, to have a background check and be registered.

The purpose of the Background Checking Legislation Amendment Bill 2022 is to build on previous amendments by providing additional clarity on the working with vulnerable people assessment process, supporting the territory's alignment with national standards and obligations, and allowing consideration of the unique circumstances of carers in the out of home care context.

The amendments introduce additional measures to prevent people who present an unacceptable risk of harm from engaging in work with children and vulnerable people. These amendments will strengthen protections for vulnerable people in the ACT and will enhance our capacity to implement restrictions on people who pose an unacceptable risk to vulnerable people. They are another important step in ensuring that people working with children or other vulnerable people do not pose a risk to participants.

The bill provides a clear legislative basis for decision-making and the assessment of applications with interstate and historic offences. This is to ensure that a consistent assessment process is applied for applicants who have committed an offence outside the ACT, or for those offences within the ACT that have been renamed or restructured. It is expected that extension of the disqualifying offences applicability to interstate applicants will be restricted to a small group of people in the ACT and will not prevent this group from seeking employment in other sectors.

Importantly, the bill's amendments refine how the scheme applies to individuals seeking to work with children in the out of home care system. Carers play a vital role in providing a safe, supportive and nurturing environment to our children and young people in out of home care arrangements. Kinship carers are a key part of this group and have an important role in supporting the children and young people in their lives to maintain connection to family, culture and community, and are particularly important in the context of Aboriginal and Torres Strait Islander families involved in the system.

While the Working with Vulnerable People Scheme remains the primary scheme for background checking and risk assessment of people working, or proposing to work, with children, it is not the only background screening operating in the territory for people engaging in foster care and kinship care. Historically, the process of background checking and risk assessment screening for people engaged in the out of home care system has been under the Children and Young People Act 2008. This legislation continues to provide for approval of kinship carers and foster carers who support children and young people.

The Children and Young People Act requires consideration of a wide range of matters before authorising a person as an approved carer, including, but not limited to, their criminal history and any non-conviction information related to the person. This existing suitability assessment process focuses on principles of screening practice that are culturally responsive, relationship based and trauma informed. In focusing on these principles, it ensures that the best interests of children are the paramount consideration in decision-making to provide approvals to carers.

The bill's amendments allow a degree of flexibility in the background screening and assessment to ensure that the most appropriate and suitable assessment is used to assess the unique circumstances of carers, and of children and young people. For example, there are occasions in which background screening occurs in the context of an existing relationship between the proposed carer and the child or young person. Kinship carers are often significant people in the life of a child or young person, and there is a degree of familiarity between the carer and the child or young person, based on the existing relationship.

In addition, the amendments recognise the longstanding barriers faced by applicants from an Aboriginal and Torres Strait Islander background. These include the inability to obtain records and appropriate levels of identification, issues with literacy and a lack of support services to assist with the administrative process.

This bill allows for greater flexibility between the territory's two pieces of legislation, while continuing to deliver on the government's commitment to provide strong safeguards in our community. It makes a strong statement that the best interests of vulnerable people are the paramount consideration in any decisions under the scheme, and that decisions must take into account the safety, welfare and protection of vulnerable people.

While these amendments take a balanced, culturally appropriate approach to safeguarding the approval of carers, I cannot overstate the importance of identifying individuals who pose a risk to children and vulnerable people and ensuring their exclusion from the scheme. The requirement to maintain working with vulnerable people registration continues for all individuals seeking to work with children in out of home care. The amendments allow consideration of exceptional circumstances only where cultural and historical barriers may prevent an individual from applying for a working with vulnerable people registration.

I am confident that this bill strikes the right balance between protecting children from unacceptable risk and ensuring that appropriate screening arrangements are applied to ensure that our children and young people are able to maintain connection to family, culture and community. These amendments demonstrate continued efforts by the government and community to work collaboratively to reduce the likelihood of harm against children and young people in the ACT.

I commend the bill to the Assembly.

Debate (on motion by **Mrs Kikkert**) adjourned to the next sitting.

## **Work Health and Safety Amendment Bill 2022**

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

Title read by Clerk.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Climate Action, Minister for Economic Development and Minister for Tourism) (10.10): I move:

That this bill be agreed to in principle.

As members are aware, the purpose of the Work Health and Safety Act is to secure the health and safety of all workers and workplaces in the territory. The act protects against harm to health, safety and welfare, and is one of the cornerstones of the territory's legislative framework for protecting and ensuring the workplace rights of Canberrans.

This government will always stand up for the right to be safe at work, and for entitlements that provide safety and security. Every Canberran has the right to be safe at work and to return home safely from work every day. More than that, they are entitled to a healthy workplace and to experience the health and wellbeing benefits of work.

The government has committed to reviewing and amending work health and safety laws to keep workers safe in the territory. These laws are in place to apply to all workplaces, and where any doubt is raised the government will act to ensure that the safety of workers in a particular location or sector is not compromised.

The government considers that this Assembly building is already covered by definitions contained within the Work Health and Safety Act, and in your own submission to the current privileges committee you make the same point:

... it has never been my position or that of the Office of the Legislative Assembly that the WHS Act does not apply to the Assembly, to MLAs or staff working within the precincts ... No special exemption or immunity for MLAs has ever been claimed.

The Assembly is a workplace and, by definition, is a person conducting a business or undertaking, and subject to the provision of the legislation. As members, we all carry a responsibility to protect the health and safety of everyone who works in and visits our workplace. We are duty holders under the Work Health and Safety Act. We know that the nature of work undertaken in this workplace is wide-ranging, with responsibilities to our electorates and to the Canberra community, and to those who work for us.

The amendment I bring forward today reconfirms that work carried out by a member of the Legislative Assembly in the exercise of the member's functions, and work carried out by other people in support of the member in the exercise of the member's functions, is work carried out in an undertaking for this act.

To be clear, the amendment being proposed does not seek to alter our existing obligations and responsibilities. It seeks to highlight and reinforce that we understand, despite the unique nature of this place, that we are still a workplace and subject to the same laws as others in the ACT. This is not an expansion of any power under the act; it simply removes any doubt as to the extent of the application of the act, an existing



understanding shared by the government, yourself, Madam Speaker, and the Office of the Legislative Assembly.

The bill does not affect the privileges, immunities and powers of the Assembly and its committees, and, by definition, does not impinge on the proceedings of the Assembly or its committees. It mirrors similar commonwealth legislation, in which this issue of possible perceived impingement is very closely considered. Of course, it goes without saying that ACT legislation cannot overstep the bounds of the self-government act, which enshrines these protections of the Assembly. This bill reaffirms the existing understood protections available to the diverse workforce in, and the visitors to, this place.

We have our own staff. There are members of the ACT public sector who enable the running of Assembly business, and support Assembly members and ministers. Members of the community are welcome to visit and observe the conduct of proceedings in the Assembly. In addition, there are cleaners, caterers, security personnel, building management and maintenance teams and more who keep this workplace, the Legislative Assembly, running. To all of these workers we have an understood legislated duty of care under the Work Health and Safety Act. No-one is disputing that.

I note also that advice to the government, and the Speaker's submission to the privileges committee, refers to the desirability of the Speaker and the Work Health and Safety Commissioner developing and entering into an MOU to settle on details of interactions between the two. A provision to enter an MOU was not included in this bill due to time constraints, but the government will consider and continue to consult with all parties on this point, with a view to a potential legislative amendment to ensure an MOU is developed and brought forward at an appropriate time.

To conclude: the community rightly expects its leaders to be exemplary in their conduct and behaviour, both in the community and as employers. It expects them to be role models for others and to show the way. When it comes to health and safety at work, this means that, in seeking to have our workplace and the work we do highlighted in work health and safety legislation, we are making a clear public commitment as leaders to fulfil our obligations.

The ACT has a strong record of protecting the rights of Canberra workers, and in the current Assembly the government will continue to deliver on these commitments. This amendment shows that we welcome transparency and absolute clarity over how our work health and safety laws and compliance measures apply to us. It leaves no doubt that in our workplace work health and safety is a priority, and we take our duties seriously. I commend the bill to the Assembly.

Debate (on motion by **Mr Cain**) adjourned to the next sitting.

## **Legislative Assembly**

### **Sitting pattern 2023**

**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) (10.17): I seek leave to move the motion appearing on the notice paper in Minister Gentleman's name.

Leave granted.

I move:

That the Assembly shall meet as follows for 2023 unless an absolute majority of Members request, in writing, that the Speaker or in the absence of the Speaker, the Deputy Speaker, or in the absence of both the Speaker and the Deputy Speaker, the Clerk, fixes an alternative day or hour of meeting or the Assembly otherwise orders:

|                  |    |    |    |
|------------------|----|----|----|
| <b>February</b>  | 7  | 8  | 9  |
| <b>March</b>     | 21 | 22 | 23 |
|                  | 28 | 29 | 30 |
| <b>May</b>       | 9  | 10 | 11 |
|                  | 31 |    |    |
| <b>June</b>      |    | 1  |    |
|                  | 6  | 7  | 8  |
|                  | 27 | 28 | 29 |
| <b>August</b>    | 29 | 30 | 31 |
| <b>September</b> | 12 | 13 | 14 |
|                  | 19 | 20 | 21 |
| <b>October</b>   | 24 | 25 | 26 |
|                  | 31 |    |    |
| <b>November</b>  |    | 1  | 2  |
|                  | 28 | 29 | 30 |

The sitting pattern for 2023 is broadly consistent with the sitting patterns of previous years. It does add more sitting days than those originally scheduled for this year, and it balances the need for non-sitting days.

As you and other members are aware, Madam Speaker, standing committees are unable to meet when this chamber is in session. Non-sitting periods enable standing committees to undertake important work in scrutiny of the government and in assisting in the development of public policy, and this includes examination of bills, as well as investigations into various important topics. The proposed calendar also enables the usual estimates and annual reports processes, as well as time for those reports to be completed and presented.

In summary, we will sit for 13 weeks next year, for a total of 38 days. The government will continue to deliver for Canberrans through nation-leading reforms in that sitting period, making our city an even better place to live. I commend the sitting period pattern to the chamber.

**MS LAWDER** (Brindabella) (10.18): Perfect timing. Thank you for bringing forward the motion today for the sitting pattern for the next year. The Canberra Liberals have consistently argued for more weeks in the sitting year. If you compare the ACT Legislative Assembly sitting pattern to other parliaments, we appear to have one of the least number of sitting weeks and days in all of Australia.

Apparently, this government does not have enough on their agenda, does not have enough vision and does not have enough to do to justify more sitting weeks in the parliamentary year. For example, we would also be happy to sit an additional day of the week in the sitting weeks, and this has consistently been rejected by the Labor-Greens government.

Whilst we are disappointed to see that it is just 13 weeks for 2023, I guess it is something that we are going to have to live with. Occasionally we have to schedule additional sitting days, and on this side we are more than happy to do that, because there are many things that we would like to see done in the ACT and we are more than happy to sit additional days.

**MR BRADDOCK** (Yerrabi) (10.20): The Greens will support the government sitting pattern agenda. There are a sufficient number of days to get through the government's agenda. On the days that we are not in this chamber, we are still at work, whether it be in our electorates, in committees or in conducting annual reports hearings or estimates committees, so there is plenty for us to do.

**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) (10.20): In closing, I acknowledge Ms Lawder's comments and underline Mr Braddock's. I repeat my comments earlier that this does provide the balance we are looking for to enable all work of members to be undertaken, including the very important work of our committees in the scrutiny of bills and inquiries into bills, as well as investigations into various topics. We do believe we have the balance right here, but I take Ms Lawder's comments on face value.

Question resolved in the affirmative.

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

**MR CAIN** (Ginninderra) (10.21): 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 13 October 2022 the committee considered the following petitions: 22-023 (Review the process of appointments to the ACT judiciary to allow transparency and for nominees to meet community expectations); 22-024 (Request independent review on the performance of the ACT judiciary in regards to sentencing in line with common and statutory laws); and 22-025 (To implement sentencing guidelines for grievous and purposefully reckless motor vehicle crimes and addressing re-offending recidivism).

The committee considers that the issues raised in the petitions are already being considered as part of its inquiry on dangerous driving and therefore will not be conducting a separate inquiry into the petitions.

## **Standing orders—suspension**

**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) (10.22): I move:

That so much of standing orders be suspended as would prevent Private Members Business order of the Day No 5 being the Drugs of Dependence (Personal Use) Amendment Bill 2021 being called on and debated forthwith; and, should the debate not be concluded by Question time, the resumption of debate be set for after the conclusion of the Private Members Business notice No 3.

I think the detail of what we are looking to do today is set out in the motion I have moved, so I will leave it there for now.

**MR HANSON** (Murrumbidgee) (10.23): We do not support this for a couple of reasons. Firstly, we have standing orders and we have established processes in this place. We have the government business and the meeting where the government's business is laid out, and we have private members business which is allocated. What is happening here is that the government is having two bites of the cherry. If Mr Pettersson wants to bring this back—it is private members business—then, as you are aware, Madam Speaker, and as everyone should be aware in this place, it gets listed at the administrative proceedings meeting, it gets brought on and it takes up a slot, as we have all agreed to in this place. Essentially what happens through this process is Mr Pettersson gets endless opportunity to debate his motion in this place. If he wants to bring it back, bring it back.

This is not something that was advised to us previously. I had heard rumours of it earlier in the week. Mr Pettersson did not even know whether it was going to be coming on or not. This is a very substantive piece of legislation. This is not a trivial matter. For it to be brought on the way it is, is an extension of what has been a pretty shabby process. I saw that Mr Pettersson's Facebook page is lauding the process. He has a time line of how this all happened. What is omitted from that time line, though, is taking it to the election, because, as we all remember, this whole shabby process, which is going to continue today, hoodwinked the electorate.

*Members interjecting—*

You went to the last election saying: "We are going to do a review of drug policy. We are going to do that review and take incremental steps." And what happened?

*Members interjecting—*

**MADAM SPEAKER:** Members. Members. Members!

**MR HANSON:** That is what you said at the last election. What did you do? You did not do that review. You did not do that review. You came back in December and said, “No, we are not going to take some incremental step. We are going to decriminalise meth.” I do not remember you going to the last election saying, “Hey, do you want more meth on the streets? Do you want more meth out there causing carnage on our roads?” No, I do not remember that.

*Members interjecting—*

**MADAM SPEAKER:** Members. Members! Members.

**MR HANSON:** Really, this is an extension of the reactive process from Mr Pettersson—

*Members interjecting—*

**MADAM SPEAKER:** Mr Pettersson.

**MR HANSON:** and his Greens mates to get more meth out there on the streets. They cannot wait to do it. They cannot wait to do it. They rushed the budget debate in this place—

*Members interjecting—*

**MR HANSON:** They rushed the budget debate in this place so that they could get it through because they cannot wait to get this meth allocated out there on the streets. That is what this is all about today. So we do not support this process. This is a shabby process. The fact that this government says that they are going—

**Ms Stephen-Smith:** A failure of the filibuster on your side, Mr Hanson, I think.

**MR HANSON:** Imagine if I were interjecting like this, Madam Speaker, imagine the outrage. Listen to them.

*Members interjecting—*

**MR HANSON:** Imagine the outrage. It seems to be a bit one-sided. It is just an extension of what has been a—

**Mr Rattenbury:** Madam Speaker, on a point of order: I believe Mr Hanson is reflecting on the Chair.

**MADAM SPEAKER:** I am going to let this one go. I think it is, in fairness, a reasonable comment. I do ask members to refrain.

**MR HANSON:** Oh, wow, Madam Speaker!

**MADAM SPEAKER:** Do not stretch it, Mr Hanson!

*Members interjecting—*

**MR HANSON:** Let me be frank, I am much more disappointed about the substance of what is actually going to happen today rather than the process. It has been a shabby process, but that is in some sense far less problematic than the consequence of the devastating effect of getting more meth on our streets. So we do not support this perversion of standing orders that has happened today.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (10.26): I would point out to Mr Hanson that this bill has been debated in principle a couple of times already in this Assembly. It was very, very clear that it was going to come back to be debated in detail as soon as it was able to be. In fact, I said publicly weeks ago in relation to what was coming up in the Assembly that passing the budget was our first priority. As Mr Rattenbury pointed out, the budget debate is for the opposition to make its points on the budget. We obviously speak to the fantastic initiatives in our budget but that debate has concluded. I have been very clear publicly that this was a priority to bring on once the budget debate was concluded. I think it is a furphy for Mr Hanson to argue that it has taken him by surprise in any way.

**MR BRADDOCK** (Yerrabi) (10.27): Going to the actual process of the question here, we will leave the substance for the later debate, if an executive wishes to utilise their time and wishes to debate a particular piece of legislation, then—

**Mr Hanson:** Private members business.

**MR BRADDOCK:** It is the executive's call as to what it decides to debate during its time. So let us have the debate.

**MS LAWDER** (Brindabella) (10.28): As Mr Hanson has already said, we will not be supporting the suspension of standing orders today for a number of reasons. This is not good process. I understand that it is based on the precedent of bringing back the motion from Mr Braddock about land sales in Gungahlin town centre which set a precedent in this place. At that time we argued this was poor practice. This is not the way things are and should be done in our Assembly. It is an abuse of the standing orders. I sought advice from the Clerk at the time of Mr Braddock's motion coming back on in a suspension of standing orders. At that time the advice from the Clerk was this had not been done before. This had not been done before and it is an abuse of standing orders. It is not good practice. In my experience here, the Braddock motion coming back on was the first time. Now it seems as though the government is going to do this over and over again, whenever it suits them, because they want to finish up the debate on the day because the Chief Minister has to get to a dinner or whatever it is, which means they do not want to continue debate—whether they have not had enough discussions amongst themselves beforehand to know what they are going to do with it. But it is clearly a breach. We meet each week of a sitting week in a committee to determine the business of the coming week. This quite clearly gives the government, the Labor-Greens government and the Labor-Greens members, the opportunity to bring on as many things as they like. Not only the ones that take up a slot, as we say, but to bring on other motions that have been adjourned, usually adjourned without any prior reference to the Liberals or discussion or notice.

Speaking of notice, Madam Speaker, such poor practice this week in the discussions of this. It had been brought to my attention—no offence I do not actually follow Mr Pettersson's Facebook—that he had posted on his social media about the upcoming debate today. As whip this had not been brought to my attention. At 3.30 yesterday I asked what the program for Thursday was. I was not advised until about six o'clock. I did not get any notice either from the government whip or the manager of government business. I understand Mr Gentleman was away yesterday and today, but surely the whole process of government business does not come to a complete halt because one member of the government is away. Surely that is not the point; surely that is not the way this government operates. But apparently, that is the case. That is the case. There were discussions in the hallway with people about it, there was a phone call, I think, on Monday night between a couple of people, but in terms of process as whip, I was not told that this was going on. It was a very, very poor process.

We have an allocated number of private members business and we have stuck to it, in my experience, until the precedent was set a few months ago. Labor and the Greens are just running roughshod over good process, over established process in this place. I am very disappointed. We will not be supporting this because it gives the government endless bites of the cherry. Endlessly bringing on whatever they like without prior notice. It is very disappointing. I cannot express what poor process this is and how disappointing it is. We will not be supporting the suspension of standing orders today.

**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) (10.32): Well, what an absolute performative response from the opposition this morning. It seems to have borrowed from the approach yesterday regarding the least hidden approach to filibustering that I have seen in the past six years. And here we go again. Can we just be clear here that this has not been sprung in any way, shape or form. Yes, Mr Pettersson's Facebook post is very useful in detailing what an iterative approach this has been and also that the government amendments were circulated months ago, not weeks ago, Madam Speaker, but months ago. That there were rumours, as Mr Hanson alluded to, of this being brought on and Ms Lawder not having awareness of this when the opposition was told—they were told on Monday. If they want to bare to all in this chamber that they have a communication issue within their party, then it is their right. But it is quite extraordinary that we are getting this response from them today. It is not a breach of the standing orders, Madam Speaker, this is—

**Mr Hanson:** It is a suspension of the standing orders. It is exactly that.

**MS CHEYNE:** The suspension of standing orders is not a breach of a standing order. Mr Hanson, you know that. I am not going to take up any more time. Can I acknowledge that I recognise the Greens support with this. We have been abundantly clear. As Minister Stephen-Smith has referred to, this was always coming on for debate once the budget concluded. This is where we find ourselves. So let us get on with it. As Mr Hanson alluded to in his performance, it is not about the suspension of standing orders, it is about the substance. So let us actually have that debate today and move on.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 13

Noes 6

Mr Barr

Ms Orr

Mr Cain

Ms Berry

Dr Paterson

Ms Castley

Mr Braddock

Mr Pettersson

Mr Hanson

Ms Burch

Mr Rattenbury

Mrs Kikkert

Ms Cheyne

Mr Steel

Mr Milligan

Ms Clay

Ms Stephen-Smith

Mr Parton

Mr Davis

Question resolved in the affirmative, with the concurrence of an absolute majority.

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

Debate resumed from 3 August 2022, on motion by **Mr Pettersson**:

That this bill be agreed to in principle.

**MR RATTENBURY** (Kurrajong) (10.39): I am pleased to speak to the Drugs of Dependence (Personal Use) Amendment Bill 2021. I would like to thank Mr Pettersson for providing the opportunity to have this important debate. I would also like to thank all the members of the select committee for undertaking the inquiry into this bill: Mr Cain, Dr Paterson and my Greens colleague Mr Davis. I think that the work they did on that, in taking the evidence, thinking through the detail of the bill and providing a range of thoughtful comments, has really played a useful part in working our way through what is a complex legal, social and health policy question.

As members of this Assembly well know, the ACT Greens are very strong supporters of drug law reform. Whatever your views on the efficacy and appropriateness of the criminal law to address social issues, it cannot be denied that the evidence in no way supports a punitive approach. It does not effectively reduce drug use. It makes the harms that may result from drug use more likely. It creates an unhelpful stigma. It shames people out of seeking help when they need it.

These are not the outcomes that we as a community should be looking for. It is for these reasons that the ACT Greens support this bill in principle. It is a step in the right direction. It starts to depart from the criminalisation of vulnerable people and the entrenchment of their problems. It starts to foster a community of collaborative assistance where it is needed. It is a step along the road to the progressive change that we need.

However, I must touch upon why we back the amendments that Mr Davis will be moving today. At their core, those amendments seek to align the bill's aspirations



with its actual effect. This is a bill that recognises the failings of the criminal justice system to grapple with the harms that can result from drugs, but it only seeks to reduce criminal contact in some ways.

This approach is more humane, but it is not for everyone and not complete. In the broad, this situationally-more-humane approach is effected by a personal possession limit being created for some substances which sits at some point below the trafficable quantities prescribed by the Criminal Code Regulation 2005. Where there is such a limit imposed and the person possesses an amount less than that limit, the maximum penalty is reduced from one year in prison and 50 penalty units to one penalty unit, which is \$160.

For these lower-level possession amounts, it also makes available a defence notice which can be discharged without criminal proceedings or conviction, upon payment of \$100. The government amendments to be proposed by the Minister for Health improve this somewhat, allowing possession limits to be designated by regulation, reducing the prison time for possession offences and allowing offender notices to be discharged for attending a diversion program.

What we do know is that the vast majority of Canberrans want meaningful drug law reform. They agree that drug use should be treated as the health issue that it is. We, as a community, know that the best thing we can do for each other is to avoid these mechanisms of stigma and shame that create and exacerbate harms to drug users and, in my view, the wider community. The way we keep faith with that aspiration is not be intimidated by scare campaigns but to engage in the kind of meaningful reform that will truly enable a health-centric conversation about drug use in our jurisdiction.

We have already recognised in this place that, as it relates to cannabis, a criminal-justice-first approach is ineffective and harmful, and thus we created the exception for adults using cannabis to disapply possession offences. If we accept that harm reduction is the aim of these reforms as well and that a criminal justice approach is ineffective and harmful for them too, it should follow that we reach the same conclusion.

This is what the experts tell us would be the most effective in reducing harm. This is what people with lived experience tell us would be the most effective, and this is what is more closely aligned to what all parties here today have advocated for: protecting individuals in the community. We are obviously going to have a very animated debate today. We have had a preview of that, but at the end of the day it is an interesting agreement. We all want less crime in the community. We want our community to be safer. We want people to live healthier lives. I guess the debate is: how do we get there and what is the right mechanism to achieve that?

A number of my colleagues have discounted the value of the improvements that the bill and the government amendments will make. An offence notice is substantially less trauma than proceeding through the criminal justice system, but it does still invite the police as the answer to what fundamentally is a health issue. This will, to some extent, maintain stigma and shame, and for people whose lives may be in a serious state of crisis that \$100 could well be a very difficult sum to arrange.

We believe the answer is not less of a crime response but is in fact a no-crime response. It is also problematic that the bill and the amendments will both see these lower quantities established. When the trafficable and greater quantities were established in the code regulation, it was on the basis of robust independent analysis as to the amount of substances that people typically purchase for personal use.

There is no descriptor assigned to amounts of a substance less than trafficable quantities, but if an amount is less than trafficable I would be hard pressed to label it as being for anything other than personal use. It is not clear what the problem would be to align the upper limit of personal possession with the lower limit of trafficable quantities. We understand that this is attempting to pertain to dealers who may only have smaller amounts on them, but the fact is that trafficking remains an offence for any quantity of drugs—any quantity even below these personal amounts.

There can still be a case made where the evidence is clear that someone is trafficking in the way that the law is currently set. We believe it is a blunt and callous tool to include in this higher level, more punitive offence people who possess drugs for personal use, simply to avoid having to prove the trafficking elements of those other offences that are available.

My colleague Ms Davidson is absent today but, as the Minister for Mental Health and with her long-term interest in these matters, she did want to make a few observations as well, which I will share on her behalf as part of my remarks. The Australian national survey of mental health and wellbeing in 2007 found that 35 per cent of individuals with a substance use disorder also meet the diagnostic criteria for at least one co-occurring mood or anxiety disorder. The rate is even higher for people receiving treatment for either condition. A recent Australian study found that 70 per cent of those in alcohol and drug residential rehabilitation were experiencing a current anxiety disorder and 55 per cent were experiencing current depression. A 2010 survey of people with psychosis found that 50 per cent with a psychotic disorder requiring treatment also had a lifetime history of alcohol abuse or dependence.

Given these challenges, it is critical that appropriate supports are in place. A fundamental part of this discussion is the response that we make to provide people with those health services. It is no surprise that people with mental illness and substance use issue are a key priority group in the National Drug Strategy 2017-2026, in the ACT government's Drug Strategy Action Plan 2018-2021 and in the next drug strategy action plan, currently being developed. It is also a key commitment that is outlined in the tenth parliamentary and governing agreement for the Assembly, which includes commitments to improve programs that target and support alcohol or other drug use and mental health together.

There are a number of services that provide integrated supports for people with co-occurring mental health and alcohol or other drug issues at different levels of need. I will touch on a couple of those. In response to the outbreak of COVID-19 in August 2021 the mental health, justice health, alcohol and drug services set up a COVID-19 community response team which included experienced mental health and drug and alcohol nurses who provided clinical supports to people in quarantine and isolation. These nurses conducted assessments, provided support to people affected by substance use and dependence and helped to manage withdrawal symptoms and mental health issues.

Based on the success of this initiative, the mental health and drug alcohol nurses have joined the rapid evaluation and care in the home or REACH team. This tri-service approach supports the primary health, mental health and drug and alcohol needs of people across the ACT who are in quarantine or isolation. The REACH team is supporting clients in the community that may otherwise be without appropriate services and may require admission to hospital. I use this example, and Minister Davidson highlighted it to me, because it is a great illustration that the system needs to respond in a joined-up way to recognise the vulnerabilities and needs of those people who have mental health and drug and alcohol issues.

There are a range of other important services across the ACT government. I know the Minister for Health will probably talk to some of these as well, so I will not dwell on them too long. I think the Minister for Mental Health particularly wanted to recognise the connection between these issues and the importance of us thinking about this in that health context to illustrate that sending someone into custody, having that interaction with the criminal justice system, is not the answer we need. The answer we need is a drug and alcohol response and often a mental health response combined with it.

In conclusion, I simply want to observe that the ACT Greens intend to support this bill today. We believe it is an important reform. We think that this is the sort of discussion we should be having when it comes to drug policy. We welcome the progress that has been made on this bill. We think that at the end of today the ACT will be in a better position than it was in at the start of the day.

Mr Davis is going to move some amendments. I believe there is not support in the chamber for those universally; nonetheless, this bill will be supported in principle. We look forward to the discussion this morning and look forward to continuing to work with colleagues in this chamber who take this health-based approach, the considered approach, and are willing to try to do things differently, rather than just putting our heads in the sand and saying, “We should keep doing it the way we have always done.” That is not going to get our community safer and it is not going to reduce criminal activity. We welcome reform in this space.

**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) (10.50): I want to speak briefly to put on the record my support for this important bill—one which will continue to reduce the number of deaths and lives ruined by illicit drugs and the impact that has on people’s families and their friends but also one that complements the ACT government’s harm minimisation policy.

This is a bill that has been subject to iterative inquiry and investigation, commentary and contribution, including a detailed inquiry by a select committee. In proposing the amendments, the government has taken on board the views of that committee and of the community and stakeholders. I want to recognise that it has been an iterative and a very productive process to strengthen the bill.

I thank Mr Pettersson for his very hard work in championing this issue and his work with families and with people who have been affected in realising this change.

The efforts have been considerable but they have also been very consistent over many, many years. I sincerely thank him for those efforts.

I also very sincerely acknowledge the efforts of Minister Stephen-Smith and thank her for them. I acknowledge the strength of her effort in progressing the government amendments and working so collaboratively across government to get us to where we are today. Again, they are considerable and consistent efforts that, having reflected very personally, I also think strike the right balance here. I commend the bill to the Assembly.

**DR PATERSON** (Murrumbidgee) (10.52): I rise today to speak in support of the Drugs of Dependence (Personal Use) Amendment Bill. I want to start by thanking and commending my colleague Mr Pettersson for his commitment and hard work to decriminalise small amounts of drugs for personal use in our community. This is an incredibly complex area of policy and legislation. I would also like to acknowledge and thank Minister Rachel Stephen-Smith for her work in progressing this. This is an incredibly challenging issue which has drawn many different, passionate and emotional responses from our community and stakeholders. I would also like to acknowledge Mr Bill Bush, who is in the audience, for his commitment to this cause.

I congratulate the government for not shying away from such a highly contentious matter and for being prepared to take on the challenge of robust debate in exchange for the positive outcomes that can be achieved. I also look forward to an end of the scaremongering by Mr Hanson of Murrumbidgee residents. Mr Hanson seems to believe that if he yells “meth” and “heroin” enough, people will be scared of this reform. But I would like to say that there is actually a significant evidence base behind this. When Mr Hanson last spoke about it, he referred to three submissions to the drugs of dependence inquiry out of the 59 that we received, and the three that he highlighted were speaking against the reforms.

The evidence is overwhelming. In an earlier speech, I highlighted a particular submission from the drugs of dependence inquiry from the Uniting Church to the ACT Legislative Assembly. This submission really struck me, and I believe it is important to reiterate the point. The Uniting Church submission explicitly talks about treating people who experience drug dependency with dignity, recognising the worth of every person and treating all with respect.

There are many reasons why people may choose to try drugs. What we know is that drugs can be harmful and that they impact individuals in many different ways. Some drugs are highly impacting on the body and highly addictive. There are a multitude of factors, such as individual physiology, health, mental health, past experiences of trauma and poverty that can all contribute to why one person may become dependent or addicted and others may not.

The problem is that the drug use can cause, contribute to and exacerbate these experiences of trauma, poverty, mental ill health and poor physical health. In any other context, when we talk about people who have experienced trauma, poverty, mental illness or poor physical health, we would naturally express deep compassion. However, when these factors are associated with drug use, historically, as a community, these people have been met with significant stigma. It is time to change that. People who experience drug dependency experience a health problem.

I am proud to be part of a Labor government that is driving this reform to lead Australia in how we support people in our community. I was deputy chair of the Legislative Assembly's select committee inquiry into the drugs of dependence bill. The inquiry conducted by the committee provided valuable insights into the perspectives of a very broad range of stakeholders. I would like to, again, extend my sincere thanks to everyone who took time to participate. The inquiry examined the various provisions and related matters of the bill which we are debating today.

The committee received evidence of significant community support for the bill and substantial evidence from both researchers and those that deliver critical services, all in support of this reform. As a researcher in a previous career, I have been in the position of gathering and assessing evidence on a multitude of subjects and in a multitude of contexts. I can honestly say that the evidence base for decriminalising drugs was solid, it was clear and it was definitive in its overwhelming support of the bill. Sure, there is detail that is debatable. That is what we are doing today. This is why I am confident to stand here, as a member for Murrumbidgee, to provide my support for the bill and the proposed amendments.

Community concern about methamphetamine and heroin is real. Acknowledging this is important. I think it is fair to say that methamphetamine and heroin are considered to cause the most harm. This is why a health approach to personal drug use is most critical. The users of these drugs are the people who need the health response, who are most at risk and need a health intervention, not a criminal one. I would like to put again that the evidence is very strong for this approach.

Two of the most significant inquiries that have occurred in Australia, one at the federal level and one at the New South Wales level, have both focused significantly on methamphetamine use. I would like to point the Assembly to the federal Parliamentary Joint Committee on Law Enforcement 2018 inquiry into crystal methamphetamine, or ice. This was a national inquiry, the most significant in Australia. It was also an inquiry that brought a law enforcement lens, yet its final recommendation was:

The committee urges Australian governments to implement the recommendations ... Improvements can and must be made in addressing methamphetamine use in Australia; in the committee's opinion, this should be done by shifting the focus on methamphetamine from a law enforcement problem to a health issue within an environment where treatment and support are readily available and without stigmatisation.

The other most substantial work in Australia on methamphetamine use was the special inquiry commissioned in New South Wales. This is the 2020 report titled *Report by the Special Commission of Inquiry into crystal-methamphetamine and other amphetamine-type stimulants*. The findings of this significant work echo the federal government inquiry. I would like to read Commissioner Howard's words summarising the inquiry:

The current stance of our criminal law towards use and possession of drugs has failed to have any significant impact on the prevalence of illicit drug use in NSW. Criminalising use and possession encourages us to stigmatise people who

use drugs as the authors of their own misfortune. It gives us tacit permission to turn a blind eye to the factors driving most problematic drug use: trauma, childhood abuse, domestic violence, unemployment, homelessness, dispossession, entrenched social disadvantage, mental illness, loneliness, despair and many other marginalising circumstances that attend the human condition. This is a profound flaw in our approach to illicit drug policy.

The evidence is there.

I am proud to be part of this government taking the brave steps, the evidence-based policy steps, needed for this reform. I was very pleased to see dedicated funding in the budget for targeted treatment for methamphetamine addiction. There are a couple of key aspects of the reform that I think are worth noting.

Targeting the supply and manufacture of illicit drugs is a priority of ACT Policing; supporting, resourcing and funding police to do this critical job is essential. It is essential that police target drug traffickers. There have been some significant charges laid for drug trafficking and organised crime lately, and I commend ACT Policing for their commitment and dedication to keeping our community safe.

I also think it is important to recognise that Aboriginal and Torres Strait Islander peoples are disproportionately represented in our criminal justice system and in our prison. Drug and alcohol dependency forms a part of this story. This is why it is critical that the ACT government invest in Aboriginal community-controlled, culturally safe facilities and programs.

The ACT government recognises this and is working with Winnunga Nimmityjah to develop a dedicated residential alcohol and other drug rehabilitation facility for Aboriginal and Torres Strait Islander people here in the ACT. The Aboriginal and Torres Strait Islander community-controlled facility will promote rehabilitation and recovery in a culturally safe and inclusive environment. This is currently in the design and commissioning phase. This is a project that has huge potential. I intend to follow it closely, along with other government policy and programs to end the disproportionate, systemic disadvantage that Aboriginal and Torres Strait Islander people experience in our ACT community.

In ending my speech today, I cannot express enough how much I believe in and support this reform. I believe it offers hope for the future for many Canberrans. So many times, with complex social problems, we say something needs to happen. Today and over the time that this bill is debated, something significant is happening. I support this bill and the government amendments.

**MR CAIN** (Ginninderra) (11.02): I rise to speak against this bill, without going necessarily into the details of the coming amendments. As Dr Paterson alluded to, I also have significant background on this issue and this piece of legislation, as chair of the select committee inquiring into Mr Pettersson's bill. I remind members and also those tuning in that my dissenting report is available on the Assembly website, under the select committee. I commend that committee dissenting report, and I stand by it today.

I do want to also acknowledge the presence of Bill Bush, from the Family and Friends for Drug Law Reform. My heart goes out to families who have lost loved ones and friends to drug abuse. I certainly am with them on the overall goal: how can we stop these substances harming people?

The Canberra Liberals do not have a different approach; I will speak a bit more about this in a minute. We do not want to see people harmed by these substances, and that is why we have our particular position on this bill. There is no question that encouraging a culture of acceptance, in different ways of messaging that, is not conducive to reducing harm from these substances.

One thing that has not really been recognised, effectively, in my opinion is that there is this sort of false dichotomy. What policy driver do we have here? Are we just going to call people criminals or are we going to help them? The reason that possessing these horrible substances is a crime is that we do not want them to hurt people. The policy driver is to reduce harm in the current framework. So it is a false dichotomy to say that the Liberals just want to lock people up, that we do not care about them. It is a misrepresentation to assume that opposing this bill means that one is heartless or cares little about the health of users. Harm minimisation is the thing that drives me. I do not want people to be hurt by these things. We need to use every tool in our arsenal. It is disappointing to see this bill presented, quite frankly.

There are a couple of other things that I want to focus on in a little bit of detail. As has already been mentioned, the AFP Association have spoken about this. They are the ones on the ground. We are going to be asking them to manage this. As I mentioned in my dissenting report, there are real constitutional and legal issues with this. I have heard from a senior judicial officer in this city that if there were prosecution brought under commonwealth law if this bill passes, it would be problematic for the courts. There are real constitutional issues if there is a commonwealth offence in existence and, if this bill passes, not an ACT criminal offence. That creates real legal issues.

One thing that perhaps did not come out strongly during the inquiry—it is something that I have reflected on—is that one of the arguments to decriminalise the possession of ice, heroin, cocaine and other things that are listed is that it discourages people from seeking help because they might be worried about being called a criminal. In the anecdotal stories of families—and, again, my sympathy goes out to them—there is actually no evidence to say that someone who is addicted to one of these is discouraged from receiving help because it is a criminal offence. There is no evidence to support that. How would you actually know, quite frankly, what prevents someone from seeking help?

*Members interjecting—*

**MADAM SPEAKER:** Members!

**MR CAIN:** There would be a range of things that affect a person, let alone the addiction itself. But the fact that someone might get a notice to appear in court—where is the evidence that that discourages them from seeking help? It is a hard

question to answer. I do not believe there is strong factual evidence to support that conclusion. As I mentioned, the current approach is driven by a harm minimisation policy because we do not want people to be hurt by these things.

In closing, unlike the marijuana legislative scheme, where people can grow their own products—under the current law, that is able to be done—the products that would be in possession of people can only be sourced from criminal activity, which will remain criminal activity, despite the passage of this bill. So this bill should be resisted, and I am glad to see that the Canberra Liberals are doing so. It should not be thought that we are just heartless and want to throw people in jail. No; we are driven because we do not want these things to harm people.

**MRS KIKKERT** (Ginninderra) (11.09): I first wish to provide some background to my comments on this bill. In the second half of 2020 I was approached by a number of families whose loved ones desperately needed to access specialist alcohol and other drug treatment services but who were wasting away and deteriorating on long waiting lists. These Canberra families asked me to sponsor a petition on their behalf. I was glad to do so.

The petition became available in November, both online and in paper form, and attracted 699 signatures over the next two months. I quote directly from the text of the petition. Supporters wanted to draw to the attention of the Assembly that specialist alcohol, tobacco and other drug services could no longer meet demand, with waiting lists growing even longer, and that delays in accessing rehabilitation services may negatively hinder successful treatment. The petition then asked us to call upon the ACT government to conduct a thorough inquiry into the alcohol, tobacco and other drugs service sector to identify current strengths and weaknesses, assess current and future demands, and recommend service and funding models that would better meet people's needs.

This petition was subsequently referred to the Standing Committee on Health and Community Wellbeing, and an inquiry based on the text of the petition commenced. This inquiry was, however, discontinued when Mr Pettersson introduced the bill that we are debating today. Concerns raised in the petition were then picked up by the select committee that was created to review the bill. The committee's report, tabled just 11 months ago, perfectly echoes the concerns raised in the petition that I sponsored. The report said:

Evidence received by the Committee revealed that despite high levels of satisfaction with the quality of services provided by the AOD sector, a shortage of funding means that there is a significant lack of availability of these services.

The explanatory statement for Mr Pettersson's bill states that it will "reduce the burden on our criminal justice system by allowing police to divert drug users at the first point of contact to appropriate services". Those words have been carefully chosen to sound good on the surface, but the statement foolishly assumes both the existence of appropriate services and ready access to those services.

We know with certainty, however, that these services do not currently exist in some cases and the ones that do exist are overwhelmed. That was the entire point of the



petition that I sponsored two years ago, and, as the select committee found, between then and now nothing has changed. As Mr Hanson has already explained, the Canberra Liberals are appalled at the process that Labor and the Greens have used to force through radical changes to drug laws without first seeking a mandate. I agree.

Beyond that, I rise today to state that it is a further outrage that Labor and the Greens are willing to make such radical changes without first making sure that the missing services are in place. This is a runaway train, with unsafe speed, due to the loss of operator control by this government. This is not championing it. It is foolish, and all of you who are operating are the runaway train.

This is a slap in the face to those who struggle with addiction and to their families and loved ones. As I said when I tabled the petition last year, when a family member has a dependency on alcohol, tobacco or drugs, this can create fears, worries, tension and even conflicts. In such situations, loving family members can be quite hopeful that the needed help is both available and accessible. Instead, providers of rehabilitation services have publicly spoken out about long waiting lists and the complete inability to meet the demand.

Delays in accessing rehabilitation services can negatively hinder successful treatment. This is true for adults, but it is even more true for our youth. Placing a young person on a very long waiting list often results in a situation that is much more complicated to fix and often too late. Too many of those who signed this petition have personally experienced this tragedy. One family, for example, has a son who struggles with addiction. He has been referred by the court to specialist drug treatment, but he and the family have now been waiting for many months to access this help. Meanwhile, the young man's situation is deteriorating with each passing week. This is the reality faced every single day in this territory by dozens of adults and young people, their families and those who love them.

Without a doubt, this bill is not what they asked for. The explanatory statement declares that the bill will "support people impacted by drug addiction to access treatment". Telling people who are languishing on long waiting lists that any portion of this bill will help them to access treatment is a very, very cruel joke. I cannot, in good conscience, commend this bill to the Assembly.

**MR PETTERSSON (Yerrabi) (11.16):** In closing, I would like to thank all members for their contributions. They have all been insightful. I would like to thank members of the select committee for their hard work. There is nothing quite like being in this chamber and being told you will be stuck on a committee for the next six months. I would also like to thank Minister Rachel Stephen-Smith for her ongoing work in this space.

I do not entirely disagree with a lot of the things the Canberra Liberals have said—that will surprise some people in this place!—but I do need to correct the record because it is disingenuous for people to say that the debate today is a surprise and that this issue was sprung on them. This issue has been considered by this place for a very long time. Not every person in the chamber here today was a member of the last Assembly, but I have a history lesson for those of you who were not. In the last Assembly there was a committee inquiry into youth mental health. It was held during

the back end of the last parliamentary term. That committee recommended that the ACT government further investigate criminal justice diversion for young people that use drugs by investigating the appropriateness of a simple drug offence notice.

That was not controversial at all when it came out. The interesting thing about that, and why I have such personal interest in this, is that I was the chair of that committee. This might come as a surprise to some of the new members in this place. I was the minority member on that committee; it was a majority Liberal committee. So, I just want those watching this today to know that the Liberals are not what they claim to be today. There are members in the Canberra Liberals who do care about this issue and who do support drug law reform. It is embarrassing to me that none of them had the courage to say something.

Further, following that committee report, which was not controversial when it came out, I came into this place two months before the last ACT election. It was in the middle of the election campaign. If people look back at the sitting program for those sitting weeks, they will see that it was about the election campaign. There were stunts from the Liberals that the Labor Party was posturing for the next election. This was the election footing. So, I moved a motion calling for a simple drug offence notice to be investigated. And do you know what? It was not controversial. Mr Hanson even spoke somewhat favourably for it. He said that there would be some circumstances in which he could consider the appropriateness of a simple drug offence notice—such as MDMA at music festivals. That is not the entirety of what this proposal here before us is, but what is remarkable to me is that even Mr Hanson has moved on from the position that he held back at that time.

I was under the illusion that under the previous Leader of the Opposition, Alistair Coe, the Canberra Liberals were more conservative, but I am shocked that the views expressed in the last parliamentary term have gone to water—they have disappeared. Somewhere, somehow, the Canberra Liberals have lost their conviction to stand up for what they truly believe. Some of them do believe it. I have had conversations that I will not repeat, but I do not believe the Canberra Liberals are bad people.

I want to reiterate why this bill is such an important reform. It is a sensible, evidence-based approach to drug policy. The bill is about harm reduction and reducing ordinary people's interaction with the criminal justice system. I do not know why the Canberra Liberals seem to think that interaction with the criminal justice system is not harmful, but it clearly is. The war on drugs is a failed policy. Across the world it has destroyed countless lives and decimated whole communities. It is based on flawed science and misinformation. It has not stopped drug use. It has not reduced drug use. Even the ACT Chief Police Officer and Deputy Commissioner of the Australian Federal Police, Neil Gaughan says, "Existing criminal penalties do not discourage drug use."

Clearly, it is time that we moved away from this punitive system that does not work. The Drugs of Dependence (Personal Use) Amendment Bill does not propose a radical change to our drug laws. It is simply an evolution of the decriminalisation model that still exists in ACT law for certain users of cannabis. Now, the simple cannabis offence notice—SCON—is a framework that we have had on the books for roughly three decades. Since the early 1990s, people found in possession of small amounts of cannabis have been eligible for an offence notice as an alternative to proceeding to

court. Only very recently, during the last Assembly, most users of cannabis have been moved out of this framework and towards legal possession.

It makes sense to me that this SCON framework, which worked reasonably well as a decriminalisation framework, would be a good basis for further reform. The ACT government's proposed amendments make further changes to the current SCON scheme than my bill does alone, and I will flag in advance that I am in full support of all of the government's amendments. They are sensible and they are measured. Along with proposing minor changes to the quantities and substances included in the scheme, they propose legislating that an arresting officer have the choice to issue a fine or a drug diversion for the proposed substances and quantities. This is sensible and in line with most Canberrans' views on the matter.

This is not a new approach, however. This is the current protocol for the simple cannabis offence notice under internal ACT Police guidelines. Codifying diversion in statute law, with equal footing to an offence notice, is, however, an important step forward. I believe this bill, along with the government's amendments, is the logical next step in the broader drug harm minimisation strategy that is already underway in the ACT.

As former Victorian Police Commissioner Ken Lay has stated, "You cannot arrest your way out of this problem." He is right; we cannot. Because if we did arrest everyone who used illicit recreational drugs, we would have an even bigger problem. We would be locking up countless, otherwise-law-abiding Canberrans. The 2019 National Drug Strategy household survey shows how large this problem would be. There are many complex reasons why people choose to consume drugs, but one thing is clear: people use drugs. The Australian Institute of Health and Welfare survey found that 43 per cent of Australians have used illicit recreational drugs in their lifetimes. More specifically to this bill, 11.2 per cent have used ecstasy; nine per cent have used cocaine; 6.3 per cent have used meth or an amphetamine.

These people are all criminals under our current laws. Either by luck or other priorities of law enforcement, most Canberrans who use drugs never get caught. As former commissioner of the Australian Federal Police Mick Palmer says, the current prohibitionist approach to drugs is badly broken. He is spot on. Clearly, prohibition is not working as its advocates say it does, if 43 per cent of us are criminals who were, mostly, lucky enough not to get caught.

I have witnessed two main arguments from conservative opponents to this bill. The first is that drug possession should remain a criminal offence and it should be enforced rigorously. The second is that drug possession should remain a criminal offence, but it should not really be enforced. To those in the first category, I implore you to consider what you would do if you found a small quantity of drugs in the bedroom of your young adult child. Would you call the police on your child? Why not? I really want members to consider what they would do.

At its most simple, the proposition in my bill is that law enforcement should respond to the possession of drugs for personal use in the same way that a caring and well-intentioned parent would. A parent would confiscate the drugs, talk to their child about the dangers of their drug use, issue a non-life-altering punishment, and get their

child the appropriate health services they need. That is what this bill does—but for every child, not just yours.

To those in the second category—those who believe that drug possession should remain a criminal offence, but it should not be enforced as a criminal offence—I say that there is a time and place for virtue signalling. Our criminal laws are not that place. If you do not believe that someone should be in jail for the personal possession of recreational drugs, our criminal laws should reflect that—full stop.

Either way, the criminalisation and demonisation of people who use drugs has done nothing but make it harder for them to get the help we claim we want to provide. It is time to stop punching down on some of the most marginalised members of our community and instead help—and only help—these vulnerable Canberrans. To some, this approach may seem radical and extreme. I can assure you that it is not. The Canberra community is already far ahead of this Assembly. A recent public opinion poll commissioned by Uniting showed that nearly 80 per cent of Canberrans support decriminalising the possession of a wider array of illicit drugs.

More specifically, according to ACT government YourSay data collected in 2021; for hallucinogens, 20 per cent of Canberrans support no action or a caution for possession; 46 per cent support education or treatment and 22 per cent support a fine. Only seven per cent support a community service order or weekend detention. Further, only four per cent of Canberrans support a prison sentence. For ecstasy, 18 per cent of Canberrans support no action or a caution, 45 per cent of Canberrans support education or treatment, and 23 per cent support a fine. Only eight per cent support a community service order or weekend detention. Further, only four per cent of Canberrans support a prison sentence for ecstasy possession.

For cocaine, 17 per cent support no action or a caution, 46 per cent of Canberrans support education or treatment for possession, and 24 per cent support a fine. Only eight per cent support a community service order or weekend detention. Further, only four per cent of Canberrans support a prison sentence for cocaine possession.

For heroin, five per cent of Canberrans support no action or a caution, 64 per cent of Canberrans support education or treatment and 15 per cent support a fine. Only seven per cent support a community service order or weekend detention. Further, only eight per cent of Canberrans support a prison sentence for heroin possession. For methamphetamine, the drug that has brought so much heat into this debate, three per cent of Canberrans support no action or a caution, 60 per cent of Canberrans support education or treatment, and 15 per cent support a fine. Only eight per cent of our community support a community service order or weekend detention. Further, only 11 per cent of Canberrans support a prison sentence for the possession of methamphetamine.

With polling like that, this is not a controversial issue. It is abundantly clear to me that this bill is in line with our community's values. It places the right level of trust in ACT police to use their judgement, in that moment, to confiscate the drugs and either issue a fine or direct them to an appropriate drug diversion program. It removes further interaction with the criminal justice system and the risk of a criminal conviction and two years in jail.

I do not believe that every Canberran that uses MDMA needs to attend a drug diversion program, and I do not believe that every Canberran that uses methamphetamine would be well suited to the issuance of a fine. It is complicated, and it requires judgment calls. This bill allows those important judgement calls to be made. It is time to treat the drug use as the health issue it is. We should be providing healthcare, not handcuffs. The criminalisation of drug possession does more harm than good. As a restorative justice city, we have moved away from punitive ideas of justice. We should not be criminalising otherwise law-abiding citizens. Madam Speaker, I look forward to the Assembly concluding this debate today and I am hopeful that we will forge a new path forward.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

| Ayes 13     |                  | Noes 6      |
|-------------|------------------|-------------|
| Mr Barr     | Ms Orr           | Mr Cain     |
| Ms Berry    | Dr Paterson      | Ms Castley  |
| Mr Braddock | Mr Pettersson    | Mr Hanson   |
| Ms Burch    | Mr Rattenbury    | Mrs Kikkert |
| Ms Cheyne   | Mr Steel         | Mr Milligan |
| Ms Clay     | Ms Stephen-Smith | Mr Parton   |
| Mr Davis    |                  |             |

Question resolved in the affirmative.

Bill agreed to in principle.

### Detail stage

Proposed new part 1 heading.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.33): I move amendment No 2 circulated in my name, which inserts a new part 1 heading, and table a supplementary explanatory statement to the government amendments [*see schedule 1 at page 3500*].

I will speak in detail on some of the subsequent amendments but in starting off—and so that I do not forget—I want to record my thanks to the ACT Health Directorate officials, who have worked incredibly hard on this bill, insuring that we get the right balance in terms of both the amounts of drugs to be decriminalised in this arrangement—which we will talk about later—but also their very close work with the alcohol and other drugs sector and with those with lived experience to really understand exactly how we could make this bill do what Mr Pettersson had intended it to do and to be workable. I also want to thank ACT Policing for the work that they

have done with the Health Directorate and, of course, all of the stakeholders that have been involved in this consultation.

I thank Mr Pettersson for his really detailed work on this bill. I hope that he will contribute to the conversations about the amendments that are proposed by all parties and that, at the end of the day, we will end up with a really important reform. But as Mr Pettersson has pointed out, this is really an incremental change in our approach to decriminalising the possession of small amounts of drugs.

I also want to thank my office for the incredible and hard work that they have done on this—particularly Ben Tomlinson, who has done an incredible amount of work with the Health Directorate, with Mr Pettersson and his office, and with Mr Davis and his office, working through all of the detail of this bill and preparing me, as best he could, for this debate. Any errors are mine, and mine alone. Thank you. I am looking forward to the debate on the amendments.

**MR HANSON** (Murrumbidgee) (11.35): To outline, there are a lot of warring amendments that are going to be tabled today. There are Labor Party amendments, Greens amendments, and then Greens amendments to the Labor amendments. In the main I think that most of the amendments make a bad bill worse. Certainly with respect to the Greens' amendments I think even the Labor Party struggles with them. I said in the in-principal debate that the levels of drugs that the Greens think should be permissible under their amendments would render it unworkable even for the Labor Party.

In terms of the government amendments, we will be opposing those as well. There is one that is calling for a review, which I am ambivalent about. There is another amendment about deferring the date. I think the date is wrong, but delaying the implementation of this on the streets is a good thing; it is just not going far enough.

I will not—unless you want me to, Madam Speaker, or colleagues across the chamber want me to—call a division on everything, but I want to make it very clear that we did not support these in principle. We are not supporting these amendments and we will not be supporting the bill as amended. I will speak to various aspects, but I do not think I need to belabour the point. As I have foreshadowed, I will be moving amendments.

I wish to refer to some of the debate that has occurred, which I think is reasonably disingenuous. That is about what has happened previously in debates in this place. Let me assure you, there is no Liberal in this place who supports decriminalising heroine and meth. There has been no proper conversation about that, but we engaged in a pretty reasonable way at the end of the last Assembly. There has been a disingenuous characterisation of what I said at the time in that debate. I made it very clear that the Canberra Liberals would never support the decriminalisation of drugs like meth and heroin.

There is a lot of talk about the evidence—and I heard it from Dr Paterson—about various aspects of the experts. What we are seeing here is a cherry-picking of what people have said. I notice that Mr Pettersson is very keen to talk about what an ex

AFP commissioner has said but ignores what the current AFP commissioner says. Dr Paterson is true to form with her cherry-picking of the evidence. Again we see in this place that she will campaign against some forms of gambling and raise petitions, but when it comes to the pokies that the ALP run there is radio silence. She will tell the community that she wants a review into sentencing reform but will vote against it in this place.

It is consistent with what we see from those opposite, which is to cherry-pick the evidence put before them. You have the top cop—the Police Commissioner—saying that this is dangerous for his members and will create a more dangerous community but there is radio silence from those opposite. We will not be supporting the amendments before us, but I foreshadow that I will move an amendment shortly myself.

Proposed new part 1 heading agreed to.

Clause 1 agreed to.

Clause 2.

**MR HANSON** (Murrumbidgee) (11.39): I seek leave to move amendments to this bill that have not be circulated in accordance with standing order 178A, and, pursuant to standing order 182A(b), I seek leave to move an amendment to this clause that is minor and technical in nature.

Leave granted.

**MR HANSON** (Murrumbidgee) (11.40): I move amendment No 1 circulated in my name [*see schedule 2 at page 3507*].

Given that the government sprang this debate on us without taking it to a committee, as we just discussed, it would have been pretty rank if you had not granted me leave. This amendment is pretty simple. The government is going to move an amendment shortly that delays the implementation of this legislation, because it is going to take time for them to sort out this mess on the ground. What my amendment does is pretty simple. It delays it until 2024.

As I have said in this place, it is only fair that members of the ACT community have these pretty radical drugs reforms—although those opposite might say that they are not radical—put before them at an election. If the Labor Party or the Barr-Rattenbury government believes that the ACT community is so keen to see meth decriminalised, it should take it to an election. We are only talking about, in this amendment, a 12-month delay from what the government is already proposing. An extra year is not long in the timeframe of what we are talking about here in terms of such a substantive reform. If the government is confident—if those members believe in what they are saying—that the evidence does stack up and that the community overwhelmingly wants to see more meth and more heroin on their streets, more carnage on their roads, and more organised crime—as we are hearing from the police—the government should take it to an election.

It begs the question: why didn't the Labor Party and the Greens take this to the election? Why didn't they, at the last election, say, "We are going to decriminalise heroin." No; they said, "We're going to do a review." That was in a motion that Mr Pettersson put forward in this place. He had already worked out the results of that review, so he did not bother to do it. He said that he was going to do a review; that was no true. He did not do a review. He already knew exactly what he was going to do. He was going to come into this place, straight after the election, and whack down on this table a bill that decriminalises heroin and meth. Did he tell that to the electorate during the election? No, he did not.

This is a pretty simple amendment. Let's take this to the election and see what the people of the ACT really believe. We have seen a lot of polls. There are a lot of myths about who supports this and who supports that, and a lot of different questions are being put. Now people can see the detail—that the government is going to decriminalise what, in my view, are pretty substantial amounts of heroin and meth. There is going to be an amendment from the Labor Party shortly that will allow you to have heroin and meth together. The Greens amendment will give you 60 days' worth of possession. Depending on which one of those amendments gets up, it should be taken to the community. The community should be told, "Hey, we want people to be able to get around with 15 or 20 hits of drugs on them. We think that that's okay." If those on the other side of the chamber are confident, they should take it to the electorate. And if they do not take it to the electorate they should not think that it will go away; we will take it to the next election, and we will see what the community actually thinks about the radical proposal to decriminalise heroin and meth without first asking the community if that is what they want.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.43): It will be no surprise that the government will be opposing Mr Hanson's amendment, but I thought it was important to have the opportunity to debate it. This is a very cynical amendment from Mr Hanson, but it is also an interesting one politically. Just to go to his point—and Mr Pettersson has already touched on this—this place did pass the motion in August 2020 that Mr Pettersson has talked about, and ACT Labor's health policy position statement committed to investigating a simple drug offence notice for some drugs of dependence.

There are multiple ways of investigating policy. One such way is for a private member to develop a bill, to send that out as an exposure draft, to have a consultation with the community, and to then introduce the bill into the Assembly and for the Legislative Assembly to have a whole committee inquiry into the bill and into the broader aspects of it. I would say that most people would think that that was investigating the issue pretty thoroughly. We then had a government response to the committee inquiry, and we are now having a debate in this place. So I think we have done what we said what we were going to do at the election. We have investigated it through a Legislative Assembly process that has been very, very thorough.

Mr Cain, of course, did put forward a dissenting report through that inquiry, as is absolutely his right as a member of this place. The government has very closely considered the Legislative Assembly report and the evidence that was put before that



committee, and has undertaken significant policy work, again engaging with stakeholders, engaging with that broad lived experience and engaging with our service providers, and really understanding the evidence.

I want to just touch on Mr Cain's contribution earlier in that regard. I can assure Mr Cain that he can review all of my comments on this—and I think I speak for most, if not all, of my colleagues—and I think that he will find that I have never described the opposition as uncaring or heartless, or claimed that they do not care about this issue. We have all, on this side of the chamber, recognised that people come to this debate with different views but wanting to achieve what they believe is the right outcome. Failure to understand the evidence—yes, absolutely. I stand accused of claiming that Liberals failed to understand the evidence that is before us. Political opportunism—yes, absolutely. I think Mr Hanson's amendment speaks to the political opportunism. Dr Paterson talked about how many times Mr Hanson can yell “meth” and “heroin” and “ice”, as part of his approach.

So, yes, I stand accused of accusing the Liberals of those things, but I do not make personal comments about the Liberals' individual motivations or their level of caring or heartlessness, unlike the way that they talk about us every single day in this place. I can give one example. You could go back and look at Mrs Kikkert's contribution to the Community Services Directorate budget debate, where she makes those claims about me and about other members of this place on a regular basis. I do not reflect on members of the opposition in that way, and Mr Cain is just completely creating a straw-person argument there.

In relation to Mr Hanson's amendment, clearly this is simply a mechanism to enable him to claim that the sky will fall in if this change is made. The challenge for Mr Hanson is the amendment that I will be moving—to implement this in 12 months. The amendment will give 12 months for a transition phase to ensure that ACT Policing is well aware, and that the community fully understands the implication of these changes. We have learned from the experiences of overseas jurisdictions—including the experience in Portugal—that a transition period is required.

So, we are proposing a 12 month transition to ensure that all of that work can be done. The challenge for Mr Hanson is that the community will then have 12 months to understand that the sky has not fallen in—that in fact, this incremental change in decriminalisation has not resulted in all of the things that Mr Hanson is wanting to scare the community about. So in some ways I am tempted to support Mr Hanson's amendment because that will enable the reactionary Canberra Liberals to come to the fore. Ms Lee is not here for this debate today, unfortunately, and I know that is not intentional on her part. She has been trying for two years to present the Canberra Liberals as a more progressive party and to move away from the Alistair Coe conservative reactionary party, and Mr Hanson would be going out every day and undermining that message to the Canberra community.

I am pleased to hear that he has said he will continue to do that, assuming that this bill passes and these changes come into effect in October 2023, and they have a positive impact for the small number of people who are affected. A small number of people will see a very positive impact from this bill; for the wider community, my prediction is that nothing will change. Their lives will go on as usual, exactly as happened

following the last private member's bill that Mr Pettersson brought forward in relation to drugs of dependence, the cannabis bill. Mr Hanson claimed during that debate that the sky would fall in if we passed that bill. He claimed that Canberra would become the drug tourist capital for cannabis. That has not happened.

Everything that Mr Hanson predicted would go wrong when that passed and was implemented, has not come to pass. And in Portugal we have seen the same. The predicted drug tourism did not materialise, nor did a predicted surge in medical costs. The main outcomes of the changes in Portugal have been lower rates of teenage drug use, fewer HIV infections and an increase in drug seizures by law enforcement. Those have been the main outcomes in Portugal. So, the problem for Mr Hanson is that, when this bill passes and it is implemented from October 2023, he will be going to the election trying to make an argument that is absolutely unsupported—not only by the evidence from other jurisdictions but from people's lived experience here in the ACT.

I will finish on this point. Mr Pettersson has already quoted a number of former senior police officials and Mick Palmer, the former AFP commissioner, who has supported this move in the ACT. An earlier quote from Mr Palmer was that options to address the current failure in our approach to drugs could include “assessing and identifying the options and staged pathways towards decriminalisation, first of cannabis”—done!—“and, if successful”—tick!—“other drugs”. He said he believed the decriminalisation of the possession of small amounts of cannabis in other jurisdictions has worked well and “should be extended”. I am quoting here from an article in the *Brisbane Times*. Former AFP commissioner Mick Palmer said:

Removing criminal penalties for drug use and possession of small quantities would enable police to focus on drug traffickers while drug abuse is treated more effectively as a health and social issue.

That is what we are seeking to achieve with this bill and the government amendments. I commend this bill and oppose Mr Hanson's amendment.

Question put:

That **Mr Hanson's** amendment be agreed to.

The Assembly voted—

Ayes 6

Mr Cain  
Ms Castley  
Mr Hanson  
Mrs Kikkert  
Mr Milligan  
Mr Parton

Noes 13

|             |                  |
|-------------|------------------|
| Mr Barr     | Ms Orr           |
| Ms Berry    | Dr Paterson      |
| Mr Braddock | Mr Pettersson    |
| Ms Burch    | Mr Rattenbury    |
| Ms Cheyne   | Mr Steel         |
| Ms Clay     | Ms Stephen-Smith |
| Mr Davis    |                  |

Question resolved in the negative.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.55): I move amendment No 3 circulated in my name [*see schedule 1 at page 3500*].

Amendment agreed to.

Clause 2, as amended, agreed to.

Clause 3.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.56): I move amendment No 4 circulated in my name [*see schedule 1 at page 3500*].

Amendment agreed to.

Clause 3, as amended, agreed to.

Proposed new part 2 heading.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.56): I move amendment No 5 circulated in my name which inserts a new part 2 heading [*see schedule 1 at page 3500*].

Proposed new part 2 heading agreed to.

Proposed new clause 3A.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.57): I move amendment No 6 circulated in my name which inserts a new clause 3A [*see schedule 1 at page 3500*].

Amendment agreed to.

Proposed new clause 3A agreed to.

Clause 4.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (11.57): I move amendment No 7 circulated in my name, [*see schedule 1 at page 3500*].

Amendment No 7 introduces lower penalties for personal possession offences of drugs of dependence and prohibited substances, as we have previously discussed in

tabling the government response to the Legislative Assembly committee inquiry in the in-principle stage. So I will not go into it. This not only introduces the concept of a small quantity amount with a maximum penalty of one penalty unit but also reduces the maximum penalty for personal possession of quantities of drugs above that amount to a new maximum penalty of 50 penalty units or imprisonment for six months or both. This significantly reduces the current penalty, which is 50 penalty units and two years imprisonment or both.

This was part of the work to change the term “personal possession limit” used in the private member’s bill to “small quantity” to be really clear about the difference between the quantity of drugs that will be effectively subject to the simple drug offence notice versus the possession offence and what is commonly considered the personal possession limit, which is actually anything under the trafficable quantity limits.

In the interests of time, I will not go into any more detail, as we discussed this in the in-principle stage and in the tabling of the government response.

**MR HANSON** (Murrumbidgee) (11.59): We will not be supporting the amendment. I do not like this being transferred to regulation, which is the way that the amounts will be decided on. I think that is the wrong approach, and I have spoken to that previously. It allows a minister to basically do what they want to do. My view is that it should be done in this place. I accept that it is a disallowable instrument, but, still, I do not think it is the right way to do it for such a substantive issue.

I note that the individual amounts have been reduced slightly. It is still, in my view, a significant amount. You still have 15 hits of heroin or meth, or thereabouts. But what this amendment also says is that you can have them concurrently. So you can have your meth and your heroin. So, in effect, what is happening is that the amendment increases the amounts.

What you had before was a certain amount that Mr Pettersson would say you could have—let us say meth was two grams. What Ms Stephen-Smith is saying is you can have your 1.5 grams of meth and you can have one gram of heroin as well. So that increases the amount of drugs you can have in your possession; you just have to mix and match it up. I imagine this would suit dealers perfectly, because they will want to offer a variety of drugs when they are out there pedalling these sorts of quantities which are the sorts of amounts that can be—

*Mr Barr interjecting—*

**MR HANSON:** Mr Barr is shaking his head. The frontline police are saying that. So Mr Barr does not agree with the frontline police. Mr Barr thinks that they talk rubbish, and we have seen what his attitude is to people when they try and put things before this community. But let me be very clear: that is what they see this as. This is an ability for dealers to be able to take their 15 hits of whatever it is and 10 hits of something else and pedal that in a nightclub. That is pretty easy.

In presenting their evidence, it is good to see that it is not just Dr Paterson that cherry-picks evidence. We heard Ms Stephen-Smith cherry picking evidence as well,

quoting for a former AFP Commissioner. I dare you: quote from the current AFP Commissioner—the top cop in this land! He has had a look at what is happening here in the ACT. Quote from him. Tell us what he says about how this is going to increase the threat for his members, how it is going to make society more dangerous, how it will create chaos and how it will create narco-tourism.

Why won't those opposite quote that? They just cherry-pick the evidence. If you want to have a balanced debate do that and do not say, "Oh, I would never label you," and then call us a bunch of conservative reactionaries, in the same breath. You have defeated your argument somewhat.

**Ms Stephen-Smith:** You are that.

**MR HANSON:** "You are that," she says. So "I will never label you," in the speech and then we get the labels.

We will stand with the community, we will stand with the police and we will stand the current AFP Commissioner. We will stand with our frontline police, as much as Andrew Barr will turn his back on them and other members of our community that oppose the decriminalisation of drugs.

**Ms Stephen-Smith:** Madam Speaker, I feel I may have made a procedural error here in that I had not recalled correctly that Mr Davis's amendments will probably lapse if my amendment passes. If that is correct it would then mean that we do not have the opportunity to debate Mr Davis's amendments, which I think we do need to do. So I seek your guidance here.

**MADAM SPEAKER:** My guidance is that we will suspend for lunch. We will see to remedy during this during the course of the debate.

**Ms Stephen-Smith:** And my apologies to Mr Davis.

*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 12.03 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): Three ministers are absent today: Minister Gentleman, Minister Vassarotti and Minister Davidson.

*Mr Hanson interjecting—*

**MR BARR:** He is interjecting already, Madam Speaker. In Minister Gentleman's absence, Minister Steel will cover planning and land management, police and emergency services and corrections, and I will cover industrial relations and workplace safety, as was the case yesterday. In Minister Vassarotti's absence,

Minister Rattenbury will cover environment and heritage and Minister Berry will cover homelessness and housing services, and sustainable building and construction. In Minister Davidson's absence, Minister Stephen-Smith will cover all portfolios: family and community services, disability, justice health and mental health.

**Mr Parton:** Who is going to do all the data?

**Ms Stephen-Smith:** I'm pretty good with data.

**MADAM SPEAKER:** Members! Your colleagues have the floor.

## **Leave of absence**

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

That leave of absence be granted to Ms Lee for today, for personal reasons.

## **Questions without notice**

### **ACT Policing—staffing**

**MR HANSON:** My question is to the Acting Minister for Police and Emergency Services. Ten years ago the annual report for ACT Policing showed that there were 702 sworn officers. The ACT Policing annual report for this year shows that there are 691 sworn officers in ACT Policing. That is 11 fewer officers than 10 years ago. During that period the ACT population grew by over 70,000 people. Minister, why are there 11 fewer sworn officers in the ACT now than 10 years ago?

**MR STEEL:** I thank the member for his question. I can take the specifics on notice, but I note that ACT Policing's headcount was 959 as at 28 September 2022, 704 of those being sworn officers. In the 2021-22 financial year 53 new recruits graduated and joined ACT Policing. Our government has continued to invest in policing resources. We continue to work with ACT Policing and the Chief Police Officer on the resourcing that is required. We continue to work towards a new policing model, where we better utilise the existing resources that we have right across the city to respond to crime and work with the community to create a safer place for us all to live.

**MR HANSON:** Minister, what strain does it place on frontline police to have their numbers decline or flatline while the population increases by 70,000 people?

**MR STEEL:** What we know is that we have one of the safest communities in Australia. The figures on crime speak to that. That is why we continue to ensure that we resource our police. We have demonstrated that in budgets in the past and by providing that funding ongoing, which the opposition voted against again this week.

**DR PATERSON:** Minister, could you outline the level of funding that went to the policed recruited through the police services model?

**MR STEEL:** I am happy to provide those exact details on notice, but we have invested in more police numbers and also in building that policing model, which will

change the way that police operate around the city so that they are more responsive to crime. They are out there, on the beat, with extra technological resources so that they are not stuck behind a desk in a police station but are out on the beat, supporting community and responding to issues that are raised by the community.

### **ACT Policing—resourcing**

**MR HANSON:** My question is directed to the acting police minister. Minister, despite your assertions, the AFP annual report shows that motor vehicle theft is increasing in Canberra at a rate far exceeding the national average. It shows that almost 1,500 cars were stolen over the past financial year, and over 500 in the last four months alone. That is double the national average, and the problem seems to be increasing. Despite the best police efforts, with available resources, they can only do so much. Minister, what impact does having the lowest number of police and the lowest funding per police in the country have on motor vehicle theft?

**MR STEEL:** I thank the member for his question. Working with ACT Policing, we are guided by their advice in relation to their operations. They have launched operation TORIC to directly respond to the issue of motor vehicle theft around Canberra. We are responding to that with ACT Policing, and continuing to talk with them about the resourcing that is required, as well as the policy and legislative reform that is required to address this issue.

We know that there has been some recent case law that has come out around motor vehicle trespass issues, and the use of circumstantial evidence to prove crimes in that area. We are looking at how we can respond through legislative reform, as well as the work that is underway in my traditional portfolio of Transport Canberra and City Services around penalties.

**Mr Hanson:** I have a point of order. I know that Mr Steel is talking to a bunch of issues about motor vehicle theft, but my question was specifically about the lowest funding for police in the country, and the impact that that has had on what is double the national average.

**MADAM SPEAKER:** There is no point of order. The Minister is responding directly to the question.

**MR HANSON:** I have a supplementary question. Beyond talking about resources, what actually is the government going to make available to address this growing problem.

**MR STEEL:** I have mentioned the resourcing that provided through previous budgets, so I refer the member to those measures, which continue on in the budget that was supported by our side of the chamber this week, but not his—the work that we continue to do to implement the new policing model, which will see more resources out on the beat, using the latest technology, particularly in police vehicles, to enable them to work on the road rather than having to go back to the office all the time and be stuck behind a desk. So, there is a range of different measures underway, including the operations that police have using their existing resources, which have been growing through budget investments that we have been making, like operation

TORIC, which is specifically targeting the type of behaviour that the member was asking about.

**MR PARTON:** I have a supplementary question. Acting Minister, when will ACT police get the resources that they need to keep Canberra safe.

**MR STEEL:** We will continue to monitor the level of resourcing, working with ACT Policing, through the MOU, to deliver the resourcing that it needs to keep our community safe. We have demonstrated that in previous budgets, in making investments in extra police resources. We will continue to work with ACT Policing on the resources that they require, but we know that we live in a very safe community—one of the safest in the country—and we continue to respond to emerging issues. For example, issues on our roads. We have a number of legislative and policy reviews underway, which will support ACT Policing to do its job in keeping our community safe.

### **Crime—offences while on bail**

**MR HANSON:** My question is again to the Acting Minister for Police. The AFP annual report refers to Operation Oquendo II, which was established “in response to an escalating situation which saw high volume recidivist property offenders committing a range of offences across the ACT and NSW, putting the lives of community members at risk”. It also states:

The offenders faced a range of serious charges including firearms offences, burglary, take motor vehicle without consent, ride/drive in a stolen motor vehicle, drive at police, fail to stop for police and credit card fraud.

Minister, how many of the people arrested in this operation were granted bail?

**MR STEEL:** I do not have that information on me; so I will take that on notice.

**MR HANSON:** Minister, how many of those people arrested under Operation Oquendo II were subsequently rearrested under Operation TORIC?

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

**MR CAIN:** Minister, what systems are in place to monitor offenders after their arrest or rearrest?

**MR STEEL:** I will take that on notice. There may be also questions that go outside of the policing portfolio in relation to that as well.

### **Drugs—pill testing**

**MR DAVIS:** My question is to the Minister for Health. Minister, in August 2020, my colleague Mr Rattenbury moved amendments to a motion before the Assembly on drug harm reduction that saw the government commit to opening Australia’s first fixed pill testing site. I was delighted to see the CanTEST Health and Drug Checking Service open in July this year. Could the minister please give the Assembly an update on the clinic three months in?



**MS STEPHEN-SMITH:** I thank Mr Davis for the question. The CanTEST clinic has already demonstrated that it has proven to be a worthwhile addition. Of course, we will be undertaking an evaluation over the first six months of its operation.

I can advise the Assembly that in the first month there were 58 samples presented. Eighteen of those samples were discarded and 70 health and alcohol and other drug brief interventions were performed. In the second month there was an increase in activity, with 98 samples presented. Sixteen samples were discarded and 140 health and alcohol and other drug brief interventions were undertaken.

I think we can see from this data what we have said from the start. This is not just about pill or drug checking; it is an opportunity to have a conversation. It provides a safe space for people to come in, without judgement, and have their pills or other drugs checked, and to access peer support and professional advice about how they can access supports and treatment, if they need it, and how they can reduce the potential harm associated with drug taking.

In terms of the drugs that have been tested, overall, over the two months, 21 samples of expected ketamine were tested, with 11 actually detected. There were 53 samples of expected MDMA, with 43 actually detected; 19 samples of expected cocaine, with 16 detected; nine samples of heroin, of which all were in fact heroin; and seven samples of methamphetamine, of which six were detected.

**MR DAVIS:** Minister, how are we evaluating the clinic, and what are our metrics for success at the end of the six-month trial?

**MS STEPHEN-SMITH:** I will take the detail of that question on notice. Of course, we have commissioned the Australian National University to undertake the evaluation. That work is already underway in terms of working through the experience, based on the work that was done to evaluate the festival-based pill testing, which looked at the data, the findings from the testing, and also spoke to people who had actually used the pill testing service. Of course, the festival-based pill testing service was for a very short period of time. This will, I expect, produce much richer data in terms of the experience of people who use the service, both in relation to the drug checking aspect and in relation to the health and alcohol and other drug brief interventions, and what people did in following up on those.

This, I think, will give us a very strong indication about the extent to which this service is working to reduce the harms associated with the use of drugs—drugs that people were already intending to take when they brought them to the service. As we can see from the fact that people are discarding samples when they are either not what they expected or they have something unexpected in them, people are paying attention to the outcomes of this and they are using this service in the way that it was intended.

**MS CLAY:** Minister, how has the feedback you have received on the clinic so far been used to further refine and inform the ACT government's drug harm reduction approach in general?

**MS STEPHEN-SMITH:** I thank Ms Clay for the supplementary. I think it is a little bit early to say how the evaluation will inform our position going forward. As someone who—I will be completely honest about it—was not entirely convinced that this should be our number one priority in terms of alcohol and other drug services and harm reduction interventions, in looking at the results that we have seen so far, and particularly with that co-location of health and other intervention services, and creating that safe space, I think it has been very important. That will inform our potential approach to a safe drug use facility or drug injection facility.

One of the real advantages of that is not only preventing overdoses and being able to respond to those quickly, should they occur, in a safe environment, but also the opportunity that provides to offer a safe space without judgement for people to access other services and supports, and to work towards understanding the reasons for their drug use, which often are associated with adverse childhood events and trauma, and starting to feel safe to explore those reasons that they are using drugs in the first place.

Also, this has demonstrated that the ACT can lead the way in terms of being able to monitor substances that are identified, and identify new harmful substances. We are, of course, the first in Australia to identify this ketamine-like substance that has been dubbed “CanKet” by ANU scientists. This group has not identified a need for any public health alerts to date, based on the substances tested, but that could very well have been the case. I think that demonstrates again an additional value.

### **Dickson—nurse-led walk-in centre**

**MS CASTLEY:** My question is to the Minister for Health. Minister, I understand the staff at Dickson walk-in centre were redeployed to support COVID-19 efforts earlier this year. Some constituents have contacted us to express their concern that it has not reopened yet now that COVID mandatory isolation has ended and active cases are trending downward.

Minister, why hasn’t the Dickson walk-in centre reopened yet, and when will it reopen?

**MS STEPHEN-SMITH:** We have publicly announced that the inner north walk-in centre is expected to reopen on 24 November. The reason it has not opened more quickly than that is that Canberra Health Services is undertaking recruitment for staff—to continue to expand our walk-in centre services; and recognising that our walk-in centre staff have been working very hard, and we need to ensure we are not overloading staff and we can provide a full service when the inner north walk-in centre reopens.

As a local member for Kurrajong, I am very keen to see that walk-in centre reopening as soon as possible, but I also recognise that we have to ensure that our staff are able to be well supported. We want to ensure that we have sufficient staff on the ground to operate all five of our walk-in centres at full capacity once the inner north reopens.

**MS CASTLEY:** Minister, what was the rationale for temporarily closing the walk-in centre, rather than continuing with at least some level of regular walk-in service?

**MS STEPHEN-SMITH:** If walk-in centres are going to be an effective diversion from the emergency department, people need to have certainty about the opening hours. Obviously, we have had to reduce opening hours at Tuggeranong walk-in centre at periods due to staff shortages and consolidate our services. We tried to communicate that very clearly to the community—where Tuggeranong walk-in centre has been either closed or on reduced hours—but, even then, despite our best efforts, we were seeing people turning up to the walk-in centre expecting it to be open, finding it closed and having to be redirected.

As I said, if these walk-in centres are going to be an effective diversion from the emergency department, people have to have certainty: that if we say it is open from 7.30 am to 10 pm, seven days a week, 365 a year, it has to be open and it has to be able to support people. What we want to be able to do is provide that certainty of service. We were not able to do that with the pressures that our hospital system, like every other hospital system, was facing through COVID-19, and while operating the COVID-19 walk-in clinic at Garran surge centre.

Ms Castley has gone out in the media multiple times saying that we did not use the surge centre for anything and what was the purpose of it. Actually, it operated a very effective and very highly regarded walk-in centre for people who were positive to COVID-19. The staff were redeployed from the inner north to do that, and we needed to ensure that that service could also be operational.

**MS LAWDER:** My question is to the Minister for Health. Will the Dickson walk-in centre return to at least the same level of service or better than before it was temporarily closed?

**MS STEPHEN-SMITH:** Yes.

### **Economy—employment**

**DR PATERSON:** My question is to the Chief Minister and Treasurer. Chief Minister, now that we are midway through this term of the Assembly, can you please provide an update on the recovery of the labour market in the ACT.

**MR BARR:** I thank Dr Paterson for the question. I am pleased to advise we again have the strongest labour market in the country and this is a key driver for the territory's nation-leading population growth. For almost 12 months job vacancies in the ACT have significantly exceeded the number of unemployed people in the territory. Unemployment is low. We are at, or very close to, full employment. Today's *ABS Labour Force, Australia* data confirms the trend we have seen for some time now. The government is delivering on our commitment for the protection and creation of secure jobs for as many Canberrans as possible.

**DR PATERSON:** Chief Minister, could you please provide examples of initiatives in the 2022-23 Budget that will drive job creation in Canberra.

**MR BARR:** It is clear in the coming years that jobs and skills demand are going to be highest in health and the care economy, information communication technology, advanced manufacturing, education and training, and professional services. So the budget we passed yesterday invests in these areas. It sees a very large capital works program that will deliver infrastructure and create jobs in health, education, transport and housing. Through the budget we continue to deliver the Future Jobs Fund. This year's budget allocates funding to support jobs growth in our knowledge intensive sectors by supporting research commercialisation and capital funding, to support local innovators and entrepreneurs and drive business growth. A record \$126.3 million in funding is also provided in the budget to support apprenticeships, traineeships and vocational education, which brings the total recurrent funding for skills and training to more than \$180 million in 2022-23.

**MR COCKS:** Chief Minister, why have you not acted to address the severe labour shortages that are now being experienced across the ACT.

**MR BARR:** We have Madam Speaker. We will continue to invest in key services like education and training and health which will drive jobs growth in knowledge intensive sectors in Canberra. Areas where we have a competitive advantage. We are seeing confidence and investment in this sector. I want to highlight for Mr Cocks the new UNSW Canberra city campus as one example. It is a billion dollar project that will create a new defence and security innovation precinct which will complement the University of Canberra's health innovation precinct and the Australian National University's excellence in sectors like space and agricultural technology. Companies like Skykraft, Liquid Instruments and—

**Mr Cocks:** Point of relevance. Point of order.

**MADAM SPEAKER:** Mr Barr, please resume your seat. Point of order.

**Mr Cocks:** Thank you Madam Speaker. My question was very clearly in relation to labour shortages. The Chief Minister is going through a range of factors which—

**MADAM SPEAKER:** Of investment in shortages. It is in order. There is no point of order Mr Cocks. Mr Barr.

**MR BARR:** In case Mr Cocks was not listening, I just outlined a list of investments in our higher education sector that support and address skill shortages by providing opportunities in defence and security innovation, in health innovation and in space and agricultural technology areas. In all of which there are skills shortages. Companies like Skykraft, Liquid Instruments and QuintessenceLabs all began as research and development projects within our local tertiary institutions. The government will continue to invest in programs that enable more of our world class researchers and innovators to spin off and create new businesses and jobs for Canberrans. This in turn supports the growth and development of our higher education institutions, which obviously provides significant additional opportunity for skills

development in the territory. I would remind Mr Cocks of the second part of my answer to the initial supplementary question around the investment in apprenticeships, traineeships and vocational education.

### **Health—funding**

**MS CASTLEY:** My question is to the Treasurer. Former Labor Chief Minister Jon Stanhope and Khalid Ahmed revealed that the 2022-23 budget cuts health spending in real terms. They also explained that the ACT would have had an extra \$238 million for health if you had kept funding in line with the national average. Why have you underfunded the biggest domestic public policy challenge in Australia?

**MR BARR:** We have not. The funding cuts in health came from Tony Abbott and Joe Hockey in 2014.

*Opposition members interjecting—*

**MR BARR:** The commonwealth make grants to the territory that flow through the territory budget and are presented as the headline investments in health. You lot cannot walk away from the fact that the commonwealth used to fund 50 per cent of hospital funding. In that 2014 budget Tony Abbott and Joe Hockey slashed that back to a commonwealth contribution of only 40 per cent, and that cut is reflected in the total health budget for the territory because it is a shared responsibility.

The ACT government's funding for that comes from our own-source revenue, and our contribution to total health funding has not been cut. Only the commonwealth's contribution has been cut.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson!

**MS CASTLEY:** Chief Minister, why have you provided significantly less health funding than the national average since 2015-16, given the substantial unmet demand on Canberra's health system?

**MR BARR:** We did not. Health funding has increased in every budget.

*Opposition members interjecting—*

**MR BARR:** Health funding that is sourced from the ACT government as part of our responsibilities has increased. The only cuts have come from the federal government.

**Mr Parton:** A point of order, on relevance.

**MADAM SPEAKER:** Mr Parton.

**Mr Parton:** The question is not about the increase in funding here; it is about comparisons with the national average on health spending.

**MADAM SPEAKER:** It was in the context of ACT funding. Given that there is a point of order, I remind everybody: no noise. No interjections while somebody is on their feet. Mr Barr, do you have anything to add?

**MR BARR:** I have answered the question, Madam Speaker.

**MR CAIN:** Chief Minister, do you accept that it was your decision to provide significantly less health funding than the national average, which has resulted in health being the biggest public policy challenge we face?

**MR BARR:** No. The reason that we have a public policy challenge is the result of chronic underinvestment in the primary healthcare system that has been a commonwealth responsibility. The second biggest factor was the cuts to hospital funding by the Abbott and Hockey government in that 2014 budget. Malcolm Turnbull had to come back and repair part of that. He did half of it. The commonwealth lifted its share from 40 to 45 per cent, but it is still short of the 50 per cent funding that used to be provided by the commonwealth. Ultimately, this issue confronts every state and territory. But if the commonwealth is not prepared to invest in primary health care the costs then fall, in a more expensive way, on the hospital system. That is why the argument is there for more commonwealth investment in their principal area of responsibility: primary health care.

### **Housing—build-to-rent scheme**

**MS ORR:** My question is to the Chief Minister and Treasurer. Chief Minister, why did the ACT government release a build-to-rent prospectus?

**MR BARR:** I thank Ms Orr for the question.

**Mr Hanson:** Because you have broken the system.

**MADAM SPEAKER:** Mr Hanson, you will be warned.

**MR BARR:** The prospectus was designed to help encourage more private investment in large-scale build to rent. We are looking to significantly boost the supply of long-term rentals. These projects are multi-unit developments, where residential dwellings are retained by one owner and rented out long term. The build-to-rent model has the potential to provide long-lasting community benefits, with greater housing choice for tenants, by expanding access to high-quality, purpose-built dwellings in a stable rental environment.

A range of financial incentives will be considered for projects that include at least 15 per cent affordable rentals, including a lease variation charge discount and support for community housing, build-to-rent projects, land tax concessions and progressing build-to-rent projects on government owned land release sites such as the one on Northbourne Avenue that was released to market earlier. Also, the government will consider ongoing direct subsidies. The government is also considering what planning changes might be necessary to encourage appropriate build-to-rent development across the territory.

**MS ORR:** I have a supplementary question. Chief Minister, what does the government hope to achieve through the prospectus?

**MR BARR:** We aim to improve the rental market by delivering a large number of additional rental properties and more housing options for Canberra residents. Build to rent was identified in the ACT housing strategy as a mechanism to improve rental supply and affordability, and to provide more housing alternatives with long-term security for tenants.

There are currently around 50,000 homes rented in the territory. We are aiming to add at least 5,000 rental dwellings through the build-to-rent programs, and to increase the rental vacancy about the current historic lows. To achieve this, the prospectus is aiming to attract 10 to 20 large-scale investors who are going to hold, in a build-to-rent format, rental properties for 20 years and give tenants long-term leases.

**MR PETTERSSON:** Chief Minister, how does build to rent fit within the ACT housing affordability policy and targets?

**MR BARR:** By bringing build to rent to the ACT the government is looking to increase the number of private rental properties, increase housing choice and diversity for renters, with homes that are specifically built to meet the needs of renters and to offer opportunities for long-term tenure arrangements so that tenants can establish themselves as part of a community and personalise their homes.

The build-to-rent model offers quality homes that are designed to meet the needs of renters, offering a great place to live, longer rental periods, and greater security. Over the next five years the ACT government is endeavouring to add more than 30,000 dwellings to our total housing stock, and this includes a significant injection of build-to-rent projects. In doing so we aim to increase our rental vacancy rate.

### **Emergency services—workers compensation**

**MR MILLIGAN:** My question is to the Acting Minister for Emergency Services. Minister, I recently met with a constituent who has been suffering with PTSD that arose from services to the community in his role within the Emergency Services, and yet had to wait unreasonably long to have his claim approved. In 2019, the government moved to self-insure its workforce and partnered with a new claims manager. Minister, what has the government done to ensure the new claims manager is being held accountable for the time frames in which the claims are being processed?

**MR STEEL:** I will take the detail and that question on notice. I am not aware of that particular individual Mr Milligan referred to. I am sorry to hear about their circumstances. I am happy to provide some answers on notice in relation to Mr Milligan's specific question.

**MR MILLIGAN:** Minister Steel, what is the average time for a PTSD claim to be processed by the current claims manager from when they are submitted?

**MR STEEL:** I will take that on notice.

**MR COCKS:** Minister, what arrangements are in place to ensure first responders suffering from PTSD are not experiencing financial loss if and while they are unable to work but are waiting on the resolution of their claim?

**MR STEEL:** I will take that on notice.

### **Planning—ACT Planning System Review and Reform Project**

**MS CLAY:** My question is to the minister for planning. Minister, the planning review is underway and the community is awaiting release of the draft Territory Plan and district strategies. Will this revised system result in Canberrans getting what they need, where they need it?

**MR STEEL:** I thank the member for her question. It is a very broad question. I am not sure exactly how the actual minister for planning would answer that question. I assume that she is talking about specific things that the community might like to see in a new Territory Plan. I can inform the community and the Assembly that the government is currently considering the draft Territory Plan and draft district strategies, and we anticipate that they will be released soon for public consultation.

The consultation process will enable the community to be able to engage with them and make their own assessment about whether they think they meet the needs of the community. We will have a consultation process that will bear some similarities to that for the Planning Bill, which has already been out for consultation and has been introduced into the Assembly. We want to make sure that we are engaging with a whole variety of different members of the community to get their views on the new district strategies and draft Territory Plan.

There will be a significant amount of material for people to work through, as part of that process. We know that this is complex. One of the main objectives of the process will be to ensure that this is going to be an accessible process that is as easy to understand as possible, and that the material is as easy to work with as possible through that process.

We are currently finalising the details of how that consultation will occur. I am sure that the minister for planning is looking forward to releasing that for the community to see.

**MS CLAY:** Minister, will you structure these consultations so that they are well advertised, on named topics, there is plenty of time in each session for the community to ask questions, and sessions are recorded and put online?

**MR STEEL:** I thank the member for her question. The details about how the consultations will occur are currently being finalised. All information will be made available on the Your Say website as it becomes available. I imagine that there will be a range of different ways to engage with the government on this process. It is, as I said, quite a complex set of documents that will be released, but I think these are the documents that will put the meat on the bones of the new planning system. The



planning bill is one thing, but it is hard to contemplate how all of these things will work together until those draft Territory Plan documents and the draft district strategies are made available. We are looking forward to having a deep discussion with the community about those once it is released.

**MR BRADDOCK:** Minister, when will the district strategies and the Territory Plan be available for consultation?

**MR STEEL:** The answer is soon. I do not have an exact date. I certainly do not think it is within the standing orders to ask for an announcement of government policy in question time. Certainly, we are looking forward to those being available soon, once the government itself has had an opportunity to consider those draft plans. We are looking forward to engaging with the community on them.

### **ACT Heritage Council—Independent review**

**MS LAWDER:** My question is to the Acting Minister for Heritage. During estimates hearings we discussed the independent review into the ACT Heritage Council that was underway, and Minister Vassarotti said she was expecting to receive it by the end of September. Minister, has the review been received yet?

**MR RATTENBURY:** Unfortunately, whilst I am aware of the review taking place, I am not aware of whether the minister has received it yet. If she has, I imagine she is still processing it. It certainly has not been presented to cabinet, or anything like that. I will take the question on notice and provide the detail to Ms Lawder.

**MS LAWDER:** A supplementary question to the Acting Minister: will the review be released to the public?

**MR RATTENBURY:** I do not know if the minister has taken a decision on that matter yet. Let me also check on that and provide that on notice.

**MR MILLIGAN:** What changes have been taking place in the ACT Heritage Council since the suspension of the independent body in mid-August?

**MR RATTENBURY:** I am not aware of any changes that have taken place. The council was suspended; the minister had concerns about issues that were occurring in the way the council was operating, and that is why she commissioned this independent review. Obviously, she expected it to be done in a reasonably quick time frame, given the time line that Ms Lawder mentioned. I am not aware of any detailed changes. I believe it has been under suspension, but I will check that and provide the details to the member.

### **Roads—Jabanungga Avenue**

**MS CASTLEY:** My question is to the Minister for Transport and City Services. In response to question on notice 726 which I received on 8 April this year, you said that works on Jabanungga Avenue were “expected to commence in July 2022 and be completed by September 2022.” On 7 September, in response to another question on notice, you stated that “works are expected to commence mid-September and

completed by late January 2023.” Has work started on fixing the groundwater issues at Jabanungga.

**MR STEEL:** I am advised in relation to this matter there has been substantial subterranean water ingress into the road pavement in both Jabanungga Avenue and Tarra Place in Ngunnawal. The government has acted on this issue to both investigate the matter and make sure we have appropriate treatments being put in place that will address this address permanently. A tender for the rehabilitation works was advertised on 2 July and closed on 28 July. CB Excavations Proprietary Limited, which is a local contractor, has been appointed to undertake these rehabilitation works. Construction works are expected to commence early this month and take approximately three months to complete, taking into account we are in period of intermittent weather issues. We look forward to those works getting underway and being completed as soon as possible to ensure that pavement is restored in Ngunnawal.

**MS CASTLEY:** Minister, why has the construction time for this project been estimated to double from two months to four months, between those two questions on notice.

**MR STEEL:** I am happy to check the reasons why it has taken so long and to come back. It could be a range of different matters, potentially around procurement issues. I will come back to the Assembly and confirm what the differences are between those two dates Madam Speaker. The work will be getting underway with the contractor we have determined through the procurement process and I am looking forward to that pavement being restored. Hopefully it will deal with the long term issues arising from the water ingress into the pavement. We believe this has occurred through a natural source of water.

**MR MILLIGAN:** Minister, have any residents received reimbursements following investigations to their property.

**MR STEEL:** I am not exactly sure what Mr Milligan is getting at there. I am happy to take the question on notice and get a better understanding of what he is referring to and come back with any information I can in relation to it. We have been engaging with residents for some time in those streets. We most recently engaged with them through letterbox drop to let them know where things are at with the project, so they have the information they need about the works happening and they are confident we are getting on with the work of addressing this issue.

**Ms Castley:** On a point of order to the Minister, more with regard to properties—

**MADAM SPEAKER:** Is there a point of order?

**Ms Castley:** Yes.

**MADAM SPEAKER:** The point of order is?

**Ms Castley:** The point of order is that the question is about reimbursement to properties.

**MADAM SPEAKER:** That is not a point of order.

**Ms Castley:** Just to help. Relevance.

**MADAM SPEAKER:** The question asked he is taking on notice.

**Ms Castley:** I was just helping him with his question taken on notice.

**MADAM SPEAKER:** Perhaps you can do that offline, Ms Castley.

### **ACT Ambulance Service—fees**

**MR BRADDOCK:** My question is to the Acting Minister for Police and Emergency Services. Minister, ambulance fees in the ACT are close to \$1,000 a ride. These fees may result in delays to calling an ambulance and also cause financial hardship for vulnerable communities. Given that several other jurisdictions have waived these fees for individuals and funded the ambulance service through other mechanisms, can the minister tell us if the government is considering any other options to reduce ambulance fees?

**MR STEEL:** I thank Mr Braddock for his question about our Ambulance Service. The ACT government is committed to a well-funded Ambulance Service providing both treatment and transport. Mr Braddock is somewhat correct. I am not sure I would use the word “several”, but I can confirm that two jurisdictions do not levy fees or charges on patients for an ambulance in attendance or for transport. All other jurisdictions do have fees in place. The purpose of that is to help cover the costs of delivering these vital services to the community.

The ACT government is not considering, at this point in time, changes to that fee-charging model, which is needed to ensure that we have a well-funded system that delivers. But we also recognise that, whilst we have the highest proportion of Canberrans covered by private health insurance, which typically does cover ambulance fees, there are some people in our community who may struggle with the payment of those fees. Indeed, many of those people do not choose to necessarily use the Ambulance Service when they are experiencing a health issue that requires ambulance attendance.

There are a range of exemptions that are available for members of the community. I am happy to provide those to Mr Braddock. They are also available on the ACTAS website. They include people who are on a healthcare card; ACT school students who become ill on approved excursions; as well as where ambulance services are provided to a person in relation to performing a good Samaritan act; and ambulance services provided to the scene of an accident involving a motor vehicle on a road in the ACT where the vehicle is covered by the MAI— *(Time expired.)*

**MR BRADDOCK:** Minister, does the government have any evidence of people not calling an ambulance due to the cost?

**MR STEEL:** I thank the member for his question. I am happy to take that question on notice. I am personally not aware of it. I can understand why people might be

concerned about the cost, but there are a significant range of exemptions in place. We do not expect people to be thinking about the cost when they are calling an ambulance. If they need those services then they should call them. That includes for another person, if they are in need of the Ambulance Service. If the fee is charged, information on how they can pay the fee, and the exemptions and support that are available, is on the back of the notice for people to have a look at.

**MR DAVIS:** Minister, what are the risks, and the impacts on the public health system more broadly, if a Canberran delays calling an ambulance because of cost or fear of cost?

**MR STEEL:** We do not want anyone to not call an ambulance because of the cost. The Ambulance Service is there to support people who need it. There are a range of exemptions and supports available to those who struggle to meet the cost of that. A huge number of Canberrans have the ability to make a contribution towards the costs of delivering ambulance services and do take up private health insurance that has coverage of those costs. But we do recognise that some Canberrans will struggle with that, which is why such a significant range of supports and exemptions are available. I encourage Canberrans to have a look at those when assessing whether they need to get covered.

### **Health—drug and alcohol programs**

**MR PETTERSSON:** My question is to the Minister for Health. Minister, how is this year's ACT budget enhancing the delivery of harm minimisation services to vulnerable and at-risk Canberrans?

**MS STEPHEN-SMITH:** I thank Mr Pettersson for the question and acknowledge his ongoing and consistent advocacy in relation to people who use alcohol and other drugs, and for more health services for some of our most vulnerable community members. I am pleased to advise members that the 2022-23 budget includes almost \$6.5 million to boost alcohol and other drug treatment and support services, as part of a \$13 million investment in harm minimisation initiatives.

The Barr government investments are based on evidence, expertise and experience—listening to those with lived experience and those who deliver the services, to ensure that we continue to lead the nation, not just with accessibility of services but with innovative approaches to protect the community. Of course, as we continue to progress with our nation-leading decriminalisation reforms, we have heard the call for appropriate treatment to be available to support those who may be willing to engage in treatment, particularly once the stigma of their drug use has been reduced.

We have heard, from a range of families, that finding appropriate support for themselves or a loved one struggling with a substance use disorder can be challenging. That is why we are funding a new support service for families and carers of those experiencing problematic alcohol and other drug use, and a specific methamphetamine treatment service. We have listened to and responded to concerns from both the community and law enforcement about the increasing challenges presented by methylamphetamine. While the ACT has the lowest rate of recent use of methamphetamine, and it has been steadily declining for over 20 years, we also know

that we can do more to support those who are addicted to it by funding an increase in multi-disciplinary clinical staffing capacity in community based settings for methamphetamine treatment. This will enhance integrated services for methamphetamine dependence and co-occurring physical and mental health problems.

**MR PETTERSSON:** Minister, can you please outline how this year's budget delivers services now and invests in the future of our community alcohol and other drugs sector?

**MS STEPHEN-SMITH:** I thank Mr Pettersson for the supplementary question. He is right; this budget not only boosts services this year, but continues our planning for the future of the alcohol and other drugs sector in the ACT. As Mr Pettersson knows, and for the information of members, we currently invest more than \$26 million every year in the alcohol and other drugs sector, but we are also delivering a plan for the future. This includes a plan to redevelop the Watson health precinct, including establishing the ACT's first Aboriginal and Torres Strait Islander-specific alcohol and other drug residential rehabilitation facility at the Watson health precinct.

It was only two weeks ago that I was with Julie Tongs, from Winnunga Nimmityjah Aboriginal Health and Community Services in Adelaide, at the health ministers Aboriginal and Torres Strait islander roundtable—a roundtable that I supported and advocated for in a national effort to reinstate—that was last held in 2018. This was an opportunity to present some of the innovative approaches that the ACT is leading, including delivering Aboriginal community-led health care in the Alexander Maconochie Centre. This project, in partnership with the Aboriginal and Torres Strait Islander residential rehabilitation facility, is another example. The \$3 million investment in this year's budget, which I announced in late July at the Watson site, will support the detailed design and planning work for this facility, as well as the redevelopment of the existing Ted Noffs and Catholic Care facilities.

It was a pleasure to be out at the Watson site on that day to hear from Lachlan Dean from Ted Noffs on the amazing work that they do and the excitement that they have for how transformative their co-designed new facility will be to help young vulnerable Canberrans get their lives back on track. It will be transformative for young Canberrans struggling with alcohol and other drug issues, with a new purpose-built facility to care for them and support them on their journey.

**DR PATERSON:** Minister, how does this budget build on the success of the first drug strategy action plan and the government's multi-year investments to better support those who need it most in our community.

**MS STEPHEN-SMITH:** I thank Dr Paterson for supplementary question, and for highlighting the ACT government's nation-leading approach to harm minimisation over a number of years. The first ACT drug strategy action plan included 43 actions, of which the government completed or partially completed 42—this during a period that was impacted by COVID-19. We could only achieve this through our excellent partnership with what I think is the best community alcohol and drug sector in the country and the Barr government's significant additional investment of more than \$32 million in new alcohol and other drug treatment and harm reduction services over the life of the first drug strategy action plan.

Our deliberate, considered, nation-leading approach to harm minimisation is being continued through this budget and through the next ACT drug strategy action plan, which is currently out for consultation. As I said earlier, this budget invests more than \$13 million across the range of harm reduction initiatives, meaning that the government is now investing more than \$26 million a year to deliver more care, more support and more services for those who need it.

One of the other key initiatives that will deliver for some of our most vulnerable and provide them with the tools to flourish in life is the transition of the Ngunnawal Bush Healing Farm to a residential model of care. Following the finalisation of the healing framework earlier this year, the next step will be to begin the transition and enhance the excellent culturally appropriate care that uses a therapeutic community approach, traditional health concepts, cultural programs and life-skills training to tackle underlying social and emotional issues. This initiative is just one more example of how the Barr Labor government invests in innovative targeted services to support some of our most vulnerable community members.

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

### **Supplementary answer to a question without notice**

#### **Work health and safety—wall shoring collapses**

**MS CHEYNE:** On Tuesday I committed to Mr Parton to provide further information by the end of this week about the inspections that Access Canberra have undertaken on other sites since the Dickson site collapsed on 11 October. I would like to take the opportunity to also provide the update that I flagged in my ministerial statement on the same day.

To Mr Parton's question: since 11 October, Access Canberra have so far undertaken preliminary site inspections to determine the stages of construction on 44 other sites where their data has indicated construction associated with deep excavations is underway. Initial attendance at the Dickson premises by Access Canberra inspectors was at 10.45 am on Tuesday 11 October, when inspectors issued the stop notice prohibiting all building work from being carried out except the directed remedial works. Access Canberra officers have attended the Dickson premises on five occasions since the wall collapsed.

As that investigation is ongoing, Access Canberra are unable to provide details on defects or other issues at that site. Access Canberra's initial stop work notice and emergency rectification order have identified issues that required immediate interventions to protect the safety of any persons at the premises and occupants in the adjoining land which have been affected by the building works.

More broadly, there were 149 proactive onsite construction inspections undertaken during the period 1 July to 13 October this year. This is in addition to administrative audits and covers compliance inspections of low-, medium- and high-rise buildings, as well as energy efficiency inspections.

Responses to the registrar's letter to class A builders continue to be received. All responses are due by close of business today. Following this the registrar will be able to further prioritise regulatory responses. Access Canberra is continuing its focus on medium- and high-rise building activities.

## Papers

**Madam Speaker** presented the following paper:

Committee Reports—Schedule of Government Responses—Tenth Assembly, as at 19 October 2022.

**Ms Cheyne** (Acting Manager of Government Business) presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—No 4/2022—Governance arrangements for the planning of services for Parkwood, Ginninderry—Government response.

Early Childhood Legislation Amendment Act 2022 (VIC) Parts 5 and 7, together with an explanatory statement.

Environment, Climate Change and Biodiversity—Standing Committee—Report 4—*Inquiry into renewable energy innovation in the ACT*—Government response.

Justice and Community Safety—Standing Committee—Report 7—*Report into the Inquiry into Petition 32-21 (No Rights Without Remedy)*—Government response, dated October 2022, together with a tabling statement.

Procurement Reform Program 2022.

Water Resources Act, pursuant to subsection 67D(3)—ACT and Region Catchment Management Coordination Group—Annual report 2021-22, dated September 2022, together with a statement.

## Procurement—reform program

**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) (2.58): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Procurement Reform Program 2022.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (2.58): I am very pleased to present to the Assembly an overview of the government's Procurement Reform Program for tabling. Each year, the ACT government spends close to \$1.5 billion on procurements that support the delivery of quality public services, infrastructure, economic growth and

community wellbeing. Canberrans expect procurements to be consistent with community values, achieve value for money and be conducted with transparency, fairness and rigour.

Drawing on the recommendations of a range of reviews and audits, including the self-initiated review by Renée Leon, as well as contemporary best practice in government procurement and broad-ranging consultation with key stakeholders, the ACT government has commenced work on a comprehensive procurement reform program.

The ACT government procurement framework is governed by the Government Procurement Act 2001 and the associated regulation. A review of the legislation has already commenced, with a view to ensuring that it continues to meet contemporary needs and supports innovation. The ACT government will also streamline our procurement policies and templates to ensure that they continue to meet our procurement values and our international trade obligations efficiently and effectively.

Over the next three years, the government will embark on a procurement reform program with three key commitments: increasing transparency, streamlining processes and providing greater support. The Procurement Reform Program will transform ACT government procurement to ensure that we deliver these key commitments.

The program will be implemented progressively to 30 June 2025 to deliver a framework for efficient, effective and accountable business outcomes, and meets the policy objectives of government and strengthens procurement practices across the ACT public service. The program has an associated work plan that supports the implementation by identifying a suite of actions for delivery in the immediate, short, medium and long term.

I am pleased to inform members of the Assembly that the ACT government has delivered the immediate actions under the reform program's first milestone of 30 September 2022. Recognising that procurement is a specialised skill, the ACT government's procurement workforce will be supported by the release of an ACT government procurement capability strategy, which will uplift the capability of those undertaking and supporting procurement.

Investing in our procurement workforce makes the ACT government an employer of choice for procurement professionals, allowing us to attract and retain talented and highly skilled officers. A skilled and connected workforce that can respond to new and emerging trends in procurement is critical to ensuring that procurement is managed consistently, effectively and to the highest of standards.

The capability strategy delivers a series of actions through learning and qualification requirements, which will embed the requisite skills, performance and professional development of the procurement workforce. As part of this, work will be undertaken to ensure that the Procurement ACT workforce is appropriately positioned to provide capable, customer-focused systems and service and support for the full range of contemporary procurement options, in accordance with the tiered service delivery model. This will help our public service make evidence-based procurement decisions which are conducted with probity and can withstand scrutiny.



As part of this, I am pleased to announce that the ACT government has now released an accreditation program to ensure that directorates and agencies undertaking goods and services procurement are properly supported to make good procurement decisions. The accreditation program provides a robust evaluation process that is supported by an independent governance body to review each territory entity's capacity and capability to manage its procurements.

The accreditation program is aligned with the scale, scope and risk of the procurement to ensure that high-risk and high-value procurements are provided with additional centralised support. The accreditation program allows territory entities to seek the highest level of accreditation as a lead buyer for categories of procurements. This will help the ACT government to maximise its buying potential and expertise.

The government will be piloting the accreditation program and working with territory entities to commence development of the governance and infrastructure to support the program. The pilot will be used to shape the accreditation program, ensuring that all procurements are supported—from planning right through to contract closure. The pilot will include territory entities that are frequent procurers, as well as smaller territory entities. This ensures that, once fully rolled out, no procurement is left behind and the tiered support services are sufficient, regardless of the accreditation level.

We have also delivered a tiered service delivery model which provides enhanced services to support procurement. This includes additional advisory services to provide specialised support and advice on probity and contract management, to ensure that territory entities are supported in their procurements right through to managing their contracts. The new tiered services also give confidence to delegates that their procurement processes are being managed in accordance with the procurement framework.

As work continues, I look forward to updating the Assembly on how the tiered services delivery model and the accreditation program can be applied across all categories of procurement.

The government has also released a road map to support the development of work to deliver an end-to-end procurement ICT system for the ACT government. Integrating our procurement ICT systems to enhance our data analytics capabilities will provide the evidence base required to inform new procurement decisions, track our policy objectives and measure the success of our procurements and contracts.

These are important first steps, and we are building upon the benefits that have already been provided to government and those who are tendering for ACT government contracts. Through to 31 December this year, procurement reform will focus on operationalising and the implementation of these first steps, and will begin further development and review of our procurement legislation and policies.

The procurement capability framework will also be operationalised to identify the capabilities required for all levels of the ACT government's procurement workforce, aligning with the ACT public service's capability frameworks. It is intended for use by those undertaking procurement and contract management activities as part of their

role, and it will be supported through an enhanced sweep of appropriate training for the procurement workforce.

We are also supporting the development of the ICT solution. To enhance existing procurement data analysis capabilities, the whole-of-government procurement unique identifier will be introduced to allow for procurement and decisions to be tracked from inception right through to the end stage. We are hoping that that will improve compliance as that ICT system is implemented, with open and transparent access to government information through more detailed, accurate and real-time procurement information. The increased transparency, compliance and supplier engagement offered by the ICT solution will also assist Procurement ACT in addressing other key priority areas through procurement policy, procurement processes and enhanced data and analytics, to inform measures and track outcomes.

In addition to these measures, the ACT government will also deliver a panel management policy which will ensure that, as we set up our standing offer or panel arrangements, as well as cooperative arrangements with other jurisdictions, there is consistency and clear governance. The policy will also allow us to manage these arrangements with fairness and transparency, to pursue value for money for the territory by leveraging the buying power of the ACT government.

The policy will also ensure that there is equity in supplier selection and facilitate more frequent refreshing of arrangements, which will allow new entrants to market to reap the benefit of joining our panels. A supplier feedback mechanism will encourage high performance and ensure that any concerns are addressed early.

The ACT government will continue to review our procurement processes so as to identify opportunities to streamline our processes and ensure that they are efficient and effective and deliver timely outcomes. We will also complete the review of the Government Procurement Act 2001 and the associated regulation to ensure that our legislation is fit for contemporary needs and supports our policy objectives.

In 2023 we look forward to finalising the changes to our legislation and undertaking a review of procurement related policies to ensure that they align and support the ACT government's procurement values. The ACT government will continue to build on our procurement capability through the adoption of a procurement capability framework, as well as supporting the workforce to meet those needs and further enhance our professional development opportunities.

Aligning with the recommendations of the Auditor-General's Inquiry into the Campbell Primary School Modernisation Project, the ACT government will finalise a template improvement process to simplify and consolidate all procurement templates.

One important objective of procurement policy is that it must be balanced with other objectives to ensure that doing business with government is as easy as possible. I am pleased that the work of the Better Regulation Taskforce is informing our work on procurement reform. Following the recommendations of the Better Regulation Taskforce to support our local businesses, a dedicated supplier portal has been developed and released ahead of schedule on the Procurement ACT website. This

to find opportunities to work with the ACT government and how to stay informed. portal provides a step-by-step guide on how to work with the ACT government, how to stay informed. (*Extension of time granted.*)

This portal was scheduled for delivery on 31 December 2022, and I am pleased to say it has been live since early July. On 29 September 2022 we released e-learning modules, in consultation with the Canberra Business Chamber and the Canberra Indigenous Business Network, to support suppliers to access the ACT government's e-tendering platform and to better understand how to tender for work with the ACT government. Importantly, small to medium enterprises and Canberra region businesses will receive practical tips on tendering success. These modules form the first in a series of innovative enhancements that the ACT government will make to continue support for local businesses. Over the coming months more modules and guidance material will be developed and delivered through the supplier portal.

A review of our existing standing offer arrangements is underway to identify opportunities to extend the coverage and use of these arrangements, benefiting not only the ACT government but also our suppliers. We have released a road map to support the development of work to deliver the ICT system and we are continuing to develop work on that solution, which will also support local businesses.

In the interests of time, I will conclude by saying the Procurement Reform Program is continuing to support increased transparency in government expenditure while helping our economy and our community. It provides more opportunities for industry and local businesses to work with the ACT government. An early priority has been to support businesses as they recover from COVID-19. The launch of the supplier portal ahead of schedule kickstarts this support for businesses, as well as various enhancements to the portal which will be continued into the future and delivered in the coming months.

Members of the Assembly and the public can stay informed on the progress of the important work that we are undertaking under the ACT government's Procurement Reform Program, on the Procurement ACT website, where a dedicated webpage has been established to track progress on the implementation of the program.

Question resolved in the affirmative.

## **Justice and Community Safety Committee—report 7—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) (3.11): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Justice and Community Safety—Standing Committee—Report 7—*Report into the Inquiry into Petition 32-21 (No Rights Without Remedy)*—Government response.

The ACT government is committed to building and strengthening our culture of human rights across government and the broader community. The Human Rights Act 2004 was the first legislative bill of rights in Australia. It enshrines a range of fundamental human rights drawn from the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights.

In late 2021, Dr Paterson tabled the No Rights Without Remedy petition in the Assembly, calling for amendments which would enable a complaint about a breach of the Human Rights Act to be made to the ACT Human Rights Commission, for confidential conciliation. The petition further proposed that, if conciliation is unsuccessful, amendments be made that would enable a complaint about a breach of the act to be made to the ACT Civil and Administrative Tribunal, ACAT, for resolution.

The Standing Committee on Justice and Community Safety considered these proposals through an inquiry, which concluded in June. The government made a written submission to that inquiry, and I appeared before the public hearings. The committee made one recommendation in its final report: that the government support and enact the terms of the petition. Today I am tabling the government response to that report.

In doing so—and while I am loath to bury the lead—I first wanted to reflect on the broader context within which the petition has been brought. It is important to note that the ACT currently has a robust system for individuals to enforce their human rights. Our Human Rights Act was the first, and remains the only, human rights statute in Australia to include a stand-alone cause of action for a breach of human rights obligations by a public authority. A person may start a proceeding in the Supreme Court against the public authority if they claim that a public authority has acted in contravention of their obligations under the act. A person may also rely on their rights under the Human Rights Act in other legal proceedings—for example, in proceedings in the ACAT.

The Supreme Court action, in particular, is a powerful tool to enforce, uphold and embed human rights across government. But, as petitioners and many who wrote submissions to the inquiry have raised, beginning proceedings in the Supreme Court for purported human rights breaches is not accessible to many in our community due to the associated costs and formality.

As part of our continuing work to strengthen human rights in the ACT, we have also expanded the Human Rights Commission's complaints handling jurisdiction. It has grown from discrimination complaints, complaints about health services, services for children and young people, services for people with a disability, and services for older people. We have added new jurisdictions to enable complaints about the abuse and neglect of vulnerable people, prohibited conversion practices, victims' rights complaints, and rental and occupancy agreements. This has enhanced the capacity of the commission to resolve concerns, improve services and support vulnerable people in the community.

Human rights issues are also already considered indirectly through the Human Rights Commission's complaints handling jurisdiction. Where the respondent to a complaint is a government agency or public authority, the Discrimination, Health Services, Disability and Community Services Commissioner is currently able to consider the human rights obligations of those organisations in seeking to resolve complaints and in making recommendations for service improvements. The commission also applies a human rights lens in commission-initiated considerations about a range of government services.

The proposals in the petition, and recommended by the committee, are part of the ongoing dialogue between government and the ACT community about how we can continue to strengthen our human rights legislation. While the current system is robust, there is merit in the proposal brought forward through the petition and considered by the committee.

I welcome the committee's report and am pleased to present the government's response, which agrees in principle to the committee's recommendation. The government is agreeing in principle to the committee's recommendation but, in doing so, can I reflect again importantly that the recommendation encompassed two connected but separate elements, which I will now respond to in more detail.

In separating out these elements, I wish to advise that the government agrees to the first proposal: to enable a complaint about a breach of the Human Rights Act to be made to the Human Rights Commission for confidential conciliation. The government will immediately commence work towards developing legislation to this end. To support that development, and recognising the strong community interest in this reform—and can I take this moment to recognise a number of our key advocates in the gallery today, as well as the President of the ACT Human Rights Commission—we intend to consult on this reform in the first half of 2023.

The ACT Human Rights Commission plays an important role in promoting and upholding human rights in the ACT, and the addition of this new complaints jurisdiction will enhance the commission's valuable role. This reform will fill the identified need and provide significant benefit to the ACT community.

The government agrees in principle to the second element of the recommendation: that, if conciliation is unsuccessful, complainants are able to take their complaint about a breach of the Human Rights Act to the ACAT. We recognise that there are benefits to introducing this pathway to the ACAT. However, there are also a number of complexities and resourcing implications which would need to be resolved before it is established. The government considers that it would be optimal to undertake this work to address the complexities and quantify the required resourcing once the commission's human rights jurisdiction has been operational for a period of time. Taking this staged approach will enable the consideration of how complaints are arising and being dealt with in the ACT under the new complaints mechanism.

The petition and subsequent inquiry have provided an important avenue to consider opportunities for enhancing the Human Rights Act. I would like to again warmly

thank all individuals and organisations who championed and signed the petition and made submissions to and provided evidence to the inquiry to inform consideration of the No Rights Without Remedy proposals. This ongoing engagement with our human rights legislation is a positive and welcome sign of the mature human rights culture in the ACT.

The government's response and our commitment today both complements our existing systems and strengthens our human rights legislation. I am proud that this announcement today confirms the government's commitment to creating a new pathway for human rights complaints to be made to the Human Rights Commission, and that, once that pathway has been in process for a period of time, we will be better placed to understand the complexities and resourcing implications of the ACAT element and pursue that as appropriate.

These are important reforms, and I am looking forward to getting to work on them, in partnership with our community advocates. I commend the government response to the Assembly.

**DR PATERSON** (Murrumbidgee) (3.19): I want to speak very briefly to the minister's motion and say that I am very, very glad to hear that the government is moving to create a more robust human rights jurisdiction in the ACT. As the minister said, I sponsored the original petition that came to the Assembly, and I would like to thank everyone who signed that petition and participated in that campaign. There was a lot of groundwork done, and I highly commend the petitioners on that work.

I was also a member of the JACS committee that conducted an inquiry, and I again thank all the people who gave evidence and submissions to that inquiry, because today we have a really great result in seeing a strengthening of our human rights jurisdiction here in the ACT. I look forward to hearing the next steps in the government's consultation and seeing the legislation introduced into the Assembly.

Question resolved in the affirmative.

### **Canberra Health Services—Department of Paediatrics Organisational and Service Plan 2021-2023**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (3.21): I present the following paper:

Resolve Health Advisory—Department of Paediatrics Organisational and Service Plan 2021-2023—Version 2.2—Final for release.

I seek leave to make a statement in relation to the paper.

Leave granted.

**MS STEPHEN-SMITH:** An external review of Canberra Health Services paediatric services was finalised in 2021. Resolve Health Advisory conducted this review across

an eight-week period with stakeholder consultation, to understand issues and identify causes of those issues and the potential solutions.

The purpose of the review was to provide a three-year plan with actions to be implemented to ensure that the paediatrics department at Canberra Hospital delivers on the vision of creating exceptional health care together. A detailed working document was produced by Canberra Health Services, known as the *CHS Department of Paediatrics Organisational and Service Plan 2021-2023*.

In the Assembly on 21 September 2022, I outlined that work would be undertaken to look at what we could release out of that review. I have now tabled a copy of the executive summary and main body of the review that has been de-identified, and with sensitive internal CHS working information removed.

I am committed to ensuring transparency, and I want to again reassure the ACT community that the ACT government takes seriously its role in caring for children and young people. That is why this work was commissioned—to deliver on the vision of creating together exceptional health care.

CHS has commenced key actions from the review, including governance realignment of paediatric neonatology and clinical support functions. A senior project leader has been recruited to oversee the implementation and ongoing monitoring of the plan. This senior role continues to oversee key projects for the division of women, youth and children.

Significant actions to date have included the realignment of the paediatric surgery specialty, and the appointment of an assistant director of nursing, ADON, for paediatrics, to enhance operational and strategic leadership within paediatrics and neonatology.

Committees and working groups have also been established, or were already set up, tasked with undertaking work as part of implementing the findings of the review. For example, I have outlined previously in the Assembly the considerable work that has been undertaken by the care of the deteriorating child working group, to ensure that the care of unwell children is formalised, effective and appropriately networked with New South Wales.

In the 2022-23 ACT budget, more than \$4.8 million has been appropriated to increase specialist health services for children and young people, and there is more than \$16 million to increase the number of allied health professionals across Canberra Hospital, which will support multidisciplinary teams and include expanding service provision in both the Canberra Hospital and the Centenary Hospital for Women and Children.

In the 2021-22 ACT budget, \$6.4 million was invested to implement patient navigation, starting with a paediatric liaison and navigation service, now known as PLANS, which has been developed with the Health Care Consumers Association and has now commenced delivering services with families.

As part of the \$50 million expansion of the Centenary Hospital for Women and Children, a new model of care has been developed for the adolescent unit. A new model of care is also being developed for a paediatric short-stay unit, to enhance the journey for paediatrics. This unit will have eight beds and cater for children who need an admission that is projected to be for less than 24 hours.

The CHS Gender Service is being developed to provide interdisciplinary support in the ACT and surrounding regions for children, young people, adults and their families with gender concerns or gender dysphoria.

A governance redesign and overarching model of care for enhanced health services to deliver multidisciplinary, collaborative and integrated services for women, children and families experiencing complex health and psychosocial issues, including child abuse and neglect, family violence and complex trauma, was endorsed in July 2022.

As part of the \$624 million Canberra Hospital expansion project, the ACT government has invested in the establishment of a level 1 paediatric intensive care service and capability, and an expanded paediatric emergency department within the new critical services building. There will be four dedicated paediatric beds in the new intensive care unit and a dedicated paediatric stream in the emergency department that will include a separate waiting area and courtyard. Construction on the critical services building is due to be completed in 2024.

On 8 August 2022 the ACT Health Services Plan 2022-30 was launched, which outlines an eight-year road map for improving the way our health services work together in the ACT. The ACT Health Services Plan provides direction for more detailed health system planning for children and adolescents, through a child and adolescent clinical services plan.

I recently announced the formation of the Child and Adolescent Clinical Services Expert Panel, which will bring this work together with other reviews and initiatives to ensure that all recommendations remain relevant and to monitor progress. I will shortly be in a position to announce the full membership of the expert panel, but I can say that it will be independently chaired by Professor Michael Brydon OAM, a leading child health expert who was previously Chief Executive of the Sydney Children's Hospitals Network and has already provided independent expertise on key ACT government projects, including the First 1000 Days or Best Start strategy.

Finally, in June 2022, independent assessors from the Australian Council on Healthcare Standards, with significant expertise in healthcare delivery, governance, leadership and administration, assessed Canberra Health Services as an organisation against the eight national safety and quality health service standards. This included an assessment of paediatric services and the work being undertaken as a result of the review. The assessment found that CHS had met all of the standards, including the comprehensive actions underpinning those standards that ensure health services are delivering safe, quality care.

I am pleased to be able to table this report in the Assembly today. I apologise to colleagues that we were not able to include it on the list of papers that was circulated. I thank the Assembly for their indulgence in enabling me to make a statement today.



## **Integrity Commission Amendment Bill 2022 (No 2)**

**Mr Cain** on behalf of **Ms Lee**, by, leave, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

**MR CAIN** (Ginninderra) (3.28): I move:

That this bill be agreed to in principle.

Today, I present the Integrity Commission Amendment Bill on behalf of Ms Lee. This is a very important piece of legislation. It would begin the process for the ACT Integrity Commission to be recognised under the commonwealth Telecommunications (Interception and Access) Act 1979. Recognition under the commonwealth act would enable the Integrity Commission to apply for telecommunications interception warrants, and therefore conduct comprehensive investigations in response to allegations of corruption and maladministration.

This is something that the Integrity Commissioner has been calling for since the organisation's first annual report in 2019-20. The commissioner has also made the same request in subsequent annual reports and Assembly committee hearings. During the recent estimates hearings in August 2022, the commissioner said:

The difficulty is that I have investigations now that I need telecommunication interception powers to conduct properly.

This bill is the first of three steps required to remove this impediment to the commissioner's ability to conduct investigations. Should this bill pass the Assembly, the next step would be for the Integrity Commission to make a submission to the commonwealth Minister for Home Affairs requesting recognition under the commonwealth act. The final step would be for the commonwealth parliament to amend the commonwealth act to include the ACT Integrity Commission as an eligible authority.

Although there are some steps involved here, this is too important to wait any longer for the ACT government to address this current shortcoming in the integrity legislation. I point out that the law enforcement and integrity bodies of all states and territories of Australia are recognised under the commonwealth act except for Tasmania and us here in the ACT. We in this Assembly must act now on integrity.

This bill would insert a new division into the Integrity Commission Act 2018 comprising four subdivisions. These impose obligations on the Integrity Commissioner, the Inspector of the Integrity Commission and the Speaker per the commonwealth act.

Proposed new subdivision 3.5.4A.1 provides new definitions in line with the commonwealth act and states:

The object of this division is to enable the commission to intercept telecommunications, in accordance with the Commonwealth Act, for the investigation and exposure of corrupt conduct.

Proposed new subdivision 3.5.4A.2 addresses the role of the Inspector of the Integrity Commission in relation to telecommunications interception warrant applications. It also imposes obligations on Integrity Commission investigators to provide specified information to the inspector when applying for warrants.

Proposed new subdivision 3.5.4A.3 describes the recordkeeping obligations, including information security requirements of the Integrity Commission in relation to telecommunications interception warrants. Under this proposed subdivision, the Integrity Commissioner must also provide written reports to the Speaker, and the Speaker must provide copies of those reports to the commonwealth minister.

Proposed new subdivision 3.5.4A.4 details the obligations of the Inspector of the Integrity Commission in relation to the routine inspection of telecommunications interception warrant records and subsequent reporting requirements. The inspector must inspect records at least twice per financial year and provide at least one report regarding these inspections per financial year to the Speaker.

The inspector may report to the Speaker at any time about results of an inspection and must do so if requested by the Speaker. The inspector may also report to the Speaker at any time regarding contraventions under this subdivision by the Integrity Commissioner or a staff member of the Integrity Commission.

The inspector has the power to obtain information from a staff member of the Integrity Commission. The inspector may also provide information to the Commonwealth Ombudsman if it relates to the performance of their functions under the commonwealth act.

Proposed new subdivision 3.5.4A.5 obliges the Speaker to provide reports received from the inspector to the commonwealth minister and also makes it an offence to unlawfully disclose information received under the new division created by this legislation.

I understand that there would, of course, be some concerns from the community about privacy. Let me emphasise the strength of the oversight mechanisms that I have just described. The bill is about the oversight and reporting obligations for the Integrity Commission, the Inspector of the Integrity Commission and the Speaker of the Legislative Assembly in relation to telecommunications interceptions.

The actual interception powers themselves are granted through the commonwealth legislation, which has been commonwealth law since 1979. These checks and balances are very robust. For example, the Integrity Commission can only apply for an interception warrant from an eligible judge or Administrative Appeals Tribunal member, and a copy of the application must be provided to the Inspector of the Integrity Commission.

The Integrity Commission must keep secure records of warrants and warrant applications, and the Inspector of the Integrity Commission can inspect them at any time. The Inspector of the Integrity Commission must also inspect the records at least twice per year and provide reports on the result of the inspections to the Speaker of the Assembly. The Speaker of the Assembly must then provide these reports to the commonwealth minister.

Imposing these checks and balances is mandatory for the Integrity Commission to be recognised under the commonwealth legislation. I would also like to point out that strong oversight systems like this are mandatory for the police forces and integrity commissions of other states and territories that have these powers.

In fact, when asked about this bill, former New South Wales Judge and Chair of the Centre for Public Integrity, the Hon Anthony Whealy KC, said on ABC radio earlier this week:

Whether it's integrity agencies trying to uncover corruption or police agencies or crime commissions trying to uncover and unravel criminal conspiracies of the most serious kind, I think it's generally accepted, even by the community.

He also said:

Provided these powers are used responsibly and properly, they are necessary.

I have every confidence that this bill puts in place the necessary checks and balances on the Integrity Commissioner's ability to exercise telecommunications interception powers, because it is a requirement for recognition under the commonwealth act.

I am aware that Ms Lee has consulted closely with the Integrity Commissioner to ensure this bill is fit for purpose, and will continue to do so. Ms Lee welcomes comment from any member of the Canberra community or any colleagues in this place regarding the bill. I know she is looking forward to working with all of you to strengthen public integrity in the ACT. I commend this bill to the Assembly.

Debate (on motion by **Mr Barr**) adjourned to the next sitting.

## **ACT Policing—acknowledgement**

**MR HANSON** (Murrumbidgee) (3.38): I move:

That this Assembly:

(1) notes that:

- (a) ACT Policing has faced a particularly challenging few years with bushfires, COVID-19, and protests; and
- (b) front-line policing is often dangerous, difficult and stressful work;

(2) further notes that 29 September 2022 was National Police Remembrance Day; and

(3) thanks and commends ACT Policing members for the vital work they do for the ACT community.

This motion today is a simple, straightforward one—that is, to commend ACT police for the tireless work that they do for our community, and to offer our thanks, formally, from the Legislative Assembly, for the people of the ACT.

As we know, police undertake difficult and often dangerous work, and they do so day and night, week after week, year after year. It is remarkable just how much our police have had to deal with in the last few years. There were the bushfires, which shocked many of us and strained every resource available. We then rolled straight into an unprecedented pandemic, with police on the front line.

It is safe to say that, for some years, the ACT's thin blue line has been stretched very thin indeed. That was exposed even more when we looked at annual reports, as was discussed in question time, that showed that, in the last decade, police numbers have actually declined in the ACT whilst the population has gone up by 70,000.

Indeed the strain on our police force was brought to a head at the very height of the pandemic. It was reported at the time that “police officers have been brought to tears and have taken to sleeping in their cars out of fear of bringing COVID home to their families”.

Australian Federal Police Association President Alex Caruana said members in high-risk environments, such as attending anti-vaccine protests and assisting with quarantine transports, were suffering because they did not want to go home and risk infecting their loved ones. He said:

We've had members that are sleeping in their cars or have made makeshift humpies in their backyards ... and still go to work the next day to protect the community.

That is service, that is dedication, and that deserves our recognition and our thanks.

I will take a moment to stress that this should not be a partisan debate. I certainly refer to a previous motion brought to this place by a former member, Mary Porter. At the time Ms Porter said:

I thank members for their support in recognition of the fine work of the achievements of ACT Policing and all who serve in it.

She also said:

I congratulate members of our police service, and let us not forget the support provided by the volunteers in policing. Our police service deserve our thanks and congratulations on a job well done. The work undertaken by our law enforcement officers is not an easy one. It is often difficult and may be dangerous. Every day they work to make this city a safer place to live in, and I would trust all members in this place would support this motion.

Indeed I remember speaking to that motion, and it did receive tripartisan support. There were some amendments, some moved by me, to recognise assaults on police, that were supported by Labor, and some by the Greens that were not. But the motion was passed by all three parties. I hope that today's motion will receive a similar fate.

We need to recognise, while we are talking about the incredible work that our police do, those strains on our police force. According to the latest *Report on government services* from the Productivity Commission, the number of operational police in the ACT is proportionately the lowest in the country on every measure.

In 2020-21, total recurrent spending was \$188.6 million, the lowest in the country. The number of operational police per capita was the lowest in the country. We have the lowest rate of clearance for property crime in the country, and one of the highest rates of car theft in the entire country. That is why the police have been calling out for some years for more support. As the AFPA said:

It's almost an embarrassment that we spend the least amount of money in Australia on policing in this jurisdiction and also have the lowest number of police officers per capita.

That is no way to treat those who have given so much for so long, with so little support. It is disappointing.

I would like to talk about the Police Remembrance Day, an event that occurs every year. The Australian Federal Police Commissioner said that this day was—and I quote:

To honour all who have served and continue to answer the call of duty, and to commemorate our colleagues who have made the ultimate sacrifice.

We especially honour the memory of our colleagues who have lost their lives for the betterment of ours.

There are 823 names of men and women killed in the line of duty or who have died as a result of their duties.

At a joint ceremony hosted by the NSW Police Force, Monaro District and ACT Policing, the touchstones bearing the names of 15 police officers were received at the National Police Memorial.

The commissioner continued, and I wholeheartedly agree:

Policing is a service and an honour.

For those of us who heed this call, we are aware of our heavy responsibility, and the perils that come with it. We choose this vocation not for ourselves, but for our communities and for our country.

As police officers, we dedicate our lives to protect Australia's way of life; secure in our ability to work, raise our families, express ourselves, practice our religions and enjoy our interests.

Most officers on this wall had no reason to feel their lives were threatened, going to work with the full expectation of returning home. We are often called on to act, not with an absence of fear, but with the courage to face it.

As a community, we trust and rely on our police officers to keep us safe, but that safety is not always afforded to our police officers in the course of these duties.

But policing is also an occupation that brings with it a great sense of pride, unparalleled comradery, and where the highs of success make our mission all the more worthwhile.

Today, we pay tribute to our fallen officers, their families, friends and colleagues, who now carry their scars.

Through their commemoration and instatement on the National Police Memorial, their legacy, service and sacrifice will always be remembered.

Those moving words sums up what it is to be a police officer, and that is why I am calling on all members of the Assembly to commend our police and to thank every member for their courage, their sacrifice and their service.

I call on all of us to recognise the real strains and the all-too-tragic sacrifices that our police make, and commend and thank the Chief Police Officer for his professional work, and that of his entire team, sworn and unsworn, and volunteers.

I would also like to thank the Australian Federal Police Association for their tireless advocacy for their members for many years—in particular, Alex Caruana and Troy Roberts.

Finally, my deep respect and sincere thanks go to all ACT Policing members, sworn and unsworn, and the volunteers, for the vital work they do for our ACT community. I commend this motion to the Assembly.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (3.45): I would like to speak in support of this motion on behalf of the minister for police, Mick Gentleman, who cannot be with us today. I would like to express the ACT government's sincere thanks and appreciation to all frontline responders who work in our emergency services—in particular, ACT Policing, for their continued efforts in keeping the ACT community safe.

Having previously worked at the EAP Association for a number of years in my prior life, I know that ACT Policing members are always at the forefront of the response to the most significant challenges that face us as a community. In responding to these challenges, our officers encounter risk to themselves each and every day, in order to keep us safe.

This is an opportunity—and I thank Mr Hanson for bringing this motion—to thank ACT Policing members for their service. It is more important than ever that we do so after the significant challenges of the last few years. We have seen the work that ACT Policing have done in responding to the devastating bushfires and hailstorms, the work that they did to roll up their sleeves and work tirelessly to support our community, and they rise each and every day to that challenge.

Since the beginning of the pandemic, ACT Policing officers have done the same, going above and beyond to support the community, often in difficult circumstances. Our officers have demonstrated high levels of commitment and dedication in response

to recent significant protest activity. No matter what the challenge is, our officers have always remained in a strong position to provide community policing to the territory.

ACT Policing members have conducted themselves in an exemplary way that has brought stability to the community during what have been quite uncertain times in recent years, in keeping our community safe. They have continued to do an excellent job, ensuring that the incidence of crime remains low, and they have responded to those issues quickly when they do occur. I would like to acknowledge the families, friends and support networks of our ACT Policing members, who support their loved ones to do this important work for us, our community.

I was very honoured to represent the ACT Chief Minister and the ACT government at the National Police Memorial Day ceremony on 29 September. It was the second time I have done so on behalf of the government, to lay a wreath and express our gratitude on behalf of the ACT community to all members of ACT Policing, and recognise the sacrifice of police officers in the line of duty.

Today I would like to echo the words of AFP Commissioner Reece Kershaw APM from that day, when he honoured the memory of police officers from across Australia, those who have lost their lives for the betterment of ours. He said:

As a community, we trust and rely on our police officers to keep us safe, but that safety is not always afforded to our police officers in the course of these duties ...

... we pay tribute to our fallen officers, their families, friends and colleagues, who now carry their scars.”

The ACT government has a proud record of supporting our officers and will continue to do so through increasing resources, which we have done through a number of different budgets. We will continue to support them in their operational needs and work with them through our memorandum of understanding with ACT Policing to make sure they are supported to do their job.

We will continue to work through any policy and legislative challenges that come up. We are looking forward to progressing important legislative and policy reforms in this space to address trends in crime in the ACT, particularly with a focus on road safety and motor vehicle related offending over recent times.

ACT Policing’s operational expertise will feed directly into this policy development process and will ensure that we align our legislative agenda with supporting policing outcomes across Canberra and keeping our community safe.

We are very proud of the hard work of ACT Policing members. Its members constantly face a challenging and dangerous work environment. It is an inherent feature of policing, but the last few years have undoubtedly tested our officers’ resilience, professionalism and dedication in new ways. They have met the challenges that they have faced and have at all times continued to keep our community safe.

I commend all ACT Policing members, both frontline and those supporting them, for their ongoing dedication, professionalism and contribution to making Canberra a safe community.

**MR BRADDOCK** (Yerrabi) (3.50): National Police Remembrance Day is a day when we honour and remember those women and men from all Australian police jurisdictions who have been killed on duty or as a result of their duties.

I would like to take members on a journey through the National Police Memorial by Lake Burley Griffin. This is a memorial to those who made the ultimate sacrifice, and who were, in fact, ordinary people demonstrating extraordinary qualities. The pathway to the memorial tilts downwards, reflecting the uncertain path that police tread in the performance of their duty. You then encounter a stone wall with 1,200 bronze plaques. Of those 1,200 plaques, 823 are etched with the names of an individual police officer. Each plaque is randomly located across the wall to reflect the random and unplanned nature of loss. The vacant plaques remind visitors that future tragedy is inevitable and that each individual tragedy is recognised by an individual plaque.

Of those 823 names on the memorial, four died in the ACT. I would like to take the opportunity to read those names now. Constable David Hanswyk was appointed to the Australian Federal Police in May 1987. He died on 12 May 1990 from injuries after his ACT Policing motorcycle collided with a car in Canberra.

Assistant Commissioner Colin Winchester was appointed to the ACT police in April 1972 and sworn in to the Australian Federal Police in 1979. On 10 January 1989, Assistant Commissioner Winchester became the most senior police officer to be killed in the line of duty. He was fatally wounded by a gunman near his home in Deakin.

Constable Richard Norden commenced with the ACT police in February 1970. Prior to his policing career, he had been a member of the Australian armed forces and was awarded the Distinguished Conduct Medal. On 30 October 1972, Constable Norden died as a result of injuries sustained in a police motorcycle accident.

Constable Robert Bishop was appointed to the ACT police in March 1965. On 10 February 1968, he died from injuries suffered when his police patrol vehicle ran into a tree after a collision with another vehicle.

I would like to take a moment to thank all of these four men for the sacrifice that they made.

The National Police Memorial is a sobering place designed for quiet reflection, but the memorial does not capture the many and varied ways that police service can impact on a police officer's physical and mental health. Policing can be a hard and difficult job, and the toll it can place on officers can be heavy. Therefore I would like to take some time today to remember a police officer who, whilst her name does not appear on the memorial, did pay a heavy price for her service.

In 1980, at the age of 18, Audrey Fagan joined the Australian Federal Police and began her policing career on the beat, spending the next five years with ACT Policing.



Over a period of 26 years, Audrey Fagan embarked on a career path that included a range of challenging areas, including the fraud squad, juvenile justice, general crime investigation, policy development and political liaison. She also sat on many community boards and committees, making a valuable contribution to many facets of policing.

Audrey Fagan also earned a reputation for her work in helping to prosecute sexual assault cases. In the mid-1990s, she was handpicked to work with the up-and-coming Mick Keelty on an internal investigation into sexual harassment in ACT Policing. While the outcome of that investigation was the dismissal of 13 police officers, the two women who initiated the complaints were also victimised by the investigative process.

In 2005, 25 years after arriving in Canberra, Audrey Fagan was appointed as the ACT's Chief Police Officer, at the same time filling the role of an assistant commissioner of the Australian Federal Police. She was only the second woman, after Victoria's Chief Commissioner Christine Nixon, to be placed in charge of policing in a jurisdiction.

Tragically, for Audrey, her family, her friends, the Canberra community and the policing community, Audrey paid the ultimate price and did not survive the complex challenges of her working environment; she ended her life on 20 April 2007, in the context of an attack on her professional competence by the media.

The Canberra community recognised Audrey's contribution, establishing several scholarships in Audrey's name. Firstly, there is the Audrey Fagan Post-Graduate Scholarship, which provides moneys to encourage women from the ACT to further their studies and professional development in the areas of law enforcement, care and protection, or professional support services for women who are victims of violence. There is the ACT government Audrey Fagan Churchill Fellowship, an annual fellowship available to women pursuing an overseas investigative project in areas related to law enforcement, care and protection, or professional support services for women who are victims of violence. There are also the Audrey Fagan Young Women's Enrichment Grants, which provide young women with moneys for the opportunity to further their interests and participate in a mentoring relationship.

These are very tangible and appropriate tributes to the memory of Audrey Fagan. However, there is a great deal of sadness and a sense of loss amongst those who knew and loved her.

I would like to take this opportunity to thank all ACT police officers, who serve with great integrity, commitment, accountability, fairness, trust and respect.

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (3.56): I rise to speak briefly in support of this motion today. It is important that we recognise the contribution that members of the police force make in our community. They frequently deal with people in the worst moments of a person's life, as a victim or dealing with situations where people's behaviour does not meet community standards. They are constantly confronting situations that the rest of the

community are grateful that they do not have to confront. That is the reality of a lot of policing work. That obviously puts them in some pretty trying circumstances. Mr Braddock, in his remarks, reflected on the emotional toll that it can take on some members of the force.

Mr Hanson's motion particularly notes some recent challenging events—the pandemic and the subsequent protests. They both bear reflecting on, regarding the role that ACT Policing has played, because the ACT has been a beacon of good policing during those processes. Whereas in other jurisdictions we saw what some might have considered to be a heavy-handed handing out of fines, ACT Policing took a very constructive role in working with our community to make sure that we were as safe as possible during COVID by following all of the various restrictions and the like, without needing necessarily to move to that place of enforcement that we saw in some other jurisdictions. That reflects really well on the approach by and the attitude of ACT Policing. I think that the community respected that as well, as they looked around the country and saw what else was going on. The community probably developed a greater appreciation of the way ACT Policing goes about its job. That was similarly the case with the protests.

What I do note, having had this conversation with police, is that long after we all thought the protests had finished, and, in fact, to this day, they are still dealing with protesters in this city every day. The rest of us thought it was over and we could all get back to a bit of normalcy, after those significant impacts on our city. ACT Policing continued to deal with it on a pretty regular basis. That underlines and provides an example of the things that people do not see that ACT Policing are regularly doing on behalf of our community.

Probably because of my role, I have the opportunity to talk to police pretty regularly, whether that is the CPO, in that very formal role, or frontline officers, when I see them at various events and in various contexts related to my work, and, of course, on occasion with the Australian Federal Police Association, the union that represents the police.

All of these, I find, are very valuable conversations regarding the diversity of conversations you can have around particular matters that have taken place, around attitudes towards particular policy questions and how things are approached. I always appreciate the opportunity to have those conversations. Again, with the role that I have, it provides a very useful context for the decisions we need to take in the course of government decision-making.

One area where I have particularly had that contact is on the PACER project, the Police, Ambulance and Clinician Emergency Response team, that has been developed in the mental health space. This was an initiative that was, frankly, very well embraced by all of the services involved in it—the ACT Ambulance Service, ACT Policing and ACT mental health teams. In my time as the Minister for Mental Health, I did a ride-along one evening with the team, which was a fascinating experience. What really stood out for me was the way those three services were operating together, the way that Policing had really embraced this model, and what a difference it had made. It was a matter of their recognition, police officers' recognition, that police have lots of training, but they are not mental health clinicians.

It was about the opportunities that working in that tri-service approach presented in terms of dealing with people who, again, are often having a pretty bad day in their own lives.

I welcome the way that has been embraced by ACT Policing and their openness to innovation, their openness to doing things differently and their openness to recognising the limitations of their own training, and the way that a police officer turning up to a situation can impact on someone who is having a mental health crisis.

It is about recognising that there is a time when—and it is often their approach—police really need to stand back. But the capability is there if the situation perhaps gets out of control or gets violent. I really value the way that the police members of those teams have played their part in that project that has done a great job for Canberrans.

Being mindful of the rest of the programming that we have to get through today and the fact that others have already spoken, I will leave my remarks there. I do want to take this opportunity, given the role I have as Attorney-General particularly, and in my role as the leader of the Greens, to acknowledge the contribution that members of our police force make in this city, the very diverse set of roles that they undertake, and the diverse set of circumstances in which they find themselves.

As I observed in last week's budget debate, there is also a diversity of views within ACT Policing. Often, in these public debates—and we see it in the newspaper—"Police say this," and "Police say that." That is in fact often a representation of the union's views. I think it also reflects that, as with any segment of the community, there is a diversity of views within ACT Policing, on a range of policy questions. That is something I am always mindful of, as we seek to work through what can be contested discussions. As I said last week, it is possible to have contested discussions while still respecting the role that ACT Policing have to play.

I am very pleased to speak in support of this motion today and to have this opportunity for the Assembly to recognise the difficult job that ACT Policing have and the manner in which they conduct it.

**MR HANSON** (Murrumbidgee) (4.03), in reply: I would like to thank all of those that spoke, from the Labor Party and the Greens, and who supported this motion today. I am delighted. Mr Rattenbury, you are right; it is a contested debate, in this space, and there are different views, I think it is very important that we, as an Assembly, can get together and thank our frontline police.

I certainly recall, after serving in Iraq, which was a controversial war that was contested in the community, that people said, "I don't agree with the Iraq war but I thank you for your service." It does provide you with a lot of comfort. We can hope that, with respect to today's debate, even though we have some rigorous debates in this place about a variety of issues, whether it is legislation, drug policy and so on, we can all come together and commend our frontline police.

Minister Steel, as the acting minister, I thank you for your comments. Mr Braddock, I was expecting to have to respond to something controversial that you had said, so

I am delighted that you did not, to be honest. I thank you for telling the stories of those who have lost their lives. That was a nice touch, and I thank you for it.

I pay tribute to those that have lost their lives in ACT Policing, and those that are doing it tough out there on the streets every day and every night. There are those who have left the service—people like Jason Taylor, a former ACT Policing sergeant, who we have mentioned in debates in this place before and who was in here last week. There are a lot of people out there who are doing it tough. I ask members of the government, as they reflect on the words that have been spoken today and the generous spirit in which they were made, to make sure that those words are backed up, and that our police have the resources and the legislative support that will enable them to do their job. Those in this place need to make sure that those that we charge with going into such a dangerous and difficult environment every day are given every tool and every resource in order to do their job, which they do on our behalf, as safely as they can, so that they can come back to their families.

Thank you for your support, and I commend the motion to the Assembly.

Question resolved in the affirmative.

## **Stromlo Forest Park—mountain biking**

**MS CLAY** (Ginninderra) (4.05): I move:

That this Assembly:

(1) notes that:

- (a) the Stromlo Forest Park masterplan process began in 2009 with the ACT Government reconfirming its commitment to the 2010 masterplan in 2014;
- (b) in December 2019, the ACT Government released the *Draft Canberra Mountain Bike Report* for public consultation with the final version of the report published in 2021;
- (c) on 12 October 2020, Shane Rattenbury MLA, Leader of the ACT Greens, costed an ACT Greens election commitment through the ACT parliamentary budget office to “implement the priority recommendations from the *Canberra Mountain Biking Report*”. This was expected to cost \$700,000;
- (d) on 14 October 2020, Chief Minister Andrew Barr MLA, costed an ACT Labor election commitment through the ACT parliamentary budget office for “\$1.2 million in a ‘flow’ style trail from Stromlo Forest Park to Cotter Recreation Area with a return climb, [which] will create a link between the two popular recreation hubs. The 13 to 15 kilometre trail will pass through nature reserve enabling riders to experience the unique landscape in the ACT and providing an opportunity for commercial cultural and heritage adventure tours”; and
- (e) in November 2020, ACT Labor and the ACT Greens finalised the 10th Assembly Parliamentary and Governing Agreement. Appendix 4, item 6.2 of the Parliamentary and Governing Agreement was “Make Stromlo Forest Park a premier mountain biking destination by finishing

the Stromlo Park Masterplan, implementing recommendations from the 'Mountain Biking ACT report' and building a flow trail from Stromlo Forest Park to Cotter";

(2) further notes that:

- (a) some regular users of Stromlo Forest Park do not feel they are adequately and directly consulted with on changes proposed at the park; and
- (b) investment in mountain biking facilities at Stromlo Forest Park is no longer keeping up with regional mountain biking competitors and the needs of a rapidly growing sport; and

(3) calls on the ACT Government to:

- (a) continue works towards the delivery of the \$1.2m Stromlo to Cotter flow trail and the \$700,000 priority *Canberra Mountain Biking Report* recommendations, as per the Parliamentary and Governing Agreement (Appendix 4, item 6.2);
- (b) establish a single point of contact for mountain biking within ACT Government where mountain bikers can seek information on the ACT Government's work on mountain biking;
- (c) improve processes for further consultation with a wider range of mountain bikers and regular Stromlo Forest Park users on proposed changes at the park, including further consultation with a wider range of users on the \$2.88 million carpark and event space proposal;
- (d) consider further tourism opportunities associated with investment in mountain biking facilities at Stromlo Forest Park and across the ACT; and
- (e) update the Assembly on the implementation of the Stromlo Forest Park masterplan and the progress of this motion by the last sitting week in June 2023.

I have been speaking to mountain bikers since I started in this position. I am pretty new to the sport, actually, but I am really familiar with outdoor sports and with cycling, so I have a bit of an understanding of this community and what they need, and a whole lot of appreciation for it. It has also been nice to jump into mountain biking and see a lot of familiar faces that I have seen in other walks.

I have had a great time. I have been out building berms with Friends of Bruce Ridge. I have been at Stromlo a couple of times with a few old hands who showed me around. I have to say that we have a great facility out there. There is music, there are skills courses, there are women's courses and kids' courses. There are a whole lot of people individually enjoying their sport. There are families; there is food. It is really fun. They have shuttle bus runs now. There are so many different ways that you can enjoy that spot.

The biggest need out there is more trails and better maintenance. That is probably the most consistent single thing that all of the people who are familiar with Stromlo and familiar with mountain biking are saying in Canberra at the moment. I know that a contract in 2021 for trails maintenance in Stromlo only provided \$242,000 across two years. That is not a whole lot of maintenance money for such a large site. It is kind of like one person with a ute and a shovel.

I was at a recent meeting of CORC, Canberra Off-Road Cyclists. We heard some great updates from the Stromlo site managers on that point. I am pleased to see Minister Steel's amendment to the motion, which refers to some of the progress we are making that will help with that.

We have a new Stromlo volunteers program that has just started. That is looking really promising. We heard an update about sponsorship deals that might be coming. That sounds like a great idea. I know we are using those sorts of business models over at the arboretum, and that is working really well.

We have heard before in the Assembly about different options. If we charge for parking, maybe that money will get reinvested in Stromlo. There are different ways so that, if we generate revenue from Stromlo, it might get reinvested there. All of that is really promising, and it is also consistent with how we manage our facility at the arboretum. So that is good news. It is also important that we make sure that we remember previous commitments for funding and that we follow through on those.

I have asked a lot of questions in estimates, in committees and in the Assembly about funding for mountain biking and about our future plans. Some of those have been about previous commitments. Some of those have been about some of the newer issues that I was not aware of and that the community raised with me. I will mention one of them. We put a value on the wood in our pine plantations in Canberra, in our forests, but we do not actually put a value on the volunteer-built tracks. We have all of these recreational trails and tracks there. That means when government decide what the best use of that land is, and whether to chop it down and sell the wood or preserve it for those tourists trails and that recreational space, they have a dollar figure on one side of that equation, but they do not have a dollar figure on the other side.

There are quite a lot of small and sensible ways that we could change that balance to make sure that we understand the value that mountain biking brings, as a sport, for health and for fun, as well as in terms of economics, tourism value and recreational dollar value.

There is absolutely enormous potential in mountain biking in Canberra. The 2021 mountain bike report said that interstate riders are contributing \$30 million to the territory each year. That is a pretty good sum. It is about as much as Summernats. It is behind Floriade. Floriade is said to be contributing about \$45 million, but it is not that far behind Floriade. When you look at it in the context of some of our biggest festivals, it is starting to look like it is a significant piece of Canberra's recreational tourism scene.

The mountain bike strategy said that, by 2030, the cumulative economic benefit of mountain biking in Canberra could exceed \$400 million, which is pretty impressive. That could also be an underestimate. If we put a bit more investment and funding into our trails and the experience, that could bring in even more. That 2021 report said that 129,000 visitors participated in cycling while visiting the ACT and 64,000 overnight domestic visitors ride the mountain bike trail network each year in the ACT. Sixty-four thousand: that is a pretty big chunk for Canberra. We are not talking about small figures here; it is a sizeable part of the scene.

I would also like to mention what is happening in some other areas in mountain biking. All around Australia, and actually all around the world, this sport is growing quite rapidly. A study has just been released in New Zealand about Rotorua. Rotorua is a major mountain biking destination. It is a quite family-friendly, all-abilities destination. Rotorua estimated that they had around 150,000 mountain biking visitors, spending around \$140 million in Rotorua each year. That shows the potential that we could see out at Stromlo and just in the ACT on mountain biking, if we invest in our trails and in the experience, and reassess our economic impact.

One of the difficulties with mountain biking is that it falls across a lot of different areas. It is managed by multiple ministers and multiple directorates. I think that is causing a bit of complexity, particularly for members of the community who do not necessarily know how to navigate that system. Minister Gentleman is in charge of the reserves and the forestry estate. There is the Chief Minister, Treasury and Economic Development Directorate; within that, Minister Steel is responsible for Stromlo, Minister Barr is responsible for tourism, and Minister Berry is responsible for sports and recreation.

That is quite a complex system for people to navigate if they want to ask a simple question or if they have a good idea and they want to advocate that going forward. It is really hard for the community to have their say because they do not have one spot to contact. They have to go to four ministers—maybe more, depending on how they frame it—and it is hard for them to form strategic policy, follow through with an idea and understand whether that idea is going ahead or whether that idea just does not fit in.

That is why I think a single point of contact within ACT government is so important for mountain biking—a one-stop shop where you could go to that single point of contact, the query would be fed to the right area, and you do not need to understand the inner workings of government, particularly when, in this sport, it is quite complex.

One of the powerful bits of this motion is about giving the community one place to go. I am really pleased; I suspect we might actually get that today. That might help a lot of people to navigate the complexity.

Consultation in general has been a bit of an issue for mountain biking. It is always hard for government. There has been a lot of consultation and there is no perfect formula for doing consultation. Government has consulted with a lot of different user groups and has done quite a lot of consultation. Minister Steel's amendment details quite a lot of the consultation that has gone on, on the previous strategies, and it is really good to see. Because we have so many thousands of users, there are still quite a lot of individuals who do not feel that they are being consulted well.

I have put some suggestions in my motion, just to make sure that we are engaging in that properly. It is particularly important out at Stromlo because we have so many different people running different sports out there. We have trail runners, swimmers, crit track cyclists and mountain bikers. What I have heard quite consistently from the mountain biking community, and what looks to be true on the numbers, is that there are a lot of mountain bikers there—the majority, by numbers—and they do not feel that they have individually had a voice until now.

We also have quite a number of previous election commitments about mountain biking out at Stromlo. We have some from ACT Labor and some from the ACT Greens, because both of our parties really value this sport. We understand that it is great for health, it is great for wellbeing, it is great for community connection, it is great for spending time with the family, and it is a great way to enjoy the outdoors. We have both made quite a lot of commitments.

The combined commitments total \$1.9 million. We have \$700,000 for new trails and trail maintenance and \$1.2 million for a flow trail. We have a 2021 best of Canberra mountain bike strategy, which gives us a bit of information about how to spend that money. It is good to see, in Minister Steel's amendment, that we are likely to have a bit more strategic direction about how to spend that money. It would be good for government to make sure that we follow through on those election commitments and that we actually allocate and spend that money.

Mountain biking can be such a great tourism draw for the ACT. I have gone through some of the numbers that show how much tourism it could bring, in terms of visitor numbers and dollar investment. A lot of people who have been working in this sport and have been living this sport for a long time have noted that it is probably not living up to its potential. We have made a great start out at Stromlo, but a lot of people are feeling that we have been outshone by the millions being spent in competing destinations, like Derby and other facilities in the region.

I am pleased to see that we may get an updated Stromlo Forest master plan as part of this motion. It will be good to have some clearer investment, and some reconfirmed commitment on timing for that investment is good. It would be good to have a single point of contact for people in the community so that they can find out what is happening, put forward their suggestion and get their question answered. It looks like we will get some clearer coordination across the different portfolios, which will be good to see.

I would like to thank Minister Steel and Minister Gentleman for working collaboratively on this motion. It is definitely a field in which we have a lot of buy-in, and we have made such a good start here in Canberra, so it will be good to see us follow through and really support mountain biking in Canberra.

**MR STEEL** (Murrumbidgee—Minister for Skills, Minister for Transport and City Services and Special Minister of State) (4.16): I am very pleased to speak on Ms Clay's motion today. The ACT government recognises the popularity of Stromlo Forest Park as a premier sporting facility here in the ACT and has been steadily investing in its future. In 2016 an updated master plan for Stromlo was endorsed and released by the government. This master plan identified the future needs of the park—what challenges it would face in the future and development opportunities as Stromlo Forest Park grows.

The government undertook a consultative period on the master plan and an update through 2015 and 2016. It is continuing to deliver on the commitments made under the plan, as expressed by the community, including the construction of the Stromlo leisure centre, the planning of the Molonglo district playing fields, the extension of the criterium track, and, importantly, the car park and village green for future events.



I appreciate that some of the things that were included in the master plan that was consulted on back then are not necessarily a priority for some members of our mountain bike community, in particular, who just love going up and down the trails at Stromlo Forest Park, but they are important to deliver on the vision that was set out in the master plan to meet the needs of all the user groups at Stromlo into the future.

The master plan identified, in particular, that parking was an issue at Stromlo and that there was an identified need for a surfaced all-weather car park that could support all users of the park year round. In the 2021-22 budget the government made a deliberate decision to invest in improving the car park, as identified in the master plan. This was to address work, health and safety issues but also to generate additional capacity out of the car park to increase the number of parking spots, which happens when you formalise a car park, and to make sure that it is possible to establish the village green in the future, which is going to be a fantastic space for major events that occur at Stromlo Forest Park.

Since we made the decision to fund that project, the team at Stromlo Forest Park has been engaging extensively with user groups, local residents and the community on the project. This includes engaging with the Stromlo Stakeholder Consultative Committee, the Weston Creek Community Council, the Canberra off-road cycling group and a wide range of community partners. Indeed, two forums occurred, in September and October, which were attended by around 100 people, both in person and online.

I know that a number of those groups who are involved, particularly the consultative committee, are very supportive of a similar model that currently applies out at the Arboretum, where parking fees are used. That revenue goes directly back in to support the Arboretum. They are supportive of a similar model applying at Stromlo if pay parking is introduced at the Stromlo Forest Park. The government has not made a decision to introduce pay parking but will certainly consider that into the future, and the opportunities that they have identified that that revenue could go into tracks and trails at Stromlo Forest Park, which I know is a focus of our mountain biking community out there.

We know that there are a diverse range of user groups and individuals at Stromlo Forest Park. We do need to acknowledge the feedback from some members of the community, despite the wide range that are already represented on the consultative committee, that they would like to be part of that stakeholder group.

I am really pleased today to bring forward an amendment to Ms Clay's motion to start to include some of those other groups into that stakeholder consultative committee so that we can get them involved with the future opportunities to enhance Stromlo Forest Park and include their views as we go through implementing the master plan.

We cannot include every individual in that particular stakeholder group, but we will certainly try, when we can, to engage the broader community. There are opportunities for individuals to have their say as well and to give feedback and share their ideas, particularly through the single point email: [stromloforestpark@act.gov.au](mailto:stromloforestpark@act.gov.au).

Stromlo Forest Park is an important site for all Canberrans and I recognise the importance that it has for so many different uses. I also encourage people who do

want to get involved in the park's activities to get involved with the volunteer program. This is a program that I launched in December 2021. It provides an opportunity for users of the park to take part directly in the management of the trails, the development of new trails and trail shaping, and to give direct feedback on what is needed at the park, particularly with the contractor.

Sessions take place monthly and we are always keen to welcome new members into the group to have a direct, hands-on say in improving the park. I encourage those who are interested in making a difference to the park to get involved. I also know that there are members of the mountain biking community who also have really good ideas about how we can harness the future opportunities at Stromlo Park and how we can make sure that we harness the growing popularity of mountain biking. We are taking that feedback on board about what we can do to improve the precinct and looking at ways that we can identify future opportunities for the park, particularly when it comes to the actual tracks and trails.

Part of this is looking at tourism opportunities, encouraging more events in Canberra, major mountain biking events. I launched one myself at Stromlo Forest Park in the past few years. It is a great place for these types of events, but it can do so much more. I am really pleased to see that, whilst it continues to be a major venue, there is a lot of interest in how we can enhance it as a venue, going forward.

Today I am really pleased to say that we want to engage the Stromlo mountain biking community in improving the tracks and trails at Stromlo. Last week the Stromlo Forest Park executive director, after meeting with many of the user groups in the community, agreed that the ACT government would develop a Stromlo Forest Park trails master plan. Recent consultation has identified the need to prioritise and plan new trail infrastructure at Stromlo.

We have listened and we will develop that overarching master plan for tracks and trails which will guide the infrastructure development of tracks over the next five years. The master plan will identify missing trails at Stromlo, the opportunities and new trails that can be built, and the existing trails that need investment. We will engage directly with all mountain biking groups, and take on board feedback from the volunteer program and the wider community about trails at Stromlo Forest Park.

Future government investment will be implemented based on the park-wide master plan but also this new trails master plan. I want to assure the mountain biking community that, when we invest in car-parking facilities, when we invest in the Stromlo leisure centre, when we invest in new playing fields and improvements to the criterium track, we are not forgetting about the trails. We will be doing the trails master plan. I hope that that assures them that we can engage on what those opportunities are and what the opportunities for future investment are to enhance those mountain biking facilities at Stromlo.

We will get on with the work that we committed to do at the election, to deliver on Labor's election commitment for a flow trail at Stromlo to the Cotter. I understand that the Greens had a similar election commitment as well, which is reflected in the PAGA. I understand that Minister Gentleman is developing the plans for this trail, which goes outside of the Stromlo Forest Park boundary but no doubt will be captured

in the Stromlo Forest Park trails master plan as well. We will continue to develop those plans right down to the Cotter, alongside the proposal from the Greens, working with EPSDD to develop the trails for mountain biking in the ACT.

These projects require careful balance as we manage environmental concerns, so there is a little bit of planning work that does need to happen to make this possible, but we are really confident that we can get on and make sure that these recreational uses are available through our nature reserves and to provide amenity for the mountain biking community.

I look forward to updating the Assembly on the new trails master plan and the important progress of this work underway at Stromlo next year. I have asked that it be given a little bit more time, through to August, to report back, as it will take a little bit of time to develop that master plan. I want to come back and really demonstrate the work that we have done to consult with the community on that plan that will provide an important future for mountain biking at Stromlo. I move the amendment circulated in my name.

**MR DEPUTY SPEAKER:** Mr Steel, because there are multiple amendments, I need you to seek leave to move those amendments together.

**MR STEEL:** I seek leave.

Leave granted.

**MR STEEL:** I move:

(1) Insert after (1)(a):

“(b) the Master Plan, issued in 2016, established the plan for formal all weather car parking area at Stromlo Village and that infrastructure would be provided in the form of paved and lit car parks;

(c) an extensive consultation period with the public occurred on the masterplan in 2015 and 2016;”

(2) Insert after (2)(b):

“(c) there is an existing Stromlo Forest Park volunteer program established in December 2021 which provides opportunity for volunteers to be engaged directly in the future of the Park, including trail shaping, maintenance and development;”

(3) Insert after (3)(a):

“(b) develop a trails master plan for Stromlo Forest Park to guide trail infrastructure development over the next five years, in consultation with relevant stakeholders and the mountain biking community;”

(4) Omit (3)(c), substitute:

“(c) expand the Stromlo Stakeholder Consultative Committee to a wider range of mountain biking user groups and the Molonglo Valley Community Forum and engage in further consultation with all users of Stromlo Forest Park at each stage of the masterplan implementation, including the existing carpark project and event space proposal;”

(5) Omit (3)(e) substitute:

“(e) update the Assembly on the implementation of the Stromlo Forest Park Master Plan and the progress of this motion by the last sitting week in August 2023.”

**MR MILLIGAN** (Yerrabi) (4.27): I want to start off by thanking Ms Clay for bringing this important motion to the Assembly. Let me start by stating that Ms Clay’s opening in the motion presented a very typical story of the ACT government inaction. The Stromlo Forest Park master plan process began way back in 2009, and the ACT government reconfirmed its commitment to the 2010 master plan in 2014, yet it is still not completed, and it is now 2022. Further, I see that in December 2019, the ACT government released the draft *Canberra Mountain Bike Report* for public consultation. The final version of this report was not published until 2021, and no further commitment has been made in response to its recommendations.

Also, I see that in October 2020, the ACT Labor election commitment costed a flow-style trail from Stromlo Forest Park to Cotter recreation area, with a return climb, which would create a link between two popular recreation hubs, but nothing more has come of that just yet. The Parliamentary and Governing agreement between Labor and the Greens included a commitment to:

Make Stromlo Forest Park a premier mountain biking destination by finishing the Stromlo Park Masterplan, implementing recommendations from the “Mountain Biking ACT report” and building a flow trail from Stromlo Forest Park to Cotter.

I want to state that the Canberra Liberals support the calls by Ms Clay in this motion for the ACT government to deliver the Stromlo to Cotter flow trail and to progress the *Canberra Mountain Bike Report* recommendations as a priority. These developments will continue to provide a better mountain biking environment in the ACT.

From my consultations with the local mountain biking groups, I recognise the need for and the benefits of having a single point of contact for mountain biking in the ACT, where mountain bikers can seek information on the progress of work by the ACT government on mountain biking. I also support improved processes for consultation with the range of mountain bikers, and regular Stromlo Forest Park users, on progress and proposed changes at Stromlo Forest Park, noting that the consultation with other users must be included.

I wonder if we will ever see the completion of Stromlo Forest Park as a premier mountain biking destination. Let me refer to the recent events in the estimates hearings, where Ms Clay also raised these issues. Records of estimates hearings on 31 August this year indicated that the government’s view of an election commitment is more like a Clayton’s commitment—subject to changing funding needs and expenditure requirements. From the same hearings it was revealed that there is another form of commitment: that a Greens commitment sits within the Greens appendix of the parliamentary and governing agreement, thus suggesting that it may not carry equivalent weight. Furthermore, it was revealed that a master plan is a long-term vision, and that it is unrealistic to expect to see any results for at least two

to four years. These views do not bode well with the expectations that good progress can be made on urgently needed mountain biking facility upgrades.

It is patently obvious that investment in mountain biking facilities at Stromlo Forest Park is no longer keeping up with the needs of regional mountain biking competitors and the demands of a rapidly growing sport both locally and nationally. There is massive competition from many areas in Australia, most supported by government grants for new and improved facilities. There are plans for a major development in the Illawarra escarpment due in 2023; plans for 155 kilometres of trails at Mogo as part of the bushfire recovery program; Fox Creek in South Australia is getting 72 kilometres of trails; and a feasibility study is being undertaken in Georges River, New South Wales to replace the illegal trails with an approved facility. There are new trails at Mount Wellington in Tasmania, and improvements at Bunya Mountains in Queensland, Mount Owen in Queenstown, Tasmania, and at Glenrock near Newcastle.

This is an extensive list of new or improved sites competing with Mount Stromlo as a venue for mountain biking. As a result of the short-sighted attitude by this government towards infrastructure development in the ACT, the community is left with few options but to ride away to other places in Australia, and they do not have to go far, to be honest. They ride across the border to Bright, Wangaratta and the Wodonga area mainly because they are brilliant for cycling. They travel to Adelaide, Brisbane and Tasmania. All these places are the current go-to mountain biking destinations, and where the bikers go the cash goes in tourism dollars, in sponsorship deals and in local expenditure, because mountain biking equals cash for the economy.

The biggest and brightest growing star was Tasmania, where a farsighted government set their sights on becoming the leading destiny for cycling tourism in Australia. The Tasmanian government in 2016 developed a clear strategy and vision, showing great leadership, and then backed it up with extensive and ongoing funding. They set a priority for building infrastructure—more tracks, routes and trails—by investing \$1 million for the St Helens mountain bike trail network and \$800,000 in the Blue Derby mountain bike trails. They set the priority for education and support that leads industry and community development, committing \$6 million to establishing a cycle tourism fund to make this happen. They set, as a priority, experience-development plans to position Tasmania as Australia's best cycling destination. They did this through a new tourism cycling strategy, which aims to:

... guide the development of Tasmania's cycling tracks and trails, grow and promote experiences and events, and improve safety for all cyclists.

They achieved 38,000 visitors in their first year, and that number continues to grow steadily—that is Tasmania, not Canberra—further growing their visitor economy, drawing more visitors to their state, across many regions, and creating more jobs.

Instead, the ACT government went in the reverse direction, several years ago, by destroying valuable mountain biking infrastructure by clearing Corin Forest plantations and obliterating the trails in the process. And now Stromlo. It is unfortunate that this government seems to consider that an initial investment in sporting and recreational facilities in the ACT is significant to meet the user and community needs for extended periods of time.

There is a major risk that further tourism opportunities associated with renewed investment in mountain biking facilities at Stromlo Forest Park, and across the ACT, will be impacted by ACT government's inaction. Mr Steel has made a commitment today that he will be investing, bringing in new stakeholders for consultation and making a commitment in this space. We will just have to wait and see to make sure that that actually evolves.

What will this government do in response to this motion? Hopefully, with his amendments and commitments, we will start to see these changes happen, and we will start to grow mountain biking here in the ACT as a tourism destination and become competitive with other destinations from around this country.

My hope is that this government will respond positively to this motion and deliver on its commitment, deliver on its infrastructure, deliver on its funding and develop a tourism strategy to create one central point of contact for the community to use to find out information about mountain biking here in the ACT. In the context of this motion, the Canberra Liberals support the call for this urgent update to mountain biking here in the ACT and for implementation of the master plan for Stromlo Forest Park.

**MS CLAY** (Ginninderra) (4.36): This has been a really fun afternoon. I am really pleased to see Minister Steel's amendments; the Greens are very happy to support those. I was happy to hear about so much progress, both in those amendments and in what Minister Steel has set out today. It is really great to hear.

It is great that the opposition is supportive of this sport and these facilities. We have got a great start here. We have already got 64,000 overnight visitors riding that mountain bike trail here in Canberra, so we have tens of thousands of people who are already using this area. We know it is a great area, we know it is a growing sport and we know that it is absolutely the right time to move ahead.

I am really pleased that we are going to have that central contact point that is being set up. We have had the email address announced, which it is good to hear, so people can already start emailing to that. That is really going to help, and it is also going to help government to hear individual feedback.

It is fantastic that we have got that expanded stakeholder consultation group, and that we will have more individual engagement with the general public. That will let the mountain biking community and people who use that facility, and people in Canberra who are interested, have their say. That is really great.

It is really good to hear about the trails and maintenance strategy—the Stromlo strategy that we are going to have, the master plan updated. That is such a good opportunity for us to plan long term into the future and to make sure that investment that we make is the investment that we need.

Of course, it is absolutely no problem to report back in August. There is quite a lot here, and we need to get it right. We would certainly always, in the Greens, rather get it right than get it two months earlier, so that is a very sensible amendment.

It is really pleasing that we can all come together and support mountain biking. If anybody in here has not had a chance to get out to Stromlo, I would encourage you to. It is really fun there to go for a ride or take your kids to go for a ride. Go to Handlebar and have a beer and have a meal; it is actually a really fun vibe out there. I commend my motion as amended by Minister Steel to the Assembly.

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

## **Standing orders—suspension**

**MS ORR** (Yerrabi) (4.39): I move:

That, notwithstanding the motion passed earlier this morning calling on the Drugs of Dependence (Personal Use) Amendment Bill 2021, so much of standing orders be suspended as would prevent Private Members Business order of the day No 8 being the motion on climate change impacts on health being called on and debated forthwith.

Question resolved in the affirmative, with the concurrence of an absolute majority.

## **Climate change—public health**

Debate resumed from 19 October 2022, on motion by **Mr Davis**.

That this Assembly:

(1) notes that:

- (a) fair, equitable and universal access to quality public health services is a human right;
- (b) access to primary and preventive public health care is vital and people should be encouraged to interact with public health services before they become unwell;
- (c) climate change adversely impacts public health;
- (d) climate change impacts public health in a variety of ways, such as exposing people to increased temperatures, heatwaves, and smoke from bushfires, and increasing the spread of disease;
- (e) people on low incomes or experiencing economic disadvantage are the most vulnerable to health complications related to climate change; and
- (f) as a nation leader in the fight against climate change, the ACT Government should have a strategic, health-based response to climate change including a plan for the health sector to reduce its own contribution to climate change;

(2) further notes that:

- (a) in May 2019, the ACT Legislative Assembly declared a climate emergency;

- (b) on 11 November 2021, the Minister for Health and the Minister for the Environment released the ACT Government's *Bushfire Smoke and Air Quality Strategy* to establish a whole of government approach to managing smoke from significant bushfire events and household wood fires;
  - (c) on 8 June 2022, Johnathan Davis MLA successfully moved a motion in the Legislative Assembly calling on the ACT Government to reform the *Wood Heater Replacement Scheme* to increase uptake of the scheme, improve access to the scheme and remove upfront costs for the scheme, especially for low-income households;
  - (d) the ACT Government joined the Global Healthy Hospitals Network in 2021, a worldwide group of hospitals and health facilities that are committed to sustainable healthcare operations, including reduced emissions;
  - (e) the *ACT Climate Change Strategy 2019-2025* includes a commitment to establish and implement a pathway to a zero emissions ACT Government health sector by 2040 informed by an assessment of all current and planned public health facilities; and
  - (f) the ACT Greens took a commitment to the 2020 election to include a right to a healthy environment in our ACT Human Rights Act. On 27 February 2022, Jo Clay MLA successfully moved a motion in the Legislative Assembly calling on the ACT Government to investigate the inclusion of a right to a healthy environment into the *Human Rights Act 2004*; and
- (3) calls on the ACT Government to:
- (a) ensure that public health services are adequately prepared for the impacts of climate change;
  - (b) ensure that the ACT Government brings a proposal to the National Council of Australian Governments (or equivalent) for a national strategy on climate, health, and wellbeing for Australia;
  - (c) develop an ACT Government climate change preparedness strategy for the ACT public health sector, ensuring that the sector recognises and responds to climate change risks to the health of patients, the delivery of care, infrastructure, service provision, the health workforce, and supply chains. This includes continued work on the impact of smoke on air quality;
  - (d) ensure that ACT Health collects and reports on data to monitor progress against resilience indicators, including continuation of the longitudinal survey and climate-related health impacts and costs; and
  - (e) report back to the Legislative Assembly by the last sitting of 2023.

and on the amendment moved by Ms Stephen-Smith:

Omit all text after part (2)(f), substitute:

- “(g) on 7 April 2022, the Minister for Health moved an executive motion in the ACT Legislative Assembly noting World Health Day and its 2022 theme of “Our planet, our health” and the work the ACT Government is progressing to respond to the impact of climate change on our community and health system;



- (h) the ACT Government has been investigating formal participation in the World Health Organisation's Alliance for Transformative Action on Climate and Health, which is working to realise the ambition set at COP26 to build climate resilient and sustainable health systems, and the Minister for Health participated in an associated Health Leadership Roundtable on Climate Action on 29 June 2022;
  - (i) the Albanese Government committed to developing Australia's first National Climate Health Strategy and make climate health a national health priority, ahead of the 2022 Federal Election;
  - (j) On 1 July 2022 at the first Health Ministers' meeting with the new federal Labor Health Minister, the Hon Mark Butler MP, Minister Stephen-Smith raised the importance of responding collaboratively and nationally to the challenge climate change presents to public health and Australia's health system; and
  - (k) on 3 August 2022, Minister Butler publicly confirmed that the Albanese Government has commenced early work on developing a National Climate Health Strategy in collaboration with state and territory governments; and
- (3) calls on the ACT Government to:
- (a) continue delivering the *ACT Climate Change Strategy 2019-2025* and the *Bushfire Smoke and Air Quality Strategy 2020-2025* to ensure that public health services and the community are prepared for the impacts of climate change;
  - (b) continue to work with the Albanese Government, through National Cabinet and Health Ministers' meetings to support the development of a National Climate Health Strategy;
  - (c) develop a nation leading ACT climate change and health plan that reflects the ongoing work of National Cabinet and Health Ministers on a National Climate Health Strategy;
  - (d) continue to participate in knowledge and information sharing through the Alliance for Transformative Action on Climate and Health and expedite consideration of formal membership;
  - (e) ensure that the ACT Health Directorate collects and reports on data to monitor progress against resilience indicators, including continuation of the longitudinal survey and climate-related health impacts and costs; and
  - (f) report back to the ACT Legislative Assembly by the last sitting of 2023."

**MR BRADDOCK** (Yerrabi) (4.41): Stepping out of your car and onto your bike is one of the best things you can do to help the environment and your health. Choosing a bike over a car just once a day reduces the average person's carbon emissions from transportation by 67 per cent. More than half of all daily trips are less than five kilometres, a perfect distance for a climate-friendly and healthy bike ride. In 2022, the Intergovernmental Panel on Climate Change even identified bicycling as a solution to ensure a sustainable world for everyone both now and in the future.

Let us look at how this one small change in your transportation habits significantly helps protect the environment. Firstly, it means cleaner air. Harmful particulates, chemicals and gases released from the exhaust of our vehicles contribute to air

pollution, which affects our health and the health of the planet. Human powered bicycles are not reliant on fossil fuels and do not add this pollution to the atmosphere. With the typical passenger vehicle emitting about five tonnes of carbon dioxide a year from burning fuel, bicycling cuts back on fuel consumption and hence climate change. There is also less noise, the clamour that cars make creates noise pollution which causes physical and mental health problems for people. Replacing noisy vehicles with quiet bikes results in less engine noise and less traffic congestion, both of which support a healthier environment.

The effects of climate change—bushfires, droughts and more severe impacts—pose risks to present and future generations. With transportation one of the leading causes of increases in greenhouse gases in the atmosphere that produce the warming effect fuelling these extreme events, riding a bike is a legitimate climate solution. A moderate increase in bicycling each year could save six to 14 million tonnes of carbon dioxide. Rising concentrations of CO<sub>2</sub> at unsustainable levels results in increased warming that harms our planet.

It is as clear as a good air quality day is that every trip on two wheels, not behind the wheel, benefits the environment. Not only is riding a bike the greener alternative, it is also better for your health. The exercise you get from riding a bike can go a long way towards improving your health and wellbeing. Riding is a low impact aerobic activity that can be incorporated into your daily life, making it one of the easiest ways to get healthy. A physically active lifestyle achievable by using a bike is beneficial in the following ways. Firstly, it strengthens your immune system. Your immune system is a complex network that protects your body from foreign invaders that cause infection, illness and disease. Regular moderate exercise such as riding your bike makes this large network function even better. Another benefit of consistent physical activity is decreasing inflammation in the body, which in turn can also improve your immunity. It also improves the cardiovascular system. Moving your body whilst riding the bike stimulates and improves your heart, your lungs and your circulation. It also builds muscle particularly building in the upper and lower body areas.

Not to be ignored is the improvement to mental wellbeing. Cycling high is a real thing. Bike riders get a hit of endorphins, the body's natural pain relievers that also trigger a positive feeling. What better way is there to feel after you have been on a ride when you come into work in the morning. It also boosts your brain powers. Bicycling has been linked to improved cognitive abilities. Physical activity can also improve brain functions like memory and even creative thinking. It can decrease your stress levels.

Biking reduces levels of the body's stress hormones such as adrenalin and cortisol, helping you feel more relaxed. Physical activity helps mitigate the negative effects of stress on the mind and body. It also increases the level of energy which you have about you every day. It also improves your stamina. Finally, it enables you to be able to sleep better because moderate intensity aerobic exercise, such as riding a bike, can help deepen your sleep and improve your sleep quality.

Therefore, if there is any change which I would recommend in order to be able to address both the climate change and the impacts that climate change has on health, I would say: get on your bike.

**MRS KIKKERT** (Ginninderra) (4.45): I am thankful for the opportunity to briefly speak to Mr Davis's motion. Yesterday we heard from the Greens, especially Jo Clay, about doomsday and apocalypse and zombies. Today it is all about bikies and drugs. Go figure! As I have reiterated many times in this Chamber, we are blessed to be living in such a wonderful city of natural beauty and vibrant landscapes, both the land and all its inhabitants. It only makes sense that the ACT should be a role model for outstanding governance and bring access to the best of everything.

When it comes to public health services in the ACT, we should be world class when it comes to the provision of quality health care. Minimal wait times for procedures, both elective and non-elective; an emergency department that is fully resourced to operate quickly and efficiently; and state-of-the-art health facilities that draw all the best health professionals to work in this city. But this is not the case, and it has not been the case for a very long time under this Labor Greens government.

I, and the rest of my Canberra Liberal colleagues, have been calling for many years on the ACT government to ensure that public health services in general are prepared for the impacts of a growing population in Canberra. We have been calling on the ACT government for years, asking for better data collection that will inform continuing improvements to our healthcare system. Contrary to our calls, perhaps Mr Davis's motion will be most heartily received and supported—and even fully implemented.

If I could offer you only one tip for the future, sunscreen would be it. As we approach the summer season it is important that we prepare for the hotter weather and harsher sun. Well over 1,000 Australians die from skin cancer every year. In 2020 melanoma of the skin was the tenth-most-common cause of cancer death in Australia. So I would like to take this opportunity to offer my usual personal but standard advice for the upcoming season: check your skin regularly for spots and moles, put your hat on and your sunnies, and whack on some sunscreen.

To the government, I have this to say: it is critical that Canberrans have better access to cancer care. This is something that I have repeatedly advocated for in recent times, particularly following issues and concerns of patient transfers to the Canberra Region Cancer Centre from the Zita Mary Clinic at the Calvary Public Hospital Bruce for chemotherapy treatments. This was found to be primarily due to the latter hospital not being able to meet accreditation standards of governance for oncology and haematology services. This is not good enough. I will continue to advocate for improved access to quality cancer care in the ACT, particularly for northside residents. I will be keeping a close eye on the ACT Health Services Plan, particularly when it comes to consideration of better access to chemotherapy services, including medical support and comprehensive care for cancer patients in the ACT. This is just one of many areas that are failing under this Labor Greens government when it comes to providing quality health care to Canberrans. We must do better.

**MR RATTENBURY** (Kurrajong) (4.50): Thank you, Mr Deputy Speaker, and just a few brief remarks. I am conscious this has been a longish debate. Climate action failure was ranked as the top global risk in the World Economic Forum's *Global Risks Report* for 2021. Extreme weather events including heat waves and fires were also ranked as a major global risk. As has been noted in this debate, in the ACT we are projected to experience a hotter, drier climate with higher bushfire risk and more days

of extreme heat. Regional climate modelling has identified the four most significant impacts on the ACT. Those are: firstly, bushfires will become more frequent and severe as rainfall is reduced and temperatures increase; secondly, heat waves will become hotter, both day and night, longer and more frequent; thirdly, drought will become more frequent and prolonged as rainfall is seasonably more variable; and finally storms will become more frequent and severe over a longer summer season with flash flooding and violent winds.

When it comes to the health impacts of climate change, again there has been quite a bit in this discussion. One of the interesting factors that I do not think a lot of Australians know and are often surprised to find out, is that research shows that in Australia more people die during heatwaves than from all other natural disasters combined. I think we tend to think of bushfires and things as being a big threat to life but it is actually more people who die from heat exhaustion and the impacts of heat waves. That particularly applies to older people and actually younger people, infants are particularly vulnerable as well. So the prospect of hotter future summers is a very real issue when it comes to questions of human health.

We do need to prepare for the future climate to make sure we keep people safe, particularly those who are most vulnerable in our community. That plays into important adaptation questions. For me those are the sort of practical things we are working on, making sure we have better canopy cover, making sure our homes and buildings are better insulated. These sorts of things are the practical policies which will not only make people's lives more comfortable in the hotter drier future but actually in a very real sense save lives, because that is the reality of what we are talking about.

The ACT is recognised as the global leader on climate action and the members know the targets we have set in this place and we also have targets for achieving zero emissions from government operations by 2040. I did want to, in the context of this health debate, acknowledge that the health care sector represents around seven per cent of national emissions, at least when it was last researched in 2018. That means the health sector is a very significant area in which we can reduce emissions. I think there is a particular circularity there in understanding the impact if we do not tackle emissions that it will impact on our health system.

In that context and I know Minister Stephen-Smith mentioned this yesterday, but I do want to reinforce it because I think it was a good innovative piece of work, is the fact that the Canberra Hospital expansion will be all electric, which is an Australian first.

Having been involved a little bit in the discussions about that I think for me the measure of success is when that question was first raised, the possibility of it amongst those who were working on the technical side of it ranged from sort of fear to dread as to whether they could work it out. The important point is people actually sat down and worked through it, worked out what is possible, worked out that it economically stacked up and implemented the project. I want to acknowledge that in this debate. I think it is a great opportunity to do so because I think at the start people really did not think they could pull it off. When they actually applied themselves, did the work, did the research, talked to experts, they proved it was possible. It is a great case study

of the challenges all of us face but also the possibility we can make real differences with some application.

With that, I thank Mr Davis for bringing this motion. I think it has been an important conversation and a chance to reflect on some really important data as well as policy questions. I am very pleased to support the motion and acknowledge and indicate our support for the amendment from the Minister for Health.

**MR DAVIS** (Brindabella) (4.54): I thank all members for their contributions and their personal reflections on the challenges of the health of our community as we continue to battle the climate crisis. First on Minister Stephen-Smith's amendment: I thank the minister for moving her amendments to our motion. They demonstrate the work that the Australian government has undertaken in this space and the role of the minister in this work to date and into the future. I accept there are significant benefits to working alongside our state and territory counterparts at a national level to coordinate and consider the impact of climate change on our health across the country.

But I would like to stress that while we are supporting these amendments it is absolutely necessary for the ACT to remain at the forefront of this work. Our role on a national level is not simply about participation. It has been historically—and it is my ambition it will continue to be in the future—about leadership and challenging our state and territory counterparts and indeed the federal government to be bold, ambitious and committed to building safe cities and safe health systems. We are climate leaders in this city when it comes to emissions reduction, and we need to maintain this reputation and ambition across all areas of government. The national strategy provides context, opportunity and—hopefully—some more funding, but we will absolutely need local solutions, both because of our role as climate leaders, but more importantly because the solutions to climate in this city will necessarily be localised to the geographies and capacities of our city. This is important work and I strongly encourage a creative and bold approach that draws on the incredible expertise, creativity and experience we have in this city as the government prepares their response to this motion.

Mr Deputy Speaker, that concludes some of my remarks around the government's amendments. While I am conscious of the time and had not intended on speaking too much longer, some of the contributions from my colleagues from the opposition insist on rebuttal—in particular that of Mrs Kikkert just recently, whose core health advice on the challenge of climate change and health intersection seemed to be slip-slop-slap, which just seemed overwhelming, mind-boggling. The reason it is mind-boggling Mr Deputy Speaker is it speaks to a broader challenge we are going to have—well the Canberra Liberals most certainly have but we are going to have in the climate change policy conversation going forward. This city has come to expect and has elected governments for more than two decades that have put at their core a response to the climate crisis.

The Canberra Liberals have come into this chamber so far this term attempting quite valiantly to rebrand themselves as a political party that takes seriously the question of the climate crisis. Indeed, the shadow minister for health has even quoted Greta Thunberg in this place. We have heard a commitment from the alternative government

for some of the ambitious policy agenda of the government, net zero emissions by 2045 et cetera, but no enthusiasm about the work to reform wood heaters and eliminate the contaminants and PM2.5 emissions that come from wood heater smoke in our communities. We have seen active running down of the electric vehicle policy designed to assist Canberrans in the transition to an electric transport future. We continue to see running down and an active discrediting of this city's ambition for a city-wide mass transit network designed to help people get out of the car. We have seen some confused responses to FOGO and the benefits of food and organic waste recycling.

In the remaining moments of my time, Mr Deputy Speaker, I want to encourage anybody listening to this debate, anybody paying attention to what goes on in the Assembly, and anybody in this city who takes serious the issue of climate change, which I think is an overwhelming majority of our population, to look past the Canberra Liberals' attempts to agree with the government on its ambition and look closely at its subtle, purposeful and almost systemic undermining of the policy levers necessary to achieve a net zero emissions future. I have not even spoken of the seemingly wishy-washy position on the necessity to move away from fossil gas. If anything, I have actually seen members of the opposition actively undermine that policy and run it down.

We are going to continue to have conversations in this place about the climate crisis, if for no other reason than the fact that Ms Clay was elected in Ginninderra, but because it is a serious issue for the ACT Greens, it is a serious issue for the government and it is not getting any better any time soon. I think in the face of mounting evidence it is really necessary—we are not going to agree on everything, there would be no sport in this for any of us if we did, but on something as existential as future life on this planet, we really need to get some consensus. I appreciate the Canberra Liberals are supporting this motion today but you would be forgiven if you were a passing observer of what happens in the Assembly from thinking from some of the contributions that in fact they were not. I think it speaks to them talking out of both sides of the mouth on the issue of the climate crisis which is a situation the Canberra Liberals have found themselves in.

I will keep bringing motions, legislation, and policy proposals to this Assembly that combat the climate crisis. All five of my ACT Greens colleagues will. I expect members of ACT Labor will as well. I encourage those who care about this issue, care about future life in our city, and future life on our planet to continue—or to start asking and then continue to ask, some very critical and specific questions about how the Canberra Liberals, positioning themselves as an alternative government, intend on positioning in this space. We have seen as recently as today Mr Hanson make a 2024 election policy announcement. It is not too late to start talking about climate change, I would have thought. We look forward to seeing some of those very specific and detailed policy announcements coming up from the Canberra Liberals shortly.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

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

### Detail stage

Debate resumed.

Clause 4.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5:01), by leave: Recognising that standing order 141 would result in Mr Davis's amendments not being moved if we concluded this debate on my amendment at this time, pursuant to standing order 144, I withdraw amendment No 7.

**MR DAVIS** (Brindabella) (5:02): by leave, I move amendments Nos 1 to 3 circulated in my name together and table a supplementary explanatory statement to the amendments [*see schedule 3 at page 3507*].

Today I will be moving a series of amendments to Mr Pettersson's Drugs of Dependence Personal Use Amendment Bill 2021. From the very outset, I would genuinely like to thank: Minister Rachel Stephen-Smith for her ongoing collaboration with my office, through the work of these amendments; my colleagues Mr Cain and Dr Paterson, for working together on the select committee into this inquiry; and, most importantly, Mr Pettersson, for the strength of his convictions and the courage to bring reformist policy like this to the Assembly.

I propose my amendments because I want to get the best outcome here, and I hope that my ambition is received as such. These amendments will represent the best legal interpretation of what it would mean to genuinely decriminalise the personal possession of drugs in the ACT. They are based on the best available evidence as it pertains to the patterns of personal possession of drugs in the ACT and are modelled on the successful cannabis legislation which has been in operation in the ACT for almost three years.

The limits that we are proposing are not outrageous and would not make the sky fall in. They come from ACT government commissioned research from the Drug Policy Modelling Program at the University of New South Wales and correspond with the limits that already exist in Criminal Code regulation.

My amendments seek to create a fairer environment for the governance of the possession of drugs, one that reflects the reality that most drug use is recreational and done in the pursuit of happiness and causes little harm to individuals or their community. It reflects the reality that the vast majority of harms caused by drug use occur because of the criminalisation of drug use and not in spite of it.

The history of the criminalisation of drugs is caught up in the oppression of minorities and in the pious and moralistic notion that our existence is for the primary purpose of producing wealth for others. But a belief in decriminalisation, in true decriminalisation, also reflects the reality that, like alcohol consumption, drug use can be problematic. It can be practised in such a way that does have unavoidable risks that

pertain to the inherent nature of a substance and the way it acts upon your mind and body. These risks necessitate care.

The dependencies that people can develop from drug use can cause great pain and, as people responsible for the provision of care at a government level, we need to create environments in which those that experience this pain can seek help and treatment for their dependencies.

Over the last 20 months, I have spoken at length in this Assembly about the serious impact of criminalisation on people who use drugs and those who care for them. I have recounted my personal story and I have shared the stories of others whose families have been greatly impacted by criminalisation. Rather than recounting these pains, today I just wish to give my heartfelt thank you to those who have shared their stories with me and with my team—stories that highlight the ongoing traumas of the criminal justice system that highlight the intersection between emotional distress and drug use and those that have recounted the meaning of drug use to their sense of self and community.

It is my understanding that my substantive amendments will not be supported by our governing partners in the ACT Labor Party, making a distinct and meaningful difference in our approach to this policy area. It is my genuine hope that these amendments are considered in the next iteration of this reform. They lay out a sensible, evidence-based and compassionate approach to drug use that I have little doubt will one day, hopefully soon, be law here in the ACT.

However, before I talk about why we have come to the position we have in each of these amendments, I again would thank the minister, Michael Pettersson, ACT Health and the Parliamentary Council's Office, whose work alongside the community has brought us to this position.

While it is our belief that this legislation would have been approved through genuine consultation and development with our office and our party, what it represents is a genuine interest in the experience of people who use drugs in the ACT. We have had a very meaningful and robust debate about drug use, and there is no doubt that the discussions we have had in the chamber will influence reforms in other jurisdictions. What happens in the ACT is often a jumping off point for these jurisdictions. I hope that, in the formation of their policies and legislative approaches, these jurisdictions choose to enact more progressive and evidence-led reforms without falling to the same usual trappings of moralism and conservatism on this issue.

These amendments seek to effectively decriminalise the possession of drugs by creating an exemption for all adults to the offence of possessing drugs for personal use. In effect, any adult who is found to be in possession of a drug of dependence cannot be prosecuted for their possession of that drug. This provides a clear alternative to the government's position of retaining penalties, in the form of fines and compulsory attendance to drug treatment programs.

The exemption operates similarly to the exemption in place for the possession of cannabis. In the case of this exemption, in their initial review of the available data, the Canberra Alliance for Harm Minimisation and Advocacy found that decriminalisation



resulted in no increase in cannabis use in the ACT. They also noted, in their preliminary findings, that there was a four-times increase in the number of people presenting for help with cannabis dependence. Notwithstanding the long list of submissions which tabled evidence that would indicate a similar conclusion in the case of the decriminalisation of drugs, this case study within the ACT shows the clear effect of treating drug dependence as a health issue.

These amendments are possibly the single most important change we are seeking to make to Mr Pettersson's bill and one which would genuinely change the culture of stigma and discrimination around drug use, as well as allowing as many people as possible to access health services safely and confidently, including the drug check-in service in the city, which we know has already made an important contribution to reducing harm.

Research has found that the legality is not a central concern in the decision whether or not to take drugs and, therefore, legal condemnation is ineffective at best. We know that drug decriminalisation will enable a health-based response to drug use by reducing the stigmatisation of people who use drugs, ending the fear these people experience in accessing health services.

In the bill proposed, and in the amendments the government has proposed, drug users can still be subject to fines and custodial sentences of personal drug possession. Therefore, while they have been toting it as such, ACT Labor's policy does not in fact enact the fundamentals of drug decriminalisation.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.09): At the beginning, I recognise that Mr Davis's amendments 1 to 3 do two different things. Amendments 1 and 3 are in relation to the full decriminalisation that he talks about, which reflects the changes that were made to cannabis legislation some time ago. But the approach that Mr Pettersson has proposed in his private member's bill and that the Labor Party is supporting is consistent with the staged approach to decriminalisation that was in fact taken for cannabis. The simple drug offence notice is modelled on the simple cannabis offence notice which previously existed for adults and young people and still exists for young people.

The other point that I want to make in relation to the penalties that apply under the simple drug offence notice as proposed is that it is a relatively small fine. It can be waived; police have the capacity to issue a caution instead. Where a diversion opportunity is taken, it is not compulsory attendance at a treatment program; it is compulsory attendance at a diversion program. It is a very different thing and, while it provides a clear pathway to treatment, it is a very light-touch approach in terms of that initial response, because there is also a recognition that treatment is most effective and really only effective if it is engaged in on a voluntary basis. I can indicate that the government will be supporting Mr Davis's amendment later on that changes the way the government was proposing to define the diversion program so that only attendance at the initial assessment session would be required.

Mr Davis's amendment No 2 is a substantial amendment that would significantly change the definition of small amounts of illicit drugs. This, of course, is absolutely

not modelled on the approach that we currently take to cannabis. The cannabis ACT trafficable quantity is 300 grams of dried cannabis. The current decriminalised amount for personal possession for an adult 18 years and over is consistent with the amount that we have defined as a small quantity, which is again consistent with the private member's bill amount, which is 50 grams. That demonstrates that there is already in existence in ACT law a two-tier approach. It is something that people are very familiar with. There has been this argument that it is going to be confusing for people to have two tiers of levels of possession. But it is exactly what already exists for cannabis, and everyone understands that.

The confusion, I think, lies in the understanding of trafficable quantities and the possession offence. So I want to be really clear with the chamber that trafficable quantities are the quantities above which it is automatically assumed that the only reason that you would have such a large amount of illicit drug in your possession could be for the purposes of trafficking or dealing. Amounts below this, as Minister Rattenbury indicated in his speech, can result in a possession offence or, as Minister Rattenbury pointed out, a trafficking offence. The difference here is that the trafficking offence for those levels below the trafficking quantity needs to be proved through additional evidence of the offence elements of trafficking. But, above that amount, there is an automatic presumption that you can be charged with trafficking for being in possession of that amount.

So it is not based, as others have indicated, on an assessment of what might be in someone's personal possession for their personal use in a short period of time. By and large, it is hard to justify a position that assumes possession of six grams of methamphetamine, enough for 30 days average use—possibly more, depending on which study you look at—is only for personal use. This position simply does not pass any commonsense test.

It is really important to recognise, in this context, that a key pillar of harm minimisation is supply reduction. A harm minimisation approach has three pillars to it. One pillar is demand reduction. That is educating people, reducing the attractiveness of illicit drugs and supporting people in their decision not to take drugs, and that is the decision that the majority of Canberrans make every day.

A second pillar is harm reduction. That is what we are talking about in terms of reducing engagement with the criminal justice system for people who are drug dependent and reducing the stigma associated with drug use and dependence so that people are more likely to access the treatment and support that they need.

The third pillar is supply reduction. Mr Davis's amendments are not consistent with that pillar of harm minimisation. I do not believe that the Greens' amendments support that pillar. We know that, when it comes to illicit drugs, there is an extent to which supply creates demand. Our intention is not to facilitate or encourage supply, trafficking or dealing. Our intention is to reduce harm for those who use drugs. It is clear that our current laws do not prevent this.

Policing have been very clear that these large amounts that the Greens are talking about have much more significant capacity to create loopholes for drug dealers. Additionally, the proposed Greens amendments could actually lead a person to

believe that they would not be subject to any criminal penalty when carrying, for example, four grams of heroin. While this would be true under ACT law if the Greens' amendments are passed and the legislation passed the Assembly, under commonwealth law, the person could be charged with drug trafficking and face a maximum penalty of up to 10 years in prison and/or a 2,000-penalty unit fine, currently more than \$440,000.

So let me be clear: this bill does not affect ACT policing's discretion to charge individuals in possession of illicit drugs under the Commonwealth Criminal Code Act 1995—and their trafficable amounts are much lower than the ACT amounts—and the AFP has the discretion to make a decision to charge someone under that commonwealth law. So, in effect, the Greens' amendments could have the impact of recriminalising drug possession, with far higher penalties than currently exist under ACT law.

I recognise that Mr Davis has put these amendments forward in good faith in response to some of the advocates that have been very loud in their advocacy on this matter, but these amendments do not pass the commonsense test. They are not consistent with the way that we have treated cannabis, they are not consistent with the expectations of the ACT community and they are not consistent with the evidence that we have from other jurisdictions.

When you look at Portugal, for example, the proposed small quantity amounts for the ACT, in the government's amendments and indeed in the private member's bill, are very close to the personal possession quantity in the Portuguese legislation as well. This is kind of what is accepted and what the evidence says is the appropriate amount to consider for small amounts for person use.

A previous amendment from the government that we have already passed reduces the penalties associated with a possession offence. As Minister Rattenbury said, it does not stop police from charging with a trafficking offence if they can make the case for that and have the additional evidence of that.

So we have recognised that the impact of being charged with personal possession should not be as significant as it is now. But we do not want to recriminalise individuals under commonwealth law while giving them a false impression that they might not be criminalised, and we certainly do not want to encourage and enable supply, because we are committed to supply reductions. The government's amendments are evidence-based, measurable, measured, realisable and implementable and they were developed in close consultation with experts, including policing.

**MR PETTERSSON** (Yerrabi) (5.20): I rise today to speak on these amendments because I believe the area they go to is central to the good operation of the simple drug offence notice. I do not support Mr Davis's amendments to quantities, and I would like to explain to members why that is the case.

I believe that I spoke to many of the same stakeholders that have advocated this position as Mr Davis has, and I do understand their logic. There are people that use drugs, that possess quantities of drugs to that scale for their own use. For some people it is a normal and, I believe, understandable thing to wish to minimise their interaction

with a drug dealer, and thus buy in larger quantities. I cannot quantify precisely how large this cohort would be, but I do believe they exist.

Data provided by ACT police to the select committee showcased, under the previous thresholds that I originally put forward in my private member's bill, that roughly 80 per cent of drug seizures fell under those thresholds, which means 20 per cent were above. According to data from the Australian Criminal Intelligence Commission, there are roughly 355 consumers arrested for drugs in the ACT each year, and roughly 55 suppliers. Those ratios actually balance out reasonably well—about 80 per cent consumer, 20 per cent supplier. I am reasonably comfortable with where my original private member's bill put those thresholds, and I am also comfortable with where the government amendments land. I am not convinced that this cohort exists in a significant enough way to justify the thresholds proposed in the amendments.

Throughout this debate, I have always resisted pulling out the Portugal card. I believe it is a lazy debate tactic to rely upon, to say, "This works here, so we should just do that."

*Ms Stephen-Smith interjecting—*

**MR PETTERSSON:** Don't worry, Ms Stephen-Smith; I am about to do it myself. I always believe that you should be able to articulate an argument. I have spent a lot of time doing that over the last two years. But on this very issue I actually think that comparisons speak volumes.

The guiding principle for decriminalised drug thresholds in Portugal is 10 days of average use. I believe that this is a sensible guiding principle. It is large enough so that people that consume drugs do not interact with drug dealers constantly, but not large enough so that the sinister elements of drug supply are emboldened.

I would like to share with the chamber a simple comparison regarding the quantities proposed by the ACT government, Portugal and the ACT Greens. For heroin, the ACT government is proposing to decriminalise one gram; Portugal has decriminalised one gram; and the ACT Greens are proposing five grams. For cocaine, the ACT government is proposing to decriminalise 1.5 grams; Portugal has decriminalised two grams; and the ACT Greens are proposing six grams. For methamphetamine, the ACT government is proposing to decriminalise one gram; Portugal decriminalised one gram; and the ACT Greens are proposing six grams. For MDMA, the ACT government is proposing to decriminalise 1.5 grams; Portugal has decriminalised one gram; and the ACT Greens are proposing 10 grams. For amphetamine, the ACT government is proposing to decriminalise 1.5 grams; Portugal has decriminalised one gram; and the ACT Greens are proposing six grams.

I understand why the ACT Greens are proposing these amendments. I do not think there is any ill intent; I simply do not agree. I believe that the proposed quantities clearly do not pass the pub test. I believe that the quantities broadly in my original bill, and also broadly in the government amendments, reflect roughly 10 days average use. I believe that this is a sensible and measured place to draw the line.

However, if data emerges from the scheme to show that these thresholds are not appropriate, I think it is a very good thing that they be reviewed, and that will be built into this legislation.

**MR HANSON** (Murrumbidgee) (5.24): I agree with a lot of the comments that the minister made about the Greens amendments in terms of the volume of drugs that people would be allowed to have in their possession. With respect to the limits she has put in, I also share those concerns. I think hers are bad; I think the Greens' are worse. That is the nub of it.

When she was speaking to the other amendments that are part of the suite, and in talking about Mr Davis's attempt to leap straight to legalisation—the decrim step, as it has been characterised—the minister just gave the game away. She said, “No, we do it in a staged approach; we did it with cannabis.” With cannabis, it went to decrim. We had decrim around for a while, then it was legalised. That is what the government have said they will do here—a staged approach.

We know that this is their first step on the way to legalisation. That is abundantly clear from what the minister just said. It is the staged approach that they are trying to take. They did it with cannabis. That went to decrim. They had an offence notice. That is what they are doing here. The minister said, “No, it's a staged approach; that's how we do business.”

Members, you can bet your bottom dollar that that is where this is heading. I have no doubt that the legalisation element of this comes after the next election, if they are successful. They will not take it to the election, just like they did not take this to the election. I think that the rabbit is out of the bag. We know what the plan is: the staged approach of legalising meth and heroin. Thanks, Minister, for clarifying.

**MS STEPHEN-SMITH** (Kurrajong) (5.26): All I want to say is that I would encourage Mr Hanson to check the *Hansard*. He has absolutely misrepresented what I indicated in this matter.

Amendments negated.

Clause 4.

**MS STEPHEN-SMITH** (Kurrajong) (5.27): I move amendment No 7 circulated in my name [*see schedule 1 at page 3500*].

Amendment agreed to.

Clause 4, as amended, agreed to.

Clause 5.

**MS STEPHEN-SMITH** (Kurrajong) (5.27): I move amendment No 8 circulated in my name [*see schedule 1 at page 3500*].

Amendment agreed to.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clauses 7 to 12, by leave, taken together.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.28): I move amendment No 9 circulated in my name [*see schedule 1 at page 3500*].

Amendment No 9 relates to possessing multiple small quantities of different kinds of relevant substances. I want to speak very briefly to Mr Hanson's earlier comments in relation to this matter. Clearly, we had to put something in here in relation to those people who may have multiple small quantities of different substances. I believe that this amendment strikes the right balance between ensuring that we continue to take that harm reduction approach to people who have substances for their own personal use and not criminalising those people, and recognising that we need to keep that in balance, as we have with the amounts. This amendment also speaks to offence notices and the way that they would be set out. In the interests of time I will not go through all of that detail.

**MR HANSON** (Murrumbidgee) (5.29): I have outlined why we will not be supporting this. It actually increases the amount of drugs that you can have available, although, with the individual amounts, it reduces the amount. Because you allow those drugs, meth and heroin, concurrently, in terms of the total volume of drugs, it actually increases the drugs you can have available. It is taking a step towards where the Greens want to go, without going quite so far. We will not be supporting it.

**MR DAVIS** (Brindabella) (5.30): I move amendment No 1 to Ms Stephen-Smith's amendment No 9 circulated in my name [*see schedule 4 at page 3509*]. I present a supplementary explanatory statement to the amendment.

This amendment operates with the same function as proposed new section 171(2)(a). It seeks effectively to decriminalise possession of drugs by creating an exemption for all adults to the offence of possessing drugs for personal use. In effect, any adult who is found to be in possession of a drug of dependence cannot be prosecuted for their possession of the drug. This provides a clear alternative to the government's position of retaining penalties in the form of fines and compulsory attendance—

Madam Speaker, I might seek your guidance. I think I am—

**Ms Stephen-Smith:** No.

**MR DAVIS:** We are all over the shop today, friends, because there are so many amendments. This is the legislative review mechanism?

**Ms Stephen-Smith:** No, this is attendance at the diversion.

**MR DAVIS:** Indeed; thank you. I am sorry; I will scratch that and start again. This amendment ensures that those who choose to undertake the diversion program associated with the simple drug offence notice scheme will not be subject to overly prescriptive attendance requirements to meet the requirements of their infringement notice. We know that person-centred support is the best way to incline our community to get help.

Currently, people who need support cannot access that support for fear of a punitive response. While I believe that this is unintentional, the amendments proposed by the Minister for Health prescribe a program that risks denying individuals the flexibility of a program that meets their needs.

This amendment will attempt to rectify this problem by making the obligation of individuals attending the drug diversion programs no more than attending the first session of the program. We know, from what experts have told us, that attendance at health services, in and of itself, is a challenge for those who are affected by drug dependence. That is why it is integral to make these services as approachable and as flexible as possible.

The amendment will ensure that an individual attending the drug diversion program will only need to attend their first program within 60 days. This will give them the flexibility to cater the continuation of their program to other competing work, family and personal needs.

**MR HANSON** (Murrumbidgee) (5.32): We will not be supporting the amendment. Basically, what we are trying to do, through this, is to get people onto treatment programs. The minister has outlined that you have to do the course of that program. Surely, that is the whole intent of this legislation. But Mr Davis is saying that you just turn up, sign your name and go. That is not drug treatment. That is just tick and flick. That is just going through the motions. That does not achieve anything. But that fits in with what the Greens want, which is, in actual fact, quasi-legalisation. They actually want legalisation. But if you cannot get legalisation, the only effect of having what I consider to be pretty large quantities of drugs on you is to turn up, sign your name and go. That is what they want. That is not treatment. That is signing your name and leaving the meeting, probably before it even starts. You just have to rock up. It is ridiculous.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.33): Labor will be supporting Mr Davis's amendment. The reason is that, realistically, the assessment session is not just a matter of rocking up, and having a tick and a flick. It is an engagement with the individual. We know, as I said earlier, that the most effective response for people is when they voluntarily engage in programs. It is not effective to require someone to attend a program that they are not interested in. We think that while the diversion program is more complex, actually requiring someone to attend the assessment session is a sufficient requirement to discharge the notice.

**Mr Davis's** amendment No 1 to **Ms Stephen-Smith's** amendment No 9 agreed to.

Amendment, as amended, agreed to.

Clauses 7 to 12, as amended, agreed to.

Proposed new clause 12A.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.35): I move amendment No 10 circulated in my name, which inserts a new clause 12A [*see schedule 1 at page 3500*].

This amendment establishes the drug diversion program in legislation. It has previously been an informal arrangement in relation to the Illicit Drug Diversion Program in the ACT. This will enable the minister to approve a drug diversion program as a notifiable instrument, which will give greater transparency in relation to what that program looks like; and, fingers crossed, it will satisfy some of Mr Hanson's concerns that he expressed earlier.

**MR HANSON** (Murrumbidgee) (5.36): I do not particularly have a concern with it being notified; but, at the end of the day, we have now decided that you only need to turn up for the first session. It makes a bit of a mockery of it, doesn't it?

Amendment agreed to.

**MR DAVIS** (Brindabella) (5.36): I move amendment No 4 circulated in my name, which inserts a new clause 12A [*see schedule 3 at page 3507*].

This amendment implements a legislative review mechanism which will give greater policy guidance as to the impacts of criminalisation. Over the course of reviewing this bill, as an Assembly we have seen the impact that the criminalisation of drugs has had—not just on users but on families too. This review mechanism stipulates that the minister must appoint an individual to undertake a review at a point no earlier than two years after the notification date of this bill.

Implementing this safeguard ensures that these families will not go unheard for yet another decade. We must learn from this process. We must listen to families, loved ones and individuals impacted by drug harm. This is why, in effect, these amendments will ensure due legislative scrutiny, by stipulating the review be undertaken by an independent contractor who has expertise in relation to people who use drugs. Additionally, these amendments ensure that the contractor in question must consult with the communities which are affected by drug use. It is my sincere hope that after this review is conducted, the minister, and others in government, will look again at the clear and evidence-based virtues of the other amendments that I have proposed today.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.38): Labor will be supporting Mr Davis's amendment No 4. It is



substantially similar to my own amendment No 11; it just clarifies that the review will be undertaken by an independent reviewer, which was our intention. So we are very happy to support the words that Mr Davis has put forward.

Amendment agreed to.

Proposed new clause 12A agreed to.

Clause 13.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.39): I move amendment No 12 circulated in my name [*see schedule 1 at page 3500*].

This is a dictionary amendment, but I want to point out, in relation to my earlier comments about small quantity, that this is a change in the structure from the original private member's bill. It will serve, through the 12 months of transition, to clarify that two-tier structure that we were talking about and ensure that people understand that it is the same kind of structure that already exists for the simple cannabis offence notice for young people, that used to also apply to adults.

Clause 13, as amended, agreed to.

Proposed new part 3.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.40): I move amendment No 13 circulated in my name, which inserts a new part 3, incorporating new clauses 14 and 15 [*see schedule 1 at page 3500*].

I will not speak long to this. Obviously, this is the regulation that sets out the quantities that the ACT government has determined, through considerable examination of the evidence. These are slight changes to the original quantities put forward by Mr Pettersson in a private members bill. We have, through all of these amendments and this structure, moved these into a regulation, which will be disallowable if it is changed in the future. It enables us to respond to the changing patterns of drug use in our community and the evidence that becomes available.

Part of the reason that this particular group of drugs has been selected for this reform is that these are the drugs for which the best evidence exists around the quantities that people hold for personal use, so we were best able to determine the small quantity amounts. These were the drugs, largely, that were subject to the previous work that Mr Rattenbury and Mr Davis have referred to.

Amendment agreed to.

Proposed new part 3 agreed to.

Title.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Families and Community Services and Minister for Health) (5.42): I move amendment No 1 circulated in my name [*see schedule 1 at page 3500*].

I really want to thank everyone who has participated in this debate today and thank, again, all of those people who have shared their lived experience with me, with my office, with the Legislative Assembly through the inquiry process, and, individually, I am sure, with many members in this place—those in the sector who support people who use alcohol and other drugs, but particularly in this case, those who are most marginalised in our community as illicit drug users.

I particularly want to thank Mr Pettersson—he has already spoken in closing on the in-principle stage—for all of the work that he had done in this space. It has been an incredible amount of work, and an incredible amount of engagement with those with that lived experience, with the sector, and with colleagues. So, I really acknowledge the work that Mr Pettersson did to bring this matter to the Assembly and to have the conversation with the community.

I want to thank Mr Davis and his office for their collaborative engagement through this process of the amendments. And I also want to thank Mr Hanson. While we do not agree, I think this has been a robust debate. People have had the opportunity to put their views on the table, and I thank Mr Hanson for his engagement in this process and his advocacy for what he believes is right, even if I do not agree with him. I commend the bill, as amended, to the Assembly.

**MR HANSON** (Murrumbidgee) (5.44): At the end of the day, we do not support this. I have articulated that. Let me summarise. This will lead to more meth and heroin and other drugs being available in our community, and availability is the mother of usage. It will lead to more people being addicted to these insidious drugs.

The consequence in our community cannot be understated. A level of crime will come out of this, not just from people affected by meth, but from organised crime, as has been said by the Australian Federal Police Commissioner, who those opposite refuse to quote. They talk about a balanced debate, but they will not mention the fact that he said that this is going to make it a more dangerous environment for his officers and a more dangerous society.

The Australian Federal Police Association has made similar comments about what it called “rolling out the red carpet for organised crime”. We share those concerns. We also share the concerns about what this means for dangerous driving. I know that there is an inquiry into that at the moment, and some of those submissions go to the issue of drugged driving. If you have more people affected by drugs and more people seeing that there is a permission structure around that, it will lead to more people doing meth and other drugs driving on our roads, and we will see more carnage on our roads. Again, that is not the opinion of just the Canberra Liberals; that is the opinion put forward by those people who have to clean up the mess, the carnage, on our roads.

The next point I would make—and it is a point that came out in the inquiry, and was backed up by the Law Society—is that this is not actually going to make much difference to engagement in the criminal justice system. There is this great lie being perpetrated that because there is a criminal sanction attached to these drugs it means everyone is being locked up. “Do you want people to go to jail for a small amount of drug use or do you want a health outcome?” The reality is that in the vast majority of cases there is no criminal sanction leading to jail.

Now let me take DUI as an example. DUI has a criminal sanction attached to it. Nine months in jail is the maximum penalty. People do not go to jail for DUI. They will for repeat offences, but for a first offence and so on, they will not go to jail. So it is a nonsense argument—and it was exposed in the community inquiry by those on the frontline of providing legal services to the people consuming drugs—to say that this is going to make a difference. It will make a minimal difference to interaction with the criminal justice system. That was very clear.

The next point I make is that the legal framework we have is pretty reasonable. Although those opposite criticise the Canberra Liberals for taking a conservative approach I remind them that all we are advocating for is the laws that currently exist, and will exist for the next 12 months—laws that exist in every other jurisdiction in Australia. So it is not a particularly controversial position. This is the law that those opposite have been operating under. How long has Mr Barr been Chief Minister?—a decade. He has been happy with these laws for a decade.

The problem we have—and it was exposed in the inquiry—is the lack of treatment options. If you put more pressure on our already broken health system, which is already overstretched and under-resourced—this came out very clearly in the inquiry—it will create a problem which will mean that more people who are addicted to drugs are unable to access treatment. That is plainly evident. I have heard people say, “We’ll be able to transfer resources from the criminal justice system to the health sector.” Do you think that is going to happen?—of course it is not. What I would say is that there are no resources to take out of the criminal justice system, because as I said before, these people are not being locked up at the AMC in the first place.

So, it is flawed legislation, it is based on a lie, and it is going to lead to carnage on our roads. It is going to lead to more petty crime by drug users, but also more organised crime—and that is based on the experts who those opposite refuse to quote. It is bad legislation. We do not support it.

I moved an amendment during the debate to say that this should go to an election. I think this is a substantive. The government’s next approach—the staged approach the minister talks about—is to go for legalisation, as it has moved to legalisation of cannabis. That is the staged approach we are heading towards. Those opposite may scoff. We said that this was the plan for cannabis. They all scoffed, but that is what they did. They said it is a staged approach. This is what Mr Davis is advocating for. He said, “I hope this is where it is leading,” and we know about the influence of the Greens on this government, and how profound it is.

We do not support this legislation, for the reasons we have articulated. We will be going to the next election saying, “We will not be supporting the decriminalisation of drugs like heroin and meth”. Let me be very clear—

**Mr Pettersson:** You will repeal it?

**MR HANSON:** Yes. Absolutely, we will repeal. If you think we are going to have the decriminalisation of heroin and meth on our agenda, it is not going to happen. Is there some ambiguity there? I know that is what you want to do. We will be honest with the electorate, unlike you mob, who went to the election not saying that you would do this. We will give the people of Canberra the opportunity to assess our policies, rather than sneaking it through just weeks after they have gone to the polls. So we will be voting no to this flawed legislation. We are on the side of our police, and we are on the side of our communities, which do not want to see the scourge of heroin and meth increased in their communities.

**MR DAVIS (Brindabella) (5.51):** Madam Speaker, you have known me for many years. You would know that I am a pretty opinionated bloke. I tend to show up and participate in every fight I am invited to. That has not changed since what some would argue was my almost accidental election to this place.

I am happy to have those arguments, be it on education, health policy, potholes, roads maintenance, or how we are dealing with waste. There is a great irony, of course, in my own personal story in this policy area, because I refuse to believe that every member of ACT Labor and every member of the Canberra Liberals subscribes to every single word and phrase of their policy platform. It is impossible. We are all individuals.

**Ms Lawder:** A bit like the Greens.

**MR DAVIS:** Ms Lawder, if you could, please resist the urge. This was an area of policy on which, I accept, the Greens have long campaigned and been active. I accept that many people vote for the Greens because they want a progressive and evidence-based drug policy. But it is safe to say that, upon my election, I did not share the policy of my political party.

Madam Speaker, imagine the irony, weeks after my election, of being asked by my party room colleagues to serve on the select committee inquiring into Mr Pettersson’s bill and being forced, as this place is inclined to do, to be presented with the evidence. You have to participate. You have to do your job on behalf of the people that you represent—Greens voters, and those who did not vote for the Greens, in Tuggeranong.

I did the work. I listened to academics. I listened to clinicians. I listened to police. I listened to lawyers and those in the criminal justice system. I listened to corrections officers. I listened to parents who have lost their children to drug addiction. I listened to children who have lost their parents to drug addiction. I listened to young people,

and people of all ages, who still continue to suffer. I am proud to say that, should I not be re-elected in the 2024 poll—

**Mr Hanson:** Hear, hear!

**MR DAVIS:** Mr Hanson, you are a piece of work—Madam Speaker, I can at least go on and say that my service in this legislature has had a profound impact on me and has reformed my view in this incredible area of public policy in a short period of time. I make that plea to Canberrans, over the course of the next two years—given that the alternative government has, so far, one policy, and that is to undo the reform we have just done today—to engage as much as they can with the evidence that I have sought to engage with in the last two years. Speak to the people that I have spoken to. Read what I have read. Talk to the people that I have spoken to. And be open to changing your mind. That is not something that is often rewarded in politics. In fact, to the contrary; you are usually called all sorts of things.

I am proud to have changed where I stand on this based on the evidence, and I am proud of what this Assembly is doing today. I am proud of Mr Pettersson for having tabled the bill. I am proud of Dr Paterson and Mr Cain for working with me on the select committee. I am proud of Minister Stephen-Smith for leading the work through government. I am proud of all 16 members of the two governing parties who are prepared to back in this reform.

A lot has been said in this debate about people who use drugs. I think that is incredibly unbecoming of the people that have chosen to further demonise and stigmatise people in our community who are suffering. I hope what we have been able to do today demonstrates to those people that the majority of this Assembly want to help them and want to ensure that they have access to health care, not a prison sentence. I hope that their family and friends who love them, who have suffered through their drug addiction, see what we have been able to do today. And I trust Canberrans to see past the cynical, politically motivated attempts by many in our community—often the loudest voices—to try and undermine this incredible reform.

I stand on the shoulders of giants—people in my political party who, for many years, have advocated for drug law reform well before it was popular, well before it was even cool with some people. I have received, as I am sure other members have, probably my most challenging correspondence on this issue. There are people who have been inflamed by some of the rhetoric in the community.

Some of the things I have been called, and some of the things I have been accused of, by advocating for this reform means that it risks being a really dangerous argument. I am quite scared, genuinely, that the Canberra Liberals have spent two years in this place with no policies, and today they have one. Until they have a second, this will be all that we hear—the further demonisation and stigmatisation of people who are suffering from drug addiction. I am very nervous about what it means for those people in the lead-up to the 2024 poll.

To underline and reiterate my earlier point, I implore Canberrans to try, as much as they are able, to engage with compassion, with empathy and with reason regarding the same evidence that I have seen. In the space of two years, I am proud to be a politician and say that I have done a 180. You are not supposed to say that, but I have, and I am proud of that. I think there are a lot of Canberrans who can do a 180, too, if they ignore the spin and ignore the fear.

As a rule, Madam Speaker, if a flyer falls into your mailbox and the person pictured is in a grainy black-and-white greyscale, you can pretty much ignore it. Change is not easy. Change comes slowly. Often, unfortunately, the pace of change is a lot slower than the lives of people that we have lost. And that is a real shame. But I hope that the pace—

*Mr Hanson interjecting—*

**MR DAVIS:** Mr Hanson, give it a break. Cool your jets.

**MADAM SPEAKER:** Mr Davis.

**MR DAVIS:** I appreciate that this is all—

**Mr Hanson:** Madam Speaker, I believe that, under standing order 42, the member is required to address his comments through you.

**MADAM SPEAKER:** Mr Hanson, I would sit down, if I were you, please, and stop interjecting. Allow Mr Davis to finish his speech.

**MR DAVIS:** Thank you, Madam Speaker. I am trying to appeal to Mr Hanson's better sensibilities here. Mr Hanson—more than most members of the opposition—and I probably find it a bit of sport to come in here and disagree with each other. But this is not a joke to me. It is not a joke to the people we have lost and it is not a joke to the family and friends of the people that we have lost.

I hope that this small step from this legislature demonstrates to the rest of our community, and hopefully the rest of the country—indeed may it radiate throughout the world!—that, slowly but surely, progressive legislators in progressive jurisdictions across the world are slowly chipping away at the consequences of the Nixon war on drugs, and we are finally going to embrace compassion, evidence and reason.

I will close on this point, Madam Speaker. Mr Hanson said, on behalf of the Canberra Liberals, in his remarks, “All we've advocated for is the laws that we have.” People continue to suffer under the laws that we have. People have died under the laws that we have. Drug use continues under the laws that we have. Drug use has not reduced under the laws that we have. Under those circumstances, how can you look at that body of evidence and advocate for the status quo? It is dumbfounding.

I am excited that, from today, the ACT will do something different, motivated by a shared interest in reducing harm and protecting our people.

**MR PETTERSSON (Yerrabi) (6.00):** Today is an important day. Some people think that this journey started in late 2020, when I first proposed this private member's bill, but the journey started well before then.

Thirty years ago, our predecessors in this place decriminalised the possession of small amounts of cannabis. They realised that the war on drugs was a failed policy, and that the criminalisation of Canberrans who were otherwise law-abiding citizens was doing more harm than good. They did a very brave thing back then. They stood up and said, "These criminal laws do not represent our values." They decriminalised the possession of small amounts of cannabis. Here we are, 30 years later, continuing their work.

Today's bill is not a radical revolution. It is a gradual evolution of our existing laws. The simple cannabis offence notice has existed for 30 years, and it has worked reasonably effectively as a framework for decriminalisation. Today we have expanded that framework. I think that is a very good thing. The many benefits of that scheme, for many years, will now be applied to a wider range of substances that will capture more Canberrans, with the ultimate goal of making it easier for them to access the help that they need.

Something that I have witnessed from some of the conservative arguments in this debate is that the mere existence of criminal laws, to them, causes no harm. That is blatantly not true. The criminalisation of these substances makes it harder for people to get the help they need. When you speak to people who have watched people die of an overdose because they were scared to call for help, that stays with you. These laws have chilling effects. That is why I am very proud of the Assembly today for voting for a better way.

I would like to thank many people. First and foremost, I thank my colleagues for their contributions today, and I thank their offices over a long period of time for bringing us to this place. There are many staff, as well as members, that have got us here.

With respect to the wider community, the many people who have told their stories, time and again, over years and years, hoping for a better way, for them, this is a good day. I say to the AOD sector, who do tremendous work each and every day, that I only hope we can serve you as you need to be served.

Today is a milestone day. It is an important day. Tomorrow we will wake up, go back to work and get to work on implementing this very important reform.

Amendment agreed to.

Title, as amended, agreed to.

Question put:

That this bill, as amended, be agreed to.

The Assembly voted—

Ayes 13

Noes 6

|             |                  |
|-------------|------------------|
| Mr Barr     | Ms Orr           |
| Ms Berry    | Dr Paterson      |
| Mr Braddock | Mr Pettersson    |
| Ms Burch    | Mr Rattenbury    |
| Ms Cheyne   | Mr Steel         |
| Ms Clay     | Ms Stephen-Smith |
| Mr Davis    |                  |

Mr Cain  
Ms Castley  
Mr Hanson  
Mrs Kikkert  
Mr Milligan  
Mr Parton

Question resolved in the affirmative.

Bill, as amended, agreed to.

## Personal explanation

**MR RATTENBURY** (Kurrajong—Attorney-General, Minister for Consumer Affairs, Minister for Gaming and Minister for Water, Energy and Emissions Reduction) (6.07): Madam Speaker, I wish to clarify a matter from the chamber yesterday.

**MADAM SPEAKER:** Please proceed.

**MR RATTENBURY:** Yesterday in the Assembly I spoke about the issue of Legal Aid ACT's lease and stated that the lease had been signed and executed. I would like to clarify that statement.

While the lease has been signed by Dr Boersig, the CEO of Legal Aid, Legal Aid is awaiting a final executed copy of the lease from the landlord. I have been trying to get the exact details of this. In my endeavour to get a quick answer back to the Assembly yesterday, we possibly got a little ahead of the curve. Given that Mr Cain has written to me about this matter, I will provide an update to him in writing, as it is of particular interest to him.

## Adjournment

Motion (by **Ms Cheyne**) proposed:

That the Assembly do now adjourn.

## Multicultural events—African Australians Awards 2022

**MRS KIKKERT** (Ginninderra) (6.08): Music, dancing, good food and even better people, these are all some of my favourite things in the world. Put them together and you have a great evening. This is also an apt description of the 2022 Celebration of African Australians Awards Dinner held two weeks ago at Albert Hall. I rise today to thank the organisers of this event not just for a great night but for all that they do throughout the year to promote and support African Australian performing artists and



to recognise the contributions of individuals and community groups. Awards for this annual event included the following: Community Leader of the Year, Community Organisation of the Year, the public health emergency award, African Business of the Year, African Author of the Year, the Academic and Professional Excellence Award, Volunteer of the Year, Afrocentric Entertainer of the Year, the Young African Australian Leader Award, the African Australian Diaspora of the Year Award, and the Friend of Africa Award.

I take this opportunity to congratulate the recipients of each award as well as all those who were nominated. Trophies for an associated soccer tournament were also announced near the end of the evening, and I likewise congratulate the winners of that. Someday I hope to visit Africa. In the meantime I am grateful for my many good friends from the African community here and for each opportunity I get to enjoy their culture and spend time with them especially on the dancefloor. I look forward to the next occasion.

### **Canberra Urban and Regional Futures**

**MR RATTENBURY** (Kurrajong) (6.10): Today I wanted to take this opportunity in the Assembly to acknowledge the Canberra Urban and Regional Futures forum, commonly known as CURF as its work comes to a close after many productive years.

In the field of climate action, resilience and a sustainable future for cities and their hinterlands, it is so important to create opportunities for connection, inspiration, and the sharing of ideas. CURF has made significant achievements in these areas providing a model for continuing work by other organisations with similar aims. From its beginnings in 2010 CURF has recognised the importance of breaking down information silos and bringing people together from disparate areas such as government, academia, business, agriculture, and the community. It was an important partnership between the University of Canberra, the Australian National University, the ACT government, and the federal government.

We should be proud that CURF came into being in Canberra as its founders realised our city offers a combination of attributes that make it a perfect laboratory for this kind of activity. Canberra has a high level of planning, it is growing rapidly and it has a government and population with a high interest in building an urban environment that will stand up to the changing future. Canberra has become a place that many other jurisdictions have turned to for ideas and CURF has played an important role in this. CURF began with eight different yet overlapping research themes; climate change and environment, infrastructure, transport in urban form, sustainable regions, healthy communities, social and cultural heritage, economic development, coastal and marine planning, and policy governance and institutions. Through seminars, workshops and forums, as well as engagement at the regional, national and international levels, and work with students at the University of Canberra, they were able to explore a wide range of topics and ideas, including bushfire preparation and resilience, moving away from car dependency, increasing urban density without compromising amenity, and much more.

Ideas generated through CURF became an important input to the development of *Canberra's Living Infrastructure Plan*, contributed to plans for Tuggeranong's urban

renewal and informed decisions on the first stage of our light rail network here in Canberra. In a world where the magnitude of the problems we can face can work as a disincentive to real action and where the workings of government sometimes seem impossibly bureaucratic and slow, CURF provided hope, inspiration, and a sense for people who care about this stuff, which I do hope is everyone in this place and I know there is a lot of people in Canberra, that we are not alone.

I would like to sincerely thank Professor Barbara Norman for her tireless work to establish CURF and to deliver this meaningful work over many years and all the researchers involved in the many valuable projects, events, and reports that CURF has delivered. I am sorry to see the end of this organisation but I know the seeds it has sowed will continue to bear fruit for many years to come.

### **Tuggeranong Community Council**

**MS LAWDER** (Brindabella) (6.13): Tonight I would like to speak briefly about the Tuggeranong Community Council, often referred to as the TCC. They are an incorporated, voluntary, not-for-profit, non-political, community-based association operating in Tuggeranong. I wanted to talk about them today because last meeting in September, they elected a new committee. The committee members are all volunteers and they are elected by other members of the TCC who are residents of Tuggeranong.

The incoming committee members with effect from the 6 September 2022 Annual General Meeting are; President Glenys Patulny, Vice President Geoffrey Bollard, Secretary Carol Vincent, and Treasurer Robyn Rofe. The other general committee members are Harvey Bell, Daisy Matsika, Bernard Rohan, Didi Sommer, and Jim Thornton. I would also like to pass on thanks to previous committee members, especially Geoffrey Bollard who has just finished his term as President. Each month the TCC hold a General Meeting with guest speakers. They cover a wide range of topics including; planning, health, transport, environmental issues, and much, much more. They also help organise clean ups of Lake Tuggeranong twice a year. So once again, welcome to the incoming committee of the TCC. I wish you all the very best for your work over the coming year. Keep up the good work. Thank you for all you do.

### **Indoor Cricket World Cup 2022**

**MR CAIN** (Ginninderra) (6.15): I will be brief and on a very different theme to my usual adjournment speeches. I wish to say a few words about indoor cricket and the Indoor Cricket World Cup which finished last Saturday. It was held over two weeks in Melbourne. I am very pleased to say that both the Australian mens and womens teams were winners of the World Cup last Saturday. It is very pleasing as well to say there were three Canberrans in that grouping in the men's team. Congratulations to them especially for representing the territory so well; Vinesh Bennett, Matt Floros and Luke Ryan.

While this is a slightly different theme speech to normal, it is very pleasing and it is a great honour for me to say that Luke Ryan is married to our youngest daughter and is also father of our youngest grandchild Elvie, in Canberra. Luke is very talented and very committed. I want to commend him for his efforts, both for the national team and for the ACT team. Earlier this year he was the Player of the Series in the national

awards. As a result of the Australian team victory on Saturday and his effort he was named Player of Final and selected in the World Top Eight Team.

Congratulations to those three Canberrans. Obviously there is a family connection amongst all of that. I do hope indoor cricket gets a higher profile in our media, our TV and our streaming coverage. It has been picked up by one of the streaming channels so we were able to watch the final in our home. So congratulations to both the mens and womens indoor cricket teams for being World Cup Champions.

Question resolved in the affirmative.

**The Assembly adjourned at 6.18 pm until Tuesday, 22 November 2022 at 10 am.**

## Schedules of amendments

### Schedule 1

#### Drugs Of Dependence (Personal Use) Amendment Bill 2021

##### Amendments moved by the Minister for Health

1

##### Long title

*after*

*Drugs of Dependence Act 1989*

*insert*

*and the Drugs of Dependence Regulation 2009*

2

##### Proposed new part 1 heading

##### Page 2, line 1—

*before clause 1, insert*

## Part 1 Preliminary

3

##### Clause 2

##### Page 2, line 5—

*omit*

*on 1 February 2022*

*substitute*

*12 months after its notification day*

4

##### Clause 3

##### Page 2, line 9—

*after*

*Drugs of Dependence Act 1989*

*insert*

*and the Drugs of Dependence Regulation 2009*

5

##### Proposed new part 2 heading

##### Page 2, line 9—

*insert*

## Part 2 Drugs of Dependence Act 1989

6

##### Proposed new clause 3A

##### Page 2, line 9—

*insert*

**3A Offences against Act—application of Criminal Code etc**  
**Section 4, note 1, new dot points**

*insert*

- s 169 (Possessing drugs of dependence)
- s 171AAD (Possessing multiple small quantities of different kinds of relevant substances)

7

**Clause 4****Page 2, line 10—***omit clause 4, substitute*

**4 Sections 169 and 171**

*substitute***169 Possessing drugs of dependence**

- (1) A person commits an offence if—
  - (a) the person possesses a drug of dependence; and
  - (b) the quantity of the drug is not more than a small quantity for the drug.
 Maximum penalty: 1 penalty unit.
- (2) A person commits an offence if—
  - (a) the person possesses a drug of dependence; and
  - (b) either—
    - (i) the quantity of the drug is more than a small quantity for the drug; or
    - (ii) no small quantity is prescribed for the drug.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (3) This section does not apply if the person is authorised under the *Medicines, Poisons and Therapeutic Goods Act 2008*, or another territory law, to possess the drug of dependence.

**171 Possessing prohibited substances**

- (1) A person commits an offence if—
  - (a) the person possesses a prohibited substance; and
  - (b) the quantity of the substance is not more than a small quantity for the substance.
 Maximum penalty: 1 penalty unit.
- (2) A person commits an offence if—
  - (a) the person possesses a prohibited substance; and
  - (b) either—
    - (i) the quantity of the substance is more than a small quantity for the substance; or
    - (ii) no small quantity is prescribed for the substance.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (3) This section does not apply if the person is authorised under the *Medicines, Poisons and Therapeutic Goods Act 2008*, or another territory law, to possess the prohibited substance.
- (4) In this section:  
*prohibited substance* does not include cannabis.

8

**Clause 5**

Page 5, line 1—

*omit clause 5, substitute*

**5 Possessing cannabis**  
**Section 171AA (1) and (2)**

*substitute*

- (1) A person commits an offence if the person possesses not more than a small quantity of cannabis.  
 Maximum penalty: 1 penalty unit.
- (2) A person commits an offence if the person possesses more than a small quantity of cannabis.  
 Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

9

**Clauses 7 to 12**

Page 5, line 13—

*omit clauses 7 to 12, substitute*

**7 New section 171AAD**

*insert*

**171AAD Possessing multiple small quantities of different kinds of relevant substances**

- (1) A person commits an offence if—
- (a) the person possesses 3 or more different kinds of relevant substance; and
  - (b) the quantity of each substance is not more than the small quantity for the substance; and
  - (c) the total of the small quantity fractions for each substance is more than 2.
- Maximum penalty: 50 penalty units, imprisonment for 6 months or both.
- Note* Other offences under the Criminal Code, ch 6 (Serious drug offences) may apply in relation to a person in possession of 2 or more kinds of controlled drugs, controlled precursors and controlled plants.
- (2) In this section:  
*relevant substance*—
- (a) for a person who is 18 years old or older means any of the following—
    - (i) a drug of dependence for which a small quantity is prescribed;
    - (ii) a prohibited substance for which a small quantity is prescribed;

- (b) for a person who is under 18 years old means any of the following—
  - (i) a drug of dependence for which a small quantity is prescribed;
  - (ii) a prohibited substance for which a small quantity is prescribed;
  - (iii) cannabis for which a small quantity is prescribed.

***small quantity fraction***, for a relevant substance a person possesses, means—  

$$\frac{\text{the actual quantity for the relevant substance}}{\text{the small quantity for the relevant substance}}$$

## 8 Section 171A

*substitute*

### 171A Offence notices

- (1) If a police officer believes on reasonable grounds that a person has committed a simple drug offence, the police officer may serve an offence notice on the person.
- (2) If an offence notice is served on a child and the police officer serving the notice believes on reasonable grounds that the child is living with a person with parental responsibility for the child, the police officer must serve a copy of the notice on the person with parental responsibility.
- (3) An offence notice must—
  - (a) specify the nature of the alleged simple drug offence to which the notice relates; and
  - (b) specify the date and time when, and place where, the simple drug offence is alleged to have been committed; and
  - (c) state that no further action will be taken in relation to the alleged simple drug offence if the alleged offender—
    - (i) pays the prescribed penalty for the alleged offence within 60 days after the date of service of the notice; or
    - (ii) satisfies the attendance requirements of an approved drug diversion program within 60 days after the date of service of the notice; and
  - (d) specify details of the following:
    - (i) for payment of the penalty—the amount of the penalty, how the penalty may be paid and the place where payment may be made;
    - (ii) for attendance at a drug diversion program—where and how to satisfy the attendance requirements of the program; and
  - (e) for a notice alleging a simple drug offence involving cannabis state that—
    - (i) unless a court orders otherwise, the government analyst may, under section 193C (Destruction of cannabis without court order), destroy seized cannabis without a court order; and
    - (ii) the alleged offender may apply to the Magistrates Court, under section 193D (Order for preservation of cannabis), for an order for the preservation of cannabis to which the alleged simple drug offence relates; and
  - (f) contain any other particulars prescribed by regulation.
- (4) If the alleged offender pays the penalty in accordance with subsection (3) (d) (i), or satisfies the attendance requirements in accordance with subsection (3) (d) (ii)—

- (a) any liability of the person in relation to the alleged simple drug offence is discharged; and
  - (b) no further proceeding may be taken in relation to the alleged simple drug offence; and
  - (c) the person must not be regarded as having been convicted of the alleged simple drug offence.
- (5) Except as provided in subsection (4), this section does not affect the institution or prosecution of a proceeding for a simple drug offence.
- (6) Any substance, equipment or object seized under any Act in connection with the alleged simple drug offence that would have been liable to forfeiture in the event of a conviction is forfeited to the Territory on—
- (a) payment of the penalty in accordance with subsection (3) (d) (i); or
  - (b) satisfying the attendance requirements of the approved drug diversion program in accordance with subsection (3) (d) (ii).
- (7) In this section:
- approved drug diversion program*** means a program approved under section 171BB.
- attendance requirements***, for an approved drug diversion program, means—
- (a) attending the assessment session of the program; and
  - (b) attending any other part of the program that the person is required to attend after the assessment session is completed; and
  - (c) complying with all reasonable directions given in relation to the program.
- child*** means a person who is under 18 years old on the date of the alleged offence.
- person with parental responsibility***, for a child—means a person with parental responsibility for the child under the *Children and Young People Act 2008*, division 1.3.2.
- simple drug offence*** means an offence against any of the following:
- (a) section 162 (1);
  - (b) section 169 (1);
  - (c) section 171 (1);
  - (d) section 171AA (1).

10

**Proposed new clause 12A**

Page 6, line 20—

*insert***12A New section 171BB***in part 10, insert***171BB Drug diversion program**

- (1) The Minister may approve a drug diversion program for the assessment and treatment of people who are found in possession of drugs of dependence or prohibited substances.
- (2) An approval is a notifiable instrument.



11

**Proposed new clause 12B**

Page 6, line 20—

*insert***12B New section 205B***insert***205B Review of amendments related to personal use of certain drugs etc**

- (1) The Minister must review the operation of the amendments of this Act made by the *Drugs of Dependence (Personal Use) Amendment Act 2021* as soon as practicable after the end of their 2nd year of operation.
- (2) The Minister must present a report of the review to the Legislative Assembly within 6 months after the day the review is started.
- (3) This section expires 4 years after the day it commences.

12

**Clause 13**

Page 7, line 1—

*omit clause 13, substitute***13 Dictionary, new definition of small quantity***insert*

***small quantity***, for a drug of dependence or a prohibited substance, means a quantity of the drug or substance that is not more than the quantity prescribed by regulation.

13

**Proposed new part 3**

Page 7, line 4—

*insert***Part 3 Drugs of Dependence Regulation 2009****14 New section 3A***insert***3A Offence notice penalty—Act, s 171A (3) (c) (i)**

The prescribed penalty is \$100.

**15 New section 6***insert***6 Small quantity—Act, dict, def *small quantity***

- (1) For the Act—
  - (a) the small quantity mentioned in table 6.1, column 3 for a drug of dependence mentioned in column 2, whether in pure form or a mixture containing the drug, is prescribed; and
  - (b) the small quantity mentioned in table 6.2, column 3 for a prohibited substance mentioned in column 2, other than items 5 and 6, whether in pure form or a mixture containing the substance, is prescribed; and

- (c) the small quantity mentioned in table 6.2, column 3 for a prohibited substance mentioned in column 2, items 5 and 6, in a pure form of the substance, is prescribed.

**Table 6.1 Small quantity—drugs of dependence**

| column 1<br>item | column 2<br>drug of dependence | column 3<br>small quantity | column 4<br>discrete dosage<br>unit (DDU) |
|------------------|--------------------------------|----------------------------|---|
| 1                | amphetamine                    | 1.5g                       |   |
| 2                | cocaine                        | 1.5g                       |   |
| 3                | methamphetamine                | 1.5g                       |   |

**Table 6.2 Small quantity—prohibited substances**

| column 1<br>item | column 2<br>prohibited substance           | column 3<br>small quantity | column 4<br>discrete dosage<br>unit (DDU) |
|------------------|--|----------------------------|---|
| 1                | 3,4-Methylenedioxymethylamphetamine (MDMA) | 5 DDU or 1.5g              | 0.3g                                      |
| 2                | cannabis (dried cannabis)                  | 50g                        |   |
| 3                | cannabis (harvested cannabis)              | 150g                       |   |
| 4                | heroin                                     | 1g                         |   |
| 5                | lysergic acid                              | 5 DDU or 0.001g            | 0.0002g                                   |
| 6                | lysergide (LSD, LSD-25)                    | 5 DDU or 0.001g            | 0.0002g                                   |
| 7                | psilocybine                                | 1.5g                       |   |

- (2) In this section:

**discrete dosage unit** (or **DDU**), for a drug of dependence or a prohibited substance, means the drug or substance in a form—

- (a) prepared, or apparently prepared, to be administered as a single dose; and
- (b) containing not more than—
  - (i) for a drug of dependence—the quantity mentioned in table 6.1, column 4 for a drug mentioned in column 2, whether in pure form or a mixture containing the drug; and
  - (ii) for a prohibited substance—the quantity mentioned in table 6.2, column 4 for a substance mentioned in column 2, other than items 5 and 6, whether in pure form or a mixture containing the substance; and
  - (iii) for a prohibited substance—the quantity mentioned in table 6.2, column 4 for a substance mentioned in column 2, items 5 and 6, in a pure form of the substance.

**Examples—par (a)**

tablet, capsule

**dried cannabis** means cannabis that has been subjected to a drying process.

**harvested cannabis** means cannabis that has been harvested and—

- (a) is not dried cannabis; or
- (b) is a mixture of dried cannabis and cannabis that is not dried cannabis.

## Schedule 2

### Drugs Of Dependence (Personal Use) Amendment Bill 2021

#### Amendments moved by Mr Hanson

1

#### Clause 2

Page 2, line 5—

*omit*

1 February 2022

*substitute*

20 December 2024

## Schedule 3

### Drugs Of Dependence (Personal Use) Amendment Bill 2021

#### Amendments moved by Mr Davis

1

#### Clause 4

#### Proposed new section 169 (2A)

Page 2, line 24—

*insert*

(2A) Subsection (1) does not apply if the person—

- (a) is 18 years old or older; and
- (b) possesses the drug of dependence in the ACT.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2A) (see Criminal Code, s 58).

2

#### Clause 4

#### Proposed new section 170, table 170

Page 3, line 7—

*omit table 170, substitute*

**Table 170**

| column 1<br>item | column 2<br>substance                      | column 3<br>personal possession limit |
|------------------|--|---------------------------------------|
| 1                | 3,4-Methylenedioxymethylamphetamine (MDMA) | 10g                                   |
| 2                | amphetamine                                | 6g                                    |

| column 1<br>item | column 2<br>substance         | column 3<br>personal possession limit |
|------------------|-------------------------------|---------------------------------------|
| 3                | cannabis (dried cannabis)     | 50g                                   |
| 4                | cannabis (harvested cannabis) | 150g                                  |
| 5                | cocaine                       | 6g                                    |
| 6                | heroin                        | 5g                                    |
| 7                | lysergic acid                 | 0.003g                                |
| 8                | lysergide (LSD, LSD-25)       | 0.003g                                |
| 9                | methamphetamine               | 6g                                    |
| 10               | psilocybine                   | 2g                                    |

3

**Clause 4****Proposed new section 171 (2A)****Page 4, line 21—***insert*

(2A) Subsection (1) does not apply if the person—

- (a) is 18 years old or older; and
- (b) possesses the prohibited substance in the ACT.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2A) (see Criminal Code, s 58).

4

**Proposed new clause 12A****Page 6, line 20—***insert***12A New section 205B***insert***205B Review of certain amendments related to personal use**

- (1) The Minister must appoint a person with expertise in relation to people who use drugs or substances to which this Act applies (an *independent reviewer*) to review the operation of the amendments of this Act made by the *Drugs of Dependence (Personal Use) Amendment Act 2021*, as soon as practicable after the end of their 2nd year of operation.
- (2) The Minister must not appoint a person as the independent reviewer if the person is a public servant.
- (3) The person undertaking the review must consult with the members of any community the reviewer considers is affected, or likely to be affected, by the operation of the amendments.
- (4) The Minister must present a report of the review to the Legislative Assembly within 6 months after the day the review is started.
- (5) This section expires 4 years after the day it commences.

## **Schedule 4**

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

Amendments moved by Mr Davis to the amendments moved by the Minister for Health

**1**

#### **Amendment 9**

##### **Proposed new section 171A (7), definition of *attendance requirements***

*omit the definition, substitute*

*attendance requirements*, for an approved drug diversion program, means attending the first session of the program.

---

## Answers to questions

### Health—birthing and maternity services (Question No 805)

**Ms Castley** asked the Minister for Health, upon notice, on 3 June 2022:

- (1) What is the (a) headcount and (b) full-time equivalent of midwives employed by Canberra Health Services (CHS).
- (2) How many care and birthing options are available for pregnant women and can the Minister provide details.
- (3) Of the options referred to in part (2), since 2016, how (a) many places were available for each option, (b) many women applied for a place in each option and (c) much funding does each option receive.
- (4) Has the Minister's office received any complaints from women who have not received their preferred option; if so, how many complaints have been received and can the Minister provide details.
- (5) How many beds are there/have there been at Canberra Hospital and Calvary Public Hospital in the maternity unit/birthing wards each year since 2016.
- (6) What is the average length of stay, since 2016, in the maternity unit/birthing ward at (a) Canberra Hospital and (b) Calvary Public Hospital,
- (7) What is the average cost of an overnight stay in the maternity unit/birthing ward at (a) Canberra Hospital and (b) Calvary Public Hospital, since 2016.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) a) and b) Please refer to the answer to Question on Notice 797 (Q 13 b).
- (2) The Canberra Health Services (CHS) Centenary Hospital for Women and Children (CHWC) Model of Care options for pregnant women include Continuity of Care (which also includes Homebirth), Midwifery-led Care, Specialist Obstetric-led Care, Fetal Medicine-led Care, Specialist Clinics (Diabetes, Pregnancy Enhancement, Multiples, Young Parents, Culturally and Linguistically Diverse, Preterm Birth, BuMP), GP Shared Care and Private Obstetric-led Care.

At Calvary Public Hospital Bruce (CPHB), options include the Maternity Care Team and Continuity of Midwifery Care Program.

Information about these options can be found in Maternity in Focus: The ACT Public Maternity System Plan 2022-2032, available here: [Maternity in Focus: The Public Maternity System Plan 2022-2032 \(act.gov.au\)](https://act.gov.au/maternity-in-focus)

- (3)
  - (a) The CHS CHWC can accommodate up to 3,800 births per year based on current budgeted staffing. This includes 2800 births provided through Midwifery Led Care, Specialist Obstetric Led Care, Fetal Medicine Led Care, Specialist Clinics (Diabetes, Pregnancy Enhancement, Multiples, Young Parents, CALD,

Preterm Birth, BuMP) GP Shared Care and Private Obstetric Led Care and approximately 1000 births through the Continuity of Care Program including Homebirth. The level of data granularity required to provide “how many places were available for each option, since 2016” would require a high level of resourcing that would be an unreasonable diversion of resources.

The CPHB Continuity of Midwifery Care Program has offered around 240 places for women a year since its inception in 2014. In 2021-22, this program was extended to a further 120 women, enabling around 360 women continuity of midwifery care at CPHB. The Maternity Care Team care for the remaining women.

- (b) Women do not apply for a place, the options and their referral for care is discussed with a midwife and they are allocated to the most appropriate care pathway.
- (c) CHS does not report financial data at this detail. Please refer to annual reports for expenditure. Cost per program is incorporated into multiple cost centres providing different services.

Due to the structure of the CPHB Women and Children’s Division, funding is spread across services provided rather than by models of care. Both models of care access services such as doctor’s clinics, postnatal beds, special care nursery cots and consumables, so any funding figures provided would not be reflective of the cost of the model of care in its entirety.

- (4) I have received complaints about a preferred option not being received, noting not all complaints will be directed specifically to me to respond. CHS has responded to four complaints received through the Minister’s Office and provided input into three complaints received by the ACT Health Directorate, since the commencement of Canberra Maternity Options Service in 2019.

(5)

|  | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|--|---------|---------|---------|---------|---------|---------|
| (a) Canberra Hospital <sup>1</sup>             | 37      | 37      | 37      | 37      | 37      | 37      |
| (b) Calvary Public Hospital Bruce <sup>1</sup> | 31      | 31      | 31      | 31      | 34      | 34      |

*Note 1 – Average number of beds operated throughout the year. Includes Maternity, Birth Suite, Birth Centre, and Special Care Nursery.*

(6)

- (a) The average length of stay, since 2016, for the Canberra Hospital, in the maternity unit/birthing ward is 2.2 days.
- (b) The average length of stay, since 2016 for Calvary Public Hospital Bruce, in the maternity unit/birthing wards is 2.2 days.

(7)

- (a) Data on hospital costs are provided by the Independent Hospital Pricing Authority and the Australian Institute of Health and Welfare

[https://www.ihsa.gov.au/sites/default/files/publications/round\\_23\\_2018-19\\_nhdc\\_report\\_public\\_sector.pdf](https://www.ihsa.gov.au/sites/default/files/publications/round_23_2018-19_nhdc_report_public_sector.pdf)

<https://www.aihw.gov.au/reports/hospitals/australias-hospitals-at-a-glance-2018-19/summary>

The below table provides the ACT average cost per episode for acute admitted patients since 2016-17. This is all acute patients, and not limited to maternity/birthing units.

| Activity Stream | ACT Average Cost 2016-17 | ACT Average Cost 2017-18 | ACT Average Cost 2018-19 | ACT Average Cost 2019-20 | ACT Average Cost 2020-21 |
|-----------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Admitted Acute  | \$5,325                  | \$5,320                  | \$5,690                  | \$6,076                  | \$5,692                  |

### Hospitals—National Disability Insurance Scheme patients (Question No 894)

**Ms Castley** asked the Minister for Disability, upon notice, on 23 September 2022:

- (1) How many days have each of the 18 National Disability Insurance Scheme patients in Canberra hospitals been there.
- (2) Can the Minister provide a breakdown of how many are in what hospitals.
- (3) Can the Minister provide, for each patient, the date when they were declared medically fit to leave hospital.
- (4) Can the Minister provide, for each patient, the number of days between when they were declared fit to leave hospital and when they arrived.
- (5) What is the average care/bed cost per day to treat these patients in hospital.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- 1) The number of NDIS participants in hospital at any given time is a dynamic number, which is also the case for the number of participants who are awaiting discharge.

On 30 September 2022, there were 51 NDIS participants in either the Canberra Hospital or University of Canberra Hospital. This figure represents the total number of consumers that were admitted and had a NDIS participant number on file at the time. It does not necessarily represent the number of people who can be discharged and not all NDIS participants may disclose they are a NDIS participant to Canberra Health Services (CHS) when they are admitted. The average length of stay for this group of individuals is 168 days. Individual data on length of stay cannot be provided as it pertains to personal health information of individual consumers.

Health Ministers and Disability Reform Ministers are working to address the issue of bed block in hospital systems. In the ACT, CHS, the Community Services Directorate and the National Disability Insurance Agency (NDIA) are working together to expedite the discharge of people with disability from long stay hospital beds.



The NDIA has adopted planning targets to assist in faster planning processes for NDIS participants in hospital. Accordingly, a NDIS participant will be contacted by the NDIA within four days and a plan will be in place within four weeks. Additional Hospital Liaison Officers have been deployed to assist in working on hospital discharge planning.

- 2) As of 30 September 2022, there were 27 NDIS participants at Canberra Hospital and 24 at the University of Canberra Hospital.
- 3) This information cannot be provided as it is pertaining to personal health information of individual consumers.
- 4) As above.
- 5) CHS does not provide average cost per bed day as there is significant variability in costs across medical specialties, care types and individual episodes of care. To determine an “average cost” per admitted NDIS participant, CHS would require significant additional resourcing to identify NDIS participants from the general patient cohort, which is not always possible unless the patient discloses this information and calculate the cost of each individual’s episode of care.

Data on hospital costs are provided by the Independent Health and Aged Care Pricing Authority:

[www.ihacpa.gov.au](http://www.ihacpa.gov.au)

The 2019-20 Public Sector, Round 24 Financial Year data that includes acute, sub-acute, emergency, non-admitted and mental health costs can be found here:

[NHCDRC Round 24 Report\\_0\\_0.pdf \(ihacpa.gov.au\)](#)

The Australian Institute of Health and Welfare also provide this information:

[Hospitals - Australian Institute of Health and Welfare \(aihw.gov.au\)](#)

## **Canberra Health Services—staff welfare (Question No 895)**

**Ms Castley** asked the Minister for Health, upon notice, on 23 September 2022:

- (1) Given that The Canberra Times article of 7 June 2022, quoted the Chief Executive Officer of Canberra Health Services (CHS) as saying, “We have listened to feedback that we should do more, particularly to support those who experience traumatic events through their work at CHS”, can the Minister provide details on what that feedback was.
- (2) Given that in the media the wife of an obstetrician who had died said that the hospital “will try to address the issues surrounding the care of its staff on a deeper level. I implore them to work diligently towards that goal”, can the Minister detail what
  - (a) action CHS has taken since the obstetrician’s death on this issue and
  - (b) involvement has staff had in this process.

- (3) Given that a 7 June RiotAct article quoted a staff member as saying, “the support they are offering now needs to be 24/7 and 365 days of the year. We experience trauma every day and staff are devastated”, what specific measures are being considered to improve trauma support for staff and when will those measures be implemented.

**Ms Stephen-Smith:** The answer to the member’s question is as follows:

- 1) The feedback from staff was received via a Canberra Health Services’ (CHS) Staff Wellbeing Survey that was conducted from 6 June – 4 July 2022. The purpose of the survey was to ask staff about improving wellbeing supports for the CHS workforce. The Survey received 331 responses, with feedback comprising more than 1,700 qualitative data points across support, prevention and promotion themes.

- 2) a) and b)

The CHS Staff Wellbeing Symposium was held on 1 August 2022. I attended along with the Minister for Mental Health, 130 CHS staff and other key stakeholders. The purpose of the Symposium was to:

- build knowledge and understanding of wellbeing in the workplace with experts in the wellbeing field,
- identify what a mentally healthy healthcare workplace looks like,
- identify the role staff play and how they can contribute to a mentally healthy workplace in partnership with the organisation,
- discuss risk and protective factors and what support is available.

Feedback from staff showed the Symposium provided a greater understanding of the supports available, specifically for professional groups and was considered to be valuable. 92 per cent of Symposium respondents said they would participate in another wellbeing symposium or event.

The Staff Wellbeing Survey feedback has also been used to inform a number of activities and 150 staff have volunteered to be involved. The first Staff Wellbeing Forum was held on 31 August 2022. The purpose of the Forum was to:

- Share the feedback from the Wellbeing Survey, identifying themes, objectives, and key recommendations;
- Provide a summary of current CHS Staff Wellbeing Strategy and initiatives; and
- Establish working groups to co-design wellbeing initiatives.

Twelve multidisciplinary Working Groups have been established and all have now developed wellbeing activities/actions for implementation. The second Staff Wellbeing Forum was held on 18 October 2022. All working group members were invited to attend the Forum to share the 12 actions that have been developed and to vote on priority actions to be implemented within the next three months.

The promotion of a Wellbeing Boost, providing funding for teams at the unit level to improve health and wellbeing, was open from 5 – 21 September 2022. The purpose of the Wellbeing Boost is to increase engagement with health and wellbeing across CHS.

On 4 October 2022, the Wellbeing and Recovery Fund was announced providing funding of \$8.75 million towards improving wellbeing across the health services of

the ACT. CHS is undertaking a co-design process to ensure that initiatives are tailored for the CHS environment and foster early engagement. Active staff participation in the design and implementation of health and wellbeing initiatives will increase access/uptake of the supports on offer and help normalise support seeking behaviours.

In October 2022, during National Mental Health Month, CHS is focusing on normalising help seeking behaviour and communicating the supports and services available for staff. The staff health and wellbeing pages on the CHS intranet are being updated to make access to information easier and to promote help seeking behaviours. The Staff Health and Wellbeing Strategy is being renewed, with the draft strategy due for staff consultation in early December.

- 3) Staff have always had access to trauma support through an Employee Assistance Program (EAP). This service is currently provided by Converge International and is available 24 hours a day and 365 days a year. Urgent phone appointments to the EAP can be arranged within 20 minutes. Appointments can be arranged for in-person, by phone or virtual attendance.

Alternative supports are also available and promoted for staff to access 24 hours a day and 365 days a year including Lifeline and Access Mental Health. CHS are committed to improving trauma support by making access to support services as easy as possible and by normalising help seeking behaviours.

---

### **Health—National Bowel Cancer Screening Program (Question No 904)**

**Ms Castley** asked the Minister for Health, upon notice, on 23 September 2022:

- (1) In relation to the Gastroenterology and Hepatology Unit (GEHU), how many referrals that have come through the National Bowel Cancer Screening Program and assessed by a general practitioner (GP) as urgent have been seen within the clinically recommended time.
- (2) What is the agreement with the federal government about wait times for referrals that have come through the National Bowel Cancer Screening Program and assessed by a GP as urgent have been seen within the clinically recommended time, that is, how quickly are these patients supposed to be seen.
- (3) How many consultants are up to date with triaging, and/or with no referrals awaiting triage dated more than six months ago.
- (4) Are faxed referrals still being used.
- (5) Do referring GPs get any automatic updates as to the progress of the referral and any further information required and how has this changed since the 2015 Auditor-General's report (page 43).
- (6) Have all recommendations from the 2015 Auditor-General's report into the GEHU been implemented.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- 1) From 1 January 2021 to 30 September 2022 the Gastroenterology and Hepatology

Unit (GEHU) has received 1,460 referrals that were referred for positive Faecal Occult Blood (FOB) tests. 888 of the 1,460 referrals were patients who were deemed appropriate for the National Bowel Cancer Screening Program (NBCSP).

A General Practitioner (GP) stating a referral is urgent is not always deemed clinically urgent when triaged by the specialist. All patients triaged as urgent, or Category 1 are booked in the appropriate timeframe. If a referral is triaged as either Category 2 or Category 3, the NBCSP Registered Nurse (RN) will review these referrals and discuss the triaged category with the specialist to determine if the patient is suitable to be referred to the NBCSP.

- 2) A patient is booked for a NBCSP based on the category of urgency the specialist triages a patient as (category 1 within 30 days, category 2 within 90 days, and category 3 within 1 year). Specifically, patients who are triaged as suitable for the NBCSP are all booked as a priority with the NBCSP clinic. Once the referral has been identified, the NBCSP registered nurse will also review these referrals. Each patient is booked an appointment within four weeks of the referral being received.
- 3) All specialists are up to date with triaging.
- 4) Referrals can be received by email, fax or physically handed in by a patient. Faxed referrals are often converted to an email by the “rightfax” system. Referrals that are received as physical documents (either by fax or from the patient) are immediately scanned to the referrals team for registration. With the introduction of the Digital Health Record (DHR), referrals will be able to be sent to CHS via a Health Link Smart Form.
- 5) GPs receive a letter when their patient has been triaged and placed on the waiting list for a consult or a procedure. Regarding the consult letter, the GP is informed of the category of urgency their patient has been assessed as. Procedure waiting list letters do not provide the category of urgency, however when the specialist reviews the patient in clinic, they provide a dictated letter to the GP regarding the procedure and will often advise of the category of urgency of the procedure. There is currently no automated way that GPs are updated when the status of a referral is changed, and this has not changed since the 2015 Auditor-General’s report.

With the introduction of the DHR, if a GP chooses to refer using the Health Link Smart Form, the benefits include:

- Knowing that the referral has been securely received at its intended location;
  - Visibility of updates on the referral triage, status and booking notification for the first appointment;
  - Referral is in sync with the DHR; and
  - Reduced administrative time to get the referral triaged.
- 6) The recommendations from the 2015 Auditor-General’s report have been implemented.

---

### **Health—paediatric early warning system review (Question No 905)**

**Ms Castley** asked the Minister for Health, upon notice, on 23 September 2022:

- (1) When will the review of the paediatric early warning system be finished.
- (2) Who is conducting the review.
- (3) When did the review begin.
- (4) What are the terms of reference for the review.
- (5) How is the review being conducted.
- (6) When was the paediatric early warning system introduced and has it been evaluated.
- (7) Will the review's report be publicly released.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) Canberra Health Services (CHS) completed an internal review of the Paediatric Early Warning Score (PEWS) to ensure implementation in the Digital Health Record (DHR) when it goes live on 12 November 2022.
- (2) The review included input from a range of clinicians, case analyses and consideration of the national and international literature on alternative early warning systems.
- (3) The PEWS system is continuously reviewed to ensure ongoing application and effectiveness for identifying and responding to a deteriorating child. The above internal review of PEWS to inform DHR implementation was completed over the past 12 months.
- (4) There were no formal terms of reference for the review.
- (5) As above, reviews have been conducted as part of CHS' continuous quality improvement approach in consultation with clinicians and with consideration of available literature.
- (6) The PEWS system was introduced in the mid-2000s and is continuously evaluated.
- (7) As above, there is no report of the review.

---

### **Housing—new housing strategy (Question No 907)**

**Mr Cain** asked the Minister for Housing and Suburban Development, upon notice, on 23 September 2022:

- (1) Can the Minister provide detail of the data behind the commitment to build 30,000 homes in Canberra over the next five years (2023-2027).
- (2) How many houses would be built per year.
- (3) What would the zoning breakdown be per year, including RZ4 and RZ5.
- (4) Can the Minister clarify, from the Indicative Land Release Program 2022-23

(pp 53-55), the breakdown of how many dwellings will be released in the zonings RZ1-RZ5 for (a) 2024-25, (b) 2025-26 and (c) 2026-27 for the suburbs of (i) Macnamara, (ii) Kenny, (iii) Molonglo, (iv) Molonglo Valley – new suburb, (v) Weston and (vi) Ginninderry – new suburb.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) The government has not committed to build 30,000 homes in Canberra over the next five years (2023-2027). The government is planning for an increase of around 30,000 dwellings over the next five years, drawing from:
  - a. Land for 16,417 dwellings as identified in the ACT Government Indicative Land Release Program (2022-23 to 2026-27);
  - b. An estimated 7,900 dwellings from private development;
  - c. Land for an estimated 2,500 dwellings from Commonwealth partnerships;
  - d. 2,000 dwellings from Build-to-Rent products coming onto the market;
  - e. 600 dwellings from the Commonwealth social housing programs (representing 2 per cent of the 30,000 dwellings promised nationally by the Federal Government through the key worker housing and social housing programs); and
  - f. 200 dwellings as part of the Growth and Renewal Program (being the net increase outside of the Indicative Land Release Program).
- (2) The number of houses built per year will be dependent on many factors including the timing of land released to market, Commonwealth Government Programs, private development, as well as construction/housing market conditions and wider economic circumstances.
- (3) The land use zoning of dwellings built in ACT over the next five years will be guided by ACT's planning, housing and land release policies aimed at providing a mix of housing types for ACT's growing and changing population. The final mix of land use zoning and dwelling types will be influenced by ACT Government, private and Commonwealth land developments; planning and site suitability investigation processes; community and stakeholder consultation; and other economic factors to determine the appropriate land use zoning for each site to deliver optimal planning and sustainable development outcomes.
- (4) The final breakdown of dwellings and their zoning for these suburbs will be determined at the Estate Development Plan (EDP) stage. Macnamara is the only one of the six suburbs listed that is currently subject to an EDP. The conditionally approved EDP for Macnamara would apply to the releases identified in early years of the ILRP, not those planned for 2024-25 and beyond.

---

### **ACT Health—employee counselling services (Question No 916)**

**Ms Castley** asked the Minister for Health, upon notice, on 23 September 2022:

- (1) What type of support is currently provided to staff following serious/traumatic incidents.

- (2) Is there a dedicated team of professionals who provide this support; if so, can the Minister provide details about staff numbers, roles, skills, etc.
- (3) Is this support available 24/7 and at call for any staff who seeks it.
- (4) How much budget funding is allocated to this support service, including details for the last three years.
- (5) Did the Chief Executive Officer (CEO) of Canberra Health Services (CHS) state in The Canberra Times on 7 June 2022, that the organisation could do more to support staff who experience traumatic events through their work, following the death of an obstetrician; if so, what has CHS done since the obstetrician's death to support staff and what "more" is being considered or planned in light of the official's remark.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) A range of local, organisation and national supports are provided to staff as part of orientation and refresher training within the health service, a specific specialty or as part of profession specific training. These include but are not limited to: 24/7 confidential support services specific for doctors, nurses, midwives, pharmacists and dentists; standby support after suicide; suicide call back service; managers hotline for help in supporting staff through difficulties; RED contact officers; Workplace Resolution and Support Service; Next Step Beyond Blue program.

The Canberra Health Services' (CHS) Staff Health and Wellbeing Strategy 2020-2023 provides a strategic approach across the organisation to staff health and wellbeing and is a key component in continuing to build a physically and mentally healthy workplace culture. As part of this strategy the CHS managers' guide for the provision of psychological support for employees, outlines actions and supports for staff appropriate to the situation.

Converge International is the Employee Assistance Program (EAP) provider for CHS and the ACTPS. Following a critical incident, managers can notify Converge to determine the appropriate action and guidance including whether on-site support is required. Converge can deliver support sessions for staff face-to-face, via video or over the phone.

Attendance on site of a professional consultant is arranged at a time to suit the health service. The consultant offers confidential support to staff who may have been impacted by the event.

The support is offered in a group setting followed by one-on-one appointments for staff if required. Attendance at the session is voluntary.

From 28 July 2022 to 13 January 2023, Converge is providing an on-site service at the Canberra Hospital for staff to access one-on-one counselling appointments two days per week between 8am and 4pm.

- (2) Converge International offers a dedicated team of health professionals to provide counselling support for staff, this includes critical response teams with trauma informed training.
- (3) Converge International Critical Incident Support is available 24/7 for staff who seek it.

- (4) Trauma support services are not subject to budget lines and teams use the services as required.
- (5) The article in The Canberra Times on 7 June 2022 reports that the CHS Chief Executive Officer (CEO) stated “we have listened to feedback that we should do more, particularly to support those who experience traumatic events through their work at CHS” and “We’re committed to implementing stronger and more accessible health and wellbeing supports, especially those who experience trauma at work”.

As part of the commitment to implementing stronger and more accessible health and wellbeing supports, especially for those who experience trauma at work, CHS has undertaken a number of actions including:

- Listened to staff, through the Wellbeing Survey, for feedback about what the organisation can start doing, stop doing and keep doing.
- Used this feedback to inform Staff Wellbeing Forums and working groups. Through 12 multidisciplinary working groups, 12 wellbeing activities have been co-designed.
- Held the Staff Wellbeing Symposium on 1 August 2022 and two Staff Wellbeing Forums on 31 August and 18 October 2022.
- Created the Wellbeing Boost program to increase engagement with health and wellbeing across CHS.
- In October 2022, during National Mental Health Month, CHS will be focusing on normalising help seeking behaviour and communicating the supports and services available for staff.
- Communication and information to staff will be updated.
- The Staff Health and Wellbeing Strategy is being renewed with the draft strategy 2023-2026 due for staff consultation in early December 2022.

---

### **Small business—portable long service leave schemes (Question No 921)**

**Ms Castley** asked the Minister for Industrial Relations and Workplace Safety, upon notice, on 23 September 2022:

- (1) What consultation has there been with the ACT hairdressing sector about the proposed expansion of the ACT’s Long Service Leave (Portable Schemes) Act 2009.
- (2) How was industry consultation with the hairdressing sector done, and when did it happen.
- (3) Which hairdressers, businesses and representatives were consulted, including how many and names of those consulted.
- (4) What was the result of such consultation including what feedback was provided.
- (5) Was a report compiled following the consultation; if so, can the Minister provide a copy of the report; if not, why not.
- (6) Is further consultation planned with the hairdressing sector; if so, can the Minister provide details of the planned consultation.



**Mr Gentleman:** The answer to the member's question is as follows:

1 & 2

A six-week public consultation process on expansion of the Long Service Leave (LSL) Portable Schemes commenced on 6 June 2022 and closed 18 July 2022 and was supported by a consultation paper published at <https://www.cmtedd.act.gov.au/industrial-relations-and-public-sector-management/wsir> and stakeholder engagement sessions run on 14 and 15 July 2022.

3

In addition to the publicly available consultation paper, stakeholders from the hairdressing industry consisting of peak representative bodies for employer and employee interests were directly invited by email to review the consultation paper and participate in the stakeholder engagement sessions held on 14 and 15 July 2022.

Stakeholders directly invited to the engagement sessions included the Australian Hairdressing Council (AHC), the Hair & Beauty Australia Industry Association (H&B AIA) and Hair Stylists Australia Union (HSAU).

Written submissions received after 18 July 2022 have also been registered as part of the consultation process. Relevantly, this included three submissions made by employers in the hairdressing industry.

4

The feedback received from the hairdressing industry as part of the consultation process from both the written submissions and stakeholder engagement sessions can be summarised as:

- employee representatives advocating for the expansion of portable long service leave in support of improving conditions for working Canberrans, particularly in roles prone to insecure working arrangements; and
- employers and industry peak bodies generally opposing the expansion of portable long service leave based on concerns about cashflow impacts and administrative costs.

5 & 6

The ACT Government is currently considering the feedback provided as part of the consultation process.

It is intended that a summary of the consultation process will in due course be published on the CMTEDD webpage at: <https://www.cmtedd.act.gov.au/industrial-relations-and-public-sector-management/wsir>.

Should any further public consultation be undertaken this will be subject to the outcomes of the Government's consideration of the consultation feedback.

---

**Children and young people—eating disorder support services  
(Question No 926)**

**Ms Castley** asked the Minister for Mental Health, upon notice, on 14 October 2022:

- (1) Do family/friends receive support if a child is admitted to the Canberra Hospital's paediatric high care ward for an eating disorder; if so, what support is provided; if not, why not.
- (2) Is there a hospital in the home program for children who have been discharged following an eating disorder presentation; if not, why not.
- (3) What supports are available for children who are discharged following an eating disorder presentation.
- (4) How many complaints have there been to the paediatric high care ward each year since 2016-17.
- (5) How long has the playground been closed and why was it closed and when will it reopen.
- (6) Do all the appliances and facilities work or are open in each of the rooms at the ward (for example, televisions and bathrooms).
- (7) Do all patients have access to a wheelchair; if not, why not.
- (8) How many requests are there for wheelchairs and how many wheelchairs are available for patients.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- 1) The Eating Disorder Clinical Hub has a temporary funded role of Transition Clinician (TC). The purpose of this role is to provide in-reach support to families who have had a child admitted in the context of an eating disorder. The TC attends hospital Multidisciplinary Team Meetings and meets with families during admission to discuss discharge planning and to ensure a smooth transition into care following the young person's admission. The TC then remains linked-in with family for around six weeks post discharge to ensure that the family and young person have ongoing support in the community. Depending on presentation and individual's needs, post-discharge may be private or through Canberra Health Services' (CHS) programs such as Eating Disorder Program.
- 2) Hospital in the Home referrals are made for children and young people requiring medical intervention. Please refer to question 1 for further information on the TC temporary funded role which will support children and young people with eating disorders post discharge.
- 3) Depending on presentation and in-line with the young person and their family's recovery goals, there are several support options offered by CHS post hospital admission. Families are initially engaged with the Clinical Hub TC, may link in with Family Based Therapy parent group or be referred directly into the Eating Disorder Program. Alternatively, families may choose to proceed with private support options.

4)

| Year    | Number of complaints |
|---------|----------------------|
| 2016-17 | 4                    |
| 2017-18 | 2                    |
| 2018-19 | 2                    |
| 2019-20 | 0                    |
| 2020-21 | 1                    |
| 2021-22 | 0                    |

- 5) The playground was closed as a response to the COVID-19 pandemic and has now reopened.
  - 6) Facilities Management (FM), Infrastructure and Health Support Services is responsible for the facilities management services across all CHS properties. All planned maintenance has been completed and reactive maintenance requests are responded to as required.
  - 7) Yes.
  - 8) Wheelchairs are available if and when required. Very few patients require wheelchairs allocated to them and are widely available for patient movement by staff.
- 

**Waste—household recycling bins  
(Question No 928)**

**Mr Davis** asked the Minister for Transport and City Services, upon notice, on 14 October 2022:

- (1) How does Transport Canberra and City Services conduct inspections, or otherwise contract a company to carry out such inspections, on household recycling bins.
- (2) If recycling bins are not used appropriately, what is Transport Canberra and City Services' method of following up with these households or otherwise incentivising behavioural change.
- (3) How many households, over the past year, have been flagged as not using their recycling bins correctly.
- (4) How many of these households, referred to in part (3), after intervention by Transport Canberra and City Services or their contractors, have subsequently begun using their recycling bins correctly.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Transport Canberra and City Services (TCCS) do not undertake inspections of household recycling bins. In accordance with the contract, the collection contractor monitors and reports any gross contamination identified in household recycling bins. Gross contamination is defined as any material placed into a recycling bin that would jam, clog or otherwise prevent the normal operation of recyclable processing facility's machinery.
- (2) During collections, the contractor's drivers will place a sticker on the bin lid noting the type of contaminate present when gross contamination is identified. More broadly, TCCS carries out education programs to the community on the correct use of recycling bins to help reduce contamination events.
- (3) The contractor has reported 28 households with grossly contaminated recycling bins in the 12 months from October 2021 to September 2022 inclusive.
- (4) The contractor reported that of the 28 households identified, 27 have not had a recurrence and one household had a gross contamination event seven months later.

**Roads—maintenance  
(Question No 932)**

**Mr Cain** asked the Minister for Transport and City Services, upon notice, on 14 October 2022:

- (1) What are the methods of fixing potholes used by Transport Canberra and City Services and the ACT Government.
- (2) What are the costs associated with each method, including the average cost per job.
- (3) What is the process for determining which method will be used to fix a pothole.
- (4) Are any of the methods of fixing potholes (including staff or material) contracted or procured.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Roads ACT repairs potholes using coldmix and hotmix asphalt.
- (2) The average cost to repair a pothole using coldmix varies between \$60 to \$120. Hotmix asphalt costs can vary significantly depending on the depth and extent of repair required.
- (3) For urgent and reactive repairs, coldmix asphalt is utilised. Generally, for planned repairs hotmix asphalt is utilised. The type of repair is also dependent on weather conditions.
- (4) Yes. All required raw materials are supplied to Roads ACT for the patching of road defects. While Roads ACT delivers the majority of potholing works, at times contractors are engaged to provide additional resourcing. These arrangements are provided under relevant contracts or procurement activities. Roads ACT also procures machinery to aid the delivery of its works.

---

**Sport and recreation—Florey Oval  
(Question No 933)**

**Mrs Kikkert** asked the Minister for Sport and Recreation, upon notice, on 14 October 2022 (*redirected to Minister for Education and Youth Affairs*):

- (1) When will the second stage consultation for the Florey oval be undertaken.
- (2) Will the final design be on display and available for consultation during this second stage.

**Ms Berry:** The answer to the member's question is as follows:

1. The first phase of public consultation to inform the preliminary design ran from July 2022 to September 2022. The second stage of consultation will commence by the end of November 2022, when the preliminary concept design will be shared with the community through YourSay for further feedback.

2. Preliminary concept designs are now being developed in consultation with the school and will be shared with community by the end of November 2022 for feedback. Final designs will be produced by the end of this year.

---

**Municipal services—Florey shops  
(Question No 934)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 14 October 2022:

- (1) Is the lodging of the development application for the Florey shops public toilet on track to be lodged by the end of the year; if not, what is the cause of the delay.
- (2) What is the estimated cost for the construction of the toilet.

**Mr Steel:** The answer to the member's question is as follows:

1. A Development Application is not required under the Planning and Development Act 2007 for the Florey shops public toilet.
2. The 2021-22 ACT Government Budget allocated \$1.0 million for delivering toilets at Farrer and Florey.

---

**Waste—green waste collection services  
(Question No 935)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 14 October 2022:

- (1) Does the Government have any expectations as to what is supposed to happen when JJ Richards is called, given that the Transport Canberra and City Services website advises that in the case a green bin is not emptied despite it being put out on the kerb on time, the affected person should call JJ Richards and leave the bin on the kerb until serviced.
- (2) Does JJ Richards have any kind of guaranteed service level; if so, are residents entitled to any kind of compensation, similar to Evoenergy's guaranteed service level, in the case of a failed bin pick up when the resident has done everything right; if not, why not.

**Mr Steel:** The answer to the member's question is as follows:

- (1) JJ Richards manages the customer service function relating to household green waste collections in the ACT. This includes responding to customer enquiries. In accordance with the contract, JJ Richards is required to collect a missed service within two working days if the contractor was at fault.
- (2) The contract for the collection of household green waste collections with JJ Richards includes a performance management framework. If JJ Richards fails to meet required performance levels, a penalty fee can be deducted from the monthly contractual

payments. Contractually, there is no obligation for JJ Richards to provide compensation to the resident in the case of a failed bin pickup. As outlined above, there are contractual arrangements for a missed service to be collected.

---

**Healthy Waterways project—Belconnen Oval subsurface wetland  
(Question No 936)**

**Mrs Kikkert** asked the Minister for Transport and City Services, upon notice, on 14 October 2022:

- (1) When does the Government intend for construction of the proposed Belconnen oval subsurface wetland to commence.
- (2) How long does the Government predict construction will take.

**Mr Rattenbury:** The answer to the member's question is as follows:

- 1) The date that the government will commence construction of the proposed Belconnen oval subsurface wetland is yet to be confirmed noting the construction is subject to ongoing community consultation and development approval.
  - 2) The predicted timeframes for construction based on the current designed is up to six months.
- 

**Crime—victim-survivor support  
(Question No 938)**

**Mrs Kikkert** asked the Attorney-General, upon notice, on 14 October 2022:

Have the three victims' registers been transferred to Victim Support ACT as advised by the Attorney-General in the inquiry into Community Corrections; if not, why not, and when will the transfer be completed; if so, was resourcing for the Victims of Crime Commissioner increased (if needed) as recommended in the inquiry into Community Corrections.

**Ms Cheyne:** The answer to the member's question is as follows:

The ACT has three separate victims registers with different legislative obligations and operational requirements. These are the:

1. Adult Offender Victims Register
2. Youth Justice Victims Register
3. Affected Persons Register

Transfer of the registers to VSACT has required resolution of legal and administrative concerns in relation to the sharing of information necessary to administer the Victims Registers.

Transfer of all three registers is expected to be complete by the end of 2022.

On the basis that all three registers will transfer to VSACT, resourcing of three additional officers was made available in the 2022-23 Budget to support VSACT administration of the three Victims Registers.

---

**Justice—community service work  
(Question No 940)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 14 October 2022:

- (1) How many of the 16,486 Community Service Work (CSW) hours performed over the 2019-2020 financial year, were from the completion of education or programs designed to address offending risk factors.
- (2) How many CSW hours were performed over (a) 2018-2019 and (b) 2021-2022, broken down by volunteer hours versus completion of education or program hours.
- (3) What are the 11 charities and not-for-profits referenced in the 2022 inquiry into Community Corrections (page 18).

**Mr Gentleman:** The answer to the member's question is as follows:

- 1) ACT Corrective Services (ACTCS) aggregate data does not delineate CSW hours attributable to education/programs from other community service work. An unreasonable diversion of resources would be required to provide a response.
- 2) As per question 1, ACTCS is unable to provide delineation of CSW hours between education/program hours and other community service work.
- 3) The charities and not-for-profits referenced in the 2022 Inquiry into Community Corrections are provided below:

Charities:

- a) Salvation Army stores
- b) St Vincent De Paul stores
- c) Red Cross
- d) Lifeline
- e) Pegasus ACT – Riding for the Disabled

Community agencies:

- a) Yeddung Mura Aboriginal Corporation
- b) Canberra Indian Myna Action Group
- c) Kippax Uniting Church
- d) Gilmore Church
- e) Tuggeranong Link of Community Houses and Centres
- f) ACT Canine Association.

I am more than happy to provide the Member a briefing to explore the topics raised through questions 1 and 2.

---

**ACT Community Services—Community Service Work unit staffing  
(Question No 941)**

**Mrs Kikkert** asked the Minister for Corrections, upon notice, on 14 October 2022:

- (1) How many full-time equivalent (FTE) staff are in the Community Service Work (CSW) unit.
- (2) How many FTE positions are funded for the CSW unit.

**Mr Gentleman:** The answer to the member's question is as follows:

- (1) As of 24 October 2022, the Community Services Work (CSW) Unit operates with four full-time staff, as below:
  - a. 1 FTE CSW Coordinator (Manager).
  - b. 1 FTE Administration Support Officer.
  - c. 2 FTE CSW Supervisors.
- (2) The Unit is funded for six full-time positions, as below:
  - a. 1 FTE CSW Coordinator (Manager).
  - b. 2 FTE CSW Administration Support Officers.
  - c. 3 FTE CSW Supervisors.
- (3) It is noted that 1 FTE CSW Administration Support Officer position is currently vacant due to an internal transfer and will be subject to recruitment action. Further, 1 FTE CSW Supervisor position became vacant in September 2022 as result of staff retirement and a recruitment process to fill this position is yet to be completed.
- (4) The CSW Unit also has access to casual CSW Supervisors to fill vacant shifts as required.

---

**Planning—Belconnen Lakeshore land release  
(Question No 943)**

**Mrs Kikkert** asked the Minister for Housing and Suburban Development, upon notice, on 14 October 2022:

Given that in the Minister's answer to the 2022-2023 Estimates question on notice No 356, the Minister stated that it was planned that the evaluation team will recommend a preferred tenderer in October, has that occurred and is there a preferred tenderer for the Belconnen Lakeshore land release; if so, who is that tenderer.

**Ms Berry:** The answer to the member's question is as follows:

The tender evaluation process is on-going, and a Preferred Tenderer has not yet been recommended. Regular updates are provided at Belconnen Community Council meetings, most recently on Tuesday 18 October 2022.



## **Ginninderra electorate—wood heater survey (Question No 944)**

**Mrs Kikkert** asked the Minister for Sustainable Building and Construction, upon notice, on 14 October 2022:

- (1) In relation to the wood fire heating survey referenced during question time on 12 October 2022, how many respondents were from the Ginninderra electorate.
- (2) Can the Minister provide a breakdown of the responses given by respondents living in Ginninderra.

**Ms Vassarotti:** The answer to the member's question is as follows:

- 1) 464 respondents were from the Ginninderra electorate
- 2) A summary of results from this cohort is as follows (data is unweighted):

### **Wood heater ownership and use**

- The majority of respondents do not have a wood heater in their home (86%), 6% say a wood heater is their main source of heating, 6% use one infrequently and 2% have one but never use it.
- Among wood heater owners, 28% installed this themselves, 20% upgraded the wood heater in their home, 47% say it was already installed when they moved in/purchased the home and 2% say someone else installed the wood heater (e.g. landlord).

### **Views on wood heaters**

- Perspectives on whether wood heaters are a cheap/low-cost heating source are split. 32% of all respondents agree that they are a cheap/low cost source, 31% disagree, 23% are neutral and 14% cannot say.
- The majority of respondents (70%) believe wood heaters produce a unique type of heating/warmth while 12% disagree and 11% are neutral.
- 55% of all respondents enjoy using wood heaters/find them enjoyable while 24% disagree and 13% are neutral.

### **Steps taken to reduce smoke/remove wood heater**

- The majority of wood heater owners say they take some steps in relation to their heater use with 84% using only dry, well-seasoned, treated wood, 81% using plenty of kindling to start a hot fire quickly and 78% having the air control fully open when starting a fire.
- 5% of wood heater owners are planning to replace or remove their wood heater in the next 12 months, while 34% say they are interested or considering it but not in the next 12 months, and 56% say they would never remove or replace their wood heater.
- Among those saying they would never replace or remove their wood heater, the main reasons given for this were liking the warmth and ambience of a wood fire (70%), feeling that other forms of heating are more expensive (30%), and only using the heater infrequently/on special occasions (28%).

- Of those who do not currently have a wood heater in their home, 9% said they have already replaced or removed a wood heater or decommissioned a fireplace. The main reasons for this were for environmental reasons (54%) and the mess/hassle associated with a wood heater (37%).

#### **ACT government rebate program/scheme**

- 47% of all respondents are aware of the Wood Heater Replacement Program while 37% are aware of the Sustainable Household Scheme. 40% are not aware of either program/scheme.
- Among wood heater owners, the majority (66%) say the Wood Heater Replacement Program would make no difference in encouraging them to replace/remove it. 2% say it would make them a lot more likely, 13% somewhat more likely and 14% a little more likely.

#### **Air quality in the ACT**

- 53% of all respondents rate the air quality in their suburb as Excellent/Very good, while 24% rate it as Fair/Poor during the Winter months.
- 44% of all respondents rate the air quality across Canberra as Excellent/Very good, while 20% rate it as Fair/Poor during the Winter months.
- 52% of all respondents say they have been impacted by smoke from a neighbour's wood heater (14% frequently), while only small proportion of those impacted have ever made a complaint (8%).
- 45% agree that the ACT Government should do more to monitor air quality while 15% disagree and 35% are neutral.

#### **Regulation of wood heaters**

- The majority of respondents are not aware of current regulations, including that only wood heaters that meet certain emissions standards can be legally sold in the ACT (58% unaware); that firewood merchants are regulated (72% unaware); that building approval is required to install a wood heater (54% unaware) and that the ACT Government has prohibited wood heaters in suburbs within the Molonglo Valley, Dunlop and East O'Malley (72% unaware).
- 54% of all respondents would support a gradual phase out of wood heaters across all suburbs in the ACT, while 24% would oppose such action, 21% are neutral and 1% can't say.
- Of those who oppose a gradual phase out approach, 35% support a requirement to remove older wood heaters that don't meet current emission standards, while 44% oppose and 21% are neutral.

---

### **Municipal services—graffiti (Question No 945)**

**Ms Lee** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

- How many (a) graffiti incidents have been reported through the Fix My Street website, (b) days on average did it take for graffiti to be removed once it was reported and

(c) infringements have been issued in relation to graffiti by ACT Policing, for the financial years 2017-2018 to 2021-2022 (inclusive).

**Mr Steel:** The answer to the member's question is as follows:

a) The number of graffiti incidents reported through Fix My Street are:

| Year * | 2017-2018 | 2018-2019 | 2019-2020 | 2020-2021 | 2021-2022 |
|--------|-----------|-----------|-----------|-----------|-----------|
| Number | 1,299     | 838       | 1,166     | 977       | 1,188     |

b) The removal of graffiti from public owned identified assets managed by Transport Canberra and City Services is a contracted service. Under the contractual arrangements between 2016-2022, the timeframes for the removal of graffiti are as follows:

- offensive graffiti to be removed within 24 hours; and
- all other graffiti to be removed within five days of being reported.

In the current contract (2022-2027), these timeframes remain the same.

c) Criminal Infringement Notices issued for Graffiti related offences:

|   | 2017-18  | 2018-19  | 2019-20  | 2020-21  | 2021-22  |
|---|----------|----------|----------|----------|----------|
| Deface Public Premises in Contravention of Section 120(2) of the Crimes Act 1900  | 6        | 2        | 3        | 4        | 3        |
| Deface Private Premises in Contravention of Section 120(1) of the Crimes Act 1900 | 2        | 1        | 6        | 2        | 1        |
| <b>Total</b>  | <b>8</b> | <b>3</b> | <b>9</b> | <b>6</b> | <b>4</b> |

\*data provided from internal and contractor systems.

## Suburban Land agency—staffing (Question No 947)

**Ms Lee** asked the Minister for Housing and Suburban Development, upon notice, on 21 October 2022:

In relation to page 60 of the 2021-2022 annual report of the Suburban Land Agency, Table 22, that provides a headcount of the staffing profile for the agency, can the Minister advise, for the classifications of (a) Administrative Officer, (b) Executive Officer, (c) Legal Officer and (d) Senior Officer, the total number of staff occupying each role broken down by grade of employment.

**Ms Berry:** The answer to the member's question is as follows:

### Administrative Officer

| Classification | Headcount |
|----------------|-----------|
| ASO4           | 4         |
| ASO5           | 11        |
| ASO6           | 19        |
| <b>Total</b>   | <b>34</b> |

**Executive Officer**

| Classification | Headcount |
|----------------|-----------|
| Executive 1.4  | 2         |
| Executive 2.2  | 2         |
| Executive 3.1  | 1         |
| Executive 3.2  | 1         |
| CEO            | 1         |
| <b>Total</b>   | <b>7</b>  |

**Legal Officer**

| Classification | Headcount |
|----------------|-----------|
| Legal 2        | 1         |
| <b>Total</b>   | <b>1</b>  |

**Senior Officer**

| Classification                      | Headcount |
|-------------------------------------|-----------|
| Infrastructure Manager Specialist 1 | 7         |
| Infrastructure Manager Specialist 2 | 1         |
| Infrastructure Manager Specialist 3 | 4         |
| Infrastructure Officer 3            | 14        |
| Infrastructure Officer 4            | 5         |
| Infrastructure Officer 5            | 10        |
| Senior Officer Grade A              | 11        |
| Senior Officer Grade B              | 16        |
| Senior Officer Grade C              | 30        |
| <b>Total</b>                        | <b>98</b> |

---

**Transport—Woden bus depot  
(Question No 948)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

- 1) When is the tender for the Woden bus depot due to be made public.
- 2) When is the contract expected to be signed.
- 3) When is the Woden bus depot expected to be completed.
- 4) What is the expected number of buses to be housed at the Woden depot when it opens.
- 5) What is expected to be the total bus capacity of the Woden bus depot.
- 6) How many of these buses will be zero emissions.
- 7) Will the depot be built so that the entire fleet based at Woden can be zero emissions.
- 8) How many new buses will be acquired for the Woden depot in addition to regular fleet replacement at the existing depots.

**Mr Steel:** The answer to the member's question is as follows:

- 1) The tender for design and construction of the Woden Bus Depot is already public.
- 2) The contract between the Territory and Richard Crookes Construction Pty Ltd was signed on 12 October 2018.
- 3) The Woden Bus Depot is expected to be completed in late 2024.
- 4) The final number of buses to be housed at Woden Bus Depot on the day it opens is yet to be determined, however it is anticipated to be approximately 80 buses.
- 5) The total capacity will be between 100 and 104 buses.
- 6) The number of diesel and battery electric buses to be housed at Woden is yet to be determined. The ratio will fluctuate over time as the fleet transitions to zero emissions.
- 7) Yes. The depot has been designed to accommodate a fully electric bus fleet.
- 8) This has not been confirmed.

### **Housing—rateable dwellings (Question No 950)**

**Ms Lee** asked the Treasurer, upon notice, on 21 October 2022:

Can the Minister provide the number of rateable dwellings, broken down by suburb, for the financial years 2011-2012 to 2021-22 (inclusive).

**Mr Barr:** The answer to the member's question is as follows:

The number of rateable dwellings, broken down by suburb, for the financial years 2011-12 to 2015-16 follows.

| <b>Suburbs</b> | <b>2011-12</b> | <b>2012-13</b> | <b>2013-14</b> | <b>2014-15</b> | <b>2015-16</b> |
|----------------|----------------|----------------|----------------|----------------|----------------|
| Ainslie        | 1,868          | 1,876          | 1,878          | 1,877          | 1,876          |
| Amaroo         | 1,901          | 1,901          | 1,920          | 1,920          | 1,924          |
| Aranda         | 877            | 879            | 888            | 899            | 909            |
| Banks          | 1,837          | 1,837          | 1,837          | 1,837          | 1,837          |
| Barton         | 814            | 823            | 829            | 966            | 969            |
| Belconnen      | 2,314          | 2,662          | 2,918          | 3,168          | 3,171          |
| Bonner         | 1,692          | 2,154          | 2,199          | 2,202          | 2,205          |
| Bonython       | 1,452          | 1,452          | 1,452          | 1,452          | 1,452          |
| Braddon        | 2,232          | 2,385          | 2,665          | 3,034          | 3,037          |
| Bruce          | 2,254          | 2,603          | 2,629          | 2,673          | 2,681          |
| Calwell        | 2,107          | 2,107          | 2,107          | 2,107          | 2,107          |
| Campbell       | 1,299          | 1,305          | 1,305          | 1,305          | 1,355          |

| <b>Suburbs</b>  | <b>2011-12</b> | <b>2012-13</b> | <b>2013-14</b> | <b>2014-15</b> | <b>2015-16</b> |
|-----------------|----------------|----------------|----------------|----------------|----------------|
| Casey           | 1,074          | 1,491          | 2,047          | 2,208          | 2,251          |
| Chapman         | 965            | 968            | 968            | 969            | 987            |
| Charnwood       | 1,234          | 1,234          | 1,234          | 1,234          | 1,236          |
| Chifley         | 1,036          | 1,054          | 1,068          | 1,072          | 1,086          |
| Chisholm        | 1,885          | 1,885          | 1,887          | 1,888          | 1,888          |
| City            | 1,203          | 1,211          | 1,796          | 1,799          | 1,803          |
| Conder          | 1,735          | 1,737          | 1,739          | 1,739          | 1,739          |
| Cook            | 1,285          | 1,286          | 1,286          | 1,286          | 1,286          |
| Coombs          | 0              | 0              | 251            | 607            | 811            |
| Crace           | 993            | 1,360          | 1,492          | 1,598          | 1,648          |
| Curtin          | 2,121          | 2,121          | 2,121          | 2,121          | 2,130          |
| Deakin          | 1,221          | 1,222          | 1,222          | 1,228          | 1,229          |
| Denman Prospect | 0              | 0              | 0              | 1              | 136            |
| Dickson         | 840            | 882            | 918            | 937            | 948            |
| Downer          | 1,434          | 1,434          | 1,443          | 1,448          | 1,451          |
| Duffy           | 1,244          | 1,244          | 1,251          | 1,267          | 1,267          |
| Dunlop          | 2,510          | 2,510          | 2,510          | 2,518          | 2,518          |
| Evatt           | 2,028          | 2,028          | 2,031          | 2,032          | 2,032          |
| Fadden          | 1,098          | 1,098          | 1,098          | 1,098          | 1,101          |
| Farrer          | 1,186          | 1,186          | 1,188          | 1,188          | 1,186          |
| Fisher          | 1,208          | 1,208          | 1,208          | 1,210          | 1,210          |
| Florey          | 1,901          | 1,901          | 1,901          | 1,901          | 1,901          |
| Flynn           | 1,245          | 1,245          | 1,245          | 1,244          | 1,248          |
| Forde           | 1,354          | 1,417          | 1,434          | 1,447          | 1,452          |
| Forrest         | 719            | 785            | 788            | 793            | 798            |
| Franklin        | 1,729          | 2,007          | 2,030          | 2,312          | 2,440          |
| Fraser          | 748            | 750            | 750            | 750            | 752            |
| Garran          | 1,218          | 1,219          | 1,227          | 1,240          | 1,254          |
| Gilmore         | 981            | 983            | 983            | 983            | 986            |
| Giralang        | 1,250          | 1,250          | 1,252          | 1,251          | 1,251          |
| Gordon          | 2,834          | 2,834          | 2,834          | 2,834          | 2,834          |
| Gowrie          | 1,135          | 1,137          | 1,137          | 1,137          | 1,137          |
| Greenway        | 787            | 932            | 931            | 938            | 1,019          |
| Griffith        | 2,240          | 2,240          | 2,317          | 2,316          | 2,526          |
| Gungahlin       | 2,012          | 2,056          | 2,060          | 2,062          | 2,067          |
| Hackett         | 1,199          | 1,201          | 1,201          | 1,201          | 1,218          |
| Hall            | 99             | 99             | 99             | 100            | 102            |
| Harrison        | 1,852          | 2,166          | 2,340          | 2,470          | 2,759          |
| Hawker          | 1,191          | 1,191          | 1,191          | 1,191          | 1,192          |
| Higgins         | 1,170          | 1,170          | 1,172          | 1,172          | 1,174          |

| <b>Suburbs</b>  | <b>2011-12</b> | <b>2012-13</b> | <b>2013-14</b> | <b>2014-15</b> | <b>2015-16</b> |
|-----------------|----------------|----------------|----------------|----------------|----------------|
| Holder          | 1,118          | 1,118          | 1,118          | 1,118          | 1,117          |
| Holt            | 2,102          | 2,103          | 2,118          | 2,117          | 2,118          |
| Hughes          | 1,115          | 1,115          | 1,118          | 1,124          | 1,124          |
| Isaacs          | 1,000          | 1,000          | 1,000          | 1,000          | 1,000          |
| Isabella Plains | 1,565          | 1,565          | 1,565          | 1,565          | 1,565          |
| Jacka           | 0              | 104            | 134            | 192            | 239            |
| Kaleen          | 2,648          | 2,648          | 2,655          | 2,656          | 2,675          |
| Kambah          | 5,867          | 5,867          | 5,867          | 5,871          | 5,874          |
| Kingston        | 2,185          | 2,526          | 2,646          | 2,785          | 2,956          |
| Latham          | 1,424          | 1,424          | 1,424          | 1,425          | 1,425          |
| Lawson          | 0              | 0              | 0              | 75             | 194            |
| Lyneham         | 2,237          | 2,270          | 2,282          | 2,344          | 2,365          |
| Lyons           | 1,112          | 1,129          | 1,261          | 1,265          | 1,265          |
| Macarthur       | 501            | 501            | 501            | 501            | 501            |
| Macgregor       | 2,456          | 2,529          | 2,589          | 2,597          | 2,599          |
| Macquarie       | 988            | 1,006          | 1,078          | 1,078          | 1,091          |
| Mawson          | 1,367          | 1,373          | 1,387          | 1,414          | 1,420          |
| McKellar        | 1,008          | 1,008          | 1,008          | 1,008          | 1,008          |
| Melba           | 1,214          | 1,214          | 1,214          | 1,216          | 1,216          |
| Monash          | 1,953          | 1,955          | 1,955          | 1,955          | 1,955          |
| Moncrieff       | 0              | 0              | 0              | 13             | 889            |
| Narrabundah     | 2,367          | 2,437          | 2,437          | 2,437          | 2,439          |
| Ngunnawal       | 3,578          | 3,630          | 3,917          | 4,087          | 4,137          |
| Nicholls        | 2,362          | 2,362          | 2,362          | 2,362          | 2,362          |
| O'Connor        | 2,135          | 2,177          | 2,204          | 2,206          | 2,264          |
| O'Malley        | 433            | 433            | 433            | 433            | 434            |
| Oaks Estate     | 98             | 98             | 98             | 98             | 98             |
| Oxley           | 645            | 645            | 645            | 645            | 645            |
| Page            | 1,089          | 1,106          | 1,118          | 1,138          | 1,150          |
| Palmerston      | 2,121          | 2,121          | 2,121          | 2,121          | 2,120          |
| Pearce          | 1,041          | 1,041          | 1,043          | 1,043          | 1,044          |
| Phillip         | 1,428          | 1,426          | 1,426          | 1,627          | 1,627          |
| Red Hill        | 1,082          | 1,082          | 1,081          | 1,090          | 1,096          |
| Reid            | 602            | 602            | 602            | 656            | 691            |
| Richardson      | 1,160          | 1,160          | 1,160          | 1,160          | 1,160          |
| Rivett          | 1,259          | 1,259          | 1,259          | 1,259          | 1,259          |
| Scullin         | 1,146          | 1,146          | 1,155          | 1,157          | 1,157          |
| Spence          | 932            | 942            | 942            | 943            | 951            |
| Stirling        | 768            | 768            | 768            | 768            | 768            |
| Throsby         | 0              | 0              | 0              | 0              | 1              |
| Theodore        | 1,375          | 1,375          | 1,375          | 1,375          | 1,377          |

| Suburbs         | 2011-12 | 2012-13 | 2013-14 | 2014-15 | 2015-16 |
|-----------------|---------|---------|---------|---------|---------|
| Torrens         | 871     | 871     | 871     | 864     | 862     |
| Turner          | 1,785   | 1,806   | 1,873   | 1,875   | 1,926   |
| Uriarra Village | 100     | 102     | 99      | 99      | 100     |
| Wanniassa       | 2,864   | 2,874   | 2,884   | 2,888   | 2,904   |
| Waramanga       | 979     | 1,010   | 1,010   | 1,010   | 1,010   |
| Watson          | 2,329   | 2,478   | 2,480   | 2,480   | 2,493   |
| Weetangera      | 917     | 926     | 923     | 930     | 933     |
| Weston          | 1,308   | 1,308   | 1,310   | 1,387   | 1,386   |
| Wright          | 199     | 456     | 511     | 1,122   | 1,331   |
| Yarralumla      | 1,319   | 1,322   | 1,358   | 1,364   | 1,366   |

<sup>1</sup> Suburbs with less than 20 dwellings have been omitted. This includes Paddys River, Pialligo, Symonston, and Tharwa.

The number of rateable dwellings, broken down by suburb, for the financial years 2016-17 to 2021-22 follows.

| Suburbs   | 2016-17 | 2017-18 | 2018-19 | 2020-21 | 2021-22 |
|-----------|---------|---------|---------|---------|---------|
| Ainslie   | 1,880   | 1,886   | 1,887   | 1,888   | 1,893   |
| Amaroo    | 1,925   | 1,978   | 1,978   | 1,978   | 1,978   |
| Aranda    | 914     | 920     | 925     | 934     | 944     |
| Banks     | 1,837   | 1,837   | 1,845   | 1,845   | 1,845   |
| Barton    | 970     | 1,142   | 1,146   | 1,146   | 1,145   |
| Belconnen | 3,499   | 3,512   | 3,536   | 3,927   | 4,469   |
| Bonner    | 2,205   | 2,205   | 2,205   | 2,206   | 2,207   |
| Bonython  | 1,452   | 1,452   | 1,452   | 1,452   | 1,450   |
| Braddon   | 3,049   | 3,240   | 3,277   | 3,957   | 4,145   |
| Bruce     | 2,705   | 2,706   | 2,797   | 2,799   | 2,849   |
| Calwell   | 2,109   | 2,110   | 2,110   | 2,112   | 2,112   |
| Campbell  | 1,406   | 1,616   | 1,760   | 1,980   | 1,990   |
| Casey     | 2,271   | 2,292   | 2,326   | 2,326   | 2,326   |
| Chapman   | 1,009   | 1,012   | 1,014   | 1,017   | 1,027   |
| Charnwood | 1,236   | 1,240   | 1,246   | 1,252   | 1,256   |
| Chifley   | 1,103   | 1,127   | 1,142   | 1,170   | 1,173   |
| Chisholm  | 1,888   | 1,890   | 1,890   | 1,890   | 1,890   |
| City      | 1,995   | 1,996   | 2,184   | 2,388   | 2,575   |
| Conder    | 1,740   | 1,741   | 1,741   | 1,741   | 1,741   |
| Cook      | 1,292   | 1,294   | 1,297   | 1,301   | 1,300   |
| Coombs    | 961     | 1,158   | 1,492   | 1,640   | 1,775   |
| Crace     | 1,648   | 1,648   | 1,648   | 1,648   | 1,648   |
| Curtin    | 2,153   | 2,162   | 2,166   | 2,176   | 2,182   |
| Deakin    | 1,234   | 1,242   | 1,246   | 1,254   | 1,252   |



| <b>Suburbs</b>  | <b>2016-17</b> | <b>2017-18</b> | <b>2018-19</b> | <b>2020-21</b> | <b>2021-22</b> |
|-----------------|----------------|----------------|----------------|----------------|----------------|
| Denman Prospect | 243            | 461            | 698            | 847            | 1,280          |
| Dickson         | 985            | 1,109          | 1,403          | 1,457          | 1,584          |
| Downer          | 1,481          | 1,483          | 1,486          | 1,530          | 1,652          |
| Duffy           | 1,271          | 1,281          | 1,281          | 1,289          | 1,297          |
| Dunlop          | 2,526          | 2,525          | 2,526          | 2,526          | 2,526          |
| Evatt           | 2,035          | 2,043          | 2,047          | 2,049          | 2,048          |
| Fadden          | 1,101          | 1,101          | 1,101          | 1,101          | 1,101          |
| Farrer          | 1,193          | 1,201          | 1,207          | 1,219          | 1,241          |
| Fisher          | 1,216          | 1,220          | 1,234          | 1,250          | 1,257          |
| Florey          | 1,901          | 1,901          | 1,901          | 1,901          | 1,901          |
| Flynn           | 1,252          | 1,261          | 1,269          | 1,274          | 1,285          |
| Forde           | 1,454          | 1,458          | 1,458          | 1,458          | 1,458          |
| Forrest         | 798            | 812            | 816            | 847            | 939            |
| Franklin        | 2,694          | 2,806          | 2,806          | 2,806          | 2,806          |
| Fraser          | 753            | 759            | 759            | 762            | 766            |
| Garran          | 1,263          | 1,273          | 1,284          | 1,290          | 1,300          |
| Gilmore         | 990            | 990            | 990            | 989            | 989            |
| Giralang        | 1,254          | 1,256          | 1,258          | 1,262          | 1,262          |
| Gordon          | 2,834          | 2,858          | 2,858          | 2,858          | 2,859          |
| Gowrie          | 1,137          | 1,141          | 1,141          | 1,141          | 1,141          |
| Greenway        | 1,020          | 1,649          | 1,711          | 1,732          | 2,122          |
| Griffith        | 2,584          | 2,660          | 2,758          | 2,844          | 2,837          |
| Gungahlin       | 2,073          | 2,630          | 2,770          | 2,962          | 3,272          |
| Hackett         | 1,225          | 1,229          | 1,238          | 1,243          | 1,243          |
| Hall            | 99             | 107            | 109            | 110            | 110            |
| Harrison        | 2,860          | 2,860          | 2,860          | 2,859          | 2,860          |
| Hawker          | 1,194          | 1,197          | 1,199          | 1,203          | 1,207          |
| Higgins         | 1,172          | 1,182          | 1,202          | 1,208          | 1,210          |
| Holder          | 1,117          | 1,127          | 1,139          | 1,150          | 1,152          |
| Holt            | 2,121          | 2,130          | 2,326          | 2,370          | 2,408          |
| Hughes          | 1,124          | 1,133          | 1,141          | 1,155          | 1,165          |
| Isaacs          | 1,000          | 1,000          | 1,000          | 1,000          | 1,000          |
| Isabella Plains | 1,569          | 1,569          | 1,571          | 1,571          | 1,571          |
| Jacka           | 239            | 239            | 239            | 239            | 241            |
| Kaleen          | 2,681          | 2,694          | 2,701          | 2,701          | 2,702          |
| Kambah          | 5,901          | 5,941          | 5,972          | 6,000          | 6,017          |
| Kingston        | 3,463          | 3,565          | 3,786          | 3,859          | 4,138          |
| Latham          | 1,426          | 1,439          | 1,447          | 1,452          | 1,453          |
| Lawson          | 633            | 952            | 1,077          | 1,077          | 1,078          |

| <b>Suburbs</b>  | <b>2016-17</b> | <b>2017-18</b> | <b>2018-19</b> | <b>2020-21</b> | <b>2021-22</b> |
|-----------------|----------------|----------------|----------------|----------------|----------------|
| Lyneham         | 2,367          | 2,374          | 2,387          | 2,403          | 2,578          |
| Lyons           | 1,275          | 1,287          | 1,317          | 1,322          | 1,330          |
| Macarthur       | 501            | 501            | 501            | 501            | 501            |
| Macgregor       | 2,604          | 2,618          | 2,632          | 2,639          | 2,636          |
| Macquarie       | 1,120          | 1,125          | 1,226          | 1,237          | 1,322          |
| Mawson          | 1,419          | 1,433          | 1,446          | 1,464          | 1,472          |
| McKellar        | 1,008          | 1,012          | 1,012          | 1,012          | 1,012          |
| Melba           | 1,219          | 1,231          | 1,236          | 1,244          | 1,252          |
| Monash          | 1,955          | 1,955          | 1,955          | 1,955          | 1,955          |
| Moncrieff       | 1,095          | 1,330          | 1,491          | 1,622          | 1,623          |
| Narrabundah     | 2,450          | 2,457          | 2,465          | 2,475          | 2,477          |
| Ngunnawal       | 4,137          | 4,137          | 4,137          | 4,137          | 4,137          |
| Nicholls        | 2,362          | 2,362          | 2,362          | 2,362          | 2,362          |
| O'Connor        | 2,279          | 2,301          | 2,339          | 2,346          | 2,351          |
| O'Malley        | 434            | 434            | 434            | 434            | 434            |
| Oaks Estate     | 98             | 98             | 98             | 98             | 127            |
| Oxley           | 645            | 645            | 645            | 645            | 645            |
| Page            | 1,154          | 1,160          | 1,162          | 1,168          | 1,170          |
| Palmerston      | 2,120          | 2,120          | 2,120          | 2,120          | 2,120          |
| Pearce          | 1,056          | 1,067          | 1,079          | 1,092          | 1,097          |
| Phillip         | 1,950          | 2,104          | 2,106          | 2,427          | 3,203          |
| Red Hill        | 1,105          | 1,105          | 1,107          | 1,114          | 1,122          |
| Reid            | 693            | 694            | 693            | 693            | 693            |
| Richardson      | 1,160          | 1,160          | 1,160          | 1,160          | 1,160          |
| Rivett          | 1,266          | 1,276          | 1,287          | 1,288          | 1,289          |
| Scullin         | 1,163          | 1,162          | 1,169          | 1,176          | 1,179          |
| Spence          | 952            | 955            | 957            | 965            | 969            |
| Stirling        | 769            | 775            | 780            | 780            | 780            |
| Throsby         | 249            | 515            | 597            | 742            | 871            |
| Theodore        | 1,377          | 1,377          | 1,377          | 1,377          | 1,379          |
| Torrens         | 860            | 876            | 887            | 892            | 898            |
| Turner          | 1,964          | 1,987          | 2,029          | 2,263          | 2,299          |
| Uriarra Village | 100            | 100            | 100            | 100            | 100            |
| Wanniassa       | 2,907          | 2,909          | 2,922          | 2,932          | 2,938          |
| Waramanga       | 1,016          | 1,021          | 1,026          | 1,030          | 1,032          |
| Watson          | 2,498          | 2,523          | 2,528          | 2,748          | 2,840          |
| Weetangera      | 934            | 948            | 959            | 978            | 985            |
| Weston          | 1,396          | 1,445          | 1,450          | 1,469          | 1,470          |
| Wright          | 1,662          | 1,393          | 1,423          | 1,504          | 1,649          |

| Suburbs      | 2016-17 | 2017-18 | 2018-19 | 2020-21 | 2021-22 |
|--------------|---------|---------|---------|---------|---------|
| Yarralumla   | 1,367   | 1,374   | 1,384   | 1,384   | 1,390   |
| Taylor       | 0       | 309     | 406     | 585     | 782     |
| Straithnairn | 0       | 0       | 0       | 173     | 419     |
| Whitlam      | 0       | 0       | 0       | 0       | 22      |

<sup>1</sup> Suburbs with less than 20 dwellings have been omitted. This includes Paddys River, Pialligo, Symonston, and Tharwa.

## Government—skilled migration (Question No 952)

**Mr Cocks** asked the Minister for Skills, upon notice, on 21 October 2022:

Can the Minister advise the number of visa subclass 491 applicants accepted by the ACT Government in (a) 2020-2021 and (b) 2021-2022 that met the critical skills of (i) Finance Managers (ANZSCO Code 132211), (ii) Advertising Manager (131113), (iii) Human Resource Manager (132311), (iv) Accountant (General) (221111), (v) Management Accountant (221112), (vi) Taxation Accountant (221113), (vii) Company Secretary (221211), (viii) External Auditor (221213), (ix) Internal Auditor (221214), (x) Financial Investment Advisor (222311), (xi) Financial Investment Manager (222312), (xii) Management Consultant (224711), (xiii) Veterinarian (234711), (xiv) Physiotherapist (252511) and (xv) Solicitors (271311).

**Mr Steel:** The answer to the member's question is as follows:

- 1) The ACT is allocated a fixed number of visa nomination places each financial year by the Australian Government. Skilled migrants can apply with the ACT Government for ACT nomination for a Skilled Nominated (subclass 190) and Skilled Work Regional (subclass 491) visa. ACT nomination triggers a visa invitation from the Department of Home Affairs, it does not guarantee a migration outcome. The number of approvals for visa subclass 491 nomination applications for each of the occupations specified, per financial year from 2020-21 to 2021-22, is included in the table below.

|      | ANZSCO Code | ANZSCO Occupation            | 2020-21 | 2021-22 |
|------|-------------|------------------------------|---------|---------|
| i    | 132211      | Finance Manager              | 1       | 22      |
| ii   | 131113      | Advertising Manager          | 0       | 0       |
| iii  | 132311      | Human Resource Manager       | 0       | 8       |
| iv   | 221111      | Accountant (General)         | 106     | 209     |
| v    | 221112      | Management Accountant        | 1       | 6       |
| vi   | 221113      | Taxation Accountant          | 0       | 4       |
| vii  | 221211      | Company Secretary            | 0       | 0       |
| viii | 221213      | External Auditor             | 6       | 11      |
| ix   | 221214      | Internal Auditor             | 0       | 3       |
| x    | 222311      | Financial Investment Adviser | 2       | 1       |
| xi   | 222312      | Financial Investment Manager | 0       | 0       |
| xii  | 224711      | Management Consultant        | 0       | 8       |
| xiii | 234711      | Veterinarian                 | 0       | 1       |
| xiv  | 252511      | Physiotherapist              | 0       | 1       |
| xv   | 271311      | Solicitor                    | 1       | 15      |

**Transport—public transport strategy development study  
(Question No 953)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

- (1) What does the ACT Government expect will be included in the Public Transport Strategy Development Study tendered on 7 September.
- (2) How will this study integrate into the (a) Multimodal Network Plan, (b) refreshed Light Rail Network Plan and the (c) Transport Strategy 2020.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Transport Canberra is developing a Public Transport Strategy (PT Strategy) which will be an internal facing document to inform future planning. The PT Strategy will outline Transport Canberra's strategic vision and priorities in response to future challenges and opportunities. It will provide direction on how Transport Canberra delivers on objectives in the ACT Transport Strategy and other key government policy.
- (2) The PT Strategy will seek to deliver the vision for Public Transport across Canberra with a key objective being the alignment and interface with the ACT Transport Strategy and network plans.

---

**Transport Canberra—bus network resourcing  
(Question No 955)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

- (1) How many (a) bus drivers and (b) buses were required to operate the full bus network which ran from July 2020 to August 2021.
- (2) How many (a) bus drivers and (b) buses were required to operate the interim bus network which began in August 2021.
- (3) How many (a) bus drivers and (b) buses will be required to operate the full bus network proposed for Term 1, 2023.

**Mr Steel:** The answer to the member's question is as follows:

- (1)
  - a) 811
  - b) 457
- (2) The August 2021 interim network did not include school runs due to the COVID lockdown requirements. The interim network (which commenced in October 2021) requires:
  - a) 811 (includes 70 'stand by drivers' to cover covid leave).

- b) 457 (includes 48 contingency to accommodate less mechanics due to covid leave).
- (3) The shifts have not been finalised and therefore these numbers are yet to be confirmed.

### **Government—skilled migration (Question No 956)**

**Mr Cocks** asked the Minister for Skills, upon notice, on 21 October 2022:

- (1) Can the Minister advise the number of visa subclass 491 applicants accepted by the ACT Government for financial years of (a) 2018-2019, (b) 2019-2020, (c) 2020-2021 and (d) 2021-2022.
- (2) Can the Minister advise the number of visa subclass 491 applicants accepted by the ACT Government in (a) 2018-2019 and (b) 2019-2020 that met the critical skills of (i) Finance Managers (ANZSCO Code 132211), (ii) Advertising Manager (131113), (iii) Human Resource Manager (132311), (iv) Accountant (General) (221111), (v) Management Accountant (221112), (vi) Taxation Accountant (221113), (vii) Company Secretary (221211), (viii) External Auditor (221213), (ix) Internal Auditor (221214), (x) Financial Investment Advisor (222311), (xi) Financial Investment Manager (222312), (xii) Management Consultant (224711), (xiii) Veterinarian (234711), (xiv) Physiotherapist (252511) and (xv) solicitors (271311).

**Mr Steel:** The answer to the member's question is as follows:

- (1) The ACT is allocated a fixed number of visa nomination places each financial year by the Australian Government. Skilled migrants can apply with the ACT Government for ACT nomination for a Skilled Nominated (subclass 190) and Skilled Work Regional (subclass 491) visa. ACT nomination triggers a visa invitation from the Department of Home Affairs, it does not guarantee a migration outcome. The number of approvals for visa subclass 491 nomination applications, per financial year from 2018-19 to 2021-22, is included in the table below.

| <b>FY:</b>                   | <b>2018-19</b> | <b>2019-20</b> | <b>2020-21</b> | <b>2021-22</b> |
|------------------------------|----------------|----------------|----------------|----------------|
| Total Applications Approved: | 0              | 198            | 597            | 1401           |

- (2) The number of approvals for visa subclass 491 nomination applications for each of the occupations specified, per financial year from 2018-19 to 2019-20, is included in the table below.

|      | <b>ANZSCO Code</b> | <b>ANZSCO Occupation</b>     | <b>2018-19</b> | <b>2019-20</b> |
|------|--------------------|------------------------------|----------------|----------------|
| i    | 132211             | Finance Manager              | 0              | 0              |
| ii   | 131113             | Advertising Manager          | 0              | 0              |
| iii  | 132311             | Human Resource Manager       | 0              | 0              |
| iv   | 221111             | Accountant (General)         | 0              | 31             |
| v    | 221112             | Management Accountant        | 0              | 0              |
| vi   | 221113             | Taxation Accountant          | 0              | 0              |
| vii  | 221211             | Company Secretary            | 0              | 0              |
| viii | 221213             | External Auditor             | 0              | 1              |
| ix   | 221214             | Internal Auditor             | 0              | 0              |
| x    | 222311             | Financial Investment Adviser | 0              | 0              |
| xi   | 222312             | Financial Investment Manager | 0              | 0              |

|      | ANZSCO Code | ANZSCO Occupation     | 2018-19 | 2019-20 |
|------|-------------|-----------------------|---------|---------|
| xii  | 224711      | Management Consultant | 0       | 0       |
| xiii | 234711      | Veterinarian          | 0       | 0       |
| xiv  | 252511      | Physiotherapist       | 0       | 0       |
| xv   | 271311      | Solicitor             | 0       | 1       |

### **Government—revenue (Question No 958)**

**Ms Lee** asked the Treasurer, upon notice, on 21 October 2022:

Can the Minister provide the revenue, by suburb, from (a) conveyance duty, (b) residential rates, (c) commercial rates and (d) land tax, for the financial year 2021-2022.

**Mr Barr:** The answer to the member's question is as follows:

The revenue by suburb for the financial year 2021-22 from (a) conveyance duty, (b) residential rates, (c) commercial rates, and (d) land tax, are tabled below.

#### **(a) Conveyance duty**

| <b>Suburbs</b> | <b>Conveyance duty 2021-22 (\$'000)<sup>1</sup></b> |
|----------------|---|
| Ainslie        | 5,332   |
| Amaroo         | 2,342   |
| Aranda         | 2,045   |
| Banks          | 1,135   |
| Barton         | 8,657   |
| Beard          | 253   |
| Belconnen      | 7,536   |
| Bonner         | 2,884   |
| Bonython       | 1,288   |
| Braddon        | 13,155  |
| Bruce          | 4,832   |
| Calwell        | 1,897   |
| Campbell       | 10,335  |
| Casey          | 3,214   |
| Chapman        | 2,724   |
| Charnwood      | 760   |
| Chifley        | 3,688   |
| Chisholm       | 1,868   |
| City           | 41,295  |
| Conder         | 2,908   |
| Cook           | 1,952   |
| Coombs         | 3,467   |
| Crace          | 2,586   |

| <b>Suburbs</b>  | <b>Conveyance duty 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|---|
| Curtin          | 6,035   |
| Deakin          | 6,942   |
| Denman Prospect | 4,844   |
| Dickson         | 6,887   |
| Downer          | 4,072   |
| Duffy           | 2,067   |
| Dunlop          | 2,327   |
| Evatt           | 1,828   |
| Fadden          | 2,372   |
| Farrer          | 3,550   |
| Fisher          | 1,771   |
| Florey          | 1,599   |
| Flynn           | 1,654   |
| Forde           | 3,700   |
| Forrest         | 10,516  |
| Franklin        | 2,766   |
| Fraser          | 994   |
| Fyshwick        | 9,889   |
| Garran          | 3,955   |
| Gilmore         | 1,159   |
| Giralang        | 1,602   |
| Gordon          | 2,552   |
| Gowrie          | 1,336   |
| Greenway        | 17,091  |
| Griffith        | 9,567   |
| Gungahlin       | 5,174   |
| Hackett         | 2,322   |
| Hall            | 322   |
| Harrison        | 4,236   |
| Hawker          | 2,365   |
| Higgins         | 1,161   |
| Holder          | 1,153   |
| Holt            | 1,895   |
| Hughes          | 3,829   |
| Hume            | 4,323   |
| Isaacs          | 1,822   |
| Isabella Plains | 1,041   |
| Jacka           | 114   |
| Kaleen          | 4,204   |
| Kambah          | 7,226   |
| Kingston        | 10,605  |

| <b>Suburbs</b> | <b>Conveyance duty 2021-22 (\$'000)<sup>1</sup></b> |
|----------------|---|
| Latham         | 1,160   |
| Lawson         | 974   |
| Lyneham        | 4,073   |
| Lyons          | 3,688   |
| Macarthur      | 755   |
| Macgregor      | 2,453   |
| Macquarie      | 2,569   |
| Majura         | 123   |
| Mawson         | 4,008   |
| Mckellar       | 1,662   |
| Melba          | 1,421   |
| Mitchell       | 1,144   |
| Monash         | 2,173   |
| Moncrieff      | 2,756   |
| Narrabundah    | 6,399   |
| Ngunnawal      | 3,926   |
| Nicholls       | 4,554   |
| Oaks estate    | 46  |
| O'Connor       | 6,275   |
| O'Malley       | 2,069   |
| Oxley          | 617   |
| Page           | 1,478   |
| Palmerston     | 2,273   |
| Parkes         | 1,348   |
| Pearce         | 3,022   |
| Phillip        | 14,705  |
| Red hill       | 6,992   |
| Reid           | 7,555   |
| Richardson     | 844   |
| Rivett         | 1,699   |
| Scullin        | 1,394   |
| Spence         | 869   |
| Stirling       | 1,242   |
| Strathnairn    | 1,942   |
| Symonston      | 3,900   |
| Taylor         | 8,340   |
| Tharwa         | 23  |
| Theodore       | 1,085   |
| Throsby        | 1,610   |
| Torrens        | 2,371   |
| Tuggeranong    | 98  |



| <b>Suburbs</b>  | <b>Conveyance duty 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|---|
| Turner          | 4,523   |
| Uriarra Village | 43  |
| Wanniassa       | 3,718   |
| Waramanga       | 1,585   |
| Watson          | 4,950   |
| Weetangera      | 2,639   |
| Weston          | 1,995   |
| Whitlam         | 4,108   |
| Wright          | 2,262   |
| Yarralumla      | 6,577   |

<sup>1</sup> The conveyance duty amounts are net of concessions and excludes amounts where a taxpayer has elected to defer duty. These amounts are current as at 31 October 2022.

### **(b) Residential Rates**

| <b>Suburbs</b>  | <b>Residential Rates 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|---|
| Ainslie         | 9,270   |
| Amaroo          | 5,030   |
| Aranda          | 3,954   |
| Banks           | 4,338   |
| Barton          | 3,218   |
| Belconnen       | 8,077   |
| Bonner          | 5,208   |
| Bonython        | 3,532   |
| Braddon         | 9,608   |
| Bruce           | 7,048   |
| Calwell         | 5,346   |
| Campbell        | 8,430   |
| Casey           | 5,693   |
| Chapman         | 3,826   |
| Charnwood       | 2,807   |
| Chifley         | 3,825   |
| Chisholm        | 4,760   |
| City            | 4,756   |
| Conder          | 4,196   |
| Cook            | 4,293   |
| Coombs          | 4,655   |
| Crace           | 4,268   |
| Curtin          | 8,644   |
| Deakin          | 7,416   |
| Denman Prospect | 4,456   |
| Dickson         | 5,054   |
| Downer          | 5,909   |

| <b>Suburbs</b>  | <b>Residential Rates 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|---|
| Duffy           | 3,867   |
| Dunlop          | 5,886   |
| Evatt           | 5,365   |
| Fadden          | 3,370   |
| Farrer          | 4,788   |
| Fisher          | 3,574   |
| Florey          | 5,165   |
| Flynn           | 3,345   |
| Forde           | 3,981   |
| Forrest         | 5,951   |
| Franklin        | 6,140   |
| Fraser          | 2,011   |
| Garran          | 5,109   |
| Gilmore         | 2,500   |
| Giralang        | 3,637   |
| Gordon          | 6,830   |
| Gowrie          | 2,919   |
| Greenway        | 4,153   |
| Griffith        | 11,220  |
| Gungahlin       | 6,764   |
| Hackett         | 5,046   |
| Hall            | 461   |
| Harrison        | 6,597   |
| Hawker          | 3,994   |
| Higgins         | 3,234   |
| Holder          | 3,268   |
| Holt            | 5,487   |
| Hughes          | 4,832   |
| Isaacs          | 3,530   |
| Isabella Plains | 3,773   |
| Jacka           | 510   |
| Kaleen          | 8,442   |
| Kambah          | 16,103  |
| Kingston        | 10,196  |
| Latham          | 3,626   |
| Lawson          | 2,434   |
| Lyneham         | 7,317   |
| Lyons           | 4,533   |
| Macarthur       | 1,419   |
| Macgregor       | 6,055   |
| Macquarie       | 3,835   |
| Mawson          | 4,907   |
| McKellar        | 2,884   |

| <b>Suburbs</b>  | <b>Residential Rates 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|---|
| Melba           | 3,402   |
| Monash          | 5,054   |
| Moncrieff       | 3,759   |
| Narrabundah     | 10,151  |
| Ngunnawal       | 9,468   |
| Nicholls        | 7,182   |
| O'Connor        | 10,230  |
| O'Malley        | 2,469   |
| Oaks Estate     | 271   |
| Oxley           | 1,765   |
| Page            | 3,082   |
| Palmerston      | 5,519   |
| Pearce          | 3,924   |
| Phillip         | 5,893   |
| Pialligo        | 31  |
| Red Hill        | 8,858   |
| Reid            | 3,441   |
| Richardson      | 2,847   |
| Rivett          | 3,610   |
| Scullin         | 3,008   |
| Spence          | 2,464   |
| Stirling        | 2,259   |
| Strathnairn     | 1,848   |
| Symonston       | 10  |
| Taylor          | 4,355   |
| Tharwa          | 47  |
| Theodore        | 3,386   |
| Throsby         | 3,022   |
| Torrens         | 3,232   |
| Tuggeranong     | 11  |
| Turner          | 6,948   |
| Uriarra Village | 242   |
| Wanniassa       | 7,644   |
| Waramanga       | 3,062   |
| Watson          | 8,305   |
| Weetangera      | 3,777   |
| Weston          | 4,356   |
| Whitlam         | 682   |
| Wright          | 3,951   |
| Yarralumla      | 9,311   |

<sup>1</sup> The residential rates amounts are net of rebates and includes the Fire Emergency Services Levy. These amounts are current as at 31 October 2022.

**(c) Commercial Rates**

| <b>Suburbs</b>   | <b>Commercial Rates 2021-22 (\$'000)<sup>1</sup></b> |
|------------------|--|
| Acton            | 25   |
| Ainslie          | 415  |
| Amaroo           | 607  |
| Aranda           | 145  |
| Banks            | 52   |
| Barton           | 10,108   |
| Beard            | 1,890  |
| Belconnen        | 12,525   |
| Bonner           | 159  |
| Bonython         | 61   |
| Braddon          | 15,641   |
| Bruce            | 2,479  |
| Calwell          | 482  |
| Campbell         | 1,082  |
| Canberra Central | 170  |
| Casey            | 668  |
| Chapman          | 39   |
| Charnwood        | 596  |
| Chifley          | 41   |
| Chisholm         | 536  |
| City             | 46,348   |
| Conder           | 995  |
| Cook             | 36   |
| Coree            | 17   |
| Cotter River     | 3  |
| Crace            | 213  |
| Curtin           | 639  |
| Deakin           | 6,689  |
| Denman Prospect  | 157  |
| Dickson          | 7,100  |
| Downer           | 38   |
| Duffy            | 29   |
| Dunlop           | 60   |
| Evatt            | 59   |
| Fadden           | 43   |
| Farrer           | 55   |
| Fisher           | 66   |
| Florey           | 194  |
| Forde            | 108  |

| <b>Suburbs</b>  | <b>Commercial Rates 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|--|
| Forrest         | 3,338  |
| Franklin        | 296  |
| Fraser          | 19   |
| Fyshwick        | 32,622   |
| Garran          | 267  |
| Gilmore         | 6  |
| Giralang        | 103  |
| Gordon          | 58   |
| Gowrie          | 75   |
| Greenway        | 9,582  |
| Griffith        | 9,933  |
| Gungahlin       | 6,274  |
| Hackett         | 75   |
| Hall            | 229  |
| Harrison        | 268  |
| Hawker          | 610  |
| Higgins         | 209  |
| Holder          | 49   |
| Holt            | 1,005  |
| Hughes          | 112  |
| Hume            | 11,205   |
| Isaacs          | 114  |
| Isabella Plains | 37   |
| Jerrabomberra   | 153  |
| Kaleen          | 445  |
| Kambah          | 1,322  |
| Kingston        | 4,732  |
| Kowen           | 9  |
| Latham          | 40   |
| Lawson          | 10   |
| Lyneham         | 1,287  |
| Lyons           | 110  |
| Macarthur       | 70   |
| Macgregor       | 180  |
| Macquarie       | 1,374  |
| Majura          | 2,631  |
| Mawson          | 1,142  |
| McKellar        | 211  |
| Melba           | 82   |
| Mitchell        | 9,602  |
| Molonglo        | 201  |

| <b>Suburbs</b> | <b>Commercial Rates 2021-22 (\$'000)<sup>1</sup></b> |
|----------------|--|
| Monash         | 229  |
| Narrabundah    | 606  |
| Ngunnawal      | 247  |
| Nicholls       | 1,074  |
| O'Connor       | 405  |
| O'Malley       | 314  |
| Oaks Estate    | 47   |
| Oxley          | 44   |
| Paddys River   | 28   |
| Page           | 41   |
| Palmerston     | 57   |
| Pearce         | 48   |
| Phillip        | 19,735   |
| Pialligo       | 1,727  |
| Red Hill       | 518  |
| Reid           | 68   |
| Richardson     | 37   |
| Rivett         | 136  |
| Scullin        | 122  |
| Spence         | 78   |
| Stirling       | 38   |
| Stromlo        | 56   |
| Symonston      | 2,958  |
| Taylor         | 404  |
| Tharwa         | 28   |
| Theodore       | 19   |
| Throsby        | 145  |
| Torrens        | 108  |
| Tuggeranong    | 1,250  |
| Turner         | 2,342  |
| Wanniassa      | 1,545  |
| Waramanga      | 90   |
| Watson         | 587  |
| Weetangera     | 45   |
| Weston         | 2,382  |
| Woden Valley   | 6  |
| Yarralumla     | 3,872  |

<sup>1</sup> The commercial rates amounts are net of rebates and includes the Fire Emergency Services Levy. These amounts are current as at 31 October 2022.

**(d) Land Tax**

| <b>Suburbs</b>  | <b>Land Tax 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|--|
| Ainslie         | 2,340  |
| Amaroo          | 1,378  |
| Aranda          | 788  |
| Banks           | 707  |
| Barton          | 1,762  |
| Belconnen       | 5,666  |
| Bonner          | 1,737  |
| Bonython        | 985  |
| Braddon         | 6,502  |
| Bruce           | 3,741  |
| Calwell         | 913  |
| Campbell        | 3,190  |
| Casey           | 1,956  |
| Chapman         | 413  |
| Charnwood       | 577  |
| Chifley         | 1,464  |
| Chisholm        | 689  |
| City            | 3,624  |
| Conder          | 567  |
| Cook            | 890  |
| Coombs          | 1,097  |
| Crace           | 1,666  |
| Curtin          | 2,278  |
| Deakin          | 1,928  |
| Denman Prospect | 616  |
| Dickson         | 2,520  |
| Downer          | 2,218  |
| Duffy           | 668  |
| Dunlop          | 1,057  |
| Evatt           | 1,131  |
| Fadden          | 317  |
| Farrer          | 863  |
| Fisher          | 650  |
| Florey          | 1,395  |
| Flynn           | 532  |
| Forde           | 1,136  |
| Forrest         | 1,770  |
| Franklin        | 3,202  |
| Fraser          | 194  |
| Garran          | 1,390  |

| <b>Suburbs</b>  | <b>Land Tax 2021-22 (\$'000)<sup>1</sup></b> |
|-----------------|--|
| Gilmore         | 407  |
| Giralang        | 729  |
| Gordon          | 1,274  |
| Gowrie          | 380  |
| Greenway        | 1,727  |
| Griffith        | 4,151  |
| Gungahlin       | 3,884  |
| Hackett         | 1,033  |
| Hall            | 46   |
| Harrison        | 3,432  |
| Hawker          | 804  |
| Higgins         | 628  |
| Holder          | 649  |
| Holt            | 1,191  |
| Hughes          | 1,032  |
| Isaacs          | 802  |
| Isabella Plains | 917  |
| Jacka           | 148  |
| Kaleen          | 2,108  |
| Kambah          | 2,656  |
| Kingston        | 6,144  |
| Latham          | 687  |
| Lawson          | 1,248  |
| Lyneham         | 3,156  |
| Lyons           | 1,948  |
| Macarthur       | 153  |
| Macgregor       | 1,282  |
| Macquarie       | 1,270  |
| Mawson          | 1,781  |
| McKellar        | 442  |
| Melba           | 549  |
| Monash          | 1,074  |
| Moncrieff       | 843  |
| Narrabundah     | 3,110  |
| Ngunnawal       | 2,760  |
| Nicholls        | 1,197  |
| O'Connor        | 3,427  |
| O'Malley        | 988  |
| Oaks Estate     | 77   |
| Oxley           | 255  |
| Page            | 1,224  |



| Suburbs         | Land Tax 2021-22 (\$'000) <sup>1</sup> |
|-----------------|--|
| Palmerston      | 1,686                                  |
| Pearce          | 935                                    |
| Phillip         | 3,521                                  |
| Pialligo        | 14                                     |
| Red Hill        | 1,907                                  |
| Reid            | 1,397                                  |
| Richardson      | 498                                    |
| Rivett          | 698                                    |
| Scullin         | 935                                    |
| Spence          | 318                                    |
| Stirling        | 504                                    |
| Strathnairn     | 146                                    |
| Taylor          | 359                                    |
| Tharwa          | 6                                      |
| Theodore        | 446                                    |
| Throsby         | 472                                    |
| Torrens         | 773                                    |
| Tuggeranong     | 10                                     |
| Turner          | 3,752                                  |
| Uriarra Village | 16                                     |
| Wanniassa       | 1,230                                  |
| Waramanga       | 651                                    |
| Watson          | 2,727                                  |
| Weetangera      | 704                                    |
| Weston          | 997                                    |
| Whitlam         | 27                                     |
| Wright          | 1,137                                  |
| Yarralumla      | 2,254                                  |

<sup>1</sup> These land tax amounts are current as at 31 October 2022.

---

### **Budget 2022-2023—borrowings (Question No 959)**

**Ms Lee** asked the Treasurer, upon notice, on 21 October 2022:

In relation to page 291 of the 2022-2023 Budget Outlook, Table 3.8.8, that summarises the current Territory borrowing estimates for the ACT, for the line “Leases/Other”, can the Treasurer provide a line-by-line breakdown of all of the borrowings this line is comprised of.

**Mr Barr:** The answer to the member's question is as follows:

|                                 | 2021-22          | 2022-23          | 2023-24          | 2024-25          | 2025-26          |
|---------------------------------|------------------|------------------|------------------|------------------|------------------|
|                                 | \$'000           | \$'000           | \$'000           | \$'000           | \$'000           |
| Finance Leases                  | 919,215          | 893,769          | 857,237          | 819,341          | 779,827          |
| Public Private Partnerships     | 151,186          | 149,670          | 147,626          | 145,326          | 143,696          |
| Service Concession Arrangements | 288,380          | 277,286          | 266,563          | 255,065          | 243,567          |
| <b>Total</b>                    | <b>1,358,781</b> | <b>1,320,725</b> | <b>1,271,426</b> | <b>1,219,732</b> | <b>1,167,090</b> |

### **Transport Canberra—bus drivers (Question No 961)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

- (1) How many new drivers will Transport Canberra hire in the 2022-2023 financial year.
- (2) What is the expected total number of drivers Transport Canberra would require to deliver a minimum service level of hourly weekend suburban buses.
- (3) What is the current number of new bus drivers being trained yearly by Transport Canberra.
- (4) What is the maximum number of new drivers that can be trained in a year under current circumstances.

**Mr Steel:** The answer to the member's question is as follows:

- (1) Transport Canberra will continue to recruit bus drivers to meet network requirements and accommodate driver attrition. The exact number will be driven by the ongoing network changes that are under development. Transport Canberra had set a target of recruiting 60 new bus drivers between May and December in 2022, which they are on track to achieve.
- (2) The number of shifts and Transport Canberra bus drivers cannot be confirmed as a bus network has not been built or scheduled for this specific scenario and service frequency. The number of drivers required is also subject to the mix of employee type between permanent part time, permanent full time and casual.
- (3) The number of drivers being trained each year fluctuates depending on a number of factors but predominantly network requirements. For example, in the 2021 calendar year 61 drivers were trained. In 2022, that number is likely to be closer to 100.
- (4) The current recruitment capacity would be 150 drivers in one calendar year.

### **Roads—accident black spots (Question No 962)**

**Mr Parton** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

Did the Minister, earlier in the year, announce that money would be appropriated to improve the western intersection of Lawrence Wackett Crescent and Tharwa Drive; if so, following another accident at the site in recent weeks, can the Minister advise when work will commence on that troubled intersection and when is it likely to finish.

**Mr Steel:** The answer to the member's question is as follows:

The upgrade of this intersection has been allocated a budget of \$1.994 million for design and construction of the required safety improvements identified through a feasibility study. The project is jointly funded by the Commonwealth.

A procurement process is currently underway to engage a suitably qualified design consultant to undertake design services and approvals. Timing of construction is dependent on the finalisation of procurement and the staging of construction with other intersection and capital works projects underway across the city.

---

### **Light rail stage 2A—active travel plan (Question No 963)**

**Ms Clay** asked the Minister for Transport and City Services, upon notice, on 21 October 2022:

- (1) Will the raising London Circuit project include the road design and active travel features as presented in the Government's draft Active Travel Plan on page 14.
- (2) Could the design example of a "protected intersection" on page 15 of the Active Travel Plan be suitable for London Circuit.
- (3) Is it expected that the design of the cycling lanes and crossings of a raised London Circuit might change further after the development of Light Rail Stage 2A to reflect designs in the draft Active Travel Plan.

**Mr Steel:** The answer to the member's question is as follows:

- (1) A protected intersection design for the intersection of Commonwealth Avenue and London Circuit will be proposed to the NCA in the Stage 2A works approval process like the render on page 14.
  - (2) The best practice design example of a "protected intersection" on page 15 of the ACT Government's draft Active Travel plan has helped inform the development of the design for the intersection of Commonwealth Avenue and London Circuit.
  - (3) The design proposed for Stage 2A is being developed to reflect the draft Active Travel Plan including protected intersections; the physical separation of pedestrians and cyclists from general motor traffic.
-

### Government—skilled migration (Question No 965)

**Mr Cocks** asked the Minister for Skills, upon notice, on 21 October 2022:

- (1) Can the Minister advise the number of visa subclass 190 applicants accepted by the ACT Government in (a) 2020-2021 and (b) 2021-2022 that met the critical skills of (i) Finance Managers (ANZSCO Code 132211), (ii) Advertising Manager (131113), (iii) Human Resource Manager (132311), (iv) Accountant (General) (221111), (v) Management Accountant (221112), (vi) Taxation Accountant (221113), (vii) Company Secretary (221211), (viii) External Auditor (221213), (ix) Internal Auditor (221214), (x) Financial Investment Adviser (222311), (xi) Financial Investment Manager (222312), (xii) Management Consultant (224711), (xiii) Veterinarian (234711), (xiv) Physiotherapist (252511) and (xv) Solicitors (271311).

**Mr Steel:** The answer to the member's question is as follows:

- (1) The ACT is allocated a fixed number of visa nomination places each financial year by the Australian Government. Skilled migrants can apply with the ACT Government for ACT nomination for a Skilled Nominated (subclass 190) and Skilled Work Regional (subclass 491) visa. ACT nomination triggers a visa invitation from the Department of Home Affairs, it does not guarantee a migration outcome. The number of approvals for visa subclass 190 nomination applications for each of the occupations specified, per financial year from 2020-21 to 2021-22, is included in the table below.

|      | ANZSCO Code | ANZSCO Occupation            | 2020-21 | 2021-22 |
|------|-------------|------------------------------|---------|---------|
| i    | 132211      | Finance Manager              | 12      | 1       |
| ii   | 131113      | Advertising Manager          | 0       | 0       |
| iii  | 132311      | Human Resource Manager       | 0       | 1       |
| iv   | 221111      | Accountant (General)         | 62      | 79      |
| v    | 221112      | Management Accountant        | 1       | 1       |
| vi   | 221113      | Taxation Accountant          | 1       | 1       |
| vii  | 221211      | Company Secretary            | 0       | 0       |
| viii | 221213      | External Auditor             | 4       | 6       |
| ix   | 221214      | Internal Auditor             | 0       | 0       |
| x    | 222311      | Financial Investment Adviser | 1       | 0       |
| xi   | 222312      | Financial Investment Manager | 0       | 0       |
| xii  | 224711      | Management Consultant        | 2       | 1       |
| xiii | 234711      | Veterinarian                 | 0       | 0       |
| xiv  | 252511      | Physiotherapist              | 3       | 2       |
| xv   | 271311      | Solicitor                    | 5       | 10      |

### Government—skilled migration (Question No 966)

**Mr Cocks** asked the Minister for Skills, upon notice, on 21 October 2022:

- (1) Can the Minister advise the number of visa subclass 190 applicants accepted by the ACT Government for the financial years of (a) 2018-2019, (b) 2019-2020, (c) 2020-2021 and (d) 2021-2022.
- (2) Can the Minister advise the number of visa subclass 190 applicants accepted by the ACT Government in (a) 2018-2019 and (b) 2019-2020 that met the critical skills of

(i) Finance Managers (ANZSCO Code 132211), (ii) Advertising Manager (131113), (iii) Human Resource Manager (132311), (iv) Accountant (General) (221111), (v) Management Accountant (221112), (vi) Taxation Accountant (221113), (vii) Company Secretary (221211), (viii) External Auditor (221213), (ix) Internal Auditor (221214), (x) Financial Investment Advisor (222311), (xi) Financial Investment Manager (222312), (xii) Management Consultant (224711), (xiii) Veterinarian (234711), (xiv) Physiotherapist (252511) and (xv) Solicitors (271311).

**Mr Steel:** The answer to the member's question is as follows:

- (1) The ACT is allocated a fixed number of visa nomination places each financial year by the Australian Government. Skilled migrants can apply with the ACT Government for ACT nomination for a Skilled Nominated (subclass 190) and Skilled Work Regional (subclass 491) visa. ACT nomination triggers a visa invitation from the Department of Home Affairs, it does not guarantee a migration outcome. The number of approvals for visa subclass 190 nomination applications, per financial year from 2018-19 to 2021-22, is included in the table below.

| FY:                          | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|------------------------------|---------|---------|---------|---------|
| Total Applications Approved: | 1177    | 1207    | 804     | 599     |

- (2) The number of approvals for visa subclass 190 nomination applications for each of the occupations specified, per financial year from 2018-19 to 2019-20, is included in the table below.

|      | ANZSCO Code | ANZSCO Occupation            | 2018-19 | 2019-20 |
|------|-------------|------------------------------|---------|---------|
| i    | 132211      | Finance Manager              | 4       | 1       |
| ii   | 131113      | Advertising Manager          | 0       | 0       |
| iii  | 132311      | Human Resource Manager       | 0       | 0       |
| iv   | 221111      | Accountant (General)         | 445     | 368     |
| v    | 221112      | Management Accountant        | 3       | 4       |
| vi   | 221113      | Taxation Accountant          | 10      | 4       |
| vii  | 221211      | Company Secretary            | 1       | 0       |
| viii | 221213      | External Auditor             | 23      | 13      |
| ix   | 221214      | Internal Auditor             | 3       | 0       |
| x    | 222311      | Financial Investment Adviser | 2       | 1       |
| xi   | 222312      | Financial Investment Manager | 0       | 0       |
| xii  | 224711      | Management Consultant        | 0       | 1       |
| xiii | 234711      | Veterinarian                 | 0       | 0       |
| xiv  | 252511      | Physiotherapist              | 1       | 2       |
| xv   | 271311      | Solicitor                    | 6       | 2       |

## Questions without notice taken on notice

### Schools—traffic management

**Mr Steel** (*in reply to a question and a supplementary question by Mr Milligan and Ms Lawder on Tuesday, 11 October 2022*):

Transport Canberra and City Services' (TCCS) School Safety Program provides a central point of contact for schools and school communities to raise traffic management and safety concerns. The School Safety Program works closely with various stakeholders across the ACT Government to respond to traffic management

and safety concerns, including the Education Directorate, Roads ACT and Parking Operations and Traffic Compliance.

I am advised that over the past year, the School Safety Program processed correspondence from 175 constituents. Due to the multi-faceted nature of school safety correspondence, these enquiries didn't solely focus on parking and often related to a combination of issues including parking, infrastructure, active travel and safety. Multiple constituents may have also raised the same issue separately. In addition, the School Safety Program works directly with the Education Directorate and relevant schools to respond to any parking and safety concerns identified.

### **Alexander Maconochie Centre—forensic psychology services**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mrs Kikkert and Ms Castley on Wednesday, 12 October 2022*):

ACT Corrective Services (ACTCS) utilises the contracted Forensic Psychologist for external supervision to specialist clinical positions. There has never been a Forensic Psychologist operating as supervisor to the case management team.

ACTCS is developing a supervision framework for all clinical and non-clinical roles involved in case management and therapeutic interventions. Consultation with staff and relevant experts is underway to design the most effective framework. At present, ACTCS Case Management staff have access to a range of subject matter experts to support and guide their practice and interventions. These include, but are not limited to, specialist sex offender interventions.

### **Alexander Maconochie Centre—human rights breach**

**Mr Rattenbury** (*in reply to a question by Mrs Kikkert on Thursday, 13 October 2022*):

No.

### **ACT Health—elective surgery**

**Ms Stephen-Smith** (*in reply to a question by Mr Cocks on Thursday, 13 October 2022*):

In the 2022-23 financial year, 2,290 surgeries are planned through the Elective Joint Replacement Program (EJRP), the Private Provider Program (PPP) and the High Value Pool (HVP).

Currently median wait times are:

- EJRP
  - Category 1 (to be seen within 30 days) - 10 days
  - Category 2 (to be seen within 90 days) - 82 days
  - Category 3 (to be seen within 365 days) - 215 days

- PPP
  - Category 1 - 16 days
  - Category 2 - 86 days
  - Category 3 - 200 days
- HVP - 16 days

### **ACT Health—dermatology unit**

**Ms Stephen-Smith** (*in reply to a question by Ms Castley on Thursday, 13 October 2022*):

Waiting times are dynamic and the mean waiting time for the patients on the waiting list at 21 April 2022 for an initial appointment in the dermatology service was 740 days.

### **ACT Policing—Operation TORIC**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mr Hanson on Thursday, 13 October 2022*):

As at 30 October 2022, there were 73 arrests attached to Operation TORIC that were released on bail.

ACT Policing Intelligence provide a list of offenders who are of interest and who have compliance conditions to patrol zones for routine compliance checking.

### **ACT Policing—response times**

**Mr Gentleman** (*in reply to a question by Mr Hanson on Tuesday, 18 October 2022*):

All reports made to ACT Policing are prioritised in accordance with dispatch protocols, meaning those where people are in danger are prioritised higher with a faster response time.

In accordance with the 2021-22 Purchase Agreement and the prioritised response model, ACT Policing utilises a three-tier incident response prioritisation framework:

- Priority One incidents are defined as life threatening or time critical situations;
- Priority Two incidents are defined as situations where the information provided indicates that time is important, but not critical; and
- Priority Three incidents are defined as incidents where there is no immediate danger to safety or property.

Though ACT Policing did not meet its Priority One or Priority Two targets as documented in the 2021-22 Annual Report, the failure to meet Performance Measures eight and nine is symptomatic of increased calls for service and additional pressure on police to respond within target timeframes.

Priority Two matters have increased 30 per cent in the last seven years, demonstrating this increased demand on ACT Policing.

| PRIORITY TWO MATTERS RECORDED BY ACT POLICING 2015-2022 |         |         |         |         |         |         |         |
|---|---------|---------|---------|---------|---------|---------|---------|
|   | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
| Priority 2  | 11 632  | 13 828  | 13 432  | 14 189  | 15 367  | 16 653  | 15 196  |

The ACT Government is continuing to invest in and work with ACT Policing to deal with this increased demand.

### **Health—eating disorder support services**

**Ms Davidson** (*in reply to a question and a supplementary question by Ms Castley on Wednesday, 19 October 2022*):

- Every effort is made to maintain people under 16 years in the paediatric ward, however at times, an individual person's illness requires admission to the AMHU. Young people are admitted and cared for either in the vulnerable persons suite or with a 1:1 special. Clinical care is provided in close consultation with Child and Adolescent Mental Health Services to ensure appropriate developmental and therapeutic approaches are taken to support the young person and their family.
- Canberra Health Services cannot answer due to the numbers being very low and the children may be identifiable.

### **ACT Heritage Council—Independent review**

**Ms Vassarotti** (*in reply to a question and a supplementary question by Ms Lawder and Mr Milligan on Thursday, 20 October 2022*):

I have recently received a copy of the review report for the ACT Heritage Council and ACT Heritage.

I am currently considering the report including response options. I propose to make the key findings of the review public.

There are no changes currently taking place to the ACT Heritage Council as the Council's activities are currently suspended.

### **Drugs—pill testing**

**Ms Stephen-Smith** (*in reply to a question by Mr Davis on Thursday, 20 October 2022*):

A team led by the Australian National University (ANU) has been funded by the ACT Government to conduct an independent evaluation of the fixed-site drug checking pilot. The evaluation will collect quantitative and qualitative data including operational data from the service, questionnaires collected from clients at the service, follow-up questionnaires and interviews with clients who wish to participate, interviews with key stakeholders, observational data from the service, and where available routinely collected administrative data from agencies such as emergency services.



Evidence of effectiveness of the implementation of the pilot will include whether the pilot was implemented as intended, whether it reached its target client groups and the views of service clients and key stakeholders, including government and non-government stakeholders, on the pilot's implementation. Evidence of outcomes of the pilot will include any change in attitudes and/or behaviours related to illicit drug use and harm reduction among services clients as a result of engagement with the service, any impact on drug-related emergency health service interactions, the value and timeliness of information about illicit drug availability and harms in Canberra, and any unintended consequences of the pilot.

### **Roads—Jabanungga Avenue**

**Mr Steel** (*in reply to a question by Ms Castley on Thursday, 20 October 2022*):

I have been advised that the contractor has commenced preliminary works on site (including the location of utilities etc), works programming and supply orders for materials and infrastructure including stormwater pipes.

I have been advised the contractor has experienced challenges in relation to the availability of specific stormwater pipes required to undertake these works in accordance with the design. The assessment and approval of alternative stormwater pipe options has unfortunately delayed the commencement of works. Alternative sub-soil stormwater drainage has now been approved, sourced, and adopted to ensure that these works are accelerated and undertaken in the shortest possible time.

The ongoing wet weather has also significantly affected delivery of the program.

### **Emergency services—workers compensation**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mr Milligan and Mr Cocks on Thursday, 20 October 2022*):

*1. What has the government done to ensure the new claims manager is being held accountable for the timeframes in which the claims are being processed?*

Relevant workers' compensation performance standards were jointly developed by ACT Government and union officials with a view to making the experience of claiming workers' compensation as simple and accessible as possible. Accuracy and timeliness of decision making are key indicators of performance in this respect.

During each of the two complete financial years since the self-insurer was established, the ACT has met or exceeded all annual licensee key performance indicators for the timeliness of claim determination. During 2021-22 that meant that:

- 98.7 per cent of:
  - injury claims were determined within 20 days and
  - disease claims were determined within 60 days.

- 99.1 per cent of
  - injury claims were determined within 30 days and
  - disease claims were determined within 75 days.

*2. What is the average time for a PTSD claim to be processed by the current claims manager from when they are submitted?*

Since 1 January 2022, there have been streamlined arrangements in place for first responders (e.g. firefighters, ambulance officers and paramedics) employed by the Justice and Community Safety Directorate. The average time taken to determine one of these claims has reduced significantly as a result of the change and currently averages six days.

In the years prior to this change (from 1 July 2016 to 1 January 2022) the average number of days taken to determine a PTSD claim for first responders was 45 days.

For workers other than first responders who suffer PTSD, the average amount of time taken to determine the claim has reduced since the ACT Government became a self-insurer. By way of example, in the 12 months to September 2022, there were 10 claims for post traumatic stress disorder made by employees of the Justice and Community Safety Directorate. The average time taken to determine these was 38 days.

*3. What arrangements are in place to ensure first responders suffering from PTSD are not experiencing financial loss if and while they are unable to work but are waiting on the resolution of their claim?*

As indicated in the response to question two above, the amount of time taken to determine a first responder's PTSD claim has reduced significantly. In addition, the ACT Government workers' compensation insurer provides immediate medical, allied health and rehabilitation assistance for an injury or illness that is the subject of a workers' compensation claim from the time that a claim is made up until it is determined. In the event a claim is declined, the payments made during this interim period are not recovered. This means that first responders would not have out of pocket medical costs associated with treatment of their PTSD.

Personal leave would also generally be available for an ACTPS employee if they are unable to work because of an injury or illness. Personal leave would be recredited by the workers' compensation insurer if liability for the injury or illness that caused the incapacity is accepted.

### **ACT Ambulance Service—fees**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mr Braddock and Mr Davis on Thursday, 30 June 2022*):

The ACT Ambulance Service (ACTAS) has no evidence that people are delaying or not calling an ambulance because of concerns relating to cost.

The ACT Government does not wish for anyone to avoid calling an ambulance because of the cost. ACTAS is there to support community members who need it in a medical emergency. There are a range of exemptions and waivers available. The current Chief Officer of ACTAS having never rejected a waiver request.

**Crime—offences while on bail**

**Mr Gentleman** (*in reply to a question and a supplementary question by Mr Hanson and Mr Cain on Thursday, 30 June 2022*):

- 1) During Operation OQUENDO II, 21 offenders were granted bail.
- 2) To date, five offenders arrested under Operation OQUENDO I Operation OQUENDO II have subsequently been rearrested under Operation TORIC.
- 3) ACT Policing Intelligence provide a list of offenders who are of interest and who have compliance conditions to patrol zones. Where possible, patrols actively conduct compliance checking.

Police balance the monitoring of offenders with response-based workloads and current intelligence to provide a risk based approach. Bail monitoring and management actions by police may depend on the conditions of bail.